Appendix 14

to

Solar BOT Scope Book

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APPENDIX 14: CONTRACTOR ENVIRONMENTAL GUIDELINES FOR SOLAR BOT AGREEMENTS

1 Overview

This document is a guide to environmental requirements and issues related to site work activities associated with the construction of a solar photovoltaic facility. The Contractor who signs a contract with Entergy is stating he or she has read the Contractor Environmental Guidelines and that the Contractor, his employees, and his or her subcontractors shall abide by job specifications and these guidelines.

The local, state, and federal environmental rules and regulations that most commonly apply during construction projects are addressed in this appendix. Any activity not identified in this section should be conducted in accordance with applicable local, state, and federal requirements, and in consultation with Entergy's Environmental Services (ES) Team.

Seller is responsible for preparing permit applications, studies/evaluations, and obtaining authorizations necessary for complying with applicable local, county, state, and federal requirements for the construction of the solar project. A Project/Project Site-specific health, safety, and environmental policy and associated procedures (HSE Plan) for the performance of the work outlined in Section 8.1 of the Appendix B-2 Solar Scope Book (i.e., Scope Book) shall be in alignment with Entergy's Environmental Guidelines contained in this document. Documentation of ongoing compliance activities is required to be maintained during construction of the project and provided to ES as outlined in the Scope Book.

1.1 Oversight

The Buyer's Environmental Specialist in conjunction with the Project Manager and/or ES will have ability to provide recommendations and oversight for environmental issues.

The Buyer's Environmental Specialist in conjunction with the Project Manager will have the authority to stop work if there is a violation of environmental requirements, or there is an observed immediate hazard to health or the environment.

The following sections outline Entergy's environmental guidelines for the rules and regulations applicable to solar construction projects.

2 Phase I, II, and III Site Evaluation

Seller shall cause the Environmental Consultant to conduct Environmental Assessments (EA) on behalf of Seller and Buyer in compliance with Good Industry Practices and the then-current requirements and Laws reasonably in advance of the FNTP Date and within 180 days prior to the Closing.

Seller shall provide to Buyer reasonable advance notice of any EA conducted by the Environmental Consultant. Buyer shall have to the right to witness the performance of the EA and to communicate directly and in real time with the Environmental Consultant regarding the inclusion or exclusion of any recognized environmental conditions (RECs) within any EA.

The accuracy of any identified REC, or the determination of "no RECs" within an EA will be assessed by the Buyer's Environmental Team prior to finalizing the EA.

The following should be considered when an EA identifies a REC on the property:

- Eliminate risk by avoiding the area(s) with the identified REC(s)
- Assess risk by completing a Phase II of the areas in question to better assess actual contamination.
- Mitigate risk by remediation

Each EA should be closely reviewed with the Environmental Team to understand and assess potential risk to the Buyer and to accurately report the conditions at the site. Any decision to complete a Phase II will be on a case-by-case basis.

3 Natural Resource Permitting

3.1 Wetland Delineation and T&E Survey

A wetland delineation is required to identify potential wetland areas within the footprint of the Project and associated construction activities for submittal to the U.S. Army Corps of Engineers (USACE) for a determination on potential wetlands impact to be made. Compensatory mitigation will be required by the USACE and State Department of Natural Resources for impacts to wetlands. It is Entergy's position that jurisdictional wetlands are to be avoided to the extent possible without inhibiting a successful project execution.

3.2 Prepare Wetlands Jurisdictional Determination

Seller will prepare a Wetland Delineation report for submittal to the appropriate District of the USACE with a request for a JD utiilzing the 1987 Wetland Delineation Manuel with supplemental Regional Supplement. The report will contain a description of field activities, figures, Routine Wetland Determination Data Forms, and site photographs. This report is required for the USACE to determine the limits of their jurisdiction for any wetlands or waters of the U.S. identified in the delineation.

As part of the T&E Survey, a habitat assessment will be performed and will focus on and offsite (adjacent properties) to determine if the proposed Project contains habitat for identified species. The habitat assessment will provide a characterization of the quality and quantity of habitat available to support the T&E species, if they exist. Habitats and sightings identified will be documented on a composite drawing. The assessment will be provided to the Entergy ES team for review. Actions that result from any sighting documentations (e.g., Agency notifications/discussions/subsequent communications, monitoring) shall be communicated as outlined in the Scope Book.

The Contractor and/or employees of the Contractor shall not take or possess any Endangered or Threatened Species as identified 50 CFR Part 10 under the authority of the U.S. Department of the Interior Fish and Wildlife Service. "Take" means to pursue, hunt, shoot, wound, kill, trap, capture, harass, harm or collect or attempt to collect these species. As this refers to animals, this is any part, product, egg, offspring, or the dead body or parts. Possession of feathers of these species will be construed as "take", even if found on the ground. Included are "Migratory Birds", whatever their origin, protected by the Migratory Bird Treaty Act, 16 U.S.C. 703711. The Entergy Environmental Specialist must approve any exceptions only after the Contractor has obtained a permit from the U.S. Fish and Wildlife Service for such activities.

The Contractor and/or employees of the Contractor shall not take or possess any species as identified by the State in which the Contractor offers service. Each State may have their own list of Endangered or Threatened Species, as well as their own prohibitions on other species as well. It is likely that nearly all animal species will be protected in some form. Any exceptions must be approved by the Entergy Environmental Specialist and includes a permit from the State in which the activity will require the disturbance of protected species.

4 Cultural Resources

A cultural resource survey may be required as due diligence for a USACE permit, including an Individual and Nationwide permit authorization. If required, a site cultural survey shall be conducted according to the state regulatory survey protocols. If a cultural site is located, it is suggested that the area be avoided. A desktop cultural restraints analysis shall be conducted to identify known cultural sites within the area to be developed during initial phases of the project.

5 Stormwater Pollution Prevention Plan

5.1 Acquire NPDES Construction Storm Water Permit

Any Contractor that performs construction activities on one or more acres, must comply with Federal, state, and local environmental regulations, including, but not limited to, EPA NPDES General Permit for Storm Water Discharges From Construction Activities (40 CFR Part 122). The state issued Construction General Permit, authorizes stormwater discharges from large and small construction activities.
Projects with a state issued Construction General Permit, including construction activity clearing, grading and excavation that result in land disturbance must develop, implement, and maintain a Storm Water Pollution Prevention Plan (SWPPP) until stabilization of the project is complete.
Construction sites discharging stormwater must obtain coverage under the general construction permit and submit the following items to the permitting authority at least 2 weeks prior to commencement of construction:

1. A Notice of Intent (NOI) in accordance with the requirements of the construction permit

2. A complete Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the construction permit

3. An initial permit fee (amounts vary by state) must accompany the NOI

The Contractor shall maintain and, if requested, provide the Entergy Environmental Specialist and Contract Manager with the documents listed below (as applicable) if construction activities will be equal to or greater than 5 contiguous acres:

- A Storm Water Pollution Prevention Plan (SWPPP)
- A subcontractor Certification to abide by the Contractor's SWPPP
- The Contractor's Storm Water Permit number and other pertinent information

Contractor must designate Best Management Practices (BMPs) to optimize erosion and sediment control during construction. BMPs can be a combination of non-structural controls such as good housekeeping inspections and emergency action planning and structural controls.
The Contractor shall conduct inspections at least once every 7 calendar days.
Inspections must include all areas of the site disturbed by construction activity and areas used for storage of materials that are exposed to precipitation. Inspectors must look for evidence of, or the potential for, pollutants entering the stormwater conveyance system. Contractor shall maintain copies of these inspections onsite.
The Contractor is responsible for proper management of all wastewater on construction site as directed by applicable regulations. No un-permitted discharges are allowed. The Contractor shall maintain "good housekeeping," i.e., proper storage of materials, proper disposal of trash and construction waste, and clean up and report spills appropriately.

5.2 Site Revegetation

Adequate streamside vegetation buffers should be established based on project needs and site-specific conditions identified in the U.S. Army Corps of Engineers Jurisdictional Determination of wetlands and waters of the U.S. Considerations to soil type, slope, vegetation type, root structure, mean high water mark and average annual rain fall should be appropriately reviewed during development of buffers; where

feasible, root structures should be left intact and undisturbed in close proximity to water features. If a streamside buffer cannot be feasibly established, adequate BMPs should be utilized for soil stabilization.
Low growth seed mix shall be planted on all ground inside the fence line. Where feasible, non-invasive, native seed mixes should be utilized for stabilization of disturbed soils outside the fence line. Seed mix shall be recommended by the local state extension agency, and consultation with local, regional, or state NGOs, universities, co-ops, and/or ag-business professionals should be taken into account as part of the seed selection process. Areas inside and outside the fence line disturbed during construction or site remediation shall be reseeded with low growth seed mix prior to closure of the construction stormwater permit.
Seller shall consult with the local state extension agency on recommended application timing offering successful seed germination in the project area. Consideration should be given to a late spring seeding when warmer soil temperatures will favor warm-season grasses. Planting after mid-July (i.e., July 15th) is not recommended as hot and dry weather conditions increase during summer months, limiting germination and seedling survival. When a project requires a summer or fall seeding to meet regulatory requirements, consider using a cover crop and wait to plant the final seed mix in a spring seeding. Drilling, broadcast seeding and hydroseeding are planting techniques that can be utilized during spring months.

5.3 Develop a Spill Prevention, Control, and Countermeasures (SPCC) Plan for Construction

A spill prevention, control and countermeasures plan is required to be prepared and implemented prior to construction work if there will be more than 1,320 gallons on oil onsite or as per SPCC regulations. The SPCC plan shall include the applicable components specified under 40 CFR 112.7.
The Contractor must evaluate the site for spill prevention and control prior to beginning work.
Careful planning and consideration of placement of liquid material equipment must take into account the location of nearby water bodies, such as lakes, rivers, streams, and wetlands. In the event of a spill the contractor must immediately take action to contain the spill and remove contaminated soil. Buyer shall be notified of any spills as outlined in Section 8 of the Scope Book.
Liquid material storage containers with a potential to discharge liquids into nearby waters must have some form of containment and or diversionary structures that would prevent a discharge from reaching nearby waters. At a minimum, one of the following discharge prevention systems must be used (40 CFR 112.7(c)):

- Dikes, berms, or retaining walls sufficiently impervious to contain oil or spilled material.
- Curbing
- Culverting, gutters, or other drainage systems to retain spillage on-site
- Weirs, booms, or other barriers
- Spill diversion ponds
- Retention ponds
- Sorbent materials

The Contractor shall immediately report any instances where oil or hazardous substances are spilled, leaking, or improperly stored or released. If an oily sheen is observed in nearby ditches or other bodies of water or if there are signs of a chemical release, the Contractor shall immediately take action to respond to the incident. Buyer shall be notified of any spills or releases as outlined in Section 8 of the Scope Book.
Any Contractor who refuels, repairs, replaces, or dismantles petroleum filled, or other hazardous material containers, shall meet the applicable Federal, state, and local regulations. This includes, but is not limited to EPA Spill Prevention, Control and Countermeasures (SPCC) (40 CFR Part 112), RCRA, DOT Loading and Unloading Procedures (49 CFR Parts 171, 173, 174, 177, and 179).

5.4 On-site Wastewater Disposal System

Onsite Wastewater Systems and their authorizations required are discussed in further detail in Section 7.4 of these Contractor Environmental Guidelines.

6 Hazard Communication and Chemical Approval

The Contractor shall comply with hazard communication requirements found in 29 CFR 1910.1200, (OSHA) Hazard Communication Standard for all hazardous chemicals used on site during the course of the job whether supplied by Entergy or the Contractor.

The Contractors shall label in accordance with 29 CFR 1910.1200 all portable containers into which hazardous chemicals are transferred that are not intended for immediate use by the employee who performs the transfer. Labeling shall indicate the hazardous material contained in the container and provide hazard warnings.

6.1 Storage and Use of Chemicals

The Contractor shall employ best management practices (BMPs) to help reduce stormwater pollution from the use and storage of chemicals. BMPs must meet the requirements of the appropriate construction storm water general permit at a minimum, in addition to any site specific BMPs included in the Spill Prevention, Control, and Countermeasures (SPCC) plan and Storm Water Pollution Prevention Plan (SWPPP). The Contractor will be required to review and acknowledge the requirements of the plans prior to beginning work on site. As required, a copy of the SWPPP and SPCC plan and records will be maintained on site in the Contractor's site office.

The Contractor shall ensure all containers of chemical products including but not limited to lubricants, grease, cutting fluids, oils, solvents, degreasers, cleaners, paints, coatings, paint thinners, glues, adhesives, resins, desiccants, or any water-soluble material shall be kept closed at all times except when adding or removing materials.

Container lids, bungs, rings, gaskets, bands, vents and caps shall be adequate and properly secured to prevent the intrusion of rainfall into the container and spillage or evaporation of the container contents.

All containers shall be adequately labeled as to contents and hazards in compliance with the OSHA Hazard Communications Standard and with the name of the Contractor who either owns the container or is responsible for its use.

The Contractor shall maintain and not remove or deface warning labels and markings on any container of DOT hazardous materials.

The Contractor shall store all chemicals and liquid fluid materials in temporary storage facilities.

Temporary storage facilities shall provide spill containment volume for stored material equal to the volume of the largest liquid filled container stored plus 10 percent allowance for rainfall for uncovered containers. Covered containers spill containment volume area must contain the largest container's volume released into the containment area.

All chemicals stored in a temporary storage facility shall be elevated by use of pallets or similar devices to prevent contact with any accumulated rainfall or spilled material within the containment area and to facilitate leak detection.

Temporary storage facilities shall be impervious to the materials stored there for a minimum contact time of 72 hours.

Temporary storage facilities shall be maintained free of accumulated rainwater and spills. In the event of spills or leaks, contaminated rainwater and spill material shall be placed into drums after each rainfall event. These drums shall be handled as hazardous waste unless testing determines them to be non-hazardous. Non-hazardous waste shall be disposed in accordance with the requirements of the EPC Contract.

Temporary storage facilities shall provide sufficient separation between stored containers to allow for inspection, spill cleanup, and emergency response. Drums shall not be double stacked.
Incompatible chemicals shall not be stored in the same temporary storage facility unless properly segregated.
Temporary storage facilities shall be covered during non-working days and prior to rain events. Covered facilities may include use of properly secured plastic tarps or constructed roofs with overhangs. Container labels should remain clearly visible.
The Contractor shall employ appropriate signage at temporary storage facilities to indicate any hazards present, precautions or prohibitions (i.e., “no smoking or open flame”) required to ensure the safe storage of the chemicals present and to prevent accidental release

7 Waste Management

All waste generated by the Contractor or his or her subcontractors while performing task under contract to or authorized by Entergy shall be managed or disposed in accordance with the requirements of the EPC Contract.
The Contractor shall be responsible for ensuring that all wastes which he/she is herein required or authorized to dispose are disposed at a vendor approved by Entergy.
The Contractor is responsible for proper management of waste on site as directed by applicable regulations, and as directed herein.

7.1 Solid Waste Registration ID

A solid waste registration ID is required if more than 220 lbs of Class 1 waste, 220 lbs of hazardous waste, or 2.2 lbs of acutely hazardous waste is generated in a single month and more than once per year. The Contractor shall obtain a solid waste registration ID from the TCEQ, LDEQ, MDEQ, or ADEQ prior to shipping the waste offsite for disposal.
Seller is responsible for completing the required annual waste summaries and paying the associated hazardous waste generation fees.

7.2 Episodic Waste Generation

The generation of more than 220 lbs of hazardous waste, or 2.2 lbs of acutely hazardous waste, in a single month can qualify as Episodic Waste Generation as outlined under 40 CFR §262.232. Unregistered/inactive and registered generators can have either one planned or one unplanned episodic event per calendar year.
Episodic waste generators must ship the episodic waste off-site within 60 days of the start date of the episodic event. The 60-day limit for a planned episodic event starts on the first day of any activities affiliated with the event. For an unplanned episodic event, the event begins on the first day the hazardous waste is generated, regardless of whether the generator has completed analysis confirming that the waste is hazardous.

7.3 General Requirements

The Contractor shall be able to properly profile waste to waste vendors including but not limited to samples, waste analysis, SDS, origin, quantity, weight, amount, composition, characteristics, intent and type of use, reason for disposal, and other required data.
The Contractor shall employ best management practices (BMPs) to help reduce stormwater pollution from the use and storage of waste.
The Contractor shall store all hazardous waste in temporary accumulation facilities or in a permanent hazardous waste accumulation area.

The Contractor shall manage waste and maintain records of waste accumulation and disposal in accordance with the appropriate state regulations and EPA (40 CFR Part 262) hazardous waste generator accumulation rules.
Temporary hazardous waste accumulation facilities shall provide spill containment volume for stored material equal to the volume of the largest liquid filled container stored plus 10 percent allowance for rainfall for uncovered containers. Covered containers spill containment volume area must contain the largest container's volume released into the containment area.
Temporary hazardous waste accumulation facilities shall be impervious to the materials stored there for a minimum contact time of 72 hours.
Temporary hazardous waste accumulation facilities shall be maintained free of accumulated rainwater and spills. In the event of spills or leaks, contaminated rainwater and spill material shall be placed into drums after each rainfall. These drums shall be handled as hazardous waste until a waste characterization is completed.
Temporary hazardous waste accumulation facilities shall provide sufficient separation between stored containers to allow for inspection, spill cleanup, and emergency response. Container labels shall also be clearly visible and faced into the aisles if they are formed.
Incompatible waste shall not be stored in the same temporary hazardous waste accumulation facility.
Temporary hazardous waste accumulation facilities shall be covered during non-working days and prior to rain events. Covered facilities may include use of properly secured plastic tarps or constructed roofs with overhangs.
Temporary hazardous waste accumulation facilities shall be inspected weekly for the presence of rainwater inside the containment, open or damaged containers, container closure, correct labeling and marking, spills, leaks, container integrity and general housekeeping. The Contractor shall maintain copies of these weekly inspections.

7.4 Oily Absorbent Pads and Cleaning Rags

The Contractor shall dispose of all oily absorbent pads or rags in trash receptacles and ensuring the following conditions are met:

- Pads and rags, once appropriately rung, do not contain any free liquids (liquids drip from waste at a rate of > 1 drop in 5 minutes).
- Pads and rags do not contain any hazardous waste such as ignitable or combustible solvents or chlorinated organic compounds such as but not limited to degreasers and cleaning compounds.

Disposal of any absorbent pads and rags that do not meet these conditions shall not be disposed. Pads and rags that contain free liquid must be rung dry prior to disposal or be contained in sufficient adsorbent to bind free liquids prior to disposal.

7.5 Aerosol Cans

All spent aerosol cans that have no propellant or chemical remaining can be disposed of as non-regulated trash or recycled. This means that no liquid is felt or heard when the can is shaken by hand, and no gas or liquid is released when the spray/discharge valve is activated and the container is rotated through all directions, and the valve is not observably or known to be clogged. Non spent aerosol cans may be punctured and drained. The remaining propellent or chemical drippings must be disposed of as hazardous waste.
All aerosol cans that have propellant or chemical remaining shall be considered a "Hazardous Waste" in Louisiana and Mississippi and "Universal Waste" in Texas and Arkansas and disposed accordingly. These aerosol cans must be placed in a drum in the waste storage area. The drum must be labeled with the words "Universal Waste Aerosol Cans" or "Hazardous Waste Aerosol Cans" as applicable. All container markings

must be weatherproof and clearly visible. Containers must also be marked with the site's name. Containers must be kept closed except when adding or removing cans. When the container is full, a waste shipping paper or manifest must be completed and shipped with the container.

7.6 Antifreeze/Ethylene Glycol

The Contractor shall collect and place all waste antifreeze or ethylene glycol in a closed head 55-gallon drum appropriately labeled with a Waste Liquid Label as shown in Appendix II or alternately with the identity of the contents, Contractor's name, and date. The Contractor shall keep the drums closed at all times except when adding or removing waste.

7.7 Batteries

Rechargeable batteries must be managed as Universal Waste. Other small, non-rechargeable, single-use batteries may be disposed of as non-hazardous office waste. The Contractor shall collect and place all alkaline, dry cell, button, spent rechargeable and non-leaking sealed small lead acid batteries in 5-gallon plastic pails appropriately labeled with the words "Used Batteries" and the date or alternately the words or label "Universal Waste". The container must be marked with the date the first battery is placed in the container. The Contractor shall cover the terminals of all used batteries with electrical or duct tape to prevent electrical discharge or arcing prior to placing in the container. For larger batteries, terminals can be taped instead of putting the batteries in plastic bags. When the container is full but NO LATER THAN ONE YEAR from the date on the container, close up the container, and ship to the appropriate recycler.

Larger lead acid batteries must be placed in containers and labeled "Lead-Acid Batteries for Recycling" and stored in a designated accumulation area at the site. Batteries should be stored on a level surface in an upright position and secured as appropriate to prevent tipping. Batteries designated for transport must be appropriately secured and prevented from electrical short-circuit.

7.8 Truck Wash Out and Excess Concrete Waste Management

The Contractor shall perform washout of concrete trucks offsite or in designated areas. The Contractor shall wash out concrete truck waste and excess concrete into a temporary pit where the concrete can be set, be broken up, and then disposed properly. Wash waters generated during this activity should be properly disposed of according to the applicable State construction storm water general permit. BMP's shall be established to prevent the concrete wash out water from contributing to groundwater contamination or entering the waters of the state.

7.9 Empty Containers

The Contractor shall ensure that all discarded containers (i.e., drums, buckets, cans, pails) meet the EPA's definition of empty (the entire residue has been removed that can be removed using normal means and no more than 1" of residue remains in the bottom of the container) prior to recycle or disposal. The Contractor may crush, flatten, or otherwise render useless metallic containers > 5 gallon capacity and dispose in a scrap metal receptacle.

7.10 Filters

The Contractor shall puncture and hot drain all used fuel, lubricating oil, and hydraulic oil filters into a labeled filter collection drum containing adsorbent media.

Once the filters are drained, the Contractor shall manage them as scrap metal. The absorbent media shall be disposed.

Alternatively, the entire filter may be placed into a container provided by a used oil recycle vendor for management at a recycle facility.

The Contractor shall place used air filters in receptacles.

7.11 Lighting Waste

All spent lamps which have bright green end caps, green paint on the end, a green “dimple” on the end or green writing on the lamp can be disposed of as non-regulated trash. All others must be recycled. For Mississippi, if the facility generates less than 220 pounds/month of hazardous waste including the lamps, the facility would be conditionally exempt and may dispose of the lamps as normal solid waste.

7.11.1 Arkansas, Louisiana, Mississippi (if small or large generator) and Texas

The Contractor shall place all used unbroken lighting waste (fluorescent bulbs, high intensity discharge lamps, and incandescent lamps) in containers designed to prevent breakage. The containers shall be labeled or marked with the words or label, “Universal Waste”, date, and identity of the contents (i.e., HID Lamps). Containers must be marked with the site’s name and must be kept closed except when adding or removing lamps. When the container is full, but no later than 1 year from the date on the container, send the container to the waste vendor. All container markings must be weatherproof and clearly visible. The Contractor shall store and manage lighting waste to prevent breakage.
The Contractor shall place all broken lighting waste (fluorescent bulbs, high intensity discharge lamps, and incandescent lamps) in secure containers such as a 5 5-gallon bucket.

7.11.2 Louisiana, Mississippi (if small or large generator) and Texas

The containers shall be labeled or marked with the words or label, “Universal Waste Lamps for Recycling”, with “Broken” added to the label in an indelible marker and with the date the first broken bulb is placed in the container and the site’s name. Containers must be kept closed except when adding or removing lamps. When the container is full, but no later than 1 year from the date on the container, send the container to the waste vendor.

7.11.3 Arkansas

The containers shall be labeled or marked with the words or label, “Hazardous Waste – Broken Lamps”. The container must be labeled using an indelible marker and with the date the first broken bulb is placed in the container and the site’s name. Containers must be kept closed except when adding or removing lamps. When the container is full, send the container to the waste vendor for proper disposal.

7.12 Mercury Wastes

Any mercury containing wastes such as, switches, thermometers, etc., shall be double bagged by the contractor in sealed plastic zip-lock type bags, and appropriately labeled with the words or label, “Hazardous Waste”, the date, and description of contents and disposed in accordance with the requirements of the EPC Contract.

7.13 Waste Paint Management

The Contractor shall ensure that wastes generated during painting operations are managed in a manner that is in compliance with applicable environmental regulations. (More info available if needed)

7.14 Sanitary/Septic, Personnel Waste Management

The Contractor shall arrange for regular sanitary/septic waste collection and off-site disposal by reputable, licensed sanitary/septic waste haulers.
The Contractor shall not dispose of wastewater from personnel washing stations, laundry or food service facilities into site stormwater drains, sanitary sewers, watercourses, conveyances, and surface impoundments.

Personnel washing station, laundry and/or food service wastewaters shall be collected, managed, and be disposed off-site by reputable, licensed sanitary/septic waste haulers.

7.15 Scrap Metal

The Contractor shall collect and place all scrap metals, metal turnings, and metal shavings in labeled scrap metal receptacles. The Contractor will ensure that no electronic or generally licensed radioactive devices are allowed to be placed into the scrap metal receptacles.

7.16 Solar Panel Waste

Damaged solar panels are NOT considered electronic waste and are NOT considered universal waste.
Damaged solar panels are to be handled, stored, and disposed/recycled as hazardous solid waste until they are proven to be non-hazardous according by either:

- The toxicity characteristic leaching procedure (TCLP), a test required under RCRA, or
- Documentation provided by the panel manufacturer that demonstrates the solar panel waste is non-hazardous.

7.17 Storage Requirements

Damaged solar panels must be stored in a designated waste storage area and in covered containers or be off the ground and covered so as not to be exposed to rainwater.
Each container used for on-site hazardous waste accumulation must be labeled or marked in accordance with the appropriate label (non-hazardous, hazardous, solid waste) compliant with the waste characterization. The label shall include an indication of the hazards of the contents, and the date on which accumulation began (sections 262.16(b)(6) and 262.17(a)(5)). Containers must be marked with the site's name. All container markings must be weatherproof and clearly visible.
Panels can also be labeled as "Hazardous Waste Pending Analysis" while analytical testing is being conducted, the hazard that is being analyzed, along with the date upon which accumulation began. If the waste is determined to be non-hazardous, the generator can remove the hazardous waste label at that point.

7.17.1 Disposal Requirements

Damaged solar panels shall be handled, stored, and disposed/recycled in accordance with state and federal transportation and waste regulations at a regulated waste disposal authorized to receive hazardous waste, industrial solid waste, or at a recycling facility.
Damaged solar panels shall be manifested for transportation to the disposal or recycling facility.

7.17.2 Recordkeeping Requirements

Documentation of the waste determination for the panels must be maintained with the waste disposal manifest or recycling manifests for the duration of the project and provided to the Buyer as outlined in Section 9 of the Scope Book.
The signed manifest from the treatment, storage and disposal facility (TSDF), recycling facility, or the regulated waste disposal facility shall be maintained for the duration of the project.

7.18 Spill Cleanup/Petroleum Contaminated Soils

The Contractor shall at all times perform his work in a manner to eliminate spills and take necessary precautions to prevent their occurrence especially around fuel and oil storage tanks, reservoirs, and containers.

The Contractor shall promptly notify the Buyer as outlined in Section 8 of the Scope Book of all spills. The Contractor is responsible to cleanup and manage the spill material.
The Contractor shall immediately clean up and containerize petroleum contaminated soils resulting from spills in and around storage tanks, reservoirs, and containers of virgin or used fuels, oils, hydraulic fluids or used oil. The containers shall be labeled with a Waste Solid Label or with wording or labels identifying the contents, the Contractor's name and the date. Containers shall be kept closed at all times except when adding or removing waste.

7.19 Trash

The Contractor shall place all nonhazardous solid waste (trash) in labeled containers. The Contractor shall ensure that his employees do not dispose of any hazardous, universal, industrial solid, Class I, or Class II waste in trash containers. (Examples of prohibited waste include but are not limited to batteries, solvents, aerosol cans, used blasting media, contaminated rags, etc.).

7.20 Used Oil

The Contractor must label all tanks, drums, and containers that contain used oil with a Waste Liquid Label or the words "Used Oil", including the type of oil. Maintain good records of used oil shipments from the facility.
The Contractor shall keep all tanks and containers of used oil securely closed with bungs. Vents should also be in place except when adding or removing oil. Oil must never be put in open top drums.
The Contractor shall not mix used oil with other substances, such as, but not limited to antifreeze, brake fluid, gasoline, paint thinner, solvents, because doing so may render the entire mixture as a hazardous waste.
The Contractor shall immediately report any instances where oil has spilled, leaked or been improperly disposed, or improperly stored. If an oily sheen is observed in nearby ditches or other bodies of water, the Contractor shall immediately take action to eliminate the source of the oil and remove and manage the spilled material. The Contractor shall promptly notify the Buyer as outlined in Section 8 of the Scope Book of all spills
Only use permitted used oil processors/refiners for recycling and only use permitted transporters for the transport of used oil in quantities greater than 55 gallons. For quantities greater than 55 gallons, used oil shipments must be accompanied by the DOT used oil shipping document and the transporter must keep a record of the shipment.
The Contractor shall comply with the applicable oil spill prevention, control and countermeasure regulations.

8 Other Environmental Permitting

8.1 Aboveground Storage Tanks

The Contractor shall immediately notify the Entergy Environmental Specialist or Contract Manager should there be accidental contact with underground or aboveground storage tanks, piping and/or associated equipment that results in, or is anticipated to result in, a release of contents, or if they notice any leaks or spills.
Any Contractor who removes, repairs, replaces, or refuels/refills underground or aboveground storage tanks and/or associated equipment must meet all Federal, state, and local environmental regulations governing these tanks and equipment. This includes, but is not limited to, EPA Underground Storage Tanks (40 CFR Parts 280 and 281), EPA SPCC regulation (40 CFR 112), DOT Transportation of Hazardous Materials (49 CFR), and RCRA hazardous waste regulations (40 CFR 240281), and State specific requirements.

8.2 On-Site Sewage Facilities (Septic Systems)

8.2.1 Texas Requirements

An on-site sewage facility (OSSF) permit and an approved plan are required to construct, alter, repair, extend, or operate an OSSF per 30 TAC Chapter 285, Subchapters A and D. Seller must construct and operate the wastewater system in accordance with all permit conditions and requirements per 30 TAC Chapter 285, Subchapters A and D.

Seller shall contact the TCEQ prior to construction of the OSSF to determine applicability of a TPDES permit. Seller shall comply with all reporting, testing, recordkeeping and maintenance requirements associated with the TPDES permit, if required.

8.2.2 Arkansas Requirements

An Onsite Wastewater System construction permit and operating permit are required from the Arkansas Division of Health or its authorized agent, prior to construction or operation of an on-site wastewater system. An NPDES Individual No-Discharge Permit from the ADEQ is required prior to construction of an on-site wastewater system with a spray-field application of effluent. Seller shall contact ADEQ prior to construction to determine applicability of the NPDES permit. Seller shall comply with all reporting, testing, recordkeeping and maintenance requirements in the NPDES permit.

8.2.3 Mississippi Requirements

A notice of intent (NOI) and Permit/Recommendation for water service connection must be filed with the Mississippi State Department of Health (MSDH) for approval of an on-site sewage treatment and disposal system per MSDH, Part 18, Subpart 77.

8.2.4 Louisiana Requirements

Approval of the on-site sewage treatment system must be granted by the Louisiana Department of Health, Office of Public Health and the Louisiana DEQ. LDEQ authorizes wastewater discharges for General Sanitary Permits under the Louisiana Water Discharge Permit System in LAC 33: Part IX Chapters 3 and 7.

9 Project Environmental Considerations

For projects located in Texas, Buyer is required to submit a Certificate of Convenience and Necessity (CCN) application to the Public Utility Commission (PUC) for a new solar generating facility. In Arkansas, Buyer is required to submit a Certificate of Environmental Compatibility and Public Need to the Arkansas Public Service Commission for a new solar generating facility

- Texas (see Rule 16 Texas Administrative Code [TAC] § 25.101(b)2).
- Arkansas: See Ark. Code Ann. § 23-18-501, et. Seq. (the “Utility Facility and Economic Production Act”)

The Buyer must be prepared to address its environmental considerations made while designing the proposed project. In Arkansas, Buyer shall prepare an Environmental Impact Statement to address the Project purpose and necessity, the existing environment, evaluation of alternatives, environmental impacts, unavoidable effects, irreversible/irretrievable commitments of resources, and recommended mitigation measures.

In Texas, an Environmental Assessment (EA) shall be prepared to address the CCN considerations provided below from the Public Utility Regulatory Act:

Sec. 37.056. GRANT OR DENIAL OF CERTIFICATE.

(c) The commission shall grant each certificate on a nondiscriminatory basis after considering:

(4) other factors, such as:

(A) community values;

(B) recreational and park areas;

(C) historical and aesthetic values;

(D) environmental integrity;

The content and format of the EA should be guided by the Texas Parks and Wildlife Department Suggested Guidelines for Preparation of Environmental Assessment Documents.

10 Site Conditions

Contractor shall have the sole responsibility of satisfying itself by personal inspection or otherwise concerning the nature and location of Work and the general and local conditions.

If in the performance of the work at the project the Contractor encounters any Hazardous Substance, pollution or contamination, Contractor will notify the Entergy Environmental Specialist or Contract Manager immediately, and before such conditions are disturbed. Handling or removal of any hazardous substance, pollution or contamination will be in accordance with Contractor's agreement or contractual provisions.

***** END OF APPENDIX 14*****