APPENDIX H

HAZARDOUS MATERIALS TECHNICAL REVIEW

168th Street Improvements
Hazardous Materials Technical Review

168th Street from Poppleton Avenue to Ehlers Street
Omaha, Douglas County, Nebraska
NDOR Project Numbers: STPC-3811(1) CN 22209
& STPC-3811(2) CN 22210

Benesch Project No. 72470186.01

STATE OF NEBRASKA
DEPT. OF ROADS
APPROVED: _____

DATE: 8/16/13

PREPARED FOR:
City of Omaha

August 2013

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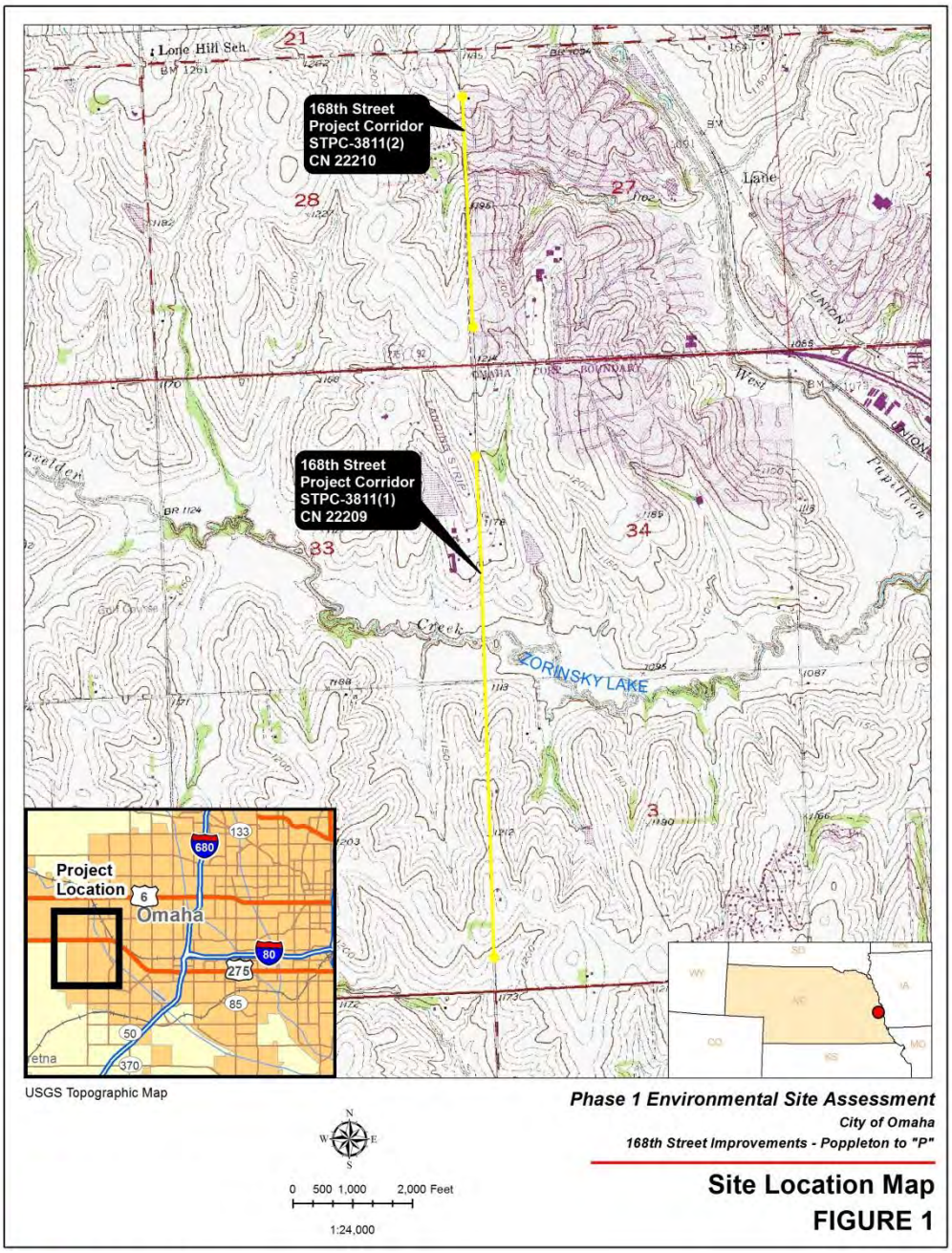
ATTACHMENTS: ***(Attached under separate cover and available in file)***

