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Not Responsive

# Conversation Record: Frick Services (IN)

Hans, Mick

Thu 2/26/2015 4:26 PM

To:McNamara, Ruth <mcnamara.ruth@epa.gov>;

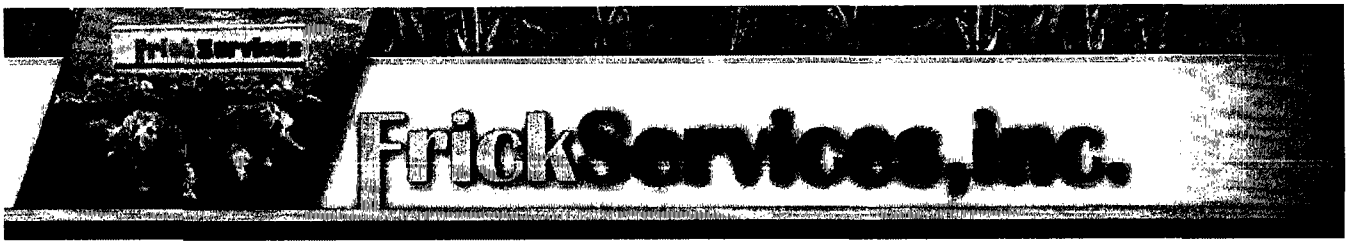
On 2/25/25, I returned a phone message to Clay Preston of Frick Services in Portage, IN. He had reported to the NRC a liquid fertilizer spill on 2/24/15 and wanted to know if he need to do anything further.

I confirmed with (Indiana lead) EPCRA enforcement specialist Ruth McNamara that we had the NRC report.

I told Preston that we had the report and that it was being evaluated, and that if he received a follow up formal Information Request from EPA for more detail, that he should fill it out as completely as possible. I also said there would be a contact name on that letter if there were specific questions.

I also explained that I was not taking any kind of position on the specifics of his report to the NRC, and that our phone call should not be viewed as resolving anything one way or another. He said he understood.

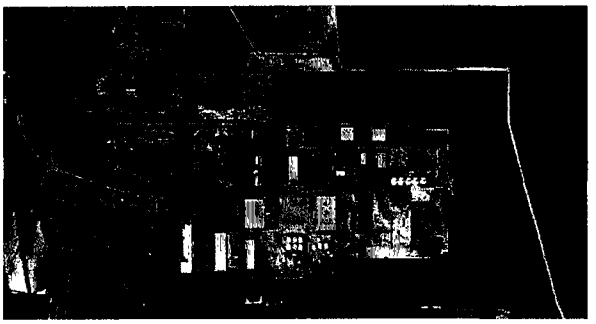
Mick Hans
Chief, Chemical Emergency Preparedness and Prevention
Enforcement and Compliance Assurance Branch
Superfund Division
U.S. EPA Region 5
77 W. Jackson Blvd. (SC-5J)
Chicago, IL 60604
312 353-5050








## Burns Harbor



Frick Services Terminals at the Port of Indiana services the Industrial, Agricultural, and Residential markets in Northern Indiana, Northern Illinois, Southern Michigan and Southern Wisconsin. With 200,000 tons of Dry storage and over 100,000 tons of Liquid storage, all serviceable by water and rail, Frick Services provides our customers with their commodity storage and handling needs at competitive costs.

Our customers for Dry Bulk Commodities include AMCOR, PCS, Mosaic, Cargill, Mittal, American, Agrium US Inc. Customers for Liquid bulk commodities include Future Environmental, Zeeland Farms, Great Lakes Chloride and Road Solutions.

The Port of Indiana, where Frick Services Terminals are located, provides multiple transportation options to meet the logistical needs of marketers of bulk commodities. With guaranteed seaway Depth Ocean going vessels can access the Port of Indiana via the St. Laurence Seaway and the Great Lakes. "Lakers" working the Great Lakes are also able to take advantage of the water depth and bring full pay loads to the Port. Barge access to the Port of Indiana is also available via the Mississippi/Illinois rivers system with barges then moving across the Southern tip of Lake Michigan from Chicago. Truck and rail transportation for the continuous movement of bulk commodities is also efficient to the advantage of marketers of the bulk commodities and their customers. The Port of Indiana is serviced by rail by two carriers: Norfolk Southern direct and Indiana Harbor Belt which connects with all other class I railroads in Chicago. The Port has easy road access to Interstate 94 which allows connection by truck to several major metropolitan areas and a significant agricultural production area in less than three hours.

With nearly 100 years of service to our community, Frick Service, still a family owned and operated business, continues to search for opportunities to better service our customers in order to keep them competitive and profitable for today and the future. In an article from The Chesterton Tribune November 10, 1982 - A Fertilizer Customer, Franz Jager who represented the company Trans Nitro was quoted " We're looking at a miracle. When television and newspapers tell us it's the end of the world, this is a positive sign of business initiative and incentive too much lacking in today's world".

Considering the "news" of current times - this quote seems quite enlightening even today. If the wooden acres of the dry terminal were laid end to end they would cover a distance of three miles; if the plywood sheathing were so laid, it would cover more than five miles. The Dry Terminal was constructed in 91-day construction time from groundbreaking to first potash delivery in 82

---

Located 35 land miles and 20 nautical miles from Chicago on Lake Michigan, Burns International Harbor is one of three Indiana posts offering east access to the industrial Midwest.

LOCATION: On the south shore of Lake Michigan

HIGHWAY: Direct Access to the Indiana Toll Road and the interstate highway system

RAILROAD: Easy access to and from the port via major railroads

BARGE: Twelve-month access to the Inland Waterway System

BERTHS: Eleven modern ship berths, all in excess of controlling seaway draft. Heavy lift at Berth 10

SERVICE: Tug and towing service, heavy-lift capability, railroad switching service. Complete range of material handling equipment, waste disposal, sanitation service, security and fire protection

Click Here To Read Trucking Article

**Frick Services Inc**

800 Sun Drive

( Dry Terminal)

Port of Indiana

Portage, IN 46368

Office: 219 787 9475

**Frick Services Inc**

570 E Boundary Road

( Liquid Fertilizer Terminal)

Port of Indiana

Portage, IN 46368

Office 219 787 8548

Fax: 219 787 8101

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 1 8 2015

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL**
**RETURN RECEIPT REQUESTED**

Jeff Harper
Frick Services, Inc.
570 East Boundary Road
Portage, Indiana 46368

Re: Request for Information Pursuant to Section 104(e) of CERCLA for Frick Services, Inc., Portage, Indiana

Dear Mr. Harper:

The U.S. Environmental Protection Agency is currently investigating the source, extent, and nature of releases of hazardous substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §§ 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499, including but not limited to the release of approximately 1,500 gallons of liquid fertilizer at the Frick Services, Inc., facility, located at 570 East Boundary Road, Portage, Indiana on January 26, 2015.

Pursuant to the authority of Section 104(e) of the CERCLA, 42 U.S.C. § 9604(e), you are hereby requested to respond to the Information Request enclosed. Compliance with the enclosed Information Request is mandatory. Failure to respond fully and truthfully to each and every request within thirty **(30)** days of receipt of this letter, or to adequately justify such failure to respond, can result in enforcement action by EPA and the imposition of penalties of up to $37,500[1] for each day of noncompliance. Noncompliance is considered by EPA to be not only failure to respond to the Information Request but also failure to respond completely and truthfully to each request. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal fines or up to five years of imprisonment or both under 18 U.S.C. § 1001.

[1] While the provisions of Section 104(e)(5) of CERCLA provide for a penalty per violation of up to $25,000 per day, the Civil Monetary Penalty Adjustment Rule, published at 40 C.F.R. Part 19, increased the maximum penalty to $27,500 per day for each violation occurring on or after January 31, 1997, to $32,500 per day for each violation occurring after March 15, 2004, and to $37,500 per day for each violation after January 12, 2009.

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Recycled Paper (100% Post-Consumer)

EPA has the authority to use the information requested herein in an administrative, civil, or criminal action. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. §§ 3501, et seq.

Your response to this Information Request should be mailed to:

Ruth McNamara
Chemical Emergency Preparedness
and Prevention Section (SC-5J)
United States Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604

EPA strongly encourages you to give this matter your immediate attention and to respond to this Information Request within the time specified above.

We have enclosed an EPA document entitled *"U. S. EPA Small Business Resources"* which might be helpful if you are a qualified small business.

Please direct any questions you may have regarding this Information Request to Ruth McNamara at (312) 353-3193.

Thank you for your cooperation in this matter.

Sincerely,

M. Cecilia Moore

M. Cecilia Moore, Chief
Enforcement and Compliance Assurance Branch

Enclosures (4) Information Request Definitions
Information Request Instructions
Small Business Fact Sheet
Information Request

Office of Enforcement and Compliance Assurance (2201A)
EPA-300-B-15-001 May 2015

# U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

**Small Business Programs**
www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

**EPA's Asbestos Small Business Ombudsman**
www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

**EPA's Compliance Assistance Homepage**
www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

**EPA's Compliance Assistance Centers**
www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

**Agriculture**
www.epa.gov/agriculture/

**Automotive Recycling**
www.ecarcenter.org

**Automotive Service and Repair**
ccar-greenlink.org/ or 1-888-GRN-LINK

**Chemical Manufacturing**
www.chemalliance.org

**Construction**
www.cicacenter.org or 1-734-995-4911

**Education**
www.campuserc.org

**Food Processing**
www.fpeac.org

**Healthcare**
www.hercenter.org

**Local Government**
www.lgean.org

**Metal Finishing**
www.nmfrc.org

**Paints and Coatings**
www.paintcenter.org

**Printing**
www.pneac.org

**Ports**
www.portcompliance.org

**Transportation**
www.tercenter.org

**U.S. Border Compliance and Import/Export Issues**
www.bordercenter.org

**EPA Hotlines, Helplines and Clearinghouses**
www2.epa.gov/home/epa-hotlines
EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

**Clean Air Technology Center (CATC) Info-line**
www.epa.gov/ttn/catc or 1-919-541-0800

**Superfund, TRI, EPCRA, RMP and Oil Information Center**
www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

**EPA Imported Vehicles and Engines Public Helpline**
www.epa.gov/otaq/imports or 734-214-4100

**National Pesticide Information Center**
www.npic.orst.edu/ or 1-800-858-7378

**National Response Center Hotline** to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

**Pollution Prevention Information Clearinghouse (PPIC)** - www.epa.gov/opptintr/ppic or 1-202-566-0799

**Safe Drinking Water Hotline** - www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

## DEFINITIONS

For the purpose of the Instructions and the Information Request set forth herein, the following definitions shall apply:

1. The terms "you" or "Respondent" shall mean the organization or entity identified in the cover letter, and its officers, managers, employees, contractors, trustees and agents.

2. The term "person" as used herein, in the plural as well as the singular, shall mean any natural person, firm, contractor, corporation, partnership, trust or governmental entity, unless the context indicates otherwise.

3. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, including mixtures of hazardous substances.

4. The terms "furnish," "describe," or "indicate" shall mean turning over to EPA either original or duplicate copies of the requested information in the possession, custody, or control of the Respondent. Where specific information has not been memorialized in any document but is nonetheless responsive to a request, you must respond to the request with a written response. If such requested information is not in your possession, custody, or control, then indicate where such information or documents may be obtained.

5. "Release" means any spilling, leaking, pumping, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing of any hazardous substance.

6. "And" as well as "or" shall be construed either conjunctively or disjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

7. The terms "transport" or "transportation" mean the movement of a hazardous substance by any mode, including pipeline, and in the case of a hazardous substance which has been accepted for transportation by a common or contract carrier, the terms "transport" or "transportation" shall include any stoppage in transit which is temporary, incidental to the transportation movement, and at the ordinary operating convenience of a common or contract carrier, and any such stoppage shall be considered as a continuity of movement and not as the storage of a hazardous substance.

8. The terms "pollutant" or "contaminant" shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances.

9. The term "Facility" means (1) any building structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit,

pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or (2) any site or area where a hazardous substance has been disposed of, or placed, or otherwise come to be located; but does not include any consumer products in consumer use or vessel.

10. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 et seq., as amended, 40 C.F.R. Part 300 or 40 C.F.R. Parts 260-280, in which case the statutory or regulatory definitions shall apply.

## INSTRUCTIONS

1. A separate response must be made to each of the questions set forth in this Information Request.

2. Precede each answer with the number in the Information Request to which it corresponds.

3. In answering each request, identify all contributing sources of information.

4. If information not known or not available to the Respondent as of the date of submission of its response should later become known or available, Respondent must supplement its response to EPA. Moreover, should the Respondent find, at any time after the submission of its response that any portion of the submitted information is false or misrepresents the truth, Respondent must notify EPA as soon as possible.

5. Your response must be accompanied by a notarized affidavit from a responsible company official or representative stating that the information provided in this response is true and accurate to the best of the Facility's knowledge. To the extent that any information you provided relating to these requests is based on your personal knowledge, or personal knowledge of your employees, agents, or their representatives, this information shall be in the form of a notarized affidavit.

6. The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read carefully the above-cited regulations before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

## INFORMATION REQUEST

1. Identify all persons consulted in the preparation of the answers to this request.

2. Identify all documentation consulted, examined, or referred to in the preparation of the answers to this request and provide copies of all such documents.

3. What is Frick Services, Inc.'s Standard Industrial Classification Code?

4. What is Frick Services, Inc.'s Dun & Bradstreet number?

5. What are Frick Services, Inc.'s annual sales for the most recently completed fiscal year?

6. How many employees are employed at Frick Services, Inc., 570 East Boundary Road, Portage, Indiana?

7. How many employees are employed at Frick Services, Inc., corporate wide?

8. Provide a copy of your emergency plan which outlines the procedures for notification of accidental releases at your facility.

9. Provide documentation regarding the training of your employees on the procedures for notification of accidental releases at your facility.

10. Provide the name and current address of the owner(s) of the property located at 570 East Boundary Road, Portage, Indiana, during the time period of January 1, 2015 to the present.

11. Provide the name and current address of the operator(s) of the facility located at 570 East Boundary Road, Portage, Indiana, during the time period of January 1, 2015 to the present.

12. If Frick Services, Inc. was a corporation during the time period of January 1, 2015 to the present, provide a copy of the Articles of Incorporation.

13. If Frick Services, Inc. was a subsidiary of a corporation during the time period of January 1, 2015 to the present, identify the parent corporation and provide copies of pertinent documents supporting the subsidiary relationship.

14. If Frick Services, Inc. was a division of a corporation during the time period of January 1, 2015 to the present, identify the corporation and provide copies of pertinent documents supporting the claim that this company is a corporate division.

15. If Frick Services, Inc. was a partnership during the time period of January 1, 2015 to the present, provide a copy of the partnership agreement.

16. If Frick Services, Inc. was a trust during the time period of January 1, 2015 to the present, provide all relevant agreements and documents to support this claim.

17. Describe in detail the process that produced the release of liquid fertilizer which occurred on January 26, 2015.

18. Describe in detail the chain of events that produced the release of liquid fertilizer which occurred on January 26, 2015.

19. Identify the liquid fertilizer released and its Chemical Abstract Service (CAS) number(s).

20. How much liquid fertilizer was released? Describe your method or source of information in calculating the quantity released and provide the calculations.

21. Describe the surfaces on or to which the liquid fertilizer was released and how much was released to each surface. Describe your method or source of information in calculating the quantity and provide the calculations.

22. How much liquid fertilizer was released or migrated onto and/or into the soil and/or the subsurface strata? Describe your method or source of information in calculating the quantity and provide the calculations.

23. How much liquid fertilizer volatilized? Describe your method or source of information in calculating the quantity and provide the calculations.

24. How much liquid fertilizer was discharged into the sanitary sewer system? If any, describe the pre-treatment conducted by your facility. Describe your method or source of information in calculating the quantity and provide the calculations.

25. How much liquid fertilizer was discharged into the storm sewer system? Describe your method or source of information in calculating the quantity and provide the calculations.

26. Did the liquid fertilizer react with any substance to cause a by-product? If so, explain and provide the calculations to show the reaction and quantity of each by-product released.

27. What was the concentration of the liquid fertilizer? Describe your method or source of information in determining the concentration.

28. Provide copies of any and all relevant descriptions of the liquid fertilizer released, i.e., Material Safety Data Sheet (MSDS), Manifest, Analytical Data, etc.

29. Provide the results of any and all analyses, including but not limited to results of any sampling that was conducted regarding this release.

30. Describe in detail the actions taken by your employees and/or anyone else regarding the emergency response to this release, including any and all chemicals used, the handling or clean-up of the substance, including transportation and destination.

31. Was the release contained solely within a building or structure? If so, explain.

32. Did any of the substance(s) released migrate beyond your facility's boundaries? If so, explain.

33. Provide copies of any permits that cover this release, and provide an explanation of why you believe this release is covered by this permit.

34. If the release was to a containment area, please respond to the following information requests:

    (a) What is the containment area made of?
    (b) What are the dimensions of the containment area?
    (c) Did the containment area contain a neutralization agent? If so, what and how much of the neutralization agent was present?

35. Provide a diagram of your facility in relation to each of the facility's boundaries, north, east, south, west, and identify the distance between the point of the release and each facility boundary.

36. Provide a description of the area including residential, commercial, and industrial nature of the area surrounding your facility including the approximate distance of your closest neighbor in each direction.

37. If the release was from a storage area, i.e., tanker, storage tank, etc., provide the following information:

    (a) Location of the tank or storage area, inside or outside of a building, ground level, one story up, etc.
    (b) Location of the leak in relation to the tank or storage area, i.e., top left side, center top, center side, etc.
    (c) Size of the hole from which the leak occurred.
    (d) Length of tank or storage area.
    (e) Diameter of tank or storage area.

38. What method is used to monitor the liquid level in this storage tank (i.e., manual logs, electronic monitoring equipment, etc.)?

39. How often is the liquid level monitoring information reviewed?

40. If the liquid level monitoring reports are routinely reviewed, by whom are they reviewed?

41. Did this tank have liquid level alarms? If so, provide any applicable information to demonstrate the date and time of the alarm(s).

42. To the best of your knowledge what was the duration of the release from onset to mitigation? Explain how you determined the onset and mitigation of the release and what documents or information you relied on to make your determination.

43. Provide the weather conditions at the time of the release including the temperature, humidity, wind speed and direction, precipitation, sunny/cloudy, and barometric conditions.

44. Was the release from a pressurized system? If so, explain and provide the amount of pressure in pounds per square inch.

45. Was the release from a process pipe, a pipe connected to a tank, or a tank? If none of these apply, explain exactly where the release occurred.

46. If the release was from a process pipe or a pipe connected to a tank, provide the dimensions of the piping.

47. Were there any evacuations, persons medically treated, hospitalizations, and/or deaths associated with this release? If so, describe in detail.

48. Was there any known environmental damage, i.e., fish kills, vegetation damage? If so, describe in detail.

49. Provide both the date and time when you first realized that liquid fertilizer was released from the facility on January 26, 2015.

50. Provide both the date and time when you had knowledge that a reportable quantity (RQ) of liquid fertilizer was released from the facility on January 26, 2015.

51. If the time of knowledge of the release and time of knowledge of an RQ released is not the same, explain what actions your employees took in determining that an RQ was released.

52. Did Frick Services, Inc. notify the National Response Center regarding the January 26, 2015 release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.

53. Did Frick Services, Inc. notify the Indiana State Emergency Response Commission regarding the January 26, 2015 release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.

54. Did Frick Services, Inc. notify the Porter County Local Emergency Planning Committee regarding the January 26, 2015 release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.

55. Did Frick Services, Inc. provide a written follow-up emergency notice to the Indiana State Emergency Response Commission, as required by EPCRA Section 304(c)? If so, provide documentation to support your claim.

56. Did Frick Services, Inc. provide a written follow-up emergency notice to the Porter County Local Emergency Planning Committee, as required by EPCRA Section 304(c)? If so, provide documentation to support your claim.

**CHEMICAL EMERGENCY PREPAREDNESS & PREVENTION SECTION**
**CORRESPONDENCE SIGN-OFF SHEET**

**INFORMATION REQUEST**

**Frick Services, Inc., Portage, Indiana**

| | | Name | Initials | Date |
|---|---|---|---|---|
| 1. | CEPP Staff | Ruth McNamara | See Email | |
| 2. | ORC Attorney | Tom Williams | See Email | |
| 4. | CEPP Chief | Mick Hans | See Email | |
| 5. | ECAB Chief | M. Cecilia Moore | CM | 9/16/15 |

Comments:

Return to: Ruth McNamara # 3-3193 Mail Code: SC-5J

## McNamara, Ruth

**From:** Hans, Mick
**Sent:** Monday, July 06, 2015 10:23 AM
**To:** Sanders, Jarrah
**Cc:** McNamara, Ruth
**Subject:** FW: Frick Services 104(e) OK w/comments + Cecilia
**Attachments:** Frick Services 104e.doc

This is the first 104e I've reviewed in the new LEAN format.

While we are eliminating paper and handling (for some of us), the e-format also means it's difficult to confirm edits have been accepted without printing. So there's actually more burden on Jarrah.

**I approve the attached Frick Services 104e. No substantive comments.**

However, please make these minor format adjustments:

- Definitions Q1 appears to be a smaller font than the other Qs.
- There appear to be extra spaces between Incident Qs 28/29 and 48/49. Possibly these will not matter depending on how the page breaks go when printing.

For the moment, I suggest that Jarrah collect several of these 104s and present them to Cecilia at the same time. I'm not at all certain that she's really engaged on this LEAN process that applies to EPCRA—but not RMP or Oil. Yet. We should explore extending it to all once the kinks are worked out here.

Thanks.

Mick Hans
Chief, Chemical Emergency Preparedness and Prevention
Enforcement and Compliance Assurance Branch
Superfund Division
U.S. EPA Region 5
77 W. Jackson Blvd. (SC-5J)
Chicago, IL 60604
312 353-5050

**From:** McNamara, Ruth
**Sent:** Monday, July 06, 2015 8:14 AM
**To:** Hans, Mick; Sanders, Jarrah
**Subject:** FW: Frick Services 104(e)

Mick/Jarrah

I accepted the changes to #41, however the red line at the left still remains. I do not know how to get rid of it. Otherwise this is ready for Mick's review and approval.

Thanks

**Ruth McNamara**
**U.S. EPA (SC-5J)**
**77 W. Jackson Boulevard**

**Chicago, Illinois 60604**
**312-353-3193**

**From:** Williams, Thomas
**Sent:** Thursday, July 02, 2015 10:25 AM
**To:** McNamara, Ruth
**Subject:** FW: Frick Services 104(e)

Ruth, with the typo noted for correction in request no. 41, I concur.

Tom M. Williams
Associate Regional Counsel
United States Environmental Protection Agency, Region 5
77 West Jackson Blvd. (mail code C-14J)
Chicago, Illinois 60604
PH: 312-886-0814

CONFIDENTIAL: This e-mail message and any attachments are for the exclusive and confidential use of the intended recipient. if you are not the intended recipient, please do not read, distribute or take action in reliance upon this message. if you have received this in error, please notify the sender immediately by return e-mail and promptly delete this message and all attachments from your computer system. The sender does not waive the attorney-client privilege or the the work product priivilege by the transmission of this message.

**From:** Chabria, Monesh
**Sent:** Wednesday, July 01, 2015 3:06 PM
**To:** Williams, Thomas
**Cc:** McNamara, Ruth
**Subject:** FW: Frick Services 104(e)

Tom – Please review this information request and respond to Ruth with concurrence and any changes indicated in Track Changes, as per the new SOP.

Mony Chabria
Acting Associate Branch Chief
Office of Regional Counsel
U.S. EPA Region 5
312-886-6842
chabria.monesh@epa.gov

**From:** McNamara, Ruth
**Sent:** Wednesday, July 01, 2015 12:17 PM
**To:** Chabria, Monesh
**Subject:** Frick Services 104(e)

Mony attached is an Information Request for review.

On January 26, 2015 at approximately 7:00 a.m. CT there was a release of approximately 1,500 gallons of liquid fertilizer from this facility. The release occurred from a faulty valve on a

28,000,000 gallon storage tank. Frick Services, Inc. notified the NRC of the release on January 26, 2015 at 10:06 a.m. CT (3 hours and 6 minutes after the incident). There are different types and concentrations of liquid fertilizer. The information provided on the NRC report is not sufficient to determine if an RQ was exceeded.

The answers to these information requests are needed to determine if a CERCLA or EPCRA violation occurred. Please review and make any necessary changes and return it to Ruth.

Thanks

**Ruth McNamara**
**U.S. EPA (SC-5J)**
**77 W. Jackson Boulevard**
**Chicago, Illinois 60604**
**312-353-3193**

**VIA UPS NEXT BUSINESS DAY DELIVERY**

October 13, 2015

Ruth McNamara
Chemical Emergency Preparedness and Prevention Section
US Environmental Protection Agency
77 West Jackson Boulevard (SC-5J)
Chicago, Illinois 60604

**Re: Request for Information Pursuant to Section 104 (e) of CERCLA for Frick Services, Inc., Portage, Indiana**

Dear Ms. McNamara:

This responds to M. Cecilia Moore's September 19, 2015 letter addressed to Jeff Harper, Frick Services, Inc., 570 East Boundary Road, Portage, Indiana 46268. Each request set forth in the Information Request attached to Ms. Moore's letter is repeated in italics, followed by the response of Frick Services, Inc.

Responses to Requests for Information

1. *Identify all persons consulted in the preparation of the answers to this request.*

   Response:

   Clay Preston – Frick Services Director of Safety and Compliance, Dan Frick – Frick Services President, Jeff Harper – Frick Services Facility Operations Manager, Randy Robbins – Frick Services laborer, Glen Howard – Environmental Consultant, Bob Van Dyke – Insurance Loss Control Representative

2. *Identify all documentation consulted, examined, or referred to in the preparation of the answers to his request and provide copies of all such documents.*

Response:

Material Safety Data Sheet (MSDS), employee witness accounts, tank inspection documentation, letter to the Indiana Department of Environmental Management (IDEM), scale ticket, facility map with distances to boundaries, Frick Services Spill Prevention, Control and Countermeasure Plan, Frick Services Facility Response Plan, and employee training documentation.

3. *What is Frick Services, Inc.'s Standard Industrial Classification Code?*

   Response:

   2875.

4. *What is Frick Services, Inc.'s Dun & Bradstreet number?*

   Response:

   We do not have one.

5. *What are Frick Services, Inc.'s annual sales for the most recently completed fiscal year?*

   Response:

   $117,889,598.

6. *How many employees are employed at Frick Services, Inc., 570 East Boundary Road, Portage, Indiana?*

   Response:

   Six.

7. *How many employees are employed at Frick Services, Inc., corporate wide?*

   Response:

   99.

8. *Provide a copy of your emergency plan which outlines the procedures for notification of accidental releases at your facility.*

Response:

See Frick Services Spill Prevention, Control and Countermeasure Plan and Frick Services Facility Response Plan in Attachment A.

9. *Provide documentation regarding the training of your employees on the procedures for notification of accidental releases at your facility.*

Response:

See employee training documentation in Attachment B.

10. *Provide the name and current address of the owner(s) of the property located at 570 East Boundary Road, Portage, Indiana, during the time period of January 1, 2015 to the present.*

Response:

The land is owned by Ports of Indiana, 150 West Market Street Suite 100, Indianapolis, IN 46204. Frick Services leases the land from Ports of Indiana and owns all the buildings and other improvements on the land.

11. *Provide the name and the current address of the operator(s) of the facility located at 570 East Boundary Road, Portage, Indiana, during the time period of January 1, 2015 to the present.*

Response:

Frick Services, Inc., 3154 West Depot Street Wawaka, IN 46794.

12. *If Frick Services, Inc. was a corporation during the time period of January 1, 2015 to the present, provide a copy of the Articles of Incorporation.*

Response:

Frick Services, Inc. is an Indiana corporation. See copy of Articles of Incorporation in Attachment C.

13. *If Frick Services, Inc. was a subsidiary of a corporation during the time period of January 1, 2015 to the present, identify the parent corporation and provide copies of pertinent documents supporting the subsidiary relationship.*

Response:

Not applicable.

14. *If Frick Services, Inc. was a division of a corporation during the time period of January 1, 2015 to the present, identify the corporation and provide copies of pertinent documents supporting the claim that this company is a corporate division.*

Response:

Not applicable.

15. *If Frick Services, Inc. was a partnership during the time period of January 1, 2015 to the present, provide a copy of the partnership agreement.*

Response:

Not applicable.

16. *If Frick Services, Inc. was a trust during the time period of January 1, 2015 to the present, provide all relevant agreements and documents to support this claim.*

Response:

Not applicable.

17. *Describe in detail the process that produced the release of liquid fertilizer which occurred on January 26, 2015.*

Response:

A dock line valve on tank #4, which contained liquid fertilizer, developed a small hole due to metal fatigue. Liquid fertilizer was released at this small hole. As described in the employee witness accounts in Attachment D, tank #4 passed recent inspection. See also the tank #4 inspection report in Attachment E.

18. *Describe in detail the chain of events that produced the release of liquid fertilizer which occurred on January 26, 2015.*

Response:

The subject tank #4 was closed and locked on Friday, January 23, 2015, and there was no leak at that time. When employees returned to work on Monday, January 26, 2015, and began opening the tank, the leak was discovered.

19. *Identify the liquid fertilizer released and its Chemical Abstract Service (CAS) number(s).*

Response:

Urea Ammonium Nitrate Solution, with CAS numbers as follows:

Ammonium Nitrate: 6484-52-2
Urea: 57-13-6
Water: 7732-18-5
Free Ammonia: 7664-41-7

The Material Safety Data Sheet for Urea Ammonium Nitrate Solution is provided in Attachment F.

20. *How much liquid fertilizer was released? Describe your method or source of information in calculating the quantity released and provide the calculations.*

Response:

We calculate that 1,788 gallons was released from the leak. This number was derived by weighing the vacuum truck that was used to clean the spill before and after the spill was cleaned. The net weight that is shown on the January 26, 2015 scale ticket in Attachment G (19,760 pounds) was then multiplied by the standard industry weight conversion factor for this material of 11.05 pounds per gallon (19,760 lb x 1gal/11.05 lb). This calculation comes out to 1,788 gallons of fertilizer.

21. *Describe the surfaces on or to which the liquid fertilizer was released and how much was released to each surface. Describe your method or source of information in calculating the quantity and provide the calculations.*

Response:

The fertilizer was released into a diked area that consists of a clay surface covered by a layer of pea gravel that was constructed in accordance with state regulations. 1,788

gallons of fertilizer were released per the calculations described in the response to Request number 20.

22. *How much liquid fertilizer was released or migrated onto and/or into the soil and/or the subsurface strata? Describe your method or source of information in calculating the quantity and provide the calculations.*

Response:

We believe that a very minimal amount soaked into the ground as the ground was made of clay and the freezing winter temperatures had frozen the ground, making it difficult for any liquid to penetrate. A hole was dug in the area and there was no sign of fertilizer below the surface, either by sight or smell.

23. *How much liquid fertilizer volatilized? Describe your method or source of information in calculating the quantity and provide the calculations.*

Response:

The MSDS for Urea Ammonium Nitrate Solution indicates 0.02% to 0.15% free ammonia. Therefore, assuming a release of 19,760 pounds of the liquid fertilizer as described in the response to Request number 20, that amount could potentially release up to 29.6 pounds of ammonia. But this is well below the reportable quantity for ammonia of 100 pounds.

24. *How much liquid fertilizer was discharged into the sanitary sewer system? If any, describe the pre-treatment conducted by your facility. Describe your method or source of information in calculating the quantity and provide the calculations.*

Response:

None, because the spill occurred inside a diked area with no sanitary sewer drain.

25. *How much liquid fertilizer was discharged into the storm sewer system? Describe your method or source of information in calculating the quantity and provide the calculations.*

Response:

None, because the spill occurred inside a diked area with no storm sewer system drain inside.

26. *Did the liquid fertilizer react with any substance to cause a by-product? If so, explain and provide the calculations to show the reaction and quantity of each by-product released.*

Response:

No, because there were no other chemicals in the area for it to come into contact with.

27. *What was the concentration of the liquid fertilizer? Describe your method or source of information in determining the concentration.*

Response:

Based on the MSDS for the Urea Ammonium Nitrate Solution, the concentrations are as follows:

Ammonium Nitrate: 35-55%
Urea: 25-40%
Water: 15-32%
Free Ammonia: 0.02 - 0.15 %

28. *Provide copies of any and all relevant descriptions of the liquid fertilizer released, i.e., Material Safety Data Sheet (MSDS), Manifest, Analytical Data, etc.*

Response:

See the MSDS for the Urea Ammonium Nitrate Solution in Attachment F.

29. *Provide the results of any and all analyses, including but not limited to results of any sampling that was conducted regarding this release.*

Response:

None.

30. *Describe in detail the actions taken by your employees and/or anyone else regarding the emergency response to this release, including any and all chemicals used, the handling or clean-up of the substance, including transportation and destination.*

Response:

On Monday, January 26, 2015 at 7:00 A.M. local time an employee, Sam Martinez, was opening the tanks to begin loading trucks when he discovered that there was a leak in the dock line valve of tank #4. Mr. Martinez then notified his supervisor, Randy Robbins. Mr. Robbins proceeded to call his superior, Jeff Harper, and the company president, Dan Frick. Mr. Harper then called the vacuum truck company, Serenity Environmental. Within minutes of discovery of the leak, Mr. Martinez, Mr. Robbins, and Mr. Harper began efforts to stop the leak. First they began pumping from tank #4 into tank #5 and then opened the dock line from tank #4 to tank #5 which reduced the pressure in tank #4 and greatly slowed the leak. After that, the Serenity Environmental vacuum truck arrived and began suctioning up the liquid fertilizer which had pooled on the ground within the diked area, while the Frick employees worked to plug the hole. The hole was about the size of the eraser on the end of a number 2 pencil (approximately 5 mm). An ear plug was pushed into the hole, a piece of rubber was placed over the ear plug, and three hose clamps then were tightened over the plug and rubber, which slowed the leak to a drip. Mr. Robbins then went to a nearby home improvement store to buy a 100-gallon landscaping pool and put it under the dripping valve, so that no more fertilizer would reach the ground until the valve could be replaced.

Once the leak was controlled Mr. Harper called the National Response Center at 10:07 A.M. local time and reported the release to Mr. Threatt. He then called IDEM at 10:20 A.M. and reported the release to Lavern Beauchamp in the Emergency Response Section. He then called U.S. EPA but was not able to speak with a person and left a message. Jamie Brown from U.S. EPA then called back at 11:10 A.M., and Mr. Harper discussed the release with her. David Greinke from IDEM visited the facility at 12:15 P.M. to check on the progress of controlling and cleaning up the release and told Mr. Harper that everything "looked good."

Once Serenity Environmental was done cleaning up the release with the vacuum truck, the recovered liquid fertilizer was then pumped from the vacuum truck into another Frick Services storage tank to be saved. None of the fertilizer was transported anywhere else.

This information was derived from the written accounts of Jeff Harper and Randy Robbins that have been provided in Attachment D.

31. *Was the release contained solely within a building or structure? If so, explain.*

Response:

The release occurred in a diked area outdoors entirely on Frick Services property.

32. *Did any of the substance(s) released migrate beyond your facility's boundaries? If so, explain.*

Response:

No. The entire release was contained in the diked area at the facility.

33. *Provide copies of any permits that cover this release, and provide an explanation of why you believe this release is covered by this permit.*

Response:

This was an accidental release, and there are no permits for the release.

34. *If the release was to a containment area, please respond to the following information requests:*

*(a) What is the containment area made of?*
*(b) What are the dimensions of the containment area?*
*(c) Did the containment area contain a neutralization agent? If so, what and how much of the neutralization agent was present*

Response:

(a) The containment area is comprised of a clay base with pea gravel on top of that. The dike itself is earthen and covered with gravel. The containment area was constructed according to state regulations.

(b) The containment area is rectangular in shape with dimensions of 250 feet x 390 feet.

(c) There is no neutralization agent in the containment area.

35. *Provide a description of your facility in relation to each of the facility's boundaries, north, east, south, west, and identify the distance between the point of the release and each facility boundary.*

Response:

See the site map in Attachment H.

36. *Provide a description of the area including residential, commercial, and industrial nature of the area surrounding your facility including the approximate distance of your closest neighbor in each direction.*

Response:

The area is Port of Indiana's Burns Harbor, which contains approximately 30 different companies performing industrial operations, including at least 10 steel companies and three steel mills. Burns Harbor is an industrial area and is zoned heavy industrial. The nearest neighbors to Frick Services in each direction are all industrial operations as follows: north – share a property line with Tanco, west – Ratnor Steel Supply has a property line across the railroad tracks approximately 140 feet from the Frick Services property line, south – share a property line with Steel Warehouse, east – 520 feet from ArcelorMittal property line which is across two sets of railroad tracks and East Boundary Road. See the site map in Attachment G.

37. *If the release was from a storage area, i.e., tanker, storage tank, etc., provide the following information:*

*(a) Location of the tank or storage area, inside or outside of a building, ground level, one story up, etc.*
*(b) Location of the leak in relation to the tank or storage area, i.e., top left side, center top, center side, etc.*
*(c) Size of the hole from which the leak occurred.*
*(d) Length of tank or storage area.*
*(e) Diameter of tank or storage area.*

Response:

(a) The tank is an outdoor tank inside a diked area on Frick Services property. See the site map in Attachment H.

(b) The leak occurred on the dock line valve of tank #4, which is approximately 4 feet above the ground on the west side of the tank.

(c) The hole was about the size of the eraser on a number 2 pencil (approximately 5 mm).

(d) The tank is a vertical cylinder, approximately 40 feet in height, with a diameter of 108 feet.

(e) See response to (d) above.

38. *What method is used to monitor the liquid level in this storage tank (i.e., manual logs, electronic monitoring equipment, etc.)?*
Response:

The tanks are measured manually with a measuring tape and the measurement is compared to a tank chart to derive the liquid amounts.

39. *How often is the liquid level monitoring information reviewed?*

Response:

The liquid levels are reviewed monthly and also prior to receipt of a shipment of liquid fertilizer to determine how much can be received for storage.

40. *If the liquid level monitoring reports are routinely reviewed, by whom are they reviewed?*

Response:

The levels are reviewed by either Jeff Harper, Randy Robbins, or Katharine Breitenbach - Facility Office Manager, depending on who is available at the time.

41. *Did this tank have liquid level alarms? If so, provide any applicable information to demonstrate the date and time of the alarm(s).*

Response:

No.

42. *To the best of your knowledge what was the duration of the release from onset to mitigation? Explain how you determined the onset and mitigation of the release and what documents or information you relied on to make your determination.*

Response:

The tanks were closed and locked on Friday, January 23, 2015 at 4:00 P.M., and there was no leak at that time. When employees returned to work on Monday, January 26, 2015, and began opening the tanks at 7:00 A.M., the leak was discovered. No one was in the tank farm over the weekend so it is difficult to determine the amount of time from onset to mitigation. The duration could be anywhere from less than one hour to as much as 63 hours.

43. *Provide the weather conditions at the time of the release including the temperature, humidity, wind speed and direction, precipitation, sunny/cloudy, and barometric conditions.*

Response:

The temperature in Portage on January 26, 2015 at 7:00 A.M. was 17 degrees F, average humidity was 68%, average wind speed was 6 miles per hour SSE, zero precipitation, scattered clouds, and a barometric pressure of 30. This weather information was obtained from the Weather Underground website (http://www.wunderground.com) searched for Portage, Indiana.

44. *Was the release from a pressurized system? If so, explain and provide the amount of pressure in pounds per square inch.*

Response:

No.

45. *Was the release from a process pipe, a pipe connected to a tank, or a tank? If none of these apply, explain exactly where the release occurred.*

Response:

The release was from a tank valve on a pipe, not from a pipe or a tank.

46. *If the release was from a process pipe or a pipe connected to a tank, provide the dimensions of the piping.*

Response:

The valve where the release occurred was connected to an 8-inch diameter pipe.

47. *Were there any evacuations, persons medically treated, hospitalizations, and/or deaths associated with this release? If so, describe in detail.*

Response:

No.

48. *Was there any known environmental damage, i.e., fish kills, vegetation damage? If so, describe in detail.*

Response:

No. The release occurred inside a diked area where there are no animals or vegetation.

49. *Provide both the date and time when you first realized that liquid fertilizer was released from the facility on January 26, 2015.*

Response:

7:00 A.M. on January 26, 2015.

50. *Provide both the date and time when you had knowledge that a reportable quantity (RQ) of liquid fertilizer was released from the facility on January 26, 2015.*

Response:

A release was apparent at 7:00 A.M. on January 26, 2015 as stated in employee witness accounts that have been provided in Attachment D. The reportable quantity for ammonia is 100 pounds, but calculations indicate a potential release of only 29.6 pounds of free ammonia, well below the reportable quantity.

51. *If the time of knowledge of the release and time of knowledge of an RQ released is not the same, explain what actions your employees took in determining that an RQ was released.*

Response:

Not applicable.

52. *Did Frick Services, Inc. notify the National Response Center regarding the January 26, 2015 release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.*

Response:

Yes, Jeff Harper called the National Response Center at 10:07 A.M. local time on January 26, 2015. This is documented in Mr. Harper's account provided in Attachment D.

53. *Did Frick Services, Inc. notify the Indiana State Emergency Response Commission regarding the January 26, 2015 release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.*

Response:

Yes, Jeff Harper called IDEM at 10:20 A.M. local time on January 26, 2015. This is documented in Mr. Harper's account provided in Attachment D.

54. *Did Frick Services, Inc. notify the Porter County Local Emergency Planning Committee regarding the January 26, 2015 release? If so, provide the name of the individual that provided the notification, the agency notified, and the date and time of each call.*

Response:

No, because the spill occurred in a diked area and the fertilizer was already cleaned up. The national and state emergency response entities were called so local response was not needed. Further, an accidental release of ammonia in an amount greater than or equal to the minimum reportable quantity did not occur.

55. *Did Frick Services, Inc. provide written follow-up emergency notice to the Indiana State Emergency Response Commission, as required by EPCRA Section 304(c)? If so, provide documentation to support your claim.*

Response:

Yes, see attached letter to IDEM by Clay Preston for Frick Services in Attachment I.

56. *Did Frick Services, Inc. provide a written follow-up emergency notice to the Porter County Local Emergency Planning Committee, as required by EPCRA Section 304(c)? If so, provide documentation to support your claim.*

Response:

No. See response to Request number 54.

I affirm, under penalty of perjury that the above representations are true and accurate to the best of the Facility's knowledge.

Daniel R. Frick, President
Frick Services, Inc.

STATE OF INDIANA )
COUNTY OF Elkhart )

SUBSCRIBED AND SWORN to before me, a Notary Public in and for said County and State, this 12 day of October 2015.

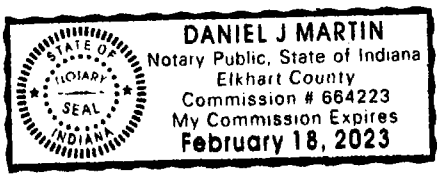
My Commission expires: _____

Notary Public Signature

County of Residence: _____

Daniel J. Martin
Printed Name

1469030.4



**Attachment A**

Spill Prevention, Control and Countermeasure Plan

and

Facility Response Plan

(See attached)

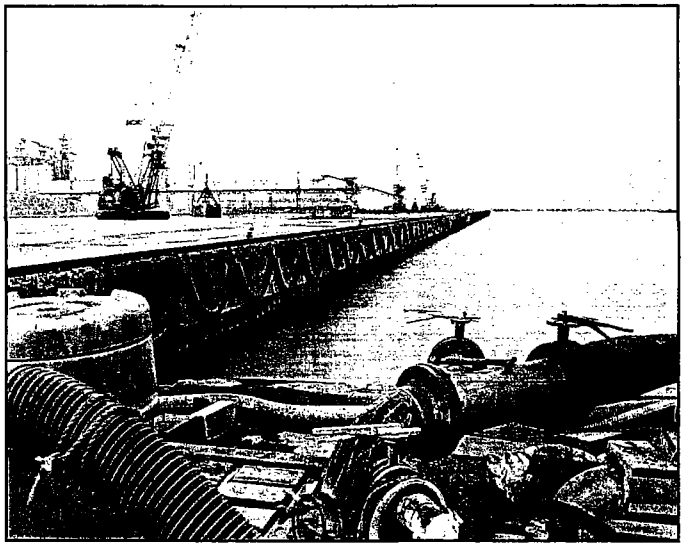
FRP05A0618

Rev 9/2012

Frick Services, inc.

# FACILITY RESPONSE PLAN

## (Per 40 CFR 112)



## Frick Services, Inc. Liquid Terminal

**570 EAST BOUNDARY ROAD**
**PORTAGE, INDIANA**

**East Harbor, Port of Indiana**
**Facility Phone Number: (219) 787-8548**

**September 2012**

| Revision |
|---|
| 4 |

# Revision Log

| # | Description | Date | Page(s) |
|---|---|---|---|
| 1 | Revise plan to address comments from USEPA Region 5 letter dated August 17, 2009 (FRPAO618) | October 2009 | See cross reference (page ii) |
| 2 | Revise plan to address comments from USEPA Region 5 letter dated June 25, 2010 and FRP checklist 6.22.10 | August 2010 | Inserts noted |
| 3 | Revise plan to address comments from USEPA Region 5 letter dated September 26, 2011 and FRP checklist 9-13-2011 | October 2011 | ToC, 20-23, 64-65, 75, Inserts to App F, L, M, O |
| 4 | Revise plan to address OSC comments regarding sections 1.3.3, 1.4.2, 1.8.3 and include training and exercise logs. | September 2012 | ToC, sections 1.3.3, 1.4.2, 1.8.3. Inserts to App C, F, I, L, M |
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**1.3.3 Response Equipment Testing / Deployment**

Section 1.3.3 provides information regarding response equipment tests and deployment drills. Response equipment deployment exercises shall be conducted to ensure that response equipment is operational and the personnel who would operate the equipment in a spill response are capable of deploying and operating it. Only a representative sample of each type of response equipment needs to be deployed and operated, as long as the remainder is properly maintained. If appropriate, testing of response equipment may be conducted while it is being deployed. Facilities without facility-owned response equipment must ensure that the oil spill removal organization that is identified in the response plan to provide this response equipment certifies that the deployment exercises have been met. Refer to the National Preparedness for Response Exercise Program (PREP) Guidelines which satisfy Oil Pollution Act (OPA) response exercise requirements.

## 1.3.3 Response Equipment Testing / Deployment

Response equipment testing and deployment information for the contracted Oil Spill Removal Organization (OSRO) is provided in Appendix B. Frick Services Liquid Terminal equipment testing information is documented using the Response Equipment Inspection Form provided in Appendix G. The response equipment shall be inspected on a semi-annual basis. Frick Services Liquid Terminal deployment information is documented using the Equipment Deployment Exercise form provided in Appendix H. The equipment deployment exercise is conducted on an annual basis. The OSRO participates in the equipment deployment exercises or conduct its own equipment deployment exercises annually.

If additional response capacity is necessary, the OSRO will be contacted. The OSRO that is identified in this plan to provide this response equipment and USEPA certify that the deployment exercises have been met (see Appendix M). Clean Harbors Environmental Services is contracted to provide oil spill removal services and to provide an additional member of the Spill Management Team. The written commitment between Clean Harbors Environmental Services and Frick Services, Inc. is included in Appendix B. Clean Harbors Environmental Services will respond to spill scenarios as described in this plan. Clean Harbors Environmental Services will handle all spill situations dealing with a discharge of oil either reaching or having the potential to reach Lake Michigan. Clean Harbors Environmental Services has U.S. Coast Guard classifications A through E as well as shoreline capability for rivers, inland waters, and the Great Lakes.

The response equipment inspection log is provided in Appendix L. An equipment deployment exercise was completed by Frick Services on July 20, 2009 with representatives of the US EPA Region 5 and the OSRO. A letter from the US EPA providing details of the successful completion of the exercise, along with the completed Equipment Deployment Exercise form, is included in Appendix M. An equipment deployment exercise was completed by Frick Services on August 20, 2010 with representatives of the OSRO. Completed forms are included in Appendix M, including OSRO certification of equipment testing and deployment. An equipment deployment exercise was completed by Frick Services on August 21, 2012 with representatives of the OSRO. Completed forms are included in Appendix M, including OSRO certification of equipment testing and deployment.

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**1.4.2 Vulnerability Analysis**

The vulnerability analysis shall address the potential effects (i.e., to human health, property, or the environment) of an oil discharge. Attachment C-III to Appendix C to this part provides a method that owners or operators shall use to determine appropriate distances from the facility to fish and wildlife and sensitive environments. Owners or operators can use a comparable formula that is considered acceptable by the RA. If a comparable formula is used, documentation of the reliability and analytical soundness of the formula must be attached to the response plan cover sheet. This analysis must be prepared for each facility and, as appropriate, must discuss the vulnerability of:

(1) Water intakes (drinking, cooling, or other);
(2) Schools;
(3) Medical facilities;
(4) Residential areas;
(5) Businesses;
(6) Wetlands or other sensitive environments; \2\
(7) Fish and wildlife;
(8) Lakes and streams;
(9) Endangered flora and fauna;
(10) Recreational areas;
(11) Transportation routes (air, land, and water);
(12) Utilities; and
(13) Other areas of economic importance (e.g., beaches, marinas) including terrestrially sensitive environments, aquatic environments, and unique habitats.

## 1.4.2 Vulnerability Analysis

This section discusses environmentally sensitive and economically important areas that may be impacted by an oil spill from Frick Services Liquid Terminal. The US EPA Inland Sensitivity Atlas (ISA) for Northern Indiana was consulted to determine which vulnerable areas could be impacted and is discussed below. Spills or releases in tank farms would be contained by secondary containment dikes. An uncontained release at the terminal would flow north towards the East Harbor of Burns International Harbor on Lake Michigan.

The worst-case scenario assumes the spill is not contained by secondary containment, naturally-occurring variations in surface gradient or man-made structures such as low areas in streets, parking lots, or bar ditches. The worst-case discharge volume determination sheets can be found in Appendix F. Response actions that would be implemented should a release from the facility threaten these areas can be found in Section 1.7, Plan Implementation. The Burns International Harbor can be isolated from Lake Michigan by a boom placed between the northeast seawall and breakwater. The distance between the

Frick Services barge loading area and the boom location is approximately 4,000 feet. The locations of response equipment in the event of a release are shown in Figure 5 in Appendix C.

However, the planning distance cannot be limited by man-made structures such as a breakwater. The planning distance for the worst-case discharge (1.9 MM Gallons) from the Facility is for oil transport on still water is calculated as described in U.S. EPA regulations. A worksheet appears in Appendix F. The planning distance is 23 miles east of Burns Harbor and 23 miles west of Burns Harbor, as illustrated in Figure 4 in Appendix C.

**Water Intakes**

According to the ISA and Indiana Port Authority, drinking water intakes and industrial water intakes are not located on Burns International Harbor. Industrial surface water intakes are located 4500 feet west of the east of the harbor (Water Filtration Plant, Midwest Steel), 6000 feet east of the harbor (Burns Harbor Division Water Intake), and 8300 feet east of the harbor (Bailly Generating Station). These intakes are unlikely to be impacted from a discharge at the terminal, as a large spill in the barge loading area escaping secondary containment would be prevented from flowing into Lake Michigan with the placement of a boom between the northeast seawall and breakwater. Additional water intakes are several miles west off Gary.

**Daycare, Schools, Hospitals and Nursing**

Portage Memorial Hospital is located approximately 7 miles south-southwest of the facility. The hospital should be notified immediately if an oil release results in medical emergencies. There are no schools within three miles of the terminal boundary. An EDR database was used to identify a total of 64 sensitive receptors within ¾ mile of the lakefront and within 23 miles of Burns Harbor: daycare (4), schools (26), hospitals (32) and nursing (2) facilities. These are listed on the Sensitive Receptor Table in Appendix F.

**Residential and Commercial Areas**

The area surrounding the facility mainly consists of industrial facilities and undeveloped land. There are no residential neighborhoods within one mile of the facility. A trailer park of approximately 50 homes is located 1 mile to the southeast, south of Route 12. A subdivision

of single family homes is located between 1½ to 2 miles southwest along Route 249. Other residential neighborhoods are located 1 ½ to 2 miles southeast, in the Town of Burns Harbor. Further east within Indiana Dunes National Lakeshore are the communities of Dune Shores and Beverly Shores.

The East Harbor Arm of Burns International Harbor adjoins the Frick Services Terminal to the northeast. Mittal Steel is located directly east beyond Boundary Drive. Oil storage tanks operated by Tanco Terminals, Inc. are situated between the Frick Services fuel oil storage tank, and the fertilizer and soybean oil storage tanks. Steel Alloy Company and Alternative Distribution Systems are adjoining to the south and southwest. Industries farther southwest include Frick Services' Dry Loading and Midwest Steel Division. Central Coil is directly west, followed by Federal Marine Terminals and Great Lakes Processing, followed by the West Harbor Arm of Burns International Harbor. Jack Gray Transport, O-N Minerals, Lakes and Rivers Transfer and Cargill are located northwest of the terminal.

**Inland Sensitivity Atlas**

Sensitive areas identified by the Inland Sensitivity Atlas within a 23 mile planning distance are illustrated on Figure 4. The coastline at and west of Burns Harbor is shown to be of Low Sensitivity, with a portion east of Gary to be of Low-Medium Sensitivity (Ogden Dunes). The coastline east of Burns Harbor is shown to be of Medium-High Sensitivity (Indiana Dunes). No portion of the lake shore within the planning distance is shown as High Sensitivity.

**Wetlands or Other Sensitive Areas**

Based on a review of the ISA, no wetlands or other sensitive areas are located on the shoreline of the Burns Harbor. East of Burns Harbor the ISA shows wetlands at the Indiana Dunes National Lakeshore, Dune Acres and Beverly Shores.

**Fish and Wildlife**

Based on a review of the ISA, no fish and wildlife were identified in the harbor area. About a mile east of the mouth of the harbor is an area of sensitive species (state endangered fish) and also along the Indiana Dunes.

**Endangered Flora and Fauna**

Based on a review of the ISA, no endangered flora and fauna species were identified in the harbor area. Adjacent and southeast of the terminal is a multiple species grouping of Aquatic/Riparian Zone Vascular Plants (state threatened and endangered) and Upland Zone Vascular Plants (state endangered). Approximately 2000 feet southwest of the terminal is a multiple species grouping of Aquatic/Riparian Zone Birds (state endangered), Aquatic/Riparian Zone Vascular Plant (state threatened and endangered), and Upland Zone Vascular Plants (state threatened and endangered). Several other endangered flora and fauna species areas were identified on the ISA, including two approximately 7000 feet southwest of the terminal, one 5000 feet south of the terminal, and three 7000 feet east of the terminal. Several such areas are identified to the east by the ISA within the Indiana Dunes.

These areas are likely to be impacted from a release at Frick Services unless significant amounts of oil were to escape Burns Harbor.

**Lakes, Streams, and Rivers**

A large spill escaping secondary containment in the Frick Services Terminal bulk tank storage areas would flow north, following the slope of the land, into the East Harbor Arm. The harbor is connected to Lake Michigan at the northeast termination of the breakwater defining the harbor. The flow direction of Lake Michigan in the vicinity of Burns International Harbor is east to west, according to the Indiana Port Authority. Based on conversations with Port of Indiana personnel, Frick Services Liquid Terminal has determined that a large spill in the barge loading area escaping secondary containment would be prevented from flowing into Lake Michigan with the placement of a boom between the northeast seawall and breakwater.

The Little Calumet East Fork State Outstanding River runs east-west approximately 7200 feet south of Frick Services within Indiana Dunes National Lakeshore. It is unlikely to be impacted from a release at Frick Services, as an uncontained release at the terminal would flow north towards the East Harbor of Burns International Harbor on Lake Michigan.

**Recreational Areas**

The Burns International Harbor DNR Public Access Site is located along the shoreline of Burns International Harbor, which is a handicap accessible public fishing site for shoreline anglers (dawn to dusk) located north of the mooring used by Frick Services, on the west side of the East Harbor Arm. Protection of this area may be required in the event of a release of oil.

The Indiana Dunes National Lakeshore is a federally managed natural resource area with locations 8500 feet east, 7000 feet west, and 7200 feet south of the terminal. It is unlikely to be impacted from a release at Frick Services, as an uncontained release at the terminal would flow north towards the East Harbor of Burns International Harbor on Lake Michigan.

**Transportation Routes**

The following transportation routes are in the immediate vicinity of the facility:

- Boundary Road, which runs north-south, adjacent to the east of the facility
- Waterway Drive, which runs east-west, 1,000 feet south of the facility
- George Nelson Drive, which runs north-south, 900 feet west of the facility

Regional transportation routes nearby include:

- Route 12 (Dunes Highway), an east-west highway located approximately 1 mile south of the facility
- Interstate Highway 94 located approximately 2 miles south of the facility

The East Harbor Arm of Burns International Harbor is on the northeast border of the facility. The Harbor allows Frick Services to ship products via Lake Michigan. A system of pipes and pumps transfers product to two dock-side manifold stations for product transfer to barges. The two dock-side manifold stations are designated for two different product transfers. One manifold is for petroleum products (connected only to Tank 8), and the other is for non-petroleum based materials (fertilizers).

### Utilities

The entire port area is built in a former sand dune area, and no storm sewers were installed. Storm water either infiltrates the ground or flows north across paved areas toward the harbor. Spills not contained by the tank dike structures would not impact Frick Services sanitary sewer utilities because no sanitary sewers are located downgradient of the tank farms.

### Response Actions to Protect Sensitive and Important Areas

Because a spill could pose a variety of types of threats, response actions are outlined in a general nature only. During a response to a release, the expertise of OSROs will be used to provide the most comprehensive and effective response possible.

### Response Resources for the Planning Distance

The Indiana Port Authority is capable of responding to contain a spill from Frick Services Liquid Terminal to Burns International Harbor. The Port Authority maintains a 1,000-foot containment boom near the East Harbor Arm that would be used to contain a release within the harbor. Clean Harbors Environmental Services (the OSRO identified in Section 1.3.4 and Appendix B) maintains containment booms and pumps, and is capable of responding to a spill from the Frick Services Liquid Terminal to contain and/or recover a release.

The surface gradient at the Frick Services Liquid Terminal generally slopes to the north toward the harbor. Potential spills are prevented by secondary containment dikes constructed for all storage tanks. In-service bulk storage tanks are routinely inspected when empty. Inspection records are kept in the Frick Services Liquid Terminal Operations Office. Readings from level gauges on the bulk storage tanks are monitored in the Operations Office, and prior to loading of the tanks or barges, they are surveyed by Marine Technical Services to determine available capacity. Small spills may occur in the bulk storage areas, barge loading/unloading area, or at the truck loading/unloading areas. The following scenarios are the most likely causes of a small spill during normal operations in these areas:

- Piping or valve leaks
- Pump seal failures
- Tank overfills

- Overfills while loading/unloading tanker trucks

The following scenarios are the most likely causes of a release qualifying as a medium spill:

- Piping or valve failures or ruptures
- Tank leaks
- Tank overfills
- Tank truck overfills

The horizontal range of migration of a potentially small or medium release/spill would be limited to the secondary containment structure surrounding the tank where the spill occurred.

A worst-case loss of fuel oil or soybean oil from the Frick Services Liquid Terminal may be caused by a complete tank failure or natural disaster. A tank failure would result in an initial release to a secondary containment area.

In event of a worst case discharge of oil that is not confined to Burns Harbor the Area Contingency Plan command and resources must be deployed.

**Spill Prediction**

The purpose of this section is to provide general predictions of the direction, rate of flow, and total quantity of oil that could be discharged from the Frick Services Liquid Terminal as a result of major types of failure. Fuel oil and soybean oil are stored, piped or transported throughout the facility therefore, spills could occur at various locations. The following are possible discharge scenarios:

Failure of manifold and mechanical loading arm, other transfer equipment or hoses

- Tank overfill
- Tank failure
- Piping leaks
- Piping rupture

- Explosion and/or fire
- Equipment failure

**Barge Loading Area**

Spills could potentially occur during the transfer of fuel oil into barges (or the transfer of fertilizer from the barges) at the barge loading/unloading area. Manifolds and mechanical loading arms are not present in this area. However, other transfer equipment (e.g. pumps and hoses) is utilized. The barge pump can typically unload/load material at 35.7 barrels per minute or 500 tons per hour at 100 pounds of pressure. Transfer operations typically run for 10 to 12 hours for each loading/unloading activity. Transfers of fuel oil from the facility to tanker barges/tanker vessels typically range in volume of between 14,000 barrels and 40,000 barrels maximum. During transfers, the barge is continuously manned by a tankerman (Midwest Tankerman) and longshoreman (Lakes & Rivers). Minor spills would be contained by curbing present under the transfer equipment. Based on conversations with Port of Indiana personnel, Frick Services Liquid Terminal has determined that a release into the East Harbor Arm will be contained within Burns International Harbor.

**Bulk Storage Areas**

Secondary containment structures in the bulk storage areas are constructed with a clay lining. Frick Services has recently tested the clay material lining the base of the containment areas to verify the low hydraulic conductivity in a range sufficiently impermeable for spill recovery.

Spills resulting from tank overfilling in the bulk storage areas would most likely be contained within secondary containment dikes. The rate of a tank overflow would depend on the flow rate during the transfer to the tank. The total quantity of product that may be released depends upon the particular transfer rate, and the duration of the release event.

Tank failure could potentially release the entire contents of the tank to the surrounding secondary containment area. Recycled No. 4 Fuel Oil is stored in Tank 8 (44,000 barrel capacity), the only tank within the earthen berm that serves as secondary containment for that tank. Soy bean oil is stored in Tank 7 (66,700 barrel capacity), one of six tanks within an earthen berm that serves as secondary containment for the tanks. The other tanks within

this area are used for the storage of fertilizer solutions and calcium chloride solutions. The maximum possible volume of spilled material due to a tank rupture would equal the tank capacity as a conservative estimate, because Frick Services' SOPs indicate that tanks are not to be filled beyond 85% of their capacity. A failure could be an instantaneous failure, causing the release of the entire volume of the tank at one time or a gradual leak of variable size, volume, and flow rate. Secondary containment capacities are listed on Figure 1. Leaks could occur at tank and piping connections, valves, pumps, and other product-handling equipment. The volume and rate of flow releases due to a leak are variable, depending upon the type of leak.

**Underground Piping**

The total quantity of a potential release of fuel oil from the fuel oil bulk tank to the barge loading area depends upon the particular transfer rate and the duration of the release event.

**Truck Loading/Unloading Areas**

Releases resulting from truck overflows at the truck loading/unloading docks would be contained within the secondary containment around these areas. The truck overflow rate would depend on the transfer rate from the tank. The total quantity of a potential release depends upon the particular transfer rate and the duration of the release event.

Releases resulting from the rupture of a truck could potentially release the entire contents of the truck to the surrounding containment area. Trucks carry up to 12,000 gallons in two separate compartments, ranging in size from 2,000 to 10,000 gallons each. Therefore, the maximum release due to a tank rupture is 10,000 gallons. A rupture could be an instantaneous failure resulting in the release of the entire volume of one compartment, or a gradual leak of variable size. Leaks may occur at tank and piping connections, valves, pumps, and other material handing equipment. The release volume and rate of flow due to a leak are variable and depend on the type of leak.

**1.8.3 Response Training**

Section 112.21(a) requires facility owners or operators to develop programs for facility response training. Facility owners or operators are required by Section 112.20(h)(8)(iii) to provide a description of the response training program to be carried out under the response plan. A facility's training program can be based on the USCG's Training Elements for Oil Spill Response, to the extent applicable to facility operations, or another response training program acceptable to the RA. The training elements are available from the USCG Office of Response (G-MOR) at (202) 267-0518 or fax (202) 267-4085. Personnel response training logs and discharge prevention meeting logs shall be included in sections 1.8.3.1 and 1.8.3.2 of the response plan respectively. These logs may be included in the facility response plan or kept as an annex to the facility response plan.

## 1.8.3 Response Training

All new employees are carefully trained and supervised during the first year of employment. Each new employee is accompanied by trained personnel on each new work assignment and instructed regarding proper operational and maintenance spill prevention, and emergency response procedures. New employees are not given sole responsibility for any specific work assignment until they have proven themselves qualified by conducting normal assignments under the direct supervision of trained personnel. Existing employees receive annual response training and attend discharge prevention meetings on selected topics. Potential topics are described in 33 CFR 154 Appendix D, which is included within Appendix I of this FRP. Among the topics addressed with Frick employees in Discharge Prevention Meetings and Training include:

- Notification requirements
- Communication system
- Procedures to mitigate or prevent oil discharge
- Operational capabilities of OSRO
- Area Contingency Plan
- Qualified Individual responsibility
- Material safety data sheet
- Worker Health and Safety (OSHA)
- Deployment Exercise

### 1.8.3.1 *Personnel Response Training Logs*

The facility keeps a personnel training log that includes a record of all formal response training received by each employee. Examples of personnel training logs and discharge prevention meeting logs are included in Appendix I of this Plan. Completed personnel response training logs are also included in Appendix I.

Frick Services Liquid Terminal will certify that its Qualified Individual and Emergency Response Contractors assigned to all levels have received the required training or equivalent and are competent. Copies of certificates should be kept with initial and refresher training documentation. Initial training and the method used to satisfy the refresher training / competency demonstration requirement must be documented in writing for each employee trained for spill response. This documentation should include the type of training, the date of the training, and the number of hours completed.

Prior to assignment by the Owner to the position of Qualified Individual, the employee shall be questioned and examined as to his/her academic and physical knowledge of the oil transfer operations. This knowledge shall consist of the following items:

1. Be familiar with the tanks, i.e. know the number of oil tanks, the type of oil stored in each tank, and the capacity of each tank.

2. Be able to properly take oil readings at the individual tanks and at the remote level reading station east of Tank 4.

3. Be able to make a sketch of the piping and oil transfer stations, indicating all fill, suction, and check valves.

4. Be familiar with all sections of 154.310 of the Operations Manual, and be able to explain in detail his/her duties and responsibilities under this manual.

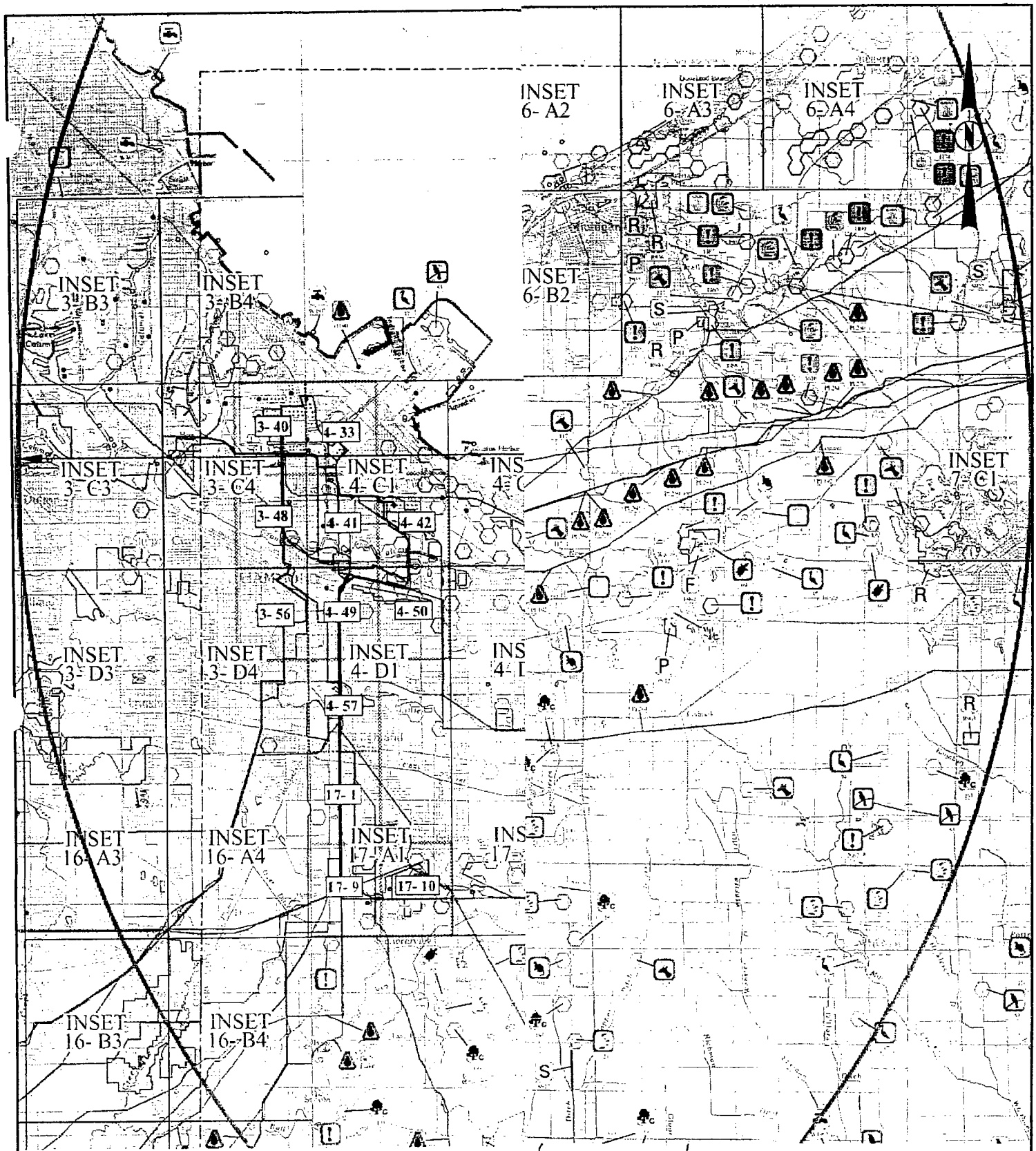
5. Be able to explain in detail his/her duties and responsibilities in the implementation of the Spill Incident Prevention Plan.

6. Be familiar with phone locations and call numbers.

### *1.8.3.2 Discharge Prevention Meeting Logs*

Discharge prevention meetings will be conducted at the facility as needed for all personnel involved in the Plan to review the manual and the latest revisions and update spill cleanup procedures. Training programs should also be conducted in response to changes brought on by new employees, transfers, or promotions which involve spill response duties, and acquisition or introduction of new response equipment. Frequency of meetings will be conducted on an as needed basis when employee performance observed during drills or

actual spill response reveals a need for improvement by the QI or Operations. The discharge prevention meeting log is included in Appendix I. Completed discharge prevention meeting logs are also included in Appendix I. During the meetings, time will be devoted to discussing discharge prevention for the facility. Recent meetings have focused on barge hose inspection, tank inspections and pipeline testing. Additionally, a review of applicable regulations and other governmental requirements (HAZWOPER, USCG Captain of Ports Directives, and U.S. EPA guidelines) will be discussed. A source for topics can include 33 CFR 154 Appendix D, attached to this FRP at Appendix I.




NAT
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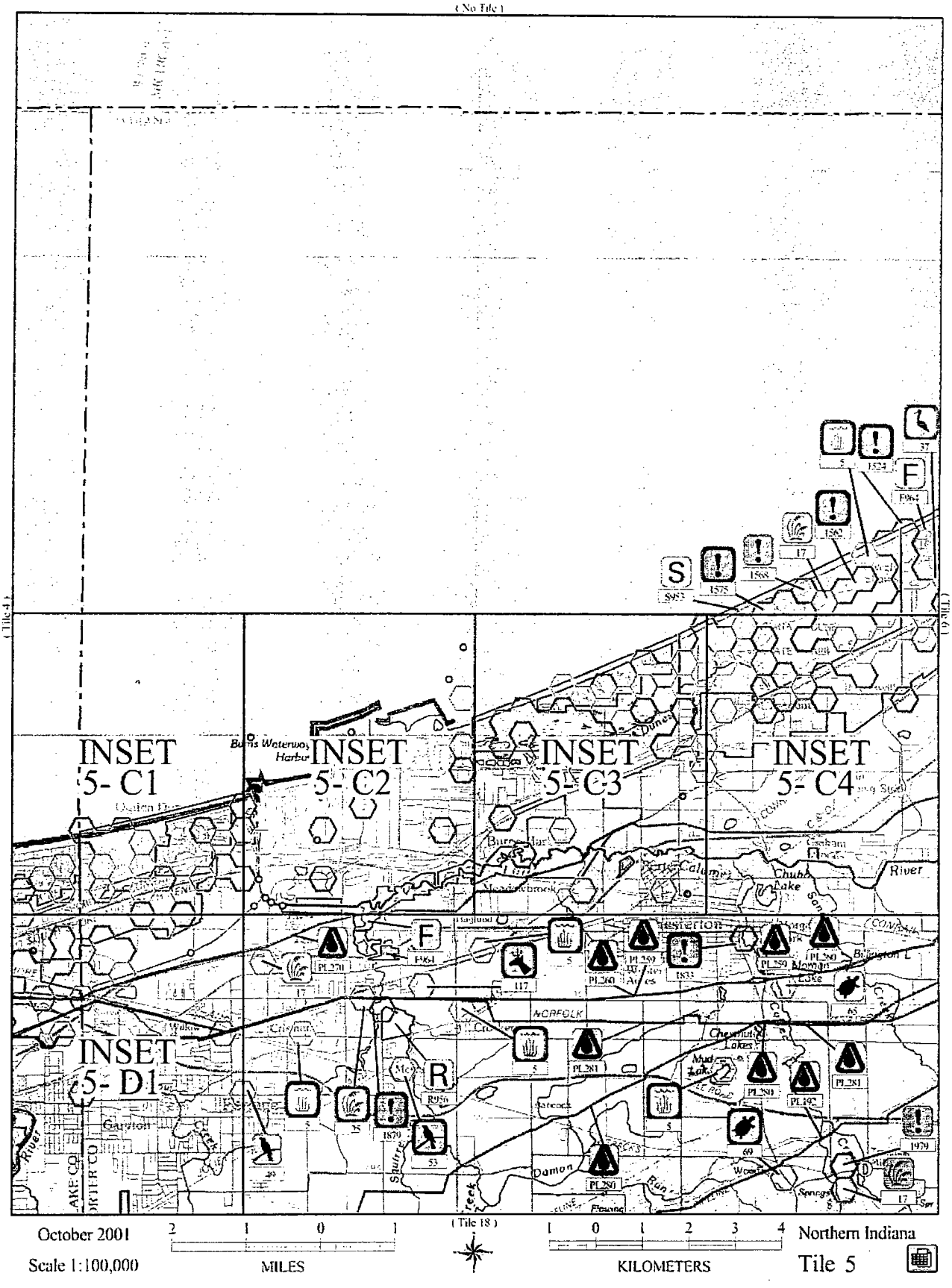
ESPONSE PLAN
ANALYSIS (1.4.2)

PORT OF INDIANA
HARBOR
E, INDIANA

BUREAU VERITAS

FIGURE

4

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| CHECK BY | BG |
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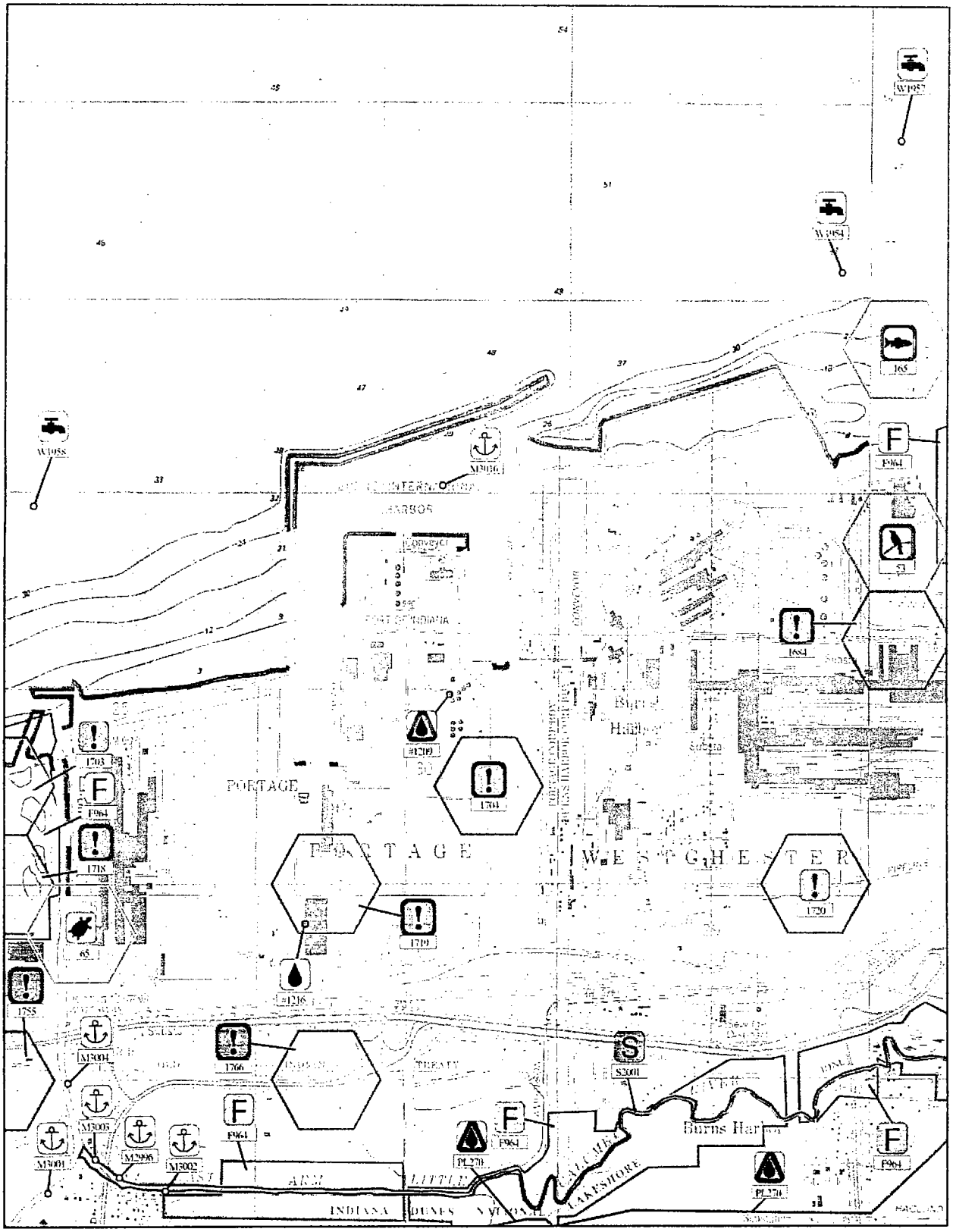
| DATE | 9/28/2012 |
| SCALE | AS SHOWN |
| CAD NO. | FRP_5 |
| PRJ NO. | 07012-000128.00 |

FACILITY RESPONSE PLAN
VULNERABILITY ANALYSIS (1.4.2)
NORTHERN INDIANA – TILE 5
TERMINAL – PORT OF INDIANA
BURNS HARBOR
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

4A




October 2001

Scale 1:25,000

3000 2000 1000 0 1000 FEET

200 0 200 400 600 800 METERS

Northern Indiana

Inset 5- C2

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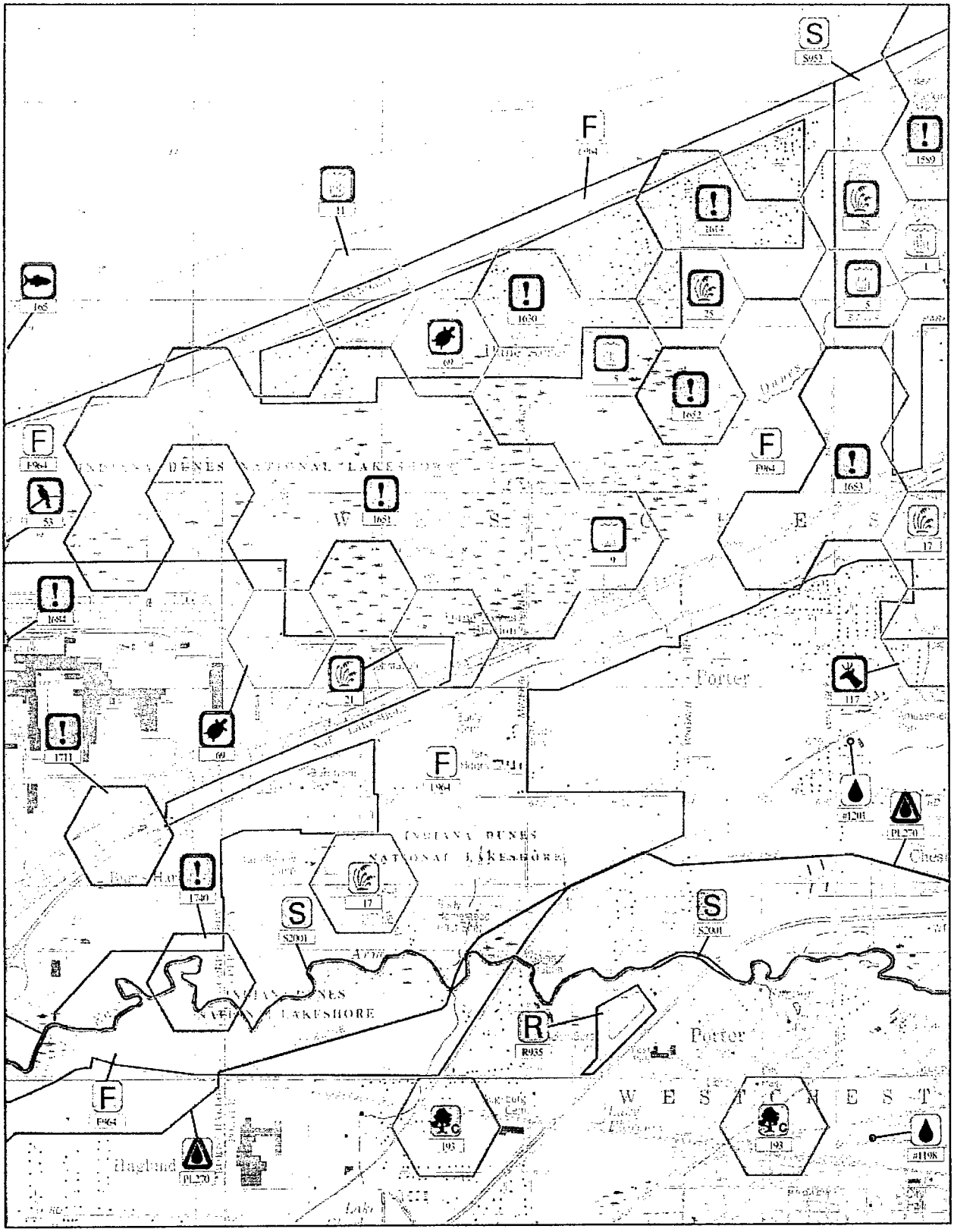
| CHECK BY | BG |
| DRAWN BY | JL |
| DATE | 9/28/2012 |
| SCALE | AS SHOWN |
| CAD NO. | FRP_5-C2 |
| PRJ NO. | 07012-000128.00 |

FACILITY RESPONSE PLAN
VULNERABILITY ANALYSIS (1.4.2)
NORTHERN INDIANA – INSET 5-C2
TERMINAL – PORT OF INDIANA
BURNS HARBOR
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

4B




October 2001
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METERS

Northern Indiana
Inset 5- C3

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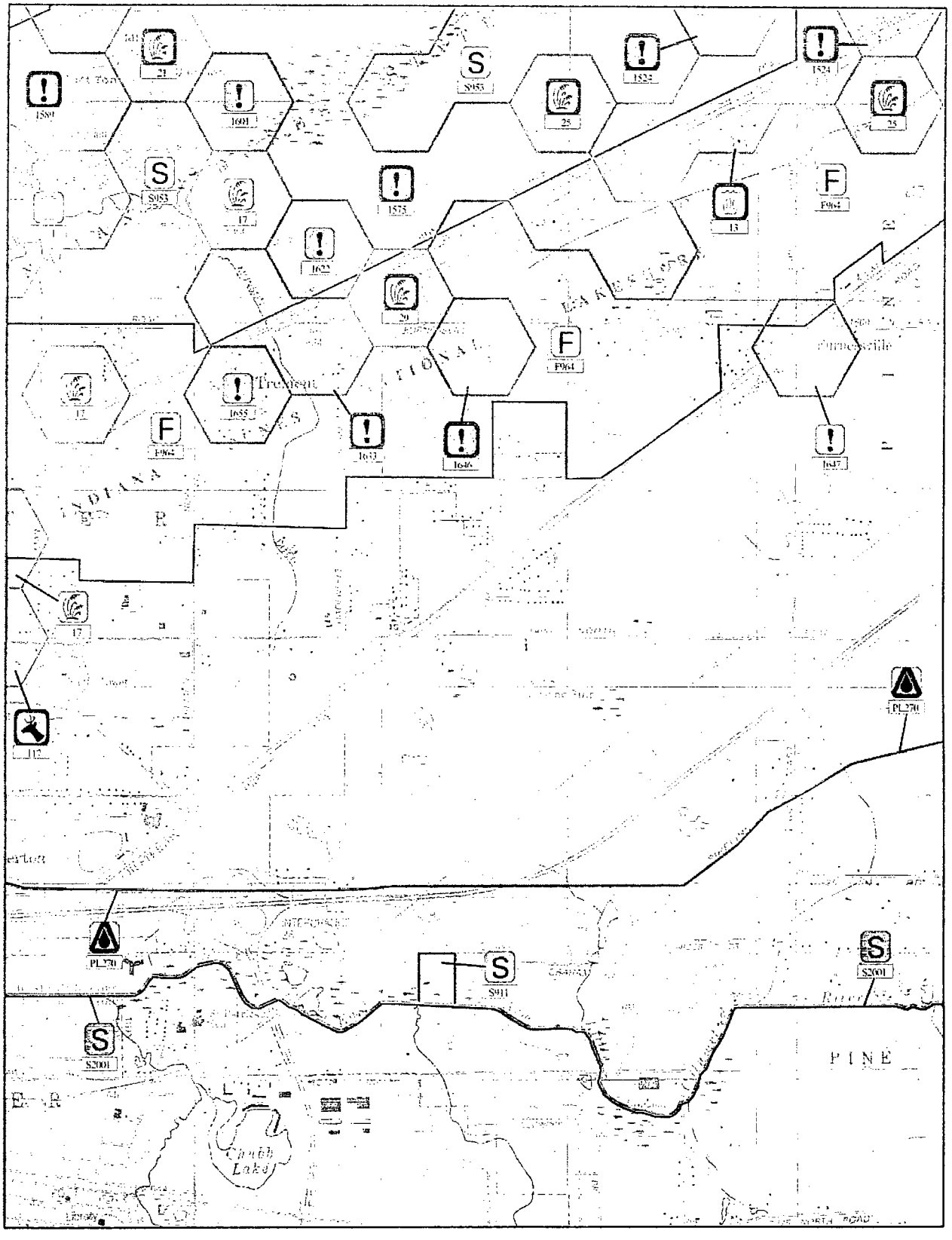
| DRAWN BY | JL |
| DATE | 9/28/2012 |
| SCALE | AS SHOWN |
| CAD NO. | FRP_5-C3 |
| PRJ NO. | 07012-000128.00 |

FACILITY RESPONSE PLAN
VULNERABILITY ANALYSIS (1.4.2)
NORTHERN INDIANA – INSET 5-C3
TERMINAL – PORT OF INDIANA
BURNS HARBOR
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE
4C




October 2001

Scale 1:25,000

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200 0 200 400 600 800 METERS

Northern Indiana

Inset 5- C4

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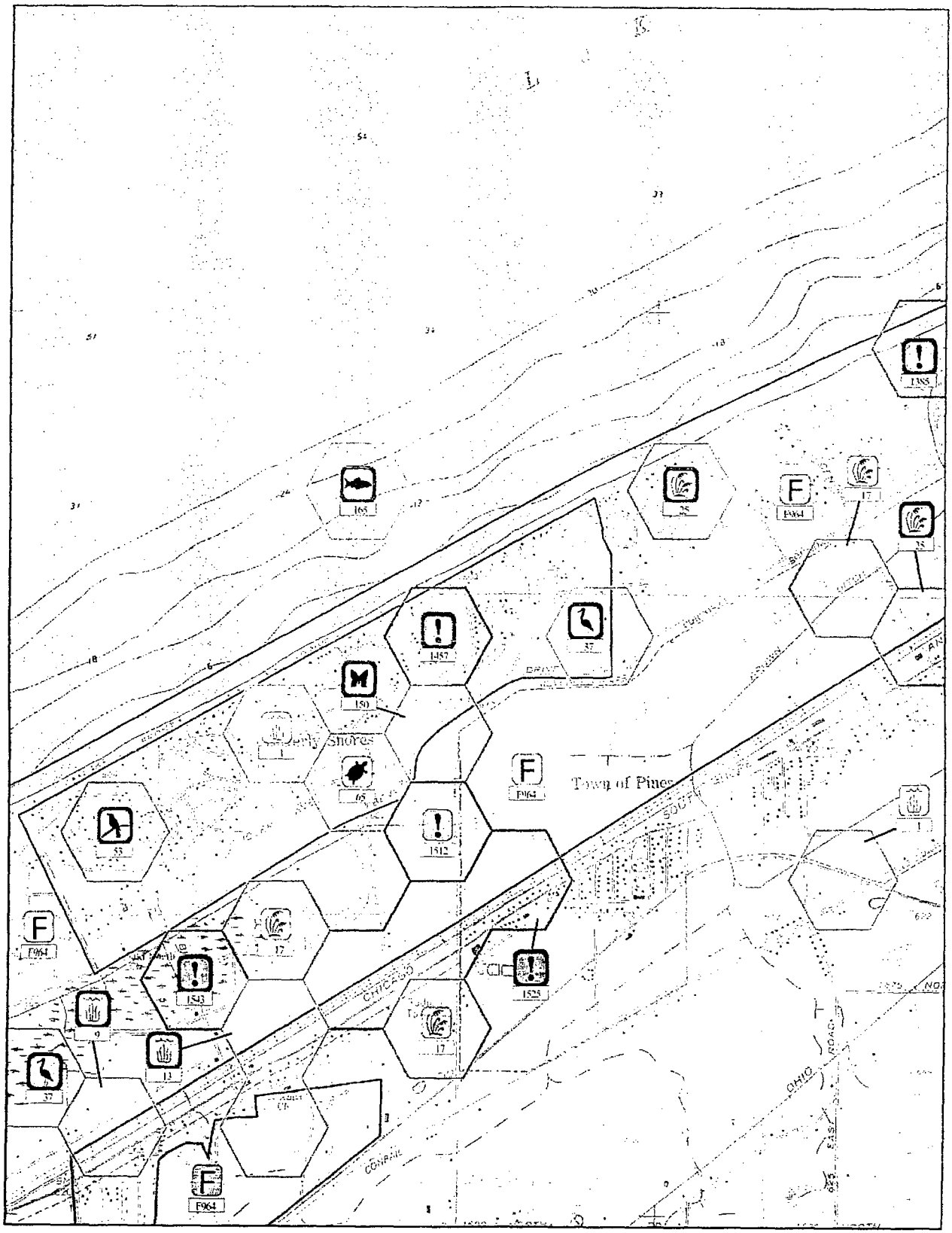
| DRAWN BY | JL |
| DATE | 9/28/2012 |
| SCALE | AS SHOWN |
| CAD NO. | FRP_5-C4 |
| PRJ NO. | 07012-000128.00 |

