

Schedule 15C
Operating Standards (Volume III)
(See attached.)

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GOVERNMENT OF PUERTO RICO
PUERTO RICO PUBLIC PRIVATE PARTNERSHIPS AUTHORITY

TOLL ROAD CONCESSION AGREEMENT PR-20, PR-52, PR-53 & PR66



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VOLUME II OF III OPERATIONS AND PROCEDURES MANUAL


Execution Version

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CHAPTER A: ORGANIZATION AND GENERAL INFORMATION

A.1. Purpose of Manual

The primary purpose of this Volume III of the Operating Standards is to provide guidelines and criteria to the Concessionaire on the fundamental obligations related to the protection of natural resources and the environment, and on the basic development and submission of the Environmental Management Plan for the Toll Roads, as described in Chapter B of this Volume. This Manual is intended to provide operational guidelines only. To the extent that any term of provision set forth in the Toll Road Concession Agreement conflicts with any term or provision of this Manual, then such term or provision set forth in the Toll Road Concession Agreement shall supersede any such conflicting term or condition in this Manual. The Concessionaire is solely responsible for identifying, interpreting, and complying with all Environmental Laws and Regulations applicable to the operation of the Toll Roads, including their corridors.

A.2. Limitations

Caribbean Environmental Services has performed a Phase I Environmental Site Assessment and Additional Services ("Phase I") evaluation process for this project in accordance with the Scope of Work, and no guarantees with respect to environmental conditions at, on, under, or in the vicinity of the Toll Roads are either expressed or implied. While site assessments were conducted, these were limited to the eight (8) toll stations and gantries on PR-52, five (5) toll stations on PR-53, one (1) toll station in PR-20, and four (4) toll stations on PR-66 and the highways' corridors. The purpose of the Phase I was to evaluate environmental concerns or issues with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and hazardous substances, pollutants, contaminants, or petroleum products that maybe associated with the Subject Property, based upon readily available information and site observations. Phase I was prepared in conformance with the scope and limitations of the ASTM E1527-21 standard (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process). However, it is understood that no site assessment can ensure that all environmental conditions of concern would be identified and evaluated. The site assessment performed for all the Toll Plaza facilities is not intended to be an exhaustive assessment of the environmental studies related to the Toll Road Concession Agreement; but rather, this Manual has been based on a reasonable investigation undertaken during the initial stages of the development process and contains that information to the best of the knowledge of Caribbean Environmental services.

The record search was limited to information available from certain public sources available at the time of the preparation of this Manual. Such public records are continually changing and are frequently incomplete. Data gaps identified at this time include, but are not limited to, UST registrations, NPDES and Air Emission permits. Caribbean Environmental Services does not assume any liability for information or conditions that have been misrepresented, or for items not visible, accessible, or present within the Toll Roads at the time of the site visits.

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Additionally, no investigation is thorough enough to preclude the presence of materials or conditions at the site that currently, or in the future, may be subject to regulation or considered hazardous. Regulatory evaluation criteria are constantly changing, and conditions considered to be acceptable currently may, in the future, become subject to different regulatory standards and require action.

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A.3. Staffing Identification

The Concessionaire is solely responsible for each employee, his or her actions, as well as all parties that are employed by the Concessionaire, while on the Toll Roads and their corridors. The number of employees required must be determined by the needs of the Concessionaire to fulfill its maintenance, operation, and contractual obligations.

The Toll Roads is a 24 hour-per-day, 365 days-per-year operation. For this reason, the Concessionaire must recognize the need to have variable work shifts, employees, supervisors, and personnel to maintain constant operations.

A.3.1. Essential Staff

The Essential Staff Matrix developed for Volume II or III of the Operating Standards must include required staff to complete environmental management activities. The Essential Staff Matrix must include members of staff adequate to perform duties as outlined in this Volume III, including, but not limited to, personnel with appropriate licenses, certifications, and registrations.

A.4. Protection of Natural Resources and the Environment

The protection of natural resources and the environment is an essential and significant activity within the Toll Roads and their corridors. The Concessionaire must comply with all Federal and Commonwealth Environmental Laws in protecting the natural resources of the region, the environment and any threatened or endangered species, regardless of whether such laws pertain to operational activities covered in the Environmental Management Plan. The Puerto Rico Department of Natural and Environmental Resources (PRDNER), , Permits Management Office (OGPe, for its Spanish acronym), the US Fish and Wildlife Service (USFWS), the US Army Corps of Engineers (USACE) and the US Environmental Protection Agency (USEPA), are the agencies that the Concessionaire must contact, as appropriate, to clarify any doubt or to process any permit for activities that could affect any endangered species or natural resource.

A.4.1. Noise Control

The development of a project or activity must comply with Federal and Commonwealth Environmental Laws for noise control. The Concessionaire must consult with appropriate officials to obtain the views of the affected communities regarding noise impacts and abatement measures and must study and mitigate any traffic or construction noise impacts in accordance with the PRDNER Regulation for the Control of Noise Pollution, Noise Pollution and Abatement Act, and the Noise Policy in the Development and Operation of Transportation Projects, and any other applicable regulations or laws, as amended.

The Concessionaire will be responsible for notifying the PRHTA of any new residential development or construction adjacent to the toll plazas or highway corridors so that the PRHTA can confirm, through the OGPe, that the developer or contractor performed the traffic noise control studies, in compliance with state and federal regulations. In case such residential development is considered a noise-impacted area, the developer as its own cost will implement any measure or control to mitigate any traffic noise that the new community may experience, avoiding so that said mitigation or control is subsequently the responsibility of the PRHTA and Concessionaire.

A.4.2. Water Resources and Water Quality

Water resources must be protected and water quality must be maintained within and around the Toll Roads and their corridors in compliance with Federal and Commonwealth Environmental Laws, including but not limited to the Clean Water Act of 1977, the Safe Drinking Water Act, Title 40 of the Code of Federal Regulations (CFR) Parts 100 to 149, Law 136 of June 3, 1976 – Law for the Conservation, the Development and Use of Water Resources in Puerto Rico; and, PRDNER Water Quality Standards, as amended.

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The Concessionaire must also develop and implement a Stormwater Management Program Plan (SWMPP), which will be included in the Environmental Management Plan. No construction, improvement, maintenance activity, or daily activity may decrease the quality of surface waters, ground waters, or wetlands in violation of any Environmental Law. If there is no way to avoid impacts to the quality of surface waters, ground waters or wetlands, the Concessionaire must obtain the necessary Consent or permit from the PRDNER, the USACE, or other relevant Governmental Authority.

A.4.3. Air Quality

Portions of the Toll Roads are in areas that until recently were classified as non-attainment areas of the Commonwealth, and as such, certain improvements within the Toll Roads must conform to Federal, Commonwealth and Regional Air Implementation Plans and all Environmental Laws. Relevant Environmental Laws include, are but are not limited to, the Clean Air Act as amended in 1990, National Ambient Air Quality Standards and the PRDNER Regulation for the Control of Atmospheric Pollution. The Concessionaire must comply with the PRDNER Air Emission Source regulation, including by obtaining Air Emission Sources permits for emergency power generators with power capacities equal to or greater than 10 horsepower.