"Phase I Environmental Site Assessment: 168th Street Corridor Poppleton Street to 'P' Street"
"Asbestos and Lead Paint Inspection – Zorinsky Lake Bridge at 168th Street, Omaha, Nebraska"

1.0 Project Location

The 168th Street Improvements Project generally extends from the intersection of 168th Street and Poppleton Avenue, to the intersection of 168th and Ehlers Streets in Omaha, NE (project corridor). The project corridor is approximately 2.7 miles long, and is located in portions of Sections 3 and 4, Township 14 North, Range 11 East and Sections 27, 28, 33, and 34, Township 15 North, Range 11 East, Douglas County, Nebraska. The project corridor is depicted on **Figure 1 – Site Location Map** provided below.



1.1 Project Description

The 168th Street Improvements Project consists of widening 168th Street from a two lane roadway to a four-lane divided roadway with auxiliary lanes and sidewalks where appropriate, and widening or replacing the existing bridge spanning Lake Zorinsky. The roadway improvements to 168th Street will occur from Poppleton Avenue to Gold Street (STPC-3811(2) CN 22210) and from Oak Street to Ehlers Street (STPC-3811(1) CN 22209). The segment of 168th Street from Gold Street to Oak Street (approximately 0.4 miles) was previously widened, and there are no plans to improve this segment as part of the proposed project.

1.2 Hazardous Materials Technical Review Scope

Due to federal funding being provided for the 168th Street Improvement Project, the Nebraska Department of Roads (NDOR) requires a review of potential hazardous materials to address worker safety, reduce liability, and to address various federal regulations covered by the National Environmental Policy Act (NEPA). Therefore, Alfred Benesch & Company (Benesch) has prepared this Hazardous Materials Technical Review (HMTR) following guidelines provided by NDOR and standard industry practices. Furthermore, a Phase I Environmental Site Assessment (ESA) was prepared for the project corridor in 2011, in compliance with guidelines from the American Society of Testing and Materials (ASTM) Standard Practice E 1527-05 (Standard Practice for Environmental Site Assessments), which included the following:

- Retaining a commercial database service to obtain information regarding reported releases of hazardous substances and petroleum products on or near the project corridor.
- Searching the Nebraska Department of Environmental Quality (NDEQ) hazardous substances and petroleum products databases, Surface Spill List, Leaking Underground Storage Tank (LUST) list, and other NDEQ environmental records for identified sites of concern located on or near the 168th Street project corridor.
- Conducting site reconnaissance of parcels located along the project corridor for indications of environmental risk.
- Conducting historical research for the area of the project corridor including obtaining and reviewing historic aerial photographs, USGS topographic maps, city directories, and fire insurance maps.
- Inquiring about the location of historic landfills, if any, in the area of the project corridor.
- Contacting the Douglas County Health Department for information regarding septic systems and drinking water wells along the project corridor.
- Obtaining environmental records from the Nebraska State Fire Marshal regarding the project corridor and adjacent properties.

The results of the database and regulatory records review, site reconnaissance, and historical research information from the Phase I ESA prepared by Benesch in 2011 are provided in this HMTR. The complete Phase I ESA for the 168th Street Improvements Project is available in the project file, and is attached to this HMTR by reference.