FACILITY RESPONSE PLAN
VULNERABILITY ANALYSIS (1.4.2)
NORTHERN INDIANA – INSET 5-C4
TERMINAL – PORT OF INDIANA
BURNS HARBOR
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

4D




October 2001

Scale 1:25,000

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200 0 200 400 600 800 METERS

Northern Indiana

Inset 6-B1

| | |
|---|---|
| CHECK BY | BG |
| DRAWN BY | JL |
| DATE | 9/28/2012 |
| SCALE | AS SHOWN |
| CAD NO. | FRP_6-B1 |
| PRJ NO. | 07012-000128.00 |

FACILITY RESPONSE PLAN
VULNERABILITY ANALYSIS (1.4.2)
NORTHERN INDIANA – INSET 6-B1
TERMINAL – PORT OF INDIANA
BURNS HARBOR
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

4E

# SENSITIVE RECEPTOR LISTING

23 MILE RADIUS WITHIN .75 MILE FROM SHORELINE

| STD_ID | MAPID | CLUSID | TYPE | NAME | DISTTP | ELEV | X_COORD | Y_COORD |
|---|---|---|---|---|---|---|---|---|
| SRDCIN200703528 | 572 | BR | Daycare | GOD'S CREATIVE CHILDREN'S DAY CARE MINISTRY | 70947.5877316 | 604.3980000 | -86.910633254 | 41.711006842 |
| 4200700391 | 639 | BR | Daycare | MOTHER GOOSE/TOM THUMB | 73999.5011510 | 605.9950000 | -86.900497395 | 41.714534801 |
| SRDCIN200700359 | 767 | CH | Daycare | A BEAUTIFUL COMBINATION DAYCARE CENTER, INC. | 79014.1857993 | 590.2220000 | -87.438889600 | 41.644945433 |
| SRDCIN200700390 | 976 | CS | Daycare | ABC ROOM/BYRD HOUSE | 85337.7137845 | 619.6800000 | -86.863508356 | 41.728790897 |
| SRHO20070421258 | 12 | C | Hospital | GOOD SHEPHERD HOMECARE INC | 23923.5827690 | 601.6070000 | -87.234405482 | 41.618152793 |
| SRHO20070033911 | 15 | C | Hospital | WRIGHT HOME HEALTH | 24525.5228286 | 600.1640000 | -87.237014781 | 41.619093256 |
| SRHO20070029884 | 44 | H | Hospital | ARC BRIDGES, INC | 28991.9614165 | 614.5680000 | -87.252259662 | 41.614380524 |
| SRHO20070030033 | 69 | H | Hospital | ARC BRIDGES, INC | 30760.1119122 | 617.3650000 | -87.257861779 | 41.611430393 |
| SRHO20070033772 | 641 | BR | Hospital | HOME HEALTH SERVICES OF INDIANA | 74025.3830792 | 600.4890000 | -86.900956248 | 41.715525160 |
| SRHO20070224984 | 642 | BR | Hospital | HOME HEALTH SERVICES OF INDIANA LLC | 74025.3830792 | 600.4890000 | -86.900956248 | 41.715525160 |
| SRHO20070221336 | 643 | BR | Hospital | GREAT LAKES LABORATORIES | 74081.4257309 | 608.8500000 | -86.899867328 | 41.713990866 |
| SRHO20070221607 | 646 | BR | Hospital | MEMORIAL LABS | 74466.2433257 | 595.2420000 | -86.900312484 | 41.717454520 |
| SRHO20070031508 | 647 | BR | Hospital | MEMORIAL HOSPITAL OF MICHIGAN CITY | 74476.8717800 | 595.2100000 | -86.900380969 | 41.717644374 |
| SRHO20070221658 | 651 | BR | Hospital | NORTH CENTRAL COMMUNITY ACTION AGENCY | 74844.4232354 | 608.7320000 | -86.897237483 | 41.714701572 |
| SRHO20070224475 | 791 | CJ | Hospital | LAKESIDE MEDICAL CLINIC | 79982.5445624 | 590.2220000 | -87.442361817 | 41.646180877 |
| SRHO20070221072 | 792 | CJ | Hospital | LAKESIDE MEDICAL CLINIC | 80053.4404297 | 590.2220000 | -87.442622062 | 41.646173171 |
| SRHO20070030153 | 803 | CK | Hospital | BEACH CLIFF LODGE NURSING HOME | 80589.6268103 | 615.1960000 | -86.884615599 | 41.732040851 |
| SRHO20070225727 | 1153 | DW | Hospital | BENCHIK MEDICAL HEALTH CENTER | 94858.9818231 | 586.9410000 | -87.492191894 | 41.679413301 |
| SRHO20070033132 | 1159 | DW | Hospital | MAXIMUM REHABILITATION SERVICES | 95680.3353763 | 583.6730000 | -87.495917507 | 41.676301865 |
| SRHO20070228220 | 1160 | DW | Hospital | VITAL HOME & HEALTHCARE INC | 95680.3353763 | 583.6730000 | -87.495917507 | 41.676301865 |
| SRHO20070228423 | 1161 | DW | Hospital | WHITING MEDICAL CENTER | 95680.3353763 | 583.6730000 | -87.495917507 | 41.676301865 |
| SRHO20070224724 | 1196 | DW | Hospital | G P MAGSAYSAY MD | 97322.0120265 | 583.6640000 | -87.501368956 | 41.679249004 |
| SRHO20070223907 | 1217 | EG | Hospital | HAMMOND WHITING CARE CENTER | 98527.7681570 | 586.8830000 | -87.503738556 | 41.687981803 |
| SRHO20070029944 | 1218 | EG | Hospital | HAMMOND-WHITING CARE CENTER | 98527.7681570 | 586.8830000 | -87.503738556 | 41.687981803 |
| SRHO20070029606 | 1219 | EG | Hospital | HAMMOND-WHITING CONVALESCENT CENTER | 98527.7681570 | 586.8830000 | -87.503738556 | 41.687981803 |
| SRHO20070207318 | 1501 | EZ | Hospital | WILLIAM A WOOD | 105634.8718490 | 586.5930000 | -87.525722413 | 41.703809202 |
| SRHO20070212084 | 1502 | EZ | Hospital | EAST SIDE CLINICAL LABORATORY INC | 105705.7181120 | 586.9480000 | -87.525831990 | 41.704294202 |
| SRHO20070216444 | 1503 | EZ | Hospital | SENIORS HOME HEALTH CARE LTD | 105705.7181120 | 586.9480000 | -87.525831990 | 41.704294202 |
| SRHO20070026030 | 1504 | EZ | Hospital | SURGICORE | 105726.2930060 | 586.9480000 | -87.525893627 | 41.704342959 |
| SRHO20070216327 | 1505 | EZ | Hospital | SURGICORE INC | 105726.2930060 | 586.9480000 | -87.525893627 | 41.704342959 |
| SRHO20070207583 | 1689 | FU | Hospital | SOUTH CHICAGO FAMILY MEDICAL CENTER | 115466.9531350 | 586.8820000 | -87.546706382 | 41.744687675 |
| SRHO20070025000 | 1690 | FU | Hospital | BRANDON FAMILY HEALTH CENTER | 115466.9531350 | 586.8820000 | -87.546706382 | 41.744687675 |
| SRHO20070215152 | 1691 | FU | Hospital | SOUTH CHICAGO MEDICAL CENTER | 115466.9531350 | 586.8820000 | -87.546706382 | 41.744687675 |
| SRHO20070216899 | 1822 | GL | Hospital | SOUTH SHORE NURSING & REHAB CTR INC | 120699.5619670 | 585.9850000 | -87.559718634 | 41.759290852 |
| '0070024848 | 1823 | GL | Hospital | SOUTH SHORE NURSING AND REHAB | 120699.5619670 | 585.9850000 | -87.559718634 | 41.759290852 |
| 20070027665 | 1824 | GL | Hospital | SOUTH SHORE NUR & REHAB CENTER | 120699.5619670 | 585.9850000 | -87.559718634 | 41.759290852 |
| SRNH20060904137 | 1220 | EG | Nursing | HAMMOND-WHITING CARE CENTER | 98527.7681570 | 586.8830000 | -87.503738556 | 41.687981803 |
| SRNH20060903667 | 1825 | GL | Nursing | SOUTH SHORE NUR & REHAB CENTER | 120699.5619670 | 585.9850000 | -87.559718634 | 41.759290852 |
| SRPU20071037521 | 10 | C | School | NOBEL ELEMENTARY SCHOOL | 23328.9107696 | 614.7900000 | -87.231083933 | 41.615549745 |
| SRPU20071037526 | 79 | O | School | JACQUES MARQUETTE ELEM SCHOOL | 31769.2421956 | 597.8540000 | -87.262477704 | 41.613524795 |
| SRPU20071037525 | 80 | H | School | WILLIAM A WIRT SR HIGH SCH | 31779.1532213 | 623.0230000 | -87.261190176 | 41.610022095 |
| SRPU20071026901 | 99 | O | School | CHARTER SCHOOL OF THE DUNES | 33061.3514490 | 595.5910000 | -87.268709888 | 41.618057718 |
| SRPR20051018470 | 606 | BR | School | MARQUETTE HIGH SCHOOL | 73049.6330939 | 612.1010000 | -86.902428687 | 41.711224940 |
| SRPR20051018701 | 640 | BR | School | ST PAUL LUTHERAN SCHOOL | 74009.5947611 | 605.6680000 | -86.900490546 | 41.714593812 |
| SRPU20071024863 | 775 | CJ | School | EUGENE FIELD ELEMENTARY SCHOOL | 79704.8249214 | 590.2220000 | -87.441156471 | 41.648772405 |
| SRPU20071035264 | 784 | CK | School | MULLEN ELEMENTARY SCHOOL | 79889.6929503 | 608.5290000 | -86.884574507 | 41.727490356 |
| SRPR20051017706 | 1148 | | School | NOTRE DAME SCHOOL | 94033.2178387 | 624.4920000 | -86.836299052 | 41.741635843 |
| SRPU20071038898 | 1156 | DW | School | WHITING MIDDLE SCHOOL | 95233.6725582 | 590.2220000 | -87.493102752 | 41.681479806 |
| SRPU20071038899 | 1157 | DW | School | NATHAN HALE ELEMENTARY SCHOOL | 95513.6174462 | 586.9410000 | -87.494383431 | 41.680455547 |
| SRPU20071038900 | 1158 | DW | School | WHITING HIGH SCHOOL | 95592.6154925 | 590.2220000 | -87.494376583 | 41.681733943 |
| SRPR20051017917 | 1205 | DW | School | ST JOHN THE BAPTIST CATHOLIC S | 97618.0346730 | 583.6650000 | -87.502293511 | 41.680029409 |
| SRPU20071037805 | 1214 | DW | School | BENJAMIN FRANKLIN ELEM SCH | 98313.2924728 | 583.6970000 | -87.503779647 | 41.684688533 |
| SRPU20071025619 | 1517 | EZ | School | GALLISTEL ELEM LANGUAGE ACADEMY | 106930.5985740 | 590.2290000 | -87.529406935 | 41.707445331 |
| SRPR20051017933 | 1539 | EZ | School | BETHLEHEM LUTHERAN SCHOOL | 108065.5367990 | 586.9480000 | -87.533433885 | 41.708207429 |
| SRPR20051016712 | 1541 | EZ | School | ST FRANCIS DE SALES HS | 108235.9357340 | 590.7020000 | -87.533146245 | 41.710919603 |
| SRPU20071026664 | 1543 | FH | School | TAYLOR ELEM SCHOOL | 108605.1191940 | 587.1040000 | -87.532858606 | 41.715594433 |
| SRPR20051017094 | 1566 | FH | School | OUR LADY OF GUADALUPE - MIDDLE | 109819.1373990 | 587.7890000 | -87.535269297 | 41.721354112 |
| SRPU20071026660 | 1654 | FU | School | SULLIVAN ELEM SCHOOL | 114433.4731980 | 590.2290000 | -87.542925980 | 41.744179902 |
| SRPR20051016735 | 1704 | GC | School | ST MICHAEL THE ARCHANGEL SCHOO | 115935.2965990 | 589.8930000 | -87.547918576 | 41.745936577 |
| SRPU20071027168 | 1722 | GC | School | SOUTH CHICAGO COMMUNITY ELEM SCHL | 116498.3621800 | 586.9040000 | -87.550336115 | 41.745485231 |
| SRPR20051015943 | 1763 | GC | School | ST BRIDE ELEMENTARY SCHOOL | 118502.7362840 | 588.1910000 | -87.553370025 | 41.754960251 |
| SRPU20071028348 | 1807 | GC | School | BRADWELL COMM ARTS & SCI ELEM SCH | 119519.5395650 | 585.7140000 | -87.557088789 | 41.755493579 |
| SRPU20071026916 | 1814 | GL | School | POWELL ELEM PAIDEIA COMM ACADEMY | 120034.0129700 | 586.6990000 | -87.556677876 | 41.760052331 |
| SRPR20051017086 | 1830 | GL | School | ORIGINAL GLORIOUS LITTLE ANGEL | 121037.3527470 | 585.7180000 | -87.561184225 | 41.759042152 |

| | |
|---|---|
| 4 | Daycare |
| 32 | Hospital |
| 2 | Nursing |
| 26 | School |
| 64 | Total |

Appendix C to Part 112—Substantial Harm Criteria

Planning Distance calculated as 23 miles

Example below adjusted for Worst Case Discharge of 1,900,000 gallons. Oil tank in secondary containment but within 300 feet of surface water at Burns Harbor. No allowance made for overland flow, or Burns Harbor containment of spill. Effect spreading and 20 knot wind on oil release to Burns Harbor and Lake Michigan are calculated below.

3.2 *Example of the Planning Distance Calculation for Oil Transport on Still Water.* To assist those facilities which could potentially discharge into a still body of water, the following analysis was performed to provide an example of the type of formula that may be used to calculate the planning distance. For this example, a worst case discharge of 2,000,000 gallons is used.

(1) The surface area in square feet covered by an oil discharge on still water, A1, can be determined by the following formula,[2] where V is the volume of the discharge in gallons and C is a constant conversion factor:

[2] Huang, J.C. and Monastero, F.C., 1982. *Review of the State-of-the-Art of Oil Pollution Models* . Final report submitted to the American Petroleum Institute by Raytheon Ocean Systems, Co., East Providence, Rhode Island.

$A_1=10^5 \times V3/4 \times C$

C=0.1643

$A_1=10^5 \times$(2,000,000 gallons)3/4×(0.1643)  $A_1=10^5 \times$(1,900,000 gallons)3/4×(0.1643)

$A_1=8.74\times10^8$ ft$^2$  $A_2=8.41\times10^8$ ft$^2$

(2) The spreading formula is based on the theoretical condition that the oil will spread uniformly in all directions forming a circle. In reality, the outfall of the discharge will direct the oil to the surface of the water where it intersects the shoreline. Although the oil will not spread uniformly in all directions, it is assumed that the discharge will spread from the shoreline into a semi-circle (this assumption does not account for winds or wave action).

(3) The area of a circle=† $r^2$

(4) To account for the assumption that oil will spread in a semi-circular shape, the area of a circle is divided by 2 and is designated as $A_2$.

$A_2 = (\dagger r^2)/2$

Solving for the radius, r, using the relationship $A_1=A_2$: $8.74\times10^8$ ft$^2$ =(† $r^2$ )/2  $8.41\times10^8$ ft$^2$ =(† $r^2$ )/2

Therefore, r=23,586 ft  r=23,145 ft

r=23,586 ft÷5,280 ft/mile=4.5 miles  r=23,145 ft÷5,280 ft/mile=4.4 miles

Assuming a 20 knot wind *under storm conditions:*

1 knot=1.15 miles/hour

20 knots×1.15 miles/hour/knot=23 miles/hr

Assuming that the oil slick moves at 3 percent of the wind's speed:[3]

[3] *Oil Spill Prevention & Control.* National Spill Control School, Corpus Christi State University, Thirteenth Edition, May 1990.

23 miles/hour×0.03=0.69 miles/hour



APP F

(5) To estimate the distance that the oil will travel, use the times required for response resources to arrive at different geographic locations as shown in Table 3 of this attachment.

For example:

For Higher Volume Port Areas: 15 hrs×0.69 miles/hr=10.4 miles

For Great Lakes and all other areas: 27 hrs×0.69 miles/hr=18.6 miles 27 hrs×0.69 miles/hr=18.6 miles

(6) The total distance that the oil will travel from the point of discharge, including the distance due to spreading, is calculated as follows:

Higher Volume Port Areas: d=10.4+4.5 miles or approximately 15 miles

Great Lakes and all other areas: d=18.6+4.5 miles or approximately 23 miles d=18.6+4.4 miles or approximately 23 miles

# TRAINING ELEMENTS
33 CFR 154, Appendix D

## PART 154 - FACILITIES TRANSFERRING OIL OR HAZARDOUS MATERIAL IN BULK

### subpart i - RESPONSE PLANS FOR OTHER NON - PETROLEUM OIL FACILITIES

Appendix D to Part 154 - Training Elements for Oil Spill Response Plans

1. General 1.1The portion of the plan dealing with training is one of the key elements of a response plan. This concept is clearly expressed by the fact that Congress, in writing OPA 90, specifically included training as one of the sections required in a vessel or facility response plan. In reviewing submitted response plans, it has been noted that the plans often do not provide sufficient information in the training section of the plan for either the user or the reviewer of the plan. In some cases, plans simply state that the crew and others will be trained in their duties and responsibilities, with no other information being provided.

In other plans, information is simply given that required parties will receive the necessary worker safety training (HAZWOPER).

1.2The training section of the plan need not be a detailed course syllabus, but it must contain sufficient information to allow the user and reviewer (or evaluator) to have an understanding of those areas that are believed to be critical. Plans should identify key skill areas and the training that is required to ensure that the individual identified will be capable of performing the duties prescribed to them. It should also describe how the training will be delivered to the various personnel. Further, this section of the plan must work in harmony with those sections of the plan dealing with exercises, the spill management team, and the qualified individual.

1.3The material in this appendix D is not all-inclusive and is provided for guidance only.

2. Elements To Be Addressed 2.1To assist in the preparation of the training section of a facility response plan, some of the key elements that should be addressed are indicated in the following sections. Again, while it is not necessary that the comprehensive training program for the company be included in the response plan, it is necessary for the plan to convey the elements that define the program as appropriate.

2.2An effective spill response training program should consider and address the following:

2.2.1Notification requirements and procedures.

2.2.2Communication system(s) used for the notifications.

TRAINING ELEMENTS
33 CFR 154, Appendix D

2.2.3Procedures to mitigate or prevent any discharge or a substantial threat of a discharge of oil resulting from failure of manifold, mechanical loading arm, or other transfer equipment or hoses, as appropriate; 2.2.3.1Tank overfill; 2.2.3.2Tank rupture; 2.2.3.3Piping rupture; 2.2.3.4Piping leak, both under pressure and not under pressure, if applicable; 2.2.3.5Explosion or fire; 2.2.3.6Equipment failure (e.g., pumping system failure, relief valve failure, or other general equipment relevant to operational activities associated with internal or external facility transfers).

2.2.4Procedures for transferring responsibility for direction of response activities from facility personnel to the spill management team.

2.2.5Familiarity with the operational capabilities of the contracted oil spill removal organizations and the procedures to notify the activate such organizations.

2.2.6Familiarity with the contracting and ordering procedures to acquire oil spill removal organization resources.

2.2.7Familiarity with the ACP(s).

2.2.8Familiarity with the organizational structures that will be used to manage the response actions.

2.2.9Responsibilities and duties of the spill management team members in accordance with designated job responsibilities.

2.2.10Responsibilities and authority of the qualified individual as described in the facility response plan and company response organization.

2.2.11Responsibilities of designated individuals to initiate a response and supervise response resources.

2.2.12Actions to take, in accordance with designated job responsibilities, in the event of a transfer system leak, tank overflow, or suspected cargo tank or hull leak.

2.2.13Information on the cargoes handled by the vessel or facility, including familiarity with 2.2.13.1Cargo material safety data sheets; 2.2.13.2Chemical characteristic of the cargo; 2.2.13.3Special handling procedures for the cargo; 2.2.13.4Health and safety hazards associated with the cargo; and 2.2.13.5Spill and firefighting procedures for cargo.

2.2.14Occupational Safety and Health Administration requirements for worker health and safety (29 CFR 1910.120).

TRAINING ELEMENTS
33 CFR 154, Appendix D

3. Further Considerations In drafting the training section of the facility response plan, some further considerations are noted below (these points are raised simply as a reminder): 3.1The training program should focus on training provided to facility personnel.

3.2An organization is comprised of individuals, and a training program should be structured to recognize this fact by ensuring that training is tailored to the needs of the individuals involved in the program.

3.3An owner or operator may identify equivalent work experience which fulfills specific training requirements.

3.4The training program should include participation in periodic announced and unannounced exercises. This participation should approximate the actual roles and responsibilities of individual specified in the plan.

3.5Training should be conducted periodically to reinforce the required knowledge and to ensure an adequate degree of preparedness by individuals with responsibilities under the facility response plan.

3.6Training may be delivered via a number of different means; including classroom sessions, group discussions, video tapes, self-study workbooks, resident training courses, on-the-job training, or other means as deemed appropriate to ensure proper instruction.

3.7New employees should complete the training program prior to being assigned job responsibilities which require participation in emergency response situations.

4. Conclusion The information in this appendix is only intended to assist response plan preparers in reviewing the content of and in modifying the training section of their response plans. It may be more comprehensive than is needed for some facilities and not comprehensive enough for others. The Coast Guard expects that plan preparers have determined the training needs of their organizations created by the development of the response plans and the actions identified as necessary to increase the preparedness of the company and its personnel to respond to actual or threatened discharges of oil from their facilities.

**FrickServices, Inc.** **Facility Response Plan (40 CFR 112)**
**Discharge Prevention Meeting Log**

| | |
|---|---|
| DATE: 9-23-10 | |
| ATTENDEES: | |
| Jeff Harper Jeff Harper | Crawford M. Smith Crawford M. Smith |
| Kathy Breitenbach Kathy Breitenbach | |
| Lawrence Jones Lawrence Jones | |
| Randy C. Robbins Randy C Robbins | |
| Terrence Mundnez | |

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Tank Inspections | | 9-23-10 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

APP I

**Frick Services, Inc.** **Facility Response Plan (40 CFR 112)**
**Discharge Prevention Meeting Log**

| | | |
|---|---|---|
| DATE: 8-13-12 | | |
| ATTENDEES: | | |
| Jeff Harper | Crawford M. Smith | Crawford M. Smith |
| Kathy Breitenbach | | |
| Lawrence Jones | | |
| Randy C. Robbins | | |
| Tina L. Mathews | | |

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Dump hose Inspection | | 8-13-12 |
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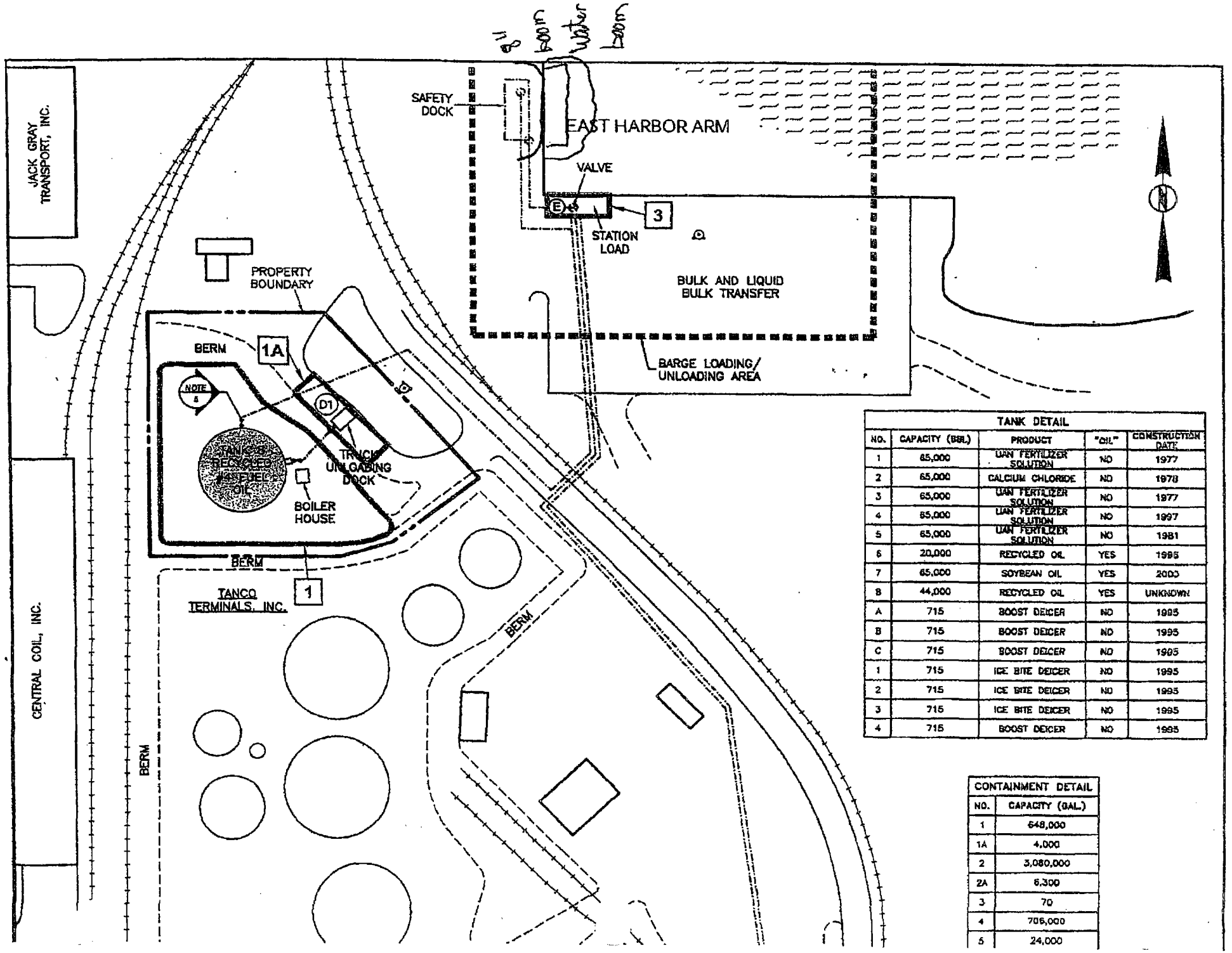
SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

APP I




| TANK DETAIL | | | | |
|---|---|---|---|---|
| NO. | CAPACITY (BBL) | PRODUCT | "OIL" | CONSTRUCTION DATE |
| 1 | 65,000 | UAN FERTILIZER SOLUTION | NO | 1977 |
| 2 | 65,000 | CALCIUM CHLORIDE | NO | 1978 |
| 3 | 65,000 | UAN FERTILIZER SOLUTION | NO | 1977 |
| 4 | 65,000 | UAN FERTILIZER SOLUTION | NO | 1997 |
| 5 | 65,000 | UAN FERTILIZER SOLUTION | NO | 1981 |
| 6 | 20,000 | RECYCLED OIL | YES | 1995 |
| 7 | 65,000 | SOYBEAN OIL | YES | 2000 |
| 8 | 44,000 | RECYCLED OIL | YES | UNKNOWN |
| A | 715 | BOOST DEICER | NO | 1995 |
| B | 715 | BOOST DEICER | NO | 1995 |
| C | 715 | BOOST DEICER | NO | 1995 |
| 1 | 715 | ICE BITE DEICER | NO | 1995 |
| 2 | 715 | ICE BITE DEICER | NO | 1995 |
| 3 | 715 | ICE BITE DEICER | NO | 1995 |
| 4 | 715 | BOOST DEICER | NO | 1995 |

| CONTAINMENT DETAIL | |
|---|---|
| NO. | CAPACITY (GAL.) |
| 1 | 648,000 |
| 1A | 4,000 |
| 2 | 3,080,000 |
| 2A | 6,300 |
| 3 | 70 |
| 4 | 706,000 |
| 5 | 24,000 |

APP I

FrickServices, Inc.

# Facility Response Plan (40 CFR 112)
# Personnel Response Training Log

| Name | Response Training (Date and Number of Hours) | Prevention Training (Date and Number of Hours) |
|---|---|---|
| Adam Riggs | 10/7/09 - 2 | 10/7/09 - 1 |
| GARY HAGEMAN Gary Hageman | 10/7/09 - 2 | 10/7/09 - 1 |
| Jeff Harper Jeff Harper | 10/7/09 - 2 | 10/7/09 - 1 |
| Randy C. Robbins Randy C Robbins | 10/7/09 - 2 | 10/7/09 - 1 |
| Kathy Breitenbach Kathy Breitenbach | 10/7/09 - 2 | 10/7/09 - 1 |
| Randy C. Robbins Randy C Robbins | 9/23-10 | 9/23/10 - 1 |
| Benny J. Martinez | | |
| Crawford M. Smith | | |
| Jeff Harper | | |
| Kathy Breitenbach | | |
| [illegible] | | |
| Jeff Harper | 9-28-11 | 9-28-11 |
| Benny J. Martinez | | |
| Crawford M. Smith | | |
| Randy C Robbins | | |
| [illegible] | | |
| Jeff Harper | 8-13-12 | 8-13-12 |
| Randy C Robbins | | |
| | | |
| Benny J. Martinez | | |
| Crawford M. Smith | | |
| Kathy Breitenbach | | |
| [illegible] | | |
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APP I

**Frick Services, Inc.** **Facility Response Plan (40 CFR 112)**
**Discharge Prevention Meeting Log**

| | | |
|---|---|---|
| DATE: 9-28-11 | | |
| ATTENDEES: | | |
| Jeff Harper Jeff Harper | | Randy E Robbins Randy E Robbins |
| Kathy Bretenbach Kathy Bretenbach | | |
| Lawrence Jones Lawrence Jones | | |
| Crawford M. Smith Crawford M. Smith | | |
| Rene L Martinez | | |
| **Subject/ Issue Identified** | **Required Action** | **Implementation Date** |
| Pipeline underground Testing | annually | 9-28-11 |
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| SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper | | |

APP I

**Frick Services, Inc.**

# Facility Response Plan (40 CFR 112)
# Response Equipment Inspection Log

2010-2011-2012

| Name | Inspection Date | Comments/Findings |
|---|---|---|
| Randy C. Robbins | OCT/10 | |
| Randy C. Robbins | JAN/11 | |
| Randy C. Robbins | MAR/11 | ordered spill pads. |
| Randy C. Robbins | MAY/11 | |
| Randy C. Robbins | July/11 | |
| Randy C. Robbin | Sept/11 | |
| Randy C. Robbins | Dec/11 | ordered spill socks |
| Randy C. Robbins | MAR/12 | |
| Randy C. Robbins | June/12 | |
| Randy C. Robbins | Aug/12 | ordered spill pads. |
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APP. L

Frick Services, Inc.

# Facility Response Plan (40 CFR 112)
# Qualified Individual Notification Exercise

| TOPIC emergency responce drill | EXERCISE INFORMATION |
|---|---|
| 1) Date Performed: | 8-21-12 |
| 2) Qualified Individual | jeff harper |
| 3) Exercise or Actual Response: | exercise |
| 4) Emergency Scenario: | blown 6" dock lime while loading oil barge |
| 4) Name of Person Notified: | OSRO clean harbors |
| 5) Others Contacted: | personal contact list down to uscg |
| 6) Time Initiated: | 8:12 am |
| 7) Time in Which Qualified Individual or Designee Responded: | 56 min. |
| 8) Method Used to Contact: | x Telephone<br>Pager<br>Radio<br>Other |

9) Description of Notification Procedure:

Contacted Frick employees, in person and by radio. contacted all others by phone/

10) Evaluation:

see corrections needed page.

11) Changes To Be Implemented:

see corrections page.

12) Time Table for Implementation:

immediate.

Certifying Signature: Jeff Harper

Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years.

APP M

EQUIPMENT DEPLOYMENT EXCERCISE

8-21-12

corrections needed to improve responce

1. Notify OSRO 1 day in advance of any barge loading or offloading. So their equipment would be ready for any emergency.
2. launch boom boat from Portage Marina. Larger boat can not be lanched from Port of Indianas dock
3. Have skimmer and 100' of boom loaded on the boat prior to launch.
4. Make sure at least 2 skimmers are on site.

APPM

**Frick Services, Inc.** **Facility Response Plan (40 CFR 112)**
**Equipment Deployment Exercise**

| TOPIC Equipment deployment | EXERCISE INFORMATION |
|---|---|
| 1) Date(s) Performed: | 8-21-12 |
| 2a) Exercise or Actual Response: | Exercise |
| 2b) If an Exercise, Announced or Unannounced: | Announced |
| 3) Deployment Locations: | Portof Indiana East Harbor Arm |
| 4a) Time Started: | 8:12 am |
| 4b) Time OSRO/HSRO Called: | 8:12 am |
| 4c) Time On-Scene: | 9:08 am |
| 4d) Time Boom Deployed: | 10:45am had to take boat to Portage marinatto launch |
| 4e) Time Recovery Equipment Arrives on Scene: | 9:08 am |
| 4f) Time Completed: | 11:20 am |
| 5) Equipment Deployed Was: | x Facility Owned<br>x OSRO/HSRO-Owned If so Which –<br>osro OSRO or HSRO<br>_____ Both |

6) List Type and Amount of all Equipment (e.g., Boom and Skimmers) Deployed and Number of Support Personnel Employed:

18' alluminum boat, 500# boom, flat bed truck,2 pickups, 5 clean harbor men, 2 frick employees, vac trailer, air compressor, 1 skimmer, 200' 2" hose, and air hose.

7) Describe Goals of the Equipment Deployment and List Any Area Contingency Plan Strategies Tested. (Attach a Sketch of Equipment Deployments and Booming Strategies:

Fricks equipment used to stop oil from entering east harbor, and soak up oil on the dock. Clean Harbors used to stop spread of oil in harbo,and recover oil on water.

8a) For Deployment of Facility-Owned Equipment, was the Amount of the Equipment Deployed at Least the Amount Necessary to Respond to Your Facility's Average Most Probable Spill?

Yes, 80' of boom to stop oil flow,to water. oil pads & blankets to absorb spilled oil

APP M

| |
|---|
| 8b) Was the Equipment Deployed in its Intended Operating Environment?<br>yes |
| 9a) For Deployment of OSRO/HSRO-Owned Equipment, was a Representative Sample (at Least 1000 Feet of Each Boom Type and at Least One of Each Skimmer Type) Deployed?<br>yes both boom & skimmer deployed. |
| 9b) Was the Equipment Deployed in its Intended Operating Environment?<br>yes |
| 10) Are all Facility Personnel that are Responsible for Response Operations Involved in a Comprehensive Training Program, and all Pollution Response Equipment Involved in a Comprehensive Maintenance Program? If so, Describe the Program:<br>Yes. Underground pipeline location, pipeline & hose preasure testing, tank & tank farm inspections. And deployment equipment inspections. |
| 11) Was the Equipment Deployed by Personnel Responsible for its Deployment in the Event of an Actual Spill?<br>yes |
| 12) Was all Deployed Equipment Operational? If not, why not?<br>Had problem with skimmer, OSRO and I decided at least 2 skimmers should be brought to the scene. |
| 13) Identify Which of the 15 Core Components of Your Response Plan were Exercised During this Particular Exercise: |
| 14) Attach a Description of Lesson(s) Learned, Procedures and Schedule for Implementation, and Personnel Responsible for Follow-up of Corrective Measures. |
| **Certifying Signature:** _____<br>Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years. |



APP M

Clean Harbors
Environmental Services, Inc.

**Internal Exercise documentation Form**
**Equipment Deployment Exercise**

11800 South Stony Island Ave
Chicago IL 60617
773.646.4699
773.646.6381 (facsimile)

1. Date performed: 8-21-12

2. Exercise or actual response: **Exercise**
   If an exercise, announced or unannounced: **Unannounced**

3. Deployment Locations: **Frick Services - Port of Indiana**

4. Time Started: **0730**

   Time Completed: **1430**

5. Equipment Deployed was: **CHES owned**
   Facility Owned
   Oil Spill removal organization owned if so which OSRO (Clean Harbors)
   Both

5. List types and amount of all equipment (e.g. boom & skimmers) deployed and number of support personnel employed: **27' Hanko flat bottom boat, 1000' 18" hard boom, 1 - Supervisor, 1- Operator, 3 - Field Technicians, 1 – Air Compressor, 1 - 4' skimmer unit and 1- 1,000 gallon Vacuum Unit.**

7. Describe goals of the equipment deployment and list any area contingency plan strategies tested. Attach a sketch of equipment deployment & booming stragagies)
**Deployed 18" boom around their dock area simulating that there was barge unloading and had a hose failure. Also deployed and operated a 4' skimming unit along with a 1,000 gallon vacuum unit.**

8. For deployment of facility owned equipment was the amount of equipment deployed at least the amount necessary to respond to your facility's average most probable spill? **No, CHES equipment only.**

9. For deployment of OSRO-owned equipment was a representative sample (at least 1000' of each boom type and at least one of each skimmer type) deployed. **Yes**

AP M

CleanHarbors
ENVIRONMENTAL SERVICES

Site Services Multi-Task Worksheet

Job Complete: (Yes) / No (Circle One)

Day & Date: TUES 08-21-12

Sales Order #: IL45825615

Job Description / Comments: RESPONSE TO MOCK SPILL DRILL IN WATER AT THE PORT of INDIANA IN PORTAGE IN.

Customer: FRICK SERVICES

Billing Address: 570 E. BOWDEY RD PORTAGE, IN

Contact: JEFF HARPER

Job Location: SAME

PO # / COD Amount:

Per Diem: Yes / (No) (Circle one) If yes, how many?:

Change Order Initiated: Yes / (NO) (Circle One)

| Task # / Description | Task # / Description | Task # / Description |
|---|---|---|
| MOCK SPILL DRILL ALL STRAIGHT + fine! | | |
| Task Complete: (Yes) / No (Circle One) | Task Complete: Yes / No (Circle One) | Task Complete: Yes / No (Circle One) |

| Component Type | Name | Title | ID # | ST | OT | DT | ST | OT | DT | ST | OT | DT |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | R. NORRIS | ~~CHES~~ FOR | 0253176 | 8 | | | | | | | | |
| | C. TRAVIS | E.D. | 0263223 | 8 | | | | | | | | |
| | M. LAMANTAGUE | TECH | 0246682 | 8 | | | | | | | | |
| | M. HAMMER | TECH | 0247253 | 8 | | | | | | | | |
| | A. BARVOLOVICI | TECH | 767225 | 8 | | | | | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| LIQUID: Bulk / Drum | | | | | | | | | | | | |
| SOLID: Bulk / Drum | | | | | | | | | | | | |
| Pickup / Van / Car (Crew Cab) (Circle One) | 4 RU | | | 1 | 8670 | 28 | | | | | | |
| Vacuum Trailer | | | | 1 | 8981 | 28 | | | | | | |
| Tractor | | | | | | | | | | | | |
| Vacuum Truck, Straight | | | | | | | | | | | | |
| Box Truck | | | | | | | | | | | | |
| Cusco / Guzzler / Vactor (Circle One) | SKID - VAC | | | 1 | C2201 | | | | | | | |
| Air Compressor, 175 CFM | | | | 1 | 2158 | | | | | | | |
| Backhoe Loader 1 Yd bucket | | | | | | | | | | | | |
| Bobcat Loader–Mini Excavator | | | | | | | | | | | | |
| Rack Truck | 4 YD | | | 1 | 5401 | | | | | | | |
| Rolloff Truck, Straight | | | | | | | | | | | | |
| Pressure Washer (PSI: ____) Hot / Cold (Circle One) | | | | | | | | | | | | |
| Meter Type: | | | | | | | | | | | | |
| 24' HONKO BOAT | BOAT 30 | | | 1 | V306 | | | | | | | |
| SKIMMER DRUM | SKIM 20 | | | 1 | S236 | | | | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Drum Type: | | | | | | | | | | | | |
| Drum Type: | | | | | | | | | | | | |
| Rope Type: | | | | | | | | | | | | |
| Degreaser Type: | | | | | | | | | | | | |
| Speedi Dry | | | | | | | | | | | | |
| Polycoated Rain Gear, 22mil | | | | | | | | | | | | |
| Poly Sheet, 6mil, 20ft x 100ft | | | | | | | | | | | | |
| Poly Bags, 6mil, per roll | | | | | | | | | | | | |
| Absorbent Pad (101 Grade) 100/bale | | | | | | | | | | | | |
| Absorbent Boom Each | | | | | | | | | | | | |
| Absorbent Boom Bale | | | | | | | | | | | | |
| Duct Tape/Roll | | | | | | | | | | | | |
| Safety Plan | | | | | | | | | | | | |
| Rolloff Poly Liner | | | | | | | | | | | | |
| 5 Gal / 20 Litre Poly Drum 1H2 | | | | | | | | | | | | |
| Rolloff / Intermodal / Frac Tank / Tanker (circle one) | | | | | | | | | | | | |
| Rolloff / Intermodal / Frac Tank / Tanker (circle one) | | | | | | | | | | | | |

| # of Complete Sets of PPE Used: | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| # of People in PPE: | PPED1 | PPEB2 | PPED1 | PPEB2 | PPED1 | PPEB2 | PPED1 | PPEB2 | PPED1 | PPEB2 | PPED1 | PPEB2 |
| PPED1=Level D w/(Tyvek, boots, gloves) PPEC3=Level C w/(CPF3 or Saranex suit) PPEB2=Level B w/(CPF2 or Poly Tyvek suit) PPEB4=Level B w/(CPF4 or Barricade suit) PPEC2=Level C w/(CPF1,2 or Poly Tyvek suit) PPEC4=Level C w/(CPF4 or Barricade suit) PPEB3=Level B w/(CPF3 or Saranex suit) PPEA5=Level A w/(Responder suit) | PPEC2 | PPEB3 | PPEC2 | PPEB3 | PPEC2 | PPEB3 | PPEC2 | PPEB3 | PPEC2 | PPEB3 | PPEC2 | PPEB3 |
| | PPEC3 | PPEB4 | PPEC3 | PPEB4 | PPEC3 | PPEB4 | PPEC3 | PPEB4 | PPEC3 | PPEB4 | PPEC3 | PPEB4 |
| | PPEC4 | PPEA5 | PPEC4 | PPEA5 | PPEC4 | PPEA5 | PPEC4 | PPEA5 | PPEC4 | PPEA5 | PPEC4 | PPEA5 |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Cartridge | | | | | | | | | | | | |
| Respirator | | | | | | | | | | | | |
| Suit | | | | | | | | | | | | |
| Inner Gloves | | | | | | | | | | | | |
| Outer Gloves | | | | | | | | | | | | |
| Breathing Air Bottle | | | | | | | | | | | | |

(Print) RAY NORRIS — CHES Rep (Sign) Ray Norris — Date: 08-21-12

(Print) JEFF HARPER — Customer (Sign) Jeff Harper — Date: 8-21-12

IMPORTANT - PAYMENT TERMS ON BACK

ORIGINAL COPY

APP M

Was the equipment deployed in its intended operating environment? **Yes**

10. Are all facility personel that are responsible for response operations involved in a comprehensive training program, and all pollution response equipment involved in a comprehensive maintenance program? **Yes**
    If so describe the program: **40-hour OSHA, 8-hour refresher, CPR, First-aid, boating safety and monthly P/M**

Date of last equipment inspection: **6-19-12**

11. Was the equipment deployed by personnel responsible for its deployemnt in the event of an actual spill? **Yes**

12. Was all deployed equipment operational. If not, why not? **Yes**

13. Identify which of the 15 core components of our response plan were exercised during this particular exercise? **1,2,3,4,5,6,7,8,10,11,12,13,15**

14. Attach a description of lesson(s) learned and person(s) responsible for follow up of corrective measures. **Correct securing techniques and boom repair while deployed.**

Certifying Signature

Joe Rios – Field Service Specialist

Retain this form and other documentation related to this exercise on file for a minimum of 3 years (USCG/RSPA/MMS) or for a minimum of 5 years (for EPA)

APP M

# INVOICE

**Invoice No IL1274886**

**REMIT TO:**
Clean Harbors Env. Services
PO Box 3442
Boston, MA 02241-3442

**OFFICE:**
Clean Harbors Env Services Inc
11800 South Stony Island Avenue
Chicago, IL 60617
(773) 646-6202

*If you have any questions regarding this invoice, please contact your customer service representative at the telephone number listed above*

**SOLD TO:**
Dan Frick
Frick Services Incorporated
123 Depot Street
Wawaka, IN 46794- 0000

**JOB SITE/GENERATOR:**
Frick Services
570 E. Boundry Road
Portage, IN 46368

**Job Description: Spill Drill & Deployment**

**** Payable in USD funds ****

| Last Service Date | Invoice No | Customer | Sales Order | Purchase Order | Terms |
|---|---|---|---|---|---|
| 21 Aug 2012 | IL1274886 | FR3090 | IL4582565 | 148971 | NET 15 DAYS |

| Last Service Date | Task | Task Type | Description | Total |
|---|---|---|---|---|
| 21 Aug 2012 | IL4582565-001 | GENERAL | Spill Drill & Deployment | $3,712.00 |

| | | |
|---|---|---|
| | **SUBTOTAL** | **$3,712.00** |
| | **TAX** | **$0.00** |
| **PLEASE PAY THIS AMOUNT →** | **INVOICE TOTAL** | **$3,712.00** |

APP M

Interest will be charged at a rate of 1.5% per month for all past due amounts.

Invoice Date: 06 Sep 2012

**PLEASE RETURN A COPY OF INVOICE WITH PAYMENT - THANK YOU**

# INVOICE

Invoice No IL1274886

***TASK IL4582565-001 - Spill Drill & Deployment***

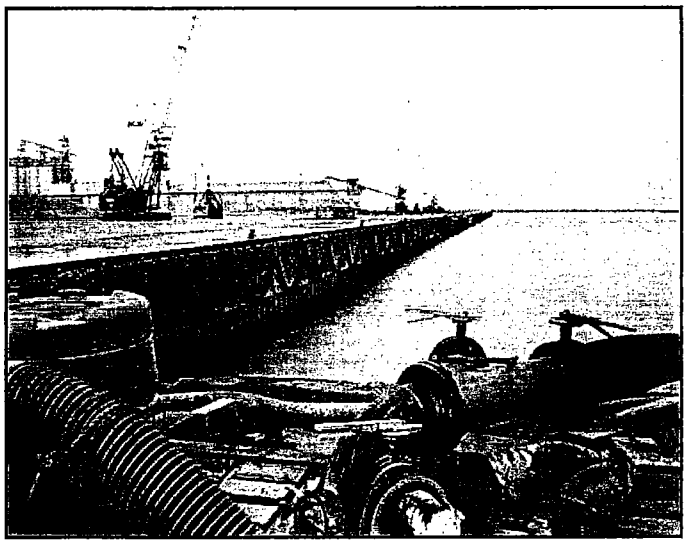
| Item ID | Description | Fixed Price Amount | Percent Complete | | Billable Amount |
|---|---|---|---|---|---|
| | | **21 Aug 2012** | | | |
| FIXD | Spill Drill & Deployment | 3,200.0000 | 100% | | $3,200.00 |
| FEE | Recovery Fee | 0.1600 | | | $512.00 |
| | | | | **SUBTOTAL** | **$3,712.00** |
| | | | | **TAX** | **$0.00** |
| | | | | **TASK TOTAL** | **$3,712.00** |

APP M

FrickServices,inc.

# FACILITY RESPONSE PLAN

**(Per 40 CFR 112)**



## Frick Services, Inc. Liquid Terminal

**570 EAST BOUNDARY ROAD**
**PORTAGE, INDIANA**

**East Harbor, Port of Indiana**
**Facility Phone Number: (219) 787-8548**

**October 2009**

| Revision |
| --- |
| 1 |

## Revision Log

| # | Description | Date | Page(s) |
|---|---|---|---|
| 1 | Revise plan to address comments from USEPA Region 5 letter dated August 17, 2009 (FRPAO618) | October 2009 | See cross reference (page ii) |
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| FRP Section | Title | USEPA Comment | | Revisions - Body of FRP | Revisions - Appendices to FRP |
|---|---|---|---|---|---|
| 2 | Cross Reference | Include cross reference for any changes to the plan that address deficiencies noted on the USEPA checklist 8/17/2009 | √ | This cross reference located before cover sheet, table of contents edited. Note as revision on Revision Log | None |
| 2 | Cover Sheet | Provide Response Plan Cover Sheet per template at Attachment F-1 to Appendix F of Subpart D | √ | Cover sheet lists general information requested on page 1 of USEPA checklist. Information provided elsewhere in FRP is relocated to cover sheet per 2.0 and placed at front of FRP. | None |
| 1.1 | Emergency Response Action Plan (ERAP) | Add updated plan and drainage diagrams from FRP Appendix C | √ | Added revised Fig 1, Fig 2, and Fig 3 to ERAP; updated telephone numbers; updated QI's specific training experience; included copy of updated FRP certification signature sheet; updated name of facility response contractor | Figures were updated, OSRO contract included in App B |
| 1.2 | Facility Info | Describe *specific response training experience* of Qualified Individual | √ | *Specific response training experience* of Qualified Individual, Jeff Harper, listed in Section 1.2.5 | None |
| 1.3.1 | Response Info | Include missing phone numbers | √ | Phone numbers were updated and added for each entity on checklist. | None |
| 1.3.2 | Equipment | Describe amount of oil emergency response equipmer can handle and limitations (e.g. launching sites) | √ | Amount of oil that emergency response equipment can handle and limitations on response equipment added. | None |
| 1.3.3 | Testing and Deployment Drill Log | Provide date of last inspection or equipment test, inspection frequency, date of last deployment, deployment frequency and OSRO certification that deployment exercises have been met. Provide filled out testing/drill log | √ | Information provided based on Area Exercise conducted July 2009, inspection and deployment frequencies added | OSRO contract included in App B, completed equipment inspection included in App L, completed OSRO deployment exercise included in App M |
| 1.3.4 | Emergency Response | Add type and date of training for QI and response tean OSRO contract, response time, telephone, additional contractor contact information | √ | Added requested information within section and provided OSRO Contract at Appendix B. Added additional contractor information. | OSRO certification included in App B |
| 1.3.5 | Evacuation | Address water conditions, arrival route, transportation to medical facility, community evacuation plans. | √ | Water conditions are described as not applicable. Community evacuation plan is referenced (Indiana's International Port Evacuation Plan). Text edited to address nearest medical facility and directions. | Evacuation Plan edited with arrival routes arrows and locate hospital, Community Evacuation Plan included in App N |
| 1.3.6 | Qualified Individual's Duties | Add roll to coordinate response and rescue | √ | Item 7 addresses QI's duties to coordinate with rescue and response actions | None |
| 1.4.1 | Hazard Evaluation | Provide additional information tanks and surface impoundments, transfers, daily operations and norma daily throughput. | √ | Provided tank information and statement there are no surface impoundments. Provided more detail on transfers, operations and throughput. | None |
| 1.4.2 | Vulnerability | Discuss affected vulnerable areas within planning distance. Note where Figure 4 is located. Consult inland sensitivity maps. | √ | Documented there are no known vulnerable areas within planning distance, e.g. within Burns Harbor Port District; this is confirmed by inland sensitivity maps. Noted Figure 4 is in Appendix C. | None |

| FRP Section | Title | USEPA Comment | | Revisions - Body of FRP | Revisions - Appendices to FRP |
|---|---|---|---|---|---|
| 1.7.2 | Disposal Plan | Provide disposal plan procedures for all each material and prepared per regulations; identify permits to transport and dispose; include OSRO (Clean Harbors) contract. | √ | Edits address each waste and regulations and permits Noted OSRO licenses and permits to dispose. OSRO Contract attached contains disposal plan. | App B includes OSRO Contract |
| 1.7.3 | Containment | Provide containment volumes, sump pump capacities and other clean up materials | √ | Edited text to refer to Fig 1/App C for containment volumes, included sump pump capacity and other clean up materials. | Fig 1/App C revised with all containment volumes |
| 1.8.1 | Self Inspection | Note records kept for five years; include equipment checklist | √ | Five year retention of inspection records cited; App E and G noted for inspection checklists and inspection logs. App L noted for completed inspections. | App G includes equipment checklist addressing sorbent booms and equipment inspection log. App E and App G contain inspection checklists and logs. Include completed inspections in App L. |
| 1.8.2 | Drills | Drill logs missing from App I; describe program based on PREP guidelines and program evaluation procedures. | √ | Edit made to note Logs are in Appendix H and to reference PREP guidelines and evaluation procedures. | None |
| 1.8.3 | Training | Logs for personnel response training and discharge prevention meetings not in Appendix K. Provide required information. | √ | Edit made to note Logs are in Appendix I. Include sample completed logs. | Include completed logs in Appendix I |
| 1.9 | Site Plan | Address drum storage, impoundments, containments and hazardous material locations. Address interface between EPA and DOT | √ | None | Site Plan Diagram (Fig 1) revised in Appendix C to include requested information or noted as not applicable. |
| 1.9 | Site Drainage | Provide information on utilities, weirs, shutoff valves and fire fighting water sources | √ | None | Site Drainage Plan (Fig 3) revised in Appendix C to include requested information. |
| 1.10' | Security | Describe Port Security Guard's and their duties day and night | √ | Described port security day and night guards and duties | None |

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## 2.0 RESPONSE PLAN COVER SHEET

### General Information

**Facility Name:** Frick Services, Inc. Liquid Terminal

**Facility Address:** 570 E. Boundary Road, Port of Indiana, Portage, Indiana 46368

**Facility Phone Number:** (219) 787-8548

**Mailing Address:** Same as Facility Address

**Facility Owner/Operator:** Daniel Frick, Managing Member, Frick Services, Inc.

**Facility Owner/Operator Address:** 3154 West Depot Street, Wawaka, Indiana, 46794

**Facility Owner/Operator Telephone Number:** (260) 761-3311

**Dun & Bradstreet Number:** 01-668-0274

**Longitude (degrees, minutes, seconds):** 87° 09' 00" West

**Latitude (degrees, minutes, seconds):** Latitude 48° 38' 08" North

**North American Industrial Classification System (NAICS) Code:** 424710- Petroleum Bulk Stations and Terminals

**Facility Start Up Date:** June 1, 2006

**Facility Acres:** 13 acres

**Name of Protected Waterway or Environmentally Sensitive Area:** Port of Indiana- Burns Harbor

**Facility Distance to Navigable Water:** 0–1/4mile

**Worst Case Oil Discharge Amount (Gallons):** 1,900,000 gallons

**Largest Oil Storage Tank Capacity (Gallons):** 2,800,000 gallons

**Maximum Oil Storage Capacity (Gallons):** 5,560,000 gallons

**Largest AST Capacity (gallons):** 2,800,000 gallons

**Total Number of ASTs:** Three (3)

**Total Number of USTs:** Zero (0)

**Total UST Storage (gallons):** Not Applicable

**Total Storage of Drums and Transformers that Contain Oil (gallons):** 800 gallons

**Number of Surface Impoundments:** Zero (0)

**Total Storage of Surface Impoundments (gallons):** Not Applicable

## 2.2 CERTIFICATION OF SUBSTANTIAL HARM DETERMINATION FORM

**FACILITY NAME:** Frick Services Liquid Terminal
**FACILITY ADDRESS:** 570 E. Boundary Road, Portage, IN 46368

**US Environmental Protection Agency (USEPA) Criterion**

| | | | | |
|---|---|---|---|---|
| 1. Does the non-transportation facility have a total oil storage capacity greater than or equal to 42,000 gallons and transfers oil over water to or from vessels? | YES | √ | NO | — |
| 2. Does the facility have a maximum oil storage capacity greater than or equal to one million (1,000,000) gallons and is the facility without secondary containment for each aboveground storage area sufficiently large to contain the capacity of the largest aboveground storage tank within the storage area? | YES | √ | NO | — |
| 3. Does the facility have a maximum oil storage capacity greater than or equal to one million (1,000,000) gallons and is the facility located at a distance such that a discharge from the facility could cause injury (defined in 40 CFR 112.2) to fish, wildlife and sensitive environments? | YES | √ | NO | — |
| 4. Does the facility have a maximum oil storage capacity greater than or equal to one million (1,000,000) gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III of 40 CFR 112.20), such that a discharge from the facility would shut down a public drinking water intake, which is analogous to a public water system as described in 40 CFR 143.2? | YES | — | NO | √ |
| 5. Does the facility have a maximum oil storage capacity greater than or equal to one million (1,000,000) gallons and within the past 5 years, has the facility experienced a reportable spill in an amount greater than or equal to 10,000 gallons? | YES | — | NO | √ |

**CERTIFICATION**

I certify, under penalty of law, that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Signature: _____ Date: 10/9/09

Printed Name: Daniel R. Frick Title: Managing Member

## 2.3 CERTIFICATION

This Facility Response Plan has been prepared in accordance with Title 40 of the Code of Federal Regulations, Part 120, Subpart D and all other applicable federal, state and local regulations using appropriate engineering practices:

William K Graham — Signature

10/9/09 — Date

William K. Graham, P.E.
Principal Engineer
Health, Safety, and Environmental Services
Bureau Veritas North America, Inc.
Chicago Regional Office

WILLIAM KENNARD GRAHAM REGISTERED No. 10911088 STATE OF INDIANA PROFESSIONAL ENGINEER

I certify that the information provided in this document is accurate and true to the best of my knowledge and that the spill mitigation procedures and response activities described in this plan will be implemented as described:

Signature

10/9/09 — Date

Daniel Frick
Managing Member
Frick Services, Inc.
Portage, Indiana

U.S. Department of Homeland Security

United States Coast Guard

Commanding Officer
United States Coast Guard
Marine Safety Unit Chicago

16W215D 83rd St
Burr Ridge, IL 60527-7956
Phone: (630) 986-2155
FAX: (630) 986-2174
www.uscg.mil/d9/msuchicago/

16450
Jan 08, 2008

Frick Services, Inc.
Attn: Daniel Frick
570 East Boundary Road,
Portage, Indiana 46794

SUBJ: FRICK SERVICES, FACILITY RESPONSE PLAN #07008-008054.00 REVIEW

Dear Sir:

Your proposed Facility Response Plan (FRP) dated November 10 and submitted on December 02, 2008 to meet the requirements of the Oil Pollution Act of 1990, has been approved.

Your FRP is a vital working document and implementation of the procedures within the plan will help ensure effective oil spill response and mitigation. Please be sure that all parties with responsibilities under the plan are familiar with the plan's procedures and requirements.

Please submit all proposed amendments to Marine Safety Unit (MSU) Chicago for review and approval as required by 33 CFR 154.1065.

A copy of this letter must be maintained with your FRP. If you have any questions, please contact MSU Chicago Facilities Department at (630) 986-2155.

Sincerely,

PAUL MEHLER III
Commander, U.S. Coast Guard
Captain of the Port Lake Michigan
By direction

## ACRONYMS

| | |
|---|---|
| ACP: | Area Contingency Plan |
| API: | American Petroleum Institute |
| AST: | Aboveground Storage Tank |
| ASTM: | American Society of Testing Materials |
| bbl: | barrels |
| bpd: | barrels per day |
| bph: | barrels per hour |
| CHRIS: | Chemical Hazards Response Information System |
| CWA: | Clean Water Act |
| DOT: | Department of Transportation |
| EPA: | Environmental Protection Agency |
| FEMA: | Federal Emergency Management Agency |
| FR: | Federal Register |
| gpm: | gallons per minute |
| HAZMAT: | Hazardous Materials |
| IEMA | Indiana Emergency Management Agency |
| IDEM: | Indiana Department of Environmental Management |
| LEPC: | Local Emergency Planning Committee |
| MSDS | Material Safety Data Sheet |
| NCP: | National Oil and Hazardous Substances Pollution Contingency Plan |
| NOAA: | National Oceanic and Atmospheric Administration |
| NRC: | National Response Center |
| NRT: | National Response Team |
| ORSO | Oil Spill Removal Organization |
| OSC: | On-Scene Coordinator |
| PREP: | National Preparedness for Response Exercise Program |
| RA: | Regional Administrator |
| POTW: | Publicly Owned Treatment Works |
| QI / IC | Qualified Individual / Incident Commander |
| RCRA: | Resource Conservation and Recovery Act |
| RRC: | Regional Response Centers |
| RRT: | Regional Response Team |
| RSPA: | Research and Special Programs Administration |
| SARA: | Superfund Amendments and Reauthorization Act |
| SERC: | State Emergency Response Commission |
| SI: | Surface Impoundment |
| SIC: | Standard Industrial Classification |
| SPCC: | Spill Prevention, Control, and Countermeasures |
| USCG: | United States Coast Guard |

## Facility Response Plan [40 CFR § 112.7]

**1.0 MODEL FACILITY-SPECIFIC RESPONSE PLAN**

(A) Owners or operators of facilities regulated under this part, which pose a threat of substantial harm to the environment by discharging oil into or on navigable waters or adjoining shorelines, are required to prepare and submit facility-specific response plans to EPA in accordance with the provisions in this appendix. This appendix further describes the required elements in Section 112.20(h).

(B) Response plans must be sent to the appropriate EPA Regional office. Figure F-1 of this Appendix lists each EPA Regional office and the address where owners or operators must submit their response plans. Those facilities deemed by the Regional Administrator (RA) to pose a threat of significant and substantial harm to the environment will have their plans reviewed and approved by EPA. In certain cases, information required in the model response plan is similar to information currently maintained in the facility's Spill Prevention, Control, and Countermeasures (SPCC) Plan as required by 40 CFR 112.3. In these cases, owners or operators may reproduce the information and include a photocopy in the response plan.

(C) A complex may develop a single response plan with a set of core elements for all regulating agencies and separate sections for the non-transportation-related and transportation-related components, as described in Section 112.20(h). Owners or operators of large facilities that handle, store, or transport oil at more than one geographically distinct location (e.g., oil storage areas at opposite ends of a single, continuous parcel of property) shall, as appropriate, develop separate sections of the response plan for each storage area.

## 1.0 MODEL FACILITY-SPECIFIC RESPONSE PLAN

The Frick Services Inc. Liquid Terminal Facility Response Plan (FRP) has been organized to sequentially follow all the applicable regulatory sections of the Model Facility-Specific Response Plan in 40 CFR 112, Appendix F, and was prepared in accordance with the Area Contingency Plan of Region V of the U.S. EPA. Text references from the applicable FRP regulations are provided in a box after each section heading, followed by a description of conformance with each requirement.

### 1.1 EMERGENCY RESPONSE ACTION PLAN

Several sections of the response plan shall be co-located for easy access by response personnel during an actual emergency or oil discharge. This collection of sections shall be called the Emergency Response Action Plan. The Agency intends that the Action Plan contain only as much information as is necessary to combat the discharge and be arranged so response actions are not delayed. The Action Plan may be arranged in a number of ways. For example, the sections of the Emergency Response Action Plan may be photocopies or condensed versions of the forms included in the associated sections of the response plan. Each Emergency Response Action Plan section may be tabbed for quick reference. The Action Plan shall be maintained in the front of the same binder that contains the complete response plan or it shall be contained in a separate binder. In the latter case, both binders shall be kept together so that the entire plan can be accessed by the qualified individual and appropriate spill response personnel. The Emergency Response Action Plan shall be made up of the following sections:

1. Qualified Individual Information (Section 1.2)
2. Emergency Notification Phone List (Section 1.3.1)
3. Spill Response Notification Form (Section 1.3.1)
4. Response Equipment List and Location (Section 1.3.2)
5. Response Equipment Testing and Deployment (Section 1.3.3)
6. Facility Response Team (Section 1.3.4)
7. Evacuation Plan (Section 1.3.5)
8. Immediate Actions (Section 1.7.1)
9. Facility Diagrams (Section 1.9)

## 1.1 EMERGENCY RESPONSE ACTION PLAN

The Emergency Response Action Plan booklet is included in the front pocket of this Facility Response Plan (FRP). This booklet provides a condensed version of critical emergency response procedures associated with potential releases at the barge dock or bulk storage tank areas during oil material transfer and storage activities. This booklet contains quick reference tables and figures for facility operators and staff.

## 1.2 FACILITY INFORMATION

The facility information form is designed to provide an overview of the site and a description of past activities at the facility. Much of the information required by this section may be obtained from the facility's existing SPCC Plan.

1.2.1 Facility name and location: Enter facility name and street address. Enter the address of corporate headquarters only if corporate headquarters are physically located at the facility. Include city, county, state, zip code, and phone number.

1.2.2 Latitude and Longitude: Enter the latitude and longitude of the facility. Include degrees, minutes, and seconds of the main entrance of the facility.

1.2.3 Wellhead Protection Area: Indicate if the facility is located in or drains into a wellhead protection area as defined by the Safe Drinking Water Act of 1986 (SDWA). The response plan requirements in the Wellhead Protection Program are outlined by the State or Territory in which the facility resides.

1.2.4 Owner/operator: Write the name of the company or person operating the facility and the name of the person or company that owns the facility, if the two are different. List the address of the owner, if the two are different.

1.2.5 Qualified Individual: Write the name of the qualified individual for the entire facility. If more than one person is listed, each individual indicated in this section shall have full authority to implement the facility response plan. For each individual, list: name, position, home and work addresses (street addresses, not P.O. boxes), emergency phone number, and specific response training experience.

1.2.6 Date of Oil Storage Start-up: Enter the year the present facility first started storing oil.

1.2.7 Current Operation: Briefly describe the facility's operations and include the North American Industrial Classification System (NAICS) code.

1.2.8 Dates and Type of Substantial Expansion: Include information on expansions that have occurred at the facility. Examples of such expansions include, but are not limited to: Throughput expansion, addition of a product line, change of a product line, and installation of additional oil storage capacity. The data provided shall include all facility historical information and detail the expansion of the facility. An example of substantial expansion is any material alteration of the facility which causes the owner or operator of the facility to re-evaluate and increase the response equipment necessary to adequately respond to a worst case discharge from the facility.

## 1.2 FACILITY INFORMATION

The facility information form for the Frick Services Liquid Terminal is on the following page. The Frick Liquid Terminal facility generally consists of fifteen land-side aboveground storage tanks (ASTs), associated pipeline system, two land-side tanker truck transfer stations, and one rail car transfer station; which together are utilized for the purpose of warehousing, marketing, and distribution of bulk fertilizers, calcium chloride solutions, soy bean oil and recycled oil to

marine and land based customers. Mooring location is on the east harbor arm of the Port of Indiana, seventeen hundred feet north of the Frick terminal office at a 350-ft by 1,900-ft Port of Indiana-Burns Harbor dock/berth. Safety equipment is located at the terminal office and the mooring location. See Figure 1 in Appendix C for the facility Site Plan.

The petroleum products handled at the facility consist mainly of Recycled No.4 Fuel Oil that is trucked in and will be shipped out by barge. A tank containing soybean oil is also present near the terminal office that is brought in and out by rail only. A Material Safety Data sheet for each oil is included in the Appendix D.

Dock operations consist mainly of transfers of petroleum product between the facility's land-side storage tank and marine barges or vessels.

The Port of Indiana-Burns Harbor is monitored by cameras 24 hours a day. In addition, Port Security conducts inspections of the Port twelve times a day (four inspections per shift, three shifts per day).

| | |
|---|---|
| 1.2.1 Facility Name and Location: | Frick Liquid Terminal<br>570 E. Boundary<br>Road, Port of Indiana<br>Portage, Indiana 46368<br>Porter County<br><br>Tank Farm Operator: **(219) 787-8548** |
| 1.2.2 Terminal Facility Location: | Latitude: 41 Deg 38 Min 08 Sec<br>Longitude: 87 Deg 09 Min 00 Sec |
| 1.2.3 Wellhead Protection Area: | Facility is not located in and does not drain into a wellhead protection area. |
| 1.2.4 Owner/Operator: | Frick Services, Inc.<br>3154 West Depot Street<br>Wawaka, Indiana 46794<br>(260) 761-3311 |
| 1.2.5 Qualified Individual: | Jeff Harper –Operations Manager<br>Facility Phone: (219) 787-8548<br>24-hour Cell Phone: (219) 242-4575<br>Address: 570 E. Boundary Road, Port of Indiana, Portage, Indiana<br>Home Phone: (219) 926-2004<br>Fax: (219) 787-8101<br>40-Hour trained in OSHA Hazardous Materials<br><br>***Alternate Qualified Individuals***<br>Randy Robbins – Operator, Cell Phone: (219) 608-8240<br>Gary Hageman – Operator, Cell Phone: (219) 508-0118<br>Crawford Smith – Operator, Cell Phone: (773) 354-1496<br>40-Hour trained in OSHA Hazardous Materials |
| 1.2.6 Date of Oil Storage Start-up: | June 1, 2006 |
| 1.2.7 Current Operation<br><br>North American Industrial Classification System (NAICS) codes:<br>**424710** - Petroleum Bulk Stations and Terminals<br>**493190** – Other Warehousing and Storage | Bulk recycled oil storage and terminal operations: receives recycled oil and soybean oil via tank trucks. Fertilizers, soybean oil and stores petroleum products through pipelines and tankage at the Liquid Terminal, and distributes via barges at the Barge Loading Area of the East Harbor of the Port of Indiana.<br><br>Standard Industry Classification code:<br>**5171** - Petroleum Terminals & Bulk Stations<br>**4225** – General Warehousing and Storage |
| 1.2.8 Dates and Type of Substantial Expansion | Facility has operated since 1976, and has recently added Tank 7 (June 2006) for storage of soybean oil, Tank 8 (September 2008) for the storage of #4 Fuel Oil, and Tank 6 (May 2009) for storage of #4 Fuel Oil. |

**1.3 EMERGENCY RESPONSE INFORMATION**

(A) The information provided in this section shall describe what will be needed in an actual emergency involving the discharge of oil or a combination of hazardous substances and oil discharge. The Emergency Response Information section of the plan must include the following components:

(B) The information provided in the emergency response section will aid in the assessment of the facility's ability to respond to a worst case discharge and will identify additional assistance that may be needed. In addition, the facility owner or operator may want to produce a wallet-size card containing a checklist of the immediate response and notification steps to be taken in the event of an oil discharge.

## 1.3 EMERGENCY RESPONSE INFORMATION

This section describes information needed to respond to an actual emergency involving the discharge of petroleum-related materials. Information in this section includes the following:

- An Emergency Notification Phone List identifying and prioritizing the names and phone numbers of the agencies, organizations, and personnel to be notified immediately in the event of a major spill.
- The Discharge Information Form that would be used for initially recording the notification and response actions taken during a release.
- An Inventory of the facility's emergency response equipment, including the equipment storage locations.
- A List of Facility Response Team involved in responding to a spill emergency. This list includes management and supervisory personnel.
- A List of contracted Oil Spill Removal Organizations (OSROs) Contractors.

In addition, this section also includes a facility evacuation plan and references the facility Qualified Individual's duties. This information has been used to assess the facility's ability to respond to a worst-case discharge and identify additional assistance that may be needed.

**1.3.1 Notification**

(1) The information provided in the Emergency Notification Phone List in section 1.3.1 identifies and prioritizes the names and phone numbers of the organizations and personnel that need to be notified immediately in the event of an emergency. This section shall include all the appropriate phone numbers for the facility. These numbers must be verified each time the plan is updated. The contact list must be accessible to all facility employees to ensure that, in case of a discharge, any employee on site could immediately notify the appropriate parties.

(2) The Spill Response Notification Form in section 1.3.1 creates a checklist of information that shall be provided to the National Response Center (NRC) and other response personnel. All information on this checklist must be known at the time of notification, or be in the process of being collected. This notification form is based on a similar form used by the NRC. Note: Do not delay spill notification to collect the information on the list.

## 1.3.1 Notification

The Executive Vice President of Frick Services (Managing Member), Daniel Frick, has certified within the operating manual the personnel of Frick Services who may participate in barge loading/unloading operations. These individuals are identified within this Section of the FRP. In addition, each of the Frick personnel involved in barge loading and unloading operations will have in their possession authorization to act on behalf of Frick Services. They will possess a Transportation Worker Identification Card (TWIC).

In the event of a discharge or substantial threat of a discharge of oil, the following is a prioritized list of the individuals and organizations to be notified:

**Qualified Individual:**

Jeff Harper, Operations Manager

| | |
|---|---|
| Facility Phone: | (219) 787-8548 |
| Cellular Phone: | (219) 242-4575 |
| Home Phone: | (219) 926-2004 |
| Fax: | (219) 787-8101 |

**Designated Alternate Qualified Individuals:**

| | |
|---|---|
| Randy Robbins, Operator (24-hour contact) | (C)(219) 608-8240 |
| Gary Hageman, Operator (24-hour contact) | (C)(219) 508-0118 |
| Crawford Smith, Operator (24-hour contact) | (C)(773) 354-1496 |

*All numbers listed are cellular telephone numbers for 24-hour contact

**Oil Spill Response Organization:**

| | |
|---|---|
| Clean Harbors Environmental Services (24-Hour Emergency Response) | (800) 645-8265 |

**Port of Indiana:**

| | |
|---|---|
| Security (24-Hour) | (219) 787-8853 |
| Burns International Harbor -COTP (Main Office) | (219) 787-8636 |

**Federal, State and Local Agencies:**

| | |
|---|---|
| National Response Center (NRC) | (800) 424-8802 |
| U.S. Environmental Protection Agency | (312) 353-2318 |
| United States Coast Guard (24-hour Emergency) | (414) 747-7190 |
| United States Coast Guard (Lake Michigan Sector) | (630) 986-2155 |
| United States Coast Guard (Michigan City) | (219) 879-8371 |
| | |
| Portage Fire Department | 911/(269) 329-4487 |
| Portage Police Department | 911 |
| Porter County Sheriff's Department | 911/(219) 477-3000 |
| Local Emergency Response Commission (24-hour Emergency) | (219) 465-3593 |
| Porter County Emergency Management | (219) 465-3490 |
| Porter County HAZMAT Team (LERC Main) | (219) 465-3593 |
| | |
| Indiana Department of Environmental Management: | |
| 24 Hour Emergency (Toll Free) | (888)233-7745 |
| Northwest Regional Office (Toll Free) | (888) 209-8892 |
| Indiana State Emergency Response Commission (Homeland Security) | (317) 232-3830 |
| Indiana State Fire Marshal | |
| 24 Hour Emergency (Toll Free) | (800) 669-7362 |
| Office (Toll Free) | (800) 423-0765 |
| Indiana State Police Department | (800) 552-8917 |
| Indiana Department of Transportation | (317) 232-5533 |
| IOSHA (Industrial Safety) | (317) 232-2693 |

**Utilities:**

| | |
|---|---|
| Local Water Supply: Indiana American Water Co. (Gary-Hobart) | (800) 492-8373 |
| Wastewater Treatment Facility: City of Portage Public Works | (219) 762-4204 |
| Gas: Northern Indiana Public Service Co. (NIPSCO): | |
| Customer Service | (800) 464-7726 |
| Gas Emergency | (800) 634-3524 |
| Telephone: Verizon (formerly General Telephone) | (800) 483-5600 |

**Facilities / Water Intakes Potentially Impacted:**

| | |
|---|---|
| Bethlehem Steel Corporation | (317) 636-8407 |
| Lakes and Rivers Transfer Inc. | (219) 787-9280 |
| Cargill Inc. | (219) 659-2000 |
| Federal Marine Terminals, Inc. | (219) 787-1017 |

**Weather Report:**

| | |
|---|---|
| Burns International Harbor -COTP (also Weather Information) | (219) 787-8636 |

## Local Television/Radio Stations for Evacuation Notification:

| | |
|---|---|
| WBBM-TV (Channel 2; CHICAGO, IL) | (312) 899-2222 |
| WMAQ-TV (Channel 5; CHICAGO, IL) | (312) 836-5555 |
| WLS-TV (Channel 7; CHICAGO, IL) | (312) 750-7777 |
| WGN-TV (Channel 9; CHICAGO, IL) | (773) 528-2311 |
| WPWR-TV (Channel 50; GARY, IN) | (312) 565-5532 |
| WYIN (Channel 56; GARY, IN) | (219) 756-5656 |
| WGN (720 AM; CHICAGO, IL) | (312) 222-4700 |
| WNDZ (750 AM; PORTAGE, IN) | (773) 767-1000 |
| WBBM (780 AM; CHICAGO, IL) | (312) 202-3564 |
| WLS (890 AM; CHICAGO, IL) | (312) 984-0890 |
| WLJE (105.5 FM; VALPARAISO, IN) | (219) 462-8125 |

Evacuation notifications will be conducted by the Local Emergency Response Commission, Porter County Emergency Management and the Indiana State Police.

## Trustees of Sensitive Areas:

| | |
|---|---|
| Indiana Department of Natural Resources | (317) 232-4200 |
| U.S. Fish & Wildlife Service | (800) 800-5923 |

## Hospitals:

| | |
|---|---|
| Porter Memorial (Poison Control) | (800) 382-9097 |
| Porter Memorial (Valparaiso) | (219) 464-4600 |
| Portage Community Hospital | (219) 759-7241 |
| Gary Methodist | (219) 886-4000 |
| Hobart Mercy | (219) 942-0551 |
| St. Anthony (Michigan City) | (888) 879-8511 |
| Westchester Convenience Center (Chesterton) | (219) 926-7755 |

## Railroads:

| | |
|---|---|
| Norfolk Southern (Burns Harbor Yard) | (219) 787-8001 |
| South Shore (Gary) | (219) 882-6265 |
| Indiana Harbor Belt | |
| Yardmaster – Michigan Avenue rail yard | (219) 989-4783 |
| Trainmaster – Michigan Avenue rail yard | (219) 989-4875 |

**Managing Member of Facility:**

Daniel Frick
Frick Services, Inc.
3154 W. Depot St
Wawaka, Indiana 46794

Cell: (574) 536-0823

Discharge Information Forms

The Frick Services, Inc. will issue a Discharge Information Form in the event of a spill on behalf of Frick Liquid Terminal. This form provides vital discharge information to the State, Federal and Local Governments during initial and follow-up notifications. This form will be in the possession of all Qualified Individuals and their Alternates. The form will also be readily available at all locations from which government notification will be made. **NOTIFY GOVERNMENT AGENCIES IMMEDIATELY IN THE EVENT OF A SPILL; DO NOT DELAY NOTIFICATION TO COLLECT THE INFORMATION CONTAINED IN THE FORM.** A sample Discharge Information Form follows.

# DISCHARGE INFORMATION FORM

INITIAL NOTIFICATION MUST NOT BE DELAYED PENDING COLLECTION OF ALL INFORMATION

## Reporting Party

**Reporter's Last Name:**

_____

First Name:

_____

Position: _____

Phone Numbers:

Day (  )  -
Evening (  )  -

Company: Frick Services, Inc. Liquid Terminal
Organization Type: Bulk Petroleum Facility
Address: 570 E. Boundary Road, Port of Indiana
City: Portage
State: Indiana
ZIP: 46368

## Suspected Responsible Party (if different than above)

Name: _____

Phone Numbers:

Day (  )  -
Evening (  )  -

Organization Type (check appropriate, if known):

Private Citizen _____
Private Enterprise _____
Public Utility _____
Local Government _____
State Government _____
Federal Government _____

City: _____
State: _____
ZIP: _____

Were materials discharged? ____ (Y/N)
Meeting federal obligations to report? ____ (Y/N) Date called: _____
Calling for responsible party? ____ (Y/N) Time called: _____

## Incident Description

Source and/or cause of incident:

_____

_____

Date of Incident: _____
Time of Incident: _____ AM / PM
Incident location:

_____
_____
_____
_____
_____

Nearest City: Portage State: Indiana County: Porter Zip: 46368
Distance from city: Within city limits
Container Type (AST, UST, drum?): _____
Tank Oil Storage Capacity: _____
Units of Measure: _____
Facility Oil Storage Capacity: Recycled Oil: 64,500 barrels
Soybean Oil: 66,700 barrels
Facility Total: 131,200 barrels
Facility Latitude: 41° 38' 08" North
Facility Longitude: 87° 09' 00" West

## Material

| Discharged Quantity | Unit of Measure | Was the Material Discharged in Water (Y/N) | What Quantity Was Discharged to Water? | Unit of Measure |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

## Response Action

Actions taken to correct, control or mitigate incident:

## Impact

Number of injuries: _____ Number of deaths: _____
Were there evacuations? _____ (Y/N) Number evacuated: _____
Was there any damage? _____ (Y/N)
Damage in dollars (approximate): _____
Medium affected: _____
Description:

More information about medium:

## Additional Information

Any information about the incident not recorded elsewhere in the report:

## Caller Notifications

## ALL PHONE NUMBERS ARE AVAILABLE IN APPENDIX A

| Have you called: | Y/N | Who | Date | Time: |
|---|---|---|---|---|
| The Qualified Individual? | | | | |
| A Spill Management Team Member? | | | | |
| The National Response Center? | | | | |
| The US Coast Guard? | | | | |
| Porter County Emergency Management? | | | | |
| Indiana Department of Environmental Management? | | | | |
| Indiana State Police? | | | | |
| Fire Department? | | | | |

**1.3.2 Response Equipment List**

Section 1.3.2 provides a description of the facility's list of emergency response equipment and location of the response equipment. When appropriate, the amount of oil that emergency response equipment can handle and any limitations (e.g., launching sites) must be described.

## 1.3.2 Response Equipment List

Description of response equipment available through the contracted Oil Spill Removal Organization (OSRO) is provided in Appendix B. The list of response equipment that is maintained at the Frick Services Liquid Terminal is documented using the Response Equipment Inspection Form provided in Appendix G. The response equipment kept onsite is stored in a salvage drum next the barge loading and unloading station and another near the terminal office, and includes:

- Absorbent pads (4 boxes on site of approximately 14-inch x 19-inch with a 24 gallon per box absorption capacity)
- Absorbent blanket (3 ft x 100 ft blanket with an absorption capacity of approximately 26 gallons)
- 160 feet of boom (with a 4 gallons per foot absorption capacity)

In addition, the Port of Indiana Authority maintains 1,000 feet of absorbent boom on a trailer near the East Harbor that is available for immediate deployment should an oil spill occur.

### Amount of Oil Response Equipment Can Handle

The amount of oil the facility response equipment can handle is 4,700 gallons. The amount of oil the OSRO response equipment can handle is 1,050,000 gallons per day (Appendix B).

### Limitations (e.g. launching sites)

An equipment deployment exercise was completed by Frick Services on July 20, 2009 with representatives of the US EPA Region 5 and the OSRO. A letter from the US EPA providing details of the successful completion of the exercise, along with the completed Equipment Deployment Exercise form, is included in Appendix M. An evaluation of the deployment exercise found that the OSRO was not able to gain immediate access to the boat launch to

deploy the boom. Prior to sorbent boom deployment on the harbor, the entrance gate to the boat launch must be unlocked by the Port of Indiana. Frick Services will coordinate with the Port of Indiana to gain immediate access to the boat launch.

**1.3.3 Response Equipment Testing / Deployment**

Section 1.3.3 provides information regarding response equipment tests and deployment drills. Response equipment deployment exercises shall be conducted to ensure that response equipment is operational and the personnel who would operate the equipment in a spill response are capable of deploying and operating it. Only a representative sample of each type of response equipment needs to be deployed and operated, as long as the remainder is properly maintained. If appropriate, testing of response equipment may be conducted while it is being deployed. Facilities without facility-owned response equipment must ensure that the oil spill removal organization that is identified in the response plan to provide this response equipment certifies that the deployment exercises have been met. Refer to the National Preparedness for Response Exercise Program (PREP) Guidelines which satisfy Oil Pollution Act (OPA) response exercise requirements.

## 1.3.3 Response Equipment Testing / Deployment

Response equipment testing and deployment information for the contracted Oil Spill Removal Organization (OSRO) is provided in Appendix B. Frick Services Liquid Terminal equipment testing information is documented using the Response Equipment Inspection Form provided in Appendix G. The response equipment shall be inspected on a semi-annual basis. Frick Services Liquid Terminal deployment information is documented using the Equipment Deployment Exercise form provided in Appendix H. The equipment deployment exercise is conducted on a semi-annual basis. The OSRO must participate in the equipment deployment exercises or conduct its own equipment deployment exercises annually.

If additional response capacity is necessary, the OSRO will be contacted. The OSRO that is identified in this plan to provide this response equipment certifies that the deployment exercises have been met (see Appendix B). Clean Harbors Environmental Services is contracted to provide oil spill removal services and to provide an additional member of the Spill Management Team. The written commitment between Clean Harbors Environmental Services and Frick Services, Inc. is included in Appendix B. Clean Harbors Environmental Services will respond to spill scenarios as described in this plan. Clean Harbors Environmental Services will handle all spill situations dealing with a discharge of oil either reaching or having the potential to reach Lake Michigan. Clean Harbors Environmental Services has U.S. Coast Guard classifications A through E as well as shoreline capability for rivers, inland waters, and the Great Lakes.

The last equipment inspection was completed on August 21, 2009 and is provided in Appendix L. The last equipment deployment exercise was completed by Frick Services on July 20, 2009 with representatives of the US EPA Region 5 and the OSRO. A letter from the US EPA providing details of the successful completion of the exercise, along with the completed Equipment Deployment Exercise form, is included in Appendix M.

**1.3.4 Personnel**

Section 1.3.4 lists the facility response personnel, including those employed by the facility and those under contract to the facility for response activities, the amount of time needed for personnel to respond, their responsibility in the case of an emergency, and their level of response training. Three different forms are included in this section. The Emergency Response Personnel List shall be composed of all personnel employed by the facility whose duties involve responding to emergencies, including oil discharges, even when they are not physically present at the site. An example of this type of person would be the Building Engineer-in-Charge or Plant Fire Chief. The second form is a list of the Emergency Response Contractors (both primary and secondary) retained by the facility. Any changes in contractor status must be reflected in updates to the response plan. Evidence of contracts with response contractors shall be included in this section so that the availability of resources can be verified. The last form is the Facility Response Team List, which shall be composed of both emergency response personnel (referenced by job title/position) and emergency response contractors, included in one of the two lists described above, that will respond immediately upon discovery of an oil discharge or other emergency (i.e., the first people to respond). These are to be persons normally on the facility premises or primary response contractors. Examples of these personnel would be the Facility Hazardous Materials (HAZMAT) Spill Team 1, Facility Fire Engine Company 1, Production Supervisor, or Transfer Supervisor. Company personnel must be able to respond immediately and adequately if contractor support is not available.

## 1.3.4 Personnel

The Emergency Response Personnel List provided in Appendix A identifies all personnel in addition to contracted Oil Spill Removal Organizations (OSROs) that would respond to emergencies, including oil discharges, even when they are not physically present at the site.

## Company Personnel

| Name | Phone | Response Time | Job Function During Response Action | Response Training type/date |
|---|---|---|---|---|
| Jeff Harper | (219) 242-4575 | 30 minutes | Qualified Individual | 40-Hour trained in OSHA Hazardous Materials (1997), Facility Drill (2009) |

*The phone numbers provided are 24-hour cellular telephone numbers.

## Emergency Response Contractors

| Name/ Contractor | Phone | Response Time | Contract Responsibility |
|---|---|---|---|
| Mike Ortiz/ Clean Harbors Environmental Services | (773) 646-6202 (cell)<br><br>(800) 645-8265 (office) | >60 minutes | See Appendix B |

## Additional Emergency Response Contractors

Clean Harbors Environmental Services is the emergency response contractor. Frick Services does not have additional emergency response contractors.

## Facility Response Team

| Team Member | Job Function During Response Action | Response Time (minutes) | Cellular Phone Number | Response Training type/date |
|---|---|---|---|---|
| Jeff Harper | Qualified Individual | 1-5 | (219) 242-4575 | Facility Drill (July 2009) |
| Randy Robbins | Alternate Qualified Individual/ Operator | 1-5 | (219) 608-8240 | 40-Hour trained in OSHA Hazardous Materials (1998), Facility Drill (July 2009) |
| Gary Hageman | Alternate Qualified Individual/ Operator | 1-5 | (219) 508-0118 | 40-Hour trained in OSHA Hazardous Materials (1998), Facility Drill (July 2009) |
| Crawford Smith | Alternate Qualified Individual/ Operator | 1-5 | (773) 354-1496 | Facility Drill (July 2009) |

### 1.3.5 Evacuation Plans

**1.3.5.1** Based on the analysis of the facility, as discussed elsewhere in the plan, a facility-wide evacuation plan shall be developed. In addition, plans to evacuate parts of the facility that are at a high risk of exposure in the event of a discharge or other release must be developed. Evacuation routes must be shown on a diagram of the facility. When developing evacuation plans, consideration must be given to the following factors, as appropriate:

(1) Location of stored materials;

(2) Hazard imposed by discharged material;

(3) Discharge flow direction;

(4) Prevailing wind direction and speed;

(5) Water currents, tides, or wave conditions (if applicable);

(6) Arrival route of emergency response personnel and response equipment;

(7) Evacuation routes;

(8) Alternative routes of evacuation;

(9) Transportation of injured personnel to nearest emergency medical facility;

(10) Location of alarm/notification systems;

(11) The need for a centralized check-in area for evacuation validation (roll call);

(12) Selection of a mitigation command center; and

(13) Location of shelter at the facility as an alternative to evacuation.

**1.3.5.2** One resource that may be helpful to owners or operators in preparing this section of the response plan is The Handbook of Chemical Hazard Analysis Procedures by the Federal Emergency Management Agency (FEMA), Department of Transportation (DOT), and EPA. The Handbook of Chemical Hazard Analysis Procedures is available from: FEMA, Publication Office, 500 C. Street, S.W., Washington, DC 20472

**1.3.5.3** As specified in Section 112.20(h)(1)(vi), the facility owner or operator must reference existing community evacuation plans, as appropriate.

### 1.3.5 Evacuation Plans

In the event of an emergency, it may be necessary to evacuate the Barge Loading/Unloading Area and Bulk Tank Storage areas (see Figure 1). All Frick Services staff and contractors will be instructed verbally using portable radios to evacuate the facility by supervisory personnel. The mitigation command center and assembly point will initially be the Terminal Office located on the west side of East Boundary Road as indicated in the Evacuation Plan – Figure 2 in Appendix C.

