

Federal Aviation Administration Great Lakes Region

Condensed Environmental Assessment

The Condensed Environmental Assessment (Condensed EA) is appropriate for Great Lakes Region airport projects when a project:

- Cannot be Categorically Excluded (CATEX),
- Does not have significant impacts, and
- A detailed Environmental Assessment (EA) is not needed.

Proper completion of this document will allow the Federal Aviation Administration (FAA), and/or State Block Grant States, to determine whether the Condensed EA is appropriate for the proposed project and to support a Finding of No Significant Impact (FONSI).

Resource guidance used in preparation of this form comes from the FAA's Order 1050.1E, "Environmental Impacts: Policies and Procedures" or subsequent revisions. This order incorporates the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA), as well as the US Department of Transportation's environmental regulations (including FAA Order 5050.4B or subsequent revisions), and other federal statutes and regulations. Accordingly, this form is intended to meet the Federal regulatory requirements of an EA.

This format is appropriate if the proposed project's involvement with, or impacts to, extraordinary circumstances are not notable in number or degree and do not rise to the level of a full EA.

Consult with an Environmental Specialist at the FAA to determine if this form is appropriate for your project.

To complete this form, the preparer should describe the proposed project and provide information on any potential impacts of the proposed project. It will be necessary for the preparer to have knowledge of the environmental features of the airport. Although some of this information may be obtained from the preparer's own observations, environmental studies or other research may be necessary. Complete consultation with applicable Federal, state, and local resource agencies responsible for protecting specially protected resources prior to submitting this form to the FAA.

This form is not meant to be a stand-alone document. Rather, it is intended to be used in conjunction with the applicable orders, laws, and guidance documents, and in consultation with the appropriate resource agencies.

An appendix that contains all the figures, correspondence, and completed studies (or executive summaries of completed studies) should accompany the completed Condensed EA when submitted to the FAA for final approval.

Federal Aviation Administration – Great Lakes Region
Airport: Windom Municipal Airport Project: Jet-A Fueling EA

Federal Aviation Administration - Great Lakes Region Condensed Environmental Assessment

Project Location:

Airport Name:	Windom Municipal Airport	Airport Identifier:	MWM
Address:	48572 County Road 28		
City:	Windom	County:	Cottonwood
		State:	MN

Airport Sponsor Information:

Point of Contact:	Steve Nasby, City Administrator		
Address:	Windom City Hall, 444 9 th Street, PO Box 38		
City:	Windom	State:	MN
		Zip Code:	56101-0038
Telephone Number:	(507) 831-6129		
Email:	snasby@windom-mn.com		

Condensed EA Preparer Information:

Point of Contact:	Sherri A. Buss, RLA AICP, Senior Planner		
Address:	TKDA, 444 Cedar Street, Suite 1500		
City:	Saint Paul	State:	MN
		Zip Code:	55101
Telephone Number:	(651) 292-4582		
Email:	Sherri.buss@tkda.com		

Identify all Attachments to this Condensed EA:

Include aerial photos, maps, plans, correspondence, and completed studies (or executive summaries)

- Figure 1. Project Location Map—USGS Map
- Figure 2. Project Location—Aerial Photo
- Figure 2. Project Site
- SHPO Report—archaeological and historical site search
- Flood Insurance Rate Map (FIRM)
- MPCA Early Notification Response Letter (February 28, 2013)
- Contingency Plan for Potential Contamination—Section 51 Excavation and Embankment--standard specifications for construction relevant sections
- Memo Summarizing EPA Early Notification Comments (March 14, 2013)

Part I - General Project Identification

PURPOSE AND NEED:

Describe the problem that the project will address and the goals of the project.

The purpose of the project is to provide a Jet-A fueling facility at the Windom Municipal Airport. The Windom Airport currently has no permanent Jet-A fuel facilities on site. The airport has recently experienced increased Jet-A fuel demand for the agricultural spray operators that operate out of the airport during the growing season. The airport is also building a new hangar to serve a corporate aircraft user (Big Game Tree Stands) that needs Jet-A fuel.

Fueling for agricultural aircraft is currently accomplished using a pick-up truck carrying a fuel tank that comes to the site on local roadways. Corporate aircraft that use this airport must fuel at another airport. Transporting jet fuel frequently via truck is a concern, and creates a potential hazard on local roadways and at the airport. Transporting fuel by truck can be a cause of fuel spillage and environmental damage. Building the underground tank will require much less frequent delivery of fuel to the site, reducing the risks of fuel transport on local roadways and at the airport, and reducing the potential for fuel spillage and related environmental damage.

PROPOSED ACTION (PREFERRED ALTERNATIVE):

Describe the preferred alternative in detail, including how the project fits into the airport layout plan.

Windom Airport is proposing to add a 10,000 gallon underground storage tank that will hold Jet-A fuel. Aircraft will pull up to the tank and will be fueled through a self-serve nozzle and hose, similar to a conventional gas station.

The tank will be an underground, double-walled tank that meets Minnesota Pollution Control Agency (MPCA) permit requirements for underground storage tanks. Installation of the tank will include excavation of a limited area around the tank (approximately 1,000 square feet), installation of pipes and the tank. Installation will be completed according to the requirements of Minnesota Rules 7150 as required by the MPCA.

The proposed location for the new underground tank and its relationship to the existing airport and facilities are shown on Figure 2. Site Plan in the Attachments.

OTHER ALTERNATIVES CONSIDERED:

Describe alternatives considered, including the Do-Nothing Alternative

Alternative #1: Do-Nothing alternative. This alternative would maintain the current situation. Trucks with a jet fuel tank would come to the site as needed using local roadways and fuel the agricultural aircraft directly from the tank. Corporate aircraft would continue to fuel at other airports.

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Alternative #2: Build an above-ground tank for Jet-A fuel. This alternative would include building an above-ground 10,000 gallon storage tank for Jet-A fuel in the same location as the proposed underground tank (Figure 2. Site Plan in the Attachments).

Alternative #3: Build an above or below-ground fuel tank for Jet A fuel in another location on the property.

Explain in detail the reason for eliminating each non-preferred alternative.

Alternative #1 was eliminated because it does not address the project purpose and need. Maintaining the existing fueling method does not improve the safety at the airport or on local roadways, and does not reduce the potential for environmental damage due to fuel spillage.

Although Alternative #2 meets the purpose and need, it was eliminated from further consideration due to siting requirements and because the existing fuel facility (Av GAS) is underground.

Alternative #3 meets the purpose and need, but was eliminated from further consideration due to siting requirements—the proposed underground tank needs to be adjacent to the existing underground tank in order to share monitoring equipment and utilities, such as electrical connections. An above-ground tank in another location would have the same siting issues as Alternative #2.

AIRPORT DESCRIPTION:

Fill out the following information if the proposed project includes any changes to the existing airport design

	Existing		Proposed	
Runway:	17/35		N/C	
Length:	3,599'	ft.	N/C	ft.
Width:	75'	ft.	N/C	ft.
Pavement Strength:	45S/75D		N/C	
NAVAIDS:	REIL, GPS		N/C	Federally Owned: Y N
Approach Minimums:	1 mile		N/C	
Critical Aircraft (e.g. B-II) :	B-II		N/C	
RPZ Area:	500'x1000'x700'		N/C	

If the airport has multiple runways, this section should be filled out for each runway.

Remarks:

No changes to airport design are included with either the Proposed Action or the No Build alternative.

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LAND ACQUISITION:

		Amount (acres) 0	
Land Use Types	Permanent	Easement	
Residential			
Commercial			
Agricultural			
Forest			
Wetlands			
Other:			
TOTAL			

Remarks:

No land acquisition is required for the Proposed Action or for the No Build alternative. The airport owns the site that is proposed for the location of the Jet-A fueling facility.

PROJECT SCHEDULE:

Discuss the proposed schedule for the project, including permits and construction.

The City or its contractor will obtain a Building Permit prior to construction start.