A.4.4. Dust Control

Dust control is essential in maintaining clean air and the prevention of airborne pollutants. Dust must be controlled within the Toll Roads and their corridors in

compliance with all Federal and Commonwealth Environmental Laws by implementing best management practices for all construction and daily activities including land disturbance, demolition, and material handling processes.

A.4.5. Threatened and Endangered Species

During the development of a project or activity, an assessment must be made of the likely impacts on species of plants or animals listed at the Federal and/or Commonwealth level as threatened or endangered and on their habitats in accordance with Environmental Laws. Relevant Environmental Laws include, but are not limited to, the Endangered Species Act, Title 50 CFR Chapter 1 Part 17 Endangered and Threatened Wildlife and Plants, Regulation to Govern Vulnerable and Endangered Species in the Commonwealth of Puerto Rico (PRDNER Regulation #6766) and Regulation to Govern the Management and Conservation of Wildlife, Exotic Species and Hunting (PRDNER Regulation #6765). Every effort must be made to minimize the likelihood of jeopardizing the continued existence of listed threatened or endangered species or the destruction or adverse modification of a Natural Area (such as a natural reserve designated by the PRPB, or a forest area designated by PRDNER) or an area with presence of critical/endangered has been designated as a critical or essential habitat by the PRDNER/USFWS. In any work or expansion of the Toll Roads or their corridors, potential impacts to threatened and/or endangered species shall be taken into consideration during the environmental assessment process conducted as part of the construction permit, and any applicable law conservation measures developed by the U.S. Fish and Wildlife Service (USFWS) and PRDNER shall be implemented.

A.4.6. Other Laws

Projects requiring Federal and/or Commonwealth actions, such as funding or Consents, may be subject to the National Environmental Policy Act, the National Historic Preservation Act, Section 4(f) of the Department of Transportation Act, or the PRDNER Regulation for the Process of Presentation, Evaluation and Procedure of Environmental Documents, among others. The Concessionaire must conduct all investigations and prepare all documentation necessary to comply with these and any other applicable Environmental Laws.

A.5. Interagency Coordination

It is the Concessionaire's sole responsibility to coordinate with Governmental Authorities so that the Toll Roads and their corridors are in compliance with all Federal, and Commonwealth Environmental Laws.

A.6. Initial Submission of Environmental Management Plan

Chapter B of this Volume requires the annual submission of an Environmental Management Plan by the Concessionaire to the Puerto Rico Highway and Transportation Authority (PRHTA) for approval by the PRHTA. The Concessionaire must submit the Environmental Management Plan to the PRHTA for approval no later than 120 days after the Closing Date, as defined in the Toll Road Concession Agreement, unless otherwise agreed to by the PRHTA and the Concessionaire.

The Concessionaire must submit all plans required by other Governmental Authorities as required by each Governmental Authority.

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CHAPTER B: ENVIRONMENTAL MANAGEMENT PLAN

B.1. Definitions

The definitions, acronyms and abbreviations contained in Volume III are incorporated herein.

AST: Aboveground Storage Tank

BMP: Best Management Practice

CERCLA: Comprehensive Environmental Response, Compensation, and Liability Act of 1980

CFR: Code of Federal Regulations

Consent: A permit, license, authorization, or other approval required by any Governmental Authority.

DTPW: Puerto Rico Department of Transportation and Public Works (*Departamento de Transportación y Obras Públicas de Puerto Rico*)

Emergency: An unforeseen occurrence or combination of circumstances that calls for immediate action or remedy.

Environmental Law: Any Federal, Commonwealth, or local, law, regulation, ordinance, or other requirement pertaining to the environment.

EPA: Environmental Protection Agency

Incident: An occurrence or event, natural or fabricated, requiring a response to protect human health, property, the environment, or natural resources.

IPC: Institute of Puerto Rican Culture (*Instituto de Cultura Puertorriqueña*)

ISO: International Organization for Standardization

NCP: National Contingency Plan, provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants.

NPAA: Noise Pollution and Abatement Act of 1972, as amended.

NPDES: National Pollutant Discharge Elimination System

PRASA: Puerto Rico Aqueduct and Sewer Authority

PRDNER: Puerto Rico Department of Natural and Environmental Resources
(*Departamento de Recursos Naturales y Ambientales de Puerto Rico*).

PREQB: Puerto Rico Environmental Quality Board (*Junta de Calidad Ambiental de Puerto Rico* now under the PRDNER)

PRHTA: Puerto Rico Highway and Transportation Authority (*Autoridad de Carreteras y Transportación de Puerto Rico*)

PRPB: Puerto Rico Planning Board (*Junta de Planificación de Puerto Rico*)

PRPD: Puerto Rico Police Department (*Policía de Puerto Rico*)

PWS: Public Water Supply

SARA: Superfund Amendments and Reauthorization Act of 1986, which amended the CERCLA on October 17, 1986

SPCC Plan: Spill Prevention, Control and Countermeasures Plan

SWPPP: Stormwater Pollution Prevention Plan

USACE: US Army Corps of Engineers

USFWS: U.S. Fish and Wildlife Service

UST: Underground Storage Tank

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B.2. References

The following comprises a partial list of Environmental Laws and publications that may apply to the operations of the Toll Roads and other projects and activities undertaken by the Concessionaire. Environmental Laws and documents applicable to the Concessionaire are the most current versions of those stated herein. However, the Concessionaire shall be responsible for having them updated to be in compliance with them.

- Clean Air Act, as amended in 1990.
 - National Ambient Air Quality Standards
- Clean Water Act of 1977
 - Wetlands Jurisdictional Determinations (WJD) and US Corps of Engineers Permits
 - National Pollutants Discharge Elimination Systems (NPDES Permits)
 - Storm Water Pollution Prevention Plan (SWPPP)
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended.
- Law 270 of 2003. Law for the Environmental Emergency Funds of Puerto Rico.
- Endangered Species Act of 1973
- Farmland Protection Policy Act
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
- Hazardous and Solid Waste Amendments of 1984
- Hazardous Materials Transportation Act
- International Organization for Standardization (ISO) 14001 (1996 and 2004 revision)
- Law 10 of January 19, 1995. Law to Promote the Reduction of Hazardous Waste in Puerto Rico
- Law 70 of September 18, 1992. Law for the Reduction and Recycling of Solid Waste in Puerto Rico.
- Law 112 of July 20, 1988. Protection Law for the Terrestrial Archaeological Patrimony.
- Law 136 of June 3, 1976. Law for the Conservation, the Development and Use of Water Resources in Puerto Rico.
- Law 171 of August 2nd, 2018, Reorganization Plan of the Department of Natural and Environmental Resources of 2018 Law
- Law 411 of October 8, 2000, to amend 1992 Reduction and Recycling Law