In addition, due to the widening or removal of the bridge over Lake Zorinsky, a lead and asbestos review was conducted by Cardno/ATC in 2013, the results of which are available in the project

file. The review found that there was no suspected lead or asbestos containing material, and that no further testing was required.

1.3 Environmental Risk Overview

Environmental risk sites are those facilities and locations where hazardous substances and petroleum products are currently or were historically stored, used, or transported. In such areas hazardous substances and petroleum products could be released into the environment and contaminate media (i.e. surface soils, subsurface soils, groundwater, and/or surface water) which are located within the 168th Street project corridor. Potential contaminated media within the project corridor could then adversely impact workplace health and safety during construction activities and raise liability issues regarding right-of-way acquisition.

In general accordance with ASTM Standard Practice E 1527-05, the purpose of assessing potential environmental risk along the 168th Street project corridor is to identify, to the extent feasible, *recognized environmental conditions* in connection with the proposed roadway project corridor. The term *recognized environmental condition* shall mean the presence or likely presence of any hazardous substances or petroleum products on the 168th Street project corridor under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures in the immediate area of the project corridor; or into the ground, groundwater, or surface water in the immediate area of the project corridor. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally would not be subject to an enforcement action if brought to the attention of the appropriate governmental agencies.

This HMTR addresses certain physical characteristics of the 168th Street project corridor with regard to the release or presence of petroleum products or hazardous substances. It is not intended to warrant or otherwise imply that the project corridor is or is not free from conditions, materials, or substances, which could adversely impact the environment or pose a threat to public health and safety. In the course of this assessment, Benesch has relied on information from outside parties, such as regulatory agencies and interview sources. Benesch has made no independent investigation as to the validity, completeness or accuracy of such information provided by third parties. Benesch does not expressly provide or imply any warranty regarding information that was provided by third party sources. Performance of this environmental risk assessment is intended to reduce, but not eliminate, uncertainty regarding the potential for *recognized environmental conditions* in connection with the 168th Street project corridor. The findings in this HMTR reflect Benesch employees' best judgment in light of information that was readily available at the time of report preparation.

1.4 Summary of Phase I Environmental Site Assessment

Site Reconnaissance

The 168th Street project corridor extends approximately 2.7 miles from Poppleton Avenue (two blocks south of Pacific Street) south to 'P' Street (one block north of 'Q' Street) in Omaha, Douglas County, Nebraska. The project corridor is characterized by residential, recreational and commercial use. Site reconnaissance conducted for the Phase I ESA in 2011 revealed no

evidence of *recognized environmental conditions* in connection with the 168th Street Improvements Project. Subsequent site reconnaissance in 2013 indicates that the land uses along the project corridor have not changed since the completion of the Phase I ESA.

Regulatory Records Review

Based on distance, topography, estimated groundwater gradient, and/or current regulatory status, none of the sites listed in the federal or state agency databases appear to represent *recognized environmental conditions* for the 168th Street Improvements project at this time.

Benesch obtained Nebraska Department of Environmental Quality (NDEQ) and Nebraska State Fire Marshal (SFM) file and database information for review in preparation of the ESA report (see **Phase I ESA**). The review of NDEQ and SFM file and database information revealed no evidence of *recognized environmental conditions* in connection with the 168th Street Improvements Project.

Interviews

Relevant interview information has been incorporated into the appropriate sections of the Phase I ESA report and copies of the User Questionnaires are provided in the report (see **Phase I ESA**).

Historical Summary

The 168th Street project corridor has been characterized by residential, recreational, and commercial use since circa 1990. Prior to the 1980s, the project corridor was the location of undeveloped cropland and some farmsteads. The historic uses of the project corridor do not represent any *recognized environmental conditions*.