Project construction is anticipated in June 2013, and will be completed in 1 month or less.

Within 30 days of project completion, the Airport will complete and submit the required MPCA UST Notification of Installation or Change in Status Form.

AFFECTED ENVIRONMENT:

Succinctly describe existing environmental conditions of the potentially affected area.

The potentially-affected area is approximately 1,000 square feet in size. It is located on the existing airport property on a flat, vacant site that is adjacent to an existing fuel tank. The area has been previously disturbed by airport construction activity and is currently occupied by non-native grass vegetation.

The existing fuel tank is an underground tank that supplies AvGAS fuel. It is a 10,000 gallon tank.

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Part II – Environmental Consequences

Air Quality

	Yes	No
Is the project in an air quality nonattainment or maintenance area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, is the:		
Project listed on Presumed to Conform List	<input type="checkbox"/>	<input type="checkbox"/>
Project accounted for in State Implementation Plan	<input type="checkbox"/>	<input type="checkbox"/>
Project emissions below applicable <i>de minimis</i> levels	<input type="checkbox"/>	<input type="checkbox"/>
Does the project require an air quality analysis?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project require an air quality analysis for construction impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: Neither the Proposed Action nor the No Build alternative will affect air quality during or after construction.

Coastal Areas

	Yes	No
Is the project located in a Coastal Barrier Resource System?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the project located in a Coastal Zone Management Program?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, Is a consistency finding required?	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: The airport is not located in or near a coastal area. Neither the Proposed Action nor the No Build alternative will affect a coastal area.

Compatible Land Use

	Yes	No
Will proposed action comply with local/regional development patterns for the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the proposed project located near or will it create a wildlife hazard as defined in FAA Advisory Circular 150/5200-33, "Wildlife Hazards on or Near Airports"?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has coordination with USDA Wildlife Services occurred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a Wildlife Assessment required?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: Both the Proposed Action and the No Build alternative are compatible with local and regional land use and development. The proposed project is located within existing airport property. The area is zoned for airport use.

Neither the Proposed Action nor the No Build alternative includes changing the area of undeveloped land on the airport property, and neither alternative includes any of the activities or uses identified in FAA Advisory Circular 150/5200-33 as activities that are likely to attract wildlife.

Construction Impacts

	Yes	No
Will construction of the proposed project:		
Increase ambient noise levels due to equipment operation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Degrade local air quality due to dust, equipment exhaust, or burning debris	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Deteriorate water quality when erosion or pollutant runoff occur
 Disrupt off-site and local traffic patterns

<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: **The No Build alternative will not increase ambient noise levels or degrade local air quality.**

Construction associated with the Proposed Action will require disturbance of an area approximately 50' x 100' for a short time in order to install the tank and related pipes. Construction activities and equipment will not increase ambient noise levels, degrade air quality, result in erosion or polluted runoff, or disrupt traffic patterns.

Cultural Resources

Results of Research

Eligible or Listed Resources Present:	Yes	No
Archaeology	<input type="checkbox"/>	<input checked="" type="checkbox"/>
History/Architecture	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Effect

	Yes	N/A	SHPO/FAA Approval Dates
No Historic Properties Affected	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="text"/>
No Adverse Effect	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="text"/>
Adverse Effect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>

Completed Documentation

	Yes	N/A	SHPO/FAA Approval Dates
Historic Properties Short Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Historic Property Report	<input type="checkbox"/>	<input checked="" type="checkbox"/>	April 3, 2013
Archaeological Records Check/ Review	<input type="checkbox"/>	<input checked="" type="checkbox"/>	April 3, 2013
Archaeological Phase I Survey Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Archaeological Phase II Investigation Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Archaeological Phase III Data Recovery	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
APE, Eligibility and Effect Determination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Memorandum of Agreement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>

Describe all efforts to document cultural resources using the categories outlined in the remarks box. Include any additional Section 106 work required, such as mitigation or deep trenching.

Remarks: **Area of Potential Effect (APE):**

Coordination with Consulting Parties:

Archaeology: Contacted SHPO for Historic Properties Report (attached)

Historic Properties: Contacted SHPO for Historic Property Records Report (attached) and Section 106 Finding (attached)

Documentation, Findings: SHPO Documentation attached

Public Involvement: N/A

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Department of Transportation Section 4(f)

Does the project area contain:	Yes	No
Publicly owned Park/Recreation Areas	<input type="checkbox"/>	X
Wildlife and/or Waterfowl Refuges	<input type="checkbox"/>	X
Historic Properties	<input type="checkbox"/>	X

Completed Documentation

		FAA Approval
Individual Section 4(f) Evaluation	<input type="checkbox"/>	<input type="checkbox"/>
"De minimis" Impact	<input type="checkbox"/>	<input type="checkbox"/>

Only to be used for the following circumstances:

- o *Historic Properties: project includes No Adverse Effect Finding with SHPO/THPO concurrence*
- o *Parks, Recreation Areas, or Wildlife/Waterfowl Refuges: project will not adversely affect activities, features, and attributes of the property and the official with jurisdiction concurs with the finding*

Refers to Section 4(f) of the Department of Transportation Act (now 49 USC § 303). Discuss De minimis impacts below. Individual Section 4(f) documentation must be separate Draft and Final documents.

Remarks: Neither the Proposed Action nor the No Build alternative will impact any Section 4(f) resources.

Ecological Resources

Biotic Resources

Describe the various types of flora (plants), fauna (fish, birds, reptiles, mammals, etc), and habitat located in the project area. Indicate if the project will have any impact on these species or their habitat.

Remarks:

The plant cover in the project area includes turf grasses and agricultural crops. A floodplain forest community is located along the Des Moines River, located approximately 600 feet east of the project site.

Fish and wildlife species in the area include species common in agricultural and rural areas such as rabbits, mice and other common rodents, geese, ducks, raptors, songbirds, small reptiles and amphibians.

The No Build alternative will not impact flora or fauna in the area or their habitats.

The Proposed Action will impact a small site area within the airport will be disturbed during construction. No wetlands, floodplains or other habitat areas will be disturbed. Construction activities may temporarily displace any small animals that use the site to adjacent agricultural or open areas, but no permanent impacts will occur to flora or fauna in the area.

Threatened or Endangered Species

	Yes	No
Is the project within the known range of any federal species?	<input type="checkbox"/>	X
Does the project area contain any critical habitat?	<input type="checkbox"/>	X
Is Section 7 formal consultation required for this action?	<input type="checkbox"/>	X
Are there any State threatened or endangered species in the area?	<input type="checkbox"/>	X

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Remarks: A search of the USFWS data-base identified no federally-protected or endangered species in the project area. The Minnesota DNR County Biological Survey database indicated that there are no State Threatened Species or Species of Special Concern near the project area.

Neither the Proposed Action nor the No Build alternative will impact any Threatened or Endangered Species.

Energy and Natural Resources

	Yes	No
Will the project result in energy impacts during or after construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will demand exceed supply?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are scarce or unusual materials required for the proposed project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project change existing aircraft fuel consumption?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: This project will change the fueling facilities at the airport, but will not impact the fuel demand or consumption. Neither the Proposed Action nor the No Build alternative will impact energy demand or consumption or utilize scarce materials.

Environmental Justice (EJ)

	Yes	No
Are any EJ populations located within the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the project result in adversely high or disproportionate impacts to the EJ population?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: The 2010 Census indicated that approximately 92% of the population of Windom classified themselves as White, 1.4% as African American, .3% Native American, 1.2% Asian, and 4% of other races. Approximately 8% of the population identified themselves as of Hispanic or Latino ethnicity. Approximately 9% of the population had incomes below the Federal poverty line.

The size of the project area is small, and is located entirely within the existing airport site. Neither the Proposed Action nor the No Build alternative will result in adverse or disproportionate impacts to Environmental Justice populations.