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- Law 416 of September 22, 2004, Puerto Rico Environmental Public Policy Law
- National Environmental Policy Act
- National Historic Preservation Act
- Puerto Rico Regulation on Special Areas at Risk of Flood (PRPB Regulation #13).
- Puerto Rico Regulation for Cultivation, Deforestation and Reforestation (PRPB Regulation #25)
- Puerto Rico Special Regulation and Plan for the Tortuguero Lagoon Hydrographic Basin. (PRPB Regulation #7)
- Puerto Rico Zoning Regulation (PRPB Regulation #4)
- Puerto Rico Future Karsts Zone Special Regulation – Under Evaluation by the PRPB
- Regulation for the Erosion Control and Sedimentation Prevention (PRDNER)
- Regulation for the Process of Presentation, Evaluation and Procedure of Environmental Documents (PRDNER)
- Regulation for the Control of Atmospheric Pollution (PRDNER)
- Regulation for the Control and Prevention of Light Pollution of 2016 (PRDNER)
- Regulation for the Control of Noise Pollution (PRDNER)
- Regulation for Air Emission Source (PRDNER)
- Regulation of Hazardous Waste Control (PRDNER)
- Regulation of the Adequate Management of Lead Based Paint Activities – 2018 (PRDNER)
- Regulation of Non-Hazardous Waste Management (PRDNER)
- Regulation of Underground Storage Tanks (PRDNER)
- Regulation of Underground Injection Control (UIC) (PRDNER)
- Regulation of Water Quality Standards (PRDNER)
- Regulation to Govern Vulnerable and Endangered Species in the Commonwealth of Puerto Rico (PRDNER Regulation #6766)
- Regulation to Govern the Management and Conservation of Wildlife, Exotic Species and Hunting (PRDNER Regulation #6765)
- Regulation to Govern the Extraction, Excavation, Removal and Dredge of the Earth Crust Components (PRDNER Regulation #6916)
- Resource Conservation and Recovery Act of 1976
- Safe Drinking Water Act
- Solid Waste Management Act

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- Superfund Amendments and Reauthorization Act of 1986
- Title 40 CFR, Part 131, Water Quality Standards
- Title 40 CFR, Part 112, Oil Pollution Prevention
 - Spill Prevention Countermeasure Control Plan (SPCCP)
- Title 50 CFR, Chapter 1, Part 17, Endangered and Threatened Wildlife and Plants – United States Fish and Wildlife Service (USFWS)
- United States Department of Agriculture, National Resource Conservation Service (NRCS) Web Soil Survey
- Water's Law for Well Water Franchise Permit (PRDNER)

B.3. Policy For Environmental Management Plan

B.3.1. Objective

The objective of the Environmental Management Plan is to ensure that the Concessionaire has considered, trained, addressed, and planned for situations that could be deemed as creating an endangerment to human health or the environment within or adjacent to the Toll Roads and their corridors resulting from operation of the Toll Roads and their corridors. The Environmental Management Plan shall be implemented in all critical activities identified by requirement of law or regulation, either Federal or by the Commonwealth.

B.3.2. Responsibility of Concessionaire

It is the Concessionaire's responsibility to establish, write, conduct and implement a comprehensive Environmental Management Plan that addresses the protection of human health and the environment during the operation of the Toll Roads and their corridors, and to ensure that such plan is being implemented and enforced, in accordance with any Federal and Commonwealth Environmental Law. This Chapter and its contents have been provided as a preparation guideline that addresses the minimum required criteria and is not intended to be all inclusive. The Environmental Management Plan must be updated and submitted annually to the PRHTA for approval. The Environmental Management Plan developed by the Concessionaire should conform to ISO 14001, except that the Concessionaire is not required to have the Environmental Management Plan approved by an independent certification body or registrar, although this is highly encouraged.

All appropriate Concessionaire employees must be trained on and made aware of the Environmental Management Plan and all the requirements under the applicable Federal and Commonwealth Environmental Laws.

This Chapter includes a general outline of the proposed Environmental Management Plan. This outline is intended only to provide guidance in the preparation of the Environmental Management Plan and is not intended to identify all the environmental issues that must be addressed in the Environmental Management

The Environmental Management Plan must be modified, revised, or changed as appropriate to address specific issues, needs, improvements, or concerns related to the Toll Roads and their corridors that develop over time or to incorporate any changes to the applicable Federal and Commonwealth Environmental Laws.

Except for any remediation activities identified in the Toll Road Concession Agreement, the Environmental Management Plan must reflect that contamination discovered on, under or emanating from the Toll Roads and their corridors after the Closing Date must be the responsibility of the Concessionaire, unless PRHTA stipulated otherwise on this document.

B.3.3 Permits and Licenses

The Concessionaire will be responsible for renewing any permit, approval, endorsement, or authorization required from any Federal and Commonwealth agency with jurisdiction over the facility, including without limitation, any permit for the relocation of utilities.

The PRHTA shall take all necessary steps to transfer all permits, approvals, endorsements, or authorizations to the Concessionaire, whenever such transfer is required for the performance by the Concessionaire of any activities included in this Agreement.

The PRHTA will provide the Use Permit ("Permiso Único") for all Toll Plaza Stations and corridors.

Mitigation: Whenever mitigation of the ecological conditions at the project site is required as a condition to obtain a necessary permit (such as a USACE permit for projects impacting areas under their jurisdiction, such as wetlands), the costs shall be part of the costs of such permit.

These requirements apply to projects at which the construction of noise abatement barriers is required by any Federal or Commonwealth agency with jurisdiction.

If in any renewal of any permit, approval, endorsement, or authorization the Federal or Commonwealth agency requires any mitigation to minimize environmental or other impacts (e.g., noise, traffic) to grant it, the Concessionaire is responsible for the costs of such mitigation.

B.3.4 Performance Time Frames

The Environmental Management Plan must be submitted annually for approval. The first annual update of the Environmental Management Plan must be submitted

twelve months after the approval of the first Environmental Management Plan.


B.3.5 Acceptance Criteria

The Environmental Management Plan will be considered provisionally acceptable for a particular year when the Plan has been written and updated by the Concessionaire and submitted to the PRHTA for comment and approval. The Environmental Management Plan (and each update) will be considered final after the Concessionaire has incorporated any comments made by the PRHTA and an independent certification body, and these changes have been approved by the PRHTA and the independent certification body, as applicable.

B.4. Environmental Management Plan Preparation Requirements

B.4.1. Introduction

The Introduction section of the Environmental Management Plan must contain a short overview and must include a description of the persons or Governmental Authorities involved in the preparation of the Environmental Management Plan, a designated individual who is charged with the implementation and maintenance of the Environmental Management Plan, and the overall goals and objectives of the Environmental Management Plan. At a minimum, this section must contain the following sub-sections:

- 
- Purpose
 - Scope and applicability
 - The methodology used to develop and implement the Environmental Management Plan

B.4.2. General

The General section of the Environmental Management Plan must require the Concessionaire to be responsible for all environmental Consents. The Concessionaire must be listed as the operator on all Consents and must pay all environmental related fees, including permitting fees. The PRHTA will be identified as the owner on all Consents. The Environmental Management Plan must include procedures and timetables for the Concessionaire to apply for all environmental Consents, including any renewals of existing Consents, as stated above.

