

September 15, 1999

**MEMORANDUM 99-12**

To: District Directors  
Toll Road Operations Engineer  
District Area Engineers  
District Construction Engineers  
District Materials and Testing Engineers  
Project Engineers/Supervisors

From: Timothy D. Bertram, Chief  
Contracts and Construction Division  
Timothy D. Bertram

Subject: Fast Dry Traffic Paint

As of September 13, 1999, the US EPA is assessing a fee of \$3.00 per gallon on the material manufacturers for paints manufactured to meet the standard specification for fast dry traffic paint, section 909.05(b). This requirement was issued by US EPA on August 14, 1998 and published in the Federal Register on September 11, 1998. The requirement does not eliminate the use of these types of material; it only requires the payment of a fee to EPA for the manufacture of these materials.

Based on this, for all contracts let after September 11, 1998, the unit price should reflect the additional fee for any fast dry traffic paint required and no additional compensation is required. On contracts let prior to September 11, 1998, still active, and requiring the application of fast dry traffic paint after September 13, 1999, the contract unit price for fast dry traffic paint should be renegotiated to compensate the contractor for this additional requirement.

All specification requirements, i.e. temperatures and pavement conditions, for the application of all traffic paint should be followed. If the contractor is required to apply traffic paint below 10 °C (50 °F) but above 4 °C (40 °F), fast dry traffic paint should be used.

The current standard specifications for traffic paints are being reviewed by the 800 committee. Any suggestion may be forwarded to Rick Yunker or Larry Rust through Outlook email.

TDB:RLY:rlly

cc: Materials and Tests Division  
FHWA  
CEI  
ICI  
APAI  
file