Farmland

	Yes	No
Will the project affect any Agricultural Lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there any Prime Farmland (per NRCS) in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NRCS-CPA-1006 Form score:

Remarks: The 50'x100' project area is entirely within the airport property on land that has been previously disturbed for airport purposes. Neither the Proposed Action nor the No Build alternative will impact any agricultural lands.

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Floodplains

Is the project located in a FEMA designated floodplain? Yes No

Attach the corresponding FEMA Flood Insurance Rate Map (FIRM) or other documentation in the appendix.

Remarks: FEMA Firmette map is attached. Neither the Proposed Action nor the No Build alternative will be located in or impact a designated floodplain.

Land and Water Conservation Fund Act Section 6(f)

Are there areas acquired or improved with Land and Water Conservation Fund grant assistance? Yes No

Remarks: Review of the DNR's database listing LAWCON properties identified no properties in the area that have received LAWCON grants. Neither the Proposed Action nor the No Build alternative will impact any Section 6(f) properties.

Light Emissions and Visual Effects

Will the project result in airport-related lighting impacts? Yes No

 Does the proposed project fit with the existing environment? Yes No

Remarks: No new lighting or change in existing lighting is proposed with the Proposed Action or the No Build alternative.

Noise

Will the project change the current noise levels?	Yes	No
Are there non-compatible land uses within the 65 DNL?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project create temporary (less than 180 days) noise impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a noise analysis required in accordance with FAA regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: A noise analysis is not required because neither the Proposed Action nor the No Build alternative will result in an increase or change in air traffic at the airport.

Social Impacts

Will the proposed action result in the relocation people, businesses or farms? Yes No

Number of relocations: Residences: _____ Businesses: _____ Farms: _____ Other: _____

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Remarks:

The Proposed Action will occur entirely on airport property. Neither the Proposed Action nor the No Build alternative will impact any residence, business or farm.

Socioeconomic Impacts

Will the proposed action result in:

- A change in business or economic activity in the project area
- An impact on local public service demands
- Induced/Secondary impacts

Yes	No
<input type="checkbox"/>	X
<input type="checkbox"/>	X
<input type="checkbox"/>	X

Remarks:

Neither the Proposed Action nor the No Build alternative will change local business or economic activity in the area.

Solid and Hazardous Waste

- Is there an Environmental Due Diligence Audit (EDDA) Phase I Report?
- If Yes, is EDDA Phase II required/completed
- If Yes, is EDDA Phase III required/completed
- Does the project require the use of land that may be contaminated?
- Will the proposed project generate solid waste?
- If Yes, are local disposal facilities capable of handling the additional waste?

Yes	No
<input type="checkbox"/>	X
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
X	<input type="checkbox"/>
<input type="checkbox"/>	X
<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

The MPCA *What's in My Neighborhood* database identified a tank leak site adjacent to the project area. Leak Site #3194 is located in close proximity to the proposed project. The MPCA noted that soil and/or groundwater contamination may be encountered during construction activities. (MPCA letter dated February 28, 2013 attached.)

The MPCA recommended that the project proposer have a contingency plan in place in the event that contamination is encountered during construction activities. The construction specifications will include directions for the contractor to implement if contaminated soils are encountered during construction. The standard specifications (Section 51 Excavation and Embankment, relevant sections related to contaminated soils) are included in the attachments. The specifications will be modified as needed based on any specific contaminants encountered.

The MPCA also noted that the Airport should notify the State Duty Officer if contamination is encountered during construction. The Airport or its contractor will call the State Duty Officer if contamination is encountered.

Water Quality

Streams, Rivers, Watercourses & Jurisdictional Ditches

- Are there Streams, Rivers, Watercourses or Ditches in/near the project area?
- Is there any Wild, Scenic or Recreational Rivers in/near the project area?

Yes	No
X	<input type="checkbox"/>
<input type="checkbox"/>	X

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Other Waters

Are there any lakes or ponds in/near the project area?

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Are there other surface/below surface waters in/near the project area?

Remarks: The Des Moines river is located approximately 600 feet to the east of the project site. Neither the Proposed Action nor the No Build alternative will impact the river or other surface waters.

Wetlands

Are there wetlands in/near the project area? Yes No

Total wetland area: _____ acre(s) Total wetland area impacted: _____ acres(s)

Wetland No.	Classification	Total Size (Acre)	Impacted Acres	Jurisdictional	Non-Jurisdictional	Comments

Completed Documentation

	Yes	No
Wetland Delineation Report	<input type="checkbox"/>	<input type="checkbox"/>
Conceptual Mitigation Plan (see remarks)	<input type="checkbox"/>	<input type="checkbox"/>
Mitigation Available	<input type="checkbox"/>	<input type="checkbox"/>

Individual Wetland Finding

Alternatives that will not result in any wetland impacts are not practicable because such avoidance would result in (Mark all that apply and explain):

Substantial adverse impacts to adjacent homes, business or other improved properties;	<input type="checkbox"/>	<input type="checkbox"/>
Substantially increased project costs;	<input type="checkbox"/>	<input type="checkbox"/>
Unique engineering, maintenance, or safety problems;	<input type="checkbox"/>	<input type="checkbox"/>
Substantial adverse social, economic, or environmental impacts, or	<input type="checkbox"/>	<input type="checkbox"/>
The project not meeting the identified needs	<input type="checkbox"/>	<input type="checkbox"/>

Discuss measures to avoid, minimize, and mitigate wetland impacts. Make sure to include mitigation ratios.

Remarks: Neither the Proposed Action nor the No Build alternative will impact wetlands.

Cumulative Impacts

When considered together with other past, present, and reasonably foreseeable future development projects on or off the airport, would the proposed project produce a cumulative effect on any of the environmental impact categories above? Yes No

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Remarks:

The Proposed Action will occur entirely on airport property and will result in minimal impacts. Therefore, the potential for cumulative impacts is minimal.

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Part III – Permits, Mitigation, Coordination and Public Involvement

PERMITS/MITIGATION

Permits

List all required permits for the proposed project & indicate if any problems are anticipated in obtaining the permit

Remarks: UST Notification of Installation or Change in Status—MPCA. Airport must submit notification form to MPCA within 30 days of bringing the Underground Storage Tank (UST) into use.
 Building Permit—City of Windom

Mitigation

Describe all mitigation measures for the proposed project. Include any impacts that cannot be mitigated or those that cannot be mitigated below threshold levels. Also, provide a description of any resources that must be avoided during construction.

Remarks: Contingency Plan (specifications for construction Section 51, attached) will be implemented if contaminated soils are encountered during construction.

EARLY COORDINATION

List each agency coordinated with, the date coordination was sent, and if a response was received in the following table. Make sure to include a copy of the response in the appendix.

Resource Agency	Date ECL Sent	Date Response Received	Date Draft EA Sent	Date Response Received
MPCA	1/30/13	2/28/13	4/10/13	
US EPA	1/30/13	2/5 and 3/14/13	4/10/13	

Remarks: MPCA letter is attached.
 Memo listing US EPA comments received via phone call is attached.

PUBLIC INVOLVEMENT

Some level of public involvement is encouraged for every Federal Action. **The level of public involvement should be commensurate with the proposed action.** Discuss any public involvement activities (legal notices, letters to affected property owners and residents, meetings, special purpose meetings, newspaper articles, etc.) for this project.