**Emergency Precautions for Employees During Evacuation**

1. Keep calm, think, and avoid panic and confusion.
2. Be sure you know the safest and quickest way out of the facility. Do not lock doors when you vacate any buildings. Emergency support personnel must have access to all areas.
3. Do not delay your evacuation of the facility for any reason.
4. Do not assist in fire fighting unless properly trained, qualified and requested to do so by the Qualified Individual.
5. All other Frick Services employees, visitors and contract personnel should evacuate to the assembly area so they can be accounted.
6. If the primary assembly area (Terminal Office) is unusable, the secondary assembly area will be used. The designated secondary assembly area is the Port Administration Building indicated in the Indiana's International Port Evacuation Plan.
7. Look for windsocks and flags to determine the prevailing wind direction. If upwind of a toxic release, evacuate directly away from the release. When out of danger, report to the assembly area.
8. Limit conversations on the portable radios to allow for further instructions from the Qualified Individual.
9. When leaving the facility, drive to the nearest safe exit. Report to the personnel assembly area as directed and wait for further instructions.
10. Keep out of the way, stay clear of the facility, and do not interfere with the emergency operations.
11. Do not reenter the facility until instructed to do so.

Upon giving the employees their instructions, the Qualified Individual shall observe the evacuation, until all employees have left. The Qualified Individual shall then leave the site, and proceed to the assembly area, checking along the way for stragglers or employees with disabled vehicles. At the assembly area, the Qualified Individual will confirm that all employees have safely arrived. If any employees are missing, the Qualified Individual should report their absence immediately to the Incident Command upon arrival. The Qualified Individual will then instruct employees and contractors if they should leave the assembly area or await further instructions.

The Portage Indiana Fire Department will act as Incident Command, per their Hazardous-Materials Response SOPs, and will review site maps and diagrams from Appendix C with the Qualified Individual. Based on their evaluation of the hazards imposed by the material released, spill flow direction, prevailing wind direction and speed, they will determine the appropriate actions to be taken by emergency response crews and make the decision whether to expand the evacuation order to the surrounding communities, in accordance with the Port of Indiana's Evacuation Plan (located in Appendix N).

Portage Indiana Fire department will also coordinate transportation of any injured personnel to Portage Community Hospital in Portage or Porter Memorial Hospital in Valparaiso, depending upon the severity of the injury. Both hospitals are equipped for emergency services. The directions to the hospitals from the facility are below:

Portage Community Hospital, 3630 Willowbrook Road, Portage, Indiana
(11.5 miles, approximately 25 min)

Head south on East Boundary Rd towards Waterway Dr. (0.7 miles)

Take the first left onto Joe Emig Dr. (1.3 miles)

Turn right at Indiana Dunes Ntl Lakeshore (0.3 miles)

Turn left to merge onto Dunes Hwy/US-12 (0.6 miles)

Turn left at IN-149/N State Rd 149 (4.8 miles)

Turn right at W US-6 (3 miles)

Turn left at Willowcreek Rd (0.8 miles)

Hospital will be on the right

Porter Memorial Hospital, Valparaiso, Indiana (20.4 miles, approximately 35 min)

Head south on East Boundary Rd towards Waterway Dr. (0.7 miles)

Take the first left onto Joe Emig Dr. (1.3 miles)

Turn right at Indiana Dunes Ntl Lakeshore (0.4 miles)

Take the ramp onto Dunes Hwy/US-12 (3.4 miles)

Take the ramp to IN-49/N State Rd 49 (0.1 miles)

Turn right at IN-49/N State Rd 49

Continue to follow IN-49 (12.5 miles)

Take the exit toward Valparaiso (0.5 miles)

Merge onto IN-2/Laporte Ave (0.7 miles)

At the traffic circle, take the 3rd exit onto S Sturdy Rd (315 feet)

Turn right at Laporte Ave (0.7 miles)

Hospital will be on the left

The Evacuation Plan figure in Appendix C identifies the following information:

1. Location of stored materials by tank number (see Tank Summary Table Appendix D)
2. Hazard imposed by the discharged material (see Tank Summary Table Appendix D)
3. Discharge flow direction (see Figure 3, Site Drainage Plan in Appendix C)
4. Prevailing wind direction and speed
5. Water conditions, tides, or wave conditions (if applicable). Adjacent body of water is the Port of Indiana-Burns International Harbor. This confined harbor does not exhibit tides or wave action. Therefore water conditions are not applicable.
6. Arrival route of emergency response personnel and equipment
7. Primary and secondary evacuation routes
8. Centralized check-in area for roll call
9. Mitigation command center location
10. Location of dock shelter at facility
11. Location of alarm and notification system

**1.3.6 Qualified Individual's Duties**

The duties of the designated qualified individual are specified in Section 112.20(h)(3)(ix). The qualified individual's duties must be described and be consistent with the minimum requirements in Section 112.20(h)(3)(ix). In addition, the qualified individual must be identified with the Facility Information in section 1.2 of the response plan.

## 1.3.6 Qualified Individual's Duties

The Qualified Individual or alternates for the Port of Indiana Liquid Terminal have the full authority to activate and engage in contracting with spill removal organizations, act as liaison with the Federal On-Scene Coordinator (FOSC), and obligate funds required to carry out all necessary or directed response activities. In addition to interaction with the FOSC, the Qualified Individual will also act as a liaison with State and local responders and any external response organizations.

The Qualified Individual (QI) or alternates are English-speaking representatives located in the United States and are available on a 24-hour basis. They are familiar with implementation of the Facility Response Plan, and have been trained in their responsibilities specified by this plan, including the following duties:

1. When a release (any escape, disposal, spilling, leaking, pumping, emitting, or emptying) from a failure of any transfer equipment is discovered of any reportable quantity, the Qualified Individual will notify all facility personnel at the Distribution Center Bulk Tank Storage areas through the use of phones and the portable radio system.

2. Notify all personnel on the List of Contacts in Appendix A.

3. Identify the character, source, amount, and extent of release.

4. Notify and provide initial information to the appropriate Federal, State, and local authorities.

5. Direct mitigation efforts, and implement this Plan by notifying the designated emergency response Oil Spill Response Organization (OSRO) until properly relieved of this responsibility.

6. Assess the possible hazards and threat to human health and the environment due to the release. This of any toxic, irritating, or asphyxiating gases which may be generated, or the effects of hazardous surface water runoffs from water or chemical agents used to control any fire or heat-induced explosion.

7. Coordinate with the Fire Department, Incident Command and other government on-scene coordinators to to determine the appropriate actions to be taken by emergency response and rescue crews, evaluate the hazards imposed by the material released, spill flow direction, and prevailing wind direction and speed.

8. Ensure that adequate storage volume for recovered materials is maintained at the facility or by the OSRO. Ensure that incompatible materials from the clean-up are properly segregated and direct clean-up activities.

9. Respond to inquiries from the media with the facts from the reported incident in accordance with corporate media policy.

10. Access to company funding to initiate clean up activities.

Direct clean up activities.

**1.4 HAZARD EVALUATION**

This section requires the facility owner or operator to examine the facility's operations closely and to predict where discharges could occur. Hazard evaluation is a widely used industry practice that allows facility owners or operators to develop a complete understanding of potential hazards and the response actions necessary to address these hazards. The Handbook of Chemical Hazard Analysis Procedures, prepared by the EPA, DOT, and the FEMA and the Hazardous Materials Emergency Planning Guide (NRT-1), prepared by the National Response Team are good references for conducting a hazard analysis. Hazard identification and evaluation will assist facility owners or operators in planning for potential discharges, thereby reducing the severity of discharge impacts that may occur in the future. The evaluation also may help the operator identify and correct potential sources of discharges. In addition, special hazards to workers and emergency response personnel's health and safety shall be evaluated, as well as the facility's oil spill history.

## 1.4 HAZARD EVALUATION

The following three-part approach was used to conduct the hazard:

1. Identify the hazards.

2. Research the surrounding environments that are potentially vulnerable to those hazards.

3. Analyze the risk or potential to expose the surrounding environments to those hazards.

The effect of a spill on the surrounding environment has been taken into account by assessing the vulnerability of environments within the planning distance calculation.

### Product Identification

The following petroleum/oil substances are handled at Frick Services Liquid Terminal.

| Common Name | ODOR | APPEARANCE |
|---|---|---|
| *Recycled #4 Fuel Oil* | *Heavy hydrocarbon odor* | *Brown to black slightly viscous liquid* |
| Soybean Oil | Light vegetable oil odor | Pale yellow to brownish-yellow liquid |

Material safety data sheets for these materials are contained in Appendix D. The soybean oil is received and distributed only by tanker truck into Tank #7 (1200 feet from harbor), and is not transported by barge. Therefore, no loading/unloading occurs over or near water for this material.

### 1.4.1 Hazard Identification

The Tank and Surface Impoundment (SI) forms, or their equivalent, that are part of this section must be completed according to the directions below. (``Surface Impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well or a seepage facility.) Similar worksheets, or their equivalent, must be developed for any other type of storage containers.

(1) List each tank at the facility with a separate and distinct identifier. Begin aboveground tank identifiers with an ``A" and belowground tank identifiers with a ``B", or submit multiple sheets with the aboveground tanks and belowground tanks on separate sheets.

(2) Use gallons for the maximum capacity of a tank; and use square feet for the area.

(3) Using the appropriate identifiers and the following instructions, fill in the appropriate forms:

(a) Tank or SI number--Using the aforementioned identifiers (A or B) or multiple reporting sheets, identify each tank or SI at the facility that stores oil or hazardous materials.

(b) Substance Stored--For each tank or SI identified, record the material that is stored therein. If the tank or SI is used to store more than one material, list all of the stored materials.

(c) Quantity Stored--For each material stored in each tank or SI, report the average volume of material stored on any given day.

(d) Tank Type or Surface Area/Year--For each tank, report the type of tank (e.g., floating top), and the year the tank was originally installed. If the tank has been refabricated, the year that the latest refabrication was completed must be recorded in parentheses next to the year installed. For each SI, record the surface area of the impoundment and the year it went into service.

(e) Maximum Capacity--Record the operational maximum capacity for each tank and SI. If the maximum capacity varies with the season, record the upper and lower limits.

(f) Failure/Cause--Record the cause and date of any tank or SI failure which has resulted in a loss of tank or SI contents.

(4) Using the numbers from the tank and SI forms, label a schematic drawing of the facility. This drawing shall be identical to any schematic drawings included in the SPCC Plan.

(5) Using knowledge of the facility and its operations, describe the following in writing:

(a) The loading and unloading of transportation vehicles that risk the discharge of oil or release of hazardous substances during transport processes. These operations may include loading and unloading of trucks, railroad cars, or vessels. Estimate the volume of material involved in transfer operations, if the exact volume cannot be determined.

(b) Day-to-day operations that may present a risk of discharging oil or releasing a hazardous substance. These activities include scheduled venting, piping repair or replacement, valve maintenance, transfer of tank contents from one tank to another, etc. (not including transportation-related activities). Estimate the volume of material involved in these operations, if the exact volume cannot be determined.

(c) The secondary containment volume associated with each tank and/or transfer point at the facility. The numbering scheme developed on the tables, or an equivalent system, must be used to identify each containment area. Capacities must be listed for each individual unit (tanks, slumps, drainage traps, and ponds), as well as the facility total.

(d) Normal daily throughput for the facility and any effect on potential discharge volumes that a negative or positive change in that throughput may cause.

### 1.4.1 Hazard Identification

The following sub-sections clearly identify the hazards at Frick Services Liquid Terminal. There are no underground storage tanks or surface impoundments that are used at this facility for the storage of any product.

**Aboveground Storage Tank Identification**

Aboveground Storage Tank (AST) locations and a summary table including tank number, substance stored, quantity stored, maximum capacity, secondary containment volume, tank type, and year built is provided in Appendix D and tank locations are identified on Figure 1 in Appendix C. Bulk ASTs may regularly be filled up to 85% of the listed capacity. Actual tank inventories vary throughout the day. The material and construction of all storage tanks at Frick Services Liquid Terminal are compatible with the substance stored and the conditions of storage (pressure and temperature).

**Drainage of Secondary Containment Areas**

The secondary containments at Frick Services Liquid Terminal are designed to allow rainwater to evaporate (see Figure 1, Appendix C). Containment Area #2 is slightly sloped to the southeast, so that rainwater can be retained inside of a secondary berm within the containment, and not be pooled around the tank bases. Containment Area #3 has a capacity of only 70 gallons, provided by a concrete curb.

***Description of Transfers, Volumes, Daily Operations and Normal Daily Throughput***

**Tank Truck Transfers –** Tank trucks load and unload product at two transfer areas at the facility. The transfer areas provide secondary containment in the event of a release (containment areas 1A and 2A on Figure 1, Appendix C). The maximum size of a tanker truck servicing this facility is 12,000 gallons total, in at least two separate compartments (maximum of 10,000 gallons in one compartment and 2,000 gallons in the second compartment). A rupture of a tank truck could be an instantaneous failure resulting in the release of the entire volume of one compartment (a maximum of 10,000 gallons), or a gradual leak of variable size. Tank trucks are loaded/unloaded using electric pumps operating between 350 and 650 gallons per minute, depending on the tank. A system of pipes transfers product to/from trucks to the ASTs. Leaks may occur at tank and piping

connections, valves, pumps, and other material handing equipment. The release volume and rate of flow due to a leak are variable and depend on the type of leak, but could vary between 350 and 3000 gallons. Daily operations include loading and unloading product from tank trucks. The normal daily throughput is 90,000 to 100,000 gallons per day, with a maximum of approximately 150,000 gallons per day.

**Rail Transfers-** Rail cars unload product at one transfer area at the facility. The transfer area provides secondary containment in the event of a release (containment area 5 on Figure 1, Appendix C). The maximum size of a rail car servicing this facility is 20,000 gallons in one compartment. A rupture of a rail car could be an instantaneous failure resulting in the release of the entire volume (a maximum of 20,000 gallons), or a gradual leak of variable size. Rail cars are unloaded using electric pumps operating at 650 gallons per minute. A system of pipes transfers product from the rail car to the ASTs. Leaks may occur at tank and piping connections, valves, pumps, and other material handing equipment. The release volume and rate of flow due to a leak are variable and depend on the type of leak, but could vary between 650 and 3000 gallons. Daily operations do not normally include unloading product from rail cars. The normal daily throughput is 0 gallons per day. The maximum throughput is approximately 47,000 gallons per day, assuming the entire contents of Tank 7 is transferred over a period of 3 months.

**Barge-** Two dock-side manifold stations are for product transfer from the ASTs to/from barges. The two dock-side manifold stations are designated for two different product transfers: one manifold is for petroleum products (connected only to Tank 6 and Tank 8), and the other is for non-petroleum based materials (fertilizers). The barge pump can typically unload/load material at 35.7 barrels per minute or 500 tons per hour at 100 pounds of pressure. Transfer operations typically run for 10 to 12 hours for each loading/unloading activity. Transfers of fuel oil from the facility to tanker barges/tanker vessels typically range in volume of between 14,000 barrels and 40,000 barrels maximum. Daily operations include unloading product from barges. The normal daily throughput is 900,000 gallons per day, with a maximum of approximately 1,700,000 gallons per day. Leaks may occur at piping connections, valves, pumps, and other material handling. The release volume and rate of flow due to a leak are variable and depend on the leak, but could vary between 1500 gallons and 15,000 gallons.

### 1.4.2 Vulnerability Analysis

The vulnerability analysis shall address the potential effects (i.e., to human health, property, or the environment) of an oil discharge. Attachment C-III to Appendix C to this part provides a method that owners or operators shall use to determine appropriate distances from the facility to fish and wildlife and sensitive environments. Owners or operators can use a comparable formula that is considered acceptable by the RA. If a comparable formula is used, documentation of the reliability and analytical soundness of the formula must be attached to the response plan cover sheet. This analysis must be prepared for each facility and, as appropriate, must discuss the vulnerability of:

(1) Water intakes (drinking, cooling, or other);
(2) Schools;
(3) Medical facilities;
(4) Residential areas;
(5) Businesses;
(6) Wetlands or other sensitive environments; \2\
(7) Fish and wildlife;
(8) Lakes and streams;
(9) Endangered flora and fauna;
(10) Recreational areas;
(11) Transportation routes (air, land, and water);
(12) Utilities; and
(13) Other areas of economic importance (e.g., beaches, marinas) including terrestrially sensitive environments, aquatic environments, and unique habitats.

### 1.4.2 Vulnerability Analysis

This section discusses environmentally sensitive and economically important areas that may be impacted by an oil spill from Frick Services Liquid Terminal. The US EPA Inland Sensitivity Atlas (ISA) for Northern Indiana was consulted to determine which vulnerable areas could be impacted and is discussed below. Spills or releases in tank farms would be contained by secondary containment dikes. An uncontained release at the terminal would flow north towards the East Harbor of Burns International Harbor on Lake Michigan.

The worst-case scenario assumes the spill is not contained by secondary containment, naturally-occurring variations in surface gradient or man-made structures such as low areas in streets, parking lots, or bar ditches. The worst-case discharge volume determination sheets can be found in Appendix F. Response actions that would be implemented should a release from the facility threaten these areas can be found in Section 1.7, Plan Implementation.

The planning distance for a worst-case discharge from the Facility is for oil transport on still water as described in U.S. EPA regulations. The Burns International Harbor can be isolated from Lake Michigan by a boom placed between the northeast seawall and breakwater. The distance between the Frick Services barge loading area and the boom location is approximately 4,000 feet. The planning distance is limited to the area of the entire Burns International Harbor, as illustrated in Figure 4 in Appendix C. The locations of response equipment in the event of a release is shown in Figure 5 in Appendix C.

**Water Intakes**

According to the ISA and Indiana Port Authority, drinking water intakes and industrial water intakes are not located on Burns International Harbor. Industrial surface water intakes are located 4500 feet west of the east of the harbor (Water Filtration Plant, Midwest Steel), 6000 feet east of the harbor (Burns Harbor Division Water Intake), and 8300 feet east of the harbor (Bailly Generating Station). These intakes are unlikely to be impacted from a discharge at the terminal, as a large spill in the barge loading area escaping secondary containment would be prevented from flowing into Lake Michigan with the placement of a boom between the northeast seawall and breakwater.

**Hospitals and Schools**

Portage Memorial Hospital is located approximately 7 miles south-southwest of the facility. The hospital should be notified immediately if an oil release results in medical emergencies. There are no schools within two miles of the terminal boundary.

**Residential and Commercial Areas**

The area surrounding the facility mainly consists of industrial facilities and undeveloped land. There are no residential neighborhoods within one mile of the facility. A trailer park of approximately 50 homes is located 1 mile to the southeast, south of Route 12. A subdivision of single family homes is located between 1½ to 2 miles southwest along Route 249. Other residential neighborhoods are located 1 ½ to 2 miles southeast, in the Town of Burns Harbor.

The East Harbor Arm of Burns International Harbor adjoins the Frick Services Terminal to the northeast. Mittal Steel is located directly east beyond Boundary Drive. Oil storage tanks operated by Tanco Terminals, Inc. are situated between the Frick Services fuel oil storage tank, and the fertilizer and soybean oil storage tanks. Steel Alloy Company and Alternative Distribution Systems are adjoining to the south and southwest. Industries farther southwest include Frick Services' Dry Loading and Midwest Steel Division. Central Coil is directly west, followed by Federal Marine Terminals and Great Lakes Processing, followed by the West Harbor Arm of Burns International Harbor. Jack Gray Transport, O-N Minerals, Lakes and Rivers Transfer and Cargill are located northwest of the terminal.

**Wetlands or Other Sensitive Areas**

Based on a review of the ISA, no wetlands or other sensitive areas are located on the shoreline of the Burns Harbor.

**Fish and Wildlife**

Based on a review of the ISA, no fish and wildlife were identified in the harbor area. Approximately 5600 feet east of the mouth of the harbor is an area of sensitive species (state endangered fish).

**Endangered Flora and Fauna**

Based on a review of the ISA, no endangered flora and fauna species were identified in the harbor area. Adjacent and southeast of the terminal is a multiple species grouping of Aquatic/Riparian Zone Vascular Plants (state threatened and endangered) and Upland Zone Vascular Plants (state endangered). Approximately 2000 feet southwest of the terminal is a multiple species grouping of Aquatic/Riparian Zone Birds (state endangered), Aquatic/Riparian Zone Vascular Plant (state threatened and endangered), and Upland Zone Vascular Plants (state threatened and endangered). Based on the proximity to the terminal, these areas are likely to be impacted from a release at Frick Services.

Several other endangered flora and fauna species areas were identified on the ISA, including two approximately 7000 feet southwest of the terminal, one 5000 feet south of the terminal, and three 7000 feet east of the terminal. Based on distance from the terminal, these areas are unlikely to be impacted from a release at Frick Services.

**Lakes, Streams, and Rivers**

A large spill escaping secondary containment in the Frick Services Terminal bulk tank storage areas would flow north, following the slope of the land, into the East Harbor Arm. The harbor is connected to Lake Michigan at the northeast termination of the breakwater defining the harbor. The flow direction of Lake Michigan in the vicinity of Burns International Harbor is east to west, according to the Indiana Port Authority. Based on conversations with Port of Indiana personnel, Frick Services Liquid Terminal has determined that a large spill in the barge loading area escaping secondary containment would be prevented from flowing into Lake Michigan with the placement of a boom between the northeast seawall and breakwater.

The Little Calumet East Fork State Outstanding River runs east-west approximately 7200 feet south of Frick Services within Indiana Dunes National Lakeshore. It is unlikely to be impacted from a release at Frick Services, as an uncontained release at the terminal would flow north towards the East Harbor of Burns International Harbor on Lake Michigan.

**Recreational Areas**

The Burns International Harbor DNR Public Access Site is located along the shoreline of Burns International Harbor, which is a handicap accessible public fishing site for shoreline anglers (dawn to dusk) located north of the mooring used by Frick Services, on the west side of the East Harbor Arm. Protection of this area may be required in the event of a release of oil.

The Indiana Dunes National Lakeshore is a federally managed natural resource area with locations 8500 feet east, 7000 feet west, and 7200 feet south of the terminal. It is unlikely to be impacted from a release at Frick Services, as an uncontained release at the terminal would flow north towards the East Harbor of Burns International Harbor on Lake Michigan.

### Transportation Routes

The following transportation routes are in the immediate vicinity of the facility:

- Boundary Road, which runs north-south, adjacent to the east of the facility
- Waterway Drive, which runs east-west, 1,000 feet south of the facility
- George Nelson Drive, which runs north-south, 900 feet west of the facility

Regional transportation routes nearby include:

- Route 12 (Dunes Highway), an east-west highway located approximately 1 mile south of the facility
- Interstate Highway 94 located approximately 2 miles south of the facility

The East Harbor Arm of Burns International Harbor is on the northeast border of the facility. The Harbor allows Frick Services to ship products via Lake Michigan. A system of pipes and pumps transfers product to two dock-side manifold stations for product transfer to barges. The two dock-side manifold stations are designated for two different product transfers. One manifold is for petroleum products (connected only to Tank 8), and the other is for non-petroleum based materials (fertilizers).

### Utilities

The entire port area is built in a former sand dune area, and no storm sewers were installed. Storm water either infiltrates the ground or flows north across paved areas toward the harbor. Spills not contained by the tank dike structures would not impact Frick Services sanitary sewer utilities because no sanitary sewers are located downgradient of the tank farms.

### Response Actions to Protect Sensitive and Important Areas

Because a spill could pose a variety of types of threats, response actions are outlined in a general nature only. During a response to a release, the expertise of OSROs will be used to provide the most comprehensive and effective response possible.

**Response Resources for the Planning Distance**

The Indiana Port Authority is capable of responding to contain a spill from Frick Services Liquid Terminal to Burns International Harbor. The Port Authority maintains a 1,000-foot containment boom near the East Harbor Arm that would be used to contain a release within the harbor. Clean Harbors Environmental Services (the OSRO identified in Section 1.3.4 and Appendix B) maintains containment booms and pumps, and is capable of responding to a spill from the Frick Services Liquid Terminal to contain and/or recover a release.

The surface gradient at the Frick Services Liquid Terminal generally slopes to the north toward the harbor. Potential spills are prevented by secondary containment dikes constructed for all storage tanks. In-service bulk storage tanks are routinely inspected when empty. Inspection records are kept in the Frick Services Liquid Terminal Operations Office. Readings from level gauges on the bulk storage tanks are monitored in the Operations Office, and prior to loading of the tanks or barges, they are surveyed by Marine Technical Services to determine available capacity. Small spills may occur in the bulk storage areas, barge loading/unloading area, or at the truck loading/unloading areas. The following scenarios are the most likely causes of a small spill during normal operations in these areas:

- Piping or valve leaks
- Pump seal failures
- Tank overfills
- Overfills while loading/unloading tanker trucks

The following scenarios are the most likely causes of a release qualifying as a medium spill:

- Piping or valve failures or ruptures
- Tank leaks
- Tank overfills
- Tank truck overfills

The horizontal range of migration of a potentially small or medium release/spill would be limited to the secondary containment structure surrounding the tank where the spill occurred.

A worst-case loss of fuel oil or soybean oil from the Frick Services Liquid Terminal may be caused by a complete tank failure or natural disaster. A tank failure would result in an initial release to a secondary containment area.

**Spill Prediction**

The purpose of this section is to provide general predictions of the direction, rate of flow, and total quantity of oil that could be discharged from the Frick Services Liquid Terminal as a result of major types of failure. Fuel oil and soybean oil are stored, piped or transported throughout the facility therefore, spills could occur at various locations. The following are possible discharge scenarios:

Failure of manifold and mechanical loading arm, other transfer equipment or hoses

- Tank overfill
- Tank failure
- Piping leaks
- Piping rupture
- Explosion and/or fire
- Equipment failure

**Barge Loading Area**

Spills could potentially occur during the transfer of fuel oil into barges (or the transfer of fertilizer from the barges) at the barge loading/unloading area. Manifolds and mechanical loading arms are not present in this area. However, other transfer equipment (e.g. pumps and hoses) is utilized. The barge pump can typically unload/load material at 35.7 barrels minute or 500 tons per hour at 100 pounds of pressure. Transfer operations typically 10 to 12 hours for each loading/unloading activity. Transfers of fuel oil from the fac tanker barges/tanker vessels typically range in volume of between 14,000 barrels

barrels maximum. During transfers, the barge is continuously manned by a tankerman (Midwest Tankerman) and longshoreman (Lakes & Rivers). Minor spills would be contained by curbing present under the transfer equipment. Based on conversations with Port of Indiana personnel, Frick Services Liquid Terminal has determined that a release into the East Harbor Arm will be contained within Burns International Harbor.

**Bulk Storage Areas**

Secondary containment structures in the bulk storage areas are constructed with a clay lining. Frick Services has recently tested the clay material lining the base of the containment areas to verify the low hydraulic conductivity in a range sufficiently impermeable for spill recovery.

Spills resulting from tank overfilling in the bulk storage areas would most likely be contained within secondary containment dikes. The rate of a tank overflow would depend on the flow rate during the transfer to the tank. The total quantity of product that may be released depends upon the particular transfer rate, and the duration of the release event.

Tank failure could potentially release the entire contents of the tank to the surrounding secondary containment area. Recycled No. 4 Fuel Oil is stored in Tank 8 (44,000 barrel capacity), the only tank within the earthen berm that serves as secondary containment for that tank. Soy bean oil is stored in Tank 7 (66,700 barrel capacity), one of six tanks within an earthen berm that serves as secondary containment for the tanks. The other tanks within this area are used for the storage of fertilizer solutions and calcium chloride solutions. The maximum possible volume of spilled material due to a tank rupture would equal the tank capacity as a conservative estimate, because Frick Services' SOPs indicate that tanks are not to be filled beyond 85% of their capacity. A failure could be an instantaneous failure, causing the release of the entire volume of the tank at one time or a gradual leak of variable size, volume, and flow rate. Secondary containment capacities are listed on Figure 1. Leaks could occur at tank and piping connections, valves, pumps, and other product-handling equipment. The volume and rate of flow releases due to a leak are variable, depending upon the type of leak.

### Underground Piping

The total quantity of a potential release of fuel oil from the fuel oil bulk tank to the barge loading area depends upon the particular transfer rate and the duration of the release event.

### Truck Loading/Unloading Areas

Releases resulting from truck overflows at the truck loading/unloading docks would be contained within the secondary containment around these areas. The truck overflow rate would depend on the transfer rate from the tank. The total quantity of a potential release depends upon the particular transfer rate and the duration of the release event.

Releases resulting from the rupture of a truck could potentially release the entire contents of the truck to the surrounding containment area. Trucks carry up to 12,000 gallons in two separate compartments, ranging in size from 2,000 to 10,000 gallons each. Therefore, the maximum release due to a tank rupture is 10,000 gallons. A rupture could be an instantaneous failure resulting in the release of the entire volume of one compartment, or a gradual leak of variable size. Leaks may occur at tank and piping connections, valves, pumps, and other material handing equipment. The release volume and rate of flow due to a leak are variable and depend on the type of leak.

**1.4.3 Analysis of the Potential for an Oil Discharge**

Each owner or operator shall analyze the probability of a discharge occurring at the facility. This analysis shall incorporate factors such as oil discharge history, horizontal range of a potential discharge, and vulnerability to natural disaster, and shall, as appropriate, incorporate other factors such as tank age. This analysis will provide information for developing discharge scenarios for a worst case discharge and small and medium discharges and aid in the development of techniques to reduce the size and frequency of discharges. The owner or operator may need to research the age of the tanks and the oil discharge history at the facility.

### 1.4.3 Analysis of the Potential for an Oil Discharge

A spill that would impact navigable waters is most likely to occur near the Barge Mooring located at the south end of the East Harbor Arm of Burns International Harbor on Lake Michigan. This assessment is based upon the following:

### Historical Spill Data

The Frick Services facility has not had any occurrences of reportable oil spills. There have been no releases from a storage tank due to catastrophic failure. A history of non-oil related reportable spills at Frick Services Liquid Terminal is included in Section 1.4.4.

### Horizontal Range of a Potential Spill

The horizontal range of a spill occurring at the Frick Services Liquid Terminal would be the distance to the shore and the limit of the Burns Harbor mouth. The distance from the shore to the Burns Harbor mouth is 4,000 feet. The horizontal range of a spill would be limited by:

- Surface gradient and composition– surface gradient of Frick Services Liquid Terminal is very flat and comprised mainly of sandy soils, which would help limit the lateral migration rate and distance of spilled substances.
- Surface features at Frick Services Liquid Terminal area and distance to navigable water. There are unpaved containments, railroad tracks, roadways and intervening tank farm containments that would prevent direct flow to the harbor from the two oil storage ASTs.
- Should the spill occur at the Bulk Loading Area, there is only minimal (70 gallons) containment, after which a spill would discharge directly to the water. This has not occurred to date.

### Tank Farms

There are two possibilities for a spill from an AST: overfilling and failure. A spill due to overfilling of a tank is unlikely since the available capacity of the tanks is certified prior to filling, and they are only filled to 85% of total capacity, per the company's SOPs. A spill due to failure is unlikely since the ASTs are inspected regularly, and the oldest of the tanks are 31 years. Secondary containment exists to contain a spill from any of the ASTs. Releases from AST secondary containment dikes would flow (and can be diverted using dike valves)

into adjacent secondary containment dikes. Additionally, due to distances involved, most of the liquid from an uncontained release from a storage tank will soak into the soil outside of the clay dike, limiting overland migration distance, and be prevented from reaching the harbor by railroad beds and additional tank dikes in the area. Due to proximity to the harbor, an uncontained release from Tank 8 poses the greatest risk of migration to the harbor.

**Truck Terminals**

Releases at the truck unload stations would drain into sumps that are manually pumped into the containment dikes of the adjacent tank farms, preventing surface flow to the harbor.

**Natural Disasters (tornadoes, earthquakes, floods)**

This Frick Services Liquid Terminal is vulnerable to some types of natural disasters. Tornadoes pose the greatest risk. The risk of earthquake is low, since this area has historically been seismically inactive. The probability of flood is low based on the low variability in the levels of Lake Michigan.

**Other Factors (unstable soils, Karst topography)**

Soils in the vicinity are not stable, nor is Karst topography present in this region. No other factors, such as risk of subsidence, affect the potential for an oil spill.

**1.4.4 Facility Reportable Oil Spill History**

Briefly describe the facility's reportable oil spill history for the entire life of the facility to the extent that such information is reasonably identifiable, including:

As described in 40 CFR part 110, reportable oil spills are those that: (a) violate applicable water quality standards, or (b) cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

(1) Date of discharge(s);

(2) List of discharge causes;

(3) Material(s) discharged;

(4) Amount discharged in gallons;

(5) Amount of discharge that reached navigable waters, if applicable;

(6) Effectiveness and capacity of secondary containment;

(7) Clean-up actions taken;

(8) Steps taken to reduce possibility of recurrence;

(9) Total oil storage capacity of the tank(s) or impoundment(s) from which the material discharged;

(10) Enforcement actions;

(11) Effectiveness of monitoring equipment; and

(12) Description(s) of how each oil discharge was detected.

## 1.4.4 Facility Reportable Oil Spill History

No reportable spills of oil have occurred at Frick Services Liquid Terminal. The table on the following page will be used to record future spill occurrences.

In the event that a release occurs, Frick Services Liquid Terminal will prepare a report detailing a description of how the oil discharge was detected, the effectiveness of the secondary containment, the total oil storage capacity of the tank from which the material discharged, enforcement actions taken and the effectiveness of the monitoring equipment.

## LOG OF REPORTABLE OIL SPILLS

| | |
|---|---|
| Date of discharge(s): | |
| List of discharge causes: | |
| Material(s) discharged: | |
| Amount of discharge (gallons): | |
| Amount of discharge that reached navigable waters (if applicable): | |
| Effectiveness and capacity of secondary containment: | |
| Clean-up actions taken: | |
| Steps taken to reduce possibility of reoccurrence: | |
| Total oil storage capacity of tank(s) from which material discharged: | |
| Enforcement actions: | |
| Effectiveness of monitoring equipment: | |
| Description of how each oil discharge was detected: | |

## 1.5 DISCHARGE SCENARIOS

In this section, the owner or operator is required to provide a description of the facility's worst case discharge, as well as a small and medium discharge, as appropriate. A multi-level planning approach has been chosen because the response actions to a discharge (i.e., necessary response equipment, products, and personnel) are dependent on the magnitude of the discharge. Planning for lesser discharges is necessary because the nature of the response may be qualitatively different depending on the quantity of the discharge. The facility owner or operator shall discuss the potential direction of the discharge pathway.

### 1.5.1 Small and Medium Discharges

**1.5.1.1** To address multi-level planning requirements, the owner or operator must consider types of facility-specific discharge scenarios that may contribute to a small or medium discharge. The scenarios shall account for all the operations that take place at the facility, including but not limited to:

(1) Loading and unloading of surface transportation;

(2) Facility maintenance;

(3) Facility piping;

(4) Pumping stations and sumps;

(5) Oil storage tanks;

(6) Vehicle refueling; and

(7) Age and condition of facility and components.

**1.5.1.2** The scenarios shall also consider factors that affect the response efforts required by the facility. These include but are not limited to:

(1) Size of the discharge;

(2) Proximity to downgradient wells, waterways, and drinking water intakes;

(3) Proximity to fish and wildlife and sensitive environments;

(4) Likelihood that the discharge will travel offsite (i.e., topography, drainage);

(5) Location of the material discharged (i.e., on a concrete pad or directly on the soil);

(6) Material discharged;

(7) Weather or aquatic conditions (i.e., river flow);

(8) Available remediation equipment;

(9) Probability of a chain reaction of failures; and

(10) Direction of discharge pathway.

### 1.5.1 Small and Medium Discharges

**Discharge Planning Volumes**

This section provides a description of the facility's worst-case discharge scenario, as well as a small and medium spill, as appropriate. A multilevel planning approach has been chosen because response actions to a spill (i.e., necessary response equipment, products, and personnel) are dependent upon the magnitude of the spill. Planning for lesser discharges is necessary because the nature of the response may be qualitatively different depending on the quantity of the discharge. Discharge scenarios are presented for small, medium, and worst case discharges which address the following factors that affect response efforts, including:

- ***Circumstances and contributing factors, such as***

  ***Loading/Unloading-*** Addressed in Scenarios #1, 2, 3, 4 (small discharges), Scenarios #5, 6, 7, 8 (medium discharges), Scenario #13 (worst case discharges)

  ***Facility Maintenance-*** Addressed in Scenario #4 (small discharges), Scenario #7 (medium discharges), Scenario #10 (worst case discharges)

  ***Facility Piping-*** Addressed in Scenarios #3, 4 (small discharges), Scenario #7 (medium discharges), Scenario #13 (worst case discharges)

  ***Pumping Stations and Pumps-*** Addressed in Scenarios #2, 3, 4 (small discharges), Scenarios # 6, 7, 8 (medium discharges), Scenario #13 (worst case discharges)

  ***Oil Storage Location-*** Addressed in Scenarios #3, 4 (small discharges), Scenarios #5, 6, 7 (medium discharges), Scenarios #9, 10, 11, 12 (worst case discharges)

  ***Age and Condition of Facility and Components-*** Addressed in Scenarios #2, 3 (small discharges), Scenarios #5, 6, 8 (medium discharges), Scenarios #9, 10, 11, 13 (worst case discharges)

  ***Vehicle Refueling-*** This will not be a contributing factor as Frick Services does not have refueling facilities.

- ***Size of the discharge***
- ***Proximity to downgradient wells, waterways, and drinking water intakes***
- ***Proximity to fish and wildlife sensitive environments***
- ***Likelihood that the discharge will travel offsite***
- ***Location of the material discharged***
- ***Material discharged***
- ***Weather or aquatic conditions:***
- ***Available remediation equipment***
- ***Probability of a chain reaction of failures***
- ***Direction of discharge pathway***

Petroleum products are stored in Tank 8 (Recycled #4 Fuel Oil) at the north end of the facilities, and Tank 6 (Recycled #4 Fuel Oil) and Tank 7 (soybean oil) at the south end of the facility. Spills may occur at any location. Additional information regarding hazards associated with oil transfer, storage operations, and routine maintenance may be found in Section 1.4.3, Potential Spill Analysis.

### Small Discharge

For the purposes of the Plan, a small discharge is defined as any spill less than or equal to 2,100 gallons (50 barrels) that escapes the property. This would include spills from a failure of a tank truck, failure of a barge hose, aboveground pipe rupture, and an underground pipe rupture. While other discharge scenarios may be possible, only scenarios that present an escape of oil from the property are presented. The following response resources are available for a small discharge:

- 1,000 feet of boom that can be deployed within 1 hour
- 2,100-gallon-per-day recovery capacity
- 4,200-gallon-per-day storage capacity

## SCENARIO #1- FAILURE OF TANK TRUCK

This scenario involves a complete failure of a tank truck at the Tank 8 transfer area. The maximum compartment of a tanker truck (10,000 gallons) is discharged and escapes the transfer area secondary containment (capacity of 4,000 gallons). The overflow spreads radially from the transfer area with approximately one-third of the discharge escaping the property.

- ***Circumstances and Contributing Factors:*** Loading/unloading
- ***Size of the discharge:*** 10,000 gallons total, 2,100 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 300 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4300 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; secondary containment volume at Tank 8 Transfer Area is 4,000 gallons
- ***Location of the material discharged:*** Tank 8 Transfer Area (asphalt secondary containment)
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Towards low spot within secondary containment, overflow northeast towards Burns Harbor

## SCENARIO #2- FAILURE OF BARGE HOSE

This scenario involves a complete failure of a barge hose during a transfer at the barge transfer area. Product is discharged for approximately 1½ minutes (2,170 gallons) before the pump can be stopped. The product escapes the barge transfer area secondary containment (capacity of 70 gallons). The overflow spreads radially from the transfer area; the entirety of the discharge escapes the property.

- ***Circumstances and Contributing Factors:*** Loading/unloading, pump, age and condition of facility and components
- ***Size of the discharge:*** 2,170 gallons total, 2,100 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 10 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4010 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; secondary containment volume at Barge Loading/Unloading Area is 70 gallons
- ***Location of the material discharged:*** Barge Loading/Unloading Area (concrete secondary containment)
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Secondary containment overflow north towards Burns Harbor

## SCENARIO #3- ABOVEGROUND PIPE RUPTURE

This scenario involves an aboveground pipe rupture while transferring oil from a tank truck to Tank 6 at the truck transfer area near Tank 6. Product is discharged for approximately 4½ minutes at 650 gallons per minute (3,000 gallons discharged) before the pump can be stopped. The failure occurs where no secondary containment exists. The discharge spreads radially from the pipe; 2,100 gallons of the discharge escapes the property.

- ***Circumstances and Contributing Factors:*** Loading/unloading, facility piping, pump, oil storage location, age and condition of facility and components
- ***Size of the discharge:*** 3,000 gallons total, 2,100 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 1000 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 5000 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Unlikely; most of piping within secondary containment of Truck Unloading Dock and tank dike
- ***Location of the material discharged:*** The earthen area where no secondary containment exists between the Truck Unloading Dock (concrete secondary containment) and Tank 6 dike
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Towards low spot within secondary containment and northeast towards Burns Harbor

## SCENARIO #4- UNDERGROUND PIPE RUPTURE FAILURE

This scenario involves an underground pipe rupture while unloading product from Tank 8 in order to perform maintenance on Tank 8. Product is discharged for approximately 3 minutes at 650 gallons per minute (2,100 gallons discharged) before the rupture is noticed and the pump can be stopped. The discharge occurs offsite and spreads radially underground from the pipe; 2,100 gallons is released offsite.

- ***Circumstances and Contributing Factors:*** Facility maintenance, facility piping, pumping stations and pumps, oil storage location, loading/unloading
- ***Size of the discharge:*** 2,100 gallons total, 2,100 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 300 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4300 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; location of pipe failure occurs offsite.
- ***Location of the material discharged:*** Offsite and underground (soil) between Tank 8 and Barge loading/unloading area.
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** Front end loader, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Radially underground

**Medium Discharge**

For the purposes of the Plan, a medium discharge is defined as any spill greater than 2,100 gallons but less than or equal to 36,000 gallons that escapes the property. This would include failure of a rail car, overflow of a tank, underground pipe rupture, and a failure of a barge hose. While other discharge scenarios may be possible, only scenarios that present an escape of oil from the property are presented. The following response resources are available for a medium discharge:

- Recovery capacity equal to 50 percent of the medium discharge volume (18,000 gallons per day)
- Temporary storage capacity equal to two times the recovery capacity (36,000 gallons per day)
- Equipment available to be on site in no more than 12 hours

Response resources are also discussed in section 1.7.1.

## SCENARIO #5- FAILURE OF RAIL CAR

This scenario involves a complete failure of two rail cars at the rail car transfer area. The maximum compartment of both rail cars (20,000 gallons each) is discharged and escapes the transfer area secondary containment (capacity of 24,000 gallons). The overflow spreads radially from the transfer area with approximately 10,000 gallons escaping the property.

- ***Circumstances and Contributing Factors:*** loading/unloading, oil storage location, age and condition of facility and components.
- ***Size of the discharge:*** 20,000 gallons total, 10,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 1400 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 5400 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; property line approximately 150 feet from rail transfer area
- ***Location of the material discharged:*** Railcar Transfer Area (earthen)
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** North towards Burns Harbor

## SCENARIO #6-OVERFLOW OF TANK

This scenario involves an overflow of Tank 8 due to a tank gauging error during a pumping transfer; it also involves simultaneous failure of the secondary containment dike. A total of 20,000 gallons is discharged before the pump can be stopped and 10,000 gallons escapes the property.

- ***Circumstances and Contributing Factors:*** loading/unloading, oil storage location, pumps, age and condition of facility and components.
- ***Size of the discharge:*** 20,000 gallons total, 10,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 400 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4400 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; property line is close to discharge
- ***Location of the material discharged:*** Tank 8 secondary containment (earthen)
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Northeast towards Burns Harbor

## SCENARIO #7- UNDERGROUND PIPE RUPTURE

This scenario involves an underground pipe rupture while transferring product out of Tank 6 in order to perform maintenance on the tank. Product is discharged for almost an hour at 650 gallons per minute (36,000 gallons discharged) before the rupture is noticed and the pump can be stopped. The discharge occurs offsite and spreads radially underground from the pipe; 36,000 gallons is released offsite.

- ***Circumstances and Contributing Factors:*** Facility maintenance, facility piping, pumping stations and pumps, oil storage location, loading/unloading
- ***Size of the discharge:*** 36,000 gallons total, 36,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 200 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4200 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; location of pipe failure occurs offsite.
- ***Location of the material discharged:*** Offsite and underground (soil) between Tank 6 and barge loading/unloading area.
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Radially underground

## SCENARIO #8- FAILURE OF BARGE HOSE

This scenario involves a complete failure of a barge hose during a transfer at the barge transfer area. Product is discharged for approximately 24 minutes (36,000 gallons) before the discharge is noticed and the pump can be stopped. The discharge spreads radially from the transfer area; the entirety of the discharge escapes the property.

- ***Circumstances and Contributing Factors:*** Loading/unloading, pump, age and condition of facility and components
- ***Size of the discharge:*** 36,000 gallons total, 36,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 10 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4010 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; secondary containment volume at Barge Loading/Unloading Area is 70 gallons
- ***Location of the material discharged:*** Barge Loading/Unloading Area (concrete secondary containment)
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Secondary containment overflow north towards Burns Harbor

**1.5.2 Worst Case Discharge**

**1.5.2.1** In this section, the owner or operator must identify the worst case discharge volume at the facility. Worksheets for production and non-production facility owners or operators to use when calculating worst case discharge are presented in Appendix D to this part. When planning for the worst case discharge response, all of the aforementioned factors listed in the small and medium discharge section of the response plan shall be addressed.

**1.5.2.2** For onshore storage facilities and production facilities, permanently manifolded oil storage tanks are defined as tanks that are designed, installed, and/or operated in such a manner that the multiple tanks function as one storage unit (i.e., multiple tank volumes are equalized). In this section of the response plan, owners or operators must provide evidence that oil storage tanks with common piping or piping systems are not operated as one unit. If such evidence is provided and is acceptable to the RA, the worst case discharge volume shall be based on the combined oil storage capacity of all manifold tanks or the oil storage capacity of the largest single oil storage tank within the secondary containment area, whichever is greater. For permanently manifolded oil storage tanks that function as one storage unit, the worst case discharge shall be based on the combined oil storage capacity of all manifolded tanks or the oil storage capacity of the largest single tank within a secondary containment area, whichever is greater. For purposes of the worst case discharge calculation, permanently manifolded oil storage tanks that are separated by internal divisions for each tank are considered to be single tanks and individual manifolded tank volumes are not combined.

## 1.5.2 Worst Case Discharge

### Calculation of the Worst Case Discharge

The worst-case discharge planning volume was calculated using worksheets in the Code of Federal Regulations. Using these worksheets, the worst-case discharge of oils was calculated to be a release of approximately 1,900,000 gallons (44,000 barrels). The Worst Case Discharge Planning Volume Calculation Worksheet (for on-shore storage facilities-multiple tanks) is provided in Appendix F of this document.

Petroleum products are stored in two tanks at the facility located 300 feet (Tank 8) and 900 feet (Tank 6) from the harbor. Soybean (vegetable) oil is contained in a third tank (Tank 7) located 1200 feet from the harbor. All tanks have secondary containment structures. Because Frick Services Liquid Terminal includes various storage and piping areas that allow confinement and segregation in the event of an emergency, it is considered unlikely that the entire capacity of the three tanks could be released under any of the possible spill scenarios.

For the purpose of this Response Plan, the worst-case discharge from Frick Services Liquid Terminal could be caused by catastrophic tank and dike failure of Tank 8 in Containment Area #1, nearest to the harbor, with a maximum storage capacity of 1,900,000 gallons (44,000 barrels). Worst case discharge scenerios would also include a catastrophic failure of Tank 8, a catastrophic failure of Tank 8 and dike, a catastrophic failure of Tank 6, and a catastrophic failure of Tank 6 and dike, and hose failure.

**Calculation of the Planning Distance**

The formula for oil transport on still navigable water is based on the volume of the discharge. In accordance with 40 CFR 112.20(a)(3) to calculate the planning distance for oil transport on still water, the following formula will be used:

$$A_1 = 10^5 \times V3/4 \times C$$

**$A_1$:** the surface area in square feet covered by an oil discharge on still water within which fish and wildlife and sensitive environments could be injured or a public drinking water intake would be shut down;

**V:** the volume of the discharge in gallons;

**C:** constant conversion factor 0.1643.

| | | | | | | |
|---|---|---|---|---|---|---|
| **$10^{5\,x}$** | **V 3/4** | (gallons) x | **c** | = | **$A_1$** | (square feet) |
| **$10^{5\,x}$** | **1,900,000 x 3/4** | (gallons) x | **0.1643** | = | **2.772E+10** | **(square feet)** |

The planning distance calculations are based on worst case discharges of persistent oils (catastrophic failure of Tank 8). Based on the configuration of the harbor area, it is assumed that a discharge of this volume from the mooring location would be controlled within the area of the Burns International Harbor. The area of the harbor is estimated to encompass approximately 12,000,000 square feet. A conservative approach was utilized to determine the amount of time available within which the absorbent boom must be in place across the mouth of the harbor. Using the assumptions within the methodology of 40CFR 112, the oil

slick is assumed to move at 0.69 miles per hour. The distance from the mooring location to the nearest point of the boom to be placed is approximately 4,000 feet, or 0.76 miles. Therefore, dividing the rate of movement into the distance, given worst case spill and worst case weather conditions (a 20 mph wind blowing directly north-northeast), leaves approximately 65 minutes for placement of the boom.

**Response Resources**

The volume of response resources for a worst case discharge was calculated using worksheets in the Code of Federal Regulations. The Worksheet to Plan Volume of Response Resources for a Worst Case Discharge is provided in Appendix F of this document.

Frick Services maintains sufficient response resources, sources, and quantity of equipment to respond to a worst case discharge. The OSRO, Clean Harbors Environmental Services, has U.S. Coast Guard classifications A through E as well as shoreline capability for rivers, inland waters, and the Great Lakes. Materials they have available to bring on scene are listed in Appendix B. The Port Authority maintains 1,000 feet of boom material near the harbor at all times for deployment in such an emergency.
Storage of recovered material will be accomplished through the use of drums, tanker trucks and frac tanks supplied by the OSRO. The OSRO can provide storage capacity of 1,050,000 gallons per day in 50 frac tanks, if needed. In addition, available empty ASTs on site can be utilized for temporary storage of recovered oils.

## SCENARIO #9- CATASTROPHIC FAILURE OF TANK

This scenario involves a catastrophic failure of Tank 8 due to brittle fracture. The entire capacity of Tank 8 is discharged (1,900,000 gallons). The product escapes the secondary containment dike (capacity of 650,000 gallons). The overflow spreads radially from the diked area; 1,250,000 gallons of the discharge escapes the property.

- ***Circumstances and Contributing Factors:*** Oil storage location, age and condition of facility and components
- ***Size of the discharge:*** 1,900,000 gallons total, 1,250,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 300 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4300 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; property line abuts secondary containment dike for Tank 8.
- ***Location of the material discharged:*** Clay secondary containment dike of Tank 8, overflow to earthen dike to the south (offsite), asphalt secondary containment for transfer area to the east, earthen grounds to the west and north.
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Northeast towards Burns Harbor

## SCENARIO #10- CATASTROPHIC FAILURE OF TANK AND DIKE

This scenario involves heavy machinery colliding with Tank 8 while being used to repair the dike wall, resulting in a simultaneous catastrophic failure of both Tank 8 and dike. The entire capacity of Tank 8 is discharged (1,900,000 gallons) and escapes the secondary containment dike. The discharge spreads radially from the diked area; 1,900,000 gallons of the discharge escapes the property.

- ***Circumstances and Contributing Factors:*** Facility maintenance, oil storage location, age and condition of facility and components.
- ***Size of the discharge:*** 1,900,000 gallons total, 1,900,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 300 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4300 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely; property line abuts secondary containment dike for Tank 8.
- ***Location of the material discharged:*** Clay secondary containment dike of Tank 8 to earthen dike to the south (offsite), asphalt secondary containment for transfer area to the east, earthen grounds to the west and north.
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Northeast towards Burns Harbor

## SCENARIO #11 CATASTROPHIC FAILURE OF TANK

This scenario involves a catastrophic failure of Tank 6 due to brittle fracture. The entire capacity of Tank 6 is discharged (860,000 gallons) and escapes the secondary containment dike (capacity of 700,000 gallons). The discharge spreads radially from the diked area; 160,000 gallons of the discharge escapes the property.

- ***Circumstances and Contributing Factors:*** Oil storage location, age and condition of facility and components
- ***Size of the discharge:*** 860,000 gallons total, 160,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 1000 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 5000 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely
- ***Location of the material discharged:*** Clay secondary containment dike of Tank 6, then earthen grounds.
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Northeast and north towards Burns Harbor

## SCENARIO #12- CATASTROPHIC FAILURE OF TANK AND DIKE

This scenario involves a fire/explosion at Tank 6, resulting in a simultaneous catastrophic failure of both Tank 6 and dike. The entire capacity of Tank 6 is discharged (860,000 gallons) and escapes the secondary containment dike. The discharge spreads radially from the diked area; 860,000 gallons of the discharge escapes the property.

- ***Circumstances and Contributing Factors:*** Oil storage location
- **Size of the discharge:** 860,000 gallons total, 298,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 1000 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 5000 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely
- ***Location of the material discharged:*** Clay secondary containment dike of Tank 6, then earthen grounds.
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** Northeast and north towards Burns Harbor

## SCENARIO #13- HOSE FAILURE

This scenario involves a complete failure of a barge hose during a transfer from Tank 8 at the barge transfer area. The entire capacity of Tank 8 (1,900,000 gallons) is discharged. The product escapes the barge transfer area secondary containment (capacity of 70 gallons). The overflow spreads radially from the transfer area; the entirety of the discharge escapes the property.

- ***Circumstances and Contributing Factors:*** Loading/unloading, piping, pumps, age and condition of facility and components
- ***Size of the discharge:*** 1,900,000 gallons total,1,900,000 gallons offsite
- ***Proximity to downgradient wells, waterways, and drinking water intakes:*** 10 feet to Burns Harbor
- ***Proximity to fish and wildlife sensitive environments:*** 4010 feet to mouth of Burns Harbor
- ***Likelihood that the discharge will travel offsite:*** Likely
- ***Location of the material discharged:*** Concrete secondary containment at barge transfer area
- ***Material discharged:*** Recycled #4 Fuel Oil
- ***Weather or aquatic conditions:*** No weather or aquatic conditions affect this discharge. Burns Harbor is a confined harbor with no tides or river flow.
- ***Available remediation equipment:*** 1,000 feet of boom for mouth of Burns Harbor, sorbent materials, OSRO list of equipment located in Appendix B
- ***Probability of a chain reaction of failures:*** Not probable
- ***Direction of discharge pathway:*** North towards Burns Harbor

## 1.6 DISCHARGE DETECTION SYSTEMS

In this section, the facility owner or operator shall provide a detailed description of the procedures and equipment used to detect discharges. A section on discharge detection by personnel and a discussion of automated discharge detection, if applicable, shall be included for both regular operations and after hours operations. In addition, the facility owner or operator shall discuss how the reliability of any automated system will be checked and how frequently the system will be inspected.

### 1.6.1 Discharge Detection by Personnel

In this section, facility owners or operators shall describe the procedures and personnel that will detect any discharge of oil or release of a hazardous substance. A thorough discussion of facility inspections must be included. In addition, a description of initial response actions shall be addressed. This section shall reference section 1.3.1 of the response plan for emergency response information.

### 1.6.1 Discharge Detection by Personnel

**During Regular Operations:** A discharge of oil will be detected by Frick Services personnel during regular operations through facility self-inspections, visual walk-through inspections, and inspections performed before, during, and after a transfer. Facility self-inspections are conducted by the Tank Farm Operator on tanks, secondary containment areas, piping, valves, pumps, transfer areas, and response equipment. A thorough description of facility self-inspections is included in Section 1.8.1. In addition, the Tank Farm Operator conducts daily walk-through inspections of the portion of the facility containing Tanks 6 and 7, and inspects the portion of the facility containing Tank 8 twice a week. These inspections include a visual observation of the tanks, secondary containment areas, piping, valves, pumps, and transfer areas. Inspections are also performed before, during, and after product transfers. All material transfers are conducted by Frick Services operators only after appropriate inspection of the receiving tank, its available capacity, and transfer conduit. Frick Services Liquid Terminal will have a minimum of two personnel on duty during any transfer operation. The following is a description of the procedures and personnel that will detect a discharge of oil:

- **Dockman** - The Dockman is in charge of all Frick facility operations and will not leave the immediate vicinity with the exception of time to perform inspections of pipe lines, pumps, valves, etc. that are involved in the transfer of petroleum products between barges and the shore tank. The inspection time necessary to do this should be approximately ten minutes. The Dockman will also complete and sign the declaration of inspection for each barge.

- **Tank Farm Operator** - The Tank Farm Operator is in charge of the Frick tank farm and will be at the tank site to which or from which the product transfer is tanking place. The Tank Farm Operator will be in the immediate vicinity of the tank at all times except for time needed to perform inspections of pipe lines, pumps, valves, etc. that are involved in the transfer of petroleum products between barges and the shore tank. The inspection time necessary to do this should be approximately ten minutes. The Tank Farm Operator will verify with the surveyor (a contracted group that determines the tank and barge are available for the amount of material to be transferred without overfill) that tank and barge measurements are consistent with each other.

Other persons required to be on duty during a barge transfer include:

- **Tankerman -** Frick Services contracts a Tankerman from an outside company. The Tankerman is licensed by the USCG. The Tankerman is in charge of all barge transfer operations and has the authority to shut down transfer operations at any time if unsafe operations or other problems develop. The Tankerman will also complete and sign declarations of inspection for the barges.

- **Longshoreman -** The Longshoreman is provided by the ILA and is responsible for connecting hoses to the barge from the pumping and valve station. The ILA requires a four hour notification lead time before a Longshoreman is needed. The ILA will provide a tank farm operator during the entire barge loading/unloading process, a hose man for two hours at the start of operations and a hose man for two hours at the end of operations.

**During After Hours:** When product transfers at Frick Services occur after hours, the procedures and personnel that will detect a discharge of oil will be the same as during regular operations, as outlined above. During after hours when transfers are not occurring and Frick Services personnel are not on duty, discharges will be detected by security. Security at this Facility is controlled by the Port Authority Security, which conducts inspections of the Port twelve times a day (four inspections per shift, three shifts per day).

Should a leak or spill occur during the transfer of any petroleum product, the following steps would be immediately taken:

1. Stop the transfer.
2. Close all valves.
3. Stop the leak, if possible.
4. Contain the escaping product.
5. Commence cleanup activities.
6. Refer to the Emergency Response Action Plan, Section 1.3.1 Emergency Response Action Plan Notification Phone List to contact the Qualified Individual and agencies as directed in this plan.

**1.6.2 Automated Discharge Detection**

In this section, facility owners or operators must describe any automated discharge detection equipment that the facility has in place. This section shall include a discussion of overfill alarms, secondary containment sensors, etc. A discussion of the plans to verify an automated alarm and the actions to be taken once verified must also be included.

## 1.6.2 Automated Discharge Detection

Frick Services Liquid Terminal does not currently have an automated discharge detection system in any of the secondary containment dikes. In accordance with 40 CFR 112.8(c)(8)(iii), Frick Services utilizes direct audible and visual communications between the container gauger and the pumping station. In addition, prior to barge transfers, the Tank Farm Operator will verify with the surveyor (a contracted group that determines the tank and barge are available for the amount of material to be transferred without overfill) that tank and barge measurements are consistent with each other.

### Terminal

The loading racks are continuously monitored during product transfers by Terminal personnel and truck drivers. Storage tanks are connected to an electronic level monitoring system wired to gauges within the Operations Manager's office.

### Description of Alarm Verification Procedures

Not applicable. Frick Services Liquid Terminal does not have automatic spill detection equipment.

### Subsequent Actions

Refer to the personnel discharge detection procedures and subsequent actions described in Section 1.6.1.

**1.7 PLAN IMPLEMENTATION**

In this section, facility owners or operators must explain in detail how to implement the facility's emergency response plan by describing response actions to be carried out under the plan to ensure the safety of the facility and to mitigate or prevent discharges described in section 1.5 of the response plan. This section shall include the identification of response resources for small, medium, and worst case discharges; disposal plans; and containment and drainage planning. A list of those personnel who would be involved in the cleanup shall be identified. Procedures that the facility will use, where appropriate or necessary, to update their plan after an oil discharge event and the time frame to update the plan must be described.

## 1.7 PLAN IMPLEMENTATION

### Immediate Spill Response Actions

This section outlines general prioritized procedures used by personnel to respond to a discharge. Specific actions for responding to specific discharge scenarios are outlined. Frick Services' operators detecting a spill will stop the source of the spill and notify response personnel.

**1.7.1 Response Resources for Small, Medium, and Worst Case Discharges**

Once the discharge scenarios have been identified in Section 1.5 of the response plan, the facility owner or operator shall identify and describe implementation of the response actions. The facility owner or operator shall demonstrate accessibility to the proper response personnel and equipment to effectively respond to all of the identified discharge scenarios. The determination and demonstration of adequate response capability are presented in Appendix E to this part. In addition, steps to expedite the cleanup of oil discharges must be discussed. At a minimum, the following items must be addressed:

(1) Emergency plans for spill response;

(2) Additional response training;

(3) Additional contracted help;

(4) Access to additional response equipment/experts; and

(5) Ability to implement the plan including response training and practice drills.

### 1.7.1 Response Resources for Small, Medium, and Worst Case Discharges

The determination of adequate response capability for a worst case discharge was calculated using worksheets in the Code of Federal Regulations. The Worksheet to Plan Volume of Response Resources for a Worst Case Discharge is provided in Appendix F of this document.

The demonstration of adequate response capability is presented in Section 1.3.2 (list of facility response equipment) and in Appendix B (OSRO response equipment). Frick Services maintains adequate response resources for a small, medium, or worst case release.

### Additional Response Training/ Ability to Implement Plan, Including Response Training and Practice Drills

Frick Services performs regular drills and exercises to prepare for a response to a discharge (described in Section 1.8.2). Response equipment testing and deployment drills for Frick Services response personnel are conducted semi-annually. Personnel training is conducted during safety meetings to ensure that personnel who would operate response equipment are capable of properly deploying and operating it.

Frick Services was found to have the ability to implement the response plan during an unannounced exercise completed by Frick Services on July 20, 2009 with representatives of the US EPA Region 5 and the OSRO. A letter from the US EPA providing details of the successful completion of the exercise is included in Appendix M.

**Access to Additional Contracted Help and Response Equipment/Experts**

The OSRO maintains agreements with multiple subcontractors to provide additional contracted help (subcontractors are named in Appendix B). Additional response resources and experts are available should an emergency situation require response resources and experts that exceed the Frick Services' capacity. These response resources and experts include neighboring municipal fire departments, the equipment and resources of the Burns International Harbor Port Authority, and the OSRO.

*Specific response actions to be taken by response personnel to respond to various scenarios are outlined in the following subsections.*

**Failure of Manifold and Mechanical Loading Arm, Other Transfer Equipment or Hoses**

Manifolds and Mechanical Loading Arms are not present near the Barge Loading Area. However, other transfer equipment (e.g. pumps) and hoses are utilized. Based on conversations with Port of Indiana personnel, Frick Liquid Terminal has determined that a release into Burns Harbor will be contained to the area south of the seawall (refer to Figures 4 and 5).

**Prioritized Procedure:**

- For barge unloading to the tank, a contracted survey company verifies tank capacity prior to and after offloading from the barge. The tank is inspected to verify that the capacity of the purchased material can be held within the tank prior to offloading.
- The actions described in the Spill Incident Prevention Plan in Section 2.3 of the Oil Spill Response Plan (OSRP) would be implemented.
- Shut down would be provided by a quick cut off of the pumping motor and closing of all valves both on the barge and on the dock. Check valves installed within the pipeline prevents the product from flowing back to the barge.

- Any oil released will be contained by sorbents on site located at the barge loading/unloading area.
- In the event that oil reaches Burns Harbor, a boom will be deployed to the east of the seawall to contain the oil within the loading area (an approximately 0.5 acre area).
- Spilled oil will be reclaimed if possible, or accumulated and properly disposed of.

**Responsible Facility Personnel:**

- Qualified Individual
- Alternate Qualified Individual

## Tank Overfill

The tanks are situated within secondary containment and are not situated near Burns Harbor. Therefore, tank failure is not anticipated to be a concern. However, the following procedures will be followed in the event of a tank overfill:

**Prioritized Procedure:**

- For tank unloading to a barge, a contracted survey company verifies barge's capacity prior to and after offloading from the tank. Prior to loading, the barge is inspected to verify that the capacity of the material can be held within the barge prior to offloading.
- The actions described in the Spill Incident Prevention Plan in Section 2.3 of the OSRP would be implemented.
- Any spilled oil would be contained by the secondary containment, even under the worst case scenario.
- Spilled oil will be reclaimed if possible, or accumulated and properly disposed of.

**Responsible Facility Personnel:**

- Qualified Individual
- Alternate Qualified Individual

## Piping Rupture

Based on conversations with Port of Indiana personnel, Frick Liquid Terminal has determined that a release into Burns Harbor will be contained to the area south of the seawall (refer to Figures 4 and 5).

**Prioritized Procedure:**

- The actions described in the Spill Incident Prevention Plan in Section 2.3 of the OSRP would be implemented.
- Any spilled oil from piping within the diked area would be retained by the secondary containment, even under the worst case scenario.
- In the event of a piping rupture outside of secondary containment, either above or below grade, sorbent materials and booms will be deployed as required to contain the spill.
- Spilled oil will then be reclaimed if possible, or accumulated and properly disposed of.

**Responsible Facility Personnel:**

- Qualified Individual
- Alternate Qualified Individual

## Piping Leaks – Under Pressure

Based on conversations with Port of Indiana personnel, Frick Liquid Terminal has determined that a release into Burns Harbor will be contained to the area south of the seawall (refer to Figures 4 and 5).

**Prioritized Procedure:**

- The actions described in the Spill Incident Prevention Plan in Section 2.3 of the OSRP would be implemented.
- Any oil discharged will be contained by vaults, sorbents, booms or dikes as required.
- Oil spilled will be reclaimed if possible, or collected and properly disposed of by the OSRO.

**Responsible Facility Personnel:**

- Qualified Individual
- Alternate Qualified Individual

## Piping Leaks – Not Under Pressure

Based on conversations with Port of Indiana personnel, Frick Liquid Terminal has determined that a release into Burns Harbor will be contained to the area south of the seawall (refer to Figures 4 and 5).

**Prioritized Procedure:**

- The actions described in the Spill Incident Prevention Plan in Section 2.3 of the OSRP would be implemented.
- Any oil discharged will be contained by sorbents, booms or dikes as required.
- Oil spilled will be reclaimed if possible, or collected and properly disposed of by the OSRO.

**Responsible Facility Personnel:**

- Qualified Individual
- Alternate Qualified Individual

## Explosion and/or Fire

**Prioritized Procedure:**

- The actions described in the Spill Incident Prevention Plan in Section 2.3 of the OSRP would be implemented.
- Fire extinguishers (provided at both the dock and on the barge) would be utilized if possible.
- In the event of an uncontrolled fire or explosion, "911" will be dialed. "911" notifies the Portage Fire House #2, located three (3) miles from the Liquid Terminal.

**Responsible Facility Personnel:**

- Qualified Individual
- Alternate Qualified Individual

## Equipment Failure

Based on conversations with Port of Indiana personnel, Frick Liquid Terminal has determined that a release into Burns Harbor will be contained to the area south of the seawall (refer to Figures 4 and 5).

**Prioritized Procedure:**

- The actions described in the Spill Incident Prevention Plan available in Section 2.3 of the OSRP would be followed.
- Any defective equipment would be repaired or replaced.
- Any discharged oil would be contained by deployment of sorbent materials and booms as required.
- Spilled oil will be reclaimed if possible, or collected and properly disposed of by the OSRO.

**Responsible Facility Personnel:**

- Qualified Individual
- Alternate Qualified Individual

## Tank Failure

The tanks are situated within secondary containment and are not situated near Burns Harbor. Therefore, tank failure is not anticipated to be a concern. However, the following procedures will be followed in the event of a tank failure:

**Prioritized Procedure:**

- The actions described in the Spill Incident Prevention Plan in Section 2.3 of the OSRP would be implemented.
- Any spilled oil would be contained by the secondary containment, even under the worst case scenario.
- Spilled oil will be reclaimed if possible, or accumulated and properly disposed of.

**Responsible Facility Personnel:**

- Qualified Individual
- Alternate Qualified Individual

**Spill Response Equipment**

Frick Services Liquid Terminal spill response equipment can be found in section 1.3.2 and oil spill removal organization (OSRO) information & equipment lists can be found in Appendix B.

**Response Initiation and Supervision**

Immediate Spill Response Action table summarizes general procedures that would be followed during the spill response (also included in the Emergency Response Action Plan):

- For barge unloading to the tank, a contracted survey company verifies tank capacity prior to and after offloading from the barge. The tank is inspected to verify that the capacity of the purchased material can be held within the tank prior to offloading.
- The actions described in the Spill Incident Prevention Plan in Section 2.3 of the OSRP would be implemented.

- Shut down would be provided by a quick cut off of the pumping motor and closing of all valves both on the barge and on the dock. Check valves installed within the pipeline prevents the product from flowing back to the barge.
- Any oil released will be contained by sorbents on site located at the barge loading/unloading area.
- In the event that oil reaches Burns Harbor, a boom will be deployed to the east of the seawall to contain the oil within the loading area (an approximately 0.5 acre area).
- Spilled oil will be reclaimed if possible, or accumulated and properly disposed of.

**Oil Spill Response - Immediate Actions**

| | |
|---|---|
| 1. Stop the product flow, if possible. | Follow all safety procedures for emergency shutdown of equipment. |
| 2. Warn personnel | ▪ Notify the QI immediately. The Frick Services operator on the scene will be designated as the acting QI until relieved.<br>▪ Evacuate personnel not involved with mitigation and danger abatement. |
| 3. Shut off ignition sources | ▪ Stop hot work and extinguish ignition sources such as motors, electrical circuits, open flames, etc.<br>▪ Shut down all operations until danger is abated. |
| 4. Initiate containment | The acting QI will direct the cleanup efforts until relieved. |
| 5. Notify NRC | As much of the following information as possible should then be provided by the QI to the NRC and to responders.<br>▪ Approximate rate of the spill<br>▪ Type of material spilled<br>▪ Surface on which the oil spilled (pavement, soil, gravel, soil)<br>▪ Amount of time before the spill will flow into a ditch, road, sewer, or other conveyance<br>▪ Cause of the spill<br>▪ Any damages of injuries<br>▪ Actions taken to mitigate the spill<br>▪ Evacuation needs |
| 6. Notify OSRC | Notify other contacts on List of Contacts (Appendix A) as deemed appropriate |

**1.7.2 Disposal Plans**

**1.7.2.1** Facility owners or operators must describe how and where the facility intends to recover, reuse, decontaminate, or dispose of materials after a discharge has taken place. The appropriate permits required to transport or dispose of recovered materials according to local, State, and Federal requirements must be addressed. Materials that must be accounted for in the disposal plan, as appropriate, include:

(1) Recovered product;

(2) Contaminated soil;

(3) Contaminated equipment and materials, including drums, tank parts, valves, and shovels;

(4) Personnel protective equipment;

(5) Decontamination solutions;

(6) Adsorbents; and

(7) Spent chemicals.

**1.7.2.2** These plans must be prepared in accordance with Federal (e.g., the Resource Conservation and Recovery Act [RCRA]), State, and local regulations, where applicable. A copy of the disposal plans from the facility's SPCC Plan may be inserted with this section, including any diagrams in those plans.

## 1.7.2 Disposal Plans

This section describes how the facility plans to reuse, decontaminate, or dispose of materials after a spill and / or discharge. This section also discusses the appropriate permits required to transport or dispose of recovered materials according to local, state, and federal requirements. Materials accounted for in this disposal plan include:

- Recovered product.
- Contaminated soil.
- Contaminated equipment & materials: drums, tank parts, valves, and shovels.
- Personal protective equipment.
- Decontamination solutions.
- Absorbents.
- Spent chemicals.

Spilled petroleum-related materials and contaminated spill cleanup materials recovered from land and water require proper handling. Management of hazardous substance and oily waste material, including recycling, decontaminating, treatment, storage, and disposal, are the responsibility of the OSRO, are outlined in the contract with the OSRO (located in Appendix B), and must comply with applicable state and federal regulations. Waste handling procedures will be preceded by several steps with an overall objective of waste minimization, cost effectiveness, minimization of impact on unaffected areas or already cleaned areas, regulatory compliance, worker safety, and proper disposal.

### Characterization

Contaminated spill clean-up materials will be characterized for proper handling by either analysis or by knowledge of the materials. If the constituents of both the recovered spill and contaminated spill clean-up materials are known, characterization may be possible based only on previous knowledge. If previous knowledge is not adequate, representative samples of these materials must be collected and sent to a laboratory for analysis. The analytical results will be evaluated, and the wastes will be handled in accordance with appropriate state and federal regulation. If the material cannot be recycled, a determination will be made whether the material is non-hazardous (special waste) or hazardous.

### Collection

A primary concern in handling recovered spills and contaminated spill clean-up materials is to prevent contamination of previously unaffected areas or recontamination of areas already cleaned. This can be accomplished by employing correct handling techniques. All workers who handle hazardous substance impacted waste will be debriefed about existing health and safety plans for hazardous substance spill response. Recovered petroleum-related materials and/or mixtures with water will be moved by vacuum trucks back to the Frick Services Liquid Terminal facility for product recovery, if possible. If it is not possible, the recovered petroleum-related materials must be temporary pumped into available sound tanks until recovery is possible. Other contaminated spill clean-up materials should be placed in leak-proof containers to prevent leakage during handling and transportation. Double-walled plastic bags may be used for this purpose. For larger materials or those that could puncture the bags, plastic lined debris boxes or similar containers may be used, as appropriate.

### Temporary Storage and Source Reduction

Temporary storage of recovered petroleum-related materials and/or mixtures with water should not be necessary. Other wastes may require temporary storage prior to disposal. Temporary satellite storage site(s) or transfer stations will be located in areas with good access to cleanup operations. Good storage sites include paved, flat areas, such as parking lots. During selection and preparation of a temporary storage area, contamination of the surrounding areas should be minimized. Once a temporary storage site is located, certain site preparations will be followed, if possible, to minimize contamination of the native soil. Temporary containment areas will be set up using tarps and/or plastic sheets. Any contaminated soil will be covered with plastic sheeting when material is not being added or removed from the waste site.

### Transportation

During transport, waste materials, unless otherwise covered, will be covered with tarpaulin covers to minimize blowing or spilling of loads. Proper permits and signs for transportation per 40 CFR and 49 CFR will be obtained and used. Manifests (if required) will be completed for the material if offsite disposal is necessary.

### Waste Handling

Recycling is the preferred method of handling recovered waste material if source reduction cannot be achieved. The reuse of the hazardous substance impacted waste will be determined by Frick Services' personnel. Federal and State land disposal restrictions prohibit land disposal of hazardous waste without prior treatment to strict standards. These standards vary depending upon the regulatory classification of the waste. In the event that the materials meet the universal treatment standards, they will be sent offsite for disposal. If additional treatment is necessary before disposal, the materials will be transported offsite for treatment and disposal. Spill cleanup materials will be disposed of in accordance with all local, state, and federal regulations. The OSRO will be responsible for arranging the proper disposal of used spill cleanup materials.

**1.7.3 Containment and Drainage Planning**

A proper plan to contain and control a discharge through drainage may limit the threat of harm to human health and the environment. This section shall describe how to contain and control a discharge through drainage, including:

(1) The available volume of containment (use the information presented in section 1.4.1 of the response plan);

(2) The route of drainage from oil storage and transfer areas;

(3) The construction materials used in drainage troughs;

(4) The type and number of valves and separators used in the drainage system;

(5) Sump pump capacities;

(6) The containment capacity of weirs and booms that might be used and their location (see section 1.3.2 of this appendix); and

(7) Other cleanup materials.

## 1.7.3 Containment and Drainage Planning

If an overfill occurred as a tank received product from another tank, the product will be diverted to another tank or halted. If an overfill occurred during a pipeline receipt, the operator overseeing the transfer will immediately contact the pipeline to stop the transfer. Frick Services' personnel are trained in the proper notification procedures for pipeline shutdown. Spill and safety equipment such as absorbent, drums, masks, gloves, etc., have been strategically stationed for easy access at the mooring and the terminal office. Spills from tanks (located within secondary containment areas) would be contained by the secondary containment structure and pumped out by vacuum truck or other pumping device (see list of available equipment from the OSRP, Appendix B). The volumes of secondary containments are indicated on Figure 1 in Appendix C. Released product will be recovered if possible, and pumped into another tank. Impacted soil will be treated as required by local, state, and federal regulations.

In the very unlikely event (such as catastrophic tank failure) a release escapes secondary containment, free liquid will be contained using absorbent pads, blankets, and booms, earthen dikes, or interceptor trenches. The capacity of the absorbent pads, blankets, and booms is detailed below:

- Absorbent pads (4 boxes on site of approximately 14-inch x 19-inch with a 24 gallon per box absorption capacity)
- Absorbent blanket (3 ft x 100 ft blanket with an absorption capacity of approximately 26 gallons)
- 160 feet of boom (with a 4 gallons per foot absorption capacity)

Additional recovery resources are stored nearby by the Port of Indiana Authority for response to discharges to the water. Because no drainage systems are utilized, no weirs, booms, valves, separators or drainage troughs are utilized, and there are no associated intakes, manholes or retention structures. A sump pump is present to drain the concrete containment under the truck loading area near Tank 7 (containment area 2A) into the adjoining containment basin. The capacity of the sump pump located in containment area 2A is 650 gallons/minute. No storm sewer system is present in the Harbor area, as rainwater will infiltrate the sandy soils, or run off to the surrounding harbor. Rainwater falling inside of secondary containments is allowed to evaporate/infiltrate. The direction of drainage flow from oil storage and transfer areas is shown on Figure 3. Spilled material will be recovered (if possible) and impacted surfaces will be treated as necessary to meet applicable regulations.

**1.8 SELF-INSPECTION, DRILLS/EXERCISES, AND RESPONSE TRAINING**

The owner or operator must develop programs for facility response training and for drills/exercises according to the requirements of 40 CFR 112.21. Logs must be kept for facility drills/exercises, personnel response training, and spill prevention meetings. Much of the recordkeeping information required by this section is also contained in the SPCC Plan required by 40 CFR 112.3. These logs may be included in the facility response plan or kept as an annex to the facility response plan.

## 1.8 SELF-INSPECTION, DRILLS/EXERCISES, AND RESPONSE TRAINING

This section summarizes the inspection procedures for tanks and secondary containment structures. Inspections of the onsite spill response equipment, as well as spill response training and drills, are also described. In addition, record keeping (logs) for each item is discussed in this section.

**1.8.1 Facility Self-Inspection**

Under 40 CFR 112.7(e), you must include the written procedures and records of inspections for each facility in the SPCC Plan. You must include the inspection records for each container, secondary containment, and item of response equipment at the facility. You must cross-reference the records of inspections of each container and secondary containment required by 40 CFR 112.7(e) in the facility response plan. The inspection record of response equipment is a new requirement in this plan. Facility self-inspection requires two-steps: (1) a checklist of things to inspect; and (2) a method of recording the actual inspection and its findings. You must note the date of each inspection. You must keep facility response plan records for five years. You must keep SPCC records for three years.

## 1.8.1 Facility Self-Inspection

### 1.8.1.1 *Tank Inspection*

Inspections for in-service bulk storage tanks are conducted to examine the exterior of the aboveground tanks and the containment areas: Signs of leakage or potential leakage are reported to the Operations Manager. Inspection checklists for the bulk storage tanks are maintained at the Frick Services Liquid Terminal Operations Office for a minimum of five years. The tank inspection checklist is provided in Appendix E. Completed tank inspection checklists are provided in Appendix L. The inspections will include checking for the following.

1. Check tanks for leaks, specifically looking for:
    a. Drip marks
    b. Discoloration of tanks
    c. Puddles containing spilled or leaked material
    d. Corrosion
    e. Cracks
    f. Localized dead vegetation

2. Check foundation for:
    a. Cracks
    b. Discoloration
    c. Puddles containing spilled or leaked material
    d. Settling
    e. Gaps between tank and foundation
    f. Damage caused by vegetation roots
3. Check piping for:
    a. Droplets of stored material
    b. Discoloration
    c. Corrosion
    d. Bowing of pipe between supports
    e. Evidence of stored material seepage from valves or seals
    f. Localized dead vegetation

A tank inspection log is also included in Appendix E and will be maintained at the Frick Services Liquid Terminal Operations Office for a minimum of five years. The response equipment inspection log includes the following:

1. Inspector's name
2. Tank Number
3. Inspection date
4. Comments/Findings of the inspection

### 1.8.1.2 *Response Equipment Inspection*

The facilities response equipment listed in Section 1.3.2 of the response plan will be inspected on a semi annual basis. A response equipment inspection checklist has been developed and is included in Appendix G. Any discrepancies between the list and the actual equipment inspected will be documented. The inspection records will be maintained at the Frick Services Liquid Terminal Operations Office for a minimum of five years. Completed response equipment inspection checklists are provided in Appendix L. The inspections will include checking for the following.

1. Inventory (item and quantity)
2. Storage location
3. Accessibility (time to access and respond)
4. Operational status and condition
5. Actual use / testing (last test date and frequency of testing)
6. Shelf life (present age, expected replacement date)
7. Inspection date
8. Inspector's signature

A response equipment inspection log is also included in Appendix G and will be maintained at the Frick Services Liquid Terminal Operations Office for a minimum of five years. The response equipment inspection log includes the following:

1. Inspector's name
2. Inspection date
3. Comments/Findings of the inspection

### 1.8.1.3 *Secondary Containment Inspection*

The secondary containment areas shown on the site plan diagrams in Appendix C will be inspected on a quarterly basis. The secondary containment inspection checklist is provided in Appendix E. The inspection records will be maintained at the Frick Services Liquid Terminal Operations Office for a minimum of five years. Completed secondary containment inspection checklists are provided in Appendix L. The inspections will include checking for the following.

1. Dike or berm systems
    a. Level of precipitation in dike / available capacity
    b. Operational status of drainage valves (there are no drainage valves in the bermed area)
    c. Dike or berm permeability
    d. Debris
    e. Erosion
    f. Permeability of the earthen floor of diked area
    g. Location/status of pipes, inlets, drainage beneath tanks, etc.
2. Secondary containment
    a. Cracks
    b. Discoloration
    c. Presence of spilled or leaked material (standing liquid)
    d. Corrosion
    e. Valve conditions

3. Retention area inside Containment Area #2

    a. Erosion

    b. Available capacity

    c. Presence of spilled or leaked material (lab analysis)

    d. Debris

    e. Stressed vegetation

A secondary containment inspection log is also included in Appendix E and will be maintained at the Frick Services Liquid Terminal Operations Office for a minimum of five years. The response equipment inspection log includes the following:

1. Inspector's name

2. Secondary containment area inspected

2. Inspection date

3. Comments/Findings of the inspection

**1.8.2 Facility Drills/Exercises**

(A) Clean Water Act section 311(j)(5), as amended by OPA, requires the response plan to contain a description of facility drills/exercises. According to 40 CFR 112.21(c), the facility owner or operator shall develop a program of facility response drills/exercises, including evaluation procedures. Following the PREP guidelines (see Appendix E to this part, section 13, for availability) would satisfy a facility's requirements for drills/exercises under this part. Alternately, under Section 112.21(c), a facility owner or operator may develop a program that is not based on the PREP guidelines. Such a program is subject to approval by the Regional Administrator based on the description of the program provided in the response plan.

(B) The PREP Guidelines specify that the facility conduct internal and external drills/exercises. The internal exercises include: qualified individual notification drills, spill management team tabletop exercises, equipment deployment exercises, and unannounced exercises. External exercises include Area Exercises. Credit for an Area or Facility-specific Exercise will be given to the facility for an actual response to a discharge in the area if the plan was utilized for response to the discharge and the objectives of the Exercise were met and were properly evaluated, documented, and self-certified.

(C) Section 112.20(h)(8)(ii) requires the facility owner or operator to provide a description of the drill/exercise program to be carried out under the response plan. Qualified Individual Notification Drill and Spill Management Team Tabletop Drill logs shall be provided in sections 1.8.2.1 and 1.8.2.2, respectively. These logs may be included in the facility response plan or kept as an annex to the facility response plan. See section 1.3.3 of this appendix for Equipment Deployment Drill Logs.

## 1.8.2 Facility Drills / Exercises

The drill/exercise program at Frick Services, Inc. Liquid Terminal is based on National Preparedness for Response Exercise Program (PREP) guidelines. The program includes QI notification drills, spill management team tabletop exercises, equipment employment exercises, internal unannounced exercises, and area exercises. All internal exercises will be self-evaluated and self-certified. Frick Services, Inc. Liquid Terminal will also participate in government initiated unannounced exercises. Drills serve to evaluate the thoroughness and effectiveness of the emergency response component of the Plan by testing under simulated conditions. The components of the response capability will be tested and documented as various drills are performed.

### 1.8.2.1 *Qualified Individual Notification Drill Logs*

The Qualified Individual (QI) notification exercise is designed to verify that the QI or alternate QIs can be notified in a spill response emergency. The QI notification exercise will be conducted quarterly. At least once annually, the date and time of the QI notification exercise will be chosen randomly and conducted during non-business hours. Facility attendants and security staff will initiate the random, non-business hours exercise either personally or by notifying facility personnel to initiate the notification. The QI will be contacted using his digital cell phone. The QI will be required to confirm that notice of the spill exercise was received.

Information recorded on the QI Notification Exercise Log provided in Appendix H includes the date and time of the drill, name and company of the QI, names of people notified/contacted, the emergency scenario, an evaluation of the success of the drill, and recommendations for changes in the notification procedures, if necessary.

### 1.8.2.2 Spill Management Team Tabletop Exercise Logs

Frick Services Liquid Terminal operations staff and OSROs will organize and participate in annual tabletop exercises. The exercise will involve implementation of all or portions of the Facility Response Plan in order to verify personnel are familiar with the Plan and able to use it effectively. The spill scenarios discussed can include various size discharges, but at least once every three years, the tabletop exercise will involve a worst-case discharge scenario

The Qualified Individual will initiate and organize the tabletop exercises. The exercises will include a review of the following:

- The Facility Response Plan
- Notification procedures
- Communication systems
- OSRO notification
- Management responsibilities during the spill response
- Coordination with the on-scene coordinator

OSROs will be required to either, participate in the annual tabletop exercise or conduct their own tabletop exercises. In addition, the EPA on-scene coordinator or other response agency personnel may take part in the exercise. For tabletop exercises conducted by the facility, the date of the exercise, names of personnel and organizations involved, emergency scenario discussed, an evaluation of the exercise, any recommended changes, and the time table for implementing changes will be recorded on a Tabletop Exercise Log provided in Appendix H. If a contracted OSRO conducts its own annual tabletop exercises, they are to include participation from one or more facility representatives. Representatives from Frick Services Liquid Terminal must participate in the exercise. During the tabletop exercise, the OSRO must utilize the Plan to verify familiarity with the spill scenarios as well as the specific operations of the facility. The OSRO must demonstrate to the QI that it can merge their capabilities with the capabilities of the facility during spill response. The OSRO must provide the QI with documentation upon completion of such a tabletop exercise.

#### 1.8.2.3 *Equipment Deployment Exercises*

An equipment deployment exercise tests the ability of the facility personnel and OSROs to deploy and operate spill response equipment and to verify that the equipment is in good operating condition. Personnel that would normally deploy, operate, or supervise the use of the equipment will participate in the deployment exercise.

Facility owned and operated spill response equipment, such as pumps and radios identified in Section 1.3.2, is deployed and tested semi-annually. Personnel are trained in the use of this equipment during the semi-annual tests and malfunctioning equipment is repaired after testing. The deployment exercises will be recorded on the Drill Log provided in Appendix H.

The OSRO must participate in the equipment deployment exercises or conduct its own equipment deployment exercises annually. The QI receives documentation of equipment deployment exercises, rotation of equipment and personnel, and spill response equipment inspections and maintenance from the OSRO if it does its own separate exercises.

### 1.8.2.4 *Internal Unannounced Exercises*

Annually, Frick Services Liquid Terminal will ensure that one of the following exercises is conducted unannounced:

- Emergency procedures exercise for facilities;
- Spill management team tabletop exercise; or
- Equipment deployment exercise.

An unannounced exercise is where the exercise participants do not have prior knowledge of the exercise, as would be the situation in an actual spill incident. Frick Services Liquid Terminal will have an exercise program, which is comprised of both announced and unannounced exercises. Response to an actual spill will be taken as credit for the unannounced exercise requirement, if the response was evaluated. The emergency procedures exercise is an option available to provide an additional exercise that may be conducted unannounced.

### 1.8.2.5 *Area Exercise*

Frick Liquid Terminal will participate in the Porter County LEPC annual exercise regarding spill response. Frick Liquid Terminal will participate in area exercises as directed by the On-Scene Coordinator that involve equipment deployment to respond to a spill scenario developed by the Exercise Design Team, of which Frick Liquid Terminal will be a member. Subsequent participation in Area exercises will not be required of the facility for at least 6 years from the date of the exercise.

### 1.8.2.6 *Evaluation Procedures*

Following a drill/exercise, the facility will be responsible for carefully examining the effectiveness of the drill/exercises program. Frick Services will evaluate the response time of the emergency personnel, ability to respond properly to a spill event of the emergency response personnel and other Frick Services facility personnel, evaluate what changes should be made, if any, to improve Frick Services' response procedures, and provide a timetable for making those changes.

Records of all exercises will be maintained in the facility office for a period of at least 5 years, or 6 years in the case of area exercises under the direction of the On-Scene Coordinator.

**1.8.3 Response Training**

Section 112.21(a) requires facility owners or operators to develop programs for facility response training. Facility owners or operators are required by Section 112.20(h)(8)(iii) to provide a description of the response training program to be carried out under the response plan. A facility's training program can be based on the USCG's Training Elements for Oil Spill Response, to the extent applicable to facility operations, or another response training program acceptable to the RA. The training elements are available from the USCG Office of Response (G-MOR) at (202) 267-0518 or fax (202) 267-4085. Personnel response training logs and discharge prevention meeting logs shall be included in sections 1.8.3.1 and 1.8.3.2 of the response plan respectively. These logs may be included in the facility response plan or kept as an annex to the facility response plan.

### 1.8.3 Response Training

All new employees are carefully trained and supervised during the first year of employment. Each new employee is accompanied by trained personnel on each new work assignment and instructed regarding proper operational and maintenance spill prevention, and emergency response procedures. New employees are not given sole responsibility for any specific work assignment until they have proven themselves qualified by conducting normal assignments under the direct supervision of trained personnel.