B.4.3. Records

The Environmental Records section of the Environmental Management Plan must require the Concessionaire to maintain environmental records in accordance with Environmental Laws, including, but not limited to, requirements of the Puerto Rico Comptroller's Office, which establishes a period of twelve (12) years as the time required for the retention of contracts and associated documents. The Environmental Management Plan must detail the required retention time periods

for all environmental records (permits, releases, certification, among others) and provide the location of the record storage.

B.4.4. Hazardous Materials Management/Response to Hazardous Materials Emergencies

The Hazardous Materials Management/Response to Hazardous Materials Emergencies section of the Environmental Management Plan must identify all materials (including wastes and any other substances, pollutants or contaminants) that are or could potentially be harmful if released into the environment and must specify the appropriate management of these materials and substances, pollutants or contaminants in order to prevent an impact to the environment, in keeping with applicable provisions of the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act of 1976, CERCLA Including the Superfund Amendments and Reauthorization Act of 1986), Clean Water Act, Law 10 of January 19, 1995 – Law to Promote the Reduction of Hazardous Waste in Puerto Rico, Regulation of Hazardous Waste Control, Law 270 of 2003, Law for the Environmental Emergency Funds of Puerto Rico, and all other applicable Environmental Laws.

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The Environmental Management Plan must include the steps required to respond to and report releases of hazardous materials to appropriate Federal and Commonwealth Governmental Authorities. Types of hazardous material surface spills include but are not limited to, hazardous materials incidents caused by vehicles on the Toll Roads and their corridors, or by spillage of materials used by the Toll Roads. Incidents on the Toll Roads or its corridors could be due to vehicle fuel spills or spills of bulk or containerized materials that are being transported by over-the-road vehicles. Example response/remediation policies are included in Exhibit III-A. In accordance with EPA Oil Pollution Prevention Regulation at Title 40 of the CFR, Part 112, as amended, and with rule 1306.5 of the DNER Water Quality Standards Regulations, as amended, the Concessionaire must update, implement and maintain (i.e., have reviewed and certified by a Professional Engineer licensed in the Commonwealth of Puerto Rico every five (5) years) the Spill Prevention, Control and Countermeasure (SPCC) plans as part of the Environmental Management Plan, in a separate section. This plan should include standard operation procedures for the management and remediation of hazardous substances, pollutants, contaminants, or petroleum product spills on paved, non-paved and grass-maintained areas in the toll roads, its corridors, and the toll roads' surroundings. The Environmental Management Plan must address how these SPCC plans will be updated, implemented, and maintained. Any facilities with a total aboveground oil storage capacity of greater than 1,320 gallons, or total completely buried oil storage capacity greater than 42,000 gallons, are required to prepare and implement a SPCC plan. A copy of the entire SPCC plan must be maintained at the facility and the plan must be available to EPA for on-site review and inspection. Example response/remediation policies are included in Exhibit III-B.

PRHTA will provide to the Concessionaire the initial SPCC plans to be included and updated in the Environmental Management Plan to clean and remediate, in a timely manner, any spill or releases that could happen in the toll roads, its corridors

and in the toll roads surroundings. The Concessionaire shall be responsible for updating the SPCC plans as necessary during the course of the Concession.

B.4.5. Underground Storage Tanks (USTs) and Above-Ground Storage Tanks (ASTs)

The Environmental Management Plan must require the Concessionaire to be responsible for the operation, maintenance, replacement, and remediation (if applicable) of any and/or all USTs and ASTs necessary for operation of the Toll Roads in accordance with Federal, and Commonwealth statutes and regulations. Relevant statutes and regulations include but are not limited to: PRDNER Regulation for Underground Storage Tanks, and Title 40 CFR, Part 112, Oil Pollution Prevention. A list of ASTs identified through review of Puerto Rico Department of Natural and Environmental Resources (PRDNER) files is provided on Table B.4.5.1.

The Environmental Management Plan must include the inspection procedure to perform integrity tests, and their frequency, of all underground and aboveground storage tanks and fuel lines. These inspection reports shall be stored for the period required by law or by the relevant regulatory agency. If the integrity report finds an AST or UST spill or leakage, the spill emergency plan or SPCC plan will be activated, and appropriate remediation shall be conducted in accordance with such plans and applicable law. The Concessionaire shall keep for its records a copy of the corrective action report including the release letter or certification given by PRDNER. Example response/remediation policies are included in Exhibit -B.

Table B.4.5.1: List of Above-Ground Storage Tanks

Location	Km	Tank	Size (Gallons)	Contents	Condition Status	Secondary Containment	Comments
Toll Corridor PR-52	14.5	Not defined	560	Not known	Abandoned	Available	
Montehiedra PR-52	3.8	AST	180	Diesel	Corrosion	In concrete	
		Day tank	5	Diesel		No	
Caguas Norte PR-52	14.3	Built-in	1270	Diesel	Good		
Caguas Sur PR-52	23.5	AST	250	Diesel	Good	Yes	2 Inactive AST on site
		Built-in	400	Diesel	Good	No	
Juana Diaz Este PR-52	85.6	Built-in	250	Diesel	Good	Double wall tank	
Juana Díaz Oeste PR-52	93.6	Built-in	250	Diesel	Good	Double wall	
Salinas PR-52	57.9	Built-in	75	Diesel	Good	Double wall	
		Built-in	75		Good	Double wall w/ concrete dike	

Location	Km	Tank	Size (Gallons)	Contents	Condition Status	Secondary Containment	Comments
Rampa Salinas (Norte y Sur) PR-52	66.5	Built-in	100	Diesel	Good	Double wall	
		Day tank	5	Diesel	Inactive	No	Empty tank
		Concrete AST	500	Diesel	Good	yes	Empty tank
Ponce PR-52	105.4	Day tank	10	Diesel	Good	No	
		AST	560	Diesel	Good	No	
		AST	300	Diesel	-	Yes	
Hucar-Salinas PR-53	93	AST	560	Diesel	-	Yes	
Guayama PR-53	82	Day Tank	30	Diesel	-	No	
		AST	560	Diesel	-	Yes	
Humacao Norte PR-53	58.9	Built-in	75	Diesel	-	No	
		AST	500	Diesel	Good	Yes	
Humacao Sur PR-53	34.8	AST	560	Diesel	Good	Yes	
		AST	500	Diesel	Good	Yes	
Ceiba PR-53	4.3	Day-tank	15	Diesel	Good	No	
		AST	500	Diesel	Good	Yes built-in	
		AST	560	Empty tank	-	Yes, concrete	Empty & no longer in use
		AST	500	Diesel	-	Yes, built-in	
		AST	200	Diesel	-	Yes, concrete	
Carolina PR-53	3.4	Built-in gen	240	Diesel	-	Yes	
		AST	500	Not known	Abandoned Condition	Available	Red Empty & out of service
		AST	500	Not known			White; to feed fleet vehicles
		AST	1000	Diesel		Concrete dike	Feds generator
Rampa Carolina PR-53	5.1	Built-in tank	Not identified				To the generator not in use
		AST	-500	Diesel	Good	Concrete	Feds generator
Rampa Carolina Sur	5.1	Built-in	20G	Diesel	good	Concrete	
Rio Grande PR-53	16.8	AST	200	Diesel		-Yes	2 Inactive AST on site
Guaynabo PR-20	6.4	Built-in	50	Diesel	-Good		
		AST	560	Diesel	-Good	Concrete	