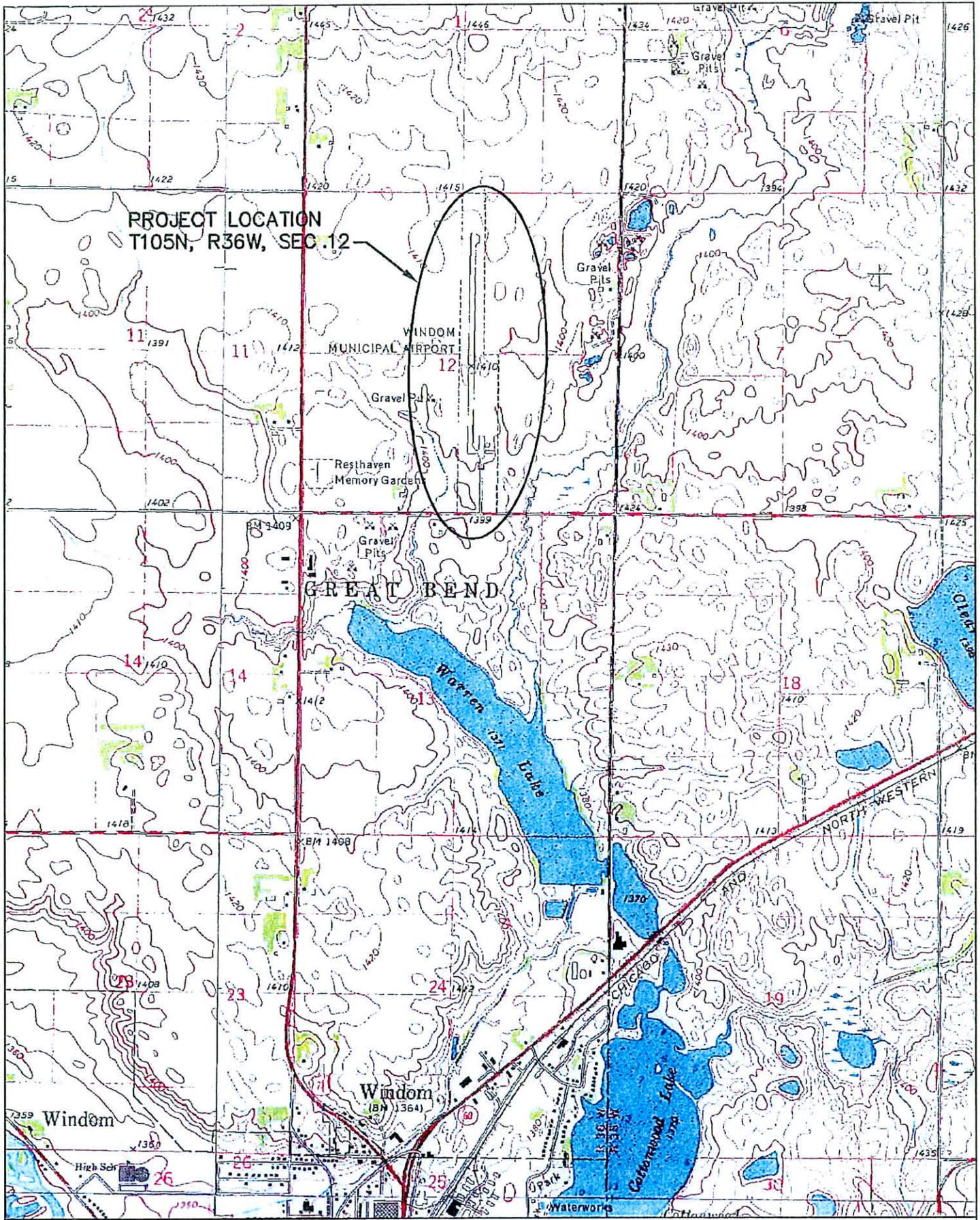
Remarks: The City will schedule the EA on a regular Council meeting agenda in June or July, 2013, when the draft is complete. The meeting and agenda will be noticed in the local newspaper and on the City's website. Council meetings are also televised on the local Cable television channel. All comments on the EA will be recorded, and the City will respond to the comments.

Public Controversy on Environmental Grounds

Is the project anticipated to involve substantial controversy concerning community and/or natural resource impacts?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

DIR: K:\n-z\Windom\15184000\air\drawings\exhibits\Windom2013CIP-usgs.dwg



USGS 7.5-minute Topographic Map

Bingham Lake Quadrangle

February 4, 2013

1:24,000





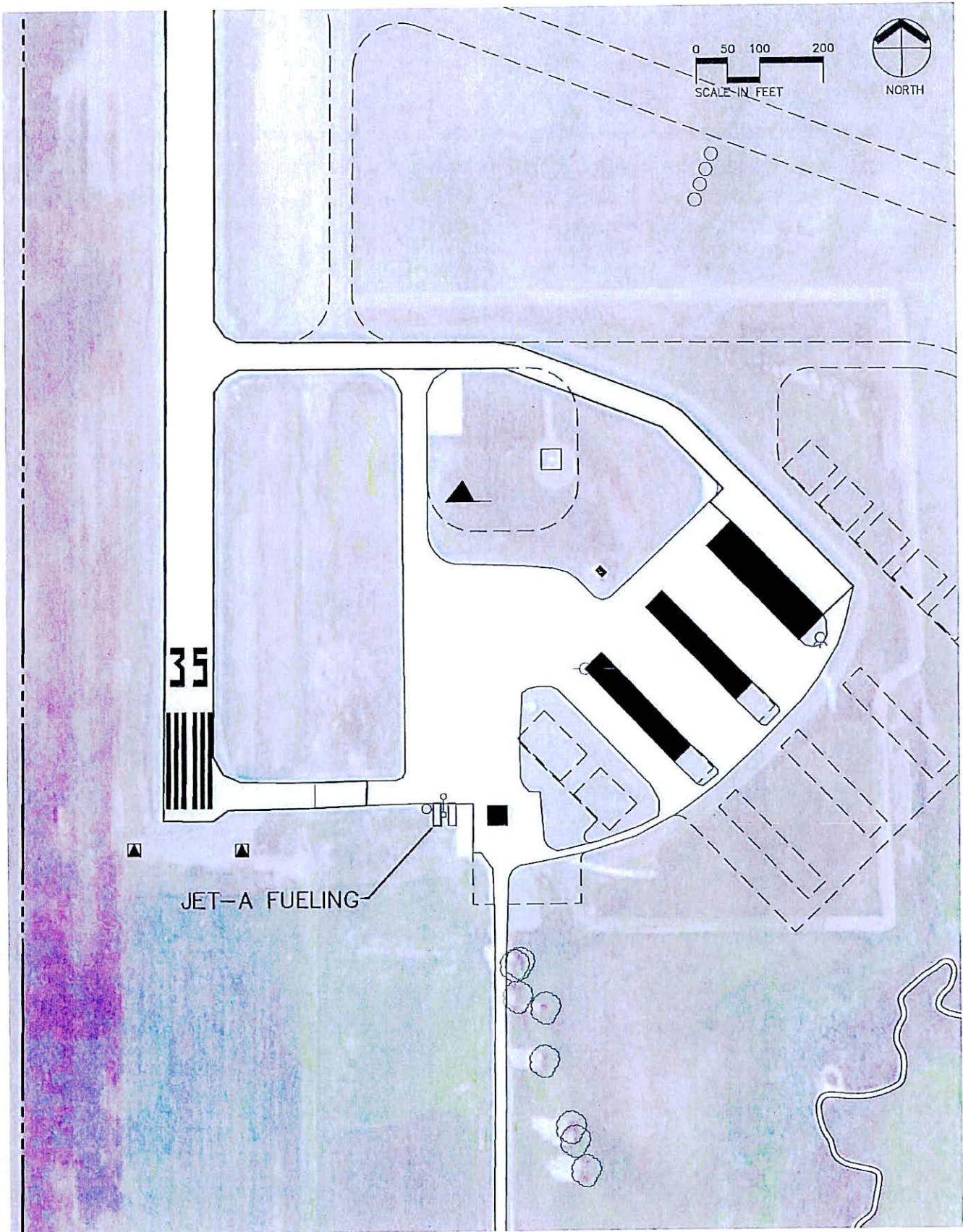
Windom Airport Aerial Photography
Windom Airport Environmental Assessment

project number 15184.000
April 2, 2013

Data Source: MNGeo WMS Service

0 500 1,000 2,000 Feet





2013 CIP - JET-A FUELING
WINDOM MUNICIPAL AIRPORT

From: Thomas Cinadr [thomas.cinadr@mnhs.org]
Sent: Wednesday, April 03, 2013 11:50 AM
To: Sherri A. Buss
Subject: Re: SHPO database search request

THIS EMAIL IS NOT A PROJECT CLEARANCE.