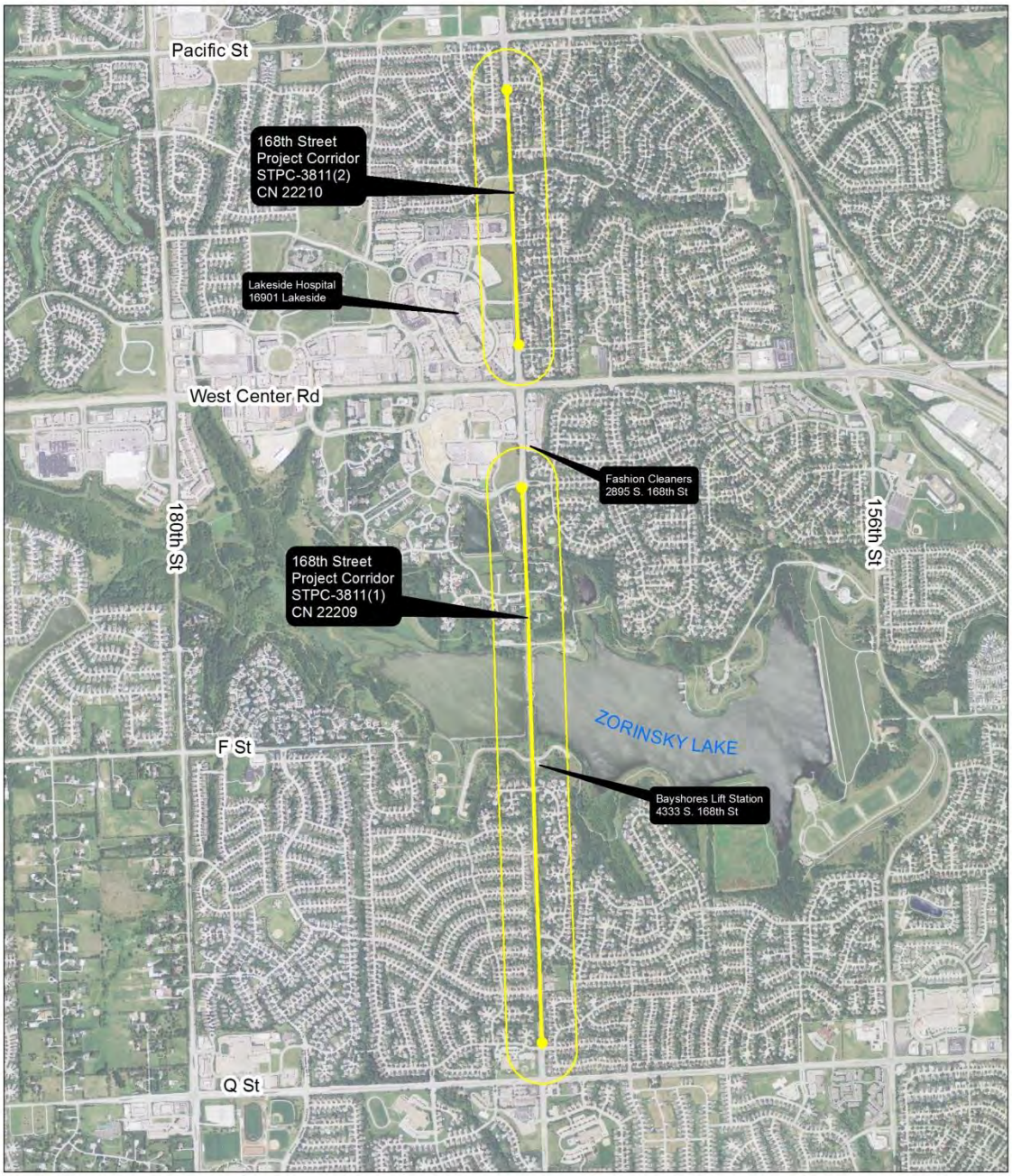
Data Gap Analysis

A data gap is a lack of or inability to obtain information by the environmental professional that could affect the ability of the environmental professional to identify conditions indicative of releases or threatened releases. The ASTM standard specifies that all obvious uses of the property shall be identified back to first developed use or 1940, whichever is earlier; and that review of standard historical sources at intervals of less than five years is not required. Further, if the use of the property appears unchanged over a period longer than five years, then it is not required to research the use during that period.