B.4.6 Air Permitting

The Air Permitting section of the Environmental Management Plan must include procedures to ensure that the Concessionaire operational activities within the Toll Roads and their corridors either remain under air permitting thresholds, quality standards or the required air Consents are obtained for the operation or maintenance activities. The operation of the Toll Roads may require air Consents, although the current operation of the Toll Roads is exempt because the calculated emissions do not trigger the need for a Consent to be obtained. The Environmental Management Plan must specify the procedures that will be taken to ensure that projects or operations meet all Environmental Laws with respect to Air Permits. As part of the Environmental Management Plan, the Concessionaire shall coordinate with PRDNER and/or EPA to ensure compliance with the relevant Clean Air Act State Implementation Plans (SIPs) and any other Commonwealth or EPA regulations or other requirements which implement, maintain, and enforce the National Ambient Air Quality Standards (NAAQS), and to fulfill other requirements of the Clean Air Act.

According to the PRDNER Air Emission Source regulation, emergency power generators with power capacities equal to or greater than 10 horsepower are required to obtain an air emission source permit.

The table below summarizes the emergency power generators located in Toll Plazas.

Toll Road	Toll Plaza Location	Emergency Power Generator
52	Toll Plaza at Montehiedra Km 3.8 Caimito Ward San Juan, Puerto Rico	25 kW Onan emergency power generator inside administration building, served by: - 5 gL diesel day tank - 180 gL AST connected to the day tank
52	Toll Plaza at Caguas Norte Km. 14.3 Río Cañas Ward Caguas, Puerto Rico	250 kW Kohler Emergency Power Generator installed in the traffic management center building and was integrated with: - 1270 gL diesel built-in tank
52	Toll Plaza at Caguas Sur Km. 23.5 Turabo Ward Caguas, Puerto Rico	- 110 kW Generac Emergency Power Generator located in a dedicated room inside the administration building. - Appears to be in good condition. - No evidence of spills or release in its surroundings. - 400-gallons diesel fuel built-in tank
52	Toll Plaza at Juana Díaz Este - Río Cañas Km 85.6 Río Cañas Abajo Ward Juana Díaz, Puerto Rico	- 36 kW Caterpillar Emergency Power Generator located inside a dedicated room; - Appears to be in good condition; - No evidence of spills or release in its surroundings.
52	Toll Plaza at Juana Díaz Oeste - Coto Laurel Km 93.6 Sabana Llana Ward Juana Díaz, Puerto Rico	- 36 kW Caterpillar Emergency Power Generator located inside a dedicated room; - Appears to be in good condition; - No evidence of spills or release in its surroundings.
52	Toll Plaza at Salinas Km 57.9 Lapa Ward Salinas, Puerto Rico	- 40 kW Generac Emergency Power Generator located east of administration building; - 60 kW Onan power generator located east of police building; - Appear to be in good condition. - No evidence of spills or release in its surroundings.

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Toll Road	Toll Plaza Location	Emergency Power Generator
52	Toll Plaza at Rampa Salinas (Norte y Sur) Km 66.5 within Lapa and Pueblo Wards Salinas, Puerto Rico	<ul style="list-style-type: none"> - 40 kW Armstrong Emergency Power Generator located West of toll plaza support building; - Appear to be in good condition. - No evidence of spills or release in its surroundings.
52	Toll Plaza at Ponce Km 105.4 Playa Ward Ponce, Puerto Rico	100 kW Onan emergency power generator located in dedicated room, south of maintenance building.
53	Toll Plaza at Hucar Km. 93 La Lapa Ward Salinas, Puerto Rico	<ul style="list-style-type: none"> - 40 kW emergency power generator; located inside a room at the southeast corner of the building.
53	Toll Plaza at Guayama Km. 82 Pozo Hondo Ward Guayama, Puerto Rico	<ul style="list-style-type: none"> - 56 kW emergency power generator; located inside a room at the southeast corner of the building. - 50 kW backup generator staged at the south side of the building.
53	Toll Plaza at Humacao Norte Km 58.9 Junquito Ward Humacao, Puerto Rico	<ul style="list-style-type: none"> - 40 kW Emergency Power Generator located small concrete shed, - Appears to be in good condition, - No evidence of spills or release in its surroundings.
53	Toll Plaza at Humacao Sur Km 34.8 Cataño Ward Humacao, Puerto Rico	<ul style="list-style-type: none"> - 40 kW Emergency Power Generator located small concrete shed, - Appears to be in good condition, - No evidence of spills or release in its surroundings.
53	Toll Plaza at Ceiba Km. 4.3 Saco Ward Ceiba, Puerto Rico	<ul style="list-style-type: none"> - 150 kW emergency power generator; located west of the toll plaza administrative offices building. - In good conditions; - no evidence of spills or releases on its surroundings.
66	Toll Plaza at Carolina Km. 3.4 Martin Gonzalez Ward Carolina, Puerto Rico	<ul style="list-style-type: none"> - 100 kW emergency power generator; located east of the building. - In good conditions; - No evidence of spills or release in its surroundings
66	Toll Plaza at Rampa Carolina Norte Km. 5.1 Barrazas Ward Carolina, Puerto Rico	<ul style="list-style-type: none"> - 40kW emergency power generator; located within concrete building. - In good conditions; - No evidence of spills or release in its surroundings
66	Toll Plaza at Rampa Carolina Sur Km. 5.1 Barrazas Ward Carolina, Puerto Rico	<ul style="list-style-type: none"> - 55 kW emergency power generator; located within concrete building. - In good conditions; - No evidence of spills or release in its surroundings
66	Toll Plaza at Rampa Río Grande Km. 16.8 Guzmán Abajo Ward Río Grande, Puerto Rico	<ul style="list-style-type: none"> - 30 kW emergency power generator; located within a smallconcreted shed; - In good conditions; - No evidence of spills or release in its surroundings
20	Toll Plaza at Guaynabo Km. 6.4 Frailes Ward Guaynabo, Puerto Rico	100 kW Onan emergency power generator located inside the emergency generator room.

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B.4.7 Herbicides and Pesticides

The Herbicides and Pesticides section of the Environmental Plan must specify and require the Concessionaire to follow the proper storage and application of all herbicides and pesticides in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and in accordance with the manufacturer's instructions.

B.4.8 Wastewater Treatment

There are no Wastewater Treatment facilities on or near the Toll Roads. The wastewater treatment service is provided by the Puerto Rico Water and Sewer Authority (PRASA) for the Plaza Ponce, Carolina Norte, Carolina Sur, Plaza Carolina, and Plaza Rio Grande Toll Plazas. The rest of the Plazas dispose of their wastewater in septic tanks.