This message simply reports the results of the cultural resources database search you requested. The database search produced results for only previously known archaeological sites and historic properties. Please read the note below carefully.

No archaeological sites or historic structures were identified in a search of the Minnesota Archaeological Inventory and Historic Structures Inventory for the search area requested.

The result of this database search provides a listing of recorded archaeological sites and historic architectural properties that are included in the current SHPO databases. Because the majority of archaeological sites in the state and many historic architectural properties have not been recorded, important sites or structures may exist within the search area and may be affected by development projects within that area. Additional research, including field survey, may be necessary to adequately assess the area's potential to contain historic properties.

If you require a comprehensive assessment of a project's potential to impact archaeological sites or historic architectural properties, you may need to hire a qualified archaeologist and/or historian. If you need assistance with a project review, please contact Kelly Gragg-Johnson in Review and Compliance @ 651-259-3455 or by email at kelly.graggjohnson@mnhs.org.

The Minnesota SHPO Survey Manuals and Database Metadata and Contractor Lists can be found at <http://www.mnhs.org/shpo/survey/inventories.htm>

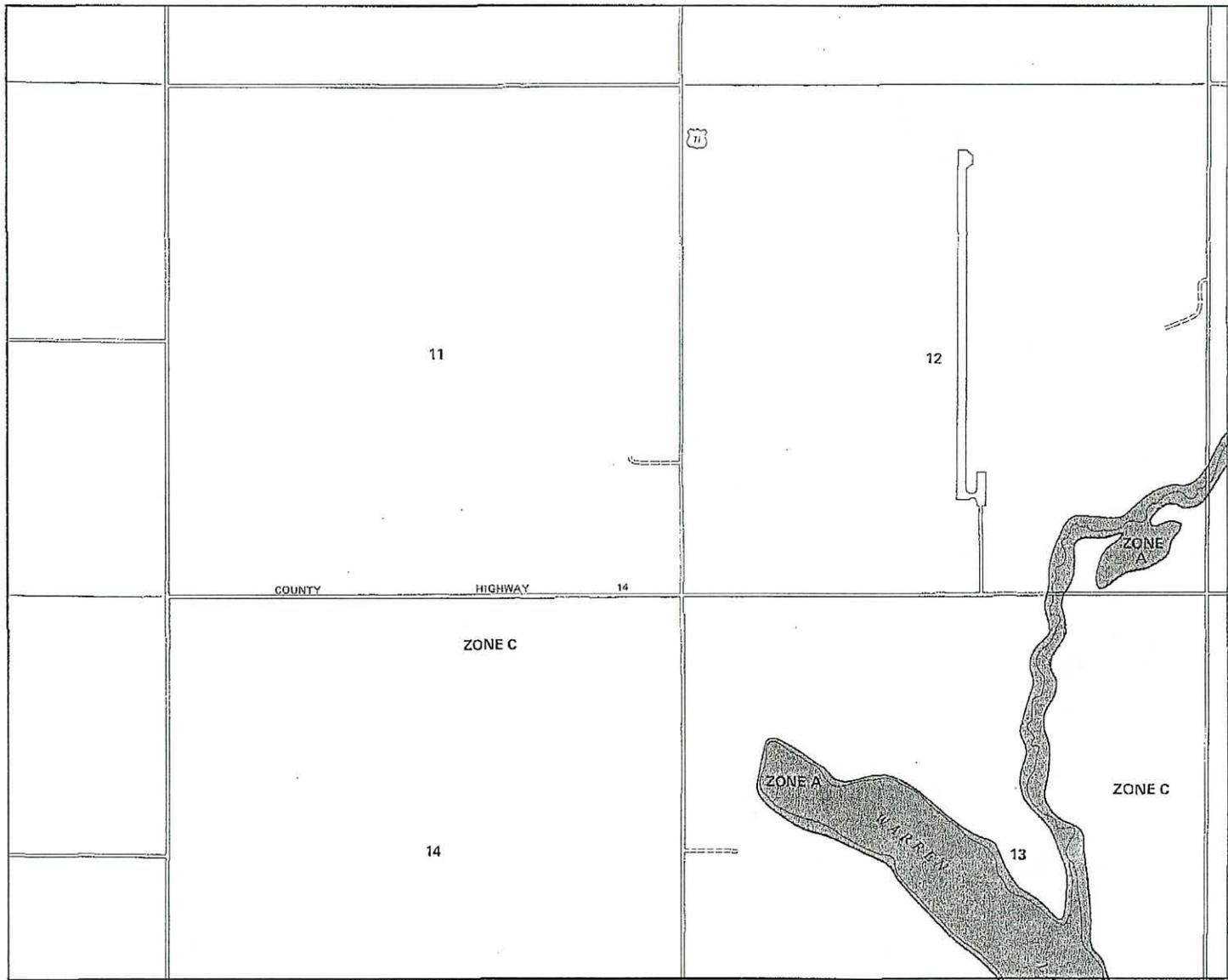
Tom Cinadr

Survey and Information Management Coordinator
Minnesota State Historic Preservation Office
Minnesota Historical Society
345 Kellogg Blvd. West
St. Paul, MN 55102

651-259-3453

On Mon, Apr 1, 2013 at 2:36 PM, Sherri A. Buss <sherri.buss@tkda.com> wrote:
Thomas,

Did you receive the email request for a SHPO database search for the Windom Airport that is attached to



APPROXIMATE SCALE
 1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
 FLOOD INSURANCE RATE MAP

COUNTY OF
 COTTONWOOD,
 MINNESOTA
 (UNINCORPORATED AREAS)

PANEL 180 OF 225

COMMUNITY-PANEL NUMBER
 270622 0180 B

EFFECTIVE DATE:
 JANUARY 2, 1981



federal emergency management agency
 federal insurance administration

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.mxd.fema.gov



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

February 28, 2013

Ms. Sherri Buss
TKDA
444 Cedar Street, Suite 1500
St. Paul, MN 55101

Re: Windom Municipal Airport Jet-A Fueling Facility

Dear Ms. Buss:

The Minnesota Pollution Control Agency (MPCA) Environmental Review Unit has reviewed the information in the letter and attachment dated January 30, 2013, regarding the construction of a fueling facility at the Windom Municipal Airport. Based on the limited information provided, and regarding matters for which the MPCA has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

- If the project will disturb a total of one acre or more of land, a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit (CSW Permit) is required from the MPCA. The owner and operator (usually the general contractor) are jointly responsible for obtaining and complying with the conditions of the CSW Permit. A detailed Stormwater Pollution Prevention Plan (SWPPP), containing stormwater management requirements both during and post construction, as well as erosion control and sediment control requirements during construction, must be prepared prior to submitting a CSW Permit application. CSW Permit coverage is required prior to commencing land disturbing activities (i.e., clearing, grading, filling, or excavating) relating to the project. For an overview of this permit and program, please refer to the following factsheet: <http://www.pca.state.mn.us/publications/wq-strm2-05.pdf>. Questions regarding CSW Permit requirements should be directed to Roberta Getman at 507-206-2629.
- A review of the MPCA *What's in My Neighborhood?* database identified a tank leak site adjacent to the Project area. Leak Site #3194 is located in close proximity to the proposed Project. Therefore, there is the possibility that soil and/or groundwater contamination may be encountered during construction activities. The Project proposer and/or their contractor should be mindful of the possibility of encountering contamination and have a contingency plan in place in the event that contamination is discovered. Establishing a contingency plan for such an encounter can minimize delays and ultimately save project costs. In the event that contamination is discovered, the State Duty Officer should be notified at 651-649-5451 or 800-422-0798. To review the Leak Site files, please contact the file review coordinators at 651-757-2309, 651-757-2799, or 800-657-3864.
- Please note that the new tank and associated piping must be installed according to Minn. R. 7150 and the MPCA must be notified within 30 days of the installation of any aboveground storage tank (AST) 500 gallons or greater in capacity. Owners and operators must complete and submit the AST Notification Form, available on the MPCA's website at: <http://www.pca.state.mn.us/dmOr88b>. If you have any questions regarding AST issues, please contact Chris Bashor in our St. Paul office at 651-757-2215.