#### 1.8.3.1 *Personnel Response Training Logs*

The facility shall keep a personnel training log that should include a record of all formal response training received by each employee. Examples of personnel training logs and discharge prevention meeting logs are included in Appendix I of this Plan. A completed personnel response training log is also included in Appendix I.

Frick Services Liquid Terminal will certify that its Qualified Individual and Emergency Response Contractors assigned to all levels have received the required training or equivalent and are competent. Copies of certificates should be kept with initial and refresher training documentation. Initial training and the method used to satisfy the refresher training / competency demonstration requirement must be documented in writing for each employee trained for spill response. This documentation should include the type of training, the date of the training, and the number of hours completed.

Prior to assignment by the Owner to the position of Qualified Individual, the employee shall be questioned and examined as to his/her academic and physical knowledge of the oil transfer operations. This knowledge shall consist of the following items:

1. Be familiar with the tanks, i.e. know the number of oil tanks, the type of oil stored in each tank, and the capacity of each tank.

2. Be able to properly take oil readings at the individual tanks and at the remote level reading station east of Tank 4.

3. Be able to make a sketch of the piping and oil transfer stations, indicating all fill, suction, and check valves.

4. Be familiar with all sections of 154.310 of the Operations Manual, and be able to explain in detail his/her duties and responsibilities under this manual.

5. Be able to explain in detail his/her duties and responsibilities in the implementation of the Spill Incident Prevention Plan.

6. Be familiar with phone locations and call numbers.

### 1.8.3.2 *Discharge Prevention Meeting Logs*

Discharge prevention meetings will be conducted at the facility as needed for all personnel involved in the Plan to review the manual and the latest revisions and update spill cleanup procedures. Training programs should also be conducted in response to changes brought on by new employees, transfers, or promotions which involve spill response duties, and acquisition or introduction of new response equipment. Frequency of meetings will be conducted on an as needed basis when employee performance observed during drills or actual spill response reveals a need for improvement by the QI or Operations. The discharge prevention meeting log is included in Appendix I. A completed discharge prevention meeting log is also included in Appendix I.

During the meetings, time will be devoted to discussing discharge prevention for the facility. Additionally, a review of applicable regulations and other governmental requirements (HAZWOPER, USCG Captain of Ports Directives, and U.S. EPA guidelines) will be discussed.

## 1.9 DIAGRAMS

The facility-specific response plan shall include the following diagrams. Additional diagrams that would aid in the development of response plan sections may also be included.

(1) The Site Plan Diagram shall, as appropriate, include and identify:

(A) the entire facility to scale;

(B) above and below ground bulk oil storage tanks;

(C) the contents and capacities of bulk oil storage tanks;

(D) the contents and capacity of drum oil storage areas;

(E) the contents and capacities of surface impoundments;

(F) process buildings;

(G) transfer areas;

(H) secondary containment systems (location and capacity);

(I) structures where hazardous materials are stored or handled, including materials stored and capacity of storage;

(J) location of communication and emergency response equipment;

(K) location of electrical equipment which contains oil; and

(L) for complexes only, the interface(s) (i.e., valve or component) between the portion of the facility regulated by EPA and the portion(s) regulated by other Agencies. In most cases, this interface is defined as the last valve inside secondary containment before piping leaves the secondary containment area to connect to the transportation-related portion of the facility (i.e., the structure used or intended to be used to transfer oil to or from a vessel or pipeline). In the absence of secondary containment, this interface is the valve manifold adjacent to the tank nearest the transfer structure as described above. The interface may be defined differently at a specific facility if agreed to by the RA and the appropriate Federal official.

(2) The Site Drainage Plan Diagram shall, as appropriate, include:

(A) major sanitary and storm sewers, manholes, and drains;

(B) weirs and shut-off valves;

(C) surface water receiving streams;

(D) fire fighting water sources;

(E) other utilities;

(F) response personnel ingress and egress;

(G) response equipment transportation routes; and

(H) direction of discharge flow from discharge points.

(3) The Site Evacuation Plan Diagram shall, as appropriate, include:

(A) site plan diagram with evacuation route(s); and

(B) location of evacuation regrouping areas.

## 1.9 DIAGRAMS

Maps and Diagrams of the Facility can be found in Appendix C.

**1.10 SECURITY**

According to 40 CFR 112.7(g) facilities are required to maintain a certain level of security, as appropriate. In this section, a description of the facility security shall be provided and include, as appropriate:

(1) emergency cut-off locations (automatic or manual valves);

(2) enclosures (e.g., fencing, etc.);

(3) guards and their duties, day and night;

(4) lighting;

(5) valve and pump locks; and

(6) pipeline connection caps.

The SPCC Plan contains similar information. Duplicate information may be photocopied and inserted in this section.

## 1.10 SECURITY

Security at this Facility is controlled by the Port Authority Security, which includes controlled access to the Port area. The Port of Indiana is also monitored by security cameras 24 hours per day. Port Security conducts inspections of the Port twelve times a day (four inspections per shift, three shifts per day).

New restrictions are being placed into effect for access to the Bulk Loading Area due to Homeland Security Regulations, and access to these areas is restricted to persons with identification cards.

a) Emergency cut-off locations: Terminal Office, Oil Movements office.

b) Enclosures: The Terminal and 800-series storage tanks are fully fenced. The Southwest Property and Five Acre tank Farms are secured on three sides by fencing. The Calumet Sag Channel borders these tank farms on the south. This side not fenced. All gates are padlocked when not being used.

c) Guards and their duties: Port of Indiana Guards control access to the port at the gate house. Every person and vehicle entering the facility is stopped by the gate house and must present a photo identification. If the person does not have a photo identification they are not allowed to enter the Port of Indiana. When emergency vehicles are summoned, the gate house guard will provide precise directions to emergency vehicle operators. Port of Indiana Patrol Officers conduct inspections of the Port twelve times a day to ensure all restricted areas are secure. Patrol Officers check the fence line for intrusion and remain observant for fires, burglars, intruders. Patrol Officers maintain safety equipment in their vehicle.

d) Lighting: The Terminal and most areas of the Tank Farms are lighted at night.

e) Valve and pump locks: Pumps and valves at the Terminal are locked at night, Pumps and valves in the Tank Farms are locked out unless a transfer is planned to occur that evening.

f) Pipeline connection caps: Pipelines that are de-commissioned or out-of-service for extended periods of time are capped.

**2.0 RESPONSE PLAN COVER SHEET**

A three-page form has been developed to be completed and submitted to the RA by owners or operators who are required to prepare and submit a facility-specific response plan. The cover sheet must accompany the response plan to provide the Agency with basic information concerning the facility. This section will describe the Response Plan Cover Sheet and provide instructions for its completion.

**2.2 APPLICABILITY OF SUBSTANTIAL HARM CRITERIA**

Using the flowchart provided in Attachment C-I to Appendix C to this part, mark the appropriate answer to each question. Explanations of referenced terms can be found in Appendix C to this part. If a comparable formula to the ones described in Attachment C-III to Appendix C to this part is used to calculate the planning distance, documentation of the reliability and analytical soundness of the formula must be attached to the response plan cover sheet.

Both of these documents are located in the front of this FRP.

# APPENDIX A

## EMERGENCY RESPONSE PERSONNEL LIST

FrickServices,inc.

# LIST OF CONTACTS

## Qualified Individual:

Jeff Harper, Operations Manager

| | |
|---|---|
| Facility Phone: | (219) 787-8548 |
| Cellular Phone: | (219) 242-4575 |
| Home Phone: | (219) 926-2004 |
| Fax: | (219) 787-8101 |

## Designated Alternate Qualified Individuals:

| | |
|---|---|
| Randy Robbins, Operator (24-hour contact) | (C)(219) 608-8240 |
| Gary Hageman, Operator (24-hour contact) | (C)(219) 508-0118 |
| Crawford Smith, Operator (24-hour contact) | (C)(773) 354-1496 |

*All numbers listed are cellular telephone numbers for 24-hour contact

## Oil Spill Response Organization:

| | |
|---|---|
| Clean Harbors Environmental Services (24-Hour Emergency Response) | (800) 645-8265 |
| Future Environmental (Oil Disposal) | (708) 479-6900 |

## Port of Indiana:

| | |
|---|---|
| Security (24-Hour) | (219) 787-8853 |
| Burns International Harbor -COTP (Main Office) | (219) 787-8636 |

## Federal, State and Local Agencies:

| | |
|---|---|
| National Response Center (NRC) | (800) 424-8802 |
| U.S. Environmental Protection Agency | (312) 353-2318 |
| United States Coast Guard (24-hour Emergency) | (414) 747-7190 |
| United States Coast Guard (Lake Michigan Sector) | (630) 986-2155 |
| United States Coast Guard (Michigan City) | (219) 879-8371 |
| Portage Fire Department | 911/(269) 329-4487 |
| Portage Police Department | 911 |
| Porter County Sheriff's Department | 911/(219) 477-3000 |
| Local Emergency Response Commission (24-hour Emergency) | (219) 465-3593 |
| Porter County Emergency Management | (219) 465-3490 |
| Porter County HAZMAT Team (LERC Main) | (219) 465-3593 |

| | |
|---|---|
| Indiana Department of Environmental Management: | |
| 24 Hour Emergency (Toll Free) | (888)233-7745 |
| Northwest Regional Office (Toll Free) | (888) 209-8892 |
| Indiana State Emergency Response Commission (Homeland Security) | (317) 232-3830 |
| Indiana State Fire Marshal | |
| 24 Hour Emergency (Toll Free) | (800) 669-7362 |
| Office (Toll Free) | (800) 423-0765 |
| Indiana State Police Department | (800) 552-8917 |
| Indiana Department of Transportation | (317) 232-5533 |
| IOSHA (Industrial Safety) | (317) 232-2693 |

**Utilities:**

| | |
|---|---|
| Local Water Supply: Indiana American Water Co. (Gary-Hobart) | (800) 492-8373 |
| Wastewater Treatment Facility: City of Portage Public Works | (219) 762-4204 |
| Gas: Northern Indiana Public Service Co. (NIPSCO): | |
| Customer Service | (800) 464-7726 |
| Gas Emergency | (800) 634-3524 |
| Telephone: Verizon (formerly General Telephone) | (800) 483-5600 |

**Facilities / Water Intakes Potentially Impacted:**

| | |
|---|---|
| Bethlehem Steel Corporation | (317) 636-8407 |
| Lakes and Rivers Transfer Inc. | (219) 787-9280 |
| Cargill Inc. | (219) 659-2000 |
| Federal Marine Terminals, Inc. | (219) 787-1017 |

**Weather Report:**

| | |
|---|---|
| Burns International Harbor -COTP (also Weather Information) | (219) 787-8636 |

**Local Television/Radio Stations for Evacuation Notification:**

| | |
|---|---|
| WBBM-TV (Channel 2; CHICAGO, IL) | (312) 899-2222. |
| WMAQ-TV (Channel 5; CHICAGO, IL) | (312) 836-5555 |
| WLS-TV (Channel 7; CHICAGO, IL) | (312) 750-7777 |
| WGN-TV (Channel 9; CHICAGO, IL) | (773) 528-2311 |
| WPWR-TV (Channel 50; GARY, IN) | (312) 565-5532 |
| WYIN (Channel 56; GARY, IN) | (219) 756-5656 |
| | |
| WGN (720 AM; CHICAGO, IL) | (312) 222-4700 |
| WNDZ (750 AM; PORTAGE, IN) | (773) 767-1000 |
| WBBM (780 AM; CHICAGO, IL) | (312) 202-3564 |
| WLS (890 AM; CHICAGO, IL) | (312) 984-0890 |
| WLJE (105.5 FM; VALPARAISO, IN) | (219) 462-8125 |

Evacuation notifications will be conducted by the Local Emergency Response Commission, Porter County Emergency Management and the Indiana State Police.

**Trustees of Sensitive Areas:**

| | |
|---|---|
| Indiana Department of Natural Resources | (317) 232-4200 |
| U.S. Fish & Wildlife Service | (800) 800-5923 |

**Hospitals:**

| | |
|---|---|
| Porter Memorial (Poison Control) | (800) 382-9097 |
| Porter Memorial (Valparaiso) | (219) 464-4600 |
| Portage Community Hospital | (219) 759-7241 |
| Gary Methodist | (219) 886-4000 |
| Hobart Mercy | (219) 942-0551 |
| St. Anthony (Michigan City) | (888) 879-8511 |
| Westchester Convenience Center (Chesterton) | (219) 926-7755 |

**Railroads:**

| | |
|---|---|
| Norfolk Southern (Burns Harbor Yard) | (219) 787-8001 |
| South Shore (Gary) | (219) 882-6265 |
| Indiana Harbor Belt | |
| Yardmaster – Michigan Avenue rail yard | (219) 989-4783 |
| Trainmaster – Michigan Avenue rail yard | (219) 989-4875 |

**Managing Member of Facility:**

Daniel Frick — Cell: (574) 536-0823
Frick Services, Inc.
3154 W. Depot St
Wawaka, Indiana 46794

# APPENDIX B

## OIL SPILL RESPONSE ORGANIZATION (OSRO) INFORMATION

CleanHarbors
ENVIRONMENTAL SERVICES®

# STANDBY EMERGENCY RESPONSE AGREEMENT

This Agreement is made this 28th day of September 2009, by and between Clean Harbors Environmental Services, Inc., and affiliates, a Massachusetts corporation, with offices located at 42 Longwater Drive, P.O. Box 9149, Norwell, MA 02061-9149, ("Contractor") and FRICK SERVICES, INC., incorporated in INDIANA, with its principal place of business at 3154 West Depot Street Wawaka IN 46794 ("Customer").

WHEREAS, Contractor is engaged in the business of providing Emergency Response Services ("Services") to respond to discharges of oil or other hazardous substances; and

WHEREAS, Customer desires to engage Contractor to provide such Services; and

WHEREAS, Customer and Contractor desire to establish the terms and conditions pursuant to which such Services will be provided.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

## ARTICLE 1. Purpose

1.1 This Agreement establishes the terms and conditions pursuant to which Contractor may furnish Customer with certain Services in connection with response to discharges of oil or other hazardous substances.

1.2 This Agreement shall not obligate Customer to purchase Services from Contractor, nor shall it obligate Contractor to provide Services, but shall govern all orders for Services issued by Customer and which are accepted by Contractor. Contractor will use best efforts to respond to requests by Customer for Services.

## ARTICLE 2. Scope of Services

2.1 The Services contemplated in connection with the response to discharges of oil or other hazardous substances may include, but not be limited to, the following:

- Containment, recovery, repackaging and removal of materials;
- Site evaluation, decontamination and restoration;
- Transportation, storage, treatment or disposal of wastes;

- o Technical services, including sampling, laboratory analysis, and other related services;
- o Standby of personnel and equipment in anticipation of imminent activation;
- o Training and mock spill drill deployments.

**ARTICLE 3. Contractor's Warranties**

3.1 Contractor shall provide supervision, labor, materials, tools, equipment and subcontracted items for the performance of the Services.

3.2 Contractor shall take necessary precautions for the safety of its employees, and shall comply with applicable provisions of the Occupational Safety and Health Act. It is understood and agreed, however, that Contractor shall not be responsible for the elimination or abatement of safety hazards created by or otherwise resulting from work being performed by Customer's employees, its other contractors or agents.

3.3 Contractor represents that it holds the permits and licenses required for the performance of Services.

**ARTICLE 4. Customer's Warranties**

4.1 Customer shall provide full and complete information regarding its requirements for the Services.

4.2 Customer shall designate a representative ("Customer's Representative") who shall be fully acquainted with the Services to be provided hereunder and who shall be authorized to approve changes in the Services; render decisions promptly; authorize commitments and expenditures on behalf of Customer; approve Contractor's daily worksheets and to accept, verify and approve Contractor's invoices.

4.3 Customer shall be responsible for repairs to all private property, roadways, structures and rights-of-way resulting from Contractor's reasonable use thereof.

4.4 Customer represents and warrants that it shall provide payment to Contractor for the services provided by Contractor as set forth in Article 5..

4.5 Customer shall communicate to Contractor all special hazards or risks known to or learned by the Customer during the term hereof which are related to the performance of Services pursuant to this Agreement.

## ARTICLE 5. Compensation

5.1 The payment terms set forth herein are contingent upon the approval of Contractor's Credit Department. In the event of a change in Customer's financial condition, Contractor reserves the right to alter, change, or modify payment terms, and to immediately stop work. The failure of Contractor to exercise its rights under this article at any time shall not constitute a waiver of Contractor's continuing right to do so.

5.2 Customer agrees to pay Contractor for Services in accordance with Contractor's Rate Schedule for emergency response work ("Rates") in effect at the time Services are rendered. Customer hereby assigns to Contractor all rights to any insurance payments that Customer may be entitled to receive to pay for the Services provided under this Agreement and hereby authorizes its insurance company or agent to pay Contractor directly. Customer's obligation to pay amounts due pursuant to this Agreement shall not be conditioned upon or limited by the types, amounts or availability of insurance coverage.

5.3 Contractor will present its first invoice to Customer as soon as possible following commencement of Services provided hereunder, and may issue subsequent invoices every five (5) days thereafter. Customer agrees to pay the full amount of each invoice amount within fifteen (15) business days of the date of receipt of said invoice by Customer's Representative.

5.4 Customer agrees that interest shall accrue and will be paid to Contractor on any unpaid balance of any invoice after fifteen (15) business days of receipt of invoice by Customer at the rate of one and one half percent (1.5%) per month or the maximum amount allowed by law.

5.5 In the event that legal or other action is required to collect unpaid balances of invoices due Contractor, Customer agrees to pay all costs of collection, litigation or settlement incurred by Contractor, including reasonable attorneys fees. "Legal or other action" as used above shall include bankruptcy and insolvency proceedings.

5.6 In the event that work is suspended or terminated for any reason prior to the completion of the Services, Customer agrees to pay for labor, equipment, materials, disposal and other costs incurred by Contractor at the Rates and for reasonable demobilization costs.

5.7 Customer agrees to pay Contractor in accordance with the Rates for any litigation support or testimony provided by Contractor in connection with, or arising out of, the work performed by Contractor hereunder.

## ARTICLE 6. Changes in Work

6.1 Customer agrees to pay Contractor at the Rates for any costs incurred or delays resulting from Contractor's response to any emergency condition which threatens safety of persons or property during the performance of the Services.

6.2 If any change occurs during the term of this Agreement with respect to any laws, rules, regulations or ordinances which affect the rights or obligations of Customer or Contractor under this Agreement, or the applicability of any taxes or fees, or the cost of handling waste materials, Customer and Contractor shall negotiate in good faith to bring this Agreement into conformance with such change or changes. In the event that such agreement cannot be reached, Customer or Contractor shall have the right to terminate this Agreement immediately upon written notice to the other party.

## ARTICLE 7. Insurance

7.1 Contractor shall keep in effect during the term of this Agreement the following insurance coverages:

| COVERAGE | LIMITS |
|---|---|
| Worker's Compensation | Statutory |
| Auto Liability | $1 million per occurrence<br>$1 million aggregate |
| Comprehensive General Liability | $1 million per occurrence<br>$3 million aggregate |

7.2 Contractor shall provide Customer with a certificate of insurance upon written request.

## ARTICLE 8. Indemnification

8.1 Contractor shall indemnify, defend and hold harmless Customer, its parent and affiliated companies and their respective directors, officers, employees and agents from and against any and all costs, liabilities, claims, demands and causes of action including, without limitation, bodily injury to or death of any person or destruction of or damage to any property, except natural resource and other damages as provided in Section 8.3, which Customer may suffer, incur, or pay out, to the extent such are caused by the negligence or willful misconduct of Contractor, its agents or employees during the performance of this Agreement, or Contractor's failure to comply with any laws, regulations or lawful authority, or failure to comply with its obligations under this Agreement; except to the extent such liabilities, claims, demands and causes of action result from Customer's failure to comply with any laws, regulations or other lawful authority, or Customer's failure to

comply with its obligations under this Agreement or result from the negligence or willful misconduct of Customer, its employees or agents.

8.2 Customer shall indemnify, defend and hold harmless Contractor, its parent and affiliated companies and their respective directors, officers, employees and agents from and against any and all costs, liabilities, claims, demands and causes of action including, without limitation, any bodily injury to or death of any person or destruction of or damage to property which Contractor may suffer, incur, or pay out, to the extent such are caused by the negligence or willful misconduct of Customer, its employees or agents or the failure of Customer to comply with any laws, regulations or other lawful authority or the failure of Customer to comply with its duties or obligations under this Agreement; except to the extent such liabilities, claims, demands and causes of action result from Contractor's failure to comply with any laws, regulations or lawful authority, or Contractor's failure to comply with its obligations under this Agreement or result from the negligence or willful misconduct of Contractor, its employees or agents.

8.3 Notwithstanding the foregoing, Customer shall indemnify, defend and hold harmless Contractor, its parent and affiliated companies and their respective directors, officers, employees, agents and subcontractors from and against any and all costs, liabilities, claims, demands and causes of action for pollution damages; contamination or adverse effects on the environment; destruction of, damage to, or loss of, whether actual or alleged, any property or natural resources, including the cost of assessing the damage; injury to or economic losses resulting from destruction of real or personal property; damages for loss of subsistence use of natural resources; damages equal to the loss of profits or impairment of earning capacity due to the injury, destruction or loss of real property, personal property or natural resources; damages for net costs of providing increased or additional public services; removal costs; and any other costs assessable under the Oil Pollution Act of 1990, the Comprehensive Environmental Response, Compensation and Liability Act or other local, state or Federal law or lawful authority applicable to discharges or releases of oil or hazardous substances which Contractor, individually or collectively, may suffer, incur, or pay out in connection with, or arising out of, the release of oil or hazardous substances by Customer; provided, however, that the foregoing indemnity shall not apply to any claims, liabilities or causes of action caused by the transportation or disposal of waste materials by Contractor.

## ARTICLE 9. Excuse of Performance

The performance of this Agreement, except for the payment of money for Services already rendered, may be suspended by either party in the event performance of this Agreement is prevented by a cause or causes beyond the reasonable control of such party. Such causes shall include but not be limited to: acts of God, acts of war, riot, fire, explosion, accidents, inclement weather, or sabotage; lack of adequate fuel, power, raw materials, labor or transportation facilities; changes in government laws, regulations, orders, or defense requirements; restraining orders, labor dispute, strike, lock-out or injunction (provided that neither party shall be required to settle a labor

dispute against its own best judgements). The party which is prevented from performing by a cause beyond its reasonable control shall use its best efforts to eliminate such cause or event.

**ARTICLE 10. Termination**

This Agreement may be terminated by either party upon forty-eight (48) hours prior notice to the other party.

**ARTICLE 11. Notice**

Any notice to be given under this Agreement shall be in writing and delivered to the address listed below:

Customer: Frick Services Inc
3154 W Depot St
PO Box 40
Wawaka IN 46794
ATTN Daniel R Frick

Contractor: Clean Harbors Environmental Services, Inc.
42 Longwater Drive,
P.O. Box 9149
Norwell, MA 02061-9149
Attn: General Counsel (Urgent Contract Matter)

**ARTICLE 12. Additional Provisions**

12.1 Limitation of Liability - Customer agrees that Contractor shall not be responsible for pre-existing contamination at the job location, natural resource damage, or for indirect, incidental, consequential or special damages, including loss of use or lost profits, resulting from or arising out of the performance of the Scope of Work by Contractor, its employees, agents and/or subcontractors.

12.2 Waiver - Any waiver by either party of any provision or condition of this Agreement shall not be construed or deemed to be a waiver of any other provision or condition of this Agreement, nor a waiver of a subsequent breach of the same provision or condition.

12.3 Severability - If any section, subsection, sentence or clause of this Agreement shall be deemed to be illegal, invalid or unenforceable for any reason, such illegality, invalidity or unenforceability shall not affect the legality, validity or enforceability of this Agreement or other sections of this Agreement.

12.4 Entire Agreement - This Agreement and any Exhibits to this Agreement represent the entire understanding and agreement between Customer and Contractor and supersedes any and all prior agreements, whether written or oral, that may exist between the parties regarding same. Modifications to this Agreement shall be in writing and shall be signed by the Customer and Contractor. Additional, conflicting or different terms on any Purchase Order or other preprinted document issued by Customer shall be void and are hereby expressly rejected by Contractor.

12.5 Survival - The provisions contained in Articles 3, 4, 5, 8 and 12 shall survive and remain in effect following the termination of this Agreement.

12.6 Applicable Law - This Agreement shall be interpreted and enforced according to the Laws of the Commonwealth of Massachusetts and the parties agree to submit to the jurisdiction of the courts of the Commonwealth of Massachusetts for any disputes arising under this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year first above written.

CUSTOMER

Frick Services Inc

Signature: _____

By: Daniel R Frick
PRINT NAME

Title: Vice President

CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.

Signature: _____

By: BRYAN PUDNOFF
PRINT NAME

Title: General Manager

24-HR EMERGENCY RESPONSE
(800) OIL-TANK
(800) 645-8265

# EMERGENCY RESPONSE RESOURCE BOOK

MANAGED BY THE CLEAN HARBORS NATIONAL RESPONSE TEAM (NRT)

# COMPANY QUALIFICATIONS

Clean Harbors Environmental Services (CHES) is a multidisciplinary company of managers, supervisors, equipment operators, engineers, biologists, chemists, skilled craftsmen and experienced technicians. It is from the varied background of its employees that CHES has emerged as the leader in providing Oil Spill Response services in the Northeast, Midwest, Mid-Atlantic and Southeast regions. This dedication to Oil Spill Response coupled with CHES's full range of environmental services has made CHES the premier provider of spill clean-up services.

Clean Harbors provides 24-hour emergency oil spill response services to a diversified group of customers on an integrated basis. These services are typically provided to petroleum, chemical, transportation, utility, industrial firms, other waste management companies and regulatory agencies in the more than 40 states where we operate. Our clients include the majority of the Fortune 500 companies, thousands of smaller private entities and numerous governmental agencies including the U.S. Coast Guard and Environmental Protection Agency.

Clean Harbors maintains 74 service locations, 48 treatment, storage and disposal (TSD) facilities and 5 incineration facilities serving 36 states, 6 Canadian Provinces, Mexico, and Puerto Rico. We employ over 4400 personnel, 800 of which are actively involved in oil and hazardous material related services and of these, 500 are experienced in oil and hazardous materials emergency response containment and clean-up.

Throughout its 25-year history, Clean Harbors has responded to numerous incidents involving large tankers, barges, transportation, refinery, pipeline and storage facility incidents, as well as natural disasters.

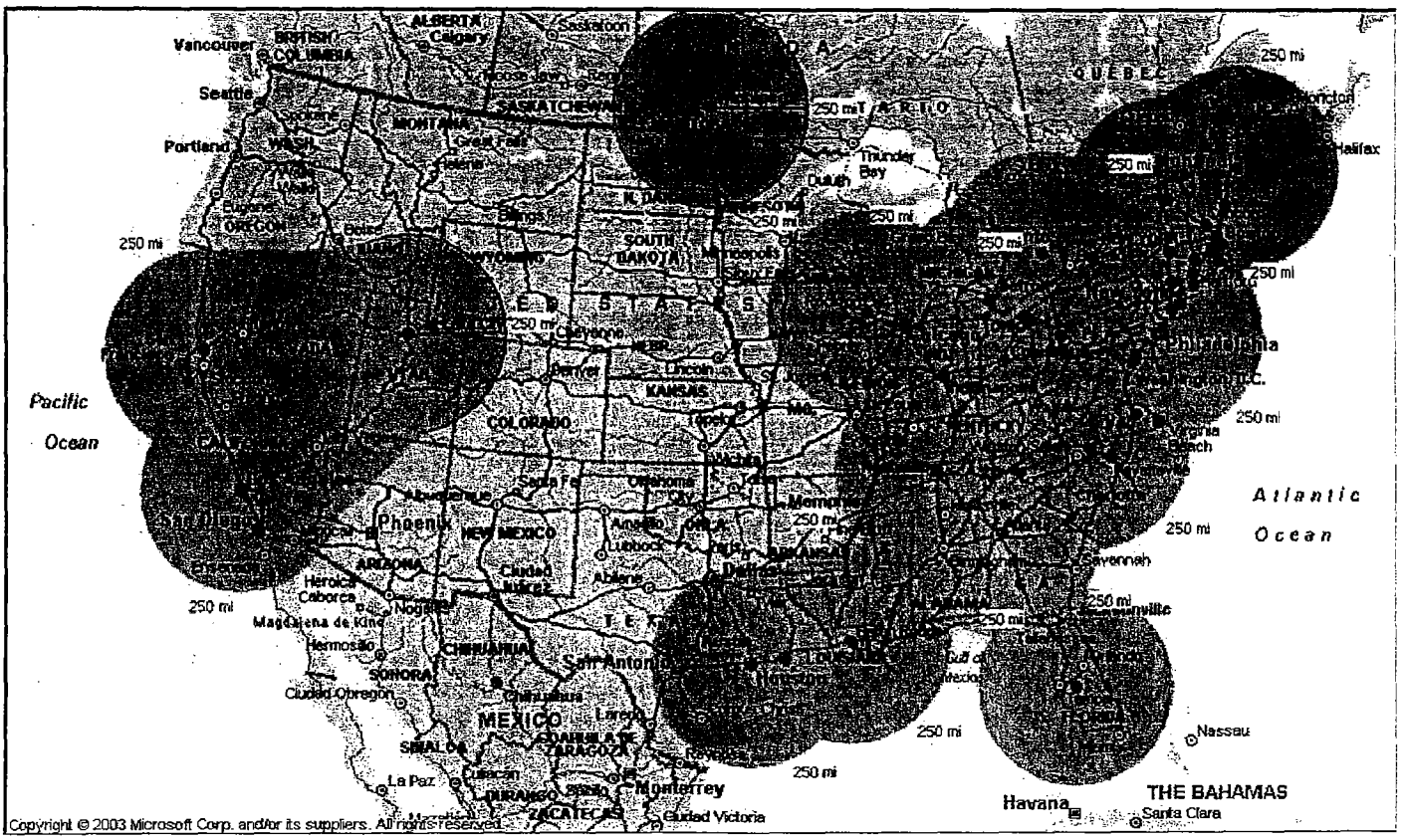
Clean Harbors offers its customers not only 24-hour Emergency oil spill response, but also the necessary backup components to complete an entire project. Services such as environmental remediation including surface remediation, groundwater restoration, underground storage tank management, and site decontamination are essential to successful emergency response activities. Their remedial programs are designed to provide both planned and emergency services to the variety of environmental situations that can develop from an emergency spill.

Our Waste management offering includes the collection, treatment, resource recovery, transportation and disposal of oil spill debris and other wastes generated as a result of a spill. Clean Harbors has four out of our nineteen hazardous waste treatment/transfer facilities designed specifically for oil treatment/recycling and storage. In addition, their waste management includes the treatment, storage and disposal of most hazardous, industrial, and toxic wastes as well as oil spill liquid and solid residue.

Technical capabilities include the environmental engineering group and certified analytical capabilities. These services, coupled with our remedial and waste management capabilities, allow us to offer a complete solution to complex environmental requirements.

For an in-depth, comprehensive look at all services provided by Clean Harbors, please visit our website at www.cleanharbors.com.

# EMERGENCY RESPONSE COVERAGE MAP

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# STATEMENT OF PURPOSE

This booklet is provided to assist all those involved in emergency response services. The booklet contains names and phone numbers of key personnel in various departments who may be needed "on" or "off" hours to support an emergency response incident.

The listing will be updated twice a year and distributed to managers and supervisors in all divisions involved in emergency response operations.

Clean Harbors Environmental Services
Attn: Brian Pott
pott.brian@cleanharbors.com
Response Preparedness Division
42 Longwater Drive
Norwell, MA 02061-9149

# SERVICE CENTERS

## NORTHEAST REGION SERVICE CENTERS

| | | |
|---|---|---|
| **BANGOR, ME SERVICE CENTER** | **24 Hr. #** | **(207) 262-9504** |
| **40B Carey Circle** | **24 Hr. #** | **(800) 645-8265** |
| **Hampden, ME 04444** | **Fax #** | **(207) 262-9560** |

Matt Quinn, General Manager
Jason Babbidge, Operations Manager

EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Matt Quin
Ray Babbidge
Jason Babbidge

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 2 |
| Foreman | 2 |
| Field Technician I | 4 |
| Equipment Operator | 3 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **1) Marine Support Equipment** | | | |
| 21 ft Pointer | Searsport | 115 H.P. | 1 |
| 12 ft Jon Boat | Bangor | 10 H.P. | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Rack Truck | Bangor | 10 Wheel | 1 |
| Pickup Truck | Bangor | 4x4 | 1 |
| Pickup | Bangor | 3/4 Ton Ford | 2 |
| High Power Vacuum Truck | Bangor | 3000 gal Pressvac | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Hotsy Pressure Washer | Bangor | 3,000 PSI - trailer mounted | 1 |
| Wilden Diaphragm Pump | Bangor | 2" Oil | 2 |
| Wilden Diaphragm Pump | Bangor | 3" Oil | 1 |
| Air Driven Drum Pump | Bangor | 2" | 2 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Bangor | Langerman 18" | 2200' |
| Log Boom | Bangor | | 10 bales |
| Snare | Bangor | | 16 bales |
| Pads | Bangor | | 80 bales |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Photoionisation Meter | Bangor | HNU P101 | 1 |
| Oxygen LEL Meter | Bangor | MSA Miniguard II | 1 |
| Drager Pump | Bangor | with Miscelaneous Tubes | 1 |
| Passport | Bangor | | 1 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(6) Recovery Equipment** | | | |
| Portable Tanks | Bangor | 300 Gallons Stainless Steel | 2 |
| Portable Tanks | So. Portland | 400 gallon Poly | 2 |
| Skid Mount Vacuum Unit | Bangor | 1000 gallon | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Sullair Compressor | Bangor | Diesel 185 cfm | 1 |
| Generator | Bangor | Honda/5500 Homelite | 1 |
| Light Towers | Bangor | Electric 4' high | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Portable Eye Wash Unit | Bangor | | 4 |
| Scott Supplied Air System | Bangor | | 3 |
| Scott Pak | Bangor | | 1 |
| Rogliss & Tripod | Bangor | | 1 |
| Safety Harness | Bangor | | 4 |
| DBI & Tripod | Bangor | | 1 |
| | | | |
| **(10) Communications** | | | |
| Cellular Phones | Bangor | | 2 |
| Marine Base Station | Searsport | | 1 |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |
| | | | |
| | | | |

| **Emergency Response Subcontractors** |
|---|

| | | |
|---|---|---|
| **SOUTH PORTLAND, ME SERVICE CENTER** | **24 Hr. #** | **(207) 799-8111** |
| **17 Main Street** | **24 Hr. #** | **(800) 645-8265** |
| **South Portland, ME 04106** | **Fax #** | **(207) 799-0349** |

Matt Quinn, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Matt Quinn
Jack Vallely
Ken Burbank

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 6 |
| Foreman | 5 |
| Field Technician I | 10 |
| Field Technician II | 1 |
| Equipment Operator | 12 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 21' Pointer | South Portland | 120 HP motor | 1 |
| 12' Aluminum | South Portland | 6 HP motor | 2 |
| 20' Trail Boss | South Portland | 30 HP motor | 1 |
| 20' Seaway | South Portland | 90 HP motor | 1 |
| 22' Monarch | South Portland | 150 HP motor | 1 |
| 21' Alumacraft | South Portland | 130 HP motor | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Truck Straight | South Portland | 3,000 gal. | 2 |
| Vacuum Split Trailers | South Portland | 6,000 gal | 2 |
| Vacuum Trailer | South Portland | 6,000 gal | 3 |
| High Powered Vacuum Loader | South Portland | Cusco - 3,000 gal / 10 cu. yd. | 1 |
| Vacuum Skid | South Portland | 3,000 gal | 1 |
| Vacuum Skid | South Portland | 300 gal | 1 |
| Box Trailer | South Portland | 40' | 2 |
| Box Truck | South Portland | 10 wheel | 1 |
| Pick-Up Trucks | South Portland | Ford | 9 |
| Frac Tanks | South Portland | 20,000 gal | 4 |
| Drop Deck Trailer | South Portland | Roll Off Capable | 1 |
| Detachable Low Bed Trailer | South Portland | Over Size Hauling | 1 |
| Roll Off Trailer | South Portland | 17 Yards | 1 |
| Tag along Trailer | South Portland | | 1 |
| Spill Trailer | South Portland | | 1 |
| 10 Wheel Dump Truck | South Portland | 10 yards | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Wilden Diaphragm Pump | South Portland | 2" | 2 |
| Wilden Diaphragm Pump | South Portland | 2" Chemical | 1 |
| Wilden Diaphragm Pump | South Portland | 3" | 1 |
| Adaps Hydraulic Pump | South Portland | 4" | 1 |
| Bowie Pump (Hydraulic) | South Portland | 3" | 1 |
| Hotsy on Trailer | South Portland | 2,500 PSI | 3 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | South Portland | Langerman 18" | 2400' |
| Oil Containment Boom | South Portland | American Marine 44" | 2500' |
| Oil Containment Boom | South Portland | American Marine 24" | 3500' |
| Oil Containment Boom | South Portland | Global 14" | 3400' |
| Oil Containment Boom | South Portland | Global 14" | 2000' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| HNU Meter | South Portland | P101 | 1 |
| MSA Gas Indicator | South Portland | Miniguard II | 4 |
| Passport Meter | South Portland | LEL, O2, Hyd. Sulf. | 2 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Portable Tanks | South Portland | 400 gallon Poly | 2 |
| Sea Slug Towable Fuel Bladder | South Portland | Model #FCB-43E, 4300 gallons | 1 |
| Skimmer | South Portland | ORD Disc Skimmer hydraulic | 1 |
| Skimmer | South Portland | Drum Skimmer air | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Excavator | South Portland | Cat 235 Track | 1 |
| Backhoe | South Portland | CAT 436 | 1 |
| Bobcat | South Portland | 843, Skidsteer | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Sullair Portable Compressor | South Portland | 185 CFM; Diesel | 3 |
| Generator | South Portland | 120 watt | 3 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| CSE Entry Gear | South Portland | Tripod, DBI | 2 |
| Coppus Blower | South Portland | | 2 |
| Coppus Blower | South Portland | Electric | 2 |
| Supplied Air packs | South Portland | Scott | 6 |
| Breathing Air Tanks | South Portland | | 20 |
| | | | |
| **(10) Communications** | | | |
| Portable marine radios | South Portland | | 7 |
| Base Marine Radio | South Portland | | 1 |
| 2-way Mobile Radios | South Portland | Nextel | 27 |
| Company Base Radio | South Portland | Nextel | 1 |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |
| | | | |
| | | | |
| | | | |

## Emergency Response Subcontractors

**Portland Tugboat & Ship Docking Co., Inc.**
P.O. Box 15049
Portland, Maine 04112
(207) 774-2902
(207) 773-5659

**Contact:**
Arthur Fournier
Brian Fournier

**Services Provided:**
Tug Boat Services

**Winslow Tugs**
26 Andrews Avenue
Falmouth, Maine 04105
(207) 780-8847

**Contact:**
Dave Winslow

**Services Provided:**
Tug Boat Services

**General Marine Constructers**
Deaks Wharf
Portland, ME 04101
(207) 772-5354

**Contact:**
Roger Hale

**Services Provided:**
Barge and tug boat

**Industrial Welding & Machine, Inc.**
430 Commercial Street - P.O. Box 1004
Portland, Maine 04104
(207) 773-8482
(207) 767-3561 Nights and Holidays

**Contact:**

**Services Provided:**
Welding service

**National Response Corp**
P.O. Box 7210
Portland, Maine 04112
(207) 767-7112

**Contact:**
Joe McCarthy

**Services Provided:**
Barge skimmer Service

**Marine Spill Response Corp.**
14 Union Wharf
Portland, Maine 04101
(207) 780-8801

**Contact:**
Tom Gallant

**Services Provided:**
Large boat , skimmer service

| | | |
|---|---|---|
| **BOW, NH SERVICE CENTER** | **24 Hr. #** | **(603) 224-6626** |
| **#20 Dunklee Road** | **24 Hr. #** | **(800) 645-8265** |
| **Bow, NH 03304** | **Fax #** | **(603) 224-6778** |

Steve Brown, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Steve Brown
Joe MacDonald

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 2 |
| Foreman | 5 |
| Field Technician I | 3 |
| Equipment Operator | 4 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Workboat | Bow | 14FT Lund-15HP Honda O/B | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickup Truck | Bow | F350 | 4 |
| Pickup Truck | Bow | Chevy | 1 |
| Cusco | Bow | Cusco-498 | 1 |
| Vacuum Truck (Straight) | Bow | 447 | 1 |
| Rack Truck | Bow | w/ Liftgate | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm Pump | | 2" DD | 3 |
| Double Diaphragm Pump | | 3" DD | 2 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Boom | Bow | 18" Boom | 200' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Explosion meter | Bow | Minigard II | 2 |
| HNU | Bow | PI101 | 2 |
| Passport Exp Meter | Bow | Passport | 2 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Portable Storage Tank | Bow | 2000 gal. poly | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Bobcat Loader | Bow | 753 | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Light Tower | Bow | | 2 |
| Generator | Bow | Honda | 1 |
| | | | |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(9) Health and Safety Equipment** | | | |
| 30 Minute Airline | Bow | 30 Minute | 1 |
| Hip Air Breathing Apparatus | Bow | 5 Min. Escape | 3 |
| Air Work Mask 30 Min. | Bow | MSA | 3 |
| | | | |
| **(10) Communications** | | | |
| 2-Way Radio | Bow | Nextel | 8 |
| | | | |
| **(11) Miscellaneous** | | | |
| 2" Chemical Hose | Bow | Camlock Fittings = 400' plastic, 400' ss | 800' |
| 2" Oil | Bow | | 800 |
| 3" Chemical Hose | Bow | Camlock Fittings (stainless) | 600' |
| 2" Oil | Bow | Camlock Fittings | 600' |
| 4" Oil | Bow | Camlock Fittings (aluminum) | 900' |
| | | | |
| | | | |
| | | | |

**Emergency Response Subcontractors**

| | | |
|---|---|---|
| **Cab Services**<br>Dover, NH | **Contact:** | **Services Provided:**<br>Vacuum Equipment |

| | | |
|---|---|---|
| **BOSTON, MA AREA SERVICE CENTER** | **24 Hr. #** | **(781) 803-4100** |
| **609 Pleasant Street** | **24 Hr. #** | **(800) 645-8265** |
| **South Weymouth, MA 02189** | **Fax #** | **(781) 803-4168** |

Tom Kelley, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Steve Ritucci
Tom Kelley
Harry Davidson
Adam Purcell
Mark Purcell
John Barry

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 10 |
| Foreman | 16 |
| Equipment Operator | 22 |
| Field Technician | 25 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 7' Skiff Boat | Weymouth | Open Aluminum | 1 |
| 12' Flatbottom | Weymouth | Aluminum | 1 |
| 14' Starcraft | Weymouth | Aluminum (Interchangeable 15hp motor) | 2 |
| 14 Sears Flatbottom | Weymouth | Aluminum - 15hp outboard | 1 |
| 17' Starcraft | Weymouth | Aluminum - 25 hp outboard | 1 |
| 21' Carolina skiff | Weymouth | Fiberglass - 88 hp outboard | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Tractor Trailers | Weymouth | 4,000/5,000/6,000 gals | 10 |
| Cusco High Powered Vacuum Truck | Weymouth | | 4 |
| Cyclone Vactor/Guzzler | Weymouth | 93 Mack | 5 |
| Vactor (Jet Rodder) | Weymouth | 54,000 91 Mack | 1 |
| Vacuum Trucks S.S. | Weymouth | 3,000 & 3,500 gals | 7 |
| Box Truck- Prime Mover | Weymouth | 81 International | 1 |
| Straight Box Trucks | Weymouth | Ford | 1 |
| Box Trailers | Weymouth | | 3 |
| Bulk Hopper | Weymouth | 89 Fruehauf | 1 |
| Frac Tanks | Weymouth | 22,500 gallons | 6 |
| Rack Truck | Weymouth | 5151, 5142, 552 | 3 |
| 10 Wheel Dump Truck | Weymouth | 5252 | 1 |
| Trailer (Lowboy) | Weymouth | 50 TON | 1 |
| Pickup Trucks | Weymouth | 82-89 Various | 23 |
| Roll-off frames | Weymouth | 463, 4131 | 3 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Wilden Diaphragm Pump | Weymouth | M-15 3" | 3 |
| Wilden Diaphragm Pump | Weymouth | M-8 2" | 2 |
| Wilden Diaphragm Pump | Weymouth | 1 1/4 "Poly | 2 |
| Wilden Diaphragm Pump | Weymouth | 1 1/2 " M-4 | 1 |
| Wilden Diaphragm Pump | Weymouth | 1 1/4 " M-2 | 1 |
| Wilden Diaphragm Pump | Weymouth | 2" Champ Poly (chemical) | 2 |
| 6" Double Stage Hyd Super Pump | Weymouth | 6" | 1 |
| Lutz Electric Barrel Pump | Weymouth | 1" | 3 |
| Drum Vacuums | Weymouth | | 4 |
| Van Hotsy | Weymouth | 96 Ford - 300 psi Hot Water | 1 |
| Hot water Hotsy | Weymouth | 3000 psi, trailer mounted | 1 |
| Hot water Hotsy | Weymouth | 3000 psi, portable, skid mount | 2 |
| Cold Water Pressure Washer | Weymouth | 2000 psi, electric, portable | 5 |
| Warren Rupp | Weymouth | 1" SA1A/SB1A | 2 |
| Teel Pump | Weymouth | 5H 2" Trash Pump | 4 |
| Vactor Hose | Weymouth | | 1,000' |
| Discharge Hose | Weymouth | 6" | 500' |
| Discharge Hose | Weymouth | 4" | 500' |
| Teel Pump | Weymouth | 3" | 3 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Weymouth | American Marine 18" | 2200' |
| Oil Containment Boom | Weymouth | | 1500' |
| Oil Containment Boom | Weymouth | Langerman 18" | 1100' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| MSA Gas Indicator | Weymouth | Micro Guard | 7 |
| MSA Gas Indicator | Weymouth | Passport Quad | 4 |
| Draeger Pump | Weymouth | Accuru | 5 |
| MSA PIDs | Weymouth | Passport PIDs | 5 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Skidmount Vacuum Unit | Weymouth | 1000 gal | 1 |
| Skimmer | Weymouth | Skimpac 18000 series | 2 |
| Elastec Drum Skimmer | Weymouth | TDS118 | 1 |
| Recovery Tank | Weymouth | 2500 gal | 2 |
| Recovery Tank | Weymouth | 1000 gal | 1 |
| Nilfisk Mercury Vacuum | Weymouth | | 2 |
| HEPA Filter Vacuum | Weymouth | | 3 |
| HEPA Filter Vactor | Weymouth | | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Bobcat | Weymouth | Backhoe/Sweeper /Pavement Breaker | 2 |
| Backhoe | Weymouth | 436 Cat | 2 |
| Cat Excavator | Weymouth | Cat 315 Track | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Sullair Portable Compressor | Weymouth | 185 Diesel | 5 |
| Winco Generator | Weymouth | K4800/A | 2 |
| Coppus Blower | Weymouth | 4" Pneumatic | 3 |
| Coppus Blower | Weymouth | 8" Pneumatic | 1 |
| Coppus Blower | Weymouth | 10" Pneumatic | 1 |
| Coppus Fan | Weymouth | RF-20 | 2 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(9) Health and Safety Equipment** | | | |
| MSA S.C.B.A. | Weymouth | 1 Hour/4500 | 10 |
| Spare Air Cylinders | Weymouth | 4500 PSI (1 HR) | 8 |
| MSA SAR | Weymouth | Pressure Demand | 4 |
| MSA Escape Units | Weymouth | 5 Minutes | 7 |
| Encapsulating Suits | Weymouth | First Responder | 3 |
| Encapsulating Suits | Weymouth | Butyl | 2 |
| Mustang Suits | Weymouth | Foul Weather PFD | 6 |
| Flame Retardant Suits | Weymouth | | 2 |
| Air Hose | Weymouth | | 600' |
| Hydraulic Hose | Weymouth | | 650' |
| Line | Weymouth | 600' Coils | 2 |
| Personal Floatation Devices | Weymouth | | 40 |
| Survival Suits | Weymouth | | 6 |
| | | | |
| **(10) Communications** | | | |
| Nextel 2-Way Portable Radio/Phones | Weymouth | | 66 |
| Nextel Base Station | Weymouth | | 1 |
| Marine Radios | Weymouth | Portable | 2 |
| | | | |
| **(11) Miscellaneous** | | | |
| Leroi Jackhammer | Weymouth | 30 / 60 / 90 lbs. | 3 |
| Stihl Chain Saw | Weymouth | | 1 |
| Amida Light Stand | Weymouth | 50600 | 2 |
| Amida Towable Light Tower | Weymouth | GS-82 | 1 |
| Lincoln Welder | Weymouth | | 1 |
| Forklift | Weymouth | 5 Ton | 2 |
| | | | |

**Emergency Response Subcontractors**

**Boston Line & Service Co.**
Black Falcon Cruise Terminal

1 Black Falcon Ave.
Boston, MA 02210
(617) 951-9957

**Contact:**
Barry M. Cox

John J. Rinkus
Tim Shea
Paul Fratic

**Services Provided:**
Tug, Boom & Barge services

**Boston Towing and Transportation**
36 New Street
East Boston, MA 02128
(617) 567-9100
(617) 567-5896 FAX

**Contact:**
Phillip K. Chase, GM

**Services Provided:**
Tug Boat Services

**City Lights Electrical Co., Inc.**
556 East Broadway
South Boston, MA 02127
Tel # (617) 269-5777
Fax # (617) 269-7616

**Contact:**
MaryAnne Cataldo

**Services Provided:**

**Environmental Staffing**
1 New England Executive Park
Burlington, MA 01803
(781) 221-7444

**Contact:**

**Services Provided:**
Labor

## Emergency Response Subcontractors Cont.

**Onsite Environmental**
150 Wood Road, Suite 107
Braintree, MA 02184
(781) 794-1790
(800) 546-6447

**Contact:**

**Services Provided:**
Labor

**Taylor Oil Company**
P.O. Box 538
Stoughton, MA 02072
(617) 341-0086

**Contact:**

**Services Provided:**
Fuel Supplies

**Baker Tanks**
193 Hartford Turnpike
Shrewsbury, MA 01545
(508) 799-6669

**Contact:**

**Services Provided:**
Portable Tanks

**Fishburn Services, Inc.**
5012 State Rt. 229, P.O. Box 278
Marengo, OH 43334
(419) 253-6031

**Contact:**

**Services Provided:**
Portable Tanks

**Tino's Tow Service**
61 Copeland Street
Quincy, MA 02169
(617) 472-0655

**Contact:**

**Services Provided:**
Transportation

**Northeast Diving Services, Inc.**
28 West Narragansett Avenue
Newport, RI 02840
401) 841-0446

**Contact:**

**Services Provided:**
Transportation

**Northeast Tank**
349 Lincoln Street, Building 48
Hingham, MA 02043
(781) 740-4090

**Contact:**

**Services Provided:**
Heavy Equipment

**Eastern States Equipment**
18 Wolcott Street
Jamaica Plain, MA
(617) 364-9280

**Contact:**

**Services Provided:**
Heavy Equipment

**Hertz Equipment Rental**
45 Gerand Street
Boston, MA
(617) 442-4210

**Contact:**

**Services Provided:**
Heavy Equipment

| | | | |
|---|---|---|---|
| **WORCESTER, MA SERVICE CENTER** | | **24 Hr. #** | **(508) 839-5798** |
| **188 Rear Worcester Street** | | **24 Hr. #** | **(800) 645-8265** |
| **North Grafton, MA 01536** | | **Fax #** | **(508) 839-9058** |

David Laudani, Operations Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Dave Laudani
Steve Ritucci
Tom Kelley
Harry Davidson
Adam Purcell
Mark Purcell
John Barry

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Foreman | 1 |
| Field Tech II | 2 |
| Field Tech I | 3 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 14' Workboat | No. Grafton | Flat Bottom, Aluminum | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickup | No. Grafton | 98 Ford F150, Fleet # 8425 | 1 |
| Pickup | No. Grafton | 01 Chevy 2500, Fleet # 8464 | 1 |
| Boom Trailer | No. Grafton | | 1 |
| Emergency Response Trailer | No. Grafton | 01 HAUI SE , Fleet # CH2315 | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| 2" Double Diaphragm | No. Grafton | M8 Poly | 2 |
| Pressure Washer (2600 psi) | No. Grafton | Cold Water | 2 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Spill Containment Boom | No. Grafton | 18" American Marine 800' (On Trailer) | 800' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| PID Meter | No. Grafton | RAE Systems Multi-Gas Monitor VOC | 1 |
| Explosion Meter | No. Grafton | Multi Ray 4 gas/PID | 1 |
| Sensidine Pumps | No. Grafton | | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Portable Air Compressor | No. Grafton | Ingersoll Rand 125 CFM | 1 |
| Coppus Blower | No. Grafton | Pneumatic | 1 |
| Blower | No. Grafton | Gasoline | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| MSA SCBA | No. Grafton | 1 hour/4500 | 2 |
| MSA Escape Units | No. Grafton | 5 minutes | 2 |
| Extraction Device | No. Grafton | With Tripod | 1 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(10) Communications** | | | |
| Nextel Radio/Phone | No. Grafton | Nextel | 3 |
| Two-Way Radio | No. Grafton | Motorola (Hand Held) | 2 |
| | | | |
| **(11) Miscellaneous** | | | |
| Drum Vacuum | No. Grafton | Electric & Pneumatic | 2 |
| Hepa Vacuum | No. Grafton | With 12 Filters/Hose | 1 |
| Ladders (Step) | No. Grafton | 6' - 14' | 3 |
| Ladders (Tank) | No. Grafton | Stainless Steel / Sectional | 1 |
| | | | |

**Emergency Response Subcontractors**

**Baker Tanks**
102 Old Worcester Road
Oxford, MA 01540
24 Hour # - (800) BAKER12

**Contact:**
Jim Murray

**Services Provided:**
Portable Storage Tanks

| | | |
|---|---|---|
| **PROVIDENCE, RI SERVICE CENTER** | **24 Hr. #** | **(401) 431-1847** |
| **8 Dexter Road** | **24 Hr. #** | **(800) 645-8265** |
| **East Providence, RI 02914** | **Fax #** | **(401) 431-2154** |

Brian Fleet, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brian Fleet
Peter Joseph
Chris Kailher
John Whyte

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 4 |
| Foreman | 5 |
| Equipment Operator | 5 |
| Field Technician | 7 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 23' Carolina 238 – EKHX0733C000 | Providence | 90 hp / Fleet # V217 / ME Reg# ME11NAC | 1 |
| 18' Pointer – MSZ000897E393 | Providence | 88 hp / Fleet # V149 / MA Reg# MS7162KA | 1 |
| 12' Sylvan – SYL44076J596 | Providence | Fleet # V159 / MA Reg# MS2409KR | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickup Truck | Providence | 2005 Ford F-350 | 2 |
| Pickup Truck | Providence | 2003 Ford F-350 | 2 |
| Pickup Truck | Providence | 2000 Chevrolet C-3500 | 1 |
| Pickup Truck | Providence | 1999 Ford F-350 | 1 |
| Pickup Truck | Providence | 1999 Ford F-150 | 1 |
| Pickup Truck | Providence | 1998 Chevrolet C-2500 | 2 |
| Tractor | Providence | Kenworth / Fleet # 1148 | 1 |
| Tractor | Providence | 1995 Mack / Fleet # 1156 | 1 |
| Box Truck | Providence | 1993 Ford L-8000 / Fleet # 5117 | 1 |
| Vacuum Truck (Cusco) | Providence | 2004 Freightliner / Fleet # 4155 | 1 |
| Vacuum Truck (Guzzler) | Providence | 2004 Freightliner / Fleet # 4164 | 1 |
| Utility Trailer – Manhole | Providence | Fleet # CH305 / ME Reg# 0739425 | 1 |
| Utility Trailer | Providence | Fleet # CH2148 / MA Reg# 486208 | 1 |
| Utility Trailer | Providence | Fleet # CH235 / MA Reg# 151533 | 1 |
| Utility Trailer | Providence | Fleet # 2155 / ME Reg# 0739379 | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Diaphragm Pump | Providence | Wilden 3" Aluminum | 2 |
| Diaphragm Pump | Providence | Wilden 2" Aluminum | 3 |
| Diaphragm Pump | Providence | Wilden 2" Poly | 1 |
| Centrifugal Pump | Providence | Multiquip 2" | 1 |
| Centrifugal Pump | Providence | Multiquip 3" | 2 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Providence | American Marine 18" /Optimax I | 2000' |
| Utility Trailer – (1000' – 18" Boom) | Providence | Fleet # CH217 / ME Reg# 0739383 | 1000' |
| Box Trailer – (1500' – 36" Boom) | Providence | Fruehauf | 1500' |
| | | | |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 4 Gas Meter (O2 / LEL / CO / H2S) | Providence | MSA Passport | 4 |
| Organic Vapor Monitor | Providence | MSA Passport PID | 4 |
| Gastec Toxic Monitoring Pumps | Providence | Various Colorimetric Tubes | 3 |
| Lumex Meter | Providence | Ohio Lumex Mercury Vapor Monitor | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Towable Bladder | Providence | Sea Slug 4300 Gallons | 1 |
| Containment Bladder | Providence | 300 Gallons | 3 |
| Portable Tank | Providence | 500 Gallons | 1 |
| Skimmer – Rope Mop | Providence | Crowley / Alden 210 gph – CAAA4F105 | 1 |
| Skimmer – Rope Mop | Providence | Crowley / Alden 210 gph – CAAA4F106 | 1 |
| Skimmer – Barrel | Providence | Barrel Skimmer | 1 |
| Oil Hose | Providence | 2" | 500' |
| Oil Hose | Providence | 3" | 200' |
| Chemical Hose | Providence | 2" | 150' |
| Chemical Hose | Providence | 3" | 150' |
| Wash Hose | Providence | 1-1/4" | 600' |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Skid Steer Loader | Providence | Bobcat / Fleet # EQ1115 | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Electrical Generator | Providence | 5500 Watt | 2 |
| Air Compressor | Providence | Sullair 185 cfm | 2 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Supplied Air Respirator | Providence | MSA – With 5 Minute Escape Bottle | 8 |
| SCBA | Providence | MSA – 1 Hour (4500 psi) | 4 |
| SCBA – Spare Cylinders | Providence | MSA – 1 Hour (4500 psi) | 8 |
| Chemical Protective Suits | Providence | N-Butyl – Level A | 2 |
| Chemical Protective Suits | Providence | 1st Responder – Level A | 2 |
| Thermal Protective Suits | Providence | Nomex Flash Suits | 2 |
| Anti-Exposure Suits | Providence | Stearns (Mustang) | 4 |
| Extraction / Retrieval Devices | Providence | Rollgliss / DBI | 4 |
| Safety Harness | Providence | Full Body | 8 |
| | | | |
| **(10) Communications** | | | |
| Marine VHF Radio | Providence | Hand Held (Intrinsically Safe) | 2 |
| VHF Radio | Providence | Hand Held (Not Intrinsically Safe) | 4 |
| 2-Way Radio | Providence | Nextel | 12 |
| | | | |
| **(11) Miscellaneous** | | | |
| Ventilation Blower | Providence | Coppus / Vano – 4" Pneumatic | 2 |
| Ventilation Blower | Providence | Coppus / Vano – 8" Pneumatic | 2 |
| Ventilation Blower | Providence | Coppus / Vano – 8" Electric | 1 |
| Ventilation Blower | Providence | Coppus / Vano – 24" Pneumatic | 1 |
| | | | |

## Emergency Response Subcontractors

| | | |
|---|---|---|
| **Coast Line & Service, Co.**<br>Providence, RI 02905<br>(401) 864-3602<br>Pager: (401) 938-0329 | **Contact:**<br>Stuart Cornell | **Services Provided:**<br>Tow Boats |
| **Harbor Ready Marine**<br>Wickford, RI<br>(401) 295-8711 | **Contact:**<br>John Andrews | **Services Provided:**<br>Kropp Rescue |
| **Mitchell Towing**<br>New Bedford, MA<br>Address 2<br>(508) 994-9003<br>(508) 677-2700 | **Contact:**<br>Charlie Mitchell<br>Scott Church | **Services Provided:**<br>Tug Jaguar<br>Tugs/Barges |
| **Sea Boats**<br>Fall River, MA<br>(508) 999-3880 | **Contact:**<br>Don Lynch | **Services Provided:** |
| **Cutty Hunk Marine**<br>Cape Cod, MA<br>(508) 888-0766 | **Contact:**<br>Todd Regazio | **Services Provided:** |
| **Northeast Divers**<br>(401) 841-0446 | **Contact:**<br>Eva Longobard | **Services Provided:**<br>Diving / Recovery / Video |
| **Specialty Diving**<br>North Kingstown, RI<br>(401) 295-5256 | **Contact:**<br>Ron Archambault | **Services Provided:**<br>Diving / Recovery / Video |
| **Packer Marine, Inc**<br>P.O. Box 308<br>Vineyard Haven, MA 02568<br>(508) 693-0900 | **Contact:**<br>Ralph Packer<br>John Packer | **Services Provided:**<br>Barges |

| | | |
|---|---|---|
| **BRISTOL, CT SERVICE CENTER** | **24 Hr. #** | **(860) 583-8917** |
| **761 Middle Street** | **24 Hr. #** | **(800) 645-8265** |
| **Bristol, CT 06010** | **Fax #** | **(860) 585-1740** |

Fernando Centeno, General Manager — EPA / Federal ID #: CTD000604488

**Personnel Authorized to release equipment / materials / manpower, etc:**

Fernando Centeno Sr.
Aaron Godfrey
John Mahoney
Thomas Wilson
Todd Vasiliou
Jose Flores
Geb Cook
Joe Heron

**40-Hour OSHA Trained Personnel:**

| | | | |
|---|---|---|---|
| General Manager | 1 | Field Technician I | 4 |
| Operation Manager | 1 | Field Technician II | 2 |
| Supervisor | 2 | Field Technician III | 2 |
| Foreman | 5 | Coordinator | 1 |
| Equipment Operator | 5 | Site Safety Officer | 1 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 10 foot workboat | Bristol | Aluminum w/15 hp outboard motor | 1 |
| 12 foot workboat | Bristol | Open Aluminum w/80hp outboard | 1 |
| 40 foot incident command trailer | Bristol | 1993 ICS office trailer | 1 |
| Frac Tank | Bristol | 20,000 gallon capacity | 3 |
| 25 yard rolloff container w/tarps | Bristol | 25yd metal open top containers | 7 |
| 25 yard Vacuum Box Containers | Bristol | 25yrd | 2 |
| 25 yard dewatering box containers | Bristol | 25 yard w/internal mesh screen/liner | 2 |
| 25 yard intermodal harp top container | Bristol | 25 yard w/sliding hard top | 2 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Straight Rolloff Frame | Bristol | 1994 Kenworth w/ tag axle | 1 |
| Tractor | Bristol | 1991 Freightliner day cab | 1 |
| Tractor | Bristol | 1992 Freightliner w/sleeper cab | 1 |
| Stainless Steel 4,500cfm Cusco | Bristol | 1995 Kenworth w/3,000 gallon tank | 1 |
| Stainless Steel Straight Vacuum Truck | Bristol | 1990 Mack w/3,000 gallon tank | 1 |
| Guzzler hi 6,200cfm vacuum blower unit | Bristol | Sterling CT9513/ 5 yard capacity | 1 |
| 5,000 gallon stainless Steel Vac Tanker | Bristol | 5,000gal/ 1990 Brenner | 1 |
| Emergency Response Van | Bristol | 98 Chevy Cubevan/Level ABC Equip. | 1 |
| Manhole Van w/ 2,500psi press. Washer | Bristol | 2000 Ford E-350 w/CSE equipment | 1 |
| Rack Truck 19,000# GVW | Bristol | 2005 GMC w/liftgate | 1 |
| Box Truck w/20,000psi water blaster | Bristol | 1997 Ford | 1 |
| Manhole Van w/ 2,500psi press. Washer | Bristol | 1992 Ford HD/Box Truck | 1 |
| Crew Cab Pickup | Bristol | 1999 Ford F350 | 1 |
| Utility Body Pickup w/fuel cell | Bristol | 1999 Chevy 3500HD Utility Body | 1 |
| Crew Cab Pickup | Bristol | 2000 Chevy 3500 | 3 |
| Crew Cab Pickup | Bristol | 2004 Ford F350 | 1 |
| Crew Cab Pickup | Bristol | 2002 Ford F350 | 1 |
| Crew Cab Pickup | Bristol | 2006 Ford F 350 | 2 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Jet Rod Trailer | Bristol | 10,000psi Blaster on Triplett Trailer | 1 |
| 2" Double Diaphragm pneumatic pump | Bristol | Wilden Stainless Steel w/camlock fittings | 1 |
| 2" Double Diaphragm pneumatic pump | Bristol | Wilden Polyethylene w/camlock fittings | 1 |
| 2" Double Diaphragm pneumatic pump | Bristol | Wilden Mild Steel w/camlock fittings | 1 |
| 2" Electric Submersible pumps | Bristol(on manhole vans) | NSK 100gpm | 2 |
| 3" Trash Pump | Bristol | Multiquip | 1 |
| Electric Pressure Washer | Bristol | Landa 1,800psi w/burner | 1 |
| Pressure Washer | Bristol | Landa 2,500 psi w/burner | 1 |
| Electric Pressure Washer | Bristol | Karcher 1,500 psi light duty | 1 |
| | | | |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom w/trailer | Bristol | Elastec Marine 18" boom | 700ft |
| Absorbents | Bristol | 3M pads, 8" absorbent boom, snare | Stock |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| MultiRae 5 gas meter | Bristol | Rae 5 gas Air monitor/PID | 4 |
| Explosion proof meter | Bristol | MSA passport | 1 |
| Photolonization Detection Meter | Bristol | Photovac 20/20 PID | 1 |
| Mercury Vapor Analyzer | Bristol | Jerome Meter | 1 |
| Air Sampling Kit(contains 4 pumps) | Bristol | MSA Elf air pump Kit w/cartridges | 1 |
| Sensidyne Pumps | Bristol | Sensidyne detector pumps w/tubes | 2 |
| Sample Tubes | Bristol | for Sensidyne pump/ various checmicals | Stock |
| Unknown Test Kit | Bristol | Spillfyter test strips | 1 |
| Cyanide Antidote Kits | Bristol | | 1 |
| Hydroflouric acid barrier cream | Bristol | Calcium Gluconate Gel | 2 |
| Coppus Air Blowers | Bristol | 6" electric | 1 |
| Coppus Air Blowers | Bristol | 8" pneumatic | 1 |
| Coppus Air Blowers | Bristol | 4" Pneumatic | 1 |
| Negative Air Unit | Bristol | 2,500cfm Electric | 1 |
| Activated Caron Units | Bristol | Carbtrol 55 gallon size w/blower units | 3 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Recovery Tank | Bristol | 275 gallon poly storage tank | 1 |
| Mercury Vacuum | Bristol | Hako Minuteman Mercury vacuum w/hepa | 1 |
| Hepa Filter vacuums | Bristol | Pullman Holt 5-15 gallon size | 3 |
| Carbon Groundwater recovery unit | Bristol | 1,000 gallon vessel w/duple bagfilter/pump | 1 |
| Wet Dry Vacuums | Bristol | Ridgid/Shopvac | 4 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Track Excavator | Bristol | 47,000# Cat 225 w/3/4 yard bucket | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Bristol | Generac 6000XSL | 1 |
| Generator | Bristol(in manhole vans) | 4,500 watt capacity | 2 |
| Air Compressor | Bristol | 1987 Sullair 185cfm | 1 |
| Air Compressor | Bristol | 185cfm Ingersoll Rand | 1 |
| Light Tower | Bristol | Coleman Lighttower | 1 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Self Contain Breathing Apparatus(SCBA) | Bristol | MSA 60 minute SCBA positive pressure | 7 |
| 5 minute escape bottle | Bristol | MSA 5 minute hip air | 4 |
| Cascade Airline Kits | Bristol | MSA fourman cascade system | 2 |
| Airline | Bristol | MSA airline | 150 feet |
| Level A Suits | Bristol(in ER van) | First Responder Plus suits | 4 |
| Test kit for Level A suits | Bristol | | 1 |
| Mechanical Extraction Devices | Bristol | DBI/Sala, MSA Rose w/ tripods | 5 |
| Tank Truck Tripod | Bristol | | 1 |
| Mustang Suits | bristol | | 2 |
| Full body Harness | Bristol | | stock |
| | | | |
| **(10) Communications** | | | |
| Level A Communication gear | Bristol(in ER van) | Earmark kit w/3 headsets, base station | 1 |
| Nextel 2 way hand held radios | All | All Managers, Foremen, Drivers | 24 |
| | | | |
| **(11) Miscellaneous** | | | |
| Gas Driven Power Broom | Bristol | Stihl Power broom | 1 |
| Chain Saw | Bristol | Stihl | 1 |
| Sawzall | Bristol | Milwaukee Sawzall Plus | 2 |
| Light Racks | Bristol | 5,000 watt dual lights | 2 |
| Clay absorbent material | Bristol | Speedy Dry 50# bags | Stock |
| Caustic based degreaser | Bristol | Citrus Cleaner | 200 gallons |
| Steel open top drums | Bristol | 55 gallon steel | stock |
| Drums(other) | Bristol | 55 gallon closed top/ poly/etc | stock |

**Emergency Response Subcontractors**

**Kennedy Marine**
Uncasville, CT

(860) 859-0014
(860) 859-0003

**Contact:**
John F. Kennedy

24 hour pager (860) 437-4883
Mobile (860) 460-0889

**Services Provided:**
Boat Services, Boom Deployment

**Patterson Enterprises**
Broad Street, Bristol CT
Phone # 860 583 7577
Fax # (860) 583-7579

**Contact:**
Mike Patterson
Mobile (860) 302-8598

**Services Provided:**
Rolloff rental/trans
Sweeper services
backfill/gravel

**Coast Line & Service Co.**
280 Waterfront St New Haven, CT
Phone # (203) 467-2674
Fax / Other # (203) 467-2873

**Contact:**

**Services Provided:**
Boat Services

**Caron Autoworks**
East Hartford, CT
Phone # (860) 528-6549

**Contact:**

**Services Provided:**
Towing

| | | |
|---|---|---|
| **MILFORD, CT SERVICE CENTER** | **24 Hr. #** | **(203) 878-1740** |
| **41 Eastern Steel Road** | **24 Hr. #** | **(800) 645-8265** |
| **Milford, CT** | **Fax #** | **(203) 878-1799** |

Joseph Heron, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Joseph Heron
John McGuire
Geb Cook
Tom Wilson
Fern Centeno
Aaron Godfrey
John Mahoney

**40-Hour OSHA Trained Personnel:**

| | | | |
|---|---|---|---|
| Supervisor | 2 | Equipment Operator | 3 |
| Foreman | 2 | Mechanic | 2 |
| Field Technician I | 7 | | |
| Field Technician II | 1 | | |
| Field Technician III | 1 | | |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Power workboat | Milford, CT | 21ft pathmaker 200Hp | 1 |
| Power workboat | Milford, CT | 14ft John Boat 15Hp | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickup Truck | Milford, CT | | 3 |
| Spill Van | Milford, CT | Spill Van | 1 |
| Vacuum Truck | Milford, CT | | 1 |
| High Powered Vacuum Truck | Milford, CT | Cusco Super Sucker | 1 |
| Roll-Off Truck | Milford, CT | Roll-off Frame | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Trash Pump | Milford, CT | 3 inch | 1 |
| Trash Pump | Milford, CT | 2 inch | 1 |
| Double Diaphragm Pump | Milford, CT | 2 inch | 2 |
| Submersible Pump | Milford, CT | Submersible Pump | 3 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| 18 inch boom on trailer | Milford, CT | 20 foot trailer | 1200 ft |
| 18 inch boom on trailer | Milford, CT | 20 foot trailer | 1300 ft |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Meter | Milford, CT | 5 gas meter | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Drum Skimmer | Milford, CT | 3 inch Drum Skimmer | 1 |
| Bladder Tank | Milford, CT | 3000 gal | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Milford, CT | Portable | 2 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| PPE Supplies | Milford, CT | Personal Protestive Equipment | Assorted |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
| **(10) Communications** | | | |
| 2 way Radio | Milford, CT | Nextel Phones | 7 |
| | | | |
| **(11) Miscellaneous** | | | |
| Hose | Milford, CT | 2", 3", 3" | 200 feet |
| Tote Tanks | Milford, CT | 500 Gal | 2 |
| Drums | Milford, CT | Carbon Drums | 2 |

**Emergency Response Subcontractors**

| Subcontractor Name | Contact: | Services Provided: |
|---|---|---|
| Nation Rent | Geovanni Flores | Earth Moving Equipment |

| | | |
|---|---|---|
| **SPRINGFIELD, MA SERVICE CENTER** | **24 Hr. #** | **(860) 827-8557** |
| **190 Brookdale Drive** | **24 Hr. #** | **(800) 645-8265** |
| **Springfield, MA 01140** | **Fax #** | **(860) 781-4110** |

John Mahoney Operations Manager

EPA / Federal ID #:

**Personnel Authorized to release equipment / materials / manpower, etc:**

Fernando Centeno Sr
Aaron Godfrey
John Mahoney
Thomas Wilson
Todd Vasiliou
Jose Flores
Nick Nicotra
Joe Heron

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Operation Manager | 1 |
| Foreman | 1 |
| Field Technician I | 4 |
| Equipment Operator | 2 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 12 foot workboat | Springfield | Open Aluminum w/35hp outboard | 1 |
| 14 foot workboat | Springfield | w/ motor | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Emergency Response Van | Springfield | 1994 Ford E-350 w/Level BC Equip | 1 |
| Crew Cab Pickup | Springfield | 2002 Ford F350 | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| 2" Double Diaphragm pneumatic pump | Springfield | Wilden Stainless Steel w/camlock fittings | 1 |
| 2" Double Diaphragm pneumatic pump | Springfield | Wilden Polyethylene w/camlock fittings | 1 |
| 2" Electric Submersible pumps | Springfield | NSK 100gpm | 1 |
| 3" Trash Pump | Springfield | Multiquip | 1 |
| Electric Pressure Washer | Springfield | Karcher 1,750psi pressure washer | 1 |
| Pressure Washer | Springfield | Honda 2,500psi pressure washer | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom w/trailer | Springfield | Elastec Marine 18" boom | 650ft |
| Absorbents | Springfield | 3M pads, 8" absorbent boom, snare | Stock |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Explosion proof meter | Springfield | MSA passport | 1 |
| Sensidyne Pumps | Springfield | Sensidyne detector pumps w/tubes | 1 |
| Sample Tubes | Springfield | for Sensidyne pump/ various checmicals | Stock |
| Unknown Test Kit | Springfield | Spillfyter test strips | 1 |
| Hydroflouric acid barrier cream | Springfield | Calcium Gluconate Gel | 2 |
| Coppus Air Blowers | Springfield | 6" electric | 1 |
| Coppus Air Blowers | Springfield | 4" Pneumatic | 1 |
| Negative Air Unit | Springfield | 2,500cfm Electric | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Wet Dry Vacuums | Springfield | Ridgid/Shopvac | 3 |
| Skidmount Vacuum Unit | Springfield | 500gallon Vacuum unit/trailer | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Bristol | | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Self Contain Breathing Apparatus(SCBA) | Bristol | MSA 60 minute SCBA positive pressure | 3 |
| 5 minute escape bottle | Bristol | MSA 5 minute hip air | 2 |
| Cascade Airline Kits | Bristol | MSA fourman cascade system | 1 |
| Airline | Bristol | MSA airline | 150 feet |
| Mechanical Extraction Devices | Bristol | DBI/Sala | 2 |
| Full body Harness | Bristol | | stock |
| | | | |
| **(10) Communications** | | | |
| Nextel 2 way hand held radios | All | All Managers, Foremen, Drivers | 3 |
| | | | |
| **(11) Miscellaneous** | | | |
| Gas Driven Power Broom | Bristol | Stihl Power broom | 1 |
| Chain Saw | Bristol | Stihl | 1 |
| Sawzall | Bristol | Milwaukee Sawzall Plus | 2 |
| Light Racks | Bristol | 5,000 watt dual lights | 2 |
| Clay absorbent material | Bristol | Speedy Dry 50# bags | Stock |
| Steel open top drums | Bristol | 55 gallon steel | stock |
| Drums(other) | Bristol | 55 gallon closed top/ poly/etc | stock |

**Emergency Response Subcontractors**

**Kennedy Marine**
Uncasville, CT
Phone # 860 859 0014
Fax / Other # (860) 859-0003

**Contact:**
John F. Kennedy
24 hour pager# (860) 437-4883
Mobile (860) 460-0889

**Services Provided:**
Boat Services, Boom Deployment

**Patterson Enterprises**
Broad Street, Bristol CT
Phone # (860) 583-7577
Fax / Other # (860) 583-7579

**Contact:**
Mike Patterson
Mobile# (860) 302-8598

**Services Provided:**
Rolloff rental/trans
Sweeper services
backfill/gravel

**Coast Line & Service Co.**
280 Waterfront St New Haven, CT
Phone # (203) 467-2674
Fax / Other #203 467 2873

**Contact:**

**Services Provided:**
Boat Services

**Caron Autoworks**
East Hartford, CT
Phone # 860 528 6549
Fax / Other #

**Contact:**

**Services Provided:**
Towing

| | | |
|---|---|---|
| **NEWBURGH, NY SERVICE CENTER** | **24 Hr. #** | **(845) 566-5071** |
| **15 Little Brook Lane** | **24 Hr. #** | **(800) 645-8265** |
| **Newburgh, NY 12550** | **Fax #** | **(845) 566-9014** |

Paul A. Bomba, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Paul A. Bomba
Geb Cook
*Satellite to Bristol Office

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Foreman / Equipment Operator | 1 |
| Field Technician II | 1 |
| Field Technician I | 1 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Truck | Newburgh | 3000 gallon Straight Vac Volvo | 1 |
| Cube Van Spill Response Vehicle | Newburgh | GMC 2500 | 1 |
| Pickup Truck | Newburgh | F-350 | 1 |
| Pickup Truck | Newburgh | F-350 | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Pressure Washer | Newburgh | 5000 PSI Hotsy | 1 |
| Power Washer | Newburgh | 4000 PSI B&S portable | 1 |
| Trash Pump | Newburgh | 2", Gasoline Powered, B&S portable | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 4 Gas Meter | Newburgh | | 1 |
| 5 Gas Meter | Newburgh | | 1 |
| Sensidyne Kit | Newburgh | | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| 5000 watt portable Generator | Newburgh | Generac | 1 |
| 1000 watt dual light towers | Newburgh | | 4 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |

| | | |
|---|---|---|
| **ALBANY, NY SERVICE CENTER** | **24 Hr. #** | **(518) 434-0149** |
| **32 Bask Road** | **24 Hr. #** | **(800) 645-8265** |
| **Glenmont, NY 12077** | **Fax #** | **(518) 434-9118** |

Barry Prior, General Manager — EPA / Federal ID #: NYD986871622

**Personnel Authorized to release equipment / materials / manpower, etc:**

Barry Pryor
Kris Goodman

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 2 |
| Foreman | 4 |
| Field Technician III | 2 |
| Field Technician I | 6 |
| Equipment Operator | 5 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 16' Carolina skiff boat | Albany | 48 HP | 1 |
| 20' Hanko Aluminum | Albany | 115HP Yamaha | 1 |
| 12' Grumman | Albany | Aluminum | 1 |
| 67 Gator Boat Trailer | Albany | C1451406 | 1 |
| 92 Boat Trailer | Albany | 186BOCI59NH000033 | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Tractor Trailer | Albany | 5,000 gallon Brenner (Fleet# 153/322) | 1 |
| Vacuum Straight | Albany | 3000 gallon 93 Kenworth | 1 |
| Guzzler | Albany | 4500 cfm/16 Cu Yds (Fleet #4129) | 1 |
| Spill Van | Albany | Chevy Step Van (Fleet # 98003) | |
| Straight Cusco | Albany | 3000 gallon (Fleet #438) | 1 |
| Rack Truck w/Liftgate | Albany | Drum Reovery (Fleet # 5195) | 1 |
| Crew Cab Trucks | Albany | F-350 | 9 |
| Pickup Trucks | Albany | F-150 4x4 | 1 |
| Boom Trailers | Albany | Probilt/Homemade | 1 |
| Spill Trailer | Albany | | 1 |
| Utility Trailer | Albany | Starlight | 3 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| 3" Double Diaphragm Pump | Albany | Wilden | 4 |
| 3" Transfer Pumps | Albany | Diesel & Gas | 2 |
| 2" electric submersible | Albany | | 3 |
| 2" Double Diaphragm Pump | Albany | Wilden | 3 |
| 1" Double Diaphragm Pump | Albany | 1-Metal, 1-Poly | 1 |
| Hotsy | Albany | 4500 psi | 1 |
| Smoke Ejector 20" Fans | Albany | | 2 |
| Air Operated Coppus Blower | Albany | | 3 |
| Teflon Acid Pump | Albany | | 1 |
| Waterblaster and Trailer | Albany | NLB 10k psi | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Albany | 18" American Marine /Curtain | 2000' |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Oxygen LEL Meter | Albany | MSA | 3 |
| 4 Gas Meter | Albany | Industrial Scientific/MSA | 4 |
| MSA Air Sampling Pump | Albany | with Misc. Tubes | 4 |
| Personal Air Pumps | Albany | | 3 |
| Flow Buck Calibrator | Albany | | 1 |
| Hand Pump | Albany | Guzzler | 2 |
| Sediment Corer | Albany | W/ Nose Piece, Core Catcher, & Tubes | 2 |
| Photo Ionization Detector | Albany | | 2 |
| Mobile Carbon Treatment System | Albany | 60 Gallons Per Minute | 2 |
| Jerome Mercury Meter | Albany | | 1 |
| Dust Meter | Albany | | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Portable Tanks - Skid Mount Vacuum | Albany | 500Gallon | 1 |
| Portable Tanks | Albany | 2,000 Gallon | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Bobcat Trailer | Albany | | 1 |
| Bobcat | Albany | 743D Bucket, Backhoe & Sweeper | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Albany | Homelite | 2 |
| Generator | Albany | Honda 120V | 1 |
| Air Compressor | Albany | 185 CFM | 3 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| 4500 PSI SCBA's | Albany | | 5 |
| 4500 PSI SCBA Cylinders | Albany | | 2 |
| 2-Man Cascade Manifolds | Albany | | 1 |
| 5 Minute Egress Hip Airs | Albany | | 8 |
| Metal Detectors | Albany | | 2 |
| Remote Drum Opener | Albany | | 1 |
| HEPA Vacuums | Albany | | 1 |
| Mechanical Extraction Devices | Albany | With Tripods | 4 |
| Portable Eye Wash Unit | Albany | Z358.1-1981 | 2 |
| MSA Cascade Mask | Albany | | 3 |
| | | | |
| **(10) Communications** | | | |
| Base Station | Albany | | 1 |
| Mobile Radios | Albany | | 2 |
| | | | |
| **(11) Miscellaneous** | | | |
| Arc Welder | Albany | Electric | 1 |
| Lincoln Gas Powered Welder | Albany | | 1 |
| Cutting Torches | Albany | | 2 |
| Plasma Cutter | Albany | | 1 |
| Shop Vacuum | Albany | | 3 |
| Mercury Vacuum | Albany | | 1 |
| Jack Hammer | Albany | | 1 |
| Chainsaw | Albany | | 2 |

## Emergency Response Subcontractors

**Hertz Equipment**
Avis Drive
Latham, NY
(518) 783-4598

**Contact:**

**Services Provided:**
Excavation Equipment

**Roberts Towing**
Route 9W
Glenmont, NY
(518) 432-4097

**Contact:**

**Services Provided:**
Towing Services

**Mountain View Oil**
Box 84 Voorheesville, NY 12186

(518) 644-5111

**Contact:**

**Services Provided:**
Fuel Supplies

**New England Helicopter**
8 Round Hill Road
Washingtonville, NY
(914) 496-7928

**Contact:**

**Services Provided:**
Helicopters

| | | |
|---|---|---|
| **SYRACUSE, NY SERVICE CENTER** | **24 Hr. #** | **(315) 463-9901** |
| **14 Corporate Circle** | **24 Hr. #** | **(800) 645-8265** |
| **East Syracuse, NY 13057** | **Fax #** | **(315) 463-9624** |

Barry Pryor, General Manager
Anthony Napoli, Operations Manager

EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Barry Prior
Anthony Napoli
Robert Seitz

*Satellite to Albany Office

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Foreman | 1 |
| Equipment Operator | 3 |
| Field Technician | 5 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 14' Carolina Skiff | Syracuse | 35HP 14' Skiff | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickups | Syracuse | Crew Cabs | 2 |
| 4x4 Pickup | Syracuse | F150 Extra Cab | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| 2" DD Pums | Syracuse | Wlden M8 | 2 |
| 2" Hoses | Syracuse | Oil/Chemical | 200' |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| 18" Containment Boom | Syracuse | 18" American Marine Simplex | 800' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 4 Gas Meter | Syracuse | MSA 4Gas | 1 |
| PID | Syracuse | MSA PID Meter | 1 |
| Sensidyne | Syracuse | Sensidyne Pump and Tubes | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Sorbent Boom | Syracuse | 8" SPC Boom | 20 |
| Sorbent Pads | Syracuse | SPC100 | 30 |
| Drums | Syracuse | Steel/Poly Various Sizes | 100 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Syracuse | 4K Portable Generator | 1 |
| Light Stand | Syracuse | Halogen Light stand | 2 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(10) Communications** | | | |
| NEXTELs | Syracuse | Nextel Units | 5 |
| Cell Phones | Syracuse | Verizon | 6 |
| | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| **Emergency Response Subcontractors** |
|---|
| See Albany Service Center |

| | | |
|---|---|---|
| **WILLISTON, VT SERVICE CENTER** | **24 Hr. #** | **(802) 651-0553** |
| **338 Commerce Street #40** | **24 Hr. #** | **(800) 645-8265** |
| **Williston, VT 05495** | **Fax #** | **(802) 651-0558** |

Steve Brown, Operations Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Steve Brown
Ben Mitchell

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Foreman | 1 |
| Field Technician | 2 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| 4WD Pickup Truck | Williston | 8424 | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| 2" Aluminum Double Diaphragm Pump | Williston | | 1 |
| 1" Stainless Double Diaphragm Pump | Williston | | 1 |
| 1" Poly Double Diaphragm Pump | Williston | | 1 |
| 2" Oil Hose | Williston | | 1000' |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| 18" Hard Boom | Williston | | 200' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Passport Four Gas Meter | Williston | | 1 |
| Passport Photo ionization Detector | Williston | | 1 |
| Sensodyne Meter | Williston | | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| | | | |
| **(10) Communications** | | | |
| 2-Way Radio | Williston | Nextel | 2 |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |

## MID-ATLANTIC REGION SERVICE CENTERS

| | | |
|---|---|---|
| **EDISON, NJ SERVICE CENTER** | **24 Hr. #** | **(732) 248-1997** |
| **3 Sutton Place** | **24 Hr. #** | **(800) 645-8265** |
| **Edison, NJ 08817** | **Fax #** | **(732) 248-4414** |

Shawn Barrett, General Manager — EPA / Federal ID #: NJD986644581

**Personnel Authorized to release equipment / materials / manpower, etc:**

Shawn Barrett
Paul Feeney
Carmine Cattafi
Tim Lokos
Julian Stroming

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 8 |
| Foreman | 6 |
| Equipment Operator | 12 |
| Field Technician | 8 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 12' Loweline /Trailer | Metro | Fleet #V262 Model 1236 | 1 |
| 16' FT Jon Boat /Trailer | Metro | Fleet # V205 Model L1648/m/mt | 1 |
| 16' FT Jon Boat | Metro | Fleet # V240 Model 1648LW | 1 |
| 16' FT Jon Boat | Metro | Fleet # V266 Model 1652VBW | 1 |
| 24' FT Hanko w/ Trailer | Metro | Fleet # V304 | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Trailer | Metro | 5000 gal | 5 |
| Roll Off Truck | Metro | straight frame truck | 1 |
| Roll Off Trailers | Metro | Roll Off trailers | 3 |
| High Powered Vacuum Loader | Metro | Cusco 3,000 gallons | 2 |
| Utility Vehicles | Metro | Pick-Up Trucks | 11 |
| Emergency Response Van | Metro | Cube Vans ( Confined Space Ready) | 2 |
| Spill Boom Trailer | Metro | | 1 |
| Skid Vacuum | Metro | 1,000 gal. | 1 |
| Spill Trailer | Metro | | 2 |
| Straight Vacuum Truck | Metro | 3,200 gallon capacity | 1 |
| Box Truck w/Lift-gate | Metro | | 1 |
| Rack Body Truck w/Lift-gate | Metro | | 2 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm Pump | Metro | 2" Poly | 1 |
| Submersible Pump | Metro | Electric | 3 |
| 3" Centrifugal Pump | Metro | Gasoline ( Not for Flam.) | 2 |
| Pressure Washer | Metro | 2500-3000 PSI Hot Water | 4 |
| Trailer Mounted Pressure Washer | Metro | 2500-3000 PSI Hot Water | 2 |
| 1" Double Diaphragm Pump | Metro | Stainless Steel | 2 |
| 2" Double Diaphragm Pump | Metro | Cast Aluminum | 2 |
| 1" Double Diaphragm Pump | Metro | Cast Aluminum | 1 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Containment Boom | Metro | American Marine 18" | 2000' |
| Absorbent Pads | Metro | 18"/100 each | 40 |
| Absorbent Boom | Metro | 6"/40'/bag | 15 |
| Absorbent Blankets | Metro | Sorbent Blankets (packs) | 15 |
| Speedi-Dry | Metro | Pallets | 10 |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Explosion Meter | Metro | | 2 |
| MSA Gas & O2 Passport | Metro | | 3 |
| PID | Metro | Photon | 1 |
| Jerome Meter | Metro | | 1 |
| Personal Air Sampling Pumps | Metro | | 5 |
| Draegar Kits | Metro | | 2 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Swiss Skimmer | Metro | Olea II | 1 |
| Slurp Skimmer | Metro | | 1 |
| Drums | Metro | 55 and 85 gal | 300 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Bobcat W/Trailer | Metro | | 1 |
| Backhoe | Metro | | 1 |
| Water Treatment System | Metro | | 1 |
| 2 x 1,000 lb. Carbon Vessels | Metro | | 2 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Metro | | 5 |
| Portable Light Set | Metro | | 4 |
| Trailer Air Compressor | Metro | 175 CFM | 1 |
| Trailer Light Tower | Metro | | 1 |
| Drum Loading Vacuum Unit | Metro | 55 gal. Drum, 4" & 6" | 2 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| S.C.B.A | Metro | Survivair | 6 |
| Spare Air Cylinders | Metro | 1 Hour Air Bottles | 6 |
| 4 Man Cascade System | Metro | Airline Resp. | 2 |
| MSA Cartridge Mask | Metro | Mine Safety | 30 |
| Safety Harness | Metro | | 8 |
| Mechanical Extraction Devices | Metro | w/Tripods | 3 |
| Confined Space Equipment | Metro | 3 Sets | 3 |
| | | | |
| **(10) Communications** | | | |
| 2 Way Radios | Metro | Nextel | 36 |
| Nextel Base Station | Metro | Motorola/Nextel | 1 |
| | | | |
| **(11) Miscellaneous** | | | |
| Electric Blower | Metro | 3,000 CFM | 3 |
| 6,000 Lb. Forklift | Metro | Propane Driven | 1 |
| Air Driven Blower | Metro | 11,000 CFM | 2 |