According to Rule 101 of the PRDNER Underground Injection Control (UIC) regulation, the septic tank systems are classified as UIC Type C1, which includes all septic tanks used to inject sanitary wastes or effluents generated at all types of private, governmental, and municipality facilities, among other facilities. On the wastewater treatment section of the Environmental Management Plan the renewal of the UIC permits for the facilities where septic tanks are used must be develop and implemented. In addition, the plan must include percolation and soil tests in accordance with the UIC permit.

The Environmental Management Plan must evaluate if a septic system can be replaced with a connection to a PRASA wastewater collection system, if so, the connection shall be made.

B.4.9 Water Supply and Treatment

The Water Supply and Treatment for the Toll Roads come from public supply systems, from surface water reservoirs owned by PRASA. The Concessionaire is not required to operate and maintain public water supplies (PWS) for the operation of the Toll Roads. As part of the Environmental Management Plan, a PWS existence evaluation must be done. If the existence is confirmed, then the Environmental Management Plan must include an operational plan that states how will be operated in accordance with applicable laws and regulatory limitations and standards and must specify those regulatory limitations and standards.

B.4.10 Polychlorinated Biphenyl's

The Environmental Management Plan must certify the condition of all substations and electrical transformers located inside any electrical station cabinets, or in a pad or pole mounted in the Toll Roads and their corridors with the assistance of the system operator of the Electrical System or its representative and confirm that these are non-PCB-containing transformers and must identify them with the proper non-

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PCB label

B.4.11 Endangered and Threatened Species

According to the U.S. Fish and Wildlife Service (USFWS), the Puerto Rican Broad-winged Hawk (Endangered), Puerto Rican Nightjar (Endangered), Puerto Rican Plain Pigeon (Endangered), Puerto Rican Sharp-shinned Hawk (Endangered), Puerto Rican Boa (*epicrates inornatus*) (Endangered), Puerto Rican Crested Toad (Threatened), Palo De Ramon (Endangered) and Palo De Rosa (*ottoschulzia rhodoxylon*) (Threatened) could be located along the Toll Roads and their corridors. If any of the above species, or any other identified as endangered or threatened species are observed at or in the vicinity of the Toll Roads and their corridors, the Environmental Management Plan must develop and implement the appropriate conservation measures as required under USFWS or other applicable laws and regulations.

B.4.12 Asbestos and Lead-Based Paint Evaluations

The Environmental Management Plan shall provide that the Concessionaire will conduct an asbestos-containing material (ACM) inspection of all Toll Roads and Toll Plazas in accordance with Environmental Protection Agency recommended procedures, Asbestos Hazard Emergency Response Act (AHERA) and in compliance with the Puerto Rico PRDNER Regulation for the Control of Atmospheric Pollution, Rule 422, as amended.

In addition, the Environmental Management Plan shall provide that the Concessionaire will conduct a lead-based paint (LBP) inspection to evaluate painted surfaces at the Toll Plaza and its surrounding, and following the methodology established in the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing and the PRDNER Regulation 9098 for Proper Management of Lead-Based Paint Activities.

In compliance with the Environmental Management Plan, if the ACM and LBP inspections reveal the presence of asbestos-containing materials and/or lead-based painted surfaces above the regulatory levels, the Concessionaire shall follow the remedial plan included in the Environmental Management Plan and according to the specific regulation for any demolition or removal and the proper disposal of such materials.

If the ACM and/or LBP is planned to be managed in-place instead of being removed, then the Environmental Management Plan shall include an Asbestos and Lead Based Paint Operations and Maintenance (O&M) Program, and the Concessionaire shall comply with such program.

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B.4.13 Community and Private Water Supply

The Community and Private Water Supply section of the Environmental Management Plan must include procedures for addressing potential groundwater quality issues.

Private citizens may contact the Concessionaire regarding ground water quality. The Environmental Management Plan must require the Concessionaire to inform PRDNER and the Commonwealth Environmental Agencies upon notification of potential groundwater quality issues.

There are no wells within the Toll Roads, however there may be sinkholes adjacent to the Toll Roads, some of which receive runoff from the Toll Plazas. The Environmental Management Plan must specify, and require implementation of, the steps that will be taken by the Concessionaire, in general order of implementation, in response to any complaints or inquiries about ground water quality adjacent to the Toll Roads, including, but not limited to the management of oil or other contaminants.

B.4.14. Stormwater Management

The Stormwater Management section of the Environmental Management Plan must address stormwater management issues and Laws, and the Concessionaire must obtain and comply with any Consents necessary to operate the Toll Roads including, but not limited to, a National Pollutant Discharge Elimination System (NPDES) permit and a Stormwater Pollution Prevention Plan (SWPPP). The Concessionaire shall obtain and comply with all terms and conditions of the required NPDES permit, including the development and implementation of a Stormwater Management Program (SWMP) plan including the Minimum Control Measures (MCM) and Best Management Practices (BMPs) needed to be implemented as part of the program. The Environmental Management Plan must require the Concessionaire to maintain any existing BMPs and install additional BMPs as required by Environmental Laws. Stormwater management features shall be included at all Toll Plazas.

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As stated in the Phase I reports, Toll Roads and Toll Plazas located in urban areas as defined by the US Census Office are covered by the 2016 MS4 General Permit # PRR040080 secured by the obtained by the Puerto Rico Department of Transportation and Public Works and Puerto Rico Highway and Transportation Authority. Said permit was issued and enforced by the EPA. The NOI indicates that a copy of the current draft of the SWMP is located at the MS4 coordinator's office. The SWMP describes in detail the MCMs and BMPs needed to be implemented as part of the SWMP. It is important to indicate that the SWMP may be required to be updated later during this year when the new MS4 permit is issued by the EPA to incorporate new requirements, if applicable. Although the SWMP provides specific permit requirements, the Operator would be required to:

- Develop maps of the storm sewer system of the Toll Roads and Toll Plazas located in areas covered by the MS4 permit. It is required to provide the DTPW/PRHTA with shapefiles of the MS4, since the information will be incorporated in the agency database for ease of

access.

- Identify the location of outfalls of the MS4 of Toll Roads/Toll Plazas located in regulated areas. Once located, they shall be marked with a unique physical identifier as required by the MS4 permit
- Inspect outfalls to detect the presence of illegal discharges as required by the permit in Toll Roads and Toll Plazas located in regulated areas.
- Prioritize and perform Illegal Detection and Discharge Elimination (IDDE) activities of Toll Roads/Toll Plazas located within the coverage area. Before and after the completion of this task, the Operator shall coordinate with the DTPW/PRHTA, and provide copies of the reports.
- Develop Storm Water Pollution Prevention Plans (SWPPP) for the Toll Plazas located within the MS4 permit coverage areas using EPA recommended Good Housekeeping Practices as well as BMPs.
- Implementation of the BMPs identified in the SWPPP
- Perform regular inspections to ensure that BMPs are in good working condition. Maintain records of such inspections.
- Develop a schedule and perform inspections and cleanup of the MS4 as required, on areas at which restricted flow conditions have been identified. Inspections shall also be performed before and after heavy rains or storm conditions that may affect the adequate operation of the MS4.
- Develop a Plan for the adequate management and disposal of the solid/semisolid wastes that may be generated because of the cleanup operations of the MS4. records of such operations shall be maintained for future reference as required by the permit.
- Report Sanitary Sewer Systems Overflows (SSOs) reaching the MS4 to the DTPW/PRHTA, PRASA, as soon as practicable.
- Conduct initial and annual training of the personnel assigned with duties related with the implementation of the SWPPP
- Establish and maintain communication with the DTPW/PRHTA appointed MS4 coordinator. This includes assistance in the collection and submittal of information required to be included in the annual MS4 report that is submitted to the EPA.