Ms. Sherri Buss
Page 2
February 28, 2013

- The MPCA recommends that the Project proposer obtain approval from the local jurisdiction (city/county) for zoning approvals, the local fire chief for setback requirements, and the Federal Aviation Authority for any additional requirements.

We appreciate the opportunity to review this Project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this Project please contact me at 651-757-2508.

Sincerely,



Karen Kromar
Planner Principal
Environmental Review Unit
Resource Management and Assistance Division

KK:bt

cc: Craig Affeldt, MPCA, St. Paul
Chris Bashor, MPCA, St. Paul
Roberta Getman, MPCA, Rochester
Carey Mattison, MPCA, Marshall
Randy Hukriede, MPCA, Willmar

SECTION 51

EXCAVATION AND EMBANKMENT—contaminated soils sections

- 51.1 **DESCRIPTION.** This work shall consist of excavating, removing and satisfactorily disposing of materials, and the construction of embankments within the limits of work as required to prepare the site in accordance with these specifications, and in conformity with the dimensions and typical sections shown on the plans and with lines and grades as directed by the Engineer.

NOTE: See Section 30 Special Provisions for project-specific revisions and additions to this standard specification.

51.2 **MATERIALS.**

- A. Excavation Material. All excavated materials shall be classified as Common Excavation, Subgrade Excavation, or Rock Excavation.

1. Common Excavation. Common Excavation shall consist of all excavation materials encountered, which are not classified herein as Rock Excavation or Subgrade Excavation, regardless of character of material encountered; and shall include excavations classified as Subgrade Excavation when a separate item is not included in the proposal.
2. Subgrade Excavation. Subgrade Excavation shall consist of all excavations made below the top of the final graded surface to the width and depths shown on the plans or as directed by the Engineer, and the materials encountered are not classified as Rock Excavation.
3. Rock Excavation. Rock Excavation shall consist of materials that, in the opinion of the Engineer, cannot be removed without drilling and blasting or without the use of rippers, together with boulders and detached rock having a volume of one cubic yard or more.

- D. Contaminated or Impacted Soil/Bedrock.

1. Site Conditions. If the project site is identified in Section 30 "Special Provisions" as containing isolated contaminated or impacted soils/bedrock, the soil or bedrock may contain one or a combination of petroleum products, glycol, or other contaminants. Soil borings of the site may also indicate the presence of contaminants in fill materials placed in the past, of which the origin and composition may not be known.
2. Definitions. For purposes of this section, soils and bedrock will be classified as "Contaminated", "Impacted", or "Non-Impacted." This classification will be based on testing of representative samples of the soil performed by a certified testing laboratory retained by the Contractor. MAC, at its option and own expense, may have additional tests performed to verify the results of the Contractor's testing program.

"Contaminated Soil/Bedrock": Soil/bedrock containing a given contaminant at or above the level which the Contractor's selected off-site disposal facility, which is permitted to accept and place such material, requires to be placed specifically within a landfill cell. The limit will vary depending upon the type or types of contaminants identified in the material. The limits for accepting a given contaminant may vary from one disposal facility to another, based on their permit requirements to accept these materials.

"Impacted Soil/Bedrock": Soil/bedrock which is determined to contain a given contaminant at a level which the Contractor's selected off-site disposal facility, which is permitted to accept and place such material, does not require to be placed specifically within a landfill cell, but will accept as daily cover material. The limit will vary depending

on the type or types of contaminants identified in the material, and may vary from one disposal facility to another, based on their permit requirements to accept these materials. Historically, soils containing petroleum or glycol compounds at less than saturation levels have generally been acceptable for use as cover material. However, actual limits will be established by the disposal facility in conjunction with reviewing agencies and may differ from those described above.

"Non-Impacted Soil/Bedrock": Soil/bedrock which, when tested for specific parameters, shows no detection of the parameters under analysis, based on the selected laboratory's minimum detection limits. The parameters analyzed shall include, at a minimum, diesel range organics (DRO), total petroleum hydrocarbons (TPH) as jet fuel, and RCRA metals and glycols. In the case of metals analysis, soils/bedrock will be considered non-impacted if visual, olfactory, PID observations, and laboratory results show no evidence of impacts as judged by the MAC environmental consultant.

51.3 CONSTRUCTION REQUIREMENTS.

- H. Contaminated or Impacted Soil/Bedrock. If the project site is identified in Section 30 "Special Provisions" as containing contaminated or impacted soil/bedrock, the following section applies.

Based on available information listed in the following section, and prior to beginning excavation operations, the Contractor shall establish and conduct a testing program to identify the locations of contaminated or impacted soil so that it can be properly characterized for off-site disposal. The Contractor shall notify the Engineer of the testing program schedule so that notification may be made to the MAC's environmental consultant. The Contractor shall also perform material testing, if any, as required by owners and/or operators of the selected disposal site(s) for either non-impacted or impacted materials.

All testing shall be performed by a qualified Independent Testing Laboratory or environmental consultant approved by the Engineer. Copies of the proposed testing program and all test results shall be provided to the Engineer. The Contractor's testing program shall include screening and sampling for laboratory analysis of excavated soils in areas of existing fill or other suspected impacted areas. This screening shall include visual and odor observations, as well as soil headspace measurements using a photoionization detector (PID) for petroleum compounds. Laboratory analysis of soil samples may be required for classifying non-petroleum impacts, if encountered.

1. Description of Work.

- a. Extent of Work: The work shall be performed as indicated throughout this section and on the Drawings.
- b. Description and Additional Definitions: This work shall consist of furnishing all materials, tools, equipment, transportation, and labor necessary for the management of impacted and contaminated materials (soil, groundwater/surface water and petroleum product) encountered during earthwork activities. Supplemental information is available to the Contractor regarding impacts to soil and groundwater at sites within the project area. This information is available at the Engineer's office or by contacting MAC's Environmental Consultant.

At a minimum, this information includes the following documents:

- Soil Management Plan, prepared by Liesch Associates, Inc. for the Metropolitan Airports Commission.
- Other project-specific documents identified in Section 30 Special Provisions.

The above referenced documents are provided to assist the Contractor in becoming informed about the project area. Additional information may also be

available for review at the Minnesota Pollution Control Agency (MPCA) offices in St. Paul for this area. It shall be the Contractor's responsibility to familiarize himself/herself with this information and any other documents he/she feels necessary to review at the MPCA or other governmental or regulatory agencies relative to the project site conditions affecting the overall work.

- c. The Work includes management, on-site reuse, and off-site disposal of impacted/contaminated materials specified herein and as shown on the Drawings. Removal of impacted soil and groundwater for this project shall be completed in accordance with Section 01012, Article 1.14.
2. Soil Management Submittal Log: A soil management submittal log shall be used by the Engineer to track the progress of soil management submittals during the project. The log will be presented to the Contractor at applicable construction progress meetings.
3. Testing and Disposal Plan. Prior to beginning grading operations, the Contractor and the Contractor's qualified independent testing laboratory or environmental consultant must establish a Testing and Disposal Plan and conduct the testing program to identify impacted or contaminated soil so that it can be properly disposed. The Contractor's qualified independent testing laboratory or environmental consultant shall also perform testing, if any, as required by the owners or operators of the selected disposal sites. All testing shall be performed by a qualified independent testing laboratory or environmental consultant approved by the Engineer. Copies of the testing program, all testing results and selected disposal sites shall be provided to the Engineer in a "Testing and Disposal Plan" prior to conducting any work on-site.

