This instructional memorandum sets forth changes to Michigan Department of Transportation’s (MDOT) usage of crushed concrete near regulated watercourses and how to deal with existing contracts and projects in the design phase which are impacted as a result of these changes. After discussion with the Department of Environmental Quality (DEQ), MDOT has instituted a restriction on the placement of crushed concrete within a specified distance of a regulated watercourse or lake. The specific distance is defined in the frequently used special provisions for Crushed Concrete near Water.

An unauthorized discharge to a watercourse occurred on a MDOT project. The discharge caused a pH spike and a filmy substance in the watercourse. MDOT investigated the event and determined the discharge was caused by the interaction of storm water and concrete fines that were contained in the crushed concrete materials used in the roadway section.

In order to comply with the statewide National Pollutant Discharge Elimination System (NPDES) Permit issued to MDOT by the DEQ, we must address the potential for pH spikes in MDOT storm water discharges in both current and future projects.

For projects in the design phase, watercourses will be identified by the Region Environmental Permit Coordinators or Region Resource Specialists. The Project Manager will document the limits of the excluded area and an informational estimate of the quantity that would have had the potential to use recycled concrete in the excluded area will be placed in the Notice to Bidder (12NB23) in the bidding documents. These changes have been implemented with two frequently used special provisions for Crushed Concrete near Water in the March 2, 2012, letting and beyond. These special provisions, 03SP902(D) and 12SP902(C) and the Notice to Bidder can be found on the MDOT website at:

http://mdotwas1.mdot.state.mi.us/public/dessssp/spss/
Projects let before March 2, 2012, will need to incorporate these changes via a work order. A negotiated cost adjustment may also be necessary dependent on project specific requirements and location. Project engineers must confirm the contractor’s intent and source of material as submitted and documented on the Materials Source List (form 0501) prior to negotiation as there may be cases where there are no monetary impacts to the project. There may also be projects let prior to March 2, 2012, that incorporated the previous version of the special provision that noted a 500 foot restriction on the use of crushed concrete. The project engineer on these projects is to negotiate a credit to the project for the reduction to the new restriction distance dependent on the contractor’s original material usage intent. Regulated watercourses will be identified by the Region Environmental Permit Coordinators or Region Resource Specialists.

Please provide this information to local agencies and consultants in your area as this applies to all State of Michigan regulated watercourses regardless of roadway/bridge owner.

If you have any questions, please contact either Kristin Schuster, Environmental Manager, at 517-373-8258 or schusterk@michigan.gov or Jason Gutting, Engineer of Construction Operations at 517-636-6334 or guttingj@michigan.gov.

Further information about MDOT’s storm water program can be found at:
http://www.michigan.gov/stormwatermgt