The operator is responsible for reviewing the SWMP and verifying the MS4 permit requirements applicable for Toll Roads/Toll Plazas located in regulated areas. For sections of the Toll Road/Toll Plaza, the operator is responsible to verify applicability of other requirements set forth in 40 CFR 122 for those discharges.

The Environmental Management Plan must require that any wastewater that may contain hazardous substances shall be discharged into the sanitary sewer system to avoid discharges into the stormwater system.

For more specific information, refer to the Phase I reports prepared for each one of the Toll Plazas and corridors, listed Exhibit C.

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B.4.15. Community Right to Know

The Community Right-To-Know section of the Environmental Management Plan must require the Concessionaire to prepare and submit Community Right-To-Know documentation on an annual basis. Tier II forms must be submitted in all cases in lieu of Tier I forms. Submission of Tier II forms are required by Title III of the Superfund Amendments and Reauthorization Act of 1986, Section 312, Public Law 99-499, codified at 42 U.S.C. Section 11022, as amended, if so, requested by a Commonwealth emergency response commission, a local emergency planning committee, or a fire department with authority over the facility.

B.4.16. Solid Waste Management

The Solid Waste Management section of the Environmental Management Plan must specify procedures for proper management, including treatment, storage, and disposal, of solid waste in compliance with Environmental Laws, including but not limited, to the Resource Conservation and Recovery Act of 1976 (RCRA), Hazardous and Solid Waste Amendments of 1984, the Solid Waste Management Act and the Law to Promote the Reduction of Hazardous Waste in Puerto Rico. Procedures must include, but not be limited to, the procedures for proper hazardous waste-stream determination in accordance with RCRA. The Toll Plaza facilities along the Toll Roads are not currently listed as “generator” under RCRA. The Environmental Management Plan must indicate that generator status will be reviewed monthly. All appropriate notifications and documents must be prepared and submitted to the appropriate Governmental Authorities by the Concessionaire. The Plan must indicate how potential disposal facilities will be evaluated prior to shipment of any solid waste, whether non-industrial, industrial, or hazardous. The Environmental Management Plan must also include procedures to manage roadkill waste.

B.4.17. Chemical Supply and Choice

The Chemical Supply and Choice section of the Environmental Management Plan must include a section regarding the responsible choice of chemicals purchased for use to minimize hazardous waste generation. If any chemical substance is used for the cleaning of any road surfaces and is pressure washed toward the storm sewer system, the Environmental Management Plan shall detail the process for maintaining the Material Safety Data Sheet (MSDS) of any such substance and for handling such substance in accordance with OSHA and other applicable regulations. If the MSDS shows that the chemical substances include hazardous constituents, the Environmental Management Plan shall detail the proper disposal of any hazardous wastes that shall be discharged into the sanitary sewer avoiding discharges into the stormwater system and a RCRA permit is required.

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B.4.18. Historic and Cultural Resources

The Environmental Management Plan must include measures to protect historic and cultural resources that may be impacted by increases in the footprint of the project or construction activities, including but not limited to measures to protect the Ruins of the Hacienda Santa Catalina located in the Cañabón Ward in the Municipality of Caguas, to the east of the PR-52 highway.

B.4.19. Training

The Training section of the Environmental Management Plan must include the training requirements and certifications for all appropriate personnel, whether they are personnel of the Concessionaire or its contractors. In addition, this section must require that the personnel have completed the most current training and possess the proper and current license or certification and qualifications to operate the equipment.

The types of training required may include, but are not limited to:

- Contingency Plan/SPCC Plan
- Emergency Plans
- OSHA compliance
- RCRA Hazardous Waste Training
- Updates and training on new or revised regulations
- Continuing education as required by personal certifications and licensing.
- UST Training



EXHIBITS:

- A. Process for Remediation of Hazardous Material Spill on Paved Areas
- B. Process for Remediation of Hazardous Material Spill on Grass Maintained Areas
- C. Phase I reports for Toll Roads and Toll Roads Plazas.

EXHIBIT A: PROCESS FOR REMEDIATION OF HAZARDOUS MATERIAL SPILLS ON PAVED AREAS

In the event a spill occurs on the Toll Roads that affects paved areas or other non-paved surfaces, the company or party responsible for that spill must do the following:

SPILL RESPONSE PROCEDURE FOR PAVED AREAS

The Concessionaire must require that the remediation of any spill, of any quantity, be conducted by the company or person responsible for the spill. If the responsible party for the spill cannot conduct remediation (regardless of the reason of non-response of the responsible party), such remediation shall be conducted by the Concessionaire or its contractor. Upon the occurrence of a spill, the responsible party (or the Concessionaire) must immediately perform the following:

- Contact all applicable Municipal, Commonwealth and Federal Governmental Authorities to report the spill and immediately notify the Concessionaire.
- Assess the situation to identify the material spilled and determine whether an immediate health or safety threat is present.
- Take all precautionary measures to eliminate any health or safety risks and notify the Concessionaire personnel or Puerto Rico Police Department (PRPD) of a need to secure the area if necessary; and
- Take steps to immediately contain the spill and prevent it from migrating further.

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REMEDIATION ACTIVITIES FOR PAVED AREAS

In conducting remediation activities, the remediation company selected by the responsible party must follow the set of guidelines set forth below:

- The remediation company will contact the Concessionaire prior to entering the Toll Roads to start clean-up, even if there will be no lane blockage. If a lane needs to be closed, Concessionaire personnel will set up and maintain the lane closure.
- Based upon the material involved, the remediation company must identify any specific precautions that must be taken in performing a remediation.
- The remediation contractor is to contact Concessionaire personnel if there is a question as to whether a pavement needs to be removed.
- Pavement areas that have been impacted by the spill will be evaluated by competent Concessionaire personnel to determine if the pavement needs to be removed. Concessionaire personnel may request assistance from the remediation contractor in making the evaluation.
- If pavement needs to be removed, competent Concessionaire personnel will determine the length, width, and depth of such removal as well as the type of asphaltic material to use.
- It will be the responsibility of the remediation contractor to secure the assistance of a milling and paving contractor to perform the pavement replacement operations.
- The remediation contractor and sub-contractors schedule the repairs in a timely manner and to notify Concessionaire personnel when such repairs are scheduled so that lane closures can be scheduled.
- All contaminated material to be removed from the Toll Roads at the time of cleanup unless other arrangements have been made acceptable to Concessionaire personnel.