The "Testing and Disposal Plan" shall, at a minimum, contain the following information prior to beginning any on-site work:

- a. Identification of Project Site: General site history (i.e. known areas of soil contamination from UST releases, fueling areas, dumping, or no known history that would suggest soil impacts);
- b. Summary of Existing Information Used to Establish the Testing Program: (i.e. soil borings, impacts previously found, etc.) Identify the type of information available and how it will be used to establish the testing program or how it will be considered in dealing with soil testing, field screening, permitting, anticipated schedule, estimated quantities, etc.;
- c. Testing Program Details: Identify selected locations and method(s) of sampling (i.e. a grid for conducting geoprobe borings, soil borings, test pits, trenching, etc.); specify field screening methods and material sample collection for laboratory analysis. Indicate parameters requested for laboratory analysis of the sampled material. Reference that the analysis is being conducted as required by the off-site disposal site(s) and for obtaining disposal permits by characterizing impacts in the soil or bedrock;
- d. Permit Application: Include all permit applications for the selected disposal sites of impacted and non-impacted soils and other materials such as rock, concrete, asphalt, etc., as appropriate. Review of permits needed (State, County, Township, private landowner, etc.);
- e. Specific Permit Approvals or Private Landowner Acceptance: Provide finalized private landowner acceptance letter(s) and appropriate governmental and/or landfill permits prior to any off-site disposal. Bidders should be aware that Dakota County may impose more stringent limitations on material disposal than would be required by the Minnesota Pollution Control Agency (MPCA);

- f. Field Screening: Describe ongoing assessment of soils and bedrock that are excavated (for verification of impacted and non-impacted). Identify personnel conducting the testing, frequency of field screening (based on volume of excavation, etc.), and locations (i.e. grid), screening instrument(s), calibration of instrument(s), method of screening, data collection and reporting, and documentation: testing personnel must be on-site to conduct tests required by the disposal site wherever soil is excavated for off-site disposal;
- g. Asbestos-Contaminated Soils: Describe the actions to be taken to identify soils contaminated with asbestos-containing debris, residue, or fragments originating from asbestos-containing coatings, coverings, or insulation. Identification of asbestos-contaminated soil must be made by a competent person, provided by the Contractor, and trained and licensed as an asbestos inspector.
- h. Manifests: Tracking of soil or bedrock hauled off-site (volume of non-impacted and disposal location). The Contractor shall provide monthly summaries of this information to the Engineer; and,
- i. Contingency Plan: Actions to be taken if unexpected environmental conditions are encountered such as piping, asbestos, tanks, drains, drums, other types of impacts identified, etc. Identify emergency contacts and phone numbers, cleaning/liquid removal, temporary storage on-site if needed, management and disposal processes, and approvals.

If not already included in the "Testing and Disposal Plan", provide the following information, as necessary, to the Engineer prior to beginning any on-site work:

- Minnesota Department of Commerce (MDC) Petrofund Board Contractor Registration Number for excavation contractors removing impacted materials.
 - MnDOT hazardous-waste-transport license number for hauler transporting petroleum product, if any.
 - Name, location, MPCA Certification Form(s), and permit(s) of MPCA-approved site and any other required permit from local, county, or other regulatory agencies for disposal of all impacted soil, bedrock, etc.
 - Name, location, permit(s) and approvals of sites for disposal of all non-impacted soil, bedrock, etc.
4. Post-Excavation Submittals: The Contractor shall submit the following information to the Engineer subsequent to completion of work:
 - a. Impacted/Contaminated Disposal Sites. Name and location of the disposal site. The approved waste profile sheet along with any other permit required from local, county, or other regulatory agencies, for disposal of all impacted and contaminated soil or bedrock.
 - b. Non-Impacted Disposal Sites. Name and location of the disposal site. A letter from the disposal site acknowledging acceptance of the soil.
 - c. Manifests for disposal of any hazardous or non-hazardous materials from the project site including the name of the product recycler (if applicable). Include a summary cover letter totaling the volume/weight of material with manifests as an attachment.
 - d. Manifests for disposal and treatment of impacted/contaminated soil including the name and location of the disposal and treatment site. Include a summary cover letter totaling the volume/weight of material with manifests as an attachment.
 - e. Documentation confirming treatment of impacted soil (if applicable).

- f. Documentation indicating final use of impacted soil.
 - g. Documentation indicating the final use of non-impacted soil
 - h. Free product disposal documentation (if applicable) including name of disposal facility, gallons removed, etc.
 - i. Location map of MSP reuse area (if applicable) for impacted and non-impacted material showing boundaries of reuse. Include an explanation of how the material is being reused (fill under structures, road base, etc.).
5. Safety Plan: The Contractor shall submit a site-specific Construction Safety Plan to be implemented and enforced by the Contractor throughout the project. This Safety Plan shall include all applicable OSHA requirements as they relate to worker safety during the construction period. The Safety Plan shall specifically address practices and procedures for worker safety at petroleum impacted sites, including but not limited to, explosive vapor monitoring and contingencies.
6. Codes and Standards for Quality Assurance. The Contractor shall complete the construction work with the greatest degree of safety possible and in accordance with appropriate state and local guidelines, and all applicable federal, state, and local statutes, laws, regulations, ordinances, and codes and accepted industry practices. The Contractor's work shall comply with proper codes/standards relating to construction and management of impacted materials. In case of discrepancy, the most stringent code shall govern. Codes/Standards are as follows, but are not limited to:
- (1) Federal Regulations, 40 CFR Part 280/281.
 - (2) Minnesota Pollution Control Agency (MPCA) Guidelines and Reporting Requirements.
 - (3) Metropolitan Council Environmental Services (MCES) Guidelines and Requirements.
 - (4) Minnesota Department of Natural Resources (MNDNR) Guidelines and Requirements.
 - (5) NFPA 30, 1987, "Flammable and Combustible Liquids Code".
 - (6) Uniform Fire Code, 1988 Edition.
 - (7) Minnesota Department of Health.

The contractor shall obtain necessary local, county, state, or federal permit(s), license(s), or approvals required to perform the work included in this contract prior to commencing the work and at no additional cost to the MAC. The Contractor shall notify the MAC Fire Marshall and MAC Operations 20 days prior to commencing the work.

7. On-Site Disposal and Reuse of Excavated Materials. If testing performed by the Contractor's qualified testing representative indicates detection of petroleum or glycol compounds that meet the definition of "impacted soil", the material shall be classified as "impacted soil" as defined in Section 51.2.D. Petroleum or glycol impacted soils shall be utilized as fill within the project limits whenever possible. The Engineer may require the Contractor to dispose of otherwise suitable non-impacted soils off the Airport, so as to maximize on-site use of suitable impacted soils. Utilization of impacted soils as project fill shall be subject to the following restrictions:
- (1) Soil shall be otherwise suitable for embankment construction, as described in Section 51.3.E.
 - (2) Impacted soil shall be placed in locations directed by the Engineer;
 - (3) Impacted soil shall not be placed beneath planned building foundations, or within 10 feet of planned underground utilities;

- (4) Impacted soil shall be placed at least 10 feet above normal groundwater elevation, as determined by the Engineer; and
- (5) The Engineer may direct that impacted soil be placed in 6-inch maximum lifts, or be blended with other materials.

If testing performed by the Contractor's qualified testing representative indicates detection of petroleum or glycol compounds that meet the definition of "contaminated soil", the material shall be classified as "contaminated soil" as defined in Section 51.2.D. Petroleum or glycol contaminated soils shall not be used as fill within the project limits and must be disposed of off-site at a permitted disposal facility.

Soils impacted with compounds other than petroleum or glycol-based (i.e. chlorinated solvents, semi-volatile organic compounds, etc.) that are identified in laboratory data as being above the laboratory detection limit, may be reused as backfill if acceptable for construction at the project site, upon the approval of the Engineer and confirmed by MAC's environmental consultant. If these compounds are identified, a determination will be made as to whether the soils impacted with these compounds can be reused within the project site limits according to the MAC's Soil Management Plan. If the soils impacted with these compounds cannot be reused at the site, the Contractor shall dispose of them at an approved off-site disposal facility.