## Emergency Response Subcontractors

**Aerotek Environmental Staffing**
600 Parsippany Road
Parsippany, NJ 07054
(201) 884-7310

**Contact:**

**Services Provided:**
Labor

**Industrial Environmental Contracting, Inc.**
900 Port Reading Avenue
Port Reading, NJ 07064
(732) 969-3344

**Contact:**

**Services Provided:**
Labor

**Ken's Marine**
117 East 22nd Street
Bayonne, NJ 07002
(201) 437-1105

**Contact:**

**Services Provided:**
Marine Equipment
Marine Supplies

**Northstar Marine**
Sealsle City, NJ
(609) 263-2222

**Contact:**

**Services Provided:**
Marine Equipment
Marine Supplies

**S & J Transport**
Woodstown, NJ
(609) 769-2741

**Contact:**

**Services Provided:**

**Hertz Equipment Rentals**
Doremus Avenue
Newark, NJ
(923) 589-7540

**Contact:**

**Services Provided:**
Equipment Rental

**Nobel Equipment**
Linden, NJ 07036
(908) 925

**Contact:**

**Services Provided:**
Equipment Rental

**Dave's Heavy Towing**
87 Old Camplain Road
Hillsborough, NJ 08844
(908) 526-3999

**Contact:**

**Services Provided:**
Towing

| BRIDGEPORT, NJ/PHILADELPHIA SERVICE CENTER | 24 Hr. # | (856) 467-3102 |
|---|---|---|
| 2858 Route 322 | 24 Hr. # | (800) 645-8265 |
| Bridgeport, NJ 08014 | Fax # | (856) 467-7490 |

Joe Moyer, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Joe Moyer
Ed Dreger
Kimberly Perna

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 4 |
| Foreman | 4 |
| Equipment Operator | 4 |
| Field Technician | 8 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Aluminum Boat | Bridgeport | 16FT./Aluminum / Starcraft | 1 |
| G3 | Bridgeport | 14Ft./Aluminum / G3 | 2 |
| G3 | Bridgeport | 16Ft./Aluminum / G3 | 1 |
| Outboard Engine | Bridgeport | 25 HP Yamaha | 2 |
| Outboard Engine | Bridgeport | 9.9 HP Yamaha | 1 |
| NCR Aluminum Barge System | Bridgeport | 8' x 40' sectional barge | 2 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Trucks | Bridgeport | 3,000 gallon | 2 |
| Vac Trailer | Bridgeport | 5,000 gallon | 2 |
| Roll Off Trailer | Bridgeport | | 1 |
| Cusco | Bridgeport | 2,500 gallon/12cu. Yd. | 1 |
| Tractor | Bridgeport | | 4 |
| Vacuum Unit | Bridgeport | Skid Mount 750 gal | 1 |
| Pickup Trucks | Bridgeport | | 2 |
| Crew Cab Pickups | Bridgeport | | 6 |
| Rack Trucks | Bridgeport | | 1 |
| Emergency Response Van | Bridgeport | | 0 |
| Emergency Response Trailer | Bridgeport | | 0 |
| Drum Trailer | Bridgeport | | 1 |
| Boom Trailer | Bridgeport | | 2 |
| Boat Stack Trailer | Bridgeport | | 0 |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm Pump | Bridgeport | 1" - Pneumatic - Poly | 1 |
| Double Diaphragm Pump | Bridgeport | 2" - Pneumatic - Poly | 1 |
| Double Diaphragm Pump | Bridgeport | 2" - Pneumatic - S.S. | 1 |
| Double Diaphragm Pump | Bridgeport | 2" - Pneumatic - Steel | 1 |
| Double Diaphragm Pump | Bridgeport | 3" - Pneumatic - Steel | 1 |
| Submersible Pump | Bridgeport | 2.5" Electric | 2 |
| Trash Pump | Bridgeport | 2" Gasoline | 1 |
| Cold Water Pressure Washers | Bridgeport | Gasoline | 1 |
| Hot Water Pressure Washer | Bridgeport | Gasoline | 3 |
| Hot Water Pressure Washer | Bridgeport | Trailer Mounted | 1 |
| Venturi Blower Tubes | Bridgeport | Pneumatic | 2 |
| Ventilation Fans (Copus) | Bridgeport | Pneumatic | 2 |
| (3) Pumps and Pressure Equipment (cont'd) | | | |
| Ventilation Fans | Bridgeport | (Electric) | 1 |
| Firemans Fan | Bridgeport | Electric | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| American Marine | Bridgeport | 18" Harbor Boom | 2,500' |
| Absorbents | Bridgeport | Assortment | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| LEL Meter | Bridgeport | MSA Passport | 2 |
| PID Meter | Bridgeport | MSA | 1 |
| Sensodyne Pump | Bridgeport | | 2 |
| Jerome Meter | Bridgeport | Mercury | 2 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Skimmer | Bridgeport | Skimpac | 1 |
| Skimmer (NRC) | Bridgeport | Vikoma Fasflo | 1 |
| Skimmer (NRC) | Bridgeport | 4 Band Vertical Mop Wringer | 1 |
| | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Forklift (Level B Equipped) | Bridgeport | TCM | 1 |
| Bobcat | Bridgeport | | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Compressor | Bridgeport | 185 CFM | 2 |
| Portable Generator | Bridgeport | | 1 |
| Explosion Proof Lights | Bridgeport | Tank Lights - Drop | 3 |
| Explosion Proof Lights | Bridgeport | 300 Watt Spot Light | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| MSA Supplied Air Systems | Bridgeport | Cascade | 2 |
| MSA SCBA | Bridgeport | 30 Minute Setup | 5 |
| MSA SCBA | Bridgeport | 60 Minute Setup | 2 |
| MSA Air Bottles | Bridgeport | 30 Minute Setup | 6 |
| Hip-Air Egress Systems | Bridgeport | MSA - 15 Minute | 4 |
| Respirator Cartridges | Bridgeport | Assortment | |
| Personal Protective Clothing | Bridgeport | Assortment | |
| Level B Suits | Bridgeport | Responder | 8 |
| Portable Decon Showers | Bridgeport | Self-Contained | 2 |
| Portable Storage Tank | Bridgeport | Poly Tank 4,000 Gallon | 1 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(10) Communications** | | | |
| | | | |
| Marine Band Transceivers | Bridgeport | Icon M-11 Portable VHF | 4 |
| Cellular Phones | Bridgeport | Motorola | 12 |
| | | | |
| **(11) Miscellaneous** | | | |
| Anchors | Bridgeport | | 5 |
| Line 3/8" | Bridgeport | Stock | 1000' |
| Personal Flotation Devices | Bridgeport | Stock | 20 |
| Survival Suits | Bridgeport | Stock | 4 |
| Hard Hose | Bridgeport | 2" | 400' |
| Hard Hose | Bridgeport | 3" | 200' |
| Vactor Hose | Bridgeport | Assortment | |
| Air Hose | Bridgeport | 3/4" | 400' |
| Drum Vacuums | Bridgeport | Pneumatic | 2 |
| Ladders | Bridgeport | Various - Fiberglass | 4 |
| Ladders | Bridgeport | Tank - Fiberglass | 1 |
| Portable Heaters - Space | Bridgeport | Diesel & Electric | 1 |
| Oxygen/Acetyne Cutting Torches | Bridgeport | Complete Sets | 1 |
| Sawzall | Bridgeport | Pneumatic/electric | 3 |
| Metal Nibler | Bridgeport | Pneumatic/electric | 1 |
| Hole Saw | Bridgeport | Pneumatic | 1 |

**Emergency Response Subcontractors**

**Maritrans**
Fort Mifflin Road
Philadelphia, PA
Phone: (609)492-8100

**Contact:**

**Services Provided:**
Boats, Tow / Barge

**Delaware Launch Service**
Slaughter Beach, DE
Phone: (302)422-7604

**Contact:**

**Services Provided:**
Boats, Tow / Barge

**McAllister Brother**
Broadway
Camden, NJ
Phone: (609) 966-2822

**Contact:**

**Services Provided:**
Boats, Tow / Barge

**North Star Marine**
8200 Landis Avenue
Sea Isle City, NJ
Phone: (609) 263-2222

**Contact:**

**Services Provided:**
Boats, Tow / Barge

**Moran Towing**
Pier 100
Philadelphia, PA
Phone: (215) 755-4700

**Contact:**

**Services Provided:**
Boats, Tow / Barge

**Hueber's Launch Service**
Marcus Hook, PA
Phone: (215) 755-4700

**Contact:**

**Services Provided:**
Boats, Tow / Barge

## Emergency Response Subcontractors Cont.

| | | |
|---|---|---|
| **Albert C. Westcot Company**<br>Gardener's Basin<br>Atlantic City, NJ<br>Phone: (609) 345-1974 | **Contact:** | **Services Provided:**<br>Boats, Tow / Barge |
| **Subaqueous Enterprises**<br>Scullville, NJ<br>Phone: (609) 927-1230 | **Contact:** | **Services Provided:**<br>Boats, Tow / Barge |
| **Marine Salvage**<br>Ellsworth Salvage, Inc.<br>Broadway,<br>Camden, NJ<br>Phone: (609) 966-4469 | **Contact:** | **Services Provided:**<br>Boats, Tow / Barge |
| **Jamestown Marine Service**<br>24 Southwest Avenue, Suite 4<br>Jamestown, RI<br>Phone: (800) 332-0100<br>Phone: (609) 966-4469 | **Contact:** | **Services Provided:**<br>Boats, Tow / Barge |
| **Bugiser Towing Towing &**<br>Salvage Company<br>326 First Street<br>Annapolis, MD 21043<br>Phone: (410) 268-1941 | **Contact:** | **Services Provided:**<br>Boats, Tow / Barge |
| **Divers Mechanics**<br>Blackwood, NJ<br>'hone: (609) 227-9262 | **Contact:** | **Services Provided:**<br>Divers |
| **In-Depth Marine Construction**<br>Toms River, NJ<br>Phone: (609) 270-6812 | **Contact:** | **Services Provided:**<br>Divers |
| **American Dredging-Weeks Marine**<br>Camden, NJ<br>Phone: (609) 963-0963 | **Contact:** | **Services Provided:**<br>Divers |
| **Smith Brothers**<br>Galesville, MD<br>Phone (410) 867-1818 | **Contact:**<br>Jeff Smith | **Services Provided:**<br>Dredges, Clam Shells<br>Tug & Barge |

| | | |
|---|---|---|
| **BALTIMORE, MD SERVICE CENTER** | **24 Hr. #** | **(301) 939-6000** |
| **3527 Whiskey Bottom Road** | **24 Hr. #** | **(800) 622-3360** |
| **Laurel, MD 20724** | **Fax #** | **(301) 939-6076** |

Mark Hale, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Mark Hale
Randy Thomas

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Foreman | 3 |
| Field Technician II | 3 |
| Field Technician I | 6 |
| Equipment Operator | 2 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Hanko | Laurel | 24 ft Aluminum V-Hull/150 HP Yamaha | 1 |
| Pointer | Laurel | 22 ft FiberglassV-Hull /125 HP Evinrude | 1 |
| Sylvan | Laurel | 14 ft/ Aluminum V-Hull | 2 |
| Alumacraft | Laurel | 14 ft/ Aluminum Flat Hull | 2 |
| Johnson | Laurel | 25 HP | 1 |
| Johnson | Laurel | 9.9 HP | 1 |
| Nissan | Laurel | 9.8 HP | 1 |
| Personal Floatation Device | Laurel | - | 50 |
| Anti-Exposure Suits | Laurel | Stearns | 1 |
| Anchors | Laurel | - | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Trailer | Baltimore | 6,000 gallon/Brenner | 1 |
| Vacuum Trucks | Baltimore | 3,000 gallon/Kenwoth | 2 |
| Cusco | Baltimore | 2,500 gallon/12 Cu. Yd/Freightliner | 1 |
| Tractor | Baltimore | Kenworth | 1 |
| Roll-Off Frames | Baltimore | Galbreath | 1 |
| Roll-Off Containers | Baltimore | | 10 |
| Pick-Ups | Laurel | Chevrolet (4) , Ford(4) | 8 |
| Rack Trucks | Laurel | 02' Chevrolet 3500 HD | 1 |
| Cube Vans | Laurel | 00' Ford E-350 | 1 |
| Emergency Response Trailer | Laurel | 94' Haulmark | 1 |
| Boom Trailer | Baltimore | 1,000 Ft. Boom each | 2 |
| Frac Tank | Baltimore | 20,000 gal | 2 |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm Pump | Laurel | 2' Stainless Steel | 1 |
| Double Diaphragm Pump | Laurel | 2" Polypropylene | 2 |
| Double Diaphragm Pump | Laurel | 3" Aluminum | 3 |
| Double Diaphragm Pump | Laurel | 2" Aluminum | 1 |
| Double Diaphragm Pump | Laurel | 1" Aluminum | 1 |
| Submersible Pump | Laurel | 2" Electric | 2 |
| Gas Pressured Pump | Laurel | 3" Homelite | 1 |
| Gas Trash Pump | Laurel | 2" Homelite 121TP2-18 | 2 |
| Submersible Pump | Laurel | 4" Hydraulic driven | 1 |
| Cold Water Pressure Washer | Laurel | 2600 psi - Portable | 4 |
| Cold Water Pressure Washer | Laurel | 3500 psi - Portable | 1 |
| Hot Water Pressure Washer | Laurel | 3000 psi - trailer mounted | 1 |
| Venturi Blower Tubes | Laurel | Pneumatic | 4 |
| Ventilation Fans (Coppus) | Laurel | Pneumatic | 4 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| American Marine | Laurel | 18" Harbor Boom | 2,000 |
| Langerman | Laurel | 15î Creek Boom | 100' |
| PSI | Laurel | 6" Creek Boom | 100' |
| Absorbents | Laurel | Assortment | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| PID | Laurel | MSA/Passport | 1 |
| Photo ionization Detector | Laurel | HNU | 3 |
| Combustible Gas Meter | Laurel | MSA #261 | 2 |
| Combustible Gas Meter | Laurel | MSA 4 Gas | 1 |
| Combustible Gas Meter | Laurel | MSA 3 Gas | 1 |
| Draeger Pump | Laurel | Draeger | 2 |
| Air Monitoring Pumps | Laurel | SKC | 4 |
| Sensidyne Pump | Laurel | Sensidyne | 2 |
| Mercury Vapor Detector | Laurel | Jerome | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Skimmer | Laurel | Skimpac 18000 series | 2 |
| Elastec Drum Skimmer | Laurel | TDS-118 | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Bobcat Loader | Laurel | 743 Skid-Steer | 1 |
| Bobcat Trailer | Laurel | Beck | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Compressor | Laurel | 175 CFM/Ingersol Rand | 1 |
| Compressor | Laurel | 185 CFM/Leroi | 1 |
| Compressor | Laurel | 185 CFM/Sullair | 1 |
| Portable Generator | Laurel | Coleman | 1 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(9) Health and Safety Equipment** | | | |
| MSA Supplied Air Systems | Laurel | Cascade | 6 |
| MSA S.C.B.A | Laurel | | 8 |
| Hip-Air Escape bottles | Laurel | | 10 |
| Personal Protective Clothing | Laurel | Assorted | |
| Resirator Cartridges | Laurel | Assorted | |
| Nomex Suits | Laurel | | 3 |
| Extraction Device | Laurel | DBI 50' W/Tripod | 3 |
| Extraction Device | Laurel | Miller 75' W/Tripod | 1 |
| Safety Harness | Laurel | Miller | 12 |
| Explosion Proof Light | Laurel | | 2 |
| | | | |
| **(10) Communications** | | | |
| 2-Way Portable Radio | Laurel | Nextel-Motorola | 15 |
| 2-Way Portable Radio's w/phone | Laurel | Nextel-Motorola | 13 |

**Emergency Response Subcontractors**

**Baltimore Launch & Marine Svc, Inc.**
Pier 1, Clinton Street,
Baltimore, MD 21224
(301) 563-3411

**Contact:**
Captain Sorensen
24 Hour Service

**Services Provided:**
Boats (Tow / Barge)

**Captain's Ship Chandlery Co.**
1726 S. Clinton Street
Baltimore, MD 21224
(410) 732-7680

**Contact:**
Thomas Payne

**Services Provided:**
Fuel Supplies

**Vane Brothers Co.**
Pier 11, Canton
4209 Newgate Ave
Baltimore, MD 21224
(410) 631-7773

**Contact:**
Capt. Russi Makojina

**Services Provided:**
Fuel Supplies

**Baker-Whitely Towing Co.**
2000 Clinton Street
Baltimore, MD 21224
(410) 276-8000

**Contact:**

Richard Gross
(24 Hour Service)

**Services Provided:**
Boats (Tow, Barge)

**Moran Towing Company**
World Trade Center, Suite 800
Baltimore, MD 21202
(410) 732-9600

**Contact:**
Paul Swenson

**Services Provided:**
Boats (Tow, Barge)

**Marine Launch Company (Vain Bros.)**
Pier 11, 4209 Newgate Ave.
Baltimore, MD 21224
(410) 631-7773

**Contact:**
Tom Gaither

**Services Provided:**
Boats (Tow, Barge)

**Solman's Island Marine**
P.O. Box 156
Solomans, Md. 20688
(410) 326-6801

**Contact:**

**Services Provided:**
Boats (Tow, Barge)

**Emergency Response Subcontractors Cont.**

| | | |
|---|---|---|
| **McClean Contracting (possible vendor)**<br>6700 Curtis Court, Glen Burnie, MD 21226<br>2001 Benhill Road, Baltimore, MD 21226<br>(410) 553-6700 office<br>(410) 355-1407 yard | **Contact:**<br>Tyrus Fisher | **Services Provided:**<br>Marine Salvage |
| **Baltimore Ship Repair (Phillyship)**<br>1508 Open Street,<br>Baltimore, MD 21226<br>(410) 355-7400 | **Contact:**<br>Michael Moss | **Services Provided:**<br>Divers |
| **Diver's Den Inc.**<br>8105 Harford Road,<br>Baltimore, MD 21234<br>(410) 668-6866 | **Contact:** | **Services Provided:**<br>Divers |
| **Dover International Limited**<br>12826 Dover Road,<br>Riesterstone, MD<br>(410) 561-3500 | **Contact:** | **Services Provided:**<br>Fuel Supplies |
| **Dover International Limited**<br>12826 Dover Road,<br>Riesterstone, MD<br>(410) 561-3500 | **Contact:**<br>Jim Platt | **Services Provided:**<br>Helicopters |
| **Omniflight Airways**<br>Martin Airport - Hanger #6<br>Baltimore, MD 21220<br>(410) 391-7722 | **Contact:**<br>Tom Palcic | **Services Provided:**<br>Helicopters |
| **So. Baltimore Industrial Mutual Aid Plan**<br>P.O. Box 3476:<br>Baltimore, MD 21225-0476<br>(410) 354-5751 | **Contact:**<br>Chairman: Gene Reynolds<br>(FMC Corporation) | **Services Provided:**<br>Cooperative |
| **JW Transport, Inc.**<br>2437 Durham Road<br>Bristol, PA 19007<br>(215) 946-3033 | **Contact:**<br>John Witmer | **Services Provided:**<br>Subcontracted Labor |
| **Woodchuck Enterprises**<br>25525 Loville Road<br>Leonardtown, MD 20650<br>(301) 994-2283 | **Contact:**<br>Bill Peterson | **Services Provided:**<br>Subcontracted Labor |
| **J.W. Walker & Sons**<br>6812 Fort Smallwood Rd.<br>Baltimore, Md. 21226<br>(410) 636-1349 | **Contact:**<br>Mike Walker<br>Jay Walker | **Services Provided:**<br>Subcontracted Labor |

| | | |
|---|---|---|
| **RICHMOND, VA SERVICE CENTER** | **24 Hr. #** | **(804) 452-1800** |
| **7515 Harvest Road** | **24 Hr. #** | **(800) 645-8265** |
| **Prince George, VA 23875** | **Fax #** | **(804) 452-1700** |

Eric Montgomery, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Eric Montgomery
Michael Leuchte
Doug Kirchoff

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 2 |
| Foreman | 1 |
| Equipment Operator | 3 |
| Field Technician I | 2 |
| Field Technician II | 1 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 15' Alumacraft workboat | Prince George | With 20 hp Evinrude motor | 1 |
| 15' Loweline | Prince George | 15 feet | 1 |
| 20' Fiberglass pointer | Prince George | 115 hp motor | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| High powerd vacuum loader | Prince George | 3000 Gallon/ 10 CU.YD | 1 |
| High powerd vacuum loader | Prince George | 3000 Gallon/ 10 CU.YD | 1 |
| Vacuum Trailer | Prince George | 5000 gallon Brenner | 1 |
| Transporter | Prince George | 6000 gallon capacity | 2 |
| Tractor | Prince George | Mack | 2 |
| Hydro Blaster | Prince George | 10k/straight box truck | 1 |
| Pick ups | Prince George | F 350'S - F 250'S- Rack trucks-crewcabs | 7 |
| Fork lift | Prince George | 6500 lbs capacity | 1 |
| Hard Boom trailer | Prince George | | 1 |
| BobCat | Prince George | | 1 |
| Flat bed trailer | Prince George | | 2 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Trailer Mounted Skid Vac | Prince George | 500 gallon capacity | 1 |
| Double Diaphragm Pump | Prince George | 3" Pump | 2 |
| Double Diaphragm Pump | Prince George | 2" Pump | 1 |
| Double Diaphragm Pump | Prince George | 2" Chemical Pump | 2 |
| Double Diaphragm Pump | Prince George | 1" Pump | 2 |
| Drum Vacuum | Prince George | | 4 |
| Pressure washers | Prince George | 3000 PSI | 1 |
| Pressure washers | Prince George | 3000 PSI Hotwater Units | 3 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Hard Boom W/spill trailer | Prince George | American Marine 18 inch | 2000 ft |
| Asorbent Boom, Sweep, Pads | Prince George | Assorted | |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| MSA Passport Pid | Prince George | Meters | 3 |
| MSA Passport Four Gas | Prince George | Meters | 3 |
| MSA Sirus 5 Gas | Prince George | Meters | 2 |
| Drager Pump | Prince George | Meters | 3 |
| Jerome Mercury Meter | Prince George | | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Air Compressor | Prince George | 185 Cfm | 1 |
| Air Compressor | Prince George | Rigid 135 max psi | 1 |
| Generator | Prince George | Homelite 4400 | 1 |
| Various Light Stands | Prince George | | 5 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Tripod Extraction Devices | Prince George | With DBI'S | 3 |
| Tank Truck Tripod | Prince George | | 2 |
| Full Face Respirators | Prince George | Assorted | 8 |
| Cyanide Antidote Kit | Prince George | | 1 |
| Diphoterine | Prince George | Caustic burn treament solution | 3 |
| Nomex Coveralls | Prince George | | 12 |
| Grade D Breathing air cylinders | Prince George | | 10 |
| SCBA | Prince George | Rescue Pack | 4 |
| Hip Air | Prince George | | 4 |
| Copus Blower - Elec./ Pnuematic | Prince George | | 6 |
| | | | |
| **(10) Communications** | | | |
| Nextel | Prince George | | 10 |
| Motorola | Prince George | Two-way Radio | 2 |
| Motorola | Prince George | Marine Radio | 2 |
| | | | |
| **(11) Miscellaneous** | | | |
| Anchors | Prince George | | 4 |
| Rope | Prince George | | 4000 ft |
| Life Vest | Prince George | | 30 |
| Survival Suits | Prince George | | 2 |
| Coupling And Hardware | Prince George | Assorted | |
| Pneumatic Nibbler | Prince George | | 1 |
| Chain Saw | Prince George | | 2 |
| Portable Torches | Prince George | | 2 |
| Electric Resiprocating Saws | Prince George | | 3 |
| Pnumatic/ Electric Drills | Prince George | | 2 |
| Drum Deheaders | Prince George | | 3 |
| Pneumatic Chipping Hammers | Prince George | | 2 |
| 3' Chemical Hose | Prince George | | 300 ft |
| 2' Chemical Hose | Prince George | | 300 ft |
| 4" Oil Hose | Prince George | | 100 ft |
| 3" Oil Hose | Prince George | | 300 ft |
| 2" Oil Hose | Prince George | | 300 ft |
| 8" Vactor Pipe | Prince George | | 200 ft |
| 6" Vactor pipe | Prince George | | 200 ft |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(11) Miscellaneous** | | | |
| Hepa Vacum | Prince George | | 3 |
| 4"/ 6" Flex Hose | Prince George | | 600 ft |
| Portable Eye Wash | Prince George | | 3 |
| Explosion Proof Lghts | Prince George | | 3 |

**Emergency Response Subcontractors**

**Onsite Environmental Staffing**
10900 Nuckols Road
Glen allen Va 23060
(804) 968-6070

**Contact:**

**Services Provided:**
Labor

**Progressive Pipeline Management**
10 Marrisa court
Atlantic Highlands, NJ 07716
(908) 309-5992

**Contact:**
Dave Wickersham

**Services Provided:**
Labor and Equipment

**Environmental Rental Serices**
434 Corporate Blvd.
Rockhill South Carolina
(803) 980-7780

**Contact:**
Scott Furr

**Services Provided:**
Equipment

**Baker Tanks**
938 East 4th Street
Richmond Va
(804) 233-9900
Fax / Other #

**Contact:**
Duff Green

**Services Provided:**
Frac Tanks, Sludge Boxes, Roll-off Cans

**Hertz Equipment Rental**
9300 Burge Avenue
Richmond, Va 23237
(804) 271-6473

**Contact:**
Mike Germanus

**Services Provided:**
Equipment Rentals

**Lockwood Marine**
220 Salters Creek Road
Hampton, Va 23669
(804) 722-1946

**Contact:**

**Services Provided:**
Tugs, Barges, Cranes

**Godwin Pumps**
3104 North Side Avenue
Richmond, Va 23228
(804) 266-3614

**Contact:**

**Services Provided:**
Pumps

| | | |
|---|---|---|
| **CHESAPEAKE, VA SERVICE CENTER** | **24 Hr. #** | **(757) 543-9240** |
| **804 J Industrial Avenue** | **24 Hr. #** | **(800) 645-8265** |
| **Chesapeake, VA 23324** | **Fax #** | **(757) 543-8486** |

Eric Montgomery, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Eric Montgomery
Steve Baddorf
Michael Leuchte
*Satellite to Richmond Office

Derrick Armstrong

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Equipment Operator | 3 |
| Field Technician I | 3 |
| Field Technician II | 1 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Work Boat ( Aluma Craft) | Chesapeake | 15 ft 20 hp motor | 1 |
| 22 ft aluminum work boat | Chesapeake | 22 ft aluminum flat bottom 150 hp motor | 1 |
| | | | |
| **2) Motor Vehicles** | | | |
| Straight Vacuum Truck | Chesapeake | 3000 Gallon Brenner | 1 |
| Pick-Up Trucks | Chesapeake | | 2 |
| Rack Truck | Chesapeake | | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm Pump | Chesapeake | 3" oil pump | 1 |
| Drum Vacuum | Chesapeake | Nortech | 1 |
| Pressure Washer | Chesapeake | 3000 psi | 1 |
| Pressure Washer | Chesapeake | 3000 psi Hot Water | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Spill Response Trailer | Chesapeake | 18" Hard Boom American Marine | 2000 Ft |
| Soft Boom, Pads, Sweep,Snare | Chesapeake | Assortment | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Oxygen Lel Meters | Chesapeake | Passport 4 gas | 1 |
| Vapor Meters | Chesapeake | Passport PID | 1 |
| Drager Pump | Chesapeake | With Misc. Tubes | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Oil Skimmer | Chesapeake | Drum skimmer | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Air compressor | Chesapeake | Leroi 185 CFM | 1 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Tripod Extraction Device | Chesapeake | W/ DBI | 1 |
| Tank Truck Tripod | Chesapeake | | 1 |
| Nomex Coverall | Chesapeake | | 4 |
| SCBA | Chesapeake | Back up Rescue | 1 |
| Hip Air | Chesapeake | | 3 |
| | | | |
| **(10) Communications** | | | |
| Two Way Radios | Chesapeake | Nextel | 2 |
| Two Way Radios | Chesapeake | Motorola | 5 |
| | | | |
| **(11) Miscellaneous** | | | |
| 3" Oil Hose | Chesapeake | | 300 ft |
| Compressor Hose | Chesapeake | | 300 ft |
| Anchors | Chesapeake | | 2 |
| Life Vest | Chesapeake | | 20 |
| Portable Eye Wash | Chesapeake | | 1 |
| | | | |

**Emergency Response Subcontractors**

**Accurate Marine Services**
3965 Burtons Point Road
Portsmouth, VA 23704
(757) 393-5840

**Contact:**

**Services Provided:**
Labor, Vacuum Trucks
Equipment

**Lockwood Marine**
220 Salters Creek Road
Hampton, va 23669
(804) 722-1946

**Contact:**

**Services Provided:**
Tugs, Barges, Cranes

**Godwin Pumps**
120 Dorset Avenue
Virginia Beach, VA 23462
(757) 490-1300

**Contact:**

**Services Provided:**
Pumps

**Onsite Environmental Staffing**
10900 Nuckols Road
Glen Allen, VA 23060
(804) 968-6070

**Contact:**

**Services Provided:**
Labor

**Baker Tanks**
938 East 4th Street
Richmond, VA 23224

**Contact:**
Duff Green

**Services Provided:**
Frac Tanks, Sludge Box's
Roll-off Containers

**Hertz Equipment Rentals**
716 S. Military Highway
Norfolk, VA 23464

**Contact:**

**Services Provided:**
Heavy Equipment

**Industrial Marine Services**
1301 Marsh Street
Norfolk, VA 23523
(804) 543-5718

**Contact:**

**Services Provided:**
OSRO Contractor

| | | |
|---|---|---|
| **REIDSVILLE, NC SERVICE CENTER** | **24 Hr. #** | **(336) 342-6106** |
| **208 Watlington Industrial Drive** | **24 Hr. #** | **(800) 645-8265** |
| **Reidsville, NC 27320** | **Fax #** | **(336) 361-6130** |

Eric Montgomery, General Manager — EPA / Federal ID #: NCD 000 648 451

**Personnel Authorized to release equipment / materials / manpower, etc:**

Eric Montgomery
Jim Poch
Michael Leuchte
*Satellite to Richmond Office

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Foreman | 1 |
| Equipment Operator | 1 |
| Field Technician I | 1 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| High Powered Vacuum Loader | Reidsville | 3000 Gallon/ 10 CU.YD Cusco | 1 |
| Pick-Up Truck | Reidsville | | 2 |
| Rack Truck | Reidsville | | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Pressure Washer | Reidsville | 3000 Psi | 1 |
| Drum Pump | Reidsville | | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Pads, Softboom, Sweep | Reidsville | Assorted | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Oxygen LeL Meter | Reidsville | Passport 4 Gas | 1 |
| PID | Reidsville | Passport PID | 1 |
| Drager Pump | Reidsville | Assorted Tubes | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Light Stands | Reidsville | | 2 |
| Generator | Reidsville | | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Tripod Extraction Device | Reidville | W/ DBI | 1 |
| SCBA | Reidville | Rescue | 2 |
| Hipair | Reidville | | 2 |
| Harnesses | Reidville | | 4 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(10) Communications** | | | |
| Two-way Radio / Phone | Reidsville | Nextel | 4 |
| | | | |
| **(11) Miscellaneous** | | | |
| Shop Vac | Reidsville | | 2 |
| Portable Eye Wash | Reidsville | | 1 |
| | | | |
| | | | |
| | | | |
| | | | |

| **Emergency Response Subcontractors** |
|---|

## SOUTHEAST REGION SERVICE CENTERS

| | | |
|---|---|---|
| **CHATTANOOGA, TN SERVICE CENTER** | **24 Hr. #** | **(423) 825-6926** |
| **3300 Cummings Road** | **24 Hr. #** | **(800) 645-8265** |
| **Chattanooga, TN 37419** | **Fax #** | **(423) 825-4140** |

Steve Mersch, General Manager
Ray Dycus, Operations Manager

EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Steve Mersch (423) 593-9307
Edd Burch (423) 309-7436
Ray Dycus (423) 718-8248
Ken Dalton (423) 667-4276
Michael Emery (615) 418-7348
Tony Carter (423) 593-9404
Eric Montgomery (423) 309-7851

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Foreman | 2 |
| Equipment Operator | 2 |
| Field Technician II | 2 |
| Field Technician I | 3 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Jon Boat w/ Motor | Chattanooga | 16' with flat bottom and 25hp | 2 |
| 22' Workboat | Chattanooga | Flat bottom w/ 125HP | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickup Trucks | Chattanooga | F550, F350 & F250 | 5 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| CUSCO - High Powered Vacuum | Chattanooga | 3,000 - gallon | 1 |
| SpoutVac - Skid Mounted | Chattanooga | 2,200 - gallon | 1 |
| Blaster8 Cold Water PW Unit | Chattanooga | 8,000 - psi | 1 |
| Washer 36 Cold Water PW Unit | Chattanooga | 3,600 - psi | 1 |
| Washer 40 Cold Water PW Unit | Chattanooga | 4,000 - psi | 1 |
| Vacuum Tanker Trailer | Chattanooga | 5,000 - gallon | 3 |
| Roll-Off Frame | Chattanooga | | 1 |
| Road Tractors | Chattanooga | | 2 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| 1500' Containment Boom and Trailer | Chattanooga | 18" Hard Boom | 1500' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 5 gas Monitoring Meters | Chattanooga | 5 - Gas | 1 |
| 4 gas Monitoring Meters | Chattanooga | 4 - Gas | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| 36" Drum Skimmer | Chattanooga | 36" air operated | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Portable Generator | Chattanooga | 3,500 W | 1 |
| | | | |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Confined Space Entry Equipment | Chattanooga | Full Setup | 2 |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |
| | | | |
| | | | |

| **Emergency Response Subcontractors** |
|---|

| | | |
|---|---|---|
| **TUCKER, GA SERVICE CENTER** | **24 Hr. #** | **(770) 934-0902** |
| **1875 Forge Street** | **24 Hr. #** | **(800) 645-8265** |
| **Tucker, GA 30084** | **Fax #** | **(770) 496-5996** |

Steve Mersch, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Steve Mersch (423) 593-9307

*Satellite office to Chattanooga, TN office

**40-Hour OSHA Trained Personnel:**

Field Technician I 3

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickup Trucks | Tucker | F250 | 2 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| 18" Hard Boom | Tucker | | 500' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 5 - Gas Monitoring Meter | Tucker | 5 - Gas | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Confined Space Entry Equipment | Tucker | Complete Set of Equipment | 1 |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |

**Emergency Response Subcontractors**

| | | |
|---|---|---|
| **BARTOW, FL SERVICE CENTER** | **24 Hr. #** | **(863) 533-6111** |
| **170 Bartow Municipal Airport** | **24 Hr. #** | **(800) 645-8625** |
| **Bartow, FL 33830** | **Fax #** | **(863) 519-6306** |

Jon Sandora, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

| | | | |
|---|---|---|---|
| Jon Sandora | 813-239-4971 | Jnet Sheffield | 863-581-1985 |
| Jeff Astin | 863-860-1889 | Eddie Griffis | 863-860-4061 |

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Foreman | 2 |
| Equipment Operator | 6 |
| Field Technician I | 7 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Aluminum jon boat | Bartow | | 2 |
| 21' center consolo spill boat | Bartow | | 1 |
| 25 hp motor | Bartow | V248/9 | 2 |
| 115hp motor | Bartow | V246 | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pick up truck | Bartow | F350 | 4 |
| Pick up trucks | Bartow | F250 | 1 |
| Rack Trucks | Bartow | 5219/50105 | 2 |
| ER Trailer | Bartow | Oil spill response | 2 |
| ER Trailer | Bartow | Chemical response | 1 |
| Tractor | Bartow | 1283 | 1 |
| Roll-off Trucks | Bartow | 4195/40005 | 2 |
| Roll-off Frame | Bartow | 60017T | 1 |
| Box Truck | Bartow | 387211/387215/5231/5231/387211/387215 | 6 |
| Van Trailer's | Bartow | 6122/6318/92049/527100/57101/08001 | 6 |
| Utility Trailer's | Bartow | | 3 |
| Tractor's | Bartow | | 7 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Gap Vac | Bartow | CH4174 | 1 |
| Guzzer | Bartow | CH4189 | 1 |
| Vac/Air Mover | Bartow | 572189 | 1 |
| Vac Truck | Bartow | 4113 | 1 |
| St. Vac Truck | Bartow | 413 | 1 |
| Double Diaphragm Steel | Bartow | 3" | 1 |
| Double Diaphragm Poly | Bartow | 3" | 1 |
| Pressure Washer's | Bartow | 2.5k/ 3.8k/ 3.8k/ 10k | 4 |
| Vacuum trailer | Bartow | 130 barrel CH334/ US305T/ US440T | 3 |
| Vacuum trailer | Bartow | 70 barrel SJ CH413 | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Boom Trailer | Bartow | 2500' boom/ 327 | 1 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 4 gas meter (MSA) | Bartow | | 1 |
| 4 gas meter ( g-tech) | Bartow | | 1 |
| P.I.D. ( H-NU) | Bartow | | 1 |
| Sensydine & Dranger meter w/tubes | Bartow | | 1 |
| 5 Gas Meter/Pid | Bartow | | 1 |
| FID | Bartow | | 1 |
| OVA | Bartow | | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Worklights | Bartow | | 1 |
| Drum Skimmer | Bartow | | 1 |
| Pressure tested oil suction hose | Bartow | 2"/ 3"/ 4" | 3 |
| Jackhammer's | Bartow | | |
| Blower's | Bartow | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Excavators | Bartow | | |
| Bobcats | Bartow | | |
| Backhoe | Bartow | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generators | Bartow | 5000 watt | 1 |
| Intrinsically Safe light | Bartow | | 3 |
| Electric and gas | Bartow | for drums | 1 |
| 185 cfm tow behind Air Compressure | Bartow | | 1 |
| 24" Exhust Fan | Bartow | | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| CSE Equipment | Bartow | | 1 |
| SCBA's | Bartow | | 4 |
| Suppiled Air | Bartow | | |
| MSA Respirator's (all employee's) | | | |
| | | | |
| **(10) Communications** | | | |
| Nextels (All employee's) | Bartow | | |
| Intrinsically safe 2-way Nextels | Bartow | | |
| | | | |
| **(11) Miscellaneous** | | | |

**Emergency Response Subcontractors**

**Best Tec Abatement**
6930 Barbour Rd
West palm Beach Fl.
800-542-0024

**Contact:**

**Services Provided:**

**Lockwood Marine**
220 Salters Creek Rd
Hampton, VA 23669
804-722-1946
804-879-0693

**Contact:**

**Services Provided:**
Tugs, barges, cranes

**Hertz**
all loctions

**Contact:**

**Services Provided:**
Heavy Equipment

**Godwin Pumps**
Tampa Fl
813-740-0331

**Contact:**

**Services Provided:**
Pumps

## MID-WEST REGION SERVICE CENTERS

| | | |
|---|---|---|
| **DETROIT, MI SERVICE CENTER** | **24 Hr. #** | **(586) 977-8174** |
| **6414 Product Drive** | **24 Hr. #** | **(800) 645-8265** |
| **Sterling Heights, MI 48312** | **Fax #** | **(586) 977-8415** |

Brian Overmyer, General Manager — EPA / Federal ID #: SCR000074591

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brian Overmyer
Byron McMorris

*Satellite to Cleveland office

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Foreman | 2 |
| Equipment Operator | 1 |
| Field Technician | 3 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 12' Workboat | Detroit | | |
| NOTE! Boat is in Cleveland and the motor is in Detroit | | Starcraft w/9.9 HP Outboard | 1 |
| 14' Workboat | Detroit | | 2 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pick-up/Van/Crew Cap | Detroit | | 3 |
| Straight Vacuum Truck | Detroit | 3,000 gal | 1 |
| Emergency Response Trailer | Detroit | 8' | 1 |
| Utility Trailer | Detroit | 15' | 1 |
| Cusco | Detroit | 3,000 | 2 |
| Roll-off Truck | Detroit | Tractor and Frame | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Pressure Washer | Detroit | 3000 psi, gasoline, portable | 1 |
| 2" Trash Pump | Detroit | | 1 |
| 2" Double Diaphragm Pump | Detroit | Steel | 2 |
| 2" Double Diaphragm Pump | Detroit | Poly Pump | 2 |
| 1" Double Diaphragm Pump | Detroit | Steel | 2 |
| Pneumatic Drum Vacuum | Detroit | | 1 |
| Electric Drum Vacuum | Detroit | | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Detroit | 18" American Marine | 600' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 4-Gas Meter (02/CO/H2S/LEL) | Detroit | Industrial Scientific | 2 |
| Photo Ionization Detector | Detroit | MSA | 1 |
| Detector Tube Pump | Detroit | Sensidyne | 2 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Oil Skimmer / Vacuum / Air | Detroit | Elastic Drum Skimmer | 1 |
| Oil Skimmer / Vacuum | Detroit | Skim-Pak | 1 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Air Compressor | Detroit | 185 cfm | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| S.C.B.A. w/full face respirator | Detroit | MSA | 3 |
| Hip Airs | Detroit | MSA | 3 |
| Level A Suits | Detroit | | 4 |
| *Barricade Suits | Detroit | | 4 |
| *Saranex Suits | Detroit | | |
| Detroit | Detroit | | 12 |
| *Poly Coated Tyveks | Detroit | | 18 |
| *Neoprene Gloves | Detroit | | 1 pk |
| *PVC Gloves | Detroit | | 1 bx |
| *Nitrile Gloves | Detroit | | 2 bx |
| *Silver Shield Gloves | Detroit | | 1 pk |
| *Latex Gloves | Detroit | | 2 bx |
| *Inventoried and stocked on a weekly basis | | | |
| | | | |
| **(10) Communications** | | | |
| Portable phone/2-way radio | Detroit | Nextel | 9 |
| | | | |
| **(11) Miscellaneous** | | | |
| Chemical Hose | Detroit | 1 ½" | 150' |
| Chemical Hose | Detroit | 2" | 300' |
| Chemical Hose | Detroit | 3" | 250' |
| Chemical Hose | Detroit | 4" | 200' |
| Oil Hose | Detroit | 2" | 300' |
| Oil Hose | Detroit | 3" | 350' |
| Oil Hose | Detroit | 4" | 150' |
| Oil Hose | Detroit | 6" | 350' |
| Layflat Discharge Hose | Detroit | | 100' |
| Confined Space Entry Equip | Detroit | | 1 |
| Air Mover | Detroit | Coppus Horn | 1 |
| Spill Cart | Detroit | | 1 |

**Emergency Response Subcontractors**

**Marine Pollution Control** — **Contact:** — **Services Provided:**
(313) 849-2333

**EnManCo** — **Contact:** — **Services Provided:**

(586) 468-4320

**Michigan Pumping Services** — **Contact:** — **Services Provided:**
Vacuum Truck Services

(734) 675-0225

| | | |
|---|---|---|
| **CHICAGO, IL SERVICE CENTER** | **24 Hr. #** | **(773) 646-6202** |
| **11800 South Stony Island Avenue** | **24 Hr. #** | **(800) 645-8265** |
| **Chicago, IL 60617** | **Fax #** | **(773) 646-6381** |

Mike Ortiz, General Manager — EPA / Federal ID #: ILD000608471

**Personnel Authorized to release equipment / materials / manpower, etc:**

Mike DeCleene
Mike Ortiz
Joe Rios
Steve Osuch

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Foreman | 3 |
| Field Technician I | 5 |
| Field Technician II | 2 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 24' Hanko Workboat | Chicago | Aluminum Outboard 150HP (1033893) | 1 |
| 19' Pointer Workboat | Chicago | 110 HP Outboard (MS6387AP) | 1 |
| 18' Crestliner Workboat | Chicago | Aluminum Outboard 40 HP (IL8312HT) | 1 |
| 14' Starcraft Workboat | Chicago | Aluminum, no motor | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Tankers | Chicago | 5000 gal stainless steel | 4 |
| Vacuum Tankers | Chicago | 6000 gal stainless steel | 1 |
| Vacuum Tankers | Chicago | 5500 gal stainless steel | 9 |
| Vacuum Tankers | Chicago | 3800 gal w/ pony motor | 1 |
| Vacuum Lined Tankers | Chicago | 5000 gal Dekrane fiberglass lines | 1 |
| Straight Vacuums | Chicago | 3000 gal stainless steel | 1 |
| Straight Van Trucks | Chicago | 17' | 2 |
| Straight Van Trucks | Chicago | 24' | 2 |
| Bulk Trailers | Chicago | 6000 gal stainless steel w/heat | 1 |
| Van Trailers | Chicago | Dry | 11 |
| Roll-off Trailers | Chicago | | 3 |
| Roll-off Cans | Chicago | | 15 |
| Emergency Response Trailer | Chicago | Level A, B, C equipped | 2 |
| Pickup Trucks | Chicago | | 8 |
| Stake Body Trucks | Chicago | Lift Gate | 1 |
| Utility Trucks | Chicago | | 1 |
| Skid Mounted Vacuum Unit | Chicago | 1000 gal | 1 |
| Skid Mounted Vacuum Unit | Chicago | 500 gal | 1 |
| Tractors | Chicago | City | 6 |
| Tractors | Chicago | Road | 10 |
| Frac Tanks | Chicago | 20,000 gal ea. (heating capability) | 3 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm | Chicago | 3" Steel | 3 |
| Double Diaphragm | Chicago | 3" Poly | 1 |
| Double Diaphragm | Chicago | 2" Steel | 3 |
| Double Diaphragm | Chicago | 2" Poly | 4 |
| Double Diaphragm | Chicago | 1" Poly | 1 |
| Drum Vacuum | Chicago | 2" Tornado | 2 |
| Drum Vacuum | Chicago | 2" Nortech | 1 |
| Hot Water Pressure Washer | Chicago | 3000 psi, trailer mounted | 2 |
| Cold Water Pressue Washer | Chicago | 2000 psi, portable | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Chicago | Hard 18"-1800' on 3 Trailers | 2100 |
| Oil Containment Boom | Chicago | Hard 10"-Amer. Marine Superswamp | 800 |
| 12' Boom Trailer | Chicago | Closed | 2 |
| 16' Boom Trailer | Chicago | Closed | 1 |
| 20' Boom Trailer | Chicago | Open | 1 |
| Absorbents | Chicago | 8" Sorbent Booms, Pads, Sweep | Stock |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| HNU Meters | Chicago | | 3 |
| LEL/O2/CO/H2S Meters | Chicago | | 3 |
| Jerome Meter | Chicago | | 1 |
| Draeger Pumps | Chicago | | 4 |
| Personal Sampling Pumps | Chicago | | 6 |
| | | | |
| **(6) Recovery Equipment** | | | |
| 3.5' x 3.5' Duckbill Skimmer | Chicago | | 1 |
| 4' Double Barrel Skimmr | Chicago | | 1 |
| 8' Double Barrel Skimmer | Chicago | | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| 743 Bobcat With Trailer | Chicago | 743 Bobcat | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Chicago | 3500 | 1 |
| Compressors | Chicago | 185 CFM | 3 |
| Mobile Light Towers | Chicago | w/generator | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| SCBA's | Chicago | 4500 PSI | 5 |
| SCBA Cylinders | Chicago | 4500 PSI | 4 |
| SCBA's | Chicago | 2216 PSI | 2 |
| SCBA Cylinders | Chicago | 2216 PSI | 2 |
| SAR Regulators | Chicago | | 2 |
| SAR 4 Man Manifold | Chicago | | 2 |
| SAR 2 Man Manifold | Chicago | | 1 |
| SAR w/ 5 Minute Egress | Chicago | | 8 |
| SAR Pigtails | Chicago | | 1 |
| Air Line | Chicago | Breathing Air | 1000' |
| APR Full Face | Chicago | Stock | 2 |
| | | | |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(10) Communications** | | | |
| Marine Radios (Hand Held) | Chicago | | 4 |
| Two-Way Radios (Hand Held) | Chicago | | 8 |
| | | | |
| **(11) Miscellaneous** | | | |
| Remote Drum Operator | Chicago | | 1 |
| Intrinsically Safe Lighting | Chicago | | 3 |
| Mechanical Extraction Devices | Chicago | | 3 |
| Tank Truck Tripod | Chicago | | 3 |
| Coppus Horns | Chicago | | 4 |
| Pneumatic Resiprocating Saw | Chicago | | 6 |
| 4" Cusco Hose | Chicago | | 300' |
| 1" Hard Hose | Chicago | | 800' |
| 2" Hard Hose | Chicago | | 500' |
| 3" Hard Hose | Chicago | | 500' |
| 4" Vactor Hose | Chicago | | 300' |
| 3" Lay Flat Hose | Chicago | | 500' |
| Air Hose | Chicago | 3/4" | 1000' |
| Chemical Hard Suction Hose | Chicago | 2" | 400' |
| Pneumatic Fans | Chicago | | 2 |
| Pneumatic Nibbler | Chicago | | 1 |
| Portable Acetylene Torch | Chicago | | 2 |
| Chain Saws | Chicago | | 1 |
| Demolition Saws | Chicago | | 2 |
| Field First Aid Kits | Chicago | | 3 |
| Hydrogen Cuyanide Antidote Kits | Chicago | | 1 |
| Anchors | Chicago | | 6 |
| Chest Waders | Chicago | | 5 |
| Rope Line (poly) | Chicago | | 2000' |
| Rope Line (manila) | Chicago | | 1500' |
| Personal Floatation Devices | Chicago | | 10 |
| Fully Encapsulated Suits | Chicago | Limited Response | 7 |
| Nomex Coveralls | Chicago | | 10 |
| Saranex Suits | Chicago | | Stock |
| Poly Tyvek Suits | Chicago | | Stock |
| Barricade Suits | Chicago | | Stock |
| Gloves | Chicago | | Stock |
| Ledisolv | Chicago | 5 Gallon Containers | 1 |
| Hydrated Lime | Chicago | 100 lbs each | 20 |
| Eye Wash Station | Chicago | Portable | 1 |
| | | | |

## Emergency Response Subcontractors

**On Site Staffing**
12311 W. 26th St., Suite 313
Chicago, IL
Phone # (800) 667-3680

**Contact:**
None Specific

**Services Provided:**
Staffing

**Baker Tanks**
Lincoln Highway
Chicago Heights, IL
Phone # (800) 532-8265

**Contact:**
None Specific

**Services Provided:**
Roll-offs
Frac Tanks
Pumps and Hoses
Containments

**Rain For Rent**
221 Mcdonald Avenue
Joliet, IL
Phone #: (815) 744-3947
Fax / Other # (815) 744-4820

**Contact:**
None Specific

**Services Provided:**
Roll-offs
Frac Tanks
Pumps and Hoses
Containments

| CINCINNATI, OH SERVICE CENTER | 24 Hr. # | (513) 681-6259 |
|---|---|---|
| 4879 Spring Grove Avenue | 24 Hr. # | (800) 645-8265 |
| Cincinnati, OH 45232 | Fax # | (513) 681-6246 |

Brian Ludwig, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brian Ludwig
Michael Moore
Teresa Wasson
Mike Kreacic

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Foreman | 3 |
| Equipment Operator | 2 |
| Field Technician II | 1 |
| Field Technician I | 1 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 22' Power boat | Cincinnati | Open Fiberglass/Westpoint/115 | 1 |
| 16' John Boat | Cincinnati | Aluminum, 25 HP | 1 |
| 14' Skiff | Cincinnati | Open Fiberglass, 15 HP | 1 |
| Marine Portable Radios | Cincinnati | Standard | 2 |
| Commerical Radio, Mobile | Cincinnati | Motorola | 11 |
| Coast Guard Work Vests | Cincinnati | | 12 |
| Coast Guard Deck Suits | Cincinnati | | 12 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Trailer | Cincinnati | 5,000 gallon | 4 |
| Straight Vacuum Truck | Cincinnati | 3,000 gallon Ford | 1 |
| High Powered Vactor | Cincinnati | Cusco 3,000 gallon capacity | 1 |
| Vacuum Unit | Cincinnati | 1,000 gallon Skid Mount | 1 |
| Vacuum Unit | Cincinnati | 500 gallon Skid Mount | 1 |
| Emergency Response Trailer | Cincinnati | Wells Cargo | 2 |
| Semi-Tractor Power Unit | Cincinnati | KW | 5 |
| Straight Box | Cincinnati | Ford | 1 |
| Box Trailer | Cincinnati | Great Dane 48ft | 4 |
| Pickup | Cincinnati | Ford/GM/Ford Rack | 6 |
| Utility Trailers | Cincinnati | Probuilt | 4 |
| Roll Off Trailer | Cincinnati | | 2 |
| Van Trailer | Cincinnati | | 5 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| 3" Wilden D.D. Pump | Cincinnati | M-15 | 2 |
| 2" Wilden D.D. Pump | Cincinnati | M-8 | 2 |
| 2" Wilden D.D. Poly Pump | Cincinnati | M-8 Poly | 2 |
| Vacuum Drum Loader | Cincinnati | Norton | 1 |
| Pneumatic Drum Pump | Cincinnati | Flux | 1 |
| Pneumatic Drum Vacuum | Cincinnati | Fish and Callahan | 2 |
| Gasoline Powered Pump | Cincinnati | 1.5" | 1 |
| Pressure Washer | Cincinnati | Hotsy | 1 |
| Pressure Washer | Cincinnati | 2500 psi, portable | 1 |
| Manual Diaphragm Pump | Cincinnati | Pataay | 1 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Cincinnati | 18" American Marine | 3000' |
| Oil Containment Boom | Cincinnati | 10" American Marine | 300 |
| Absorbent Boom | Cincinnati | SPC 6", 40/Bag 5' x 10' | 76 |
| Absorbent Pads | Cincinnati | 100 per bag SPC 101 | 107 |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| HNU | Cincinnati | P1101 | 2 |
| Explosion Meter | Cincinnati | TMX 412 | 1 |
| SKC Personal Monitor | Cincinnati | SKC 224-30, Continuous | 2 |
| Draeger Pump | Cincinnati | Dreager/MSA | 2 |
| Sensidyne Pump | Cincinnati | Gastech | 3 |
| Coppus Air Blowers | Cincinnati | 4" | 1 |
| Coppus Air Blowers | Cincinnati | 6" | 1 |
| Coppus Manway Fan | Cincinnati | 21" | 3 |
| MSA PID | Cincinnati | Passport | 1 |
| MSA LEL - 4 Gas | Cincinnati | Passort | 1 |
| Mercury Meter | Cincinnati | Leumex | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Wacker Generator | Cincinnati | GS 5.6 | 1 |
| 185 CFM Air Compressor | Cincinnati | Atlas/Copco | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| MSA HipAir | Cincinnati | 15 min. Esc. Cyl./MSA | 6 |
| MSA SCBA | Cincinnati | 1 hour/4500 | 6 |
| MSA Cascade System | Cincinnati | Airline Respirator, 50 ft. | 6 |
| CSE Safety Harness | Cincinnati | Miller | 6 |
| MSA Air Purifying Respirator | Cincinnati | Cartridge | 15 |
| CSE Extraction System | Cincinnati | DBI | 3 |
| | | | |
| **(10) Communications** | | | |
| 2 Way Radios | Cincinnati | Nextel | 8 |
| | | | |
| **(11) Miscellaneous** | | | |
| Nilfisk Hepa Vacuum | Cincinnati | | 2 |
| Mercury Vacuum | Cincinnati | Minute Man | 1 |
| Frac Tank | Cincinnati | Portable | 4 |
| | | | |

| **Emergency Response Subcontractors** |
|---|

| | | |
|---|---|---|
| **CLEVELAND, OH SERVICE CENTER** | **24 Hr. #** | **(216) 429-2401** |
| **2930 Independence Rd.** | **24 Hr. #** | **(800) 645-8265** |
| **Cleveland, OH 44115** | **Fax #** | **(216) 429-2713** |

Brian Overmyer, General Manager

EPA / Federal ID #: OHD000724153

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brian Overmyer
Chris Archacki
Paul DiCarro

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Foreman | 5 |
| Equipment Operator | 3 |
| Field Technician | 3 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 12' Workboat | Cleveland | Starcraft w/5 HP outboard | 2 |
| 16' Workboat | Cleveland | W/30 HP Outboard | 1 |
| 22' Workboat (Pointer) | Cleveland | W/110 HP Outboard | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Trailers | Cleveland | 5,000 gallon Stainless Steel | 1 |
| Box Trucks | Cleveland | With Lift Gate | 1 |
| Emergency Response Trailer | Cleveland | | 1 |
| Roll Off Chassis | Cleveland | | 1 |
| Roll Off Boxes | Cleveland | | 1 |
| Tank Trailers | Cleveland | 5,000 gal Rubber Lined | 1 |
| Rack Truck | Cleveland | Lift Gate | 1 |
| Tank Trailers | Cleveland | 5,000 gal Stainless Steel | 1 |
| Pick-up/Van/Crew Cab | Cleveland | | 6 |
| Emergency Response Trailer | Cleveland | 20' | 1 |
| Emergency Response Trailer | Cleveland | 12' | 1 |
| Emergency Response Trailer | Cleveland | 8' | 1 |
| Frac Tank | Cleveland | 22,000 gallon | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Pressure Washer | Cleveland | 2500 psi, gasoline powered, portable | 2 |
| 2" Trash Pump | Cleveland | | 1 |
| 1.5" Double Diaphragm Acid Pump | Cleveland | | 1 |
| 2" Double Diaphragm Pump | Cleveland | | 2 |
| 2" Submersible Pump | Cleveland | | 2 |
| Centrifugal Pump | Cleveland | 2" | 1 |
| Chemical Pumps | Cleveland | Double D Poly 1 1/2" | 1 |
| Chemical Pumps | Cleveland | Double D Poly 2" | 1 |
| Chemical Pumps | Cleveland | Double D Aluminum 2" | 2 |
| Chemical Pumps | Cleveland | Double D Carbon St.. 2" | 1 |
| Pneumatic Drum Vacuum | Cleveland | | 2 |
| Electric Drum Vacuum | Cleveland | | 2 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Cleveland | 18" American Marine | 4000' |
| 16' Boom Trailer | Cleveland | | 2 |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Jerome Meter | Cleveland | | 1 |
| 4- Gas 02/CO/H2S/LEL | Cleveland | Industrial Scientific | 4 |
| Photo Ionization Detector | Cleveland | HNU | 2 |
| Detector Tube Pumps | Cleveland | Sensidyne | 2 |
| 2- Gas 02/LEL | Cleveland | MSA | 2 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Mercury Vacuum Cleaner | Cleveland | | 1 |
| HEPA Filtered Lead Vacuum | Cleveland | | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Cleveland | Electric | 2 |
| Air Compressor | Cleveland | 185 cfm | 1 |
| Air Mover | Cleveland | Coppus Manway Fan | 1 |
| Air Mover | Cleveland | Coppus Horn | 2 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| S.C.B.A. w/full face respirator. | Cleveland | MSA | 8 |
| Hip Airs | Cleveland | MSA | 6 |
| S.C.B.A. Air Cylinders | Cleveland | 1 Hour/4500 | 10 |
| S.C.B.A. Air Cylinders | Cleveland | 5 Min. escape bottle | 6 |
| Level A Suits | Cleveland | | 4 |
| | | | |
| **(10) Communications** | | | |
| 2-Way Radio | Cleveland | Nextel | 8 |
| | | | |
| **(11) Miscellaneous** | | | |
| Personal Flotation Devices | Cleveland | | 9 |
| Anchors | Cleveland | | 4 |
| Air Hose | Cleveland | | 400' |
| Chemical Hose | Cleveland | 1 1/2" | 150' |
| Chemical Hose | Cleveland | 2" | 400' |
| Chemical Hose | Cleveland | 3" | 125' |
| Chemical Hose | Cleveland | 4" | 60' |
| Layflat Discharge Hose | Cleveland | | 100' |
| Waterblast Hose | Cleveland | | 300' |
| Statically Conductive Hose | Cleveland | 6" | 100' |
| 3" Hard Hose | Cleveland | | 125' |
| | | | |

| Emergency Response Subcontractors | | |
|---|---|---|
| **Spill Tech** | **Contact:** | **Services Provided:** Labor |
| **EAP Industrial Services** | **Contact:** | **Services Provided:** Labor |
| **Emerald Environmental** | **Contact:** | **Services Provided:** |

| | | |
|---|---|---|
| **WHEELING, WV SERVICE CENTER** | **24 Hr. #** | **(724) 444-4244** |
| **10 Industrial Park Drive** | **24 Hr. #** | **(800) 645-8265** |
| **Wheeling, WV 26003** | **Fax #** | **(724) 444-4240** |

Brian Overmyer, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brian Overmyer

*Satellite to Cleveland office

**40-Hour OSHA Trained Personnel:**

N/A – Sales office, all ER handled from Cleveland office

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Jon Boat | | PA4761BH 14' 1992 Starcraft Flatbottom | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Crew Cab Pickup | Wheeling | Ford F-350 Crew Cab | 1 |
| Tractor | Wheeling | 1994 Kenworth-Tractor | 1 |
| Spill Trailer | Wheeling | 8' | 1 |
| Spill Trailer | Wheeling | 12' | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| 185 CFM Air Compressor | Wheeling | | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| 1500' yellow hard boom | Wheeling | | 1500' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |

**Emergency Response Subcontractors**

## GULF COAST REGION SERVICE CENTERS

| | | |
|---|---|---|
| **HOUSTON, TX SERVICE CENTER** | **24 Hr. #** | **(281) 478-7700** |
| **2202 Genoa Red Bluff Road** | **24 Hr. #** | **(800) 645-8265** |
| **Houston, TX 77034** | **Fax #** | **(281) 478-7701** |

Calvin Lewis, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Dave Asher
Tammy Brasher
Doug Harrell
Theresa Posey
Ben Aleman

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 2 |
| Foreman | 4 |
| Equipment Operator | 5 |
| Field Technician II | 4 |
| Field Technician I | 10 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Barge Boat w/ Twin 130HP | Houston | 30 foot | 1 |
| Center Console Work Boat | Houston | 20 Foot | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Trucks | Houston | 80 bbls | 1 |
| Pick-up Trucks | Houston | Ford F150, F250, F350 | 9 |
| Roll-Off Truck | Houston | Volvo | 1 |
| | | | |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm Pump | Houston | 2" | 4 |
| Double Diaphragm Pump | Houston | 1" | 3 |
| Wash Pumps | Houston | 2" | 3 |
| Hotsy | Houston | 3500 psi | 2 |
| Hotsy | Houston | 5000 psi | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| 18" Hard Boom | Houston | | 2500 |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| | | | |
| | | | |
| **(6) Recovery Equipment** | | | |
| Drum Skimmer | Houston | 4' Drum Skimmer w/ compressor | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Compressor | Houston | Gas Powered | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(10) Communications** | | | |
| Nextel | Houston | Phone + 2Way Radios | 21 |
| | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| Spill Trailer | Houston | 38' Stocked with Absorbents & PPE | 1 |
| Spill Trailer | Houston | 18' | 1 |
| Spill Trailer | Houston | 12' | 1 |
| | | | |

**Emergency Response Subcontractors**

**Anderson Pollution Control**
1101-A West Lewis
Conroe, TX 77301
936-441-2225
936-539-2099

**Contact:**
Tommy Anderson

**Services Provided:**
ER

| PORT ARTHUR, TX SERVICE CENTER | 24 Hr. # | (409) 796-1388 |
|---|---|---|
| Highway #73 at Sabine Consolidated Road | 24 Hr. # | (800) 645-8265 |
| Port Arthur, TX 77640 | Fax # | (409) 796-1133 |

Eddy Yates, General Manager — EPA / Federal ID #: TXD981598246

**Personnel Authorized to release equipment / materials / manpower, etc:**

Eddy Yates
Mark Scroggs
David McCoy
Harold Webster
Ryan Kees
Peri Bryan
Carla Williams
Chris Dupuis

**40-Hour OSHA Trained Personnel:**

| | | | |
|---|---|---|---|
| Supervisor | 4 | Wastewater Treatment Operator | 1 |
| Foreman | 5 | Chemist | 2 |
| Equipment Operator | 10 | Project Manager | 3 |
| Field Technician I | 16 | Site Safety Officer | 1 |
| Mechanic | 3 | Welder | 1 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Boats, 18' & under | Port Arthur | 16' Jon Boats/Alum 25-horse | 7 |
| Boats, 20' & under | Port Arthur | 20' Jon Boat/alum 50-horse | 1 |
| Boats, 20' & over | Port Arthur | 26' Hanko Twin 115-horse | 1 |
| Skimmers | Port Arthur | 4' Drum /2-2'Drum | 3 |
| E.R. Trailers | Port Arthur | 32' 5Th Wheel/28' 5Th Wheel | 2 |
| | | | |
| **(2) Motor Vehicles** | | | |
| FORD P/U | Port Arthur | F-350 4-DOOR | 10 |
| FORD P/U | Port Arthur | F-250 EXT. CAB | 4 |
| FORD P/U | Port Arthur | F-150 4 DOOR | 2 |
| Tractor | Port Arthur | KW/VOLVO/GM | 10 |
| Vacuum Truck, Liquid-80 Bbl | Port Arthur | MACK | 12 |
| Airmover/Supersucker/Wet-Dry | Port Arthur | FREIGHT/MACK | 2 |
| Roll-Off , BobTail Truck | Port Arthur | MACK/FREIGHT | 7 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm Pump | Port Arthur | 3" Versa-matic | 2 |
| Trash Pump | Port Arthur | 4" Electric Gormon Rupp 14C20-B | 1 |
| Submersible Pump | Port Arthur | H&H Pump 2-27X6 | 1 |
| Hydraulic Power Unit | Port Arthur | John Deere Power Unit | 1 |
| Coppus Blower | Port Arthur | Coppus Blower | 1 |
| Double Diaphragm Pump | Port Arthur | 2" Stainless | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| TRAILER AND BOOM | Port Arthur | 18"/ with 24 ft cage boom trailer | 3800' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| N/A | | | |
| | | | |
| **(6) Recovery Equipment** | | | |
| Drum Skimmer | Port Arthur | 2" Drum Skimmer/W Compressor | 1 |
| Drum Skimmer | Port Arthur | 3" Drum Skimmer/W Compressor | 1 |
| Drum Skimmer | Port Arthur | 4' Drum Skimmer/W Compressor | 1 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Backhoe | Port Arthur | CASE | 1 |
| Bobcat | Port Arthur | BOBCAT | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generators | Port Arthur | 9700kw/15000kw | 2 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Respirator Cartridges | Port Arthur | Assorted Equipment | Assorted |
| Eye wash | Port Arthur | Portable (Handheld) | Assorted |
| | | | |
| **(10) Communications** | | | |
| 2-Way Radio | Port Arthur | Nextel | 27 |
| Cellular Phones | Port Arthur | Cingular | 12 |
| | | | |
| **(11) Miscellaneous** | | | |
| Hose | Port Arthur | 3" Tank Truck Hose X 25' | 3 |
| Hose | Port Arthur | 4" Tank Truck Hose X 25' | 20 |
| Hose | Port Arthur | 1 1/2 " Water Hose X 50' | 3 |
| Hose | Port Arthur | ¾" Air Hose X 50' | 4 |

**Emergency Response Subcontractors**

**Miller Environmental**
2208 Industrial Dr.
Sulfur LA 70665
337-882-9800

**Contact:**
Matt Dartez

**Services Provided:**
Spill Response

**Dillon Environmental**
P.O. Box 1393
Ardmore OK. 73402
580-226-5303

**Contact:**
Scott Dillon

**Services Provided:**
Spill Response

**Anderson**
11011 West Lewis suite A
Conroe Tx. 77301-2219
281479-5300

**Contact:**
Tommy Anderson

**Services Provided:**
Spill Response

| | | |
|---|---|---|
| **BATON ROUGE, LA SERVICE CENTER** | **24 Hr. #** | **(225) 778-1234** |
| **13351 Scenic Highway** | **24 Hr. #** | **(800) 645-8265** |
| **Baton Rouge, LA 70807** | **Fax #** | **(225) 778-3511** |

Terry Powell, General Manager — EPA / Federal ID #: LAD 010 395 127

**Personnel Authorized to release equipment / materials / manpower, etc:**

Terry Powell
Jay LeGlue

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 4 |
| Foreman | 3 |
| Field Technician | 15 |
| Equipment Operator | 5 |
| Mechanic | 1 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Power Workboat | Baton Rouge | 19' (Fiberglass) | 1 |
| Power Workboat | Baton Rouge | 24' Boat and Motor | 2 |
| Power Workboat | Baton Rouge | 16' Boat and Motor | 1 |
| Power Workboat | Baton Rouge | 24' Cabin boat | 1 |
| Power Workboat | Baton Rouge | 26' Hanko | 1 |
| Power Workboat | Baton Rouge | 26' Barge Boat | 1 |
| Power Workboat | Baton Rouge | 30' Marko | 1 |
| Power Workboat | Baton Rouge | 14/16' John Boat | 11 |
| Power Workboat | Baton Rouge | 15 Hp Yamaha Motor | 10 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Truck | Baton Rouge | 130bbl | 1 |
| Vacuum Truck | Baton Rouge | 70bbl ( High Vac Air Mover) | 1 |
| Vacuum Truck | Baton Rouge | 70bbl (High Vac Liquid Ring) | 1 |
| Vacuum Truck | Baton Rouge | 70bbl (Standard) | 2 |
| Roll-Off Truck | Baton Rouge | Single rail /Tractor-trailer | 1 |
| Pickup Truck | Baton Rouge | Single Cab (F-250) | 1 |
| Pickup Truck | Baton Rouge | Super Duty (F-550) | 1 |
| Pickup Truck | Baton Rouge | Boom Truck (F-350) | 1 |
| Four Wheeler | Baton Rouge | All Terrain | 5 |
| Box Van | Baton Rouge | 42' Box Van (Boom Storage) | 1 |
| Box Van | Baton Rouge | 42' Box Van (Command Center) | 1 |
| Gooseneck Trailer | Baton Rouge | 30' Flat bed | 2 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| | | | |
| Pressure Washer | Baton Rouge | 6500psi Mounted | 1 |
| Hydro Blaster | Baton Rouge | 10,000 psi Mounted | 1 |
| Diaphragm Pump | Baton Rouge | (3") Steel | 5 |
| Diaphragm Pump | Baton Rouge | (2") Steel | 3 |
| Trash Pump | Baton Rouge | Trash Pumps | 17 |
| Hoses | Baton Rouge | (3") Hoses (Tank Truck) | 300' |
| Hoses | Baton Rouge | (2") Hoses (Tank Truck) | 100' |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Boom Trailer | Baton Rouge | 18' Caged Boom Trailer | 3 |
| Boom | Baton Rouge | Boom | 3200' |
| Boom Trailer | Baton Rouge | Caged Boom Trailer | 1 |
| Boom | Baton Rouge | Boom | 2500' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 5 Gas Meter | Baton Rouge | | 2 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Drum Skimmer | Baton Rouge | 2' Drum Skimmer w/ Compressor | 2 |
| Drum Skimmer | Baton Rouge | 3' Drum Skimmer w/ Compressor | 1 |
| Drum Skimmer | Baton Rouge | 4' Drum Skimmer w/Compressor | 1 |
| Rope Skimmer | Baton Rouge | Rope Skimmers | 2 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Bobcat | Baton Rouge | | 2 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generators | Baton Rouge | 5000 Watt | 1 |
| Light Plant | Baton Rouge | | 1 |
| Compressors | Baton Rouge | | 2 |
| Air Hose | Baton Rouge | 3/4" by 50' Air Hose | 750' |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Confined Space Entry Gear | Baton Rouge | Complete Set | 2 |
| | | | |
| **(10) Communications** | | | |
| 2-Way Radio | Baton Rouge | Nextel | 15 |
| | | | |
| **(11) Miscellaneous** | | | |
| Spill Trailer | Baton Rouge | 34' Haz Mat Response Trailer | 1 |
| Spill Trailer | Baton Rouge | 34' Haz Mat Response Trailer | 2 |
| Utility Trailer | Baton Rouge | 16' Utility Trailer | 2 |

**Emergency Response Subcontractors**

**Industrial Cleanup Inc.**
Address 1
Garyville, LA
(985) 535-3174
Fax / Other #

**Contact:**
Ray Derkson

**Services Provided:**

**ES&H**
Address 1
Houma, LA
(985) 851-5350

**Contact:**
Tray Boucvalt

**Services Provided:**

| | | |
|---|---|---|
| **SULPHUR, LA SERVICE CENTER** | **24 Hr. #** | **(337) 882-1025** |
| **3201 Petro Drive** | **24 Hr. #** | **(800) 645-8265** |
| **Sulphur, LA 70665** | **Fax #** | **(337) 882-1029** |

Eddy Yates, General Manager
Wilmer Johnson, Operations Manager

EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Eddy Yates
Wilmer Johnson
Mark Scroggs
David McCoy
Virgil Blanchard

*Satellite to Port Arthur Office

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Foreman / Equipment Operator | 1 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| Power workboat | Sulphur | 22' Custom Flat w/ 150HP | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickup | Sulphur | Ford F150, F250 | 3 |
| Spill Trailer | Lake Charles | 34' Haz Mat Response Trailer | 1 |
| Spill Trailer | Lake Charles | 34' Haz Mat Response Trailer | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Trash Pump | Sulphur | 2" | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Boom Trailer | Sulphur | 18' Caged Boom Trailer | 3 |
| Boom | Sulphur | Boom | 2400' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Sulphur | <10KW | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| Roll-off Container | Sulphur | 25 yard | 2 |

| | | |
|---|---|---|
| **NEW ORLEANS, LA SERVICE CENTER** | **24 Hr. #** | **(225) 778-1234** |
| **13351 Scenic Highway** | **24 Hr. #** | **(800) 645-8265** |
| **Baton Rouge, LA 70807** | **Fax #** | **(225) 778-3511** |

Carroll Arceneaux, Operations Manager EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Carroll Arceneaux
Terry Powell
Jay LeGlue

**40-Hour OSHA Trained Personnel:**

Supervisor / Equipment Operator 1

*Satellite to Baton Rouge Office, currently waiting on new equipment

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pickup Truck | New Orleans | | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| | | | |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| | | | |
| **(10) Communications** | | | |
| Two-way Radio | New Orleans | Nextel | 1 |
| | | | |
| **(11) Miscellaneous** | | | |

**Emergency Response Subcontractors**

**See Baton Rouge Sheet** **Contact:** **Services Provided:**

## WEST REGION SERVICE CENTERS

| | | |
|---|---|---|
| **SAN JOSE, CA SERVICE CENTER** | **24 Hr. #** | **(408) 451-5000** |
| **1040 Commercial Street - Suite 109** | **24 Hr. #** | **(800) 645-8265** |
| **San Jose, CA 95112** | **Fax #** | **(408) 451-5143** |

Lee Barfield, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Lee Barfield
Mike Piercey
Jim Millick
Pattie Lovell
Nick Jasmin

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 4 |
| Foreman | 3 |
| Equipment Operator | 3 |
| Field Technician I | 12 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 30' Aluminum Boat | San Jose | Twin 225 HP outboard | 1 |
| 36" SKIMMER | San Jose | CRUCIAL | 1 |
| 15' Aluminum Boat | San Jose | 25 HP outboard | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Pick-up Trucks | San Jose | Ford F350, DSL | 5 |
| Pick-up Trucks | San Jose | Ford F250, DSL | 1 |
| Cusco | San Jose | 3000 G STRAIGHT VAC. , DSL | 1 |
| Cusco | San Jose | 3200 G VAC. & BLOWER, DSL | 1 |
| STAKE BED | San Jose | Ford, DSL | 1 |
| BOX TRUCK | San Jose | Ford F350,Gas | 1 |
| ROLL OFF STRAIGHT TRUCK | San Jose | | 1 |
| ROLL OFF TRAILER | San Jose | | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| HEATED PRESSURE WASHER | San Jose | SHARK, HONDA 11 | 1 |
| HEATED PRESSURE WASHER | San Jose | I.C.I., HONDA 13 | 3 |
| PRESSURE WASHER | San Jose | RYOBI, SUBARU 7.0 | 3 |
| PRESSURE WASHER | San Jose | EXCELL, HONDA 5.0 | 1 |
| PRESSURE WASHER | San Jose | LANDA, HONDA 11.0 | 1 |
| 3" TRASH PUMP | San Jose | MMB, HONDA 5.5 | 1 |
| 2" TRASH PUMP | San Jose | HONDA, HONDA4.0 | 1 |
| 2" TRASH PUMP | San Jose | HONDA, HONDA 5.5 | 2 |
| 2" TRASH PUMP | San Jose | HONDA, HONDA4.0 | 1 |
| CSE BLOWER | San Jose | BRIGG &STRATTON, 3.5 HP | 2 |
| AIR COMPRESSOR | San Jose | RIGID, HONDA 5.5 | 2 |
| CSE BLOWER | San Jose | AIR SYSTEMS | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| BOOM TRAILER | San Jose | BIG TEX | |
| 8" x 50' | San Jose | | 40 |
| 8" x 100' | San Jose | | 60 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| ARIZONA INSTRUMENTS | San Jose | JEROME | |
| GASTECH | San Jose | 4 GAS | |
| DRAGGER/ DETECTOR TUBES | San Jose | | |
| DRAGGER/ DETECTOR TUBES | San Jose | | |
| MATHESON/8014-400A | San Jose | | |
| MSA | San Jose | 4 GAS | |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| GENERATOR | San Jose | POWERMATE, 6.0HP GAS | 1 |
| Compressor | San Jose | | |
| Light Tower | San Jose | | |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| MSA/ ULTRALITE | San Jose | | 6 |
| DRAGGER / HIP AIR | San Jose | | 6 |
| MSA / 5-447-1 | San Jose | | 6 |
| | | | |
| **(10) Communications** | | | |
| 2 Way Radio / Cell Phone | San Jose | Nextel | 12 |
| Motorola Ht1250 radio | San Jose | Motorola | 2 |
| **(11) Miscellaneous** | | | |
| | | | |

**Emergency Response Subcontractors**

**Hertz** — **Contact:** — **Services Provided:** Equipment Rental

San Jose, CA
408-297-4441

**Delta laboratories** — **Contact:** — **Services Provided:** Environmental Laboratories

Benicia, CA
707-747-6081

**Subcontractor Name Lutrel Trucking** — **Contact:** — **Services Provided:** Transporters
6315 Snow Rd
Bakersfield, CA 93308
661-399-0246

**Universal Envirn** — **Contact:** — **Services Provided:**
4101 Industrial way
Benicia, CA 94510

| | | |
|---|---|---|
| **LOS ANGELES, CA SERVICE CENTER** | **24 Hr. #** | **(310) 764-5851** |
| **2500 East Victoria Street** | **24 Hr. #** | **(800) 645-8265** |
| **Compton, CA 90220** | **Fax #** | **(310) 764-5863** |

Mike Delatorre, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Mike Delatorre
Bob Seitz
Rafael Villalobos
Will Canto

**40-Hour OSHA Trained Personnel:**

| | | | |
|---|---|---|---|
| Supervisor | 4 | Field Technician I | 8 |
| Foreman | 4 | | |
| Equipment Operator | 6 | | |
| Field Technician III | 2 | | |
| Field Technician II | 1 | | |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| E.R. Spill Trailer | Los Angeles | Wells Cargo | 1 |
| Boat | Los Angeles | Flat Bottom Boat | 1 |
| Boat | Los Angeles | John Boat | 1 |
| Boat | Los Angeles | John Boat | 1 |
| | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vac Trailer | Los Angeles | Certified | 1 |
| Vac Trailer | Los Angeles | Keith Huber Vac | 1 |
| Roll-Off-Frame | Los Angeles | Bobco | 1 |
| Roll-Off-Trailer | Los Angeles | Bobco | 1 |
| Equipment Trailer | Los Angeles | Zieman | 1 |
| Straight Vacuum Truck | Los Angeles | International | 1 |
| Cusco | Los Angeles | Kenworth | 1 |
| Tractor | Los Angeles | Volvo | 1 |
| Tractor | Los Angeles | Freightliner | 3 |
| Rack Truck | Los Angeles | Ford | 1 |
| ERV | Los Angeles | GMC | 1 |
| Box Truck | Los Angeles | Ford | 1 |
| Pickup Truck | Los Angeles | Ford F-350 / F-250 | 10 |
| Pickup Truck | Los Angeles | Ford F-550 | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Pressure Washer | Los Angeles | American | 2 |
| Portable Pressure Washer | Los Angeles | Hydro Tek | 2 |
| Pressure Washer | Los Angeles | Propane | 1 |
| Double "D" Chemical Pump | Los Angeles | Weldon | 1 |
| Trash pump | Los Angeles | Honda | 3 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Boom Trailer | Los Angeles | Zieman | 1 |
| 4500' of Hard Boom | Los Angeles | American Marine | 4500' |
| | | | |

| Equipment List Cont.<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| HNU | | 12.2eV PID | 3 |
| Drager CMS Unit | Los Angeles | Chip Reader | 1 |
| Bacharch Mercury Meter | Los Angeles | MV-2 Vapor Meter | 1 |
| Ludlum Radiation Detector | Los Angeles | Model 3 | 2 |
| MSA Sirius PID Meter | Los Angeles | 5-Gas Meter | 3 |
| GASTEC | Los Angeles | GV-100 | 3 |
| Dexsil PetroFLAG | Los Angeles | Petroleum Hydrocarbon | 1 |
| Chlor-N-Soil 50 Test Kits | Los Angeles | PCB Soil | 2 |
| | | | |
| **(6) Recovery Equipment** | | | |
| Skimmer | Los Angeles | Crucial | 2 |
| Mercury Vacuum | Los Angeles | Nikro | 2 |
| Hepa Vacuum | Los Angeles | Pullman Holt | 4 |
| Wet & Dry Vacuum | Los Angeles | Dayton | 4 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Skid Steer | Los Angeles | CAT | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Tow Behind Compressor | Los Angeles | Ingersoll Rand | 3 |
| Portable Compressor | Los Angeles | Rigid | 2 |
| Tow Behind Light Tower / Generator | Los Angeles | | 3 |
| Portable Generator | Los Angeles | Briggs & Stratton | 2 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| SCBA | Los Angeles | MSA / Drager | 11 |
| Supplied Air Systems | Los Angeles | MSA / Drager | 15 |
| Mechanical Extraction Device | Los Angeles | | 4 |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |

| **Emergency Response Subcontractors** |
|---|

| | | |
|---|---|---|
| **WEST SACRAMENTO, CA SERVICE CENTER** | **24 Hr. #** | **(916) 375-2611** |
| **3201 Evergreen Ave Suite 360** | **24 Hr. #** | **(800) 645-8265** |
| **West Sacramento, CA 95691** | **Fax #** | **(916) 373-0649** |

Kevin Carnahan, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Kevin Carnahan
Jason Meehan
Ty Reguera

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Foreman | 2 |
| Field Technician I | 8 |
| Field Technician II | 2 |
| Equipment Operator | 3 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| E.R. Spill Trailer | Sacramento | Wells Cargo | 1 |
| Boat | Sacramento | Flat Bottom | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Skid Mount Vacuum | Sacramento | Bobco | 1 |
| Cusco | Sacramento | Peterbuilt | 1 |
| Guzzler | Sacramento | | 1 |
| Vacuum Trailer | Sacramento | 5000 Gal | 1 |
| Tractor | Sacramento | Freightliner | 1 |
| Rack Truck | Sacramento | 5556 | 1 |
| Pickup Truck | Sacramento | F-350 | 5 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Tow Behind Hotsy | Sacramento | All American | 1 |
| Portable Hotsy | Sacramento | All American | 1 |
| Double Diaphragm Chemical Pump | Sacramento | 2" Pneumatic | 2 |
| Double Diaphragm Pump | Sacramento | 2" Pneumatic | 1 |
| Double Diaphragm Pump | Sacramento | 1" Pneumatic | 1 |
| Trash Pump | Sacramento | 2" | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Boom Trailer w/ 2500' 18" Boom | Sacramento | | 2500' |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| | | | |
| **(6) Recovery Equipment** | | | |
| HEPA Vacuum | Sacramento | Pullman Holt | 1 |
| Mercury Vacuum | Sacramento | | 3 |
| Wet / Dry Vac | Sacramento | | 3 |
| 55 Gal Drum Vac | Sacramento | | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Tow Behind Compressor | Sacramento | Ingersol Rand | 1 |
| Tow Behind Light Tower / Generator | Sacramento | Coleman | 1 |
| Portable Generator | Sacramento | | 3 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| SCBA | Sacramento | Air System | 1 |
| Breathing Air Bottles | Sacramento | | 2 |
| Mechanical Extraction Device | Sacramento | | 1 |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| | | | |
| | | | |

| **Emergency Response Subcontractors** |
|---|

| | | |
|---|---|---|
| **SAN DIEGO, CA SERVICE CENTER** | **24 Hr. #** | **(858) 547-3100** |
| **9369 Dowdy Drive, Suite H** | **24 Hr. #** | **(800) 645-8265** |
| **San Diego, CA 92126** | **Fax #** | **(858) 547-3146** |

Dean Matsuoka, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Dean Matsuoka
Brent Trimmer
Paul Bratti

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 2 |
| Foreman | 1 |
| Equipment Operator | 1 |
| Field Technician | 3 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| High Powered Vacuum Truck / Cusco | San Diego | Freightliner | 1 |
| Rack Truck | San Diego | Ford | 1 |
| Pickup Truck | San Diego | F-250 | 3 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Hotsy Pressure Washer | San Diego | Hotsy | 1 |
| Trash Pump | San Diego | 2" | 1 |
| Trash Pump | San Diego | 3" | 1 |
| Double Diaphragm Pump | San Diego | 3" | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 5-Gas Meter | San Diego | | 1 |
| Automated Calibration System | San Diego | MSA Galaxy Automated Test System | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Air Compressor | San Diego | | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| SCBA | San Diego | MSA | 4 |
| Breathing Air Bottle | San Diego | MSA | 4 |
| Mechanical Extraction Device | San Diego | DBI / SALA | 1 |
| | | | |
| **(11) Miscellaneous** | | | |
| Boom Trailer | San Diego | Carson | 1 |
| Explosion Proof Blower | San Diego | | 1 |

| | | |
|---|---|---|
| **SPARKS, NV SERVICE CENTER** | **24 Hr. #** | **(775) 331-9400** |
| **1200 Marietta Way** | **24 Hr. #** | **(800) 645-8265** |
| **Sparks, NV 89431** | **Fax #** | **(775) 331-9403** |

Matthew Jung, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Matthew Jung
Leif Hammond
Paul Bratti

*Satellite to San Jose Office

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Field Technician | 3 |
| Equipment Operator | 2 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Truck | Sparks | 3000 Gal | 1 |
| Gap Vac | Sparks | Volvo | 1 |
| Gap Vac | Sparks | International | 1 |
| Rack Truck | Sparks | Ford | 1 |
| Pickup Truck | Sparks | F-250 | 3 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Pressure Washer | Sparks | Alkota Hotsy | 1 |
| Trash Pump | Sparks | 2" | 1 |
| Trash Pump | Sparks | 3" | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 5-Gas Meter | Sparks | MSA Sirius | 1 |
| Automated Calibration Station | Sparks | MSA Galaxy Automated Test System | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Air Compressor | Sparks | | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Explosion Proof Blower | Sparks | MSA | 1 |
| SCBA | Sparks | MSA | 4 |
| Breathing Air Bottles | Sparks | MSA | 4 |
| Mechanical Extraction Device | Sparks | DBI / SALA | 1 |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |

## CANADIAN SERVICE CENTERS

| | | |
|---|---|---|
| **MISSISSAUGA, ONTARIO SERVICE CENTER** | **24 Hr. #** | **(905) 822-3951** |
| **551 Avonhead Road** | **24 Hr. #** | **(800) 645-8265** |
| **Mississauga, ON L5J 4B1** | **Fax #** | **(905) 822-1121** |

Bill Elliot, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Bill Elliott
Paul Casey

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Technician Drivers | 2 |
| Equipment Operator | 12 |
| Mechanic | 1 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| Tractor | Mississauga | Ryder | 10 |
| Vacuum Truck | Mississauga | 3900 | 2 |
| Vacuum Truck | Mississauga | 3200 | 1 |
| Drum Truck | Mississauga | 16 drums | 1 |
| Lugger Truck | Mississauga | | 1 |
| Transporter | Mississauga | 8000 Gal | 1 |
| Transporter | Mississauga | 5500 Gal | 1 |
| Transporter | Mississauga | 6000 Gal | 1 |
| Van Trailer | Mississauga | 88 Drum | 9 |
| Van Trailer | Mississauga | 88 Drum, with liftgate | 2 |
| Van Trailer | Mississauga | 92 Drum | 19 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |
| Roll-off Container | Mississauga | 40 Yard | 1 |

| GUELPH, ONTARIO SERVICE CENTER | 24 Hr. # | (905) 332-1111 |
|---|---|---|
| 1790 Ironstone Drive | | |
| Burlington, ON L7L 5V3 | Fax # | |

Brett Herman, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brett Herman
Mike Fellner
Dave Robillard
Roger Ries
Cassandra Hopkins

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Foreman | 4 |
| Equipment Operator | 8 |
| Field Technician | 4 |

| | | | |
|---|---|---|---|
| **(1) Marine Support Equipment** | | | |
| 12' Aluminium | Guelph | | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum S.J. Truck | Guelph | Cusco - 3,000 gal. (1400CFM) | 1 |
| Vacuum S.J. Truck (SS) | Guelph | 4,000 gal. | 1 |
| Vacuum Trailers (L Class only) | Guelph | 5,000 gal | 1 |
| Turbo Vacuum Trailer (Wet/Dry) | Guelph | Cusco - 5,500 gal | 1 |
| Turbo Vacuum Trailer (Wet) | Guelph | Cusco - 4,000 gal | 1 |
| Turbo Vacuum Loader (SS, Wet/Dry) | Guelph | Cusco – 3,000 gal | 1 |
| Shell Tanker (SS) | Guelph | 5,000 gal | 1 |
| Tractor with Sleeper | Guelph | Tractors | 7 |
| Roll Off Truck | Guelph | Strait Job | 1 |
| Pick-Up Trucks | Guelph | Ford F350 | 4 |
| Drop Deck Trailer | Guelph | Flatbed Trailers | 2 |
| Detachable Low Bed Trailer | Guelph | Equipment Float | 1 |
| Van Trailers | Guelph | Van Trailers | 2 |
| Dump Trailers | Guelph | Dump Trailer | 1 |
| Hotsy on Trailer | Guelph | 3,500 PSI | 1 |
| High Pressure Water Blaster | Guelph | 10,000 PSI | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Trash Pump | Guelph | Gas Powered 2" | 1 |
| Trash Pump | Guelph | Gas Powered 3" | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| Gastec Pump | Guelph | Sample Pump | 1 |
| MSA Gas Indicator | Guelph | Sirius with PID | 2 |
| BW Alert Badges | Guelph | H2S Badges | 4 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(6) Recovery Equipment** | | | |
| Portable Tanks | Guelph | 500 gallon Poly | 2 |
| Surge Tanks | Guelph | 12,000 gallon | 1 |
| Cement Tanks | Guelph | 8000 gallon | 2 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| Excavator | Guelph | Kobelco | 1 |
| Excavator | Guelph | Komatsu PC-60 | 1 |
| Bobcat | Guelph | Case 1845C , Skidsteer | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Guelph | 600/220/110V, watt | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| Confined Space Retrievals | Guelph | DBI/SALA Tripod | 1 |
| Vacuum Breakers | Guelph | 6" Bush Hog Vacuum Breakers | 5 |
| | | | |
| **(10) Communications** | | | |
| 2-Way Radio | Guelph | Nextel | 16 |
| | | | |
| **(11) Miscellaneous** | | | |
| 6" Hard Pipe | Guelph | 6" Bush Hog Hard Pipe | 600' |

| | | |
|---|---|---|
| **DARTMOUTH, NOVA SCOTIA SERVICE CENTER** | **24 Hr. #** | **(902) 481-0842** |
| **110 Thornhill Drive** | **24 Hr. #** | **(800) 645-8265** |
| **Dartmouth, NS B3B 1S7** | **Fax #** | **(902) 481-0873** |

Brian O. Lamontagne, Operations Manager EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brian Lamontagne

*New office, sheet to be updated ASAP

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 2 |
| Foreman | 1 |
| Equipment Operator | 2 |
| Field Technician | 1 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| (1) Marine Support Equipment | | | |
| | | | |
| (2) Motor Vehicles | | | |
| | | | |
| (3) Pumps and Pressure Equipment | | | |
| | | | |
| (4) Oil Spill Containment Booms | | | |
| | | | |
| (5) Environmental Monitoring Equipment | | | |
| | | | |
| (6) Recovery Equipment | | | |
| | | | |
| (7) Beach or Earth Cleaning and Excavating Equipment | | | |
| | | | |
| (8) Generators / Compressors / Light Towers | | | |
| | | | |
| (9) Health and Safety Equipment | | | |
| | | | |
| (10) Communications | | | |
| | | | |
| (11) Miscellaneous | | | |
| | | | |

**Emergency Response Subcontractors**

| | | |
|---|---|---|
| **WINNIPEG, MANITOBA SERVICE CENTER** | **24 Hr. #** | **(204) 231-9448** |
| **45 Terracon Place** | **24 Hr. #** | **(800) 645-8265** |
| **Winnipeg, MB R2J 4B3** | **Fax #** | **(204) 233-4177** |

Alfio Corvino, General Manager — EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Alfio Corvino

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 1 |
| Foreman | 1 |
| Equipment Operator | 2 |
| Field Technician | 2 |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Straight Truck | Winnipeg | 10,000L | 1 |
| High Powered Vacuum | Winnipeg | Cusco – 8,000L | 1 |
| Box Trailer | Winnipeg | 48' van trailer | 1 |
| Box Truck | Winnipeg | 5 ton | 1 |
| Pick-Up Trucks | Winnipeg | Ford | 1 |
| Hotsy on Trailer | Winnipeg | 2,500 PSI | 1 |
| Wet/Dry Vac | Winnipeg | 5700 CFM | 1 |
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Diaphragm Pump | Winnipeg | 2" | 2 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| 5 Gas PID | Winnipeg | | 1 |
| | | | |
| **(6) Recovery Equipment** | | | |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| | | | |
| **(10) Communications** | | | |
| | | | |
| **(11) Miscellaneous** | | | |

## Emergency Response Subcontractors

**Ken Palson Trucking**
2315 Dugald Road

Winnipeg, MB R2C 5L4
(204) 663-9008
(204) 663-8061 (Fax)

**Contact:**

**Services Provided:**
Backhoes, Loaders, Trucks

**MEP Environmental**
68 Paramount Road

Winnipeg, MB R2X 2W3
(204) 632-4118
(204) 632-5809 (Fax)

**Contact:**

**Services Provided:**
24 Hour Emergency Response Supplies
Boom, Pads, Etc.

# FACILITIES

## NORTHEAST REGION FACILITIES

| | | |
|---|---|---|
| **SOUTH PORTLAND, ME FACILITY** | **Main Phone #** | **(207) 772-2201** |
| **37 Rumery Road** | | |
| **South Portland, ME 04106** | **Fax #** | **(207) 772-2485** |

**EPA/Federal ID #:** MED980672182
**State ID# (If applicable):** N/A

Nick Keen, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Nick Keen
Scott Day

**Type of Facility:**

Transfer, Treatment, and Storage Facility

**Wastes Handled:**

Fuel Oils
Lubrication Oils
Waste Water

**Waste Storage / Fixed Tank Capacity:**

168,000 gallons
2-Fixed Facility Tanks 30,000 gallons each
2-Fixed Facility Tanks 24,000 gallons each
3-Fixed Facility Tanks 20,000 gallons each
Processing Capacity: 50,000 gallons/day

| Equipment List<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
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|---|---|---|---|
| **BRAINTREE, MA FACILITY** | | **Main Phone #** | **(781) 849-1807** |
| **1 Hill Ave.** | | | |
| **Braintree, MA 02184** | | **Fax #** | **(781) 848-9629** |

**EPA/Federal ID #:** MAD05342637
**State ID# (If applicable):** N/A

John J. Ross, Jr., General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

John J. Ross, Jr.
David Medina
John Mattson
Rich Harrington

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Bulk/Drums via Trucks
Solvents and oils
Organic and Inorganic Solutions
PCB material
Pathological waste

**Waste Storage / Fixed Tank Capacity:**

185,000 Gallons

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
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| | | | |
|---|---|---|---|
| **MURPHY'S OIL FACILITY** | | **Main Phone #** | **(781) 935-9066** |
| **252 Salem Street** | | | |
| **Woburn, MA 01801** | | **Fax #** | **(781) 935-8615** |

**EPA/Federal ID #:** MAD066588005
**State ID# (If applicable):** N/A

Scott Day, General Manager of Oil Companies

**Personnel Authorized to release equipment / materials / manpower, etc:**

Scott Day
Chris Moran
Steve Cadigan

**Type of Facility:**

Transfer, Storage, and Transportation Facility

**Wastes Handled:**

Bulk via Truck
Waste Oils and Fuel Oils

**Waste Storage / Fixed Tank Capacity:**

(5) 10,000 Gal Tanks
(2) 20,000 Gal Tank
(1) 30,000 Gal Tank

Processing Capacity: 40,000 gallons/day

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Motor Vehicles** | | | |
| Waste Oil Pump Truck | Woburn, MA | 6500 gal Brenner | 1 |
| Waste Oil Pump Truck | Woburn, MA | 7000 gal Bar-Bell | 1 |
| Waste Oil Pump Truck | Woburn, MA | 2200 gal Ford / Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Woburn, MA | 4000 gal Ford / Straight Job/100 gom | 5 |
| Waste Oil Pump Truck | Albany, NY | 4500 gal Ford / Straight Job/100 gpm | 2 |
| Box Truck | Woburn, MA | 40 Drum capacity / Ford | 1 |
| Waste Oil Pump Truck | Woburn, MA | 4000 gal Ford / Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Braintree, MA | 6500 gal Brenner | 1 |
| Waste Oil Pump Truck | Bristol, CT | 7000 gal Bar-Bell | 1 |
| Waste Oil Pump Truck | Deptford, NJ | 4000 gal Ford / Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Deptford, NJ | 4500 gal Ford/ Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Edison, NJ | 4000 gal Ford / Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Prince George, VA | 7000 gal Bar-Bell | 1 |
| Transporter | Prince George, VA | 7000 gal (Non-Haz, H20) | 1 |
| Waste Oil Pump Truck | Cleveland Oh. | 4000 gal Ford / Straight Job/100 gpm | 2 |
| Waste Oil Pump Truck | Chicago Il. | 4500 gal Ford / Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Cleveland Oh. | 2800 gal Ford / Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Cincinnati Oh. | 4500 gal Ford / Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Portland, ME | 6000 gal Ford / Straight Job/100 gpm | 1 |
| Waste Oil Pump Truck | Portland, ME | 7000 gal Fruehauf w/Kenworth Tractor | 1 |
| Transporter | Portland, ME | 7000 gal Fruehauf (#281,282,283) | 3 |

| | | | |
|---|---|---|---|
| **BRISTOL, CT FACILITY** | | **Main Phone #** | **(860) 583-8917** |
| **51 Broderick Road** | | | |
| **Bristol, CT 06010** | | **Fax #** | **(860) 583-3696** |

**EPA/Federal ID #:** CTD000604488
**State ID# (If applicable):** N/A

Roland Babin, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Roland Babin
Chris Borowy

**Type of Facility:**

Waste Treatment, Storage, and Disposal Facility

**Wastes Handled:**

Liquids, Solids, and Sludges
Almost all RCRA Waste Codes are accepted.
Waste can be in drums, roll offs, or tanker trucks

**Waste Storage / Fixed Tank Capacity:**

103,000 Gallons

Processing Capacity:
50,000 gallons/day wastewater treatment
300 cubic yards/day solidification/stabilization

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
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## MID-ATLANTIC REGION FACILITIES

| | | |
|---|---|---|
| **BALTIMORE, MD FACILITY** | **Main Phone #** | **(410) 244-8200** |
| **1910 Russell Street** | | |
| **Baltimore, MD 21230** | **Fax #** | **(410) 685-3061** |

**EPA/Federal ID #:** MDD980555189
**State ID# (If applicable):** N/A

Ed Romeo, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Ed Romeo
Tim McCarthy

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Bulk/Drums via Truck and Rail
Aqueous Organic
Inorganic waste

**Waste Storage / Fixed Tank Capacity:**

Fixed - 1,411,771 gallons
Containerized - 1144 Drums

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
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| | | |
|---|---|---|
| **LAUREL, MD FACILITY** | **Main Phone #** | **(301) 939-6000** |
| **3527 Whiskey Bottom Road** | | |
| **Laurel, MD 20724** | **Fax #** | **(301) 939-6066** |

**EPA/Federal ID #:** MDD 980 554 653
**State ID# (If applicable):** N/A

Brinton Hoover, Plant Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brinton Hoover

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Liquids
Solids
Sludges
Almost all RCRA waste codes are accepted

**Waste Storage / Fixed Tank Capacity:**

Drums, Roll-off and portable tank capabilities

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
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|---|---|---|---|
| **REIDSVILLE, NC FACILITY** | | **Main Phone #** | **(336) 342-6106** |
| **208 Watlington Industrial Drive** | | | |
| **Reidsville, NC 27320** | | **Fax #** | **(336) 361-6130** |

**EPA/Federal ID #:** NCD 000 648 451
**State ID# (If applicable):** N/A

Keith Anderson, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Keith Anderson
Dan Roblee

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Liquids, Solids, and Sludges
Liquids Bulking (drums to tankers)
Solids Consolidation (drums to rolloffs)
Labpack processing facility
Almost all RCRA Waste Codes are accepted
TSCA waste accepted.
Waste can be in drums, roll offs, tanker trucks

**Waste Storage / Fixed Tank Capacity:**

65,000 sq. ft. warehouse
34 dock bays permitted as RCRA storage units. Waste can be stored in rolloffs, tankers, and vans.