In the event that there is not a PRPD unit on scene, it is the duty of the Concessionaire to contact the PRPD when there is a spill of any quantity. In the event of PRPD presence, they will oversee all accidents/ incidents and will contact the company or persons responsible for the spill and inform them that they are to contact a remediation company. PRPD may notify all applicable Federal and Commonwealth Governmental Authorities of the spill, however, it is the responsibility of the person or entity that caused the spill to make the required reports to the appropriate Governmental Authorities. In the event a PRPD unit is not on the scene, Concessionaire personnel will notify the company or persons responsible for the spill and inform them that they are to contact a remediation company and to notify all applicable Federal and Commonwealth Governmental Authorities of the spill. If the party responsible for the spill cannot make such notifications, it is the responsibility of the Concessionaire to do so.

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The remediation contractor must provide a full report to the Concessionaire for each Incident and the Concessionaire must provide a full report to the Commonwealth within seven (7) Business Days following each Incident.

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EXHIBIT B: PROCESS FOR REMEDIATION OF HAZARDOUS MATERIAL SPILLS ON GRASS MAINTAINED AREAS

In the event a spill occurs within the Toll Roads that affects grass-maintained areas or other non-paved surfaces, the company or party responsible for that spill must do the following:

SPILL RESPONSE PROCEDURE FOR GRASS MAINTAINED AREAS

The Concessionaire must require the remediation of any spill, of any quantity, be conducted by the company or person responsible for the spill. If the party responsible for the spill cannot conduct the remediation, such remediation shall be conducted by the Concessionaire or its contractor. Upon the occurrence of a spill, the responsible party (or the Concessionaire) must immediately perform the following:

- Contact all applicable Municipal, Commonwealth and Federal Governmental Authorities to report the spill and must also immediately contact the Concessionaire.
- Assess the situation to identify the material spilled and determine whether an immediate health or safety threat is present.
- Take all precautionary measures to eliminate any health or safety risks and notify the Concessionaire personnel or PRPD of a need to secure the area if necessary; and
- Take steps to immediately contain the spill and prevent it from migrating further.

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REMEDIATION ACTIVITIES FOR GRASS MAINTAINED AREAS

In conducting remediation activities, the remediation company selected by the responsible party must follow the set of guidelines set forth below:

- The remediation company will contact the Concessionaire prior to entering the Toll Roads to start clean-up, even if there will be no lane blockage. If a lane needs to be closed, Concessionaire personnel will set up and maintain the lane closure.
- Based upon the material involved, the remediation company must identify any specific precautions that must be taken in performing a remediation.
- All contaminated soil must be removed from the site.
- All soil removed must be replaced with black dirt or topsoil that will grow grass.
- The area must be restored to the original grade so that a low spot or hollow area is not created.
- A PRHTA seed mixture must be used for seeding the affected area.
- The topsoil must be covered with an erosion control mat after seeding to control erosion and to promote the growing of the grass.
- All contaminated soil and material must be removed from the Toll Roads and properly disposed of at the time of cleanup unless other arrangements have been made acceptable to Concessionaire personnel.
- The remediation company and the responsible party must always cooperate with all local, Commonwealth and federal officials involved in the spill response and remediation.

If there is not a PRPD unit on scene, it is the duty of the Concessionaire to contact the PRPD when there is a spill of any quantity. In the event of PRPD presence, they will oversee all accidents/ incidents and will contact the company or persons responsible for the spill and inform them that they are to contact a remediation company. PRPD may notify all applicable Federal and Commonwealth Governmental Authorities of the spill, however, it is the responsibility of the person or entity that caused the spill to make the required reports to the appropriate Governmental Authorities. In the event a PRPD unit is not on the scene, Concessionaire personnel will notify the company or persons responsible for the spill and inform them that they are to contact a remediation company and to notify all applicable Federal and Commonwealth Governmental Authorities of the spill. If the party responsible for the spill cannot make such notifications, it is the responsibility of the Concessionaire to do so.

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ALL OTHER NON-PAVED AREAS

If a spill affects an area that is not grass maintained but is non-paved, the remediation process will be the same as for Grass Maintained Areas except that all the contaminated material will be removed and clean like material replaced to the original grade. Topsoil, seed, and erosion control mats will not be required.

The remediation contractor must provide a full report to the Concessionaire for each Incident, and the Concessionaire in turn will provide a full report to the Commonwealth within seven (7) Business Days following each Incident.

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Spill reports must be made to the following:

- Concessionaire
- National Response Center (800)424-8802

EPA Region II, N.Y. (212)637-3660

- EPA, San Juan Office (787) 977-5865
- PR Environmental Quality Board (787)767-8181
- PR Department of Natural and Environmental Resources (787)999-2200
- PR Fire Department (Central) (787)343-2330
- Municipal Fire Department *
- PR Police Department - Highway Patrol Division (787)781-2560

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- Office of the Mayors
- Municipality Trujillo Alto (787)761-0172
- Municipality of San Juan (787)724-7171
- Municipality of Guaynabo (787)720-4040
- Municipality of Caguas (787)653-8833
- Municipality of Carolina (787)757-2626
- Municipality of Rio Grande (787)887-2370
- Municipality of Cayey (787)738-3211
- Municipality of Salinas (787) 824-3060
- Municipality of Santa Isabel (787)845-4040
- Municipality of Juana Díaz (787)837-2185
- Municipality of Ponce (787)848-4955
- Municipality of Guayama (787)864-0600
- Municipality of Ceiba (787)885-2180
- Municipality of Naguabo (787)874-2265
- Municipality of Humacao (787)852-3066
- Municipality of Yabucoa (787)-893-3000
- Municipality of Fajardo (787)863-4013
- Municipality of Canovanas (787)876-2328
- Municipality of Rio Grande (787)887-2370

- State Agency for Emergency Management and Disasters Administration (787)724-0124
- PR Department of Transportation and Public Works (787)722-2929
- US Army Corps of Engineers (787)783-2424

* Note: Depending on the Municipality.

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EXHIBIT C: Phase 1 Environmental Site Assessment

The following table includes the reference to the folders included on a flash drive provided to each Party as of the Effective Date containing the files of the Phase I Environmental Assessment Reports for each toll plaza and toll road corridors:

Toll Plaza Reports:	Folder Reference
1. Montehiedra	12.01.16
2. Caguas Norte	12.01.05
3. Caguas Sur	12.01.06
4. Salinas	12.01.22
5. Salinas (Rampa)	12.01.20
6. Juana Diaz Este	12.01.14
7. Juana Diaz Oeste	12.01.15
8. Ponce	12.01.17
9. Guayama	12.01.09
10. Húcar	12.01.11
11. Humacao Norte	12.01.12
12. Humacao Sur	12.01.13
13. Ceiba	12.01.08
14. Carolina	12.01.07
15. Carolina Norte	12.01.18
16. Carolina Sur	12.01.19
17. Rio Grande	12.01.21
18. Guaynabo	12.01.10
19. PR-52 Highway-corridors	12.01.02
20. PR-53 Highway - corridors	12.01.03
21. PR-66 Highway - corridors	12.01.04
22. PR-20 Highway - corridors	12.01.01

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