Soils that are identified to be impacted with asbestos, industrial waste or hazardous waste shall not be reused at the project site. The Contractor shall be responsible for identifying the limits of these types of impacted soil and arrange for the proper off-site disposal at an approved facility.

If impacted/contaminated material is encountered during excavation, the Engineer may direct the Contractor to stockpile the material for further determination of on-site reuse.

8. Off-Site Disposal of Excavated Materials. If testing performed by the Contractor's qualified testing representative indicates non-impacted areas of soil based on soil headspace measurements and laboratory analysis indicated no detections, the material will be considered non-impacted. Proper disposal of excess or unsuitable non-impacted material from the site to off-site disposal sites shall be the Contractor's responsibility and shall be disposed of in accordance with all applicable laws, ordinances, and regulations affecting the selected disposal site. The Contractor shall be responsible for compliance with all applicable laws, ordinances, and regulations for handling, transporting, and disposing of these materials, including any restrictions imposed by owners or operators of the disposal site(s). The Contractor shall provide written evidence to the Engineer of the disposal site property owner's acceptance of these materials prior to removing the material from the project site. All costs for off-site disposal of non-impacted material shall be incidental to Common Excavation or Subgrade Excavation.

If testing performed by the Contractor's qualified testing representative indicates areas of impacted/contaminated soil or bedrock, the material will be considered either "impacted soil/bedrock" or "contaminated soil/bedrock", as defined in Article 51.2.D, and the Contractor shall immediately notify the Engineer who will perform surveys and direct the MAC's environmental consultant to review the areas. Excavation of these soils shall begin only upon receipt of authorization from the Engineer.

Impacted/contaminated materials that are confirmed by MAC's environmental consultant, and materials containing other compounds at levels that would require disposal at a State-permitted disposal facility, shall be removed from the airport and disposed of in accordance with Section 01012, Article 1.14. The Contractor shall be responsible for compliance with all applicable laws, ordinances and regulations of the Minnesota Pollution Control Agency (MPCA), and any other applicable local or county requirements for handling and disposing of these materials, including any restrictions

imposed by Owners of selected disposal site(s). The Contractor should be aware that the County may impose more stringent limitations for this disposal than would be required by the MPCA.

If impacted/contaminated material is encountered during excavation, the Engineer may direct the Contractor to stockpile the material for further determination of off-site disposal.

The Contractor shall be responsible for obtaining the necessary permits and approvals prior to the disposal of this material and shall provide the permits/approvals and written documentation to the Engineer as to the method of disposal of this material and acceptance by owners of selected disposal site(s), as required by the Testing and Disposal Plan described above.

9. Product/Petroleum Handling. If encountered, the Contractor shall not discharge petroleum product or petroleum impacted dewatering water to the sanitary or storm sewer system. Any petroleum product recovered during dewatering or directly from the excavation shall be transferred into the appropriate storage container(s) for subsequent off-site disposal.

Similar pumpable liquids (petroleum, water, petroleum/water mixtures, etc.) shall be bulked together. Pumpable liquids shall be analyzed and segregated by the Contractor prior to being transported to the designated location or the treatment, storage, and disposal (TSD) facility. The Contractor will be responsible for any testing required for characterizing the product for appropriate disposal.

The Contractor shall be responsible for obtaining all required permits for proper disposal of product materials. Off-spec petroleum shall be the property of the MAC, but the Contractor shall retain the rights to the salvage value of the product. The contractor shall be responsible for providing all documentation on the MPCA-approved product disposal/recycling facility selected by the Contractor and Manifests for the disposal of pumpable product liquids.

The Contractor shall provide approved containers, vehicles, equipment, labor, signs, labels, and manifests, necessary for the accomplishment of the work, including materials necessary for cleaning up spills that may occur from transferring product into the transports.

51.4 METHOD OF MEASUREMENT.

- D. Contaminated or Impacted Soil/Bedrock. On-site use of impacted soil shall be incidental to Common Excavation or Subgrade Excavation. No additional compensation will be made for special handling, stockpiling, re-handling, placement in specific locations as described above or as directed by the Engineer, or compaction of impacted material.

On-site use or off-site disposal of non-impacted soil/bedrock shall be incidental to Common Excavation or Subgrade Excavation, as described elsewhere in this specification.

Off-site disposal of impacted/contaminated materials will be measured according to an in-place volume survey (survey conducted by Owner) or by volume/weight as hauled by the Contractor. The method of measurement will be determined at the discretion of the Engineer.

- E. Topsoil Borrow. Topsoil borrow will be measured by volume in cubic yards based on vehicular measure of the material delivered to the site.
- F. Water. Water applied on the grading work, as directed by the Engineer, will be measured by volume in gallons to the nearest 1000 (M) gallons.

51.5 BASIS OF PAYMENT. Payment for the items as measured above will be made at the appropriate contract unit prices. Such payment shall be full compensation for all materials, labor, equipment, tools, and incidentals necessary to complete the work as specified herein.

- A. Contaminated or Impacted Soil/Bedrock. If the Contractor is directed by the Engineer to stockpile impacted/contaminated material to be hauled off-site at a later date, all necessary costs for removing, loading, stockpiling, re-handling, and placement (or disposal) of material shall be included in the bid items for Impacted Soil Disposal or Contaminated Soil Disposal as described below.

Impacted soil/bedrock which is removed from the Airport and disposed of off-site as described above and as authorized by the Engineer will be measured for payment by volume in cubic yards (cross-section measured in its original position) for payment under Bid Item No. 51-9 "Impacted Soil Disposal". This payment shall be in addition to the applicable payment for Common Excavation or Subgrade Excavation. Payment for Bid Item No. 51-9 "Impacted Soil Disposal" shall be compensation in full for all costs of handling, transporting, and disposing of these materials; except that disposal fees paid to disposal facilities shall be compensated for separately under Bid Item No. 51-11 "Disposal Facility Charges" as described below.

Contaminated soil/bedrock which is removed from the Airport and disposed of off-site as described above and as authorized by the Engineer will be measured for payment by volume in cubic yards (cross-section measured in its original position) for payment under Bid Item No. 51-10 "Contaminated Soil Disposal". This payment shall be in addition to the applicable payment for Common Excavation or Subgrade Excavation. Payment for Bid Item No. 51-10 "Contaminated Soil Disposal" shall be compensation in full for all costs of handling, transporting, and disposing of these materials; except that disposal fees paid to disposal facilities shall be compensated for separately under Bid Item No. 51-11 "Disposal Facility Charges" as described below.

Disposal fees paid by the Contractor to permitted off-site disposal facilities for Impacted or Contaminated Soil, which is disposed of at those facilities as authorized by the Engineer, will be reimbursed by MAC under Bid Item No. 51-11 "Disposal Facility Charges". The Contractor shall pay all such charges when they become due, and shall then submit copies of paid invoices and other documentation to the Engineer. The Contractor will be paid the actual costs of approved invoices, plus an additional allowance to cover administration, general superintendence, and other overhead expenses not otherwise recoverable. Such additional allowance shall be a percentage of the total of all invoices paid to disposal facilities for this work, not to exceed:

1. 10% of the first \$10,000.00
2. 2% on the next \$50,000.00
3. 0% on the balance in excess of \$60,000 .00

For convenience and comparison of bids, the unit price and extended dollar amount for Disposal Facility Charges have been included in the proposal.

Cost associated with testing and inspection conducted by the Contractor required for development of the Testing and Disposal Plan, off-site disposal and/or treatment of excavated soil, or other materials shall be considered incidental and no direct compensation will be made therefor. Cost associated with testing performed by the Contractor's qualified testing representative shall also be considered incidental and no direct compensation will be made. Any delays to the Contractor's operations to allow for inspection or laboratory testing of soils or surveys shall be considered incidental and no direct compensation will be made therefor.

END OF SECTION

