



Section 3 : ADMINISTRATIVE CLAUSES

389. EELV/Delta IV Environmental and Hazardous Materials Requirements (3/11/99)

(a)Environmental Requirements. Seller's work under this contract will be performed, and goods delivered will operate, within applicable laws and regulations without waivers and will minimize the use and generation of hazardous materials at all sites to include launch and manufacturing sites.

(b)Hazardous Materials Management.

(1)In performing work under this contract, Seller shall not use Class I Ozone-Depleting Substances (ODSs) in manufacturing. Further, Seller shall avoid any design feature that will require the use of ODSs in maintenance, launch processing, or system disposal.

(2)Seller's design shall either: (i) identify, justify, and minimize, or (ii) eliminate, requirements for the usage of Class II ODSs and EPCRA Section 313 chemicals.

(3)Upon written request by Buyer, Seller will provide usage data for Class II ODSs and EPCRA Section 313 chemicals. Buyer's request may include copies of Seller's then-current environmental plans, reports, or other like documentation that supports its efforts to minimize the use and generation of hazardous materials.