The history of the 168th Street project corridor has been researched to 1896 (topographic map), 1941 (aerial photograph), and 1971 (city directory). Data gaps spanning more than five years do exist; however, the use of the 168th Street project corridor appears primarily unchanged during these data gaps. Therefore, in the opinion of the environmental professionals, these data gaps are not considered significant and do not affect our ability to identify *recognized environmental conditions* in connection with the 168th Street Improvements Project.

Identified Sites within 1/10 Mile of project corridor

Three sites identified in the Phase I ESA are within 1/10 mile of the project corridor: MUD Bayshores Lift Station, Fashion Cleaners, and Lakeside Hospital (see **Figure 2 – Site Diagram**). Based on the information in the Phase I ESA, either due to their regulatory status, the nature of their activities, or current uses, none of these sites represent a *recognized environmental condition* for the 168th Street Improvements Project.



Douglas County 2012 NAIP Imagery

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Phase 1 Environmental Site Assessment

City of Omaha

168th Street Improvements - Poppleton to "P"

Site Diagram

FIGURE 2

1.5 Conclusions

Alfred Benesch & Company (Benesch) performed a Phase I ESA for the 168th Street Improvements Project along a corridor extending from Poppleton Avenue to 'P' Street in Omaha, Douglas County, Nebraska (see **Phase I ESA**). The project corridor generally consists of an existing two lane road in an area of Omaha characterized by residential, recreational and commercial use. The ESA was conducted on behalf of the City of Omaha, Nebraska - Department of Public Works in conformance with the scope and limitations of ASTM Standard Practice E 1527-05. The results of the Phase I ESA, and subsequent site reconnaissance of the project corridor, have been presented in this HMTR to comply with NDOR requirements.

The project corridor has been characterized by residential, recreational, and commercial use since circa 1990. Prior to the 1980s, the project corridor was the location of undeveloped cropland and some farmsteads. The historic and current land uses of the corridor do not represent any *recognized environmental conditions*.

Based on site reconnaissance observations, interviews, and a review of historical sources and regulatory records, the Phase I ESA and this HMTR have revealed no evidence of any *recognized environmental conditions* for the 168th Street Improvements project at this time.

1.6 Commitments

Although the risk for regulated materials impact is considered low for the 168th Street project, if contaminated soils and/or water or hazardous materials are encountered, all work within the immediate area should stop and NDOR should be notified. Upon notification, NDOR should implement its standard unexpected waste protocols, including NDEQ consultation as necessary. The project contractor should be 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 and regulations. Disposal of construction waste and debris should be handled as per Standard Specifications Sections 201, 202.02(4), 203.01, 203.02 and NDOR's Special Provision addressing unexpected discoveries of hazardous waste during construction.

The demolition or widening of the bridge over Lake Zorinsky requires the contractor to submit a written Notification of Demolition and Renovation in compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP). On August 14, 2013 Cardno/ATC conducted an asbestos inspection (see attached letter) of the bridge and found no suspect asbestos containing material (ACM). Because no ACM was present, the NESHAP notification should only be sent to the Nebraska Department of Environmental Quality (NDEQ). The contractor should submit the NESHAP Notification of Demolition and Renovation to NDEQ at least 10 working days prior to commencement of any demolition activities or disturbance of any ACM. The ten day clock would start with the day the Notification is postmarked, hand delivered (includes submittals by email notification), or picked up by a commercial delivery service, such as UPS, FedEx, etc. Faxing documents is prohibited. The NDOR State Representative shall be provided copies of said notifications and their submittal date, which should also be recorded in the NDOR Site Manager software.

Attachments are available in the summary file