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
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| | | | |

## SOUTHEAST REGION FACILITIES

| | | |
|---|---|---|
| **BARTOW, FL FACILITY** | **Main Phone #** | **(863) 533-6111** |
| **170 Bartow Municipal Airport** | | |
| **Bartow, FL 33830** | **Fax #** | **(863) 519-6363** |

**EPA/Federal ID #:** FLD 980 729 610
**State ID# (If applicable):** N/A

John Bosek, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

John Bosek
James McDuffie

**Type of Facility:**

Treatment, Storage, Transfer, Fuels Blending, and Recycling Facility

**Wastes Handled:**

Liquids, Solids, Sludges, and Lab Pack Materials.
Almost all RCRA Waste Codes are acceptable by permit
Waste may be received in drums, totes, flex bins, roll-off boxes or tanker trucks

**Waste Storage / Fixed Tank Capacity:**

(12) Hazardous Waste Storage Tanks – 72,600 gallons total capacity (48,600 gallons usable storage)
(10) Non-Haz Intermediate Product Tanks – 58,000 gallons total capacity (34,800 gallons usable storage)
(10) Non-Haz Finished Product Tanks – 88,000 gallons total capacity (61,600 gallons usable storage)
(2) Non-Haz Wastewater Tanks – 11,600
(1) Storage Tank – 548 gallons (Off-road diesel only)

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| CHATTANOOGA, TN FACILITY | Main Phone # | (423) 821-6926 |
|---|---|---|
| 3300 Cummings Road<br>Chattanooga, TN 37419 | Fax # | (423) 825-4140 |

**EPA/Federal ID #:** TND 982 141392
**State ID# (If applicable):** N/A

Paul Rasmussen, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Paul Rasmussen
David Smith
Mark Lee

**Type of Facility:**

Treatment Facility

**Wastes Handled:**

Non-Hazardous Liquids, Solids and Sludges. Bulk and Drums
Note: All new waste streams must be submitted to the state of TN 24 hrs prior to acceptance

**Waste Storage / Fixed Tank Capacity:**

2-300,000 gal WWT Tanks
4- 10,000 gal Oil/Water tanks
20,000 gal Oil/Water tank
5,000 gal Oil/Water tank
15,000 gal WWT Tanks
5,000 gal WWT Tank
20,000 gal Solidification cells

Solids/Liquid processing/solidification Capacity- 100+ tons per day

| Equipment List<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| Note: Transportation equipment is managed by DG and DO Trans. groups | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| | | | |
|---|---|---|---|
| **GREENBRIAR, TN FACILITY** | | **Main Phone #** | **(615) 643-3170** |
| **2815 Old Greenbrier Pike** | | | |
| **Greenbrier, TN 37073** | | **Fax #** | **(615) 643-6370** |

**EPA/Federal ID #:** TND000645770
**State ID# (If applicable):** N/A

Bruce Morgan, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Bruce Morgan
Patrick Storey

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility
Currently Operated as a Truck to Terminal (TTT) Facility

**Wastes Handled:**

Permitted for all RCRA waste codes except K142-K145 and K147-K151
Mercury, Fuel, Lean Water, etc.
consolidation
Liquids, Solids, and Sludges
Waste can be in drums, roll offs, tanker trucks

**Waste Storage / Fixed Tank Capacity:**

RCRA Storage Capacity: 200,000 gallons (3,636 55-gallon drum equivalents)
PCB Storage Capacity: 13,750 gallons (250 55-gallon drum equivalents)
Unlimited Non Hazardous Capacity

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
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| | | | |

## MID-WEST REGION FACILITIES

| | | |
|---|---|---|
| **ASHTABULA, OH FACILITY** | **Main Phone #** | **(440) 992-8665** |
| **1302 West 38th Street** | | |
| **Ashtabula, OH 44004** | **Fax #** | **(440) 992-2749** |

**EPA/Federal ID #:** OHD 981 093 420
**State ID# (If applicable):** N/A

Kevin Gozzard, Field Operations Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Kevin Gozzard

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

TSCA ONLY
PCB Materials
PCB Electrical Equipment
Decontamination
PCB Cable Decontamination
Gas Meter Decontamination
All metals recycled

**Waste Storage / Fixed Tank Capacity:**

17,000 gallon PCB Storage tank

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
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| CLEVELAND FACILITY | Main Phone # | (216) 429-2402 |
|---|---|---|
| 2900 Rockefeller Avenue<br>Cleveland, OH 44115 | Fax # | (216) 883-1918 |

**EPA/Federal ID #:** OHD000724153
**State ID# (If applicable):** N/A

Michael Petkovich, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Albert Benavides
Dominic Okon

**Type of Facility:**

Waste Storage, Treatment, and Recycling Facility

**Wastes Handled:**

Aqueous & Sludge Organic and Inorganic Waste - Characteristic Hazardous & Non-Hazardous
Listed Wastewaters (by contact only)
Non-Hazardous Solids

**Waste Storage / Fixed Tank Capacity:**

**Fixed Product Storage Capacity:**

| | | |
|---|---|---|
| Tank A | 8000 gallons | 50% Sodium Hydroxide |
| Tank B | 8000 gallons | Spent Caustic for Reuse |
| Peroxide Tank | 4100 gallons | 50% Hydrogen Peroxide |
| Tank 8 | 12000 gallons | Aluminum Sulfate Solution |
| Tank 9 | 12000 gallons | Virgin & Spent Ferric Chloride for Reuse |

**Fixed Process Capacity:**

| | | |
|---|---|---|
| Tank 1 | 200000 gallons | Final Treated Effluent for Discharge |
| Tank 2 | 200000 gallons | Untreated or Pretreated Process Water |
| Tank 3 | 200000 gallons | Untreated or Pretreated Process Water |
| Tank 5 | 40000 gallons | Final Treated Water for Discharge |
| Tank 6 | 40000 gallons | Untreated or Pretreated Sludge |
| Tank 7 | 40000 gallons | Untreated or Pretreated Sludge |
| Tank C | 8000 gallons | Waste Oil & Water Process |
| Reactor 1 8000 gallons | Pretreatment Vessel | |
| Reactor 2 8000 gallons | Pretreatment Vessel | |
| AR12 | 8000 gallons | Sludge Conditioning Tank |
| AR34 | 8000 gallons | Sludge Conditioning Tank |

**90-day storage area:**
Room for 1-20 yard rolloff box or up to 60 55-gallon drums

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| CINCINNATI, OH (SPRING GROVE) FACILITY | Main Phone # | (513) 681-6242 |
|---|---|---|
| 4879 Spring Grove Avenue<br>Cincinnati, OH 45232 | Fax # | (513) 681-6246 |

**EPA/Federal ID #:** OHD000816629
**State ID# (If applicable):** N/A

Andrew Hudson, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Andrew Hudson

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Bulk/Drums via Trucks
PCB Materials
RCRA/TSCA Wastes
Listed Wastewater (F Coded Waste)
Aqueous Inorganic & Organic Waste
Lab Pack

**Waste Storage / Fixed Tank Capacity:**

4-Fixed Facility Tanks 15,000 gallons each
2-Fixed Facility Tanks 7,000 gallons each

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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|---|---|---|
| **CHICAGO, IL FACILITY** | **Main Phone #** | **(773) 646-6202** |
| **11800 South Stony Island Avenue** | | |
| **Chicago, IL 60617** | **Fax #** | **(773) 646-6381** |

**EPA/Federal ID #:** ILD000608471
**State ID# (If applicable):** N/A

John E. Lancaster, Facility Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

John E. Lancaster

**Type of Facility:**

Transfer, Treatment, Recovery, and Storage Facility

**Wastes Handled:**

Bulk/Drums via Trucks
Aqueous Organic and Inorganic waste
Household Chemicals
Laboratory Chemicals
Solvents
Oils
Sludge for Dewatering

NOTE: Illinois generator # required for waste to be accepted.

**Waste Storage / Fixed Tank Capacity:**

Fixed Bulk – 1,343,600 gallons
Containerized – 2,969 Drums
Transporters – 40 bulk/roll-off/drum vans

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| **PECATONICA, IL FACILITY** | | **Main Phone #** | **(815) 239-2377** |
| **6125 N. Pecatonica Road** | | | |
| **Pecatonica, IL 61063** | | **Fax #** | **(815) 239-2960** |

**EPA/Federal ID #:** ILD 980 502 744
**State ID# (If applicable):** N/A

Scott Amico, General Manager
Jeff Gibbons, Operations Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Jeff Gibbons
Scott Amico

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

All RCRA waste codes except:
Explosives, Radioactive, bio-infectious waste

**Waste Storage / Fixed Tank Capacity:**

Warehouse Only
10 Truck Bays
1 Roll-off bulking bay

5,000 x 55 Gal. Drums
98 x 55 Gal. Drums of PCB Storage

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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|---|---|---|---|
| **WICHITA, KS FACILITY** | | **Main Phone #** | **(316) 269-7400** |
| **2549 N. New York Street** | | | |
| **Wichita, KS 67219** | | **Fax #** | **(316) 269-7400** |

**EPA/Federal ID #:** KSD 007 246 846
**State ID# (If applicable):** N/A

John Martin, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

John Martin

**Type of Facility:**

Treatment, Storage, Transfer and Recycling Facility

**Wastes Handled:**

Liquids, Solids and Sludges acceptable in rolloffs, tankers and drums.
Rail access is available in one portion of the facility and is adjacent to several buildings.
Almost all waste codes are acceptable.
Processing capabilities are available for haz and non-haz fuels, wastewater and incineration liquids.
7,500 drum storage capacity in warehouses.

**Waste Storage / Fixed Tank Capacity:**

(1) 7,100 gallon tank
(5) 7,400 gallon tanks
(2) 20,900 gallon tanks
(1) 1,200 gallon dispersion tank
Drum washing unit
Drum pumping unit

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| KIMBALL, NE FACILITY | Main Phone # | (308) 235-4012 |
|---|---|---|
| 2247 South Highway 71 | | |
| Kimball, NE 69145 | Fax # | (308) 235-4307 |

**EPA/Federal ID #:** NED981723513
**State ID# (If applicable):** N/A

Jared Hunsaker, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Jared Hunsaker
Danielle Reader

**Type of Facility:**

Fluidized-bed Incineration Facility

**Wastes Handled:**

Liquids, Solids, and Sludges
Almost all RCRA Waste Codes are accepted.
Waste can be in drums, roll offs, tanker trucks or rail containers (Intermodals, railcars)

**Waste Storage / Fixed Tank Capacity:**

| | |
|---|---|
| (8) Waste Storage Tanks | 20,000 gallons |
| (4) Waste Feed Tanks | 20,000 gallons |
| (1) Decant Tank | 6,000 gallons |
| (1) Storage Tank | 20,000 gallons (#2 Fuel Oil Only) |
| (1) Wet Solids Receiving Hopper | 30 cubic yards |
| (4) Wet Solids Feed Hopper | 50 cubic yards |

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
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## GULF COAST AREA FACILITIES

| | | |
|---|---|---|
| **COLFAX, LA FACILITY** | **Main Phone #** | **(318) 627-3443** |
| **3763 Highway 471** | | |
| **Colfax, LA** | **Fax #** | **(318) 627-3448** |

**EPA/Federal ID #:** LAD 981 055 791
**State ID# (If applicable):** N/A

James Gallion Sr., General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

James Gallion, Sr.

**Type of Facility:**

Treatment Facility

**Wastes Handled:**

Explosives, only by manifest for treatment at Colfax.
(No other waste can be shipped to or accepted at Colfax)

**Waste Storage / Fixed Tank Capacity:**

10 explosive magazines. (with a maximum of 5,000 pounds N.E.W. each.)

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| BATON ROUGE, LA FACILITY | Main Phone # | (225) 778-1234 |
|---|---|---|
| 13351 Scenic Highway | | |
| Baton Rouge, LA 70807 | Fax # | (225) 778-3511 |

**EPA/Federal ID #:** LAD 010 395 127
**State ID# (If applicable):** N/A

Michael Sullivan, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Michael Sullivan

**Type of Facility:**

Treatment, Stabilization, Storage, and Transfer Facility

**Wastes Handled:**

Wastewater
Contaminated Soil
Sludge

**Waste Storage / Fixed Tank Capacity:**

13 x 20,000 gallon tanks

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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|---|---|---|---|
| **PLAQUEMINE, LA FACILITY** | | **Main Phone #** | **(225) 659-2434** |
| **32655 Gracie Lane** | | | |
| **Plaquemine, LA 70764** | | **Fax #** | **(225) 659-7870** |

**EPA/Federal ID #:** LAD 000 778 514
**State ID# (If applicable):** N/A

Lisa Jo Ourso, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Lisa Jo Ourso

**Type of Facility:**

Injection Well Facility

**Wastes Handled:**

Waste Waters
Hazardous – Almost all RCRA waste codes are accepted.
Non Hazardous
Trucks
Capable of offloading barges

**Waste Storage / Fixed Tank Capacity:**

(3) 21,000 Gal Tanks
(1) 10,500 Gal Tank
(1) 14,700 Gal Tank
(2) 13,860 Gal Tanks
(2) 19,530 Gal Tanks

150 gallons per minute maximum injection rate. (3.5 barrels per minute)

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| **WHITE CASTLE, LA FACILITY** | | **Main Phone #** | **(225) 545-7800** |
| **52735 Clark Road** | | | |
| **White Castle, LA 70788** | | **Fax #** | **(225) 545-7854** |

**EPA/Federal ID #:** LAD982549636
**State ID# (If applicable):** N/A

Jim Hathcock, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Jim Hathcock

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Non-Hazardous liquids, solids, and sludges
Waste can be in drums, roll-offs, or tanker trucks
Waste must be biodegradable

**Waste Storage / Fixed Tank Capacity:**

Tank Storage Capacity: 500,000 gallons
Container Storage Capacity: 17,600 gallons
Bulk Storage Capacity: 600 tons
Land Treatment: 320 acres

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| **LA PORTE, TX FACILITY** | | **Main Phone #** | **(281) 476-0645** |
| **500 Battleground Road** | | | |
| **La Porte, TX 77571** | | **Fax #** | **(281) 884-7173** |

**EPA/Federal ID #:** TXD 982 290 140
**State ID# (If applicable):** N/A

Heather Bolla, Facility Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Heather Bolla
Gary Burns

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

All RCRA waste Codes Except:
Explosive, Radioactive and untreated medical wastes

**Waste Storage / Fixed Tank Capacity:**

19,000 55 Gallon Drums

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| DEER PARK, TX FACILITY | Main Phone # | (281) 930-2300 |
|---|---|---|
| 2027 Battleground Road | | |
| La Porte, TX 77571 | Fax # | (281) 930-2427 |

**EPA/Federal ID #:** TXD 055 141 378
**State ID# (If applicable):** N/A

Dennis Wainwright, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Dennis Wainwright

**Type of Facility:**

Rotary Kiln Incineration Facility

**Wastes Handled:**

Liquids, Solids, Sludges, Gases, Debris
With the exception of dioxin codes, almost all RCRA codes are accepted, as well as medical waste, reactive wastes, controlled substances (as witness burns) and pharmaceutical wastes.
Waste can be in drums of any size, gas cylinders, roll-off bins, tanker trucks or rail containers (inter-modal and railcars).

**Waste Storage / Fixed Tank Capacity:**

| | |
|---|---|
| Incineration: | Train I, 180 MM BTU/lb; Train II, 213.5 MM BTU/lb |
| Tank Storage Capacity: | 830,000 gallons |
| Drums Storage Capacity: | 1,490,000 gallons (25,000 Drums) |
| Tanker Storage Capacity: | 132,000 gallons (24 tankers) |
| Bin Storage Capacity: | 7,650 cubic yards (250 bins) |

PCBs: Incineration Authorized on Train I; 575,000 gallons tank capacity; 300,000 gallons drum capacity

All Non-Dioxin Waste Codes are Permitted for Incineration

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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## WEST REGION FACILITIES

| | | |
|---|---|---|
| **SAN JOSE, CA FACILITY** | **Main Phone #** | **(408) 451-5000** |
| **1040 Commercial Street - Suite 109** | | |
| **San Jose, CA 95112** | **Fax #** | **(408) 453-5045** |

**EPA/Federal ID #:** CAD059494310
**State ID# (If applicable):** N/A

Chris Murphy, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Chris Murphy

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

| | |
|---|---|
| Waste acid base | RCRA & NON-RCRA |
| Waste solvent, fuel | Most D coded waste |
| Lean water | Most F coded waste |
| Waste solid | Most U coded waste |
| .ab pack | |

**Waste Storage / Fixed Tank Capacity:**

**Storage tank capacity:**
Inorganic: 63,500 gallons
Organic: 65,600 gallons

**Fixed Facility Tanks:**
6 Organic waste storage tanks (65,600 gallons)
8 Inorganic waste storage tanks (63,500 gallons)

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| LOS ANGELES, CA FACILITY | Main Phone # | (323) 277-2500 |
|---|---|---|
| 5756 Alba Street<br>Los Angeles, CA 90058 | Fax # | (323) 277-2523 |

**EPA/Federal ID #:** CAD 050 806 850
**State ID# (If applicable):** N/A

Brian Olson, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brian Olson

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

All RCRA waste codes except:
Forbidden and Class A explosives
Radioactive Materials/Mixed Waste.
Infectious Materials
Compressed materials except aerosol cans
Municipal Garbage/Refuse
Dioxin Wastes

**Waste Storage / Fixed Tank Capacity:**

Drum Storage Capacity: 2369 X 55 Gallon Equivalents in 4 storage units
Tank Storage Capacity : 170,000 Gallons

Bulk liquid storage is currently limited to oil and oil/water mixtures
No bulk VOC laden and or flammable waste can be stored in tanks

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| PHOENIX, AZ FACILITY | Main Phone # | (602) 462-2300 |
|---|---|---|
| 1340 West Lincoln Street | | |
| Phoenix, AZ 85007 | Fax # | (602) 462-2391 |

**EPA/Federal ID #:** AZD 049 318 009
**State ID# (If applicable):** N/A

Brian Parker, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Brian Parker

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Oily waste
Solids (haz & non haz)
Sludge (haz & non haz)
Liquid (haz & non haz)

**Waste Storage / Fixed Tank Capacity:**

178,250 Gallons - TOTAL
1352 Drum capacity (75,000 gallons)
50,000 gallons RCRA
53,250 gallons non-RCRA

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
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| **ARAGONITE FACILITY** | **Main Phone #** | **(801) 323-8100** |
| **1160 North Aptus Road** | | |
| **Aragonite, UT 84029** | **Fax #** | **(810) 323-8877** |

**EPA/Federal ID #:** UTD 981 552 177
**State ID# (If applicable):** N/A

Sukhwant Raju, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Shawn Raju

**Type of Facility:**

Treatment, Storage, Transfer and Recycling Facility

**Wastes Handled:**

Liquids
Sludge
Solids
Compressed Gasses
Forms of PCB Materials

**Waste Storage / Fixed Tank Capacity:**

The facility is permitted to store bulk solids, bulk liquids, bulk sludge and drummed material.
16 - 30,000-gallon (each) tanks for bulk liquids.
4 - 660-gallon transportable direct burn vessels (DBV)
2 - sludge tanks for a total storage capacity of approximately 37,000 gallons of sludge.
3 - bulk solids tanks for the storage of contaminated solids
3 - drum storage and processing buildings designed to store a maximum of 10,208 55-gallon drum equivalents.

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
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| **STERLING, CO FACILITY** | | **Main Phone #** | **(970) 521-0551** |
| **21207 County Road 32.2** | | | |
| **Sterling, CO 80751** | | **Fax #** | **(970) 521-0552** |

**EPA/Federal ID #:** COD983778366
**State ID# (If applicable):** N/A

Dave Rutledge, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Dave Rutledge

**Type of Facility:**

10-Day Transfer Facility
Receive inter-company, liquid waste in railcars and trans-load the liquid into tanker trailers for transport for incineration.

**Wastes Handled:**

Oily Waste Mixtures

**Waste Storage / Fixed Tank Capacity:**

**Equipment List**

| Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| Tanker Trailer | Sterling | 7500 Gallon | 3 |
| Vacuum Box | Sterling | 5000 Gallon | 10 |
| | | | |
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## CANADIAN FACILITIES

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|---|---|---|
| **DEBERT, NOVA SCOTIA FACILITY** | **Main Phone #** | **(902) 662-3336** |
| **640 McElmon Road** | **Toll Free #** | **(800) 565-7474** |
| **Debert, NS B0M 1G0** | **Fax #** | **(902) 662-2211** |

**EPA/Federal ID #:** 2002-025886-A02
**State ID# (If applicable):** N/A

Jeff Johnson, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Greg Maynard
Jeff Johnson
Derrick Gallant

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Liquids
Semi-Liquid
Solid
Drum & Bulk Loads

explosive, radioactive, pathological and/or contains PCB's over 50 ppm

Facility has used oil collectors permit

**Waste Storage / Fixed Tank Capacity:**

4 – 32,000 L waste tanks inside facility
Drum storage (approx. 1000)
Roll-off storage

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| Vacuum Truck | Debert | 3000 Imperial Gallon | 2 |
| Vacuum Truck | Debert | 5500 Imperial Gallon | 1 |
| Vacuum Truck | Debert | 2000 Imperial Gallong | 1 |
| Vacuum Truck | Debert | 26' Straight | 2 |
| Van Trailer w/ Lift Gate | Debert | 48' | 2 |
| Emergency Response Straight Truck | Debert | | 1 |
| Mobile Wash Unit | Debert | 5000 PSI | 1 |
| Pickup Truck | Debert | | 3 |

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|---|---|---|---|
| **MERCIER, QUEBEC FACILITY** | | **Main Phone #** | **(450) 691-9610** |
| **1294 boule. Ste-Marguerite** | | | |
| **Ville Mercier, PQ J6R 2L1** | | **Fax #** | **(450) 691-9694** |

**EPA/Federal ID #:** 1145021615
(Provincial)

**State ID# (If applicable):** N/A

Marc Pregent, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Marc Pregent
Pascal Thibault

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

70,900 Metric Tonnes / Year, Fixed Liquid Injection Incinerator

**Wastes Handled:**

Liquids and Sludges
Tanker Trucks
Must contain organic waste

**Waste Storage / Fixed Tank Capacity:**

(6) Waste Feed Tanks 136,000 liters each
(2) Decant Tank 500,000 liters each
(1) Sludge Storage Tank 135,000 liters
(1) #2 Fuel Oil Tank 9,900 liters
(1) #6 Bunker Oil Tank 68,180 liters
(1) Caustic Tank 31,300 liters
(1) Process Water Tank 45,400 liters

| Equipment List<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| ST. CATHERINE, QUEBEC FACILITY | Main Phone # | (450) 632-6640 |
|---|---|---|
| 6785 Route 132 | Toll Free # | (800) 880-1496 |
| Ville Ste-Catherine, PQ JOL 1EO | Fax # | (450) 632-1055 |

**EPA/Federal ID #:** N/A
**State ID# (If applicable):** 1145021615 (Provincial)

Luc McSween, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Luc McSween

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Any liquid, semi-liquid and solid hazardous waste streams as specified in Schedules I and II of the Hazardous Waste Regulation (Q-2, r.12.1) except for Explosive, radioactive or pathological wastes, and PCB wastes.

**Waste Storage / Fixed Tank Capacity:**

4 tanks with a capacity of 72,650 litres each, diked with a concrete wall
1 x 1,135,000 litres capacity tank inside an empty 2,660,000 litres capacity tank;
1,425,600 litres of liquid wastes

| Equipment List<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| Transporter Tanker | St. Catherine | | 19 |
| Tractor | St. Catherine | | 14 |
| Straight Vac. Truck | St. Catherine | | 4 |
| Lugger Truck | St. Catherine | | 2 |
| Roll-Off Frame | St. Catherine | | 3 |
| Luggers & Roll-Off Container | St. Catherine | | 400 |

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|---|---|---|
| **THURSO, QUEBEC FACILITY** | **Main Phone #** | **(819) 985-0110** |
| **Rang 5 East 400 Galipeau St.** | **Toll Free #** | **(800) 667-8793** |
| **Thurso, PQ JOX 3B0** | **Fax #** | **(819) 985-0045** |

**EPA/Federal ID #:** N/A
**State ID# (If applicable):** 1145021615 (Provincial)

Real Ducharme, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Real Ducharme
Claud Desrosiers

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Liquid, sludge, solid organic and inorganic wastes in drums
Bulk solids in lugger and roll-off

**Waste Storage / Fixed Tank Capacity:**

7245 drums
800 metric tons of solids in bulk
1 blending tank 1000 gallons
3 vacuum tanks 2700 gallons each
2 storage tanks 6000 gallons each
1 storage tank 7000 gallons

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
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| **GUELPH, ONTARIO FACILITY** | | **Main Phone #** | **(519) 824-2025** |
| **520 Southgate Drive** | | **24 Hour #** | **(800) 668-3787** |
| **Guelph, ON N1G 4P5** | | **Fax #** | **(519) 824-2322** |

**EPA/Federal ID #:** A170115
**State ID# (If applicable):** N/A

Rod Turnbull, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Rod Turnbull
Trevor Franklin
Tim Franklin

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Non- hazardous waste and Leachate toxic waste liquids. Oil and oil emulsions.
Oily water, sludges, oil, contaminated ground water, liquid process streams including phosphate and water based paints.
Bulk loads only. Not permitted for drums or tote quantities.

**Waste Storage / Fixed Tank Capacity:**

Permitted 150,000 litres per day maximum (40,000 US gallons)
4 receiving tanks @ 5,000 gallons each
2 sludge thickening tanks @ 5,000 gallons each
2 coagulating tanks @ 5,000 gallons each
2 liquid holding tanks @10,0000 gallons each
2 bio-oxidation tanks @ 10,000 gallons
1 oil recovery tank @ 5,000 gallons
2 treated water tanks @ 5,0000 gallons and 10,000 gallons

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| Vacuum Truck | Guelph | | 1 |
| Skidsteer Loader | Guelph | | 1 |
| Absorbents | Guelph | | Assorted |
| | | | |
| | | | |

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|---|---|---|---|
| **LONDON, ONTARIO FACILITY** | | **Main Phone #** | **(519) 451-6630** |
| **2258 River Road** | | | |
| **London, ON N5W 6C2** | | **Fax #** | **(519) 453-8129** |

**EPA/Federal ID #:** A041603
**State ID# (If applicable):** N/A

Frank Hickling, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Frank Hickling

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

All wastes except: PCB, Explosives, Bio-hazards and Radioactive

***N*aste Storage / Fixed Tank Capacity:**

100,000 gallons of oil waste
2419 M.Tons of waste storage
3900 Drum storage

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| MISSISSAUGA, ONTARIO FACILITY | Main Phone # | (905) 822-3781 |
|---|---|---|
| 551 Avonhead Rd | | |
| Mississauga, ON L5J 4B1 | Fax # | (905) 822-1121 |

**EPA/Federal ID #:** A220106 (Receiver), ON0039015 (Generator)
**State ID# (If applicable):** N/A

Mars Flaugnatti, Facility Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Mars Flaugnatti

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility
Primarily a fuel blending facility and a landfill bulking and mixing facility
Full transfer station capabilities

**Wastes Handled:**

All Haz & Non-Haz except Explosives, radioactives, pathological material, and anything with greater than 50 ppm PCB's

Approximately 125,000 drums per year

**Waste Storage / Fixed Tank Capacity:**

7,500 drums
470 cubic meters of haz and non haz solids
1,179,500 liters of hazardous liquids
75,000 liters of TEL wastes

Storage tanks are as follows :
3 tanks @ 227,000 liters each
5 tanks @ 90,800 liters each
1 tank @ 44,500 liters

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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| THOROLD, ONTARIO FACILITY | Main Phone # | (905) 227-7872 |
|---|---|---|
| 1829 Allanport Road | Toll Free # | (800) 263-2436 |
| Thorold, ON L2V 3Y9 | Fax # | (985) 680-4255 |

**EPA/Federal ID #:** A121026
**State ID# (If applicable):** N/A

Mike Branch, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Mike Branch
Brandy Zdelar

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Liquids, Solids and Sludges
Full range of materials excluding explosives, radioactive, pcb, and pathological wastes
Waste is typically in drum size or smaller containers.

**Waste Storage / Fixed Tank Capacity:**

4192 drums of material
(10) fuels blend storage tanks ( 10,000 gal each)
(2) corrosives storage tanks (5,500 gal each)

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| Service Van / Box Truck | Thorold | 48 Drum Capacity | 4 |
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|---|---|---|---|
| **BURLINGTON, ONTARIO FACILITY** | | **Main Phone #** | **(905) 332-1111** |
| **1790 Ironstone Drive** | | | |
| **Burlington, ON L7L 5V3** | | **Fax #** | **(905) 855-5334** |

**EPA/Federal ID #:** A-8581
**State ID# (If applicable):** N/A

Rod Turnbull, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Rod Turnbull
Tim Lewis

**Type of Facility:**

Treatment, Storage, Transfer, and Recycling Facility

**Wastes Handled:**

Liquid industrial, non hazardous waste and Leachate toxic waste liquids.
Oily water, oil, contaminated ground water, liquid process streams including phosphate and water based paints.
Permitted for drums or tote quantities: (1000 drums)

**Waste Storage / Fixed Tank Capacity:**

Permitted 150,000 litres per day maximum (40,000 US gallons)
15 Receiving and storage tanks, one clarifier
Total Storage in tank farm, 370,000 gallons

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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|---|---|---|---|
| **WINNIPEG, MANITOBA FACILITY** | | **Main Phone #** | **(204) 956-9770** |
| **1147 Henry Avenue** | | | |
| **Winnipeg, MB R3E 1V6** | | **Fax #** | **(204) 783-0539** |

**EPA/Federal ID #:** MBR07393 (Receiver), MBC07392 (Carrier), MBG07391 (Generator)
**State ID# (If applicable):** N/A

Dwayne Blatt, Plant Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Ann Hinton
Dan Bosowec
Dwayne Blatt

**Type of Facility:**

Storage, Transfer Facility

**Wastes Handled:**

All dangerous goods Classes except Class 1, 7, 6.2 and limited 5.2
Waste can be in drums, pails, IBC bags.
Transfer license for bulk into tankers
Limited space for bulking into roll-offs

**Waste Storage / Fixed Tank Capacity:**

300 x 205 liter drums equivalents

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| 5 Ton Truck | Winnipeg | 40 Drum Capacity | 2 |
| Tractor & Van w/ Tailgate | Winnipeg | 80 Drum Capacity | 1 |
| | | | |
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| RYLEY, ALBERTA FACILITY | Main Phone #: | (780) 663-3828 |
|---|---|---|
| 2km No. of Hwy. 14 on 2ndary Rd.854 | | |
| Ryley, AB t0B 4A0 | Fax #: | (780) 663-3539 |

**EPA/Federal ID #:** 10348-01-00 (Generator - ABG5498)
**State ID# (If applicable):** N/A

Wayne Ma, General Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Wayne Ma

**Type of Facility:**

Landfill, Storage, and Transfer Facility

**Wastes Handled:**

Hazardous waste for landfill
Non-Haz waste for landfill
All wastes except explosives, bio-medical, and radioactive

**Waste Storage Capacity:**

Bulking of drums into 3 on-site storage tanks

| | |
|---|---|
| Fuel tank capacity | 4000 USG |
| Lean tank capacity | 4000 USG |
| Wastewater tank capacity | 8000 USG |

**Fixed Tank Capacity:**

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| Small on-site team for minor spills and emergencies | | | |

| DELTA, BRITISH COLUMBIA FACILITY | Main Phone # | (604) 940-0894 |
|---|---|---|
| 7842 Progress Way | Toll Free # | (800) 667-8333 |
| Delta, BC V4G 1A4 | Fax # | (604) 940-1423 |

**EPA/Federal ID #:** PS-8388 / (LT0249 Transport)
**State ID# (If applicable):** N/A

Larry Vinegar, Facility Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

Larry Vinegar
Wayne Ma
Otis Reckord

**Type of Facility:**

Transfer, Storage, Transportation, and Processing Facility

**Wastes Handled:**

All types of wastes except Class 1 (explosives), Class 6.2 (bio-haz) and Class 7 (radioactives)
Permitted Storage Tanks Capacity: 5.2 million litres of Special Waste
Permitted Bulk Solids Storage Capacity: 80,000 kg of Special Waste
Permitted Drum Storage Capacity: 1850 drums

**Waste Storage / Fixed Tank Capacity:**

(3) 894,000 litre tank
(1) 416,000 litre tank
(2) 59,000 litre tank
(1) 43,000 litre tank
(1) 44,000 litre tank
(2) 3,500 litre processing tank
(1) 69,000 litre tank
(1) 68,000 litre tank
(1) 67,000 litre tank
(8) 51,000 litre tank
(3) 160,000 litre tank
(4) 5,300 litre tank

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
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## SUPPORT CENTERS & CONTRACTORS

| | | |
|---|---|---|
| **REMEDIATION & ENVIRONMENTAL CONSTRUCTION** | **24 Hr. #** | **(781) 792-5000** |
| **42 Longwater Drive** | **24 Hr. #** | **(800) 645-8265** |
| **Norwell, MA 02061** | **Fax #** | **(781) 792-5938** |

Norm Nelheubel, Vice President R&EC

EPA / Federal ID #:

**Personnel Authorized to release equipment / materials / manpower, etc:**

Norm Nelhuebel
Rick Kiernan
Dana Simpson
Tony DelTufo
Rich Analoro
John Irwin
Paul Pukk
Dan Douthwright
Paul Dovell

**40-Hour OSHA Trained Personnel:**

| | | | |
|---|---|---|---|
| LSP | 4 | Project Supervisor | 4 |
| Professional Engineer | 14 | Foremen / Pipefitter | 4 |
| Project Manager | 4 | Licensed Wastewater Operator | 5 |
| Field Inspector | 3 | Field Technician | 5 |
| Geologist | 4 | Heavy Equipment Operator | 4 |
| Project Scientist | 4 | Electrician | 1 |
| Project Engineer | 4 | | |

**Services Available:**

Site Investigation
Remedial System Design & Field Installation
Site Construction (Civil)
Code Welding & Fabrication Services
Mobile Treatment Services
Site / System Operations & Maintenance Services
Well Maintenance & Video Inspection Services

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Specialty Equipment** | | | |
| Pickup Truck | Weymouth | | 13 |
| Stake Body / Rack Truck | Weymouth | | 2 |
| Bobcat w/ Trailer | Weymouth | | 1 |
| Link Belt Excavator | Weymouth | | 1 |
| Mitsui Mixer | Weymouth | Hydraulic Excavator Attachment | 1 |
| Pressure washer / hotsy | Weymouth | | 2 |
| Double Diaphragm Pump | Weymouth | 2" | 1 |
| Double Diaphragm Pump | Weymouth | 2" | 2 |
| Submersible Pump | Weymouth | 4" | 4 |
| Trash Pump | Weymouth | 2" | 2 |
| Frac Tank | Weymouth | 20,000 Gal | 1 |
| Air Compressor | Weymouth | 175 CFM | 1 |
| 300GPM – LPC - 1 | Weymouth | (LPC: Liquid Phase Carbon Trailer) | 1 |
| 200GPM – LPC – 1 | Weymouth | (LPC: Liquid Phase Carbon Trailer) | 1 |
| 100GPM – LPC – 1 | Weymouth | (LPC: Liquid Phase Carbon Trailer) | 1 |
| 85GPM – LPC – 1 | Weymouth | (LPC: Liquid Phase Carbon Trailer) | 1 |
| 70GPM – LPC – 1 | Weymouth | (LPC: Liquid Phase Carbon Trailer) | 1 |
| 50GPM – LPC – 1 | Weymouth | (LPC: Liquid Phase Carbon Trailer) | 1 |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(9) Health and Safety Equipment** | | | |
| DBI Extraction Device | Weymouth | | 3 |
| Tripod | Weymouth | | 2 |
| SCBA | Weymouth | | 2 |
| SAR W/ Escape Pack | Weymouth | | 2 |
| MSA Passport PID | Weymouth | | 1 |
| MSA 4-Gas Meter | Weymouth | | 3 |
| MultiRae Plus Meter (4Gas w/ PID) | Weymouth | | 1 |
| | | | |
| | | | |
| | | | |
| **(10) Communications** | | | |
| 2-Way Radio | Weymouth / Norwell | Nextel | 20 |
| | | | |
| **(11) Miscellaneous** | | | |
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| **R&EC GENERAL WELDING** | **24 Hr. #** | **(781) 331-5600** |
| **609 Pleasant St., P.O. Box 22** | **24 Hr. #** | **(800) 645-8265** |
| **Weymouth, MA 02189** | **Fax #** | **(781) 335-2675** |

Norm Nelheubel, Vice President R&EC EPA / Federal ID #: N/A

**Personnel Authorized to release equipment / materials / manpower, etc:**

Norm Nelhuebel
Dan Douthwright
Dave Ottolini
Alan Mount
Paul Dovell
Rich Analoro

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Project Manager | 1 |
| Foreman / Welder | 1 |
| Welders | 8 |

**Fabrication:**

Can provide 24 hour welding and fabrication services at job site with 40-Hour OSHA trained personnel.
(Specify range of project size and any general details about uniqueness of the facility – i.e. special equipment or processes)

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(1) Specialty Equipment** | | | |
| Welding Truck | Weymouth | | 3 |
| Portable Welding Machine | Weymouth | | 3 |
| Plasma Cutter | Weymouth | | 1 |
| Fork Truck | Weymouth | | 1 |
| Pipe Threading Machine | Weymouth | | 2 |
| 12' Press Break | Weymouth | | 1 |
| Metal Shear | Weymouth | | 1 |
| Pipe Benders | Weymouth | | 2 |
| Electric Tig Welding Machine | Weymouth | | 3 |
| Electric Mig Welding Machine | Weymouth | | 3 |
| Electric Subarc Welding Machine | Weymouth | | 1 |
| Overhead Crane | Weymouth | 5 Ton | 2 |
| Overhead Crane | Weymouth | 1 Ton | 1 |
| Overhead Crane | Weymouth | 1/2 Ton | 1 |

| | | |
|---|---|---|
| **FLEET MAINTENANCE FACILITY** | **24 Hr. #** | **(781) 331-9954** |
| **607 Pleasant Street, P.O. Box 22** | **24 Hr. #** | **(800) 349-8789** |
| **Weymouth, MA 02189** | **Fax #** | **(781) 337-2643** |

Rick Smith, General Manager

EPA / Federal ID #:

**Personnel Authorized to release equipment / materials / manpower, etc:**

Rick Smith

**40-Hour OSHA Trained Personnel:**

Mechanics

**Operations:**

Over-the-road Maintenance of all:
Transportation Equipment
Pumps
Marine Equipment
Earth Moving Equipment

| | | |
|---|---|---|
| **CENTRAL LOGISTICS** | **24 Hr. #** | **(781) 792-5000** |
| **607 Pleasant Street, P.O. Box 22** | **24 Hr. #** | **(800) 282-0058** |
| **Weymouth, MA 02189** | **Fax #** | |

John J. Ross Jr., Director, Central Logistics

**Personnel Authorized to release equipment / materials / manpower, etc:**

Peter James
Steve Barnes
John Kelliher
Bob Gale
Heather McCarthy
Rudy Streng
Bill Stanton

**Transportation Equipment:**

| | | | |
|---|---|---|---|
| Transporters / Tank Trailers | 61 | Vacuum Trailers | 40 |
| Vacuum Trucks | 48 | Tractors | 108 |
| Roll-off Containers | 421 | Vacuum Boxes | 10 |
| Intermodal Containers | 157 | | |

**Note:**
This transportation equipment moves all over our operating area and is dispatched out of our Emergency Response service centers and regional offices. Some of this equipment has already been noted under the individual site pages.

**Regional Offices:**

**Eastern Northeast:**
1 Hill Ave. Braintree, MA
Kevin Realini- Logistics Coordinator
(781) 792-5000

**Western Northeast:**
761 Middle St. Bristol, CT
Jim Gager - Logistics Coordinator

**Mid Atlantic:**
1910 Russell St.. Baltimore, MD
Donald Dube- Logistics Coordinator
(410) 685-4170

**Mid-West:**
11800 South Stony Island Chicago, IL
Christine Falvey - Logistics Coordinator
(773) 646-6202

**Plains:**
5 Miles South, Route 71, Kimball, NE
Darla Klinkhammer - Logistics Coordinator
(308) 235-8234

**Allegheny:**
2900 Rockefeller Ave. Cleveland, OH
Tom Waseity - Logistics Coordinator
(216) 429-2402

**Southern Northeast:**
3 Sutton Place, Edison, NJ
Jeff Francis - Logistics Coordinator

**Ohio Valley:**
4879 Spring Grove Ave. Cincinnati., OH
Tom Waseity - Logistics Coordinator
(216) 429-2402

**Southeast:**
4567 South Berkeley Lake Rd., Norcross, GA
Randy Przywara - Logistics Coordinator
(770) 449-1550

**Texas:**
131 North Richey Road, Pasadena, TX
Mark Hale - Logistics Coordinator
(713) 473-9870

# SUBCONTRACTORS

## SUBCONTRACTED BARGES

The following is a list of those companies that we will subcontract U.S. Coast Guard certified barges for use as temporary storage facilities for spilled oil near shore and large port areas:

| Company/24 Hr. # | Service Area | Contact | Equipment/Materials |
|---|---|---|---|
| **American Commercial Barge Line Co.**<br>P.O. Box 610<br>Jeffersonville, IN 47130<br>(812) 288-0100 | Great Lakes<br>Rivers/Gulf | Kelly Roberts | 200 barges<br>2,000,000 barrels |
| **Maritrans G. P. Inc.**<br>1 Logan Square<br>Philadelphia, PA 19103-1480<br>(215) 864-1200<br>(800) 523-4511 | East Coast | Arthur Volkle | 30 Barges<br>2,870,000 barrel capacity |
| **Moran Towing & Trans. Co.**<br>2 Greenwich Plaza, 3rd Floor<br>Greenwich, CT 06830<br>(203) 625-7800<br>(203) 625-7828 | East Coast &<br>Gulf Coast | William Muller, | 8 barges<br>402,430 barrel capacity |

## SUBCONTRACTORS

The following is a list of those companies that we will subcontract additional support equipment and/or labor to assist with our operations:

| Company/24 Hr. # | Service Area | Contact | Equipment/Materials |
|---|---|---|---|
| **Fishburn Services, Ltd.**<br>5012 State Route 229 - PO Box 278<br>Marengo, OH 43334<br>(419) 253-6031 | Company Wide | Jack Fishburn | 350 Frac Tanks<br>@ 21,000 ea. |
| **North Star Marine**<br>8300 Landis Ave.<br>Sea Isle City, NJ 08243<br>(609) 263-6666 | Jersey Shore &<br>Delaware Valley | Phil Risko | Work/Spill<br>Response<br>Boats |
| **NRC (National Response Corp)**<br>3500 Sunrise Highway, Suite 103<br><br>Great River NY<br>(631) 224-9141<br>FAX (631) 224-9141 | National | John Allen | OPA-90 "Worst Case" Spill Coverage<br>Major Response<br>Resources |
| **MSRC (Marine Spill Response Corp)**<br>375 Raritan Center Parkway<br><br>Edison, New Jersey 08837-3920<br>(908) 417-0500<br>FAX (908) 417-1314 | National | Steve Dorrler | OPA-90 "Worst Case" Spill Coverage<br>Major Response<br>Resources |
| **Onsite Environmental Staffing**<br>3450 Corporate Way - Suite B<br>Duluth, GA 30136<br>(800) 807-0454<br>(770) 623-1554 | National | Steve Cox, V.P.<br>Simon Robinson | 500 40-Hr<br>OSHA Trained Personnel |
| **Eason Diving &**<br>**Marine Contracting**<br>2668 Spruill Avenue<br>North Charleston, SC 29405<br>(843) 747-0548 | National | Tom Eason | Underwater Diving<br>Oil Recovery |
| **SubSea International, Inc.**<br>701 Engineers Road<br>Belle Chase, LA 70037<br>(504) 393-7744 | National | Michael Start | Underwater Diving<br>Oil Recovery |
| **Primary Resources**<br>2709 Water Ridge Parkway Suite 170<br>Charlotte, NC 28217<br>888-774-8367<br>714-529-6017 - Fax | National | Ron Yountz | 40-Hr<br>OSHA Trained Personnel |
| **EPG**<br>PO Box 1096<br>Mt. Pleasant, SC 29465<br>843-514-2247<br>843-881-7766 - Fax | National | John Mahoney | 40-Hr<br>OSHA Trained Personnel |

| Company/24 Hr. # | Service Area | Contact | Equipment/Materials |
|---|---|---|---|
| **Trident**<br>175 Maple Street<br>Marlboro, MA 01752<br>508-229-3545<br>508-229-8130 - Fax | New England<br>National | Bill Nineve<br>Gary Quinn | 40-Hr<br>OSHA Trained Personnel |
| **Contaminate Control Inc (CCI)**<br>438 – C Robinson St<br>Fayetteville, NC 28301<br>800-845-3208<br>704-973-9669 - Fax | National | Randy Benefield<br>Alan Oudy | 40-Hr<br>OSHA Trained Personnel |
| **Oil Mop Inc (OMI)**<br>145 Keating Drive<br>Belle Chase, LA 70037<br>201-436-3500<br>504-391-7398 - Fax<br>504-391-7398 - Fax | National | John Garabocco<br>Paula | 40-Hr<br>OSHA Trained Personnel |
| **Clean Venture**<br>201 South 1st ST<br>Elizabeth NJ 07206<br>908-355-5800<br>908-355-3495 - Fax | National | Tony Pongonis<br>508-509-4893 - Cell | 40-Hr<br>OSHA Trained Personnel |
| **TMC**<br>1 William Way<br>Bellingham, MA 02019<br>508-966-3737<br>508-966-4861 - Fax | National<br>New England | Ross Hartman | 508-889-8017 - Cell<br>40-Hr OSHA Trained Personnel |
| **Northeast Tank**<br>349 Lincoln St, Bld 48<br>Hingham, MA 02043<br>617-212-8250<br>781-740-0174 - Fax | New England | John O'Brien | Rolloff/Storage Tanks |
| **CYN Environmental**<br>PO Box 119<br>Stoughton, MA 02072<br>781-341-1777<br>781-344-9674 - Fax | Regional | Ted<br>Chris Weber | 40-Hr<br>OSHA Trained Personnel<br>Various E.R. Equipment |
| **3R Inc.**<br>315 Bond Place<br>Grier, SC 29650<br>800-654-4434<br>864-848-9963 - Fax | | Tim Sloan | 40-Hr<br>OSHA Trained Personnel |
| **ES&H Inc.**<br>PO Box 9217<br>Houma, LA 70364<br>985-851-5350 | National | Farrel LaFonte<br>Peter Piasance | 40-Hr<br>OSHA Trained Personnel |

| Company/24 Hr. # | Service Area | Contact | Equipment/Materials |
|---|---|---|---|
| **Dillon Environmental**<br>P.O. Box 1393<br>Ardmore, OK 73402<br>(580) 226-5303 | Gulf | Scott Dillon | 40-Hr<br>OSHA Trained Personnel |
| **Cajun Boat Rentals**<br>1079 Sidney Guidry Rd.<br>St. Martinville, LA 70582<br>(337) 519-6053 | Gulf | Jude Guidry | Airboats |
| **Crain Bros. Inc**<br>2717 Grand Chenier Hwy.<br>P.O. Box 118<br>Grand Chenier, LA 70643<br>(337) 538-2411 | Gulf | | Marsh Equipment |
| **US Environmental Services**<br>PO Box 949<br>Meraux, LA 70075<br>888-279-9930<br>504-279-7756 - Fax | National | Dennis Schenk | 40-Hr<br>OSHA Trained Personnel |
| **Summit Environmental**<br>8521 S. Lake Dr<br>Texarkana, TX 75501<br>903-334-8980<br>903-334-8990 - Fax | National | Jerry Anglin | 40-Hr<br>OSHA Trained Personnel |
| **ASCO**<br>2001 Peters Rd<br>Harvey, LA 70058<br>1-800-207-SPIL (7745)<br>504-366-1491 - Fax | National | Aaron Holton | 40-Hr<br>OSHA Trained Personnel |
| **USI Environmental**<br>PO Box 804<br>Beuras, LA 70041<br>985-637-6459 | National | Mike Brewer | 40-Hr<br>OSHA Trained Personnel |
| **Phoenix Pollution Control**<br>720 S. Lynchburg Rd<br>Baytown, TX 77520<br>281-838-3400 | National | Tommy Anderson | |
| **LW Environmental**<br>Rt. 2 Box 107<br>Wilson, OK 73463<br>580-668-2597<br>(580) 668-3228 | National | | 40-Hr OSHA Trained Personnel |

## SELECT PROJECT ABSTRACTS

Clean Harbors responds to emergencies from almost every service location on a daily basis. This section provides overviews of projects that have utilized Clean Harbors' National Response Team (NRT). We would like to note that we are available nationwide for any type of emergency, while still being capable to respond on a large scale without interrupting the day-to-day business at local service centers and facilities.

**HURRICANE RITA RECOVERY, CAMERON, LA – OCTOBER, 2005**

**Project Overview:**

Hurricane Rita came ashore in southwestern Louisiana on September 24, 2005, with the storm's eye passing near the community of Johnson's Bayou (directly south of SNWR) in Cameron Parish, Louisiana. A Category III hurricane at landfall, Rita caused widespread damage to the surrounding areas with winds in excess of 100 mph and a storm surge topping 15 to 20 ft. The coastal communities of Holly Beach, Johnson's Bayou, and Cameron received catastrophic damage. Oil drilling rigs and platforms located just offshore in the Gulf of Mexico also received heavy damage. Hazardous materials from these communities and commercial activities were carried by the wind and flood waters into wildlife refuges, along with household materials, lumber, and displaced vegetation.

Because of their current working relationship with the United States Coast Guard on the Hurricane Katrina disaster relief, Clean Harbors was called to aid in the recovery of hazardous materials from the wetland areas. After an initial flyover of Cameron Parish, Clean Harbors was asked to mobilize a crew of ten people. Working as a joint effort by the Coast Guard and the Environmental Protection Agency, a second flyover was performed a month later revealing thousands of more items in the marsh than the initial flyover.

Clean Harbors was able to use its extensive gulf coast networking to set up a fleet of over 20 single, double, and triple engine airboats, 8 marsh excavators and draglines, and 8 barge boats to assist in the effort. All of this equipment would follow teams of workers who walked the debris lines and pick up the debris. Crews spanned from the Louisiana – Texas state line eastward over 40 miles, and as far north as Hackberry, LA (~15 miles). Clean Harbors was also able to procure a gated and secure office for the USCG and EPA to use as their command station in Lake Charles.

Clean Harbors aided in recovering over 60,000 total hazardous items on the project. The joint task force set a goal of finishing the project by June 1, 2006, and Clean Harbors finished by April 1, 2006. Because of their superior work on the Rita recovery project, they were asked by the United States Fish and Wildlife organization to perform the same duties plus the duties of other contractors at the Cameron Prairie and Sabine National Wildlife Refuges during the second half of 2006.

## HURRICANE KATRINA RESPONSE, NEW ORLEANS, LA – SEPTEMBER, 2005

**Project Overview:**

On August 31, 2005, the areas of Southeastern Louisiana and Southern Mississippi were hit by Hurricane Katrina. Arguably the worst natural disaster in United States history, the hurricane destroyed thousands of homes and lives. Levee walls in New Orleans, LA ruptured and flooded the entire city, forcing a complete evacuation of over 450,000 people in the city. Looting and violence ensued as much of the city searched for food and shelter, turning the city essentially into a war zone. The environmental damages and effects of the hurricane were numerous. According to the Natural Resources Defense Council, Hurricane Katrina triggered over 575 chemical and oil spills throughout the region, not to mention all of the water and mold damage that ensued from the flooding.

Clean Harbors response employees went to Baton Rouge to ensure the safety of employees in that area, as well as to assess damages. The office in Baton Rouge had minimal damage, and was equipped with hundreds of acres of land. Event Strike Team personnel contacted the US Coast Guard and informed them of our available resources in the area. The Coast Guard then requested to use the Baton Rouge facility as a command center for their response due to the security and available land. Within days Clean Harbors had procured over 30 camping trailers and set up a base to house over 300 people. The site was run as a normal service center at a much higher scale. Clean Harbors serviced over 30 customers and over 80 individual projects in the span of 8 months.

The Clean Harbors facility in Baton Rouge turned into a miniature city, with several customers living on the property. Campers were set up with fully functioning sewerage, water, electricity, and any other essentials. Utility services were installed to handle the increased phone and internet capacity of the Coast Guard and FEMA. Over 200 people were working under Clean Harbors command, including upper level managers, project managers, and technicians, and over 100 non-employees were using the facility as a base. Emergency response services were utilized near their full capacity for the entire company. Nearly every product line Clean Harbors offers worked during this response, including National Transportation, Technical and Remediation Services, Clean Pack, and Disposal. The field at the entrance of the facility was used as a helicopter launching pad for the Coast Guard, FEMA, and several other customers. At times there were over 15 helicopters on the property.

Within a day of the initial call, Clean Harbors procured a barge containing over 300,000 gallons of fuel to use for the Coast Guard's fueling operations. On top of the barge fuel that was used, Clean Harbors had fuel station capabilities at the Baton Rouge Facility that were fully utilized. A fueling team was set up to carry totes of fuel to several locations throughout the ravaged area; a job that lasted well over 8 months. Over a half a million gallons of fuel were delivered throughout the project.

It took the Army Corps of Engineers nearly a month to pump all of the water out of the city of New Orleans. The flooding caused all chemicals and oils to spill into the water, creating a massive potential for infection. Clean Harbors utilized their hazardous materials handling training, as well as their marine operations expertise to deploy boom at each individual pumping location on Lake Ponchatrain. Clean Harbors also assisted the Federal Emergency Management Agency (FEMA) in decontaminating their mobile morgues. Much of this work was considered high-haz due to all of the unknown pathological variables involved.

At a major oil facility in New Orleans, a 250,000 barrel above ground storage tank (tank # 250-2) was dislodged, lifted and damaged in flooding associated with Hurricane Katrina. At the time, the tank contained 65,000 barrels of mixed crude oil, and released approximately 25,110 barrels (1,050,000 gallons). The released oil has impacted approximately 1700 homes in an adjacent residential neighborhood; an area of about one square mile. The United States Coast Guard, along with the spill management company hired by the oil facility, hired Clean Harbors to assist in the initial cleanup. Clean Harbors mobilized over 30 workers, several small workboats, and several skimmer setups. Clean Harbors was a presence on the spill until the maintenance phase began in late October, 2005.

After the storm initially hit, the United States Post Office required cleaning of several offices in eastern Mississippi. Clean Harbors responded with over 100 workers to the Bay St. Louis, MS, and Kiln, MS Post Offices. Within a week they had cleaned each office and decontaminated the machines from any unknowns, and set up disposal services for future use at the locations. Also in Mississippi, Clean Harbors was contacted by a shipbuilding company to decontaminate their dry docks. Vacuum trucks and crews with pressure washing equipment were mobilized to accomplish the task.

In New Orleans itself there was much more work to be done. Since the city was evacuated and there was so much tim without power, several food processing plants in New Orleans needed electricity to power their refrigeration units. Clean Harbors was asked to clean out two locations that had rancid meat in them. The cleanup of each location was managed and completed through disposal of the product by Clean Harbors. Disposal was sent to Clean Harbors' White Castle facility in White Castle, LA.

Within two months of the cleanup operation, so much of the work was based in New Orleans or further south that Clean Harbors mobilized another command center into the city. During the first two months of the cleanup phase it was impossible and unfeasible to enter the city and live there, but once it had been drained out moving there was an option. Clean Harbors set up another campground at the property across the river in Gretna, LA and began to run all New Orleans operations from there. A Mobil Incident Command Unit was set up there for all operations to report to, and an office was rented in the World Trade Center to run all Finance operations.

After the flooding in New Orleans, a local utility company contacted Clean Harbors to aid in cleaning their offices in the city. Clean Harbors cleaned several buildings directly for the utility company and their consultant, and due to their excellent work on the building decontaminations, Clean Harbors was asked to begin cleaning manholes throughout the city. Several high powered vacuum trucks were involved, and Clean Harbors used their confined space expertise to pump out and clean hundreds of manholes throughout New Orleans and southern Mississippi. The utility company was so impressed with the work that they awarded Clean Harbors the maintenance contract for the manholes in the entire Southeast & Gulf Area regions.

Once areas of the city were re-opened to the public, waste from houses needed to be collected and removed from the destroyed area. Clean Harbors utilized nearly 100 workers to walk debris lines and roads and collect any household hazardous waste (HHW) for disposal. The disposal was managed by the Army Corps of Engineers. Clean Harbors then used its strong subcontractor network to manage the asbestos and ACM cleanup among the HHW. This project lasted until late March, 2006, until the demolition of the damaged homes began.

After over 8 months of work, Clean Harbors proved once again that they are the leader in nearly all aspects of emergency response on a large scale. Nearly all product lines Clean Harbors has to offer were used over this time period; many jobs used multiple product lines on them such as response, transportation of waste, and disposal.

## OIL TANKER ATHOS I SPILL, DELAWARE RIVER, NJ/PA – NOVEMBER, 2004

**Project Overview:**

On Friday, November 26, 2004, at approximately 9:15 p.m., the 750-foot, single-hull tanker Athos I, registered under the flag of Cyprus, was reported to be leaking oil into the Delaware River en route to its terminal at the CITGO asphalt refinery in Paulsboro, New Jersey. As two tugboats were helping the vessel maneuver to its terminal, a routine procedure, one of the tugboat operators noticed oil in the water, and the oil tanker listed eight degrees and lost power. Two punctures in the tanker's hull, 1-foot-by-2-foot and 1-foot-by-6-foot in size, later were confirmed by Coast Guard divers. Over 265,000 Gallons of Venezuelan crude oil spilled into the river. At the time of the spill it was the second largest in United States history to the Exxon Valdez spill in Alaska in 1989.

The spill affected approximately 214 miles of shoreline along the tidal portion of the Delaware River, from the Tacony-Palmyra Bridge, which links northeast Philadelphia to Palmyra, New Jersey, south to the Smyrna River in Delaware. The oil affected numerous birds, marsh vegetation, benthic habitat, and recreation. It also caused the temporary shutdown of Salem Nuclear Power Plant and commercial shipping traffic. It also caused the temporary shutdown of Salem Nuclear Power Plant and commercial shipping traffic.

Under contract with the vessel's deepwater Oil Spill Response Organization (OSRO), Clean Harbors Environmental Services (CHES) mobilized up to 360 people during this cleanup, managed by our internal Event Strike Team. Clean Harbors' responsibilities included vessel dispatch, vessel decontamination, beach cleanup, and shoreline decontamination, marina cleaning, and managing the overall event decontamination area.

Responders utilized CHES facilities in Deptford, NJ and Bridgeport, NJ for staging and logistical support. Clean Harbors managed the vessel dispatch control from one of our Mobile Incident Command trailers in Gloucester City, NJ.

CHES continued working for the USCG after the response was federalized in March, 2005, and completed demobilization in May, 2005.

**BARGE #B-120 SPILL, BUZZARDS BAY, MA – APRIL, 2003**

**Project Overview:**

On Sunday, April 27, 2003, at approximately 5:00 PM, the Oil Barge B No. 120 reported sheening #6 fuel oil upon approach to the west entrance of the Cape Cod Canal. The barge was carrying approximately 97,000 barrels of oil. The original report estimated that the loss of oil was minimal. Coast Guard over-flights showed a visible sheen 15 miles long by 2 miles wide and a new estimate of 14,700 gallons (350 barrels) oil lost was determined. As the spill progressed, it was later determined that the actual amount of the spill was closer to 100,000 gallons.

Clean Harbors was notified at 6:15 PM and hired by the vessel's Primary Oil Spill Removal Organization (OSRO) to provide containment boom around the barge. The release was contained within the first tide cycle. However, the oil did impact several beaches and islands along the east and west sides of the bay.

The Clean Harbors Event Strike Team was in place on the day of the spill with 65 trained oil spill removal specialists and, at the height of activities, had a total of 813 people working with the U.S. Coast Guard, Mass. Department of Environmental Protection, as well as local governments and some private citizens. Racing the clock in preparation for the large beach crowds on Memorial Day weekend, the crews worked all day and night removing remaining floating oil and restoring many recreational beaches for use.

Buzzards Bay is a very sensitive area that contains numerous fishing and breeding grounds, pristine beaches, recreational activities and several endangered species. One of the challenges faced was protecting an endangered bird species, the Piping Plover. This bird is the size of a tennis ball and there are only 500 pairs left, all residing in Southeastern New England. In cooperation with the Federal and State Wildlife agencies, preventative measures were taken to protect the birds from the oil while their young were being hatched.

Clean Harbors worked in cooperation with the Responsible Party's Primary OSRO and the Coast Guard's Vessel of Opportunity Skimming System (VOSS) to complete open-water skimming operations. Clean Harbors also provided equipment, personal protective equipment and personal safety support through a comprehensive logistics system. This system ensured people in the field had the right tools for the work being performed and prevention of serious injuries, such as dehydration and heat exhaustion.

Supporting this effort, Clean Harbors brought experienced crews in from many of the 38 Field Services Offices and 46 Facilities including; Albany, Boston, Bow, Baltimore, Brooklyn, Chicago, Cincinnati, Deptford, Houston, Prince George, and Wichita. Additionally, Clean Harbors hired a number of subcontractors from around the country to provide OSHA compliant labor support.

The clean-up phase ended in July and the maintenance phase lasted through the summer months. All the beaches were restored to their previous state, or better.

## UNITED STATES POST OFFICE ANTHRAX ATTACK, NEW YORK, NY – SEPTEMBER, 2001

**Project Overview:**

On October 31, 2001, Clean Harbors Environmental Services was directed to proceed with emergency Anthrax cleanup at the United States Post Office Morgan facility in New York, New York. This facility is the city's main processing center and employs 5,500 people. Five machines tested positive for anthrax. The initial emergency response work was to be conducted on the third floor in an area of approximately 120,000 sq ft, containing 26 machines. The subject area was bordered to the North by 29th street, to the South by 28th street, to the West by 10th avenue and to the East by an area known as ASM 100.

Pursuant to plans, specifications and safety protocols prepared by an independent consultant, Clean Harbors was responsible for isolation of work areas identified by the Client. Work zone isolation techniques included standard protocol incorporating polyethylene sheeting barriers, warning tape and high volume air movers equipped with HEPA filters. The high volume air movers, also know as negative air machines, were used to maintain negative pressure with the exhaust either run to the building exterior or run to a second machine before discharge into the building interior. In general, all elevated horizontal surfaces and all machine surfaces within the effected areas were initially cleaned with HEPA-filter equipped vacuums. A 0.5% sodium hypochlorite solution was subsequently applied to all surfaces of the machines. Contact time for this solution would be at least 15 minutes. The surface was then neutralized using a sodium thiosulfate and water solution. All machine surfaces were then water washed and ultimately wrapped in polyethylene sheeting. Exterior surfaces of non-porous equipment and floor surfaces in the effected areas were cleaned in the same manner. Air diffuser ducts and the exterior of the HVAC return ducts in the effected area were vacuumed and washed as previously described. All return ducts were then covered using polyethylene sheeting.

In addition to more than 200 other personnel engaged in various support functions associated with recovery efforts, Clean Harbors mobilized approximately 225 people to staff this time-critical project. Technical support teams managed cleanup crews who worked around the clock, seven days per week for over five weeks to restore the city's main processing center to full capacity. Areas of the facility were able to remain functional while crews effectively decontaminated more than 60 machines, 400,000 square feet of floor space and associated ventilation systems. Clean Harbors also managed the transportation and disposal of decontamination-derived wastes and coordinated the overall effort with the client's consultant. Clean Harbors crews decontaminated each facility efficiently and effectively, completing the postal facility project ahead of schedule and under budget without closing it for even one day.

**WORLD TRADE CENTER TERRORIST ATTACH, SEPTEMBER 11, 2001 – NEW YORK, NY**

**Project Overview:**

On the morning of September 11, 2001 the United States Homeland suffered the most devastating attack in American history. Four commercial airline flights were hijacked that day. Two of the four crashed into each of the World Trade Center's (WTC) landmark Twin Towers. Clean Harbors was immediately called upon to deploy personnel and equipment to assist local businesses, utility companies, and government agencies in protecting public health, safety and the environment.

Clean Harbors activated one of its Mobile Incident Command Units to lower Manhattan and began dispatching crews to assist in debris removal from various utility manholes located in close proximity to the WTC Twin Towers. Crews were awaiting clearance to proceed from the New York Fire Department when the first tower collapsed.

Clean Harbors crews from around the country were dispatched to our Command Center located near Ground Zero. Clean Harbors' working relationships with several local utility companies as well as emergency response agreements with several Federal Agencies allowed them to play a primary role in the disaster response. New York City's Office of Emergency Management, Federal Emergency Management Agency, and Joint Incident Command System (ICS) recognized Clean Harbors as a leader in the area of environmental emergency response.

Due to wide ranging task assignments, personnel of Clean Harbors reported to several different authorities within ICS. Furthermore, local businesses utilized Clean Harbors to remove and dispose of oily debris from flooded basements and to abate dust from various offices, warehouses and retail stores. Local utility companies employed Clean Harbors to clean manholes potentially contaminated with debris, cable oil, transformer oil and lead. Crews saw-cut trenches to allow for new cable to be installed. Consulting Engineers utilized Clean Harbors' resources to remove petroleum products from various underground storage tanks and pump oil contaminated water through portable treatment systems. Air movers with HEPA filters were deployed to remove debris from neighboring areas as far as a mile away from Ground Zero.

Clean Harbors carried out the New York City Department of Health's requirement to wash and contain runoff from every vehicle leaving Ground Zero, in order to capture any loose debris, dust and potential contaminants that might otherwise escape from the exclusion zone. Portable decontamination pads were installed to contain runoff from the vehicle wash stations set up in the support zone. Additionally, under the direction of the Federal Government, Clean Harbors supported Urban Search and Rescue Teams by obtaining and strategically staging portable wash stations and comfort areas. All response and rescue personnel were able to use hot showers and wash-sinks located throughout the Ground Zero Support Zone. This allowed them to remove any potential inhalant particulates and/or blood-born pathogens as well as sanitize their respirators for reuse on their next shift.

At the peak of this demanding and extremely emotional project, Clean Harbors deployed in excess of 140 Technicians, Equipment Operators, Foremen and Project Supervisors to the site. Clean Harbors employees drawn from various Response Centers around the country, maintained many wash stations throughout Ground Zero as well as supported the day-to-day efforts of debris removal and utility repair.

While Clean Harbors' Emergency Response Strike Force was fully deployed at Ground Zero, anthrax began to threaten America's health and the environment and Clean Harbors deployed an additional 225 employees strictly for anthrax response. Clean Harbors simultaneous response to the government's call for help at Ground Zero and help in decontaminating anthrax locations in New York City, transformed their already outstanding accomplishment into a truly extraordinary feat. Clean Harbors was called upon to decontaminate the national studios of NBC and CBS, as well as the Morgan Postal Facility in Manhattan, which, with its 5,500 postal employees, moves more mail per day than any other facility in the country.

In summary, within hours after the two airliners struck the World Trade Towers on September 11th, Clean Harbors was on-scene providing comprehensive environmental emergency response services. These services continued to be provided, 24 hours a day, until demobilization orders were received in early April, as the clean-up process neared completion, and served to demonstrate Clean Harbors efficient mobilization, organizational, logistical and operational capabilities and Clean Harbors ability to continue to provide normal emergency and non-emergency services to its regula clients throughout the nation during the emergency.

## SOUTHSIDE RIVER RAIL TANK COLLAPSE & SALVAGE, CINCINNATI, OH – JANUARY, 2000

**Project Overview:**

On January 8, 2000, a one million gallon tank containing liquid nitrogen fertilizer ruptured, emptied 980,000 gallons of material into the concrete/earthen containment wall. The sudden discharge caused the wall to collapse and the bulk of the material flowed through the wall, over the dock barges and into the Ohio River, sending two semi-tractors and debris out into the river.

Clean Harbors personnel arrived on site and deployed 700 feet of containment boom and 100 feet of deflection boom into the Ohio River around the collapsed portion of the containment area. Adjacent to the failed tank were four other one million gallon tanks, containing oils and solvents. The collapse caused major damage to two of the other tanks resulting in extreme concern of additional tank failures.

On site regulatory personnel included the local fire and police departments, Ohio Environmental Protection Agency, United States Environmental Protection Agency, the United States Coast Guard, and the local health department. The United States Environmental Protection Agency requested the Coast Guard National Strike Team to help assist and the Federal Bureau of Investigation arrived on site to do an investigation for possible Year 2000 sabotage (which was later ruled out).

After securing the initial concerns, Clean Harbors continued a 24-hour operation and began pumping out approximately 120,000 gallons of liquid fertilizer from the containment area and transferring the material to another tank.

After review of the situation with the regulatory agencies, it was decided to have Clean Harbors deploy an additional 1,000 feet of containment boom and 200 feet of deflection boom in the river for possible recovery from another tank failure.

Clean Harbors then assisted the responsible party in transferring approximately 3.5 million gallons of the oil and solvent products from the other tanks for storage. Each tank was then cleaned and the waste material placed in a fractionized tank for later disposal.

Clean Harbors then began removal of the semi-tractors from the river. A diver was sent down to locate and hook up the tractors and a barge-mounted crane was used to remove them. Clean Harbors personnel used absorbent pads to soak up fuel oil as the tractors were removed.

Clean Harbors then rinsed down the collapsed tank carcass and the scrap was removed. The containment wall was repaired and then the entire boom was removed from the river.

**WOOD RIVER REFINING COMPANY PIPELINE SPILL, WOOD RIVER, IL – JANUARY, 1999**

**Project Overview:**

The responsible party to respond to a diesel fuel pipeline leak in January 1999 activated Clean Harbors' emergency teams. Immediately after receiving the call, three 5,000-gallon vacuum units, a six-man crew with skimmers and containment boom were mobilized and two members of the Clean Harbors' Event Strike Team were flown to St. Louis to assess the situation.

The amount of the release was unknown at that time. However, over the next several hours, Clean Harbors provided sixty 40-hour OSHA trained people to deploy over 2,000 feet of boom and assist in the cleanup. Two 16-foot Pointer workboats and five john boats were deployed from Clean Harbors' Service Centers in the Midwest.

Clean Harbors was assisted by another oil spill response organization with personnel and resources, including a vacuum transfer unit, which was barge mounted, to recover product not easily captured using land based recovery equipment. Clean Harbors acted as the primary contractor and supplied engineering plans for an oil collection system to be placed at the origin of the leak. The plan was implemented and the system prevented further impact on the Mississippi River.

The cleanup lasted for nearly three weeks. Clean Harbors personnel remained on site until decontamination was completed on all deployed equipment.

**JULIE N. OIL TANKER SPILL, PORTLAND, ME – SEPTEMBER, 1996**

**Project Overview:**

On Friday, September 27, 1996, the Motor Vessel Julie N, a 560-foot tanker, collided with the "Million Dollar Bridge" in the Fore River area of Portland Harbor. The vessel then proceeded under its own power to the Sprague Dock. The Clean Harbors Event Strike Team personnel responded to the emergency immediately and, working under the line-handling contract with Moran Shipping (the vessel's agent) moored the vessel to the dock and assisted in the booming.

The vessel, which was carrying a primary cargo of diesel fuel, spilled approximately 60,000 gallons of heavy bunker oil from its fuel tanks and approximately 120,000 gallons of the diesel fuel from its cargo tanks into the waters off Portland Harbor. Over the next several hours and days, Clean Harbors, working in cooperation with Clean Casco Bay and other local contractors, as well as Fire Department personnel, responded with nearly 150 OSHA 40-hour trained people, a Mobile Command Center, and a complete Supply and Logistics organization. Additionally, Clean Harbors provided 11 workboats and trained marine operators.

Clean Harbors' Portland, ME personnel were supplemented with Clean Harbors Strike Team personnel from Bangor, ME, Bow, NH, Boston, MA, Providence, RI, New Britain, CT, Albany, NY, Edison, NJ, Philadelphia, PA, Baltimore, MD, Richmond, VA, Charleston, SC, Chicago, IL, Cleveland, OH, Cincinnati, OH and Pittsburgh, PA

Working in cooperation with two National Oil Spill Cleanup Contractors and Response Organization contractors, Clean Harbors assisted in the operation of Oil Spill Response Vessels and VOSS equipment. Within three days, over 700 people were actively engaged in cleaning up the spill and preventing further spillage.

Clean Harbors, in addition to being the primary contractor on site, was also tasked with supplying all other parties with necessary materials and logistics services.

Active cleanup continued until approximately Thanksgiving, at which time, work transitioned from the recovery mode to the maintenance phase. This maintenance work continued for the better part of the winter.

**ANITRA OIL TANKER SPILL, CAPE MAY, NJ - MAY/JUNE, 1996**

**Project Overview:**

On May 17, 1996, Clean Harbors was called to assist in the recovery efforts of a 40,000-gallon release of #6 grade fuel oil in Delaware Bay from the French Tanker, Anitra. The Anitra was in the process of lightering at the time of the spill (transferring its cargo to smaller vessels with less draft so that cargo could be taken into Delaware Bay).

The initial spill occurred at the mouth of Delaware Bay, but prevailing winds and tidal currents soon drove the product out into the Atlantic Ocean and then onto the 40 miles of New Jersey Coast from Cape May to Brigantine.

Clean Harbors mobilized 75 responders from its Strike Team network along with a Mobile Command Center and Logistics group. Clean Harbors provided both beach clean-up services and logistics support, including portable sanitary facilities, tents and roll-off container services.

Crews were in a race against time to clean the beaches before the traditionally busy Memorial Day weekend. They were successful in this effort, in that the beaches were clean for that important holiday. Crews were available to perform beach maintenance for three weeks after the holiday weekend.

## NORTH CAPE OIL BARGE SPILL, SOUTH COUNTY, RI – JANUARY, 1996

**Project Overview:**

On Friday, January 19, 1996, Clean Harbors' Providence, RI office was informed of a tugboat ablaze in Block Island Sound, south of Point Judith, RI. The crew of the tugboat "Scandia" was abandoning ship. Attached to the tug, by towline, was the barge "North Cape", which was reportedly carrying four million gallons of number 2 fuel oil.

Clean Harbors promptly dispatched a Supervisor and Foreman to the United States Coast Guard station at Point Judith to offer assistance and to help monitor the situation. The Rhode Island Department of Environmental Management (RI DEM) was at the Coast Guard Station when Clean Harbors personnel arrived and a discussion ensued on the immediate issues. The status at that time was that the tug was on fire and the crew had been rescued, but the tug and barge were both adrift and headed towards sensitive barrier beach areas. Local tugs were unable to assist due to heavy weather conditions.

Clean Harbors was requested to assist the RI DEM at the location where the barge was expected to go aground (Moonstone Beach in Narragansett, RI). The barge did, in fact, wash ashore that night and a heavy odor of oil confirmed everyone's suspicions that the cargo was in fact leaking. Due to the forecast of heavy weather until daybreak, cleanup activities were not scheduled to begin until the next morning.

Clean Harbors, along with one of the National Oil Spill Cleanup Contractors and Response Organization's salvage contractor, and the barge owner were tasked with several difficult and specialized operations. In the days following the grounding, the coastal areas from Point Judith to the Quonochontaug Breach way fell under heavy scrutiny. By Saturday the 20th, crews had deployed approximately 6,000 feet of containment boom to protect areas designated "sensitive" on the Area Contingency Plan. Breach ways connecting the coastal ponds to the Atlantic became non-navigable due to the web of lines, booms, and anchors.

Tidal currents in excess of 20 knots forced cleanup crews to wait for tidal shifts in order to set equipment. The tidal shift consisted of a five to ten minute window of opportunity each day. With the assistance from local fire department ice rescue teams, lines were shot across the 75 foot breach using .22 caliber rifles. These lines were then used to se mooring lines in place. Many deflection booms had to be set at angles of 15 degree or less to counteract the high current flows.

An estimated 8,000 feet of absorbent boom and sweep were also deployed within Point Judith Pond, Card Pond, Trustom Pond, Green Hill Pond, Charlestown Pond, and Quonochontaug Pond. Most of this material was set in conjunction with containment booms. However, some absorbents were used by local shell-fishermen to protect private seed beds. Approximately 500 feet of containment boom was deployed at the entrance to the Great Salt Pond on New Shoreham (Block Island), but no oil ever reached "The Block."

A combined effort, involving Clean Harbors and several other contractors working around the clock was required to maintain collection points and deflection booms that were being severely strained by high winds and strong currents. Overall there were approximately 60 people involved with the coastal protection on a daily basis.

More than 20 general utility boats worked in the pond areas for the next week. Although there was substantial oil impact along the barrier beaches, the coastal ponds faired well, and flushed clean within weeks.

## EAGLE POINT REFINERY, REFINERY SPILL, PAULSBORO, NJ - JULY/AUGUST 1995

**Project Overview:**

On July 23, 1995, Clean Harbors was activated by National Response Corporation (NRC) as part of their ICN (Independent Contractors Network) to assist in the clean-up efforts at a spill on the Delaware River at the Coastal Eagle Point facility in Paulsboro, NJ.

A "mini tornado" struck the Norwegian Tanker JAHRE SPRAY as it was discharging a cargo of crude oil at the Coastal Facility. Approximately 84,000 gallons of the product was released into the river when the force of the tornado drove the vessel away from the loading docks, causing the discharge hose to break loose.

Clean Harbors mobilized nearly 150 spill responders from various locations to assist in the cleanup efforts. Clean Harbors also deployed 15 workboats to work on the spill, which affected nearly seven miles of the riverbank. When the job progressed to the maintenance phase, Clean Harbors was able to provide 14 pressure washing units and various absorbent materials to aid in the recovery efforts. All work was performed during one of the worst heat waves ever experienced in the Philadelphia area. The average temperature during this project was over 98 degrees F.

Clean-up efforts continued until the second week of August, at which time the majority of the oil had been cleaned up.

## MORRIS J. BERMAN BARGE SPILL, OLD SAN JUAN, PUERTO RICO – JANUARY, 1994

**Project Overview:**

On Friday, January 7, 1994 between Midnight and 4 a.m., the Morris J. Berman oil barge parted its towline and struck a reef in front of the Escambron Beach area near Old San Juan. The barge was reportedly carrying 35,000 barrels of number 6 fuel oil and proceeded to spill approximately 20,000 barrels of oil (880,000 gallons) during the course of a week as it broke up on the reef. The areas impacted were popular tourist beaches in front of two of the areas more exclusive resort hotels.

The National Response Corporation (NRC), which had an OPA-90 contract with the barge owner, was called at 6 a.m. New York time and immediately began mobilizing equipment and personnel. NRC then called Clean Harbors to assist them in the response and recovery effort.

Two Clean Harbors Supervisors based in Puerto Rico were on site by 9 a.m. January 7th assisting Puerto Rico based NRC personnel as first responders. Clean Harbors then added five Mainland Supervisors on January 8th and within a short time expanded the initial force with up to 20 additional personnel. Clean Harbors was tasked with supervising up to 400 local labor personnel at the height of the spill.

The spill consisted of three phases from an administrative viewpoint and two phases from an operational viewpoint. In the first instance, Clean Harbors worked for NRC who, in turn, worked for the insurance agency representing the barge owners. As the insurance coverage ran out, NRC executed a commercial contract with the Coast Guard and began working directly for them and Clean Harbors continued working for NRC. This phase lasted several more weeks until Clean Harbors began working directly for the Coast Guard under an existing Basic Ordering Agreement (BOA).

Operationally, during these administrative phases, the spill moved in a gradual transition from emergency 24 hr. around the clock response, to planned emergency work which consisted of 10 to 12 hour days cleaning the beach and performing routine maintenance checks.

**BERMUDA STAR OIL SPILL, CAPE COD, MA – JUNE, 1990**

**Project Overview:**

In June of 1990, Clean Harbors was hired by the owners of the Bermuda Star to provide containment and cleanup services in connection with the grounding of the cruise liner at the entrance of the Cape Cod Canal. Cleanup operations included major booming of the vessel while at anchorage. Other operations included shoreline cleanup of remote offshore islands in the Woods Hole area. This required the use of barges and marine support equipment to handle up to 75 field personnel and handling of oil contaminated debris and barge mounted roll-off containers.

**BT NAUTILUS OIL TANKER SPILL, STATEN ISLAND, NY – JUNE, 1990**

**Project Overview:**

In June of 1990, Clean Harbors was hired by the owners' representatives of the BT Nautilus to assist in the containment and cleanup of approximately 250,000 gallons of number 6 fuel oil that spilled as a result of grounding in the Kill Van Kull waterway. At the height of the incident, Clean Harbors has over 100 personnel, three vacuum trucks, 15 boats, two vactors, and 8,000 feet of boom on site.

## WORLD PRODIGY OIL TANKER SPILL, NEWPORT, RI – JUNE, 1989

**Project Overview:**

On Friday, June 17, 1989 at 4:40 p.m., the 532 foot oil tanker, World Prodigy, carrying approximately 8.1 million gallons of number 2 home heating oil, struck a submerged reef about one mile south of Newport, Rhode Island in Narragansett Bay. The impact produced a 200-foot long gash, up to 5 feet wide, on one side of the ship and 150 feet of dents, holes and cracks along the other side. Nine of the tankers 23 containment tanks had ruptured releasing 420,000 gallons of oil into the Atlantic Ocean. At the time, it was the worst oil spill to imperil the New England coast in over a decade.

The spill endangered the nearby shoreline, which included numerous beaches, environmentally sensitive salt marshes and coves, and spawning grounds for fish and shellfish. It was also life threatening to sea birds and other coastal wildlife. Clean Harbors' crews and equipment were dispatched within minutes of the accident. By the time notification of the accident was received from state officials, Clean Harbors was already in route to the site.

Less than ninety minutes after the accident occurred, Clean Harbors' crews, workboats, oil transfer equipment, vacuum trucks, and other vehicles and equipment were arriving at the scene to initiate containment activities. A helicopter was also used to speed personnel and supplies from the shore to the spill site. Within hours of the accident, the United States Coast Guard assumed responsibility for emergency operations, and Clean Harbors was appointed as the primary emergency response contractor.

Clean Harbors founder and Chairman, Alan S. McKim was one of the first to arrive at the accident scene and supervised Clean Harbors' cleanup operation from aboard the World Prodigy. By nightfall, the ship was encircled by a ring of containment booms to help prevent the spread of leaking oil and arrangements were made to bring in two barges which would be needed to off-load oil from the crippled tanker.

Additional personnel and equipment were in route and arriving from several Clean Harbors' service centers throughout the Northeast, and by the next morning approximately 150 Clean Harbors employees were at work using oil absorbent pads, high-powered vacuums and skimmers to remove the oil from the water's surface. Absorbent booms ranging from 100 to 3000 feet in length were strung across environmentally sensitive coves and inlets to protect them from contamination and oil off-loading and transfer activities were in full swing.

By Tuesday, June 21st, the primary danger was considered past and Government officials pronounced that the coastline was nearly clear of the threat posed by the oil spill. Clean Harbors personnel, however, remained on the scene and off-loading and cleanup activities continued until the disabled ship was towed away the following week. By this time, there were virtually no remaining visual indications that the oil spill had occurred.

# USCG OSRO RATINGS BY CAPTAIN OF THE PORT (COTP) ZONE

**Oil Spill Response Organization (OSRO)**
**Clean Harbors Environmental Services (OSRO #13)**

| Captain of the Port (COTP) Zone | Environment | Facility | Vessel |
|---|---|---|---|
| Baltimore | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Boston - HVP | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Buffalo | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Buffalo (Oswego NY) | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Charleston | River/Canal | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | WCD2, WCD3, | MMPD, WCD1, WCD2, WCD3 |
| Lake Michigan | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Buffalo | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |

| Captain of the Port (COTP) Zone | Environment | Facility | Vessel |
|---|---|---|---|
| Corpus Christi - HVP | River/Canal | WCD3 | MMPD, WCD2, WCD3 |
| | Inland | WCD3 | MMPD, WCD3 |
| Detroit | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Duluth | River/Canal | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Great Lakes | WCD2, WCD3 | WCD2, WCD3 |
| Guam | Inland | WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Hampton Roads | River/Canal | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Houston – Galveston - HVP | River/Canal | MMPD, WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Inland | MMPD, WCD3 | MMPD, WCD3 |
| Ohio Valley | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Jacksonville | River/Canal | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Jacksonville (Port | River/Canal | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Canaveral, FL) | Inland | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Long Island Sound | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Ohio Valley | River/Canal | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |

| Captain of the Port (COTP) Zone | Environment | Facility | Vessel |
|---|---|---|---|
| Lower Mississippi | River/Canal | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Miami | River/Canal | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Lake Michigan | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Mobile | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Mobile (Panama City, FL) | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Morgan City | River/Canal | MMPD, WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD2, WCD3 |
| New Orleans - HVP | River/Canal | MMPD, WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Inland | MMPD, WCD3 | MMPD, WCD2, WCD3 |
| New York - HVP | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Ohio Valley | River/Canal | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Delaware Bay - HVP | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |

| Captain of the Port (COTP) Zone | Environment | Facility | Vessel |
|---|---|---|---|
| Pittsburgh | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Port Arthur - HVP | River/Canal | MMPD, WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Inland | MMPD, WCD3 | MMPD, WCD3 |
| Northern, New England | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Portland, OR | River/Canal | WCD3 | MMPD, WCD3 |
| | Inland | - | MMPD, WCD3 |
| Portland, OR (Coos Bay, OR) | River/Canal | MMPD, WCD3 | MMPD, WCD3 |
| | Inland | - | MMPD |
| Southeastern New England | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Upper Mississippi | River/Canal | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| San Diego | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Inland | - | MMPD, WCD3 |
| San Juan | River/Canal | WCD3 | WCD3 |
| | Inland | WCD3 | WCD3 |
| Sault Ste. Marie | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Sault Ste. Marie (Alpena, MI) | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |

| Captain of the Port (COTP) Zone | Environment | Facility | Vessel |
|---|---|---|---|
| Sault Ste. Marie (Marquette, MI) | River/Canal | WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| | Great Lakes | WCD2, WCD3 | WCD2, WCD3 |
| Sault Ste. Marie (Traverse City, MI) | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Savannah | River/Canal | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| St. Petersburg | River/Canal | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD2, WCD3 |
| Detroit | River/Canal | MMPD, WCD1, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Great Lakes | MMPD, WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| Cape Fear River | River/Canal | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |
| | Inland | WCD2, WCD3 | MMPD, WCD1, WCD2, WCD3 |

CleanHarbors®
ENVIRONMENTAL SERVICES, INC.

1[illegible] South Stony Island Avenue
C[illegible]o, IL 60617
773.646.6202
Fax 773.646.6381

Oct. 9, 2009

Frick Services Incorporated
570 East Boundry Road
Portage IN 46368

Dear Mr. Frick:

This letter is in regards to your disposal plan of the material in your storage tanks at the address listed above, if in the event your company has a spill (emergency response) of any of the following material:

Lube oil
Soybean oil
Fertilizer
Calcium Chloride

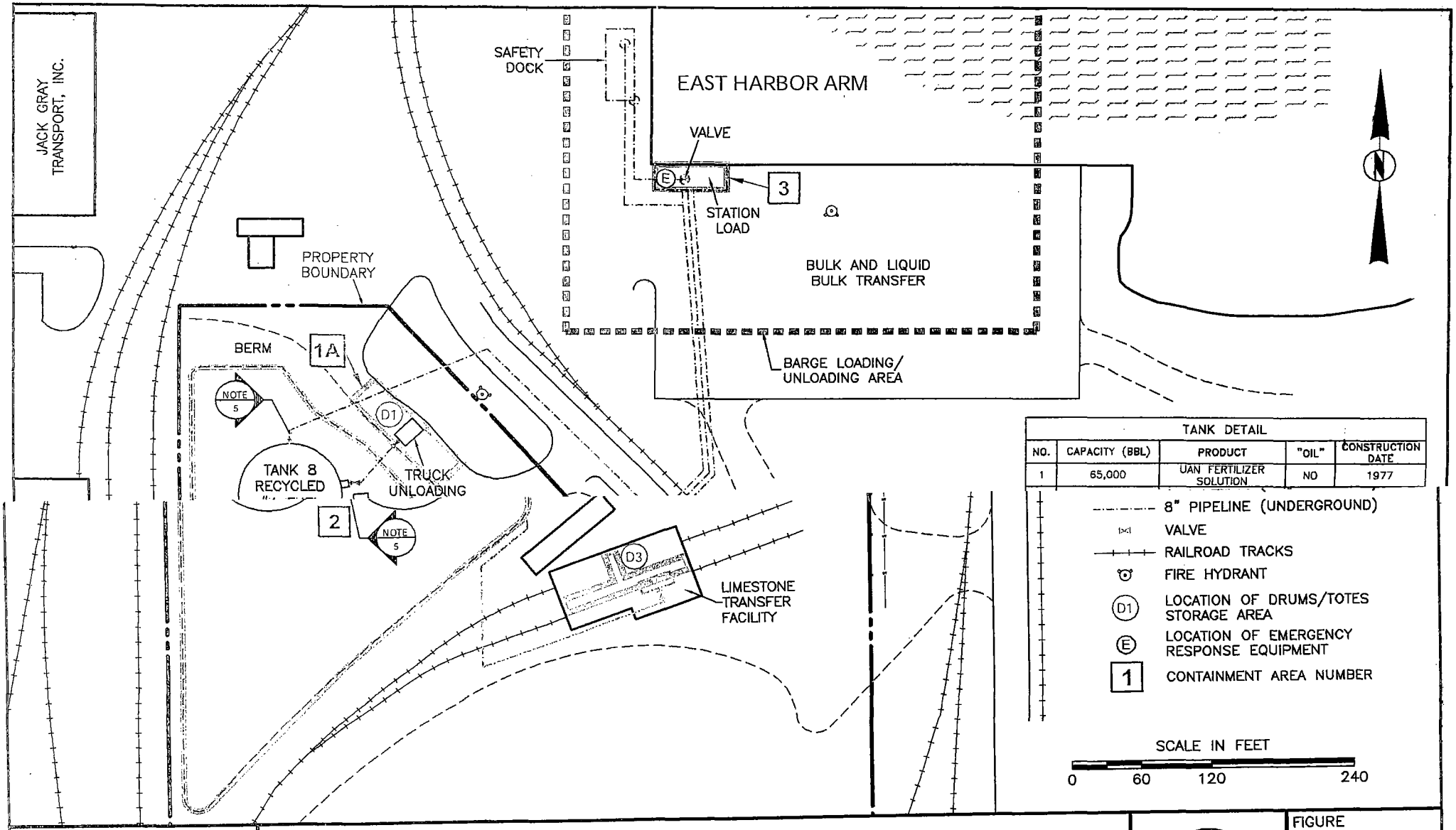
Clean Harbors Environmental Services has the appropriate permits and will accept profiled waste into an approved CHES facility.

Thank you,

Jim Laubsted
Compliance Manager of Chicago, IL

# APPENDIX C

## FACILITY MAPS, DIAGRAMS, AND EVACUATION ROUTES




| | |
|---|---|
| CHECK BY | CAP |
| DRAWN BY | OS/JL |
| DATE | 10/9/2009 |
| SCALE | AS SHOWN |
| CAD NO. | 08054.04a |
| PRJ NO. | 07008–008054 |

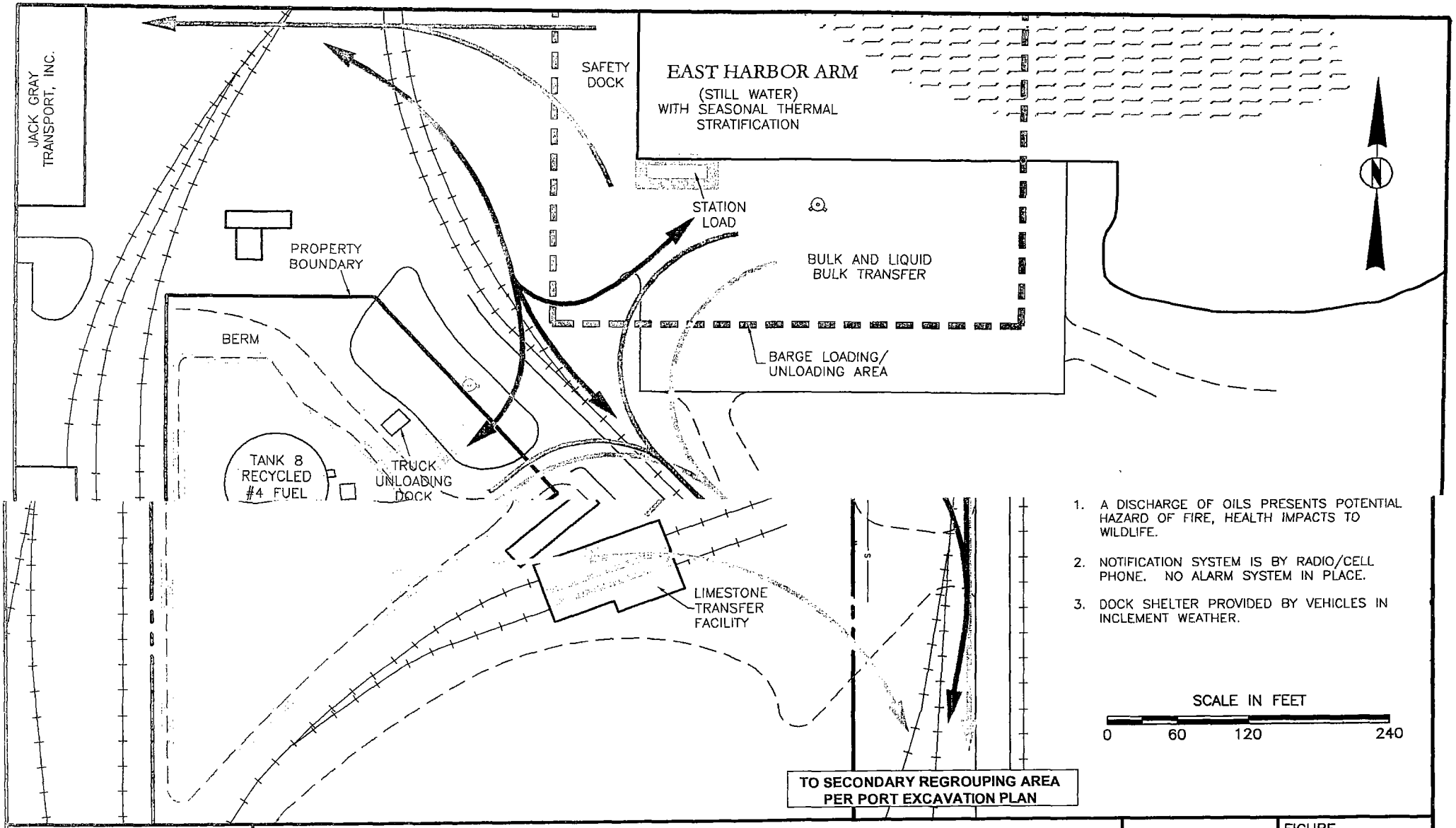
SITE PLAN

FRICK SERVICES, INC.
PORT OF INDIANA
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

1




| | |
|---|---|
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| DRAWN BY | OS/JL |
| DATE | 10/2/2009 |
| SCALE | AS SHOWN |
| CAD NO. | 08054.04c |
| PRJ NO. | 07008-008054 |

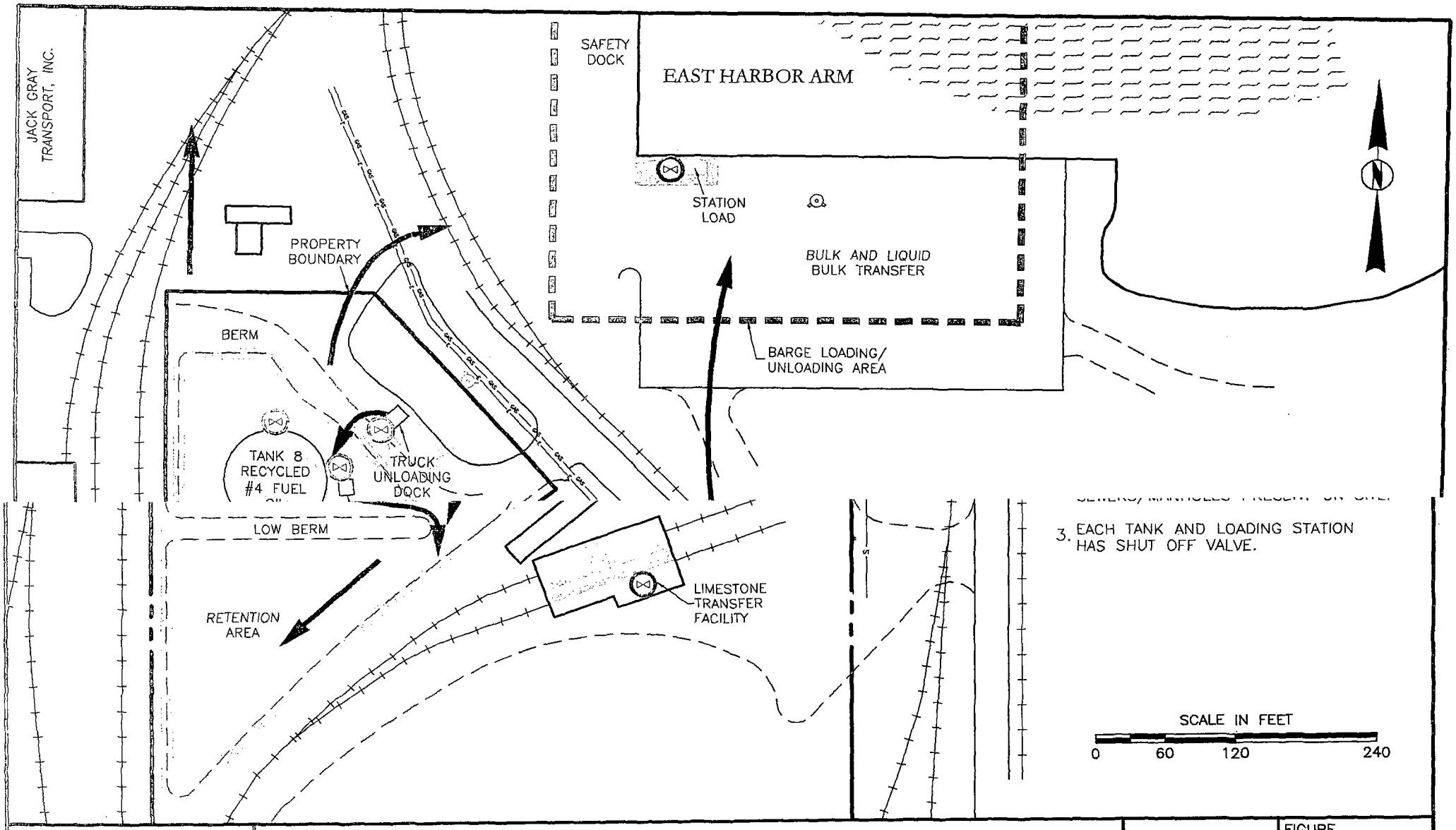
SITE EVACUATION PLAN

FRICK SERVICES, INC.
PORT OF INDIANA
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

2




| | |
|---|---|
| CHECK BY | CAP |
| DRAWN BY | OS/JL |
| DATE | 10/2/2009 |
| SCALE | AS SHOWN |
| CAD NO. | 08054.04b |
| PRJ NO. | 07008-008054 |

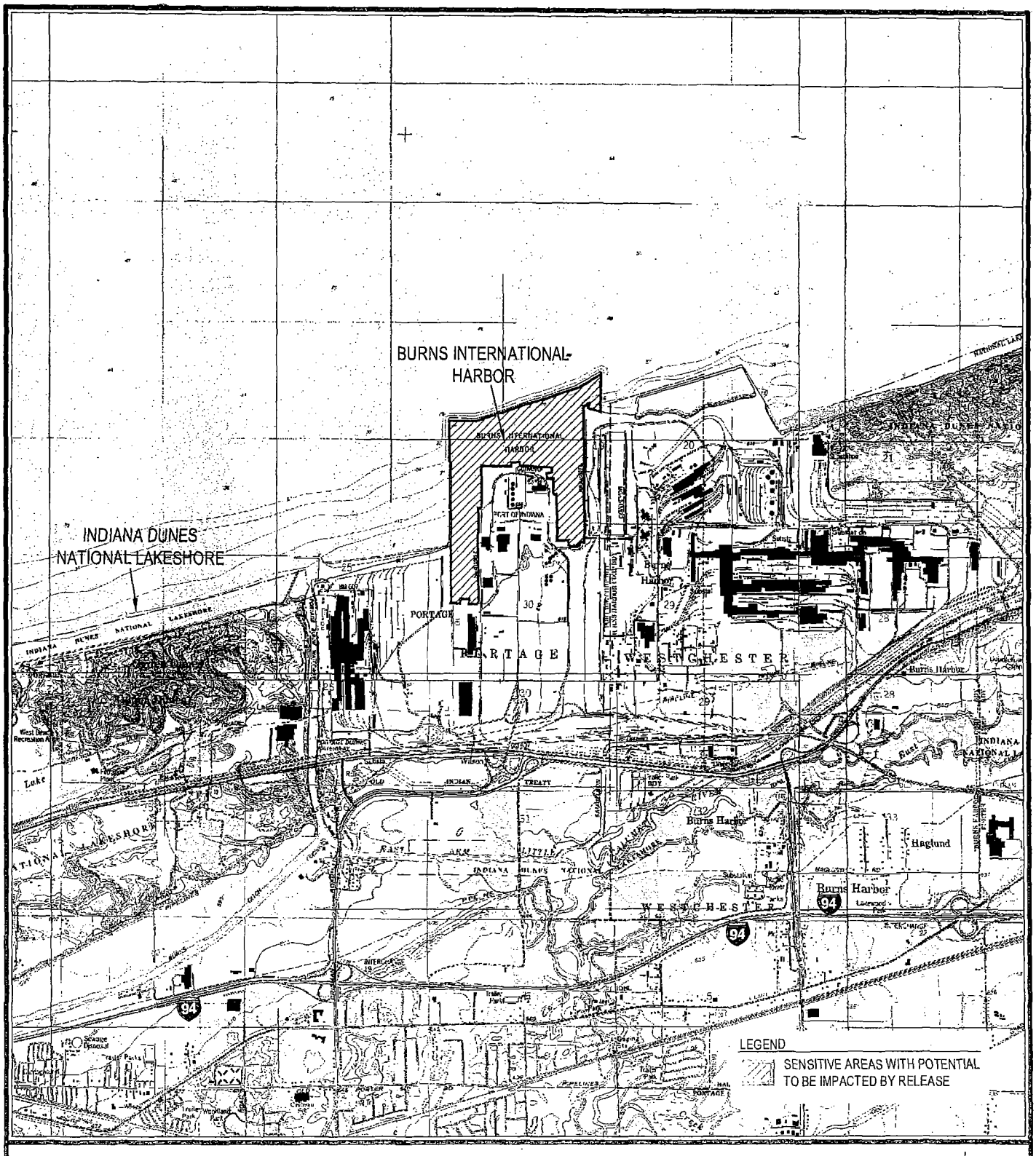
SITE DRAINAGE PLAN

FRICK SERVICES, INC.
PORT OF INDIANA
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

3



QUADRANGLE LOCATION

Scale 1:24000

0 1 MILE 2 MILES

2000 0 2000 4000 6000

(SOURCE OF MAP IS USGS 7.5 MINUTE QUADRANGLE MAP, OGDEN DUNES (1991), INDIANA)

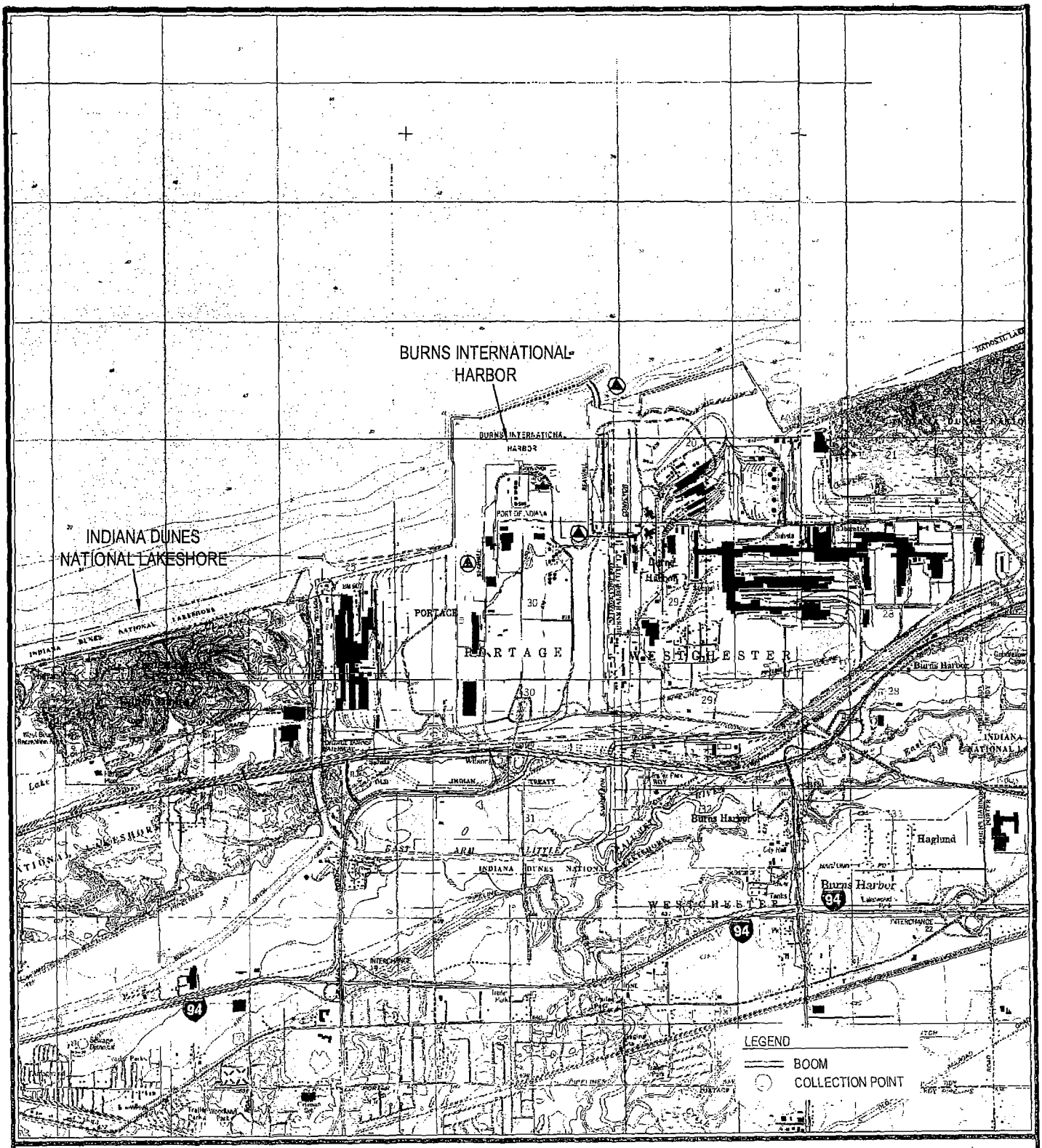
| | |
|---|---|
| CHECK BY | ESS |
| DRAWN BY | OS |
| DATE | 11-17-08 |
| SCALE | 1"=4,000' |
| CAD NO. | 08054.01D |
| PRJ NO. | 07008-008054 |

POTENTIALLY IMPACTED ENVIRONMENTAL SENSITIVE AREAS

FRICK SERVICES, INC.
PORT OF INDIANA
PORTAGE, INDIANA

FIGURE

4



QUADRANGLE LOCATION

Scale 1:24000

0 1 MILE 2 MILES

2000 0 2000 4000 6000

(SOURCE OF MAP IS USGS 7.5 MINUTE QUADRANGLE MAP, OGDEN DUNES (1991), INDIANA)

| | |
|---|---|
| CHECK BY | ESS |
| DRAWN BY | OS |
| DATE | 11-17-08 |
| SCALE | 1"=4,000' |
| CAD NO. | 08054.01E |
| PRJ NO. | 07008-008054 |

BOOM AND COLLECTION POINT LOCATIONS

FRICK SERVICES, INC.
PORT OF INDIANA
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

5

# APPENDIX D

## BULK STORAGE TANK INVENTORY

FrickServices,inc.

FRICK SERVICES, INC.
PORT OF INDIANA LIQUID TERMINAL
BULK TANK INVENTORY TABLE
Facility Response Plan (40 CFR 112)

STD FRP
PAGE Inventory
REV 4
DATE Oct-09

| Tank No. | Substance Stored | Quanity Stored (gallons) | Year Built | Tank Type | Maximum Capacity (gallons) | Secondary Containment Volume (gallons) | Failure / Cause |
|---|---|---|---|---|---|---|---|
| Tank 1 | UAN Fertilizer Solution | <2,380,000 | 1977 | Fixed Roof | 2,800,000 | 3,080,000 (est) | None |
| Tank 2 | Calcium Chloride | <2,380,000 | 1978 | Fixed Roof | 2,800,000 | 3,080,000 (est) | None |
| Tank 3 | UAN Fertilizer Solution | <2,380,000 | 1977 | Fixed Roof | 2,800,000 | 3,080,000 (est) | None |
| Tank 4 | UAN Fertilizer Solution | <2,380,000 | 1977 | Fixed Roof | 2,800,000 | 3,080,000 (est) | None |
| Tank 5 | UAN Fertilizer Solution | <2,380,000 | 1981 | Fixed Roof | 2,800,000 | 3,080,000 (est) | None |
| Tank 6 * | Recycled No.4 Fuel Oil (Used Oil) | <731,000 | 1996 | Fixed Roof | 860,000 | 706,000 | None |
| Tank 7 * | Soybean Oil | <2,380,000 | 2000 | Fixed Roof | 2,800,000 | 3,080,000 (est) | None |
| Tank 8 * | Recycled No.4 Fuel Oil (Used Oil) | <1,615,000 | Unknown | Fixed Roof | 1,900,000 | 648,000 | None |
| A | Boost Deicer | <25,500 | 1995 | High pressure spherical | 30,000 | Unknown | None |
| B | Boost Deicer | <25,500 | 1995 | High pressure spherical | 30,000 | Unknown | None |
| C | Boost Deicer | <25,500 | 1995 | High pressure spherical | 30,000 | Unknown | None |
| 1 | Ice Bite Deicer (beet juice) | <25,500 | 1995 | High pressure spherical | 30,000 | Unknown | None |
| 2 | Ice Bite Deicer (beet juice) | <25,500 | 1995 | High pressure spherical | 30,000 | Unknown | None |
| 3 | Ice Bite Deicer (beet juice) | <25,500 | 1995 | High pressure spherical | 30,000 | Unknown | None |
| 4 | Boost Deicer | <25,500 | 1995 | High pressure spherical | 30,000 | Unknown | None |
| 15 | :Total Number of Tanks | | | | 19,770,000 | : Total Stored Capacity | |

NOTES:

* Containers that store oil

# MATERIAL SAFETY DATA SHEET

Product - Recycled #4 Fuel Oil

Marketer: Future Environmental, Inc.

Phone Number: 708-479-6900
Emergency Phone Number: 708-479-6900

## Section 1 – Material Identification and Information

Components – Hazardous
None – Meets EPA non hazardous specifications

Components – Non-Hazardous

| | |
|---|---|
| Petroleum Hydrocarbons – aliphatic | 99+% |
| Lubricating Oil Additives | <1% |

## Section 2 – Physical/Chemical Characteristics

| | | | |
|---|---|---|---|
| Boiling Point | >385degrees | Specific Gravity | 0.8-0.9 |
| Vapor Pressure | <0.05mmhg@25dg.C | Melting Point | N/A |
| Vapor Density (air = 1) | N/A | Evaporation Rate (butyl acetate – 1) | N/A |
| Solubility in Water | Not Soluble | Water Reactive | Not Reactive |

Appearance and Odor - Brown to black slightly viscous liquid -- odor of oil

## Section 3 – Fire and Explosion Hazard Date

| | |
|---|---|
| Flash Point | >210 degrees F |
| Autoignition Temperature | N/A |
| Flammability Limits in Air | LEL N/A UEL N/A |
| Extinguisher Media | Foam, Carbon Dioxide, or dry Chemical Extinguisher |

Special Fire Fighting Procedures:
Use of SCBA may be required incomplete combustion may produce CO
Unusual Fire/Explosion Hazards: Unknown hot vapors or aerosol may present a hazard

Section 4 – Reactivity Hazard Data

| | |
|---|---|
| Stability | Stable |
| Conditions to avoid: | Heat, sparks or open flame |
| Incompatibility: | Oxidizers |
| Hazardous Decomposition Products: | Incomplete combustion may Produce Carbon Monoxide |
| Hazardous Polymerization: | Will Not Occur |

Section 5 – Health Hazard Data

| | |
|---|---|
| Primary Route of Entry: | Absorption, ingestion |
| Carcinogen Listed in: | Not Listed |
| Health Hazards – acute: | Dermatitis – other hazards unknown |
| Chronic: | unknown |
| Signs/Symptoms of exposure: | N/A |
| Medical Conditions aggravated by exposure | unknown |

First Aid Procedures seek medical assistance for further treatment, observation, And support if necessary.

| | |
|---|---|
| Eye Contact | Flush immediately with clear water – see a physician |
| Skin Contact: | Clean area with soap and water -- if irritation results see Physician |
| Inhalation: | Remove to fresh air – see a physician |
| Ingestion: | Immediately call for medical assistance |

Section 6 – Control and Protective Measures

| | |
|---|---|
| Respiratory Protection: | None Required |
| Protective Gloves: | Recommended |
| Eye Protection: | Recommended |
| Ventilation to be used: | Local Exhaust |
| Other protective clothing: | None Required |
| Hygienic Work Practices: | Normal work practices |

Section 7 – Precautions for Sale Handling and Use/Leak Procedures

STEPS TO BE TAKEN IF MATERIAL IS SPILLED OR RELEASED: Soak up spilled material with absorbent. Clean hard surfaced areas with detergent and water. Remove contaminated soil for disposal.
WASTE DISPOSAL METHODS: Incineration of solidify and landfill in accordance with federal regulations as a non hazardous waste. Also check state and local regulations.
HANDLING AND STORAGE PRECAUTIONS: Work areas should be ventilated. Keep away from heat or flame.
SPECIAL HAZARDS: None

II. H

**Material Safety Data Sheet**
May be used to comply with OSHA's Hazard Communication Standard, 29 CFR 1910.1200. Standard must be consulted for specific requirements.

U.S. Department of Labor
Occupational Safety and Health Administration
(Non-Mandatory Form)
Form Approved
OMB No. 1218-0072

IDENTITY (As Used on Label and List) Soybean Oil

Note: Blank spaces are not permitted. If any item is not applicable, or no information is available, the space must be marked to indicate that.

**Section I**

| | |
|---|---|
| Manufacturer's Name | Emergency Telephone Number |
| Address (number, street, city, state, and ZIP code) | Telephone Number for Information |
| | Date Prepared: May 24, 1993 |
| | Signature of Preparer (optional): Gary R. Krieger, MD/MPH/DABT |

**Section II — Hazardous Ingredients/Identity Information**

| Hazardous Components (Specific Chemical Identity; Common Name(s)) | OSHA PEL | ACGIH TLV | Other Limits Recommended | % (optional) |
|---|---|---|---|---|
| Soybean Oil CAS # 800-122-7 | OSHA 15mg/m$^3$ | | | 100 |

NFPA Hazard Classification

| | |
|---|---|
| Health (Blue) | 0 |
| Flammability (Red) | 1 |
| Reactivity (Yellow) | 0 |

**Section III — Physical/Chemical Characteristics**

| | |
|---|---|
| Boiling Point: Not Available | Specific Gravity (H$_2$O = 1): 0.925 at 20° C |
| Vapor Pressure (mm Hg): Not Available | Melting Point: NA; Freezing Pt. -4° F = -20° C = 253° K |
| Vapor Density (Air = 1): Not Available | Evaporation Rate (Butyl Acetate = 1): Less than 1 |

Solubility in Water: Not Soluble; Liquid Surface Tension (Est.) 25 Dynes/cm at 20° C

Appearance and Odor: Pale Yellow to Brownish - Yellow Liquid

**Section IV — Fire and Explosion Hazard Data**

| | | | |
|---|---|---|---|
| Flash Point (Method Used): 540° F (Closed Cup) | Flammable Limits | LEL: Not Available | UEL: Not Available |

Extinguishing Media: Foam, Carbon Dioxide or Dry Chemical

Special Fire Fighting Procedures: Class B Fire: Application of water to burning oil can cause spattering; oil will float on water.

Unusual Fire and Explosion Hazards: Explosion Hazards: None Possible risk of auto ignition/spontaneous combustic under high temperature, closed conditions if material is absorbed on various fiber matrices and oxygen is present. (e.g. oily rags)

(Reproduction authorized) OSHA 174, Sept. 1985

# SOYBEAN OIL MSDS

## Section V — Reactivity Data

| | | | |
|---|---|---|---|
| Stability | Unstable | | Conditions to Avoid: Not Applicable |
| | Stable: Yes | | |

Incompatibility (Materials to Avoid)

Hazardous Decomposition or Byproducts

| | | | |
|---|---|---|---|
| Hazardous Polymerization | May Occur | | Conditions to Avoid |
| | Will Not Occur | X | |

## Section VI — Health Hazard Data

Route(s) of Entry: Inhalation? Yes Skin? Yes Ingestion? Yes

Health Hazards (Acute and Chronic)

Ingestion: None, material is a food.

Inhalation: Under mist conditions; no short-term inhalation limits.

Skin/Eye: Flush and rinse, particularly for eye contact; no significant skin reaction expected.

Carcinogenicity: NTP? No IARC Monographs? OSHA Regulated?

Signs and Symptoms of Exposure: Not Applicable

Medical Conditions Generally Aggravated by Exposure: Not Applicable

Emergency and First Aid Procedures: Eyes: Flush with water for at least 15 minutes.

## Section VII — Precautions for Safe Handling and Use

Steps to Be Taken in Case Material is Released or Spilled: No specific hazards; material is non-hazardous; if in mist form and levels are above 15 $mg/m^3$, a dust mask is advisable.

Waste Disposal Method: Review local regulations before cleaned-up materials are introduced into sewer systems or waste treatment systems.

Precautions to Be Taken in Handling and Storing: None

Other Precautions: Soiled rags or absorbent materials should not be kept under high temperature, closed conditions in the presence of oxygen.

## Section VIII — Control Measures

Respiratory Protection (Specify Type): None-Unless Mist Conditions

| | | | |
|---|---|---|---|
| Ventilation | Local Exhaust: Under Extreme Mist Conditions Only | Special: Not Applicable | |
| | Mechanical (General): Not Applicable | Other: Not Applicable | |

Protective Gloves: Not Applicable

Eye Protection: Safety Glasses

Other Protective Clothing or Equipment: Not Applicable

Work Hygienic Practices: Not Applicable

Great Lakes

# Material Safety Data Sheet

America West
P.O. Box 730
Pasco, WA 99301

Phone: (888) 547-5475
Prepared: 9/8/05
Updated:

**MSDS Date:** 10/11/02
**Product Name:** Boost™
**Manufacturer:** America West

## I. Product and Company Description

America West
P.O. Box 730
Pasco, WA 99301

**Emergency Phone Numbers:**
(800) 424-9300 CHEMTREC

**For Product Information:**
(888) 547-5475

**Chemical Name or Synonym:**
NA

**Molecular Formula:**
NA

## II. Chemical Composition

The identity of individual components of this mixture is proprietary information and is regarded to be a trade secret pursuant to Section 1910.1200 of Title 20 of The Code of Federal Regulations.

## III. Hazards Identification

**National Paint & Coating Hazardous Materials Identification System – HMIS(R):**

Health Hazard Rating: 0
Flammability Rating: 0
Reactivity Rating: 0

**Potential Health Effects:**

**Acute Eye:**
May cause irritation.

**Acute Skin:**
Prolonged or repeated exposure may cause irritation.

# Material Safety Data Sheet

America West
P.O. Box 730
Pasco, WA 99301

Phone: (888) 547-5475
Prepared: 9/6/06
Updated:

**Acute Inhalation:**
Mists may cause irritation to the respiratory tract.

**Acute ingestion:**
May cause gastrointestinal irritation or ulceration.

**Chronic effects:**
Not Determined

## IV. First Aid Measures

### First Aid Measures for Accidental:

**Eye Exposure:**
Immediately flush eyes with copious amounts of water. If irritation develops, SEEK MEDICAL ATTENTION.

**Skin Exposure:**
Wash affected areas with soap and water. If irritation develops, SEEK MEDICAL ATTENTION. Remove and launder contaminated clothing before reuse.

**Inhalation:**
Move to fresh air. If not breathing, administer artificial respiration. If breathing is difficult, give oxygen. SEEK MEDICAL ATTENTION.

**Ingestion:**
SEEK MEDICAL ATTENTION.

## V. Fire Fighting Measures

### Fire Hazard Data:

**Flash Point:** Not Determined

| **Flammability Limits (vol/vol%):** | **Lower:** | **Upper:** |
|---|---|---|
| | N/A | N/A |

**Extinguishing Media:**
Use appropriate media to extinguish surrounding fire.

**Special Fire Fighting Procedures:**
Fire fighters should use self-contained breathing apparatus and suitable protective clothing.

**Unusual Fire and Explosion Hazards:**
None.

# Material Safety Data Sheet

America West
P.O. Box 730
Pasco, WA 99301

Phone: (888) 547-5475
Prepared: 9/5/05
Updated:

**Hazardous Decomposition Materials (Under Fire Conditions):**
ND

## VI. Accidental Release Measures

**Cleanup and Disposal of Spill:**
Use personal protective equipment (see Section VIII) when cleaning spill. Contain spilled material in the most convenient and safe manner. Discard any product, residue, disposable container or liner in full compliance with federal, state, and local regulations.

## VII. Handling and Storage

**Handling:**
Use only with adequate ventilation. Avoid contact with skin and eyes.

**Storage:**
Keep package tightly closed and in a cool, dry location.

## VIII. Exposure Controls / Personal Protection

**Exposure Guidelines:**

| Component | Exposure limits | | |
|---|---|---|---|
| | ACGIH | NIOSH | OSHA-PELs |
| Proprietary | ND | ND | ND |

**Engineering Controls:**
Provide adequate ventilation

**Respiratory Protection:**
Follow the OSHA respirator regulations found in 29CFR 1910.134 or European Standard EN 149. Always use a NIOSH or EN approved respirator when necessary.

**Eye / Face Protection:**
Wear safety glasses with side shields or goggles.

**Skin Protection:**
Wear chemical resistant gloves and protective clothing to minimize skin contact.

## IX. Physical and Chemical Properties

# Material Safety Data Sheet

America West
P.O. Box 730
Pasco, WA 99301

Phone: (888) 547-5475
Prepared: 8/6/05
Updated:

**Physical Appearance:** Dark Brown Liquid

**Odor:** Molasses like

**pH:** ND

**Specific Gravity:** 1.22-1.25 10.18 - 10.43

**Water Solubility:** Readily miscible

**Melting Point:** ND

**Freezing Point** ND

**Boiling Point:** 105-107°C

**Vapor Pressure:** ND

**Vapor Density:** ND

**Percent Volatiles by Volume:** ND

**Viscosity:** ND

## X. Stability and Reactivity

**Chemical Stability:**
Stable

**Conditions to Avoid:**
None

**Materials / Chemicals to Be Avoided:**
None

**Hazardous Decomposition Products:**
None

**Hazardous Polymerization:**
Not Determined

## XI. Toxicological Information

**Acute Eye Irritation:**
May cause irritation with corneal injury.

# Material Safety Data Sheet

America West
P.O. Box 730
Pasco, WA 99301

Phone: (888) 547-5475
Prepared: 9/6/05
Updated:

**Acute Skin Irritation:**
Prolonged or repeated exposure may cause irritation.

**Acute Respiratory Irritation:**
Mists may cause irritation to the respiratory tract.

**Acute Oral Toxicity:**
Not Determined

**Chronic Toxicity:**
Not Determined

## XII. Ecological Information

**Ecotoxicological Information:**
None

## XIII. Disposal Considerations

**Waste Disposal Method:**
Dispose of in accordance with federal, state and local regulations.

## XIV. Transportation Information

**US Department of Transportation Shipping Name:**
Not regulated

## XV. Regulatory Information

### Federal Regulations:

**SARA Title III Hazard Classes:**

| | |
|---|---|
| Fire Hazard: | No |
| Reactive Hazard: | No |
| Release of Pressure: | No |
| Acute Health Hazard: | No |
| Chronic Health Hazard: | No |

# Material Safety Data Sheet

America West
P.O. Box 730
Pasco, WA 99301

Phone: (888) 647-5476
Prepared: 9/8/05
Updated:

## Other Regulations:

**State**
None

## XVI. Other Information

**Key Legend Information:**
N/A – Not Applicable
ND – Not Determined
ACGIH – American Conference of Governmental Industrial Hygienists
OSHA – Occupational Safety and Health Administration
TLV – Threshold Limit Value
PEL – Permissible Exposure Limit
TWA – Time Weighted Average
STEL – Short Term Exposure Limit
NTP – National Toxicology Program
IARC – International Agency for Research on Cancer

**The information contained herein is based on the data available to us and is believed to be correct. However America West makes no warranty, expressed or implied regarding the accuracy of these data or the results to be obtained from the use thereof.**

# Material Safety Data Sheet

**The Dow Chemical Company**

**Product Name:** LIQUIDOW* Technical Grade Calcium Chloride Solution

**Issue Date:** 05/05/2005

**Print Date:** 06 May 2005

The Dow Chemical Company encourages and expects you to read and understand the entire (M)SDS, as there is important information throughout the document. We expect you to follow the precautions identified in this document unless your use conditions would necessitate other appropriate methods or actions.

## 1. Product and Company Identification

**Product Name**
LIQUIDOW* Technical Grade Calcium Chloride Solution

**COMPANY IDENTIFICATION**
The Dow Chemical Company
2030 Willard H. Dow Center
Midland, MI 48674
USA

Customer Information Number: 800-258-2436

**EMERGENCY TELEPHONE NUMBER**
**24-Hour Emergency Contact:** 989-636-4400

## 2. Hazards Identification

**Emergency Overview**
**Color:** Clear
**Physical State:** Liquid
**Odor:** Odorless
**Hazards of product:**

WARNING! Causes eye irritation. Prolonged exposure may cause skin burns. Slipping hazard. Isolate area.

**OSHA Hazard Communication Standard**
This product is a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

**Potential Health Effects**
**Eye Contact:** May cause severe eye irritation. May cause slight corneal injury. Effects may be slow to heal.
**Skin Contact:** Brief contact is essentially nonirritating to skin. May cause more severe response if skin is abraded (scratched or cut). May cause more severe response on covered skin (under clothing, gloves). Prolonged contact may cause skin burns. Symptoms may include pain, severe local redness, swelling, and tissue damage.

**Skin Absorption:** Prolonged skin contact is unlikely to result in absorption of harmful amounts.
**Inhalation:** Mist may cause irritation of upper respiratory tract (nose and throat).
**Ingestion:** Low toxicity if swallowed. Small amounts swallowed incidentally as a result of normal handling operations are not likely to cause injury; however, swallowing larger amounts may cause injury. Swallowing may result in gastrointestinal irritation.

## 3. Composition Information

| Component | CAS # | Amount |
|---|---|---|
| Calcium chloride | 10043-52-4 | 28.0 - 42.0 % |
| Potassium chloride | 7447-40-7 | 0.0 - 3.0 % |
| Sodium chloride | 7647-14-5 | 0.0 - 2.0 % |
| Water | 7732-18-5 | |

## 4. First-aid measures

**Eye Contact:** Immediately flush eyes with water; remove contact lenses, if present, after the first 5 minutes, then continue flushing eyes for at least 15 minutes. Obtain medical attention without delay, preferably from an ophthalmologist.
**Skin Contact:** Wash skin with plenty of water.
**Inhalation:** Move person to fresh air; if effects occur, consult a physician.
**Ingestion:** If swallowed, seek medical attention. Do not induce vomiting unless directed to do so by medical personnel.
**Notes to Physician:** If burn is present, treat as any thermal burn, after decontamination. No specific antidote. Treatment of exposure should be directed at the control of symptoms and the clinical condition of the patient.

## 5. Fire Fighting Measures

**Extinguishing Media:** This material does not burn. If exposed to fire from another source, use suitable extinguishing agent for that fire.
**Fire Fighting Procedures:** Keep people away. Isolate fire and deny unnecessary entry. This material does not burn. Fight fire for other material that is burning. Water should be applied in large quantities as fine spray.
**Special Protective Equipment for Firefighters:** Wear positive-pressure self-contained breathing apparatus (SCBA) and protective fire fighting clothing (includes fire fighting helmet, coat, trousers, boots, and gloves). Avoid contact with this material during fire fighting operations. If contact is likely, change to full chemical resistant fire fighting clothing with self-contained breathing apparatus. If this is not available, wear full chemical resistant clothing with self-contained breathing apparatus and fight fire from a remote location. For protective equipment in post-fire or non-fire clean-up situations, refer to the relevant sections.
**Unusual Fire and Explosion Hazards:** Not applicable.
**Hazardous Combustion Products:** Not applicable

## 6. Accidental Release Measures

**Steps to be Taken If Material is Released or Spilled:** Small and large spills: Contain spilled material if possible. Absorb with materials such as: Sand. Collect in suitable and properly labeled containers. Flush residue with plenty of water. See Section 13, Disposal Considerations, for additional information.
**Personal Precautions:** Spilled material may cause a slipping hazard. Isolate area. Keep unnecessary and unprotected personnel from entering the area. Use appropriate safety equipment. For additional information, refer to Section 8, Exposure Controls and Personal Protection.

**Environmental Precautions:** Prevent from entering into soil, ditches, sewers, waterways and/or groundwater. See Section 12, Ecological Information.

## 7. Handling and Storage

### Handling

**General Handling:** Product shipped/handled hot can cause thermal burns. Avoid contact with eyes, skin, and clothing. Wash thoroughly after handling. See Section 8, EXPOSURE CONTROLS AND PERSONAL PROTECTION.

### Storage

Keep container closed. Product may become a solid at temperatures below 0°C (32°F) (concentrations above 36% calcium chloride).

## 8. Exposure Controls / Personal Protection

**Exposure Limits**

| Component | List | Type | Value |
|---|---|---|---|
| **Calcium chloride** | DOW IHG | TWA | 10 mg/m3 |
| **Sodium chloride** | DOW IHG | TWA | 10 mg/m3 |

### Personal Protection

**Eye/Face Protection:** Use chemical goggles.

**Skin Protection:** Use protective clothing chemically resistant to this material. Selection of specific items such as face shield, boots, apron, or full body suit will depend on the task. Remove contaminated clothing immediately, wash skin area with soap and water, and launder clothing before reuse or dispose of properly.

> **Hand protection:** If hands are cut or scratched, use gloves chemically resistant to this material even for brief exposures. Examples of preferred glove barrier materials include: Polyethylene. Neoprene. Natural rubber ("latex"). Polyvinyl chloride ("PVC" or "vinyl"). Nitrile/butadiene rubber ("nitrile" or "NBR"). Ethyl vinyl alcohol laminate ("EVAL"). Avoid gloves made of: Polyvinyl alcohol ("PVA"). NOTICE: The selection of a specific glove for a particular application and duration of use in a workplace should also take into account all relevant workplace factors such as, but not limited to: Other chemical which may be handled, physical requirements (cut/puncture protection, dexterity, thermal protection), potential body reactions to glove materials, as well as the instructions/specifications provided by the glove supplier.

**Respiratory Protection:** Atmospheric levels should be maintained below the exposure guideline. When respiratory protection is required for certain operations, use an approved air-purifying respirator. In dusty or misty atmospheres, use an approved particulate respirator. The following should be effective types of air-purifying respirators: Particulate filter.

**Ingestion:** Use good personal hygiene. Do not consume or store food in the work area. Wash hands before smoking or eating.

### Engineering Controls

**Ventilation:** Provide general and/or local exhaust ventilation to control airborne levels below the exposure guidelines.

## 9. Physical and Chemical Properties

| | |
|---|---|
| **Physical State** | Liquid |
| **Color** | Clear |

| | |
|---|---|
| **Odor** | Odorless |
| **Flash Point - Closed Cup** | Not applicable |
| **Flammable Limits in Air** | **Lower:** Not applicable<br>**Upper:** Not applicable |
| **Autoignition Temperature** | Not applicable |
| **Vapor Pressure** | 9 - 15 mmHg @ 25 °C *Literature* |
| **Boiling Point (760 mmHg)** | 110 - 122 °C (230 - 252 °F) *Literature* |
| **Vapor Density (air = 1)** | *Literature* same as water |
| **Specific Gravity (H2O = 1)** | 1.275 - 1.439 *Literature* |
| **Freezing Point** | varies |
| **Melting Point** | Not applicable |
| **Solubility in Water (by weight)** | completely miscible with water |
| **pH** | 9.2 *Estimated* (10% dilution in water) |

## 10. Stability and Reactivity

**Stability/Instability**
Stable.
**Conditions to Avoid:** None known.
**Incompatible Materials:** Avoid contact with: Sulfuric acid. Corrosive to some metals. Avoid contact with metals such as: Brass. Ferrous metals. Mild steel. Flammable hydrogen may be generated from contact with metals such as: Zinc. Sodium.

**Hazardous Polymerization**
Will not occur.

**Thermal Decomposition**
Does not decompose.

## 11. Toxicological Information

**Acute Toxicity**
**Ingestion**
For the major component(s): LD50, Rat: 900 - 2,100 mg/kg
**Skin Absorption**
For the major component(s): LD50, Rabbit: > 5,000 mg/kg
**Genetic Toxicology**
The data presented are for the following material calcium chloride or CaCl2 In vitro genetic toxicity studies were negative. The data presented are for the following material potassium chloride In vitro genetic toxicity studies were positive. However, the relevance of this to humans is unknown.

## 12. Ecological Information

**CHEMICAL FATE**
Data for Component: Calcium chloride

**Movement & Partitioning**
No bioconcentration is expected because of the relatively high water solubility. Partitioning from water to n-octanol is not applicable.

**Persistence and Degradability**
Biodegradation is not applicable.

Data for Component: **Potassium chloride**

**Movement & Partitioning**

Partitioning from water to n-octanol is not applicable.

**Persistence and Degradability**

Biodegradation is not applicable.

Data for Component: **Sodium chloride**

**Movement & Partitioning**

No bioconcentration is expected because of the relatively high water solubility. Potential for mobility in soil is very high (Koc between 0 and 50). Partitioning from water to n-octanol is not applicable.

**Persistence and Degradability**

Biodegradation is not applicable.

## ECOTOXICITY

Data for Component: **Calcium chloride**

Material is practically non-toxic to aquatic organisms on an acute basis (LC50/EC50 >100 mg/L in the most sensitive species tested).

**Fish Acute & Prolonged Toxicity**

LC50, bluegill (Lepomis macrochirus): 8,350 - 10,650 mg/l

LC50, mosquito fish (Gambusia affinis): 13,400 mg/l

**Aquatic Invertebrate Acute Toxicity**

LC50, water flea Daphnia magna: 759 - 3,005 mg/l

**Toxicity to Micro-organisms**

EC50; activated sludge, respiration inhibition: > 1,000 mg/l

Data for Component: **Potassium chloride**

Material is practically non-toxic to aquatic organisms on an acute basis (LC50/EC50 >100 mg/L in the most sensitive species tested).

**Fish Acute & Prolonged Toxicity**

LC50, rainbow trout (Oncorhynchus mykiss): 4,236 mg/l

**Aquatic Invertebrate Acute Toxicity**

EC50, water flea Daphnia magna, immobilization: 590 mg/l

LC50, water flea Ceriodaphnia dubia: 3,470 mg/l

Data for Component: **Sodium chloride**

Material is practically non-toxic to aquatic organisms on an acute basis (LC50/EC50 >100 mg/L in the most sensitive species tested).

**Fish Acute & Prolonged Toxicity**

LC50, fathead minnow (Pimephales promelas): 10,610 mg/l

**Aquatic Invertebrate Acute Toxicity**

LC50, water flea Daphnia magna: 4,571 mg/l

LC50, water flea Ceriodaphnia dubia: 924 - 4,205 mg/l

**Toxicity to Micro-organisms**

IC50, OECD 209 Test; activated sludge, respiration inhibition: > 1,000 mg/l

EC50; activated sludge, respiration inhibition: > 1,000 mg/l

## 13. Disposal Considerations

All disposal practices must be in compliance with all Federal, State/Provincial and local laws and regulations. Regulations may vary in different locations. Waste characterizations and compliance with applicable laws are the responsibility solely of the waste generator. DOW HAS NO CONTROL OVER THE MANAGEMENT PRACTICES OR MANUFACTURING PROCESSES OF PARTIES HANDLING

OR USING THIS MATERIAL. THE INFORMATION PRESENTED HERE PERTAINS ONLY TO THE PRODUCT AS SHIPPED IN ITS INTENDED CONDITION AS DESCRIBED IN MSDS SECTION: Composition Information. FOR UNUSED & UNCONTAMINATED PRODUCT, the preferred options include sending to a licensed, permitted: Reclaimer. Waste water treatment system. As a service to its customers, Dow can provide names of information resources to help identify waste management companies and other facilities which recycle, reprocess or manage chemicals or plastics, and that manage used drums. Telephone Dow's Customer Information Group at 1-800-258-2436 or 1-989-832-1556 (U.S.), or 1-800-331-6451 (Canada) for further details .

## 14. Transport Information

**DOT Non-Bulk**
NOT REGULATED

**DOT Bulk**
NOT REGULATED

**IMDG**
NOT REGULATED

**ICAO/IATA**
NOT REGULATED

*This information is not intended to convey all specific regulatory or operational requirements/information relating to this product. Additional transportation system information can be obtained through an authorized sales or customer service representative. It is the responsibility of the transporting organization to follow all applicable laws, regulations and rules relating to the transportation of the material.*

## 15. Regulatory Information

**OSHA Hazard Communication Standard**
This product is a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

**Superfund Amendments and Reauthorization Act of 1986 Title III (Emergency Planning and Community Right-to-Know Act of 1986) Sections 311 and 312**

| | |
|---|---|
| **Immediate (Acute) Health Hazard** | Yes |
| **Delayed (Chronic) Health Hazard** | No |
| **Fire Hazard** | No |
| **Reactive Hazard** | No |
| **Sudden Release of Pressure Hazard** | No |

**Superfund Amendments and Reauthorization Act of 1986 Title III (Emergency Planning and Community Right-to-Know Act of 1986) Section 313**
To the best of our knowledge, this product does not contain chemicals at levels which require reporting under this statute.

**Pennsylvania (Worker and Community Right-To-Know Act): Pennsylvania Hazardous Substances List and/or Pennsylvania Environmental Hazardous Substance List:**
To the best of our knowledge, this product does not contain chemicals at levels which require reporting under this statute.

**Pennsylvania (Worker and Community Right-To-Know Act): Pennsylvania Special Hazardous Substances List:**
To the best of our knowledge, this product does not contain chemicals at levels which require reporting under this statute.

**California Proposition 65 (Safe Drinking Water and Toxic Enforcement Act of 1986)**
This product contains no listed substances known to the State of California to cause cancer, birth defects or other reproductive harm, at levels which would require a warning under the statute.

**US. Toxic Substances Control Act**
All components of this product are on the TSCA Inventory or are exempt from TSCA Inventory requirements under 40 CFR 720.30
**CEPA - Domestic Substances List (DSL)**
All substances contained in this product are listed on the Canadian Domestic Substances List (DSL) or are not required to be listed.

## 16. Other Information

**Recommended Uses and Restrictions**
A calcium chloride product- Dust Control De-Icing fluid. For industrial use. Dow recommends that you use this product in a manner consistent with the listed use. If your intended use is not consistent with Dow's stated use, please contact Dow's Customer Information Group.
**Revision**
Identification Number: 81498 / 1001 / Issue Date 05/05/2005 / Version: 2.2
Most recent revision(s) are noted by the bold, double bars in left-hand margin throughout this document.
**Legend**

| | |
|---|---|
| N/A | Not available |
| W/W | Weight/Weight |
| OEL | Occupational Exposure Limit |
| STEL | Short Term Exposure Limit |
| TWA | Time Weighted Average |
| ACGIH | American Conference of Governmental Industrial Hygienists, Inc. |
| DOW IHG | Dow Industrial Hygiene Guideline |
| WEEL | Workplace Environmental Exposure Level |
| HAZ_DES | Hazard Designation |

*The Dow Chemical Company urges each customer or recipient of this (M)SDS to study it carefully and consult appropriate expertise, as necessary or appropriate, to become aware of and understand the data contained in this (M)SDS and any hazards associated with the product. The information herein is provided in good faith and believed to be accurate as of the effective date shown above. However, no warranty, express or implied, is given. Regulatory requirements are subject to change and may differ between various locations. It is the buyer's/user's responsibility to ensure that its activities comply with all federal, state, provincial or local laws. The information presented here pertains only to the product as shipped. Since conditions for use of the product are not under the control of the manufacturer, it is the buyer's/user's duty to determine the conditions necessary for the safe use of this product. Due to the proliferation of sources for information such as manufacturer-specific (M)SDSs, we are not and cannot be responsible for (M)SDSs obtained from any source other than ourselves. If you have obtained an (M)SDS from another source or if you are not sure that the (M)SDS you have is current, please contact us for the most current version.*

# Material Safety Data Sheet

| Revision Issued: 6/4/2007 | Supercedes: 12/31/06 | First Issued: 5/31/1978 |
|---|---|---|

## Section I – Product and Company Identification

**Product Name:** Uran® (Nitrogen Fertilizer Solution)

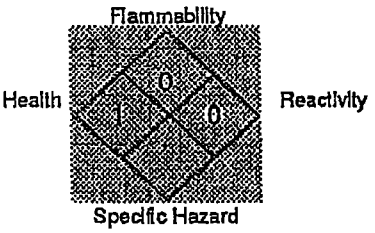
PotashCorp MSDS No.: 35
ERG No.: N/A

PCS Sales

1101 Skokie Blvd., Northbrook, IL 60062
Phone (800) 241-6908 / (847) 849-4200

Suite 500, 122 – 1st Avenue South
Saskatoon, Saskatchewan Canada S7K7G3
Phone (800) 667-0403 from Canada
(800) 667-3930 from USA

Emergencies (800) 424-9300 (CHEMTREC)
Web Site www.potashcorp.com
Health Emergencies, Contact Your Local Poison Center




NFPA Code

| Common Name: | Urea Ammonium Nitrate Solution | Formula: | $CO(NH_2)_2$ $NH_4NO_3$ | Synonym: | Nitrogen Fertilizer Solution | Uses: | Agricultural |
|---|---|---|---|---|---|---|---|

## Section II – Composition / Information On Ingredients

| Chemical Name | CAS No. | Exposure Limits | | | | | | | | % by Weight |
|---|---|---|---|---|---|---|---|---|---|---|
| | | OSHA PEL | | TLV – TWA | | STEL | | CEIL | | |
| | | mg/m³ | ppm | mg/m³ | ppm | mg/m³ | ppm | mg/m³ | ppm | |
| Total Nitrogen | Uran® | | | | | | | | | 27.8 - 32.2 |
| Ammonium Nitrate | 6484-52-2 | | | | | | | | | 37.1 - 47.3 |
| Urea | 57-13-6 | | | | | | | | | 29.0 - 36.8 |
| Water | | | | | | | | | | 20.1 - 30.0 |
| Alkalinity as Ammonia | | | 50[1] | | 25[1] | | 35[1] | | | 0.5 |
| Total UAN[1] | 15978-77-5 | | | | | | | | | |

None Established by OSHA. No TLV (Threshhold Limit Value) established by ACGIH for Urea Ammonium Nitrate Solution.
[1]Health & Environmental Safety Data Summary Document -Nitrogen Solutions (UAN) [CAS# 15978-77-5] Prepared For: The Fertilizer Institute, October 7, 2002

## Section III – Hazard Identification

| | | | |
|---|---|---|---|
| Potential Acute Health Effects: | May cause irritation | | |
| Eyes and Skin: | Eyes: Liquid contact may irritate slightly. If mist is formed, mild irritation may result. Skin: Prolonged or repeated liquid contact may irritate slightly. | | |
| Inhalation: | In the unlikely event that mist is formed, this would irritate respiratory tract. | | |
| Ingestion: | Ingestion may cause blood disorders (Methemoglobinemia) in infants. (This means loss of efficiency in the red blood cells and is evidenced by blue skin.) Apart from this, symptoms may include excessive action of the kidneys | | |
| Potential Chronic Health Effects: | See ingestion by infants, above | | |
| CARCINOGENICITY LISTS | IARC Monograph: No | NTP: No | OSHA: No |

## Section IV – First Aid Measures

| | |
|---|---|
| Eyes: | Immediately flush with water, continuing for at least 15 minutes. If irritation persists, get prompt medical attention. |
| Skin: | Immediately flush thoroughly with water. If irritation persists, get prompt medical attention. |
| Ingestion: | If conscious, immediately give two (2) to four (4) glasses of water, and induce vomiting by touching finger to back of throat, get prompt medical attention. |
| Inhalation: | Remove to fresh air. |

## Section V – Fire Fighting Measures

| | | | |
|---|---|---|---|
| Flash Point: | None | Autoignition Temperature: | Not Applicable |
| Lower Explosive Limit: | Not Applicable | Upper Explosive Limit: | Not Applicable |
| Unusual Fire and Explosion Hazards: | See problem with heating in pipes and other confined spaces, Section VII, Handling. | | |
| Extinguishing Media: | Water | | |
| Special Firefighting Procedures and Equipment: | Wear self-contained breathing apparatus approved by NIOSH. Use Water spray to keep containers cool. | | |

## Section VI – Accidental Release Measures

| | |
|---|---|
| Small Spill: | Contain and mop up or pump spilled material into metal or plastic drums as soon as possible. Material is a fertilizer. |
| Large Spill: | Contain and mop up or pump spilled material into metal or plastic drums as soon as possible. |
| Release Notes: | If spill could potentially enter any waterway, including intermittent dry creeks, contact the local authorities. If in the U.S., contact the US COAST GUARD NATIONAL RESPONSE CENTER toll free number 800-424-8802. In case of accident or road spill notify: CHEMTREC IN USA at 800-424-9300; CANUTEC in Canada at 613-996-6666 CHEMTREC in other countries at (International code)+1-703-527-3887. |
| Comments: | See Section XIII for disposal information and Section XV for regulatory requirements. Large and small spills may have a broad definition depending on the user's handling system. Therefore, the spill category must be defined at the point of release by technically qualified personnel. |

## Section VII – Handling and Storage

| | |
|---|---|
| Ventilation: | Unless heated, sprayed or agitated to produce mist, natural ventilation should be adequate. |
| Handling: | Avoid breathing mist. Minimize contact with eyes, skin and clothing. Do not evaporate in enclosed spaces. *Avoid welding on pipes or tanks which have contained Uran® solution until they have been thoroughly washed out with water.* Residual Ammonium Nitrate may explode under conditions of confinement and high temperature. Avoid containers, piping, or fittings made of brass, bronze, or other copper containing alloys or galvanized metals. Do not run pumps with the discharge or suction valves closed; pump must be on circulation. If material is evaporated to dryness, special hazards are involved and special fire fighting precautions and methods are recommended. |
| Storage: | Keep away from heat. |

## Section VIII – Exposure Controls/Personal Protection

| | |
|---|---|
| Engineering Controls: | Unless heated, sprayed or agitated to produce mist, natural ventilation should be adequate. |
| **Personal Protection:** | |
| Eye Protection: | Wear chemical safety goggles. Do not wear contact lenses. |
| Protective Clothing: | Wear chemical safety goggles. Do not wear contact lenses. |
| Respiratory Protection: | Respirators are not required for normal ventilation. If a misty condition prevails due to heat spraying or agitation, a mist respirator approved by NIOSH should be worn. If heated to decomposition or in fire situation, utilize a self-contained breathing apparatus. |
| Other Protective Clothing or Equipment: | Respirators are not required for normal ventilation. If misty condition prevails due to heat, spraying or agitation, a mist respirator approved by NIOSH should be worn. |

## Section IX – Physical and Chemical Properties

| | | | |
|---|---|---|---|
| Appearance/Color/Odor: | This material at normal conditions is a clear or golden liquid, slight ammonia odor. | Boiling Point: | 242.5ºF for 60% Solution |
| Melting Point/Range: | Type (ºF) (ºC)<br>Uran® 32 29 -2<br>Uran® 30 15 -9<br>Uran® 28 1 -17 | Boiling Point Range: | Not Available |
| Solubility in Water: | 100% | Vapor Pressure (mmHg): | Not Applicable |
| Specific Gravity: | Uran® 32 1.326<br>Uran® 30 1.303<br>Uran® 28 1.280 | Molecular Weight: | Ammonium Nitrate 80.06<br>Urea 60.07 |
| Vapor Density: | Not Applicable | % Volatiles: | Not Applicable |
| Bulk Density: | Uran® 32 11.04 lbs/gal<br>Uran® 30 10.85 lbs/gal<br>Uran® 28 10.66 lbs/gal | Evaporation Rate: | Not Applicable |
| pH: | Typically 6.3 - 7.2 | Freezing Point: | Not Applicable |
| Viscosity: | Uran® 32 5.5 Centipoise<br>Uran® 28 3.4 Centipoise | Density: | Not Applicable |

## Section X – Stability and Reactivity

| | |
|---|---|
| Stability: | This product is stable under normal ambient conditions of temperature and pressure. |
| Hazardous Polymerization: | Will not occur |
| Conditions to Avoid: | Avoid welding on pipes or tanks which have contained Uran® solution until they have been thoroughly washed out with water. Avoid containers, piping, or fittings made of brass, bronze, or other copper containing alloys or galvanized metals. |
| Materials to Avoid (Incompatibles): | Strong oxidants, (e.g. Chlorine, Hypochlorites). Easily oxidizable materials, including most organics. Water-reactive materials, such as Oleum. |
| Hazardous Decomposition Products: | Thermal decomposition, particularly of the residue from evaporation, would yield Ammonia, Hydrogen Sulfide, Oxides of Nitrogen. |

## Section XI – Toxicological Information

| | | |
|---|---|---|
| Significant Routes of Exposure: | Eyes, Digestive System, Respiratory System, Skin | |
| Toxicity to Animals: | Acute Oral Toxicity: | Oral, OECD Guideline 425 (rat):$LD_{50}$= >2000 mg/kg. Found non-lethal to rats at 20.2 Mg/L in one-hour exposure. Uran® Solution is a blend of Urea, Ammonium Nitrate and water.<br>Ammonium Nitrate: (rat): $LD_{50}$ = 2,800 – 4,500 mg/kg bw.<br>Urea: (rat): $LD_{50}$ = 14,300—15,000 mg/kg; (mouse) 11,500 – 13,000 mg/kg; $LD_{50}$ (cattle): 510 mg/kg. |
| | Acute Inhalation Toxicity: | Ammonium Nitrate: 4-h: (rat): $LC_{50}$ > 88.8 mg/L. |
| | Acute Toxicity: Other Routes: | Ammonium Nitrate: Minimum lethal dose (rat) 0.065mg $NH_4NO_3$-N. |
| | Acute Dermal Toxicity: | Ammonium Nitrate: (Sprague-Dawley rat, albino): $LD_{50}$ >5,000 mg/kg. |
| | Repeated Dose Toxicity: | Ammonium Nitrate: Inhalation: 2 weeks: NOAEL (rat) 185 mg/m$^3$.<br>Inhalation: 4 weeks: NOAEL = 1 mg/m$^3$.<br>Urea: (rat) 12 –month carcinogenicity screening – NOAEL = 2250 mg/kg. |
| | Eye & Skin Irritation/Corrosion: | Eye: No data available. Skin: 48 hr (rabbit): Moderately irritating<br>Skin Irritation/Corrosion: Mouse – Not Irritating (10% solution) Eye Irritation/Corrosion: Rabbit – Not Irritating (50% solution)<br>Not found to be toxic by oral exposure as defined by OSHA. Based on toxicity data for another compound (i.e., ammonium nitrate), not expected to be toxic by dermal and inhalation exposure as defined by OSHA |
| | Developmental Toxicity/Teratogenicity: | Ammonium Nitrate: Not teratogenic to rats at 57 mg/kg bw (NOAEL > 57 mg/kg/day). |
| | Bacterial Genetic Toxicity In-Vitro: Gene Mutation: | Urea: Bacterial Genetic Toxicity in vitro: (*Salmonella typhimurium*) – Bacterial reverse mutation assay- Negative; Chinese Hamster -- Chromosomal aberration test – Positive (very high dose); Mouse – Positive (very high dose). Genetic Toxicity in vivo: Mouse – Bone marrow cytogenetic test – Positive (extremely high dose) : |

| | | |
|---|---|---|
| | Non-Bacterial Genetic Toxicity In-Vitro: Chromosomal Aberration: | No data available |
| | Toxicity to Reproduction: | Urea: No toxic effects on mouse gonads up to 6,750-mg/kg day. No toxic effects on rat gonads up to 2,250-mg/kg day. Developmental Toxicity / Teratogenicity. Not teratogenic. |
| | Carcinogenicity: | No data available |
| Other Effects on Humans: | Symptoms may include excessive action of the kidneys and perhaps bowels<br>Ammonium Nitrate: No other effects known.<br>Urea: Despite extensive medical use, no significant side effects on humans have been noted. | |
| Special Remarks on Chronic Effects on Humans | No data available | |
| Special Remarks on Other Effects on Humans: | No data available | |

## Section XII – Ecological Information

| | | |
|---|---|---|
| Ecotoxicity | EPA Ecological Toxicity rating : | Aquatic toxicity considerations indicate Uran® solution is of a low order of toxicity to the species tested. Since Uran® solution is a fertilizer, it may promote eutrophication in waterways. Non-toxic to aquatic organisms as defined by USEPA. |
| | Acute Toxicity to Fish: | Ammonium Nitrate: (*Cyprinus carpio L*): 48-h: $LC_{50}$= 1.15 – 1.72 mg $NH_3$/L; (Chinook Salmon, rainbow trout, bluegill) 96-h: $LC_{50}$= 420 – 1360 mg $NO_3$/L<br>Urea: 96 -h $LC_{50}$ > 9,100 mg/L. |
| | Chronic Toxicity to Fish: | No data available. |
| | Acute Toxicity to Aquatic Invertebrates: | Ammonium Nitrate: (*Daphnia magna*) $EC_{50}$ = 556 mg/L.<br>Urea: (*Daphnia magna*) 24 - h $EC_{50}$: > 10,000 mg/L . |
| | Chronic Toxicity to Aquatic Invertebrates: | Ammonium Nitrate: (*Bullia digitalis*) Up to 7 days: NOEC = 300 mg/L. |
| | Acute Toxicity to Aquatic Plants: | Urea: (*Scenedesmus quadricauda*) 192 hr cell multiplication inhibition test – TT> 10,000 mg/L. |
| | Toxicity to Soil Dwelling Organisms: | Toxicity to Other Non-Mammalian Terrestrial Species: (Pigeon) – Subcutaneous – $LD_{LO}$ = 16,000 mg/kg. |
| | Toxicity to Terrestrial Plants: | No data available. |
| Environmental Fate: | Stability in Water: | Ammonium Nitrate: Stability in water: Stable to hydrolytic degradation.<br>Urea: Stability in water: $T_{1/2}$> 1 year. |
| | Stability in Soil: | Ammonium Nitrate: Stability in Soil: Ammonium ions bind to clay particles and leach slowly or not at all to ground water, whereas the nitrate can leach significantly. Monitoring Data: $NH_4$ background: 0.01 - 10mg N/L. $NO_3$ background: 0.3 - 100 mg N/L. |
| | Transport and Distribution: | Ammonium Nitrate: Transport: Worldwide loss after application 0.004 - 1.2 Tg/yr. Distribution: 0.251% to air; 45.4% to water; 54.2% to soil; 0.0757% to sediment<br>Urea: Stability in water: T1/2> 1 year. Transport: 0.16% in air; 99.84% in water |
| Toxicity: | No known toxicity. | |
| Degradation Products: | Biodegradation: | No degradation products known. |
| | Photodegradation: | No data available |

## Section XIII – Disposal Considerations

| | |
|---|---|
| Product Disposal: | Disposal of Uran® fertilizer may be subject to federal, state and local laws and regulations. |
| General Comments: | Users of this product should review their operations in terms of applicable federal, state and local laws and regulations, then consult with appropriate regulatory agencies before discharging or disposing of waste material. |

## Section XIV – Transportation Information

| | USDOT | TDG - Canada |
|---|---|---|
| Proper Shipping Name: | Not regulated | Not regulated |
| Hazard Class: | | |
| Identification Number: | | |
| Packing Group (Technical Name): | | |
| Labeling / Placarding: | | |
| Authorized Packaging: | | |
| Notes: | Uran® (Nitrogen Fertilizer Solution) is classified by the USCG as an NLS under 33 CFR 154 per reference 46 CFR 153 (and Marpol) | |
| European Transportation: | | |

## Section XV – Regulatory Information

UNITED STATES: SARA Hazard Category:

This product has been reviewed according to the EPA Hazard Categories promulgated under Section 311 and 312 of the Superfund Amendment and reauthorization Act of 1986 (SARA title III) and is considered, under applicable definitions, to meet the following categories:

| Fire: | No | Pressure Generating: | No | Reactivity: | No | Acute: | Yes | Chronic: | No |
|---|---|---|---|---|---|---|---|---|---|

| | |
|---|---|
| 40 CFR Part 355 - Extremely Hazardous Substances: | None |
| 40 CFR Part 370 - Hazardous Chemical Reporting: | Applicable |

All Intentional Ingredients listed on the TSCA Inventory.

SARA Title III Information: This product contains the following substances subject of the reporting requirements of Title III (EPCRA) of the Superfund amendments and Reauthorization Act of 1986 and 40 CFR Part 372:

| Chemical | CAS NO. | Percent by Weight | CERCLA RQ (lbs)* | SARA (1986) Reporting | | |
|---|---|---|---|---|---|---|
| | | | | 311 | 312 | 313 |
| Uran® | | | See Note [1] | Yes | Yes | See Note [2] |
| Aqueous Ammonia | 1336-21-6 | 7.87 - 10.1 | NA | NA | NA | Yes |
| Nitrate Compounds | NA | 28.7 - 36.8 | NA | NA | NA | Yes |
| Total UAN | 15978-77-5 | | NA | NA | NA | Yes |

[1] There is no RQ reporting requirements for Uran® but local and state requirements may apply. Check local and state laws. Uran® solutions contain alkallinity as ammonia as high as .05% by weight (as ammonia). Any spill that exceeds 1,000,000 lbs may exceed the 1000 lb. RQ for Ammonium Hydroxide.
[2] Uran® contains ammonium nitrate which is a source of aqueous ammonia and water dissociable nitrate.

CERCLA/Superfund, 40 CFR Parts 117, 302: If this product contains components subject to substances designated as CERCLA reportable Quantity (RQ) Substances, it will be designated in the above table with the RQ value in pounds. If there is a release of RQ Substance to the environment, notification to the National response Center, Washington D.C. (1-800-424-8802) is required.

CANADA:

| | |
|---|---|
| WHMIS Hazard Symbol and Classification: | This product is not WHMIS controlled. |
| Ingredient Disclosure List: | This product does contain ingredient(s) on this list. |
| Environmental Protection: | All Intentional Ingredients are listed on the DSL (Domestic Substance List). |

EINECS#: (Ammonium Nitrate) 229-347-8
(Urea) 200-315-5

California: Prop 65: This is not a chemical known to cause cancer, nor is it listed.

## Section XVI – Other Information

| NFPA Hazard Ratings: | Health: 1 | Fire: 0 | Reactivity: 3 | Special Hazards: ox |
|---|---|---|---|---|
| | 0 = Insignificant | 1 = Slight | 2 = Moderate | 3 = High 4 = Extreme |

COMMENTS: Uran® is a registered trademark of PCS Nitrogen, Inc., Northbrook, IL 60062

Section(s) changed since last revision: II, XV

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# MATERIAL SAFETY DATA SHEET

COMPLIES WITH OSHA'S HAZARD COMMUNICATION STANDARD (29 CFR 1910.1200)

## SECTION I - PRODUCT IDENTIFICATION

**Product Name:** Ice Bite
**Date Prepared:** 1/04/2008
**Manufactured For:** Road Solutions, INC.
**Emergency Phone:** (800) 424-9300
5616 Progress Road, Indianapolis, IN 46241
**Information Phone:** (800) 428-3266

**HMIS Rating**

**0-Minimal 1-Slight 2-Moderate 3-Serious 4-Extreme**

**HEALTH:** 0 **FIRE:** 0 **REACTIVITY:** 0 **Personal Protection:** B

## SECTION II - INGREDIENTS

| CHEMICAL NAME | Sara III List | OSHA PEL | TWA/TLV | Carcinogen | %WT | CAS # |
|---|---|---|---|---|---|---|
| Trade Secret | No | N/A | N/A | d | N/A | N/A |

** (a) NTP (b) IARC Monograph (c) OSHA (d) Not Listed (e) Animal Data Only

## SECTION III - PHYSICAL DATA

**Boiling Point:** (°F) N/A
**Specific Gravity:** ($H_2O$=1) ~1.23
**pH:** ~9
**Evaporation Rate:** (Butyl Acetate =1) N/A
**Vapor Density:** (AIR=1) N/A
**Appearance and Odor:** Dark Solution, sweet odor.
**Solubility in Water:** N/A

## SECTION IV - FIRE AND EXPLOSION DATA

| | (°F) | Flammable Limits | LEL | UEL |
|---|---|---|---|---|
| **Flash Point:** | N/A | | N/A | N/A |

**Method Used:** MA
**Extinguishing Media:** Water. Carbon Dioxide or dry chemical
**Special Firefighting Procedures:** Wear proper fire fighting equipment
**Unusual Fire and Explosion Hazards:** None

## SECTION V - REACTIVITY DATA

**Stability:** Stable
**Hazardous Polymerization:** Will not occur.
**Incompatibility:** None
**Hazardous Decomposition Products:** Thermal decomposition may produce oxides of carbon.

## SECTION VI - STORAGE AND HANDLING

**Precautions to be taken in handling and storage:** Keep container closed when not in use.
**Other Precautions:** KEEP OUT OF REACH OF CHILDREN.

## SECTION VII - HEALTH AND FIRST AID

**Ingestion:** Low acute oral toxicity; LD50 for rats is >5g/kg.
**Inhalation:** None
**Eye Contact:** May be irriteting to the eyes.
**Skin Contact:** May cause irritation.
**Primary Routes of Entry:** Inhalation; none. Skin: Unlikely. Eyes: yes. Ingestion: Unlikely.

**First Aid Procedures:**

**Ingestion:** If large quantities are ingested, seek medical supervision.
**Inhalation:** None required.
**Eyes:** Flush eyes with water for 30 minutes. Get medical attention if warranted.
**Skin:** Wash skin with water and soap. If irritation occurs, seek medical attention.

## SECTION VIII - SPECIAL PROTECTION DATA

**Respiratory Protection:** Use appropriate NIOSH approved respirator when needed.
**Ventilation:** Comply with OSHA standards 29CFR1910.134. Use general or local exhaust ventilation to meet OSHA PELS or ACGIH TLV requirements.
**Protective Glove:** Not required but recommended.
**Eye Protection:** Not required bur recommended.

## SECTION IX - SPILL OR LEAK PROTECTION

**STEPS TO BE TAKEN IN CASE OF SPILL OR LEAK:** All spills should be contained and picked up with earthen or other absorbent material and placed in suitable container.

**WASTE DISPOSAL METHOD:** Dispose of in approved solid waste disposal area per current regulations.

NOTICE: The information contained on this Material Safety Data Sheet is considered accurate as of the date of publication. It is not necessarily all inclusive nor fully adequate in every circumstance. The suggestions should not be confused with, nor followed in violation of applicable laws, regulations, rules or insurance requirements. No warranty, express or implied, of merchantability, fitness, accuracy of data, or the results to be obtained from the use thereof is made. The vendor assumes no responsibility for injury or damages resulting from the inappropriate use of this product.

N/A - Not Available/Not Applicable N/D - Not Determined N/L - Not Listed N/E - Not Established.

# APPENDIX E

## BULK STORAGE TANK INSPECTION DOCUMENTATION

FrickServices,inc.

Facility Response Plan (40 CFR 112)
Tank Inspection Checklist

| Date: | | |
|---|---|---|
| Inspector: | | |
| Tank Number: | | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| 1) Check tank for leaks for: | | |
| A. Drip marks | | |
| B. Discoloration of tanks | | |
| C. Puddles containing spilled or leaked material | | |
| D. Corrosion | | |
| E. Cracks | | |
| F. Localized dead vegetation | | |
| 2) Check foundation for: | | |
| A. Cracks | | |
| B. Discoloration | | |
| C. Puddles containing spilled or leaked material | | |
| D. Settling | | |
| E. Gaps between tank and foundation | | |
| F. Damage caused by vegetation roots | | |
| 3) Check Piping for: | | |
| A. Droplets of stored material | | |
| B. Discoloration | | |
| C. Corrosion | | |
| D. Bowing of pipe between supports | | |
| E. Evidence of stored material seepage from valves or seals | | |
| F. Localized dead vegetation | | |
| Signature of Inspector: | | |

FrickServices,inc.

# Facility Response Plan (40 CFR 112)
## Tank Inspection Log

| Inspector's Name | Tank Number | Inspection Date | Comments/Findings |
|---|---|---|---|
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FrickServices,inc.

Facility Response Plan (40 CFR 112)
Secondary Containment Inspection Checklist

| Date: | | |
|---|---|---|
| Inspector: | | |
| Tank Number: | | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| 1) Check dike or berm system for: | | |
| A. Level of precipitation in dike / available capacity | | |
| B. Operational status of drainage valves (there are no drainage valves in the bermed area) | | |
| C. Dike or berm permeability | | |
| D. Debris | | |
| E. Erosion | | |
| F. Permeability of the earthen floor of diked area | | |
| G. Location/status of pipes, inlets, drainage beneath tanks, etc. | | |
| 2) Check secondary containment for: | | |
| A. Cracks | | |
| B. Discoloration | | |
| C. Presence of spilled or leaked material (standing liquid) | | |
| D. Corrosion | | |
| E. Valve conditions | | |
| 3) Retention and drainage ponds: | | |
| A. Erosion | | |
| B. Available capacity | | |
| C. Presence of spilled or leaked material (lab analysis) | | |
| D. Debris | | |
| E. Stressed Vegetation | | |
| F. Localized dead vegetation | | |
| Signature of Inspector: | | |

FrickServices,inc.

# Facility Response Plan (40 CFR 112)
# Secondary Containment Inspection Log

| Inspector's Name | Secondary Containment Area Inspected | Inspection Date | Comments/Findings |
|---|---|---|---|
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# APPENDIX F

## WORKSHEETS

# DISCHARGE CALCULATIONS
# Frick Services Liquid Terminal
## Facility Response Plan
## Great Lakes Category

### Worst Case Discharge

| | |
|---|---|
| Worst Case Discharge | = total ASTs without containment |
| | + maximum capacity of largest bulk AST |
| | = 0 gallons (all ASTs have containment) |
| | + 1,900,000 gallons (Tank 8) |
| **Worst Case Discharge** | **= 1,900,000 gallons (Tank 8)** |
| | **= 44,000 barrels** |

### Medium Discharge

**Petroleum Oil:**

| | |
|---|---|
| Medium discharge | = the lesser of 10% of largest AST or 36,000 gallons |
| Largest AST | = 1,900,000 gallons (Tank 8) |
| 10% of AST | = 190,000 gallons |
| **Medium Discharge** | **= 36,000 gallons** |
| | **= 857 barrels** |

**Vegetable Oil:**

| | |
|---|---|
| Medium discharge | = the lesser of 10% of largest AST or 36,000 gallons |
| Largest AST | = 2,800,000 gallons (800 series tank) |
| 10% of AST | = 280,000 gallons |
| **Medium Discharge** | **= 36,000 gallons** |
| | **= 857 barrels** |

### Small Discharge

**Petroleum Oil:**

| | |
|---|---|
| **Small Discharge** | **= 2,100 gallons** |
| | **= 50 barrels** |

**Vegetable Oil:**

| | |
|---|---|
| **Small Discharge** | **= 2,100 gallons** |
| | **= 50 barrels** |

**Recycled #4 Oil - Tank 8**
**Worst-Case Discharge**

## Worksheet to Plan Volume of Response Resources for Worst Case Discharge

**Frick Services Liquid Terminal**

Using Appendix E of 40 CFR 112

**PART I - Background Information**

**For planning purposes for this Facility Response Plan the maximum tank capacity is used.**

| | | | |
|---|---|---|---|
| **Maximum Capacity of Tank 8 - Bulk Storage Tank =** | **44,000** | **44,000** | **bbls** |

| | | | | |
|---|---|---|---|---|
| | | **44,000** | **bbls** | **1,848,000** **gallons** |

Oil Group (B): **Group 3 - Persistent Oils (Recycled #4 Fuel Oil)**
(from Table 3 Appendix E)

Geographical Area (B): **GREAT LAKES**

| Percentages of Oil: (from Table 2) | Lost to Natural Dissipation (D1) | Recovered Floating Oil (D2) | Oil Onshore (D3) | |
|---|---|---|---|---|
| | **30** | **50** | **50** | Percent |

On-Water Recovery E1 = (D2 x A): 22,000 bbls

On-Shore Recovery E2 = (D3 x A): 22,000 bbls

Emulsification Factor (F) (from Table 3): 2.0

| **On-Water Oil Recovery Resource** Mobilization Factor (G): (from Table 4) | W1 (Tier 1) (G1) | W2 (Tier 2) (G2) | W3 (Tier 3) (G3) |
|---|---|---|---|
| | **0.15** | **0.25** | **0.40** |

**PART II**

| **On-Water Recovery Capacity:** (E1 x F x G) | W1 (Tier 1) | W2 (Tier 2) | W3 (Tier 3) | |
|---|---|---|---|---|
| | **6,600** | **11,000** | **17,600** | **bbl / day** |

**PART III** **Shoreline Cleanup Volume:**

| (E2 x F) | | |
|---|---|---|
| **44,000** | **bbl / day** | |

**PART IV**

| **Response Capacity By Geographic Area:** (Amount needed to be contracted for in advance) (= lesser of value calculated or Table 5) | W1 (Tier 1) | W2 (Tier 2) | W3 (Tier 3) | |
|---|---|---|---|---|
| | **6,350** | **11,000** | **25,000** | **bbl / day** |

**PART V**

**Amount of Capacity to be Identified, but not contracted in advance:**

| (Part II - Part IV) | W1 (Tier 1) | W2 (Tier 2) | W3 (Tier 3) | |
|---|---|---|---|---|
| | **250** | **0** | **0** | **bbl / day** |

# APPENDIX G

## RESPONSE EQUIPMENT INSPECTION FORM

FrickServices,inc.

**Facility Response Plan (40 CFR 112)**
**Response Equipment Inspection**

| | |
|---|---|
| **Inspection Date:** | **Signature of Inspector:** |
| **Time:** | **Print Name:** |

| Inventory Item | Quantity | Storage Location | Accessibility (time to access and respond) | Operational Status/ Condition | Use/ Test Date and Frequency of Testing | Shelf Life | |
|---|---|---|---|---|---|---|---|
| | | | | | | Age | Replacement Date |
| **Absorbent Boom (8 inch)** | 80 feet | Near Mooring and AST #8 | | In Service | | | |
| **Sorbent pads (14 inch X 19 inch)** | 2 bundles | Near Mooring and AST #8 | | In Service | | | |
| **Sorbent blanket (3-ft X 100 ft)** | 1 each | Near Mooring and AST #8 | | In Service | | | |

FrickServices,inc.

# Facility Response Plan (40 CFR 112)
# Response Equipment Inspection Log

| Name | Inspection Date | Comments/Findings |
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# APPENDIX H

## FACILITY DRILLS / EXERCISES

FrickServices,inc.

# Facility Response Plan (40 CFR 112)
# Equipment Deployment Exercise

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date(s) Performed: | |
| 2a) Exercise or Actual Response: | |
| 2b) If an Exercise, Announced or Unannounced: | |
| 3) Deployment Locations: | |
| 4a) Time Started: | |
| 4b) Time OSRO/HSRO Called: | |
| 4c) Time On-Scene: | |
| 4d) Time Boom Deployed: | |
| 4e) Time Recovery Equipment Arrives on Scene: | |
| 4f) Time Completed: | |
| 5) Equipment Deployed Was: | _____Facility Owned<br>_____OSRO/HSRO-Owned if so Which –<br>_____OSRO or HSRO<br>_____Both |
| 6) List Type and Amount of all Equipment (e.g., Boom and Skimmers) Deployed and Number of Support Personnel Employed: | |
| 7) Describe Goals of the Equipment Deployment and List Any Area Contingency Plan Strategies Tested. (Attach a Sketch of Equipment Deployments and Booming Strategies: | |
| 8a) For Deployment of Facility-Owned Equipment, was the Amount of the Equipment Deployed at Least the Amount Necessary to Respond to Your Facility's Average Most Probable Spill? | |

# Facility Response Plan (40 CFR 112)
# Equipment Deployment Exercise

| |
|---|
| 8b) Was the Equipment Deployed in its Intended Operating Environment? |
| 9a) For Deployment of OSRO/HSRO-Owned Equipment, was a Representative Sample (at Least 1000 Feet of Each Boom Type and at Least One of Each Skimmer Type) Deployed? |
| 9b) Was the Equipment Deployed in its Intended Operating Environment? |
| 10) Are all Facility Personnel that are Responsible for Response Operations Involved in a Comprehensive Training Program, and all Pollution Response Equipment Involved in a Comprehensive Maintenance Program? If so, Describe the Program: |
| 11) Was the Equipment Deployed by Personnel Responsible for its Deployment in the Event of an Actual Spill? |
| 12) Was all Deployed Equipment Operational? If not, why not? |
| 13) Identify Which of the 15 Core Components of Your Response Plan were Exercised During this Particular Exercise: |
| 14) Attach a Description of Lesson(s) Learned, Procedures and Schedule for Implementation, and Personnel Responsible for Follow-up of Corrective Measures. |
| **Certifying Signature:** _____ |
| Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years. |

FrickServices,inc.

# Facility Response Plan (40 CFR 112)
# Qualified Individual Notification Exercise

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date Performed: | |
| 2) Qualified Individual | |
| 3) Exercise or Actual Response: | |
| 4) Emergency Scenario: | |
| 4) Name of Person Notified: | |
| 5) Others Contacted: | |
| 6) Time Initiated: | |
| 7) Time in Which Qualified Individual or Designee Responded: | |
| 8) Method Used to Contact: | ____Telephone<br>____**Pager**<br>____**Radio**<br>____Other |
| 9) Description of Notification Procedure: | |
| 10) Evaluation: | |
| 11) Changes To Be Implemented: | |
| 12) Time Table for Implementation: | |
| **Certifying Signature:** _____<br>Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years. | |

FrickServices,inc.

# Facility Response Plan (40 CFR 112)
# Spill Management Team Tabletop Exercise

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date(s) Performed: | |
| 2) Qualified Individual: | |
| 3) Participants: | |
| 4) Exercise or Actual Response: | |
| 5) Announced or Unannounced: | |
| 6) Location of Table Top Exercise: | |
| 7) Time Started: | Completed: |
| 8) Emergency Scenario Used (Check One): | _____Average Most Probable Discharge<br>_____Maximum Most Probable Discharge<br>_____Worst Case Discharge<br>_____Size of (Simulated) Spill (gallons) |
| 9) Describe how the following objectives were exercised: | |
| a) Spill Management Team's Knowledge of Oil-Spill Response Plan: | |
| b) Proper Notifications: | |
| c) Communication System: | |
| d) Spill Management Team's Ability to Access Contracted Oil Spill Removal Organizations: | |
| e) Spill Management Team's Ability to Coordinate Spill Response With the On-Scene Coordinator, State and Applicable Agencies: | |
| f) Spill Management Team's Ability to Access Sensitive Site and Resource Information in the Area Contingency Plan: | |
| 10) Identify Which of the 15 Core Components of Your Response Plan were Exercised During this Particular Exercise: | |
| 11) Attach an Evaluation of Lesson(s) Learned, Procedures, Changes to be Implemented, Schedule for Implementation, and Person(s) Responsible for Follow-up of Corrective Measures. | |
| **Certifying Signature:** _____<br>Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years. | |

FrickServices,inc.

# Facility Response Plan (40 CFR 112)
# Unannounced / Area Exercise

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date Performed: | |
| 2a) Exercise or Actual Response: | |
| 2b) Announced or Unannounced: | |
| 3) Location: | |
| 4) Facility Name: | |
| 5a) Time Started: | |
| 5b) Time Completed: | |
| 6) Sections of Facility Emergency Procedures Exercised (i.e., response to collision, response to oil spill on deck, response to vessel fire, etc.)? | |
| 7) Description of Exercise: | |
| 8) Identify Which of the 15 Core Components of Your Response Plan were Exercised During This Particular Procedure: | |
| **Certifying Signature:** _____ Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years. | |

# APPENDIX I

## RESPONSE TRAINING LOG / TRAINING CERTIFICATES

Frick Services, inc.

# Facility Response Plan (40 CFR 112)
# Discharge Prevention Meeting Log

| DATE: | |
|---|---|
| ATTENDEES: | |
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| Subject/ Issue Identified | Required Action | Implementation Date |
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| SIGNATURE OF RESPONSIBLE OFFICIAL: |
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FrickServices,inc.

# Facility Response Plan (40 CFR 112)
# Personnel Response Training Log

| Name | Response Training (Date and Number of Hours) | Prevention Training (Date and Number of Hours) |
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**Frick Services, Inc.**

# Facility Response Plan (40 CFR 112)
## Personnel Response Training Log

| Name | Response Training (Date and Number of Hours) | Prevention Training (Date and Number of Hours) |
|---|---|---|
| Dan Biggs | 10/7/09 - 2 | 10/7/09 - 1 |
| GARY HAGEMAN | 10/7/09 - 2 | 10/7/09 - 1 |
| Jeff Harper | 10/7/09 - 2 | 10/7/09 - 1 |
| Randy C. Gibbs | 10/7/09 - 2 | 10/7/09 - 1 |
| Kathy Breitenbach | 10/7/09 - 2 | 10/7/09 - 1 |

**Frick Services, Inc.** **Facility Response Plan (40 CFR 112)**
**Discharge Prevention Meeting Log**

DATE: 10/7/09

ATTENDEES:

| | |
|---|---|
| Adam Biggs | Adam Biggs |
| GARY HAGEMAN | Gary Hageman |
| Jeff Harper | Jeff Harper |
| Randy C. Robbins | Randy C. Robbins |
| Kathy Breitenbach | Kathy Breitenbach |

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| SPILL PREVENTION | | 10/7/09 |
| SPILL REACTION | | 10/7/09 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: [signature]

# Chicago Safety Institute

*This is to certify that on this day of June 14th, 1997*

## Jeff A. Harper

*Last Four of SSN 7879*

*is hereby awarded this certificate*
*to certify completion of the*

## Forty Hour Course in Hazardous Waste Operations And Emergency Response

*meeting OSHA training requirements in 29 CFR 1910.120 (e)*
*held between Chicago, Illinois and East Chicago, Indiana*
*at the Hammond Training Center.*

*David Hendy (M.S.)*
*Environmental Safety & Health*
*Director of Instruction*
*3510 Calumet Avenue, Hammond In. (773)239-6925*

# Chicago Safety Institute

*This is to certify that on this day of January 9, 1998*

## Gary Hageman

*Last Four of SSN 2653*

*is hereby awarded this certificate*
*to certify completion of the*

## Forty Hour Training in Hazardous Waste Operations And Emergency Response

*meeting OSHA training requirements 29 CFR 1910.120*
*held at The Hammond Training Center*
*Between Chicago, Illinois and East Chicago, Indiana*

David M Hendy

*David Hendy (M.S.)*
*Environmental Safety & Health*
*Director of Instruction*
*(773)239-6925*

# Chicago Safety Institute ™

*This is to certify that on this day of January 29, 1998*

## Randy C. Robbins

*is hereby awarded this certificate*
*to certify completion of the*

## Forty Hour Training in Hazardous Waste Operations And Emergency Response

*meeting OSHA training requirements 29 CFR 1910.120*
*held at The Hammond Training Center*
*Between Chicago, Illinois and East Chicago, Indiana*

*David Hendy (M.S.)*
*Environmental Safety & Health*
*Director of Instruction*
*(773)239-6925*

Founded in 1995

# CHICAGO SAFETY INSTITUTE TM

"THE LEADER THE REST WILL FOLLOW"

*This is to certify that on this day of September 13, 2001*

## Randy C. Robbins

*Last four of SSN 5667*

*Is hereby awarded this Certificate*

*To certify completion of the*

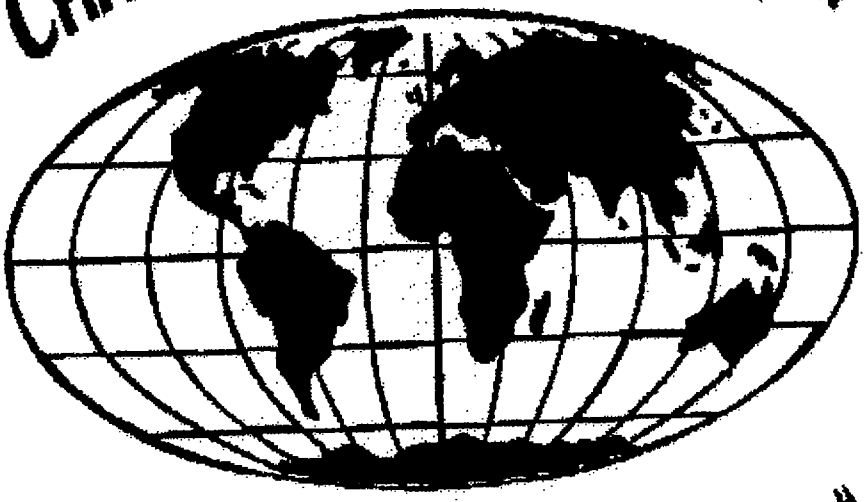
## *Eight Hour Refresher Training in Hazardous Waste Operations and Emergency Response*

*Meeting OSHA training requirements 29 CFR 1910.120*

*Held in Chicago, Illinois*

*David Hendy (M.S.)*
*Environmental Safety & Health*
*Director of Instruction*
(800) 275-8239

# CHICAGO SAFETY INSTITUTE TM



## "THE LEADER THE REST WILL FOLLOW"

*This is to certify that on this day of July 2, 1999*

**Randy C. Robbins**

*Last four of SSN 5667*

*Is hereby awarded this Certificate*

*To certify completion of the*

## *Eight Hour Refresher Training in Hazardous Waste Operations and Emergency Response*

*Meeting OSHA training requirements 29 CFR 1910.120*

*Held in Chicago, Illinois*

David M. Hendy

*David Hendy (M.S.)*
*Environmental Safety & Health*
*Director of Instruction*
(800) 275-8239

# APPENDIX J

## FACILITY RESPONSE PLAN REGULATIONS

(2) Training shall be functional in nature according to job tasks for both supervisory and non-supervisory operational personnel.

(3) Trainers shall develop specific lesson plans on subject areas relevant to facility personnel involved in oil spill response and cleanup.

(c) The facility owner or operator shall develop a program of facility response drills/exercises, including evaluation procedures. A program that follows the National Preparedness for Response Exercise Program (PREP) (see Appendix E to this part, section 13, for availability) will be deemed satisfactory for purposes of this section. An alternative program can also be acceptable subject to approval by the Regional Administrator.

[59 FR 34101, July 1, 1994, as amended at 65 FR 40798, June 30, 2000]

## APPENDIX A TO PART 112—MEMORANDUM OF UNDERSTANDING BETWEEN THE SECRETARY OF TRANSPORTATION AND THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

### SECTION II—DEFINITIONS

The Environmental Protection Agency and the Department of Transportation agree that for the purposes of Executive Order 11548, the term:

(1) *Non-transportation-related onshore and offshore facilities* means:

(A) Fixed onshore and offshore oil well drilling facilities including all equipment and appurtenances related thereto used in drilling operations for exploratory or development wells, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(B) Mobile onshore and offshore oil well drilling platforms, barges, trucks, or other mobile facilities including all equipment and appurtenances related thereto when such mobile facilities are fixed in position for the purpose of drilling operations for exploratory or development wells, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(C) Fixed onshore and offshore oil production structures, platforms, derricks, and rigs including all equipment and appurtenances related thereto, as well as completed wells and the wellhead separators, oil separators, and storage facilities used in the production of oil, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(D) Mobile onshore and offshore oil production facilities including all equipment and appurtenances related thereto as well as completed wells and wellhead equipment, piping from wellheads to oil separators, oil separators, and storage facilities used in the production of oil when such mobile facilities are fixed in position for the purpose of oil production operations, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(E) Oil refining facilities including all equipment and appurtenances related thereto as well as in-plant processing units, storage units, piping, drainage systems and waste treatment units used in the refining of oil, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(F) Oil storage facilities including all equipment and appurtenances related thereto as well as fixed bulk plant storage, terminal oil storage facilities, consumer storage, pumps and drainage systems used in the storage of oil, but excluding inline or breakout storage tanks needed for the continuous operation of a pipeline system and any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(G) Industrial, commercial, agricultural or public facilities which use and store oil, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(H) Waste treatment facilities including in-plant pipelines, effluent discharge lines, and storage tanks, but excluding waste treatment facilities located on vessels and terminal storage tanks and appurtenances for the reception of oily ballast water or tank washings from vessels and associated systems used for off-loading vessels.

(I) Loading racks, transfer hoses, loading arms and other equipment which are appurtenant to a nontransportation-related facility or terminal facility and which are used to transfer oil in bulk to or from highway vehicles or railroad cars.

(J) Highway vehicles and railroad cars which are used for the transport of oil exclusively within the confines of a nontransportation-related facility and which are not intended to transport oil in interstate or intrastate commerce.

(K) Pipeline systems which are used for the transport of oil exclusively within the confines of a nontransportation-related facility

(iii) A description of the training program to be carried out under the response plan as described in § 112.21; and

(iv) Logs of discharge prevention meetings, training sessions, and drills/exercises. These logs may be maintained as an annex to the response plan.

(9) *Diagrams.* The response plan shall include site plan and drainage plan diagrams.

(10) *Security systems.* The response plan shall include a description of facility security systems.

(11) *Response plan cover sheet.* The response plan shall include a completed response plan cover sheet provided in Section 2.0 of Appendix F to this part.

(i)(1) In the event the owner or operator of a facility does not agree with the Regional Administrator's determination that the facility could, because of its location, reasonably be expected to cause substantial harm or significant and substantial harm to the environment by discharging oil into or on the navigable waters or adjoining shorelines, or that amendments to the facility response plan are necessary prior to approval, such as changes to the worst case discharge planning volume, the owner or operator may submit a request for reconsideration to the Regional Administrator and provide additional information and data in writing to support the request. The request and accompanying information must be submitted to the Regional Administrator within 60 days of receipt of notice of the Regional Administrator's original decision. The Regional Administrator shall consider the request and render a decision as rapidly as practicable.

(2) In the event the owner or operator of a facility believes a change in the facility's classification status is warranted because of an unplanned event or change in the facility's characteristics (i.e., substantial harm or significant and substantial harm), the owner or operator may submit a request for reconsideration to the Regional Administrator and provide additional information and data in writing to support the request. The Regional Administrator shall consider the request and render a decision as rapidly as practicable.

(3) After a request for reconsideration under paragraph (i)(1) or (i)(2) of this section has been denied by the Regional Administrator, an owner or operator may appeal a determination made by the Regional Administrator. The appeal shall be made to the EPA Administrator and shall be made in writing within 60 days of receipt of the decision from the Regional Administrator that the request for reconsideration was denied. A complete copy of the appeal must be sent to the Regional Administrator at the time the appeal is made. The appeal shall contain a clear and concise statement of the issues and points of fact in the case. It also may contain additional information from the owner or operator, or from any other person. The EPA Administrator may request additional information from the owner or operator, or from any other person. The EPA Administrator shall render a decision as rapidly as practicable and shall notify the owner or operator of the decision.

[59 FR 34098, July 1, 1994, as amended at 65 FR 40798, June 30, 2000; 66 FR 34560, June 29, 2001; 67 FR 47151, July 17, 2002]

### § 112.21 Facility response training and drills/exercises.

(a) The owner or operator of any facility required to prepare a facility response plan under § 112.20 shall develop and implement a facility response training program and a drill/exercise program that satisfy the requirements of this section. The owner or operator shall describe the programs in the response plan as provided in § 112.20(h)(8).

(b) The facility owner or operator shall develop a facility response training program to train those personnel involved in oil spill response activities. It is recommended that the training program be based on the USCG's Training Elements for Oil Spill Response, as applicable to facility operations. An alternative program can also be acceptable subject to approval by the Regional Administrator.

(1) The owner or operator shall be responsible for the proper instruction of facility personnel in the procedures to respond to discharges of oil and in applicable oil spill response laws, rules, and regulations.

MODIFICATION AND TERMINATION

Any party to this agreement may propose modifications by submitting them in writing to the heads of the other agency/department. No modification may be adopted except with the consent of all parties. All parties shall indicate their consent to or disagreement with any proposed modification within 60 days of receipt. Upon the request of any party, representatives of all parties shall meet for the purpose of considering exceptions or modifications to this agreement. This MOU may be terminated only with the mutual consent of all parties.

Dated: November 8, 1993.
Bruce Babbitt,
*Secretary of the Interior.*
Dated: December 14, 1993.
Federico Peña,
*Secretary of Transportation.*
Dated: February 3, 1994.
Carol M. Browner,
*Administrator, Environmental Protection Agency.*

[59 FR 34102, July 1, 1994]

## APPENDIX C TO PART 112—SUBSTANTIAL HARM CRITERIA

### *1.0 Introduction*

The flowchart provided in Attachment C-I to this appendix shows the decision tree with the criteria to identify whether a facility "could reasonably be expected to cause substantial harm to the environment by discharging into or on the navigable waters or adjoining shorelines." In addition, the Regional Administrator has the discretion to identify facilities that must prepare and submit facility-specific response plans to EPA.

### *1.1 Definitions*

1.1.1 *Great Lakes* means Lakes Superior, Michigan, Huron, Erie, and Ontario, their connecting and tributary waters, the Saint Lawrence River as far as Saint Regis, and adjacent port areas.

*1.1.2 Higher Volume Port Areas* include

(1) Boston, MA;
(2) New York, NY;
(3) Delaware Bay and River to Philadelphia, PA;
(4) St. Croix, VI;
(5) Pascagoula, MS;
(6) Mississippi River from Southwest Pass, LA to Baton Rouge, LA;
(7) Louisiana Offshore Oil Port (LOOP), LA;
(8) Lake Charles, LA;
(9) Sabine-Neches River, TX;
(10) Galveston Bay and Houston Ship Channel, TX;
(11) Corpus Christi, TX;
(12) Los Angeles/Long Beach Harbor, CA;
(13) San Francisco Bay, San Pablo Bay, Carquinez Strait, and Suisun Bay to Antioch, CA;
(14) Straits of Juan de Fuca from Port Angeles, WA to and including Puget Sound, WA;
(15) Prince William Sound, AK; and
(16) Others as specified by the Regional Administrator for any EPA Region.

1.1.3 *Inland Area* means the area shoreward of the boundary lines defined in 46 CFR part 7, except in the Gulf of Mexico. In the Gulf of Mexico, it means the area shoreward of the lines of demarcation (COLREG lines as defined in 33 CFR 80.740—80.850). The inland area does not include the Great Lakes.

1.1.4 *Rivers and Canals* means a body of water confined within the inland area, including the Intracoastal Waterways and other waterways artificially created for navigating that have project depths of 12 feet or less.

### *2.0 Description of Screening Criteria for the Substantial Harm Flowchart*

A facility that has the potential to cause substantial harm to the environment in the event of a discharge must prepare and submit a facility-specific response plan to EPA in accordance with Appendix F to this part. A description of the screening criteria for the substantial harm flowchart is provided below:

2.1 *Non-Transportation-Related Facilities With a Total Oil Storage Capacity Greater Than or Equal to 42,000 Gallons Where Operations Include Over-Water Transfers of Oil.* A non-transportation-related facility with a total oil storage capacity greater than or equal to 42,000 gallons that transfers oil over water to or from vessels must submit a response plan to EPA. Daily oil transfer operations at these types of facilities occur between barges and vessels and onshore bulk storage tanks over open water. These facilities are located adjacent to navigable water.

2.2 *Lack of Adequate Secondary Containment at Facilities With a Total Oil Storage Capacity Greater Than or Equal to 1 Million Gallons.* Any facility with a total oil storage capacity greater than or equal to 1 million gallons without secondary containment sufficiently large to contain the capacity of the largest aboveground oil storage tank within each area plus sufficient freeboard to allow for precipitation must submit a response plan to EPA. Secondary containment structures that meet the standard of good engineering practice for the purposes of this part include berms, dikes, retaining walls, curbing, culverts, gutters, or other drainage systems.

2.3 *Proximity to Fish and Wildlife and Sensitive Environments at Facilities With a Total Oil Storage Capacity Greater Than or Equal to 1 Million Gallons.* A facility with a total oil storage capacity greater than or equal to 1

or terminal facility and which are not intended to transport oil in interstate or intrastate commerce, but excluding pipeline systems used to transfer oil in bulk to or from a vessel.

(2) *Transportation-related onshore and offshore facilities* means:

(A) Onshore and offshore terminal facilities including transfer hoses, loading arms and other equipment and appurtenances used for the purpose of handling or transferring oil in bulk to or from a vessel as well as storage tanks and appurtenances for the reception of oily ballast water or tank washings from vessels, but excluding terminal waste treatment facilities and terminal oil storage facilities.

(B) Transfer hoses, loading arms and other equipment appurtenant to a non-transportation-related facility which is used to transfer oil in bulk to or from a vessel.

(C) Interstate and intrastate onshore and offshore pipeline systems including pumps and appurtenances related thereto as well as in-line or breakout storage tanks needed for the continuous operation of a pipeline system, and pipelines from onshore and offshore oil production facilities, but excluding onshore and offshore piping from wellheads to oil separators and pipelines which are used for the transport of oil exclusively within the confines of a nontransportation-related facility or terminal facility and which are not intended to transport oil in interstate or intrastate commerce or to transfer oil in bulk to or from a vessel.

(D) Highway vehicles and railroad cars which are used for the transport of oil in interstate or intrastate commerce and the equipment and appurtenances related thereto, and equipment used for the fueling of locomotive units, as well as the rights-of-way on which they operate. Excluded are highway vehicles and railroad cars and motive power used exclusively within the confines of a nontransportation-related facility or terminal facility and which are not intended for use in interstate or intrastate commerce.

## APPENDIX B TO PART 112—MEMORANDUM OF UNDERSTANDING AMONG THE SECRETARY OF THE INTERIOR, SECRETARY OF TRANSPORTATION, AND ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

### PURPOSE

This Memorandum of Understanding (MOU) establishes the jurisdictional responsibilities for offshore facilities, including pipelines, pursuant to section 311 (j)(1)(c), (j)(5), and (j)(6)(A) of the Clean Water Act (CWA), as amended by the Oil Pollution Act of 1990 (Public Law 101-380). The Secretary of the Department of the Interior (DOI), Secretary of the Department of Transportation (DOT), and Administrator of the Environmental Protection Agency (EPA) agree to the division of responsibilities set forth below for spill prevention and control, response planning, and equipment inspection activities pursuant to those provisions.

### BACKGROUND

Executive Order (E.O.) 12777 (56 FR 54757) delegates to DOI, DOT, and EPA various responsibilities identified in section 311(j) of the CWA. Sections 2(b)(3), 2(d)(3), and 2(e)(3) of E.O. 12777 assigned to DOI spill prevention and control, contingency planning, and equipment inspection activities associated with offshore facilities. Section 311(a)(11) defines the term "offshore facility" to include facilities of any kind located in, on, or under navigable waters of the United States. By using this definition, the traditional DOI role of regulating facilities on the Outer Continental Shelf is expanded by E.O. 12777 to include inland lakes, rivers, streams, and any other inland waters.

### RESPONSIBILITIES

Pursuant to section 2(i) of E.O. 12777, DOI redelegates, and EPA and DOT agree to assume, the functions vested in DOI by sections 2(b)(3), 2(d)(3), and 2(e)(3) of E.O. 12777 as set forth below. For purposes of this MOU, the term "coast line" shall be defined as in the Submerged Lands Act (43 U.S.C. 1301(c)) to mean "the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters."

1. To EPA, DOI redelegates responsibility for non-transportation-related offshore facilities located landward of the coast line.

2. To DOT, DOI redelegates responsibility for transportation-related facilities, including pipelines, located landward of the coast line. The DOT retains jurisdiction for deepwater ports and their associated seaward pipelines, as delegated by E.O. 12777.

3. The DOI retains jurisdiction over facilities, including pipelines, located seaward of the coast line, except for deepwater ports and associated seaward pipelines delegated by E.O. 12777 to DOT.

### EFFECTIVE DATE

This MOU is effective on the date of the final execution by the indicated signatories.

### LIMITATIONS

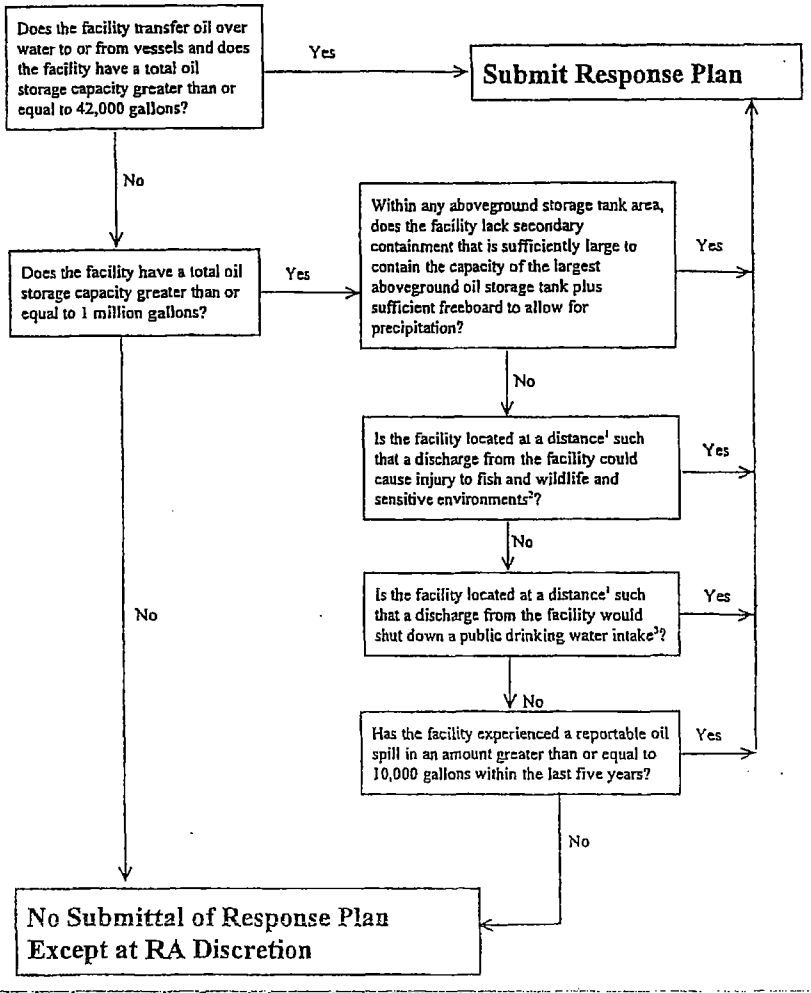
1. The DOI, DOT, and EPA may agree in writing to exceptions to this MOU on a facility-specific basis. Affected parties will receive notification of the exceptions.

2. Nothing in this MOU is intended to replace, supersede, or modify any existing agreements between or among DOI, DOT, or EPA.

ATTACHMENTS TO APPENDIX C

Attachment C-I

## Flowchart of Criteria for Substantial Harm




[1] Calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula.

[2] For further description of fish and wildlife and sensitive environments, see Appendices I,II, and III to DOC/NOAA's "Guidance for Facility and vessel response Plans: Fish and Wildlife and Sensitive Environments" (59 FR 14713, March 29, 1994) and the applicable Area Contingency Plan.

[3] Public drinking water intakes are analogous to public water systems as described at CFR 143.2(c).

million gallons must submit its response plan if it is located at a distance such that a discharge from the facility could cause injury (as defined at 40 CFR 112.2) to fish and wildlife and sensitive environments. For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to this part, section 13, for availability) and the applicable Area Contingency Plan. Facility owners or operators must determine the distance at which an oil discharge could cause injury to fish and wildlife and sensitive environments using the appropriate formula presented in Attachment C-III to this appendix or a comparable formula.

2.4 *Proximity to Public Drinking Water Intakes at Facilities with a Total Oil Storage Capacity Greater than or Equal to 1 Million Gallons* A facility with a total oil storage capacity greater than or equal to 1 million gallons must submit its response plan if it is located at a distance such that a discharge from the facility would shut down a public drinking water intake, which is analogous to a public water system as described at 40 CFR 143.2(c). The distance at which an oil discharge from an SPCC-regulated facility would shut down a public drinking water intake shall be calculated using the appropriate formula presented in Attachment C-III to this appendix or a comparable formula.

2.5 *Facilities That Have Experienced Reportable Oil Discharges in an Amount Greater Than or Equal to 10,000 Gallons Within the Past 5 Years and That Have a Total Oil Storage Capacity Greater Than or Equal to 1 Million Gallons.* A facility's oil spill history within the past 5 years shall be considered in the evaluation for substantial harm. Any facility with a total oil storage capacity greater than or equal to 1 million gallons that has experienced a reportable oil discharge in an amount greater than or equal to 10,000 gallons within the past 5 years must submit a response plan to EPA.

### *3.0 Certification for Facilities That Do Not Pose Substantial Harm*

If the facility does not meet the substantial harm criteria listed in Attachment C-I to this appendix, the owner or operator shall complete and maintain at the facility the certification form contained in Attachment C-II to this appendix. In the event an alternative formula that is comparable to the one in this appendix is used to evaluate the substantial harm criteria, the owner or operator shall attach documentation to the certification form that demonstrates the reliability and analytical soundness of the comparable formula and shall notify the Regional Administrator in writing that an alternative formula was used.

### *4.0 References*

Chow, V.T. 1959. Open Channel Hydraulics. McGraw Hill.

USCG IFR (58 FR 7353, February 5, 1993). This document is available through EPA's rulemaking docket as noted in Appendix E to this part, section 13.

writing that an alternative formula was used.[1]

1.3 A regulated facility may meet the criteria for the potential to cause substantial harm to the environment without having to perform a planning distance calculation. For facilities that meet the substantial harm criteria because of inadequate secondary containment or oil spill history, as listed in the flowchart in Attachment C–I to this appendix, calculation of the planning distance is unnecessary. For facilities that do not meet the substantial harm criteria for secondary containment or oil spill history as listed in the flowchart, calculation of a planning distance for proximity to fish and wildlife and sensitive environments and public drinking water intakes is required, unless it is clear without performing the calculation (e.g., the facility is located in a wetland) that these areas would be impacted.

1.4 A facility owner or operator who must perform a planning distance calculation on navigable water is only required to do so for the type of navigable water conditions (i.e., moving water, still water, or tidal- influenced water) applicable to the facility. If a facility owner or operator determines that more than one type of navigable water condition applies, then the facility owner or operator is required to perform a planning distance calculation for each navigable water type to determine the greatest single distance that oil may be transported. As a result, the final planning distance for oil transport on water shall be the greatest individual distance rather than a summation of each calculated planning distance.

1.5 The planning distance formula for transport on moving waterways contains three variables: the velocity of the navigable water (v), the response time interval (t), and a conversion factor (c). The velocity, v, is determined by using the Chezy-Manning equation, which, in this case, models the flood flow rate of water in open channels. The Chezy-Manning equation contains three variables which must be determined by facility owners or operators. Manning's Roughness Coefficient (for flood flow rates), n, can be determined from Table 1 of this attachment. The hydraulic radius, r, can be estimated using the average mid-channel depth from charts provided by the sources listed in Table 2 of this attachment. The average slope of the river, s, can be determined using topographic maps that can be ordered from the U.S. Geological Survey, as listed in Table 2 of this attachment.

1.6 Table 3 of this attachment contains specified time intervals for estimating the arrival of response resources at the scene of a discharge. Assuming no prior planning, response resources should be able to arrive at the discharge site within 12 hours of the discovery of any oil discharge in Higher Volume Port Areas and within 24 hours in Great Lakes and all other river, canal, inland, and nearshore areas. The specified time intervals in Table 3 of Appendix C are to be used only to aid in the identification of whether a facility could cause substantial harm to the environment. Once it is determined that a plan must be developed for the facility, the owner or operator shall reference Appendix E to this part to determine appropriate resource levels and response times. The specified time intervals of this appendix include a 3-hour time period for deployment of boom and other response equipment. The Regional Administrator may identify additional areas as appropriate.

*2.0 Oil Transport on Moving Navigable Waters*

2.1 The facility owner or operator must use the following formula or a comparable formula as described in §112.20(a)(3) to calculate the planning distance for oil transport on moving navigable water:

d=vxtxc; where

d: the distance downstream from a facility within which fish and wildlife and sensitive environments could be injured or a public drinking water intake would be shut down in the event of an oil discharge (in miles);

v: the velocity of the river/navigable water of concern (in ft/sec) as determined by Chezy-Manning's equation (see below and Tables 1 and 2 of this attachment);

t: the time interval specified in Table 3 based upon the type of water body and location (in hours); and

c: constant conversion factor 0.68 sec/mile/hr/ft (3600 sec/hr ÷ 5280 ft/mile).

2.2 Chezy-Manning's equation is used to determine velocity:

$v=1.5/n \times r^{2/3} \times s^{1/2}$; where

v=the velocity of the river of concern (in ft/sec);

n=Manning's Roughness Coefficient from Table 1 of this attachment;

r=the hydraulic radius; the hydraulic radius can be approximated for parabolic channels by multiplying the average mid-channel depth of the river (in feet) by 0.667

[1] For persistent oils or non-persistent oils, a worst case trajectory model (i.e., an alternative formula) may be substituted for the distance formulas described in still, moving, and tidal waters, subject to Regional Administrator's review of the model. An example of an alternative formula that is comparable to the one contained in this appendix would be a worst case trajectory calculation based on credible adverse winds, currents, and/or river stages, over a range of seasons, weather conditions, and river stages. Based on historical information or a spill trajectory model, the Agency may require that additional fish and wildlife and sensitive environments or public drinking water intakes also be protected.

ATTACHMENT C-II—CERTIFICATION OF THE APPLICABILITY OF THE SUBSTANTIAL HARM CRITERIA

Facility Name: _____
Facility Address: _____

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?
Yes _____ No _____

2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?
Yes _____ No _____

3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula[1]) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to this part, section 13, for availability) and the applicable Area Contingency Plan.
Yes _____ No _____

4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula[1]) such that a discharge from the facility would shut down a public drinking water intake[2]?
Yes _____ No _____

5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil discharge in an amount greater than or equal to 10,000 gallons within the last 5 years?
Yes_____ No_____

Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

_____
Signature

_____
Name (please type or print)

_____
Title

_____
Date

[1] If a comparable formula is used, documentation of the reliability and analytical soundness of the comparable formula must be attached to this form.

[2] For the purposes of 40 CFR part 112, public drinking water intakes are analogous to public water systems as described at 40 CFR 143.2(c).

ATTACHMENT C-III—CALCULATION OF THE PLANNING DISTANCE

*1.0 Introduction*

1.1 The facility owner or operator must evaluate whether the facility is located at a distance such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments or disrupt operations at a public drinking water intake. To quantify that distance, EPA considered oil transport mechanisms over land and on still, tidal influence, and moving navigable waters. EPA has determined that the primary concern for calculation of a planning distance is the transport of oil in navigable waters during adverse weather conditions. Therefore, two formulas have been developed to determine distances for planning purposes from the point of discharge at the facility to the potential site of impact on moving and still waters, respectively. The formula for oil transport on moving navigable water is based on the velocity of the water body and the time interval for arrival of response resources. The still water formula accounts for the spread of discharged oil over the surface of the water. The method to determine oil transport on tidal influence areas is based on the type of oil discharged and the distance down current during ebb tide and up current during flood tide to the point of maximum tidal influence.

1.2 EPA's formulas were designed to be simple to use. However, facility owners or operators may calculate planning distances using more sophisticated formulas, which take into account broader scientific or engineering principles, or local conditions. Such comparable formulas may result in different planning distances than EPA's formulas. In the event that an alternative formula that is comparable to one contained in this appendix is used to evaluate the criterion in 40 CFR 112.20(f)(1)(ii)(B) or (f)(1)(ii)(C), the owner or operator shall attach documentation to the response plan cover sheet contained in Appendix F to this part that demonstrates the reliability and analytical soundness of the alternative formula and shall notify the Regional Administrator in

water at the appropriate distance downstream (B). The formula presented below can be used to calculate the slope.

(5) Determine the distance (in miles) between the facility and the public drinking water intake or fish and wildlife and sensitive environments (C).

(6) Use the following formula to find the slope, which will be a unitless value: Average Slope=[(A−B) (ft)/C (miles)] × [1 mile/5280 feet]

2.4 If it is not feasible to determine the slope and mid-channel depth by the Chezy-Manning equation, then the river velocity can be approximated on- site. A specific length, such as 100 feet, can be marked off along the shoreline. A float can be dropped into the stream above the mark, and the time required for the float to travel the distance can be used to determine the velocity in feet per second. However, this method will not yield an average velocity for the length of the stream, but a velocity only for the specific location of measurement. In addition, the flow rate will vary depending on weather conditions such as wind and rainfall. It is recommended that facility owners or operators repeat the measurement under a variety of conditions to obtain the most accurate estimate of the surface water velocity under adverse weather conditions.

2.5 The planning distance calculations for moving and still navigable waters are based on worst case discharges of persistent oils. Persistent oils are of concern because they can remain in the water for significant periods of time and can potentially exist in large quantities downstream. Owners or operators of facilities that store persistent as well as non-persistent oils may use a comparable formula. The volume of oil discharged is not included as part of the planning distance calculation for moving navigable waters. Facilities that will meet this substantial harm criterion are those with facility capacities greater than or equal to 1 million gallons. It is assumed that these facilities are capable of having an oil discharge of sufficient quantity to cause injury to fish and wildlife and sensitive environments or shut down a public drinking water intake. While owners or operators of transfer facilities that store greater than or equal to 42,000 gallons are not required to use a planning distance formula for purposes of the substantial harm criteria, they should use a planning distance calculation in the development of facility-specific response plans.

TABLE 3—SPECIFIED TIME INTERVALS

| Operating areas | Substantial harm planning time (hrs) |
|---|---|
| Higher volume port area. | 12 hour arrival+3 hour deployment=15 hours. |
| Great Lakes ... | 24 hour arrival+3 hour deployment=27 hours. |
| All other rivers and canals, inland, and nearshore areas. | 24 hour arrival+3 hour deployment=27 hours. |

2.6 *Example of the Planning Distance Calculation for Oil Transport on Moving Navigable Waters.* The following example provides a sample calculation using the planning distance formula for a facility discharging oil into the Monongahela River:

(1) Solve for v by evaluating n, r, and s for the Chezy-Manning equation:

Find the roughness coefficient, n, on Table 1 of this attachment for a regular section of a major stream with a top width greater than 100 feet. The top width of the river can be found from the topographic map.

n=0.035.

Find slope, s, where A=727 feet, B=710 feet, and C=25 miles.

Solving:

$s=[(727\ ft-1710\ ft)/25\ miles]\times[1\ mile/5280\ feet]=1.3\times10^{-4}$

The average mid-channel depth is found by averaging the mid-channel depth for each mile along the length of the river between the facility and the public drinking water intake or the fish or wildlife or sensitive environment (or 20 miles downstream if applicable). This value is multiplied by 0.667 to obtain the hydraulic radius. The mid-channel depth is found by obtaining values for r and s from the sources shown in Table 2 for the Monongahela River.

Solving:

r=0.667×20 feet=13.33 feet

Solve for v using:

$v=1.5/n\times r^{2/3}\times s^{1/2}$:

$v=[1.5/0.035]\times(13.33)^{2/3}\times(1.3\times10^{-4})^{1/2}$

v=2.73 feet/second

(2) Find t from Table 3 of this attachment. The Monongahela River's resource response time is 27 hours.

(3) Solve for planning distance, d:

d=v×t×c

d=(2.73 ft/sec)×(27 hours)×(0.68 sec/mile/hr/ft)

d=50 miles

Therefore, 50 miles downstream is the appropriate planning distance for this facility.

### *3.0 Oil Transport on Still Water*

3.1 For bodies of water including lakes or ponds that do not have a measurable velocity, the spreading of the oil over the surface must be considered. Owners or operators of facilities located next to still water bodies may use a comparable means of calculating

(sources for obtaining the mid-channel depth are listed in Table 2 of this attachment); and

s=the average slope of the river (unitless) obtained from U.S. Geological Survey topographic maps at the address listed in Table 2 of this attachment.

TABLE 1—MANNING'S ROUGHNESS COEFFICIENT FOR NATURAL STREAMS

[NOTE: Coefficients are presented for high flow rates at or near flood stage.]

| Stream description | Roughness coefficient (n) |
|---|---|
| Minor Streams (Top Width <100 ft.) | |
| Clean: | |
| Straight | 0.03 |
| Winding | 0.04 |
| Sluggish (Weedy, deep pools): | |
| No trees or brush | 0.06 |
| Trees and/or brush | 0.10 |
| Major Streams (Top Width >100 ft.) | |
| Regular section: | |
| (No boulders/brush) | 0.035 |
| Irregular section: | |
| (Brush) | 0.05 |

TABLE 2—SOURCES OF R AND S FOR THE CHEZY-MANNING EQUATION

All of the charts and related publications for navigational waters may be ordered from:
Distribution Branch
(N/CG33)
National Ocean Service
Riverdale, Maryland 20737-1199
Phone: (301) 436-6990
There will be a charge for materials ordered and a VISA or Mastercard will be accepted.
The mid-channel depth to be used in the calculation of the hydraulic radius (r) can be obtained directly from the following sources:
Charts of Canadian Coastal and Great Lakes Waters:
Canadian Hydrographic Service
Department of Fisheries and Oceans Institute
P.O. Box 8080
1675 Russell Road
Ottawa, Ontario KIG 3H6
Canada
Phone: (613) 998-4931
Charts and Maps of Lower Mississippi River (Gulf of Mexico to Ohio River and St. Francis, White, Big Sunflower, Atchafalaya, and other rivers):
U.S. Army Corps of Engineers
Vicksburg District
P.O. Box 60
Vicksburg, Mississippi 39180
Phone: (601) 634-5000
Charts of Upper Mississippi River and Illinois Waterway to Lake Michigan:
U.S. Army Corps of Engineers
Rock Island District
P.O. Box 2004
Rock Island, Illinois 61204
Phone: (309) 794-5552
Charts of Missouri River:
U.S. Army Corps of Engineers
Omaha District
6014 U.S. Post Office and Courthouse
Omaha, Nebraska 68102
Phone: (402) 221-3900
Charts of Ohio River:
U.S. Army Corps of Engineers
Ohio River Division
P.O. Box 1159
Cincinnati, Ohio 45201
Phone: (513) 684-3002
Charts of Tennessee Valley Authority Reservoirs, Tennessee River and Tributaries:
Tennessee Valley Authority
Maps and Engineering Section
416 Union Avenue
Knoxville, Tennessee 37902
Phone: (615) 632-2921
Charts of Black Warrior River, Alabama River, Tombigbee River, Apalachicola River and Pearl River:
U.S. Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, Alabama 36628-0001
Phone: (205) 690-2511
The average slope of the river (s) may be obtained from topographic maps:
U.S. Geological Survey
Map Distribution
Federal Center
Bldg. 41
Box 25286
Denver, Colorado 80225
Additional information can be obtained from the following sources:

1. The State's Department of Natural Resources (DNR) or the State's Aids to Navigation office;
2. A knowledgeable local marina operator; or
3. A knowledgeable local water authority (e.g., State water commission)

2.3 The average slope of the river (s) can be determined from the topographic maps using the following steps:

(1) Locate the facility on the map.

(2) Find the Normal Pool Elevation at the point of discharge from the facility into the water (A).

(3) Find the Normal Pool Elevation of the public drinking water intake or fish and wildlife and sensitive environment located downstream (B) (Note: The owner or operator should use a minimum of 20 miles downstream as a cutoff to obtain the average slope if the location of a specific public drinking water intake or fish and wildlife and sensitive environment is unknown).

(4) If the Normal Pool Elevation is not available, the elevation contours can be used to find the slope. Determine elevation of the water at the point of discharge from the facility (A). Determine the elevation of the

waters via open channel flow or from sheet flow across the land, or be prevented from reaching navigable waters when trapped in natural or man-made depressions excluding secondary containment structures.

5.2 As discharged oil travels over land, it may enter a storm drain or open concrete channel intended for drainage. It is assumed that once oil reaches such an inlet, it will flow into the receiving navigable water. During a storm event, it is highly probable that the oil will either flow into the drainage structures or follow the natural contours of the land and flow into the navigable water. Expected minimum and maximum velocities are provided as examples of open concrete channel and pipe flow. The ranges listed below reflect minimum and maximum velocities used as design criteria.[4] The calculation below demonstrates that the time required for oil to travel through a storm drain or open concrete channel to navigable water is negligible and can be considered instantaneous. The velocities are:

For open concrete channels:
maximum velocity=25 feet per second
minimum velocity=3 feet per second
For storm drains:
maximum velocity=25 feet per second
minimum velocity=2 feet per second

5.3 Assuming a length of 0.5 mile from the point of discharge through an open concrete channel or concrete storm drain to a navigable water, the travel times (distance/velocity) are:

1.8 minutes at a velocity of 25 feet per second
14.7 minutes at a velocity of 3 feet per second
22.0 minutes for at a velocity of 2 feet per second

5.4 The distances that shall be considered to determine the planning distance are illustrated in Figure C-I of this attachment. The relevant distances can be described as follows:

D1=Distance from the nearest opportunity for discharge, $X_1$, to a storm drain or an open concrete channel leading to navigable water.

D2=Distance through the storm drain or open concrete channel to navigable water.

D3=Distance downstream from the outfall within which fish and wildlife and sensitive environments could be injured or a public drinking water intake would be shut down as determined by the planning distance formula.

D4=Distance from the nearest opportunity for discharge, $X_2$, to fish and wildlife and sensitive environments not bordering navigable water.

5.5 A facility owner or operator whose nearest opportunity for discharge is located within 0.5 mile of a navigable water must complete the planning distance calculation (D3) for the type of navigable water near the facility or use a comparable formula.

5.6 A facility that is located at a distance greater than 0.5 mile from a navigable water must also calculate a planning distance (D3) if it is in close proximity (i.e., D1 is less than 0.5 mile and other factors are conducive to oil travel over land) to storm drains that flow to navigable waters. Factors to be considered in assessing oil transport over land to storm drains shall include the topography of the surrounding area, drainage patterns, man-made barriers (excluding secondary containment structures), and soil distribution and porosity. Storm drains or concrete drainage channels that are located in close proximity to the facility can provide a direct pathway to navigable waters, regardless of the length of the drainage pipe. If D1 is less than or equal to 0.5 mile, a discharge from the facility could pose substantial harm because the time to travel the distance from the storm drain to the navigable water (D2) is virtually instantaneous.

5.7 A facility's proximity to fish and wildlife and sensitive environments not bordering a navigable water, as depicted as D4 in Figure C-I of this attachment, must also be considered, regardless of the distance from the facility to navigable waters. Factors to be considered in assessing oil transport over land to fish and wildlife and sensitive environments should include the topography of the surrounding area, drainage patterns, man-made barriers (excluding secondary containment structures), and soil distribution and porosity.

5.8 If a facility is not found to pose substantial harm to fish and wildlife and sensitive environments not bordering navigable waters via oil transport on land, then supporting documentation should be maintained at the facility. However, such documentation should be submitted with the response plan if a facility is found to pose substantial harm.

[4] The design velocities were obtained from Howard County, Maryland Department of Public Works' Storm Drainage Design Manual.

the planning distance. If a comparable formula is used, documentation of the reliability and analytical soundness of the comparable calculation must be attached to the response plan cover sheet.

3.2 *Example of the Planning Distance Calculation for Oil Transport on Still Water.* To assist those facilities which could potentially discharge into a still body of water, the following analysis was performed to provide an example of the type of formula that may be used to calculate the planning distance. For this example, a worst case discharge of 2,000,000 gallons is used.

(1) The surface area in square feet covered by an oil discharge on still water, A1, can be determined by the following formula,[2] where V is the volume of the discharge in gallons and C is a constant conversion factor:

$A_1=10^5\times V^{3/4}\times C$

$C=0.1643$

$A_1=10^5\times(2{,}000{,}000 \text{ gallons})^{3/4}\times(0.1643)$

$A_1=8.74\times10^8 \text{ ft}^2$

(2) The spreading formula is based on the theoretical condition that the oil will spread uniformly in all directions forming a circle. In reality, the outfall of the discharge will direct the oil to the surface of the water where it intersects the shoreline. Although the oil will not spread uniformly in all directions, it is assumed that the discharge will spread from the shoreline into a semi-circle (this assumption does not account for winds or wave action).

(3) The area of a circle=$\pi r^2$

(4) To account for the assumption that oil will spread in a semi-circular shape, the area of a circle is divided by 2 and is designated as $A_2$.

$A_2=(\pi r^2)/2$

Solving for the radius, r, using the relationship $A_1=A_2$: $8.74\times10^8 \text{ ft}^2=(\pi r^2)/2$

Therefore, r=23,586 ft

r=23,586 ft÷5,280 ft/mile=4.5 miles

Assuming a 20 knot wind under storm conditions:

1 knot=1.15 miles/hour

20 knots×1.15 miles/hour/knot=23 miles/hr

Assuming that the oil slick moves at 3 percent of the wind's speed:[3]

23 miles/hour×0.03=0.69 miles/hour

(5) To estimate the distance that the oil will travel, use the times required for response resources to arrive at different geographic locations as shown in Table 3 of this attachment.

For example:

For Higher Volume Port Areas: 15 hrs×0.69 miles/hr=10.4 miles

For Great Lakes and all other areas: 27 hrs×0.69 miles/hr=18.6 miles

(6) The total distance that the oil will travel from the point of discharge, including the distance due to spreading, is calculated as follows:

Higher Volume Port Areas: d=10.4+4.5 miles or approximately 15 miles

Great Lakes and all other areas: d=18.6+4.5 miles or approximately 23 miles

*4.0 Oil Transport on Tidal-Influence Areas*

4.1 The planning distance method for tidal influence navigable water is based on worst case discharges of persistent and non-persistent oils. Persistent oils are of primary concern because they can potentially cause harm over a greater distance. For persistent oils discharged into tidal waters, the planning distance is 15 miles from the facility down current during ebb tide and to the point of maximum tidal influence or 15 miles, whichever is less, during flood tide.

4.2 For non-persistent oils discharged into tidal waters, the planning distance is 5 miles from the facility down current during ebb tide and to the point of maximum tidal influence or 5 miles, whichever is less, during flood tide.

4.3 *Example of Determining the Planning Distance for Two Types of Navigable Water Conditions.* Below is an example of how to determine the proper planning distance when a facility could impact two types of navigable water conditions: moving water and tidal water.

(1) Facility X stores persistent oil and is located downstream from locks along a slow moving river which is affected by tides. The river velocity, v, is determined to be 0.5 feet/second from the Chezy-Manning equation used to calculate oil transport on moving navigable waters. The specified time interval, t, obtained from Table 3 of this attachment for river areas is 27 hours. Therefore, solving for the planning distance, d:

$d=v\times t\times c$

$d=(0.5 \text{ ft/sec})\times(27 \text{ hours})\times(0.68 \text{ sec mile/hr ft})$

$d=9.18 \text{ miles}$

(2) However, the planning distance for maximum tidal influence down current during ebb tide is 15 miles, which is greater than the calculated 9.18 miles. Therefore, 15 miles downstream is the appropriate planning distance for this facility.

*5.0 Oil Transport Over Land*

5.1 Facility owners or operators must evaluate the potential for oil to be transported over land to navigable waters of the United States. The owner or operator must evaluate the likelihood that portions of a worst case discharge would reach navigable

[2] Huang, J.C. and Monastero, F.C., 1982. *Review of the State-of-the-Art of Oil Pollution Models.* Final report submitted to the American Petroleum Institute by Raytheon Ocean Systems, Co., East Providence, Rhode Island.

[3] *Oil Spill Prevention & Control.* National Spill Control School, Corpus Christi State University, Thirteenth Edition, May 1990.

## APPENDIX D TO PART 112—DETERMINATION OF A WORST CASE DISCHARGE PLANNING VOLUME

### *1.0 Instructions*

1.1 An owner or operator is required to complete this worksheet if the facility meets the criteria, as presented in Appendix C to this part, or it is determined by the RA that the facility could cause substantial harm to the environment. The calculation of a worst case discharge planning volume is used for emergency planning purposes, and is required in 40 CFR 112.20 for facility owners or operators who must prepare a response plan. When planning for the amount of resources and equipment necessary to respond to the worst case discharge planning volume, adverse weather conditions must be taken into consideration. An owner or operator is required to determine the facility's worst case discharge planning volume from either part A of this appendix for an onshore storage facility, or part B of this appendix for an onshore production facility. The worksheet considers the provision of adequate secondary containment at a facility.

1.2 For onshore storage facilities and production facilities, permanently manifolded oil storage tanks are defined as tanks that are designed, installed, and/or operated in such a manner that the multiple tanks function as one storage unit (i.e., multiple tank volumes are equalized). In a worst case discharge scenario, a single failure could cause the discharge of the contents of more than one tank. The owner or operator must provide evidence in the response plan that tanks with common piping or piping systems are not operated as one unit. If such evidence is provided and is acceptable to the RA, the worst case discharge planning volume would be based on the capacity of the largest oil storage tank within a common secondary containment area or the largest oil storage tank within a single secondary containment area, whichever is greater. For permanently manifolded tanks that function as one oil storage unit, the worst case discharge planning volume would be based on the combined oil storage capacity of all manifolded tanks or the capacity of the largest single oil storage tank within a secondary containment area, whichever is greater. For purposes of this rule, permanently manifolded tanks that are separated by internal divisions for each tank are considered to be single tanks and individual manifolded tank volumes are not combined.

1.3 For production facilities, the presence of exploratory wells, production wells, and oil storage tanks must be considered in the calculation. Part B of this appendix takes these additional factors into consideration and provides steps for their inclusion in the total worst case discharge planning volume. Onshore oil production facilities may include all wells, flowlines, separation equipment, storage facilities, gathering lines, and auxiliary non-transportation-related equipment and facilities in a single geographical oil or gas field operated by a single operator. Although a potential worst case discharge planning volume is calculated within each section of the worksheet, the final worst case amount depends on the risk parameter that results in the greatest volume.

1.4 Marine transportation-related transfer facilities that contain fixed aboveground onshore structures used for bulk oil storage are jointly regulated by EPA and the U.S. Coast Guard (USCG), and are termed "complexes." Because the USCG also requires response plans from transportation-related facilities to address a worst case discharge of oil, a separate calculation for the worst case discharge planning volume for USCG-related facilities is included in the USCG IFR (see Appendix E to this part, section 13, for availability). All complexes that are jointly regulated by EPA and the USCG must compare both calculations for worst case discharge planning volume derived by using the EPA and USCG methodologies and plan for whichever volume is greater.

### PART A: WORST CASE DISCHARGE PLANNING VOLUME CALCULATION FOR ONSHORE STORAGE FACILITIES[1]

Part A of this worksheet is to be completed by the owner or operator of an SPCC-regulated facility (excluding oil production facilities) if the facility meets the criteria as presented in Appendix C to this part, or if it is determined by the RA that the facility could cause substantial harm to the environment. If you are the owner or operator of a production facility, please proceed to part B of this worksheet.

#### *A.1 SINGLE-TANK FACILITIES*

For facilities containing only one aboveground oil storage tank, the worst case discharge planning volume equals the capacity of the oil storage tank. If adequate secondary containment (sufficiently large to contain the capacity of the aboveground oil storage tank plus sufficient freeboard to allow for precipitation) exists for the oil storage tank, multiply the capacity of the tank by 0.8.

(1) FINAL WORST CASE VOLUME: _____ GAL

(2) Do not proceed further.

[1] "Storage facilities" represent all facilities subject to this part, excluding oil production facilities.

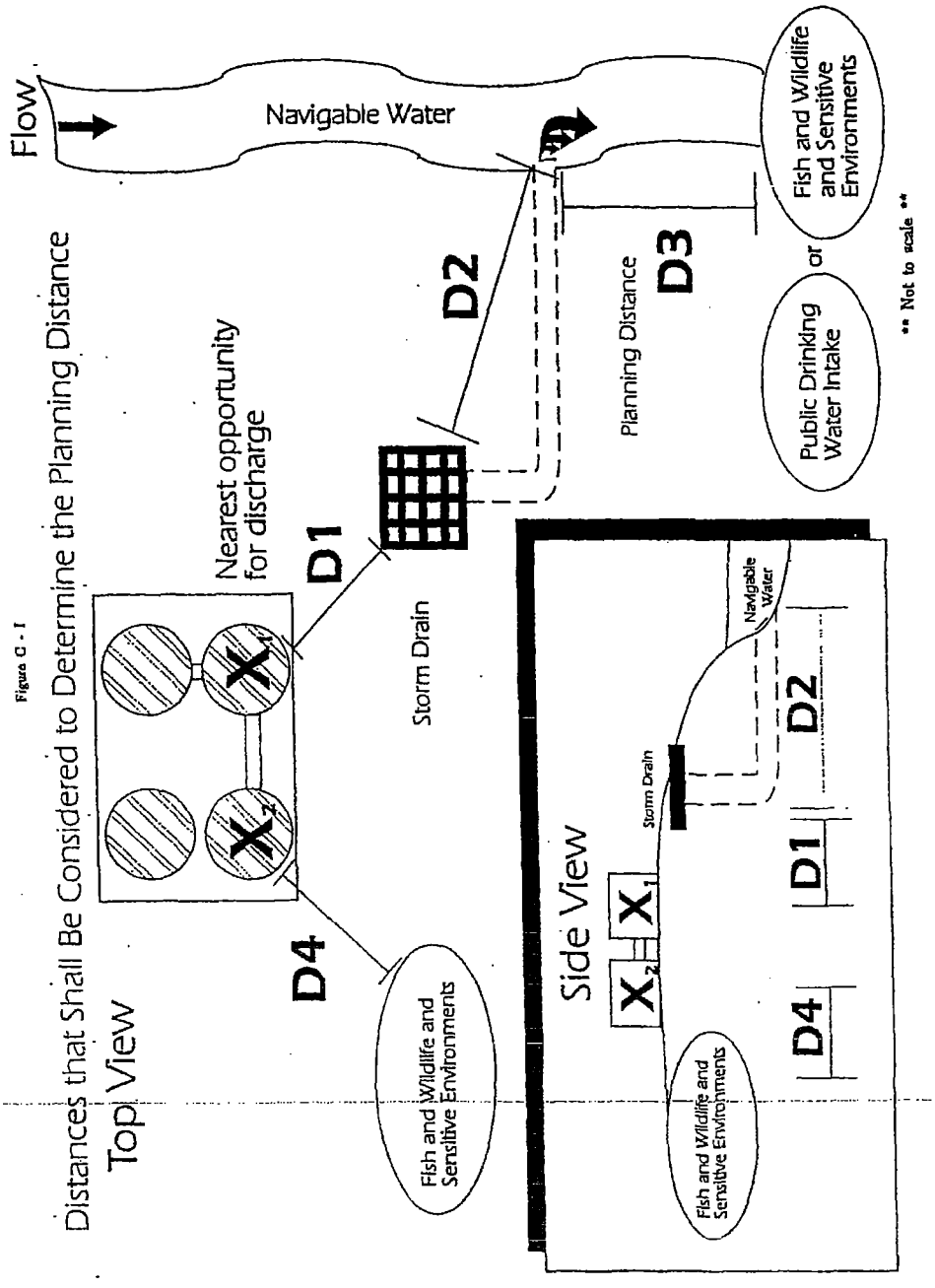



Figure C - 1

[59 FR 34102, July 1, 1994, as amended at 65 FR 40798, June 30, 2000; 67 FR 47152, July 17, 2002]

B.2.2 If the answer is no, calculate the total aboveground oil storage capacity of tanks without adequate secondary containment. If *all* aboveground oil storage tanks or groups of aboveground oil storage tanks at the facility have adequate secondary containment, ENTER "0" (zero).

_____ GAL

B.2.3 Calculate the capacity of the largest single aboveground oil storage tank within an adequate secondary containment area or the combined capacity of a group of aboveground oil storage tanks permanently manifolded together, whichever is greater, plus the production volume of the well with the highest output, PLUS THE VOLUME FROM QUESTION B.2.2. Attachment D–1 provides methods for calculating the production volumes for exploratory wells and production wells producing under pressure.

(1) FINAL WORST CASE VOLUME:[4] _____ GAL

(2) Do not proceed further.

ATTACHMENTS TO APPENDIX D

ATTACHMENT D–I—METHODS TO CALCULATE PRODUCTION VOLUMES FOR PRODUCTION FACILITIES WITH EXPLORATORY WELLS OR PRODUCTION WELLS PRODUCING UNDER PRESSURE

*1.0 Introduction*

The owner or operator of a production facility with exploratory wells or production wells producing under pressure shall compare the well rate of the highest output well (rate of well), in barrels per day, to the ability of response equipment and personnel to recover the volume of oil that could be discharged (rate of recovery), in barrels per day. The result of this comparison will determine the method used to calculate the production volume for the production facility. This production volume is to be used to calculate the worst case discharge planning volume in part B of this appendix.

*2.0 Description of Methods*

2.1 Method A

If the well rate would overwhelm the response efforts (i.e., rate of well/rate of recovery ≥1), then the production volume would be the 30-day forecasted well rate for a well 10,000 feet deep or less, or the 45-day forecasted well rate for a well deeper than 10,000 feet.

(1) For wells 10,000 feet deep or less:
Production volume=30 days × rate of well.

(2) For wells deeper than 10,000 feet:
Production volume=45 days × rate of well.

2.2 Method B

2.2.1 If the rate of recovery would be greater than the well rate (i.e., rate of well/rate of recovery <1), then the production volume would equal the sum of two terms:

Production volume=discharge volume$_1$ + discharge volume$_2$

2.2.2 The first term represents the volume of the oil discharged from the well between the time of the blowout and the time the response resources are on scene and recovering oil (discharge volume$_1$).

Discharge volume$_1$=(days unattended+days to respond) × (rate of well)

2.2.3 The second term represents the volume of oil discharged from the well after the response resources begin operating until the discharge is stopped, adjusted for the recovery rate of the response resources (discharge volume $_2$).

(1) For wells 10,000 feet deep or less:
Discharge volume$_2$=[30 days−(days unattended + days to respond)] × (rate of well) × (rate of well/rate of recovery)

(2) For wells deeper than 10,000 feet:
Discharge volume$_2$=[45 days−(days unattended + days to respond)] × (rate of well) × (rate of well/rate of recovery)

*3.0 Example*

3.1 A facility consists of two production wells producing under pressure, which are both less than 10,000 feet deep. The well rate of well A is 5 barrels per day, and the well rate of well B is 10 barrels per day. The facility is unattended for a maximum of 7 days. The facility operator estimates that it will take 2 days to have response equipment and personnel on scene and responding to a blowout, and that the projected rate of recovery will be 20 barrels per day.

(1) First, the facility operator determines that the highest output well is well B. The facility operator calculates the ratio of the rate of well to the rate of recovery:

10 barrels per day/20 barrels per day=0.5 Because the ratio is less than one, the facility operator will use Method B to calculate the production volume.

(2) The first term of the equation is:

Discharge volume$_1$=(7 days + 2 days) × (10 barrels per day)=90 barrels

(3) The second term of the equation is:

Discharge volume $_2$=[30 days−(7 days+2 days)] × (10 barrels per day) × (0.5)=105 barrels

(4) Therefore, the production volume is:

Production volume=90 barrels + 105 barrels=195 barrels

[4] All complexes that are jointly regulated by EPA and the USCG must also calculate the worst case discharge planning volume for the transportation-related portions of the facility and plan for whichever volume is greater.

*A.2 SECONDARY CONTAINMENT—MULTIPLE-TANK FACILITIES*

Are *all* aboveground oil storage tanks or groups of aboveground oil storage tanks at the facility *without* adequate secondary containment?[2]

_____ (Y/N)

A.2.1 If the answer is yes, the final worst case discharge planning volume equals the *total aboveground oil storage capacity at the facility.*

(1) FINAL WORST CASE VOLUME: _____ GAL

(2) Do not proceed further.

A.2.2 If the answer is no, calculate the total aboveground oil storage capacity of tanks without adequate secondary containment. If *all* aboveground oil storage tanks or groups of aboveground oil storage tanks at the facility have adequate secondary containment, ENTER "0" (zero).

_____ GAL

A.2.3 Calculate the capacity of the largest single aboveground oil storage tank within an adequate secondary containment area or the combined capacity of a group of aboveground oil storage tanks permanently manifolded together, whichever is greater, PLUS THE VOLUME FROM QUESTION A.2.2.

FINAL WORST CASE VOLUME:[3] _____ GAL

PART B: WORST CASE DISCHARGE PLANNING VOLUME CALCULATION FOR ONSHORE PRODUCTION FACILITIES

Part B of this worksheet is to be completed by the owner or operator of an SPCC-regulated oil production facility if the facility meets the criteria presented in Appendix C to this part, or if it is determined by the RA that the facility could cause substantial harm. A production facility consists of all wells (producing and exploratory) and related equipment in a single geographical oil or gas field operated by a single operator.

*B.1 SINGLE-TANK FACILITIES*

B.1.1 For facilities containing only one aboveground oil storage tank, the worst case discharge planning volume equals the capacity of the aboveground oil storage tank plus the production volume of the well with the highest output at the facility. If adequate secondary containment (sufficiently large to contain the capacity of the aboveground oil storage tank plus sufficient freeboard to allow for precipitation) exists for the storage tank, multiply the capacity of the tank by 0.8.

B.1.2 For facilities with production wells producing by pumping, if the rate of the well with the highest output is known and the number of days the facility is unattended can be predicted, then the production volume is equal to the pumping rate of the well multiplied by the greatest number of days the facility is unattended.

B.1.3 If the pumping rate of the well with the highest output is estimated or the maximum number of days the facility is unattended is estimated, then the production volume is determined from the pumping rate of the well multiplied by 1.5 times the greatest number of days that the facility has been or is expected to be unattended.

B.1.4 Attachment D-1 to this appendix provides methods for calculating the production volume for exploratory wells and production wells producing under pressure.

(1) FINAL WORST CASE VOLUME: _____ GAL

(2) Do not proceed further.

*B.2 SECONDARY CONTAINMENT—MULTIPLE-TANK FACILITIES*

Are *all* aboveground oil storage tanks or groups of aboveground oil storage tanks at the facility *without* adequate secondary containment?

_____ (Y/N)

B.2.1 If the answer is yes, the final worst case volume equals the total aboveground oil storage capacity without adequate secondary containment plus the production volume of the well with the highest output at the facility.

(1) For facilities with production wells producing by pumping, if the rate of the well with the highest output is known and the number of days the facility is unattended can be predicted, then the production volume is equal to the pumping rate of the well multiplied by the greatest number of days the facility is unattended.

(2) If the pumping rate of the well with the highest output is estimated or the maximum number of days the facility is unattended is estimated, then the production volume is determined from the pumping rate of the well multiplied by 1.5 times the greatest number of days that the facility has been or is expected to be unattended.

(3) Attachment D-1 to this appendix provides methods for calculating the production volumes for exploratory wells and production wells producing under pressure.

(A) FINAL WORST CASE VOLUME: _____ GAL

(B) Do not proceed further.

[2] Secondary containment is described in 40 CFR part 112, subparts A through C. Acceptable methods and structures for containment are also given in 40 CFR 112.7(c)(1).

[3] All complexes that are jointly regulated by EPA and the USCG must also calculate the worst case discharge planning volume for the transportation-related portions of the facility and plan for whichever volume is greater.

2.3 When identifying equipment for the response plan (based on the use of this appendix), a facility owner or operator must consider the inherent limitations of the operability of equipment components and response systems. The criteria in Table 1 of this appendix shall be used to evaluate the operability in a given environment. These criteria reflect the general conditions in certain operating environments.

2.3.1 The Regional Administrator may require documentation that the boom identified in a facility response plan meets the criteria in Table 1 of this appendix. Absent acceptable documentation, the Regional Administrator may require that the boom be tested to demonstrate that it meets the criteria in Table 1 of this appendix. Testing must be in accordance with ASTM F 715, ASTM F 989, or other tests approved by EPA as deemed appropriate (see Appendix E to this part, section 13, for general availability of documents).

2.4 Table 1 of this appendix lists criteria for oil recovery devices and boom. All other equipment necessary to sustain or support response operations in an operating environment must be designed to function in the same conditions. For example, boats that deploy or support skimmers or boom must be capable of being safely operated in the significant wave heights listed for the applicable operating environment.

2.5 A facility owner or operator shall refer to the applicable Area Contingency Plan (ACP), where available, to determine if ice, debris, and weather-related visibility are significant factors to evaluate the operability of equipment. The ACP may also identify the average temperature ranges expected in the facility's operating area. All equipment identified in a response plan must be designed to operate within those conditions or ranges.

2.6 This appendix provides information on response resource mobilization and response times. The distance of the facility from the storage location of the response resources must be used to determine whether the resources can arrive on-scene within the stated time. A facility owner or operator shall include the time for notification, mobilization, and travel of resources identified to meet the medium and Tier 1 worst case discharge requirements identified in sections 4.3 and 9.3 of this appendix (for medium discharges) and section 5.3 of this appendix (for worst case discharges). The facility owner or operator must plan for notification and mobilization of Tier 2 and 3 response resources as necessary to meet the requirements for arrival on-scene in accordance with section 5.3 of this appendix. An on-water speed of 5 knots and a land speed of 35 miles per hour is assumed, unless the facility owner or operator can demonstrate otherwise.

2.7 In identifying equipment, the facility owner or operator shall list the storage location, quantity, and manufacturer's make and model. For oil recovery devices, the effective daily recovery capacity, as determined using section 6 of this appendix, must be included. For boom, the overall boom height (draft and freeboard) shall be included. A facility owner or operator is responsible for ensuring that the identified boom has compatible connectors.

*3.0 Determining Response Resources Required for Small Discharges—Petroleum Oils and Non-Petroleum Oils Other Than Animal Fats and Vegetable Oils*

3.1 A facility owner or operator shall identify sufficient response resources available, by contract or other approved means as described in §112.2, to respond to a small discharge. A small discharge is defined as any discharge volume less than or equal to 2,100 gallons, but not to exceed the calculated worst case discharge. The equipment must be designed to function in the operating environment at the point of expected use.

3.2 Complexes that are regulated by EPA and the United States Coast Guard (USCG) must also consider planning quantities for the transportation-related transfer portion of the facility.

3.2.1 *Petroleum oils.* The USCG planning level that corresponds to EPA's "small discharge" is termed "the average most probable discharge." A USCG rule found at 33 CFR 154.1020 defines "the average most probable discharge" as the lesser of 50 barrels (2,100 gallons) or 1 percent of the volume of the worst case discharge. Owners or operators of complexes that handle, store, or transport petroleum oils must compare oil discharge volumes for a small discharge and an average most probable discharge, and plan for whichever quantity is greater.

3.2.2 *Non-petroleum oils other than animal fats and vegetable oils.* Owners or operators of complexes that handle, store, or transport non-petroleum oils other than animal fats and vegetable oils must plan for oil discharge volumes for a small discharge. There is no USCG planning level that directly corresponds to EPA's "small discharge." However, the USCG (at 33 CFR 154.545) has requirements to identify equipment to contain oil resulting from an operational discharge.

3.3 The response resources shall, as appropriate, include:

3.3.1 One thousand feet of containment boom (or, for complexes with marine transfer components, 1,000 feet of containment boom or two times the length of the largest vessel that regularly conducts oil transfers to or from the facility, whichever is greater), and a means of deploying it within 1 hour of the discovery of a discharge;

3.3.2 Oil recovery devices with an effective daily recovery capacityequal to the amount of oil discharged in a small discharge or greater which is available at the

3.2 If the recovery rate was 5 barrels per day, the ratio of rate of well to rate of recovery would be 2, so the facility operator would use Method A. The production volume would have been:

30 days × 10 barrels per day=300 barrels

[59 FR 34110, July 1, 1994; 59 FR 49006, Sept. 26, 1994, as amended at 65 FR 40800, June 30, 2000; 67 FR 47152, July 17, 2002]

## APPENDIX E TO PART 112—DETERMINATION AND EVALUATION OF REQUIRED RESPONSE RESOURCES FOR FACILITY RESPONSE PLANS

### *1.0 Purpose and Definitions*

1.1 The purpose of this appendix is to describe the procedures to identify response resources to meet the requirements of §112.20. To identify response resources to meet the facility response plan requirements of 40 CFR 112.20(h), owners or operators shall follow this appendix or, where not appropriate, shall clearly demonstrate in the response plan why use of this appendix is not appropriate at the facility and make comparable arrangements for response resources.

1.2 Definitions.

1.2.1 *Animal fat* means a non-petroleum oil, fat, or grease of animal, fish, or marine mammal origin. Animal fats are further classified based on specific gravity as follows:

(1) Group A—specific gravity less than 0.8.

(2) Group B—specific gravity equal to or greater than 0.8 and less than 1.0.

(3) Group C—specific gravity equal to or greater than 1.0.

1.2.2 *Nearshore* is an operating area defined as extending seaward 12 miles from the boundary lines defined in 46 CFR part 7, except in the Gulf of Mexico. In the Gulf of Mexico, it means the area extending 12 miles from the line of demarcation (COLREG lines) defined in 49 CFR 80.740 and 80.850.

1.2.3 *Non-persistent oils* or *Group 1 oils* include:

(1) A petroleum-based oil that, at the time of shipment, consists of hydrocarbon fractions:

(A) At least 50 percent of which by volume, distill at a temperature of 340 degrees C (645 degrees F); and

(B) At least 95 percent of which by volume, distill at a temperature of 370 degrees C (700 degrees F); and

(2) A non-petroleum oil, other than an animal fat or vegetable oil, with a specific gravity less than 0.8.

1.2.4 *Non-petroleum oil* means oil of any kind that is not petroleum-based, including but not limited to: fats, oils, and greases of animal, fish, or marine mammal origin; and vegetable oils, including oils from seeds, nuts, fruits, and kernels.

1.2.5 *Ocean* means the nearshore area.

1.2.6 *Operating area* means Rivers and Canals, Inland, Nearshore, and Great Lakes geographic location(s) in which a facility is handling, storing, or transporting oil.

1.2.7 *Operating environment* means Rivers and Canals, Inland, Great Lakes, or Ocean. These terms are used to define the conditions in which response equipment is designed to function.

1.2.8 *Persistent oils* include:

(1) A petroleum-based oil that does not meet the distillation criteria for a non-persistent oil. Persistent oils are further classified based on specific gravity as follows:

(A) Group 2—specific gravity less than 0.85;

(B) Group 3—specific gravity equal to or greater than 0.85 and less than 0.95;

(C) Group 4—specific gravity equal to or greater than 0.95 and less than 1.0; or

(D) Group 5—specific gravity equal to or greater than 1.0.

(2) A non-petroleum oil, other than an animal fat or vegetable oil, with a specific gravity of 0.8 or greater. These oils are further classified based on specific gravity as follows:

(A) Group 2—specific gravity equal to or greater than 0.8 and less than 0.85;

(B) Group 3—specific gravity equal to or greater than 0.85 and less than 0.95;

(C) Group 4—specific gravity equal to or greater than 0.95 and less than 1.0; or

(D) Group 5—specific gravity equal to or greater than 1.0.

1.2.9 *Vegetable oil* means a non-petroleum oil or fat of vegetable origin, including but not limited to oils and fats derived from plant seeds, nuts, fruits, and kernels. Vegetable oils are further classified based on specific gravity as follows:

(1) Group A—specific gravity less than 0.8.

(2) Group B—specific gravity equal to or greater than 0.8 and less than 1.0.

(3) Group C—specific gravity equal to or greater than 1.0.

1.2.10 Other definitions are included in §112.2, section 1.1 of Appendix C, and section 3.0 of Appendix F.

### *2.0 Equipment Operability and Readiness*

2.1 All equipment identified in a response plan must be designed to operate in the conditions expected in the facility's geographic area (i.e., operating environment). These conditions vary widely based on location and season. Therefore, it is difficult to identify a single stockpile of response equipment that will function effectively in each geographic location (i.e., operating area).

2.2 Facilities handling, storing, or transporting oil in more than one operating environment as indicated in Table 1 of this appendix must identify equipment capable of successfully functioning in each operating environment.

contract or other approved means as described in §112.2, sufficient response resources to respond to the worst case discharge of oil to the maximum extent practicable. Sections 7 and 10 of this appendix describe the method to determine the necessary response resources. Worksheets are provided as Attachments E–1 and E–2 at the end of this appendix to simplify the procedures involved in calculating the planning volume for response resources for the worst case discharge.

5.1 A facility owner or operator shall identify and ensure the availability of, by contract or other approved means as described in §112.2, sufficient response resources to respond to the worst case discharge of oil to the maximum extent practicable. Sections 7 and 10 of this appendix describe the method to determine the necessary response resources. Worksheets are provided as Attachments E–1 and E–2 at the end of this appendix to simplify the procedures involved in calculating the planning volume for response resources for the worst case discharge.

5.2 Complexes that are regulated by EPA and the USCG must also consider planning for the worst case discharge at the transportation-related portion of the facility. The USCG requires that transportation-related facility owners or operators use a different calculation for the worst case discharge in the revisions to 33 CFR part 154. Owners or operators of complex facilities that are regulated by EPA and the USCG must compare both calculations of worst case discharge derived by EPA and the USCG and plan for whichever volume is greater.

5.3 Oil discharge response resources identified in the response plan and available, by contract or other approved means as described in §112.2, to meet the applicable worst case discharge planning volume must be located such that they are capable of arriving at the scene of a discharge within the times specified for the applicable response tier listed as follows

| | Tier 1 (in hours) | Tier 2 (in hours) | Tier 3 (in hours) |
|---|---|---|---|
| Higher volume port areas | 6 | 30 | 54 |
| Great Lakes | 12 | 36 | 60 |
| All other river and canal, inland, and nearshore areas | 12 | 36 | 60 |

The three levels of response tiers apply to the amount of time in which facility owners or operators must plan for response resources to arrive at the scene of a discharge to respond to the worst case discharge planning volume. For example, at a worst case discharge in an inland area, the first tier of response resources (*i.e.*, that amount of on-water and shoreline cleanup capacity necessary to respond to the fraction of the worst case discharge as indicated through the series of steps described in sections 7.2 and 7.3 or sections 10.2 and 10.3 of this appendix) would arrive at the scene of the discharge within 12 hours; the second tier of response resources would arrive within 36 hours; and the third tier of response resources would arrive within 60 hours.

5.4 The effective daily recovery capacity for oil recovery devices identified in the response plan must be determined using the criteria in section 6 of this appendix. A facility owner or operator shall identify the storage locations of all response resources used for each tier. The owner or operator of a facility whose required daily recovery capacity exceeds the applicable contracting caps in Table 5 of this appendix shall, as appropriate, identify sources of additional equipment, their location, and the arrangements made to obtain this equipment during a response. The owner or operator of a facility whose calculated planning volume exceeds the applicable contracting caps in Table 5 of this appendix shall, as appropriate, identify sources of additional equipment equal to twice the cap listed in Tier 3 or the amount necessary to reach the calculated planning volume, whichever is lower. The resources identified above the cap shall be capable of arriving on-scene not later than the Tier 3 response times in section 5.3 of this appendix. No contract is required. While general listings of available response equipment may be used to identify additional sources (i.e., "public" resources vs. "private" resources), the response plan shall identify the specific sources, locations, and quantities of equipment that a facility owner or operator has considered in his or her planning. When listing USCG-classified oil spill removal organization(s) that have sufficient removal capacity to recover the volume above the response capacity cap for the specific facility, as specified in Table 5 of this appendix, it is not necessary to list specific quantities of equipment.

5.5 A facility owner or operator shall identify the availability of temporary storage capacity to meet section 12.2 of this appendix. If available storage capacity is insufficient, then the effective daily recovery capacity must be derated (downgraded) to the limits of the available storage capacity.

5.6 When selecting response resources necessary to meet the response plan requirements, the facility owner or operator shall, as appropriate, ensure that a portion of

facility within 2 hours of the detection of an oil discharge; and

3.3.3 Oil storage capacity for recovered oily material indicated in section 12.2 of this appendix.

*4.0 Determining Response Resources Required for Medium Discharges—Petroleum Oils and Non-Petroleum Oils Other Than Animal Fats and Vegetable Oils*

4.1 A facility owner or operator shall identify sufficient response resources available, by contract or other approved means as described in §112.2, to respond to a medium discharge of oil for that facility. This will require response resources capable of containing and collecting up to 36,000 gallons of oil or 10 percent of the worst case discharge, whichever is less. All equipment identified must be designed to operate in the applicable operating environment specified in Table 1 of this appendix.

4.2 Complexes that are regulated by EPA and the USCG must also consider planning quantities for the transportation-related transfer portion of the facility.

4.2.1 *Petroleum oils.* The USCG planning level that corresponds to EPA's "medium discharge" is termed "the maximum most probable discharge." The USCG rule found at 33 CFR part 154 defines "the maximum most probable discharge" as a discharge of 1,200 barrels (50,400 gallons) or 10 percent of the worst case discharge, whichever is less. Owners or operators of complexes that handle, store, or transport petroleum oils must compare calculated discharge volumes for a medium discharge and a maximum most probable discharge, and plan for whichever quantity is greater.

4.2.2 *Non-petroleum oils other than animal fats and vegetable oils.* Owners or operators of complexes that handle, store, or transport non-petroleum oils other than animal fats and vegetable oils must plan for oil discharge volumes for a medium discharge. For non-petroleum oils, there is no USCG planning level that directly corresponds to EPA's "medium discharge."

4.3 Oil recovery devices identified to meet the applicable medium discharge volume planning criteria must be located such that they are capable of arriving on-scene within 6 hours in higher volume port areas and the Great Lakes and within 12 hours in all other areas. Higher volume port areas and Great Lakes areas are defined in section 1.1 of Appendix C to this part.

4.4 Because rapid control, containment, and removal of oil are critical to reduce discharge impact, the owner or operator must determine response resources using an effective daily recovery capacity for oil recovery devices equal to 50 percent of the planning volume applicable for the facility as determined in section 4.1 of this appendix. The effective daily recovery capacity for oil recovery devices identified in the plan must be determined using the criteria in section 6 of this appendix.

4.5 In addition to oil recovery capacity, the plan shall, as appropriate, identify sufficient quantity of containment boom available, by contract or other approved means as described in §112.2, to arrive within the required response times for oil collection and containment and for protection of fish and wildlife and sensitive environments. For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to this part, section 13, for availability) and the applicable ACP. Although 40 CFR part 112 does not set required quantities of boom for oil collection and containment, the response plan shall identify and ensure, by contract or other approved means as described in §112.2, the availability of the quantity of boom identified in the plan for this purpose.

4.6 The plan must indicate the availability of temporary storage capacity to meet section 12.2 of this appendix. If available storage capacity is insufficient to meet this level, then the effective daily recovery capacity must be derated (downgraded) to the limits of the available storage capacity.

4.7 The following is an example of a medium discharge volume planning calculation for equipment identification in a higher volume port area: The facility's largest aboveground storage tank volume is 840,000 gallons. Ten percent of this capacity is 84,000 gallons. Because 10 percent of the facility's largest tank, or 84,000 gallons, is greater than 36,000 gallons, 36,000 gallons is used as the planning volume. The effective daily recovery capacity is 50 percent of the planning volume, or 18,000 gallons per day. The ability of oil recovery devices to meet this capacity must be calculated using the procedures in section 6 of this appendix. Temporary storage capacity available on-scene must equal twice the daily recovery capacity as indicated in section 12.2 of this appendix, or 36,000 gallons per day. This is the information the facility owner or operator must use to identify and ensure the availability of the required response resources, by contract or other approved means as described in §112.2. The facility owner shall also identify how much boom is available for use.

*5.0 Determining Response Resources Required for the Worst Case Discharge to the Maximum Extent Practicable*

5.1 A facility owner or operator shall identify and ensure the availability of, by

6.3.2 A facility owner or operator submitting a response plan shall provide data that supports the effective daily recovery capacities for the oil recovery devices listed. The following is an example of these calculations:

(1) A weir skimmer identified in a response plan has a manufacturer's rated throughput at the pump of 267 gallons per minute (gpm).

267 gpm=381 barrels per hour (bph)
R=381 bph×24 hr/day×0.2=1,829 barrels per day

(2) After testing using ASTM procedures, the skimmer's oil recovery rate is determined to be 220 gpm. The facility owner or operator identifies sufficient resources available to support operations for 12 hours per day.

220 gpm=314 bph
R=314 bph×12 hr/day=3,768 barrels per day

(3) The facility owner or operator will be able to use the higher capacity if sufficient temporary oil storage capacity is available. Determination of alternative efficiency factors under section 6.2 of this appendix or the acceptability of an alternative effective daily recovery capacity under section 6.3 of this appendix will be made by the Regional Administrator as deemed appropriate.

*7.0 Calculating Planning Volumes for a Worst Case Discharge—Petroleum Oils and Non-Petroleum Oils Other Than Animal Fats and Vegetable Oils*

7.1 A facility owner or operator shall plan for a response to the facility's worst case discharge. The planning for on-water oil recovery must take into account a loss of some oil to the environment due to evaporative and natural dissipation, potential increases in volume due to emulsification, and the potential for deposition of oil on the shoreline. The procedures for non-petroleum oils other than animal fats and vegetable oils are discussed in section 7.7 of this appendix.

7.2 The following procedures must be used by a facility owner or operator in determining the required on-water oil recovery capacity:

7.2.1 The following must be determined: the worst case discharge volume of oil in the facility; the appropriate group(s) for the types of oil handled, stored, or transported at the facility [persistent (Groups 2, 3, 4, 5) or non-persistent (Group 1)]; and the facility's specific operating area. See sections 1.2.3 and 1.2.8 of this appendix for the definitions of non-persistent and persistent oils, respectively. Facilities that handle, store, or transport oil from different oil groups must calculate each group separately, unless the oil group constitutes 10 percent or less by volume of the facility's total oil storage capacity. This information is to be used with Table 2 of this appendix to determine the percentages of the total volume to be used for removal capacity planning. Table 2 of this appendix divides the volume into three categories: oil lost to the environment; oil deposited on the shoreline; and oil available for on-water recovery.

7.2.2 The on-water oil recovery volume shall, as appropriate, be adjusted using the appropriate emulsification factor found in Table 3 of this appendix. Facilities that handle, store, or transport oil from different petroleum groups must compare the on-water recovery volume for each oil group (unless the oil group constitutes 10 percent or less by volume of the facility's total storage capacity) and use the calculation that results in the largest on-water oil recovery volume to plan for the amount of response resources for a worst case discharge.

7.2.3 The adjusted volume is multiplied by the on-water oil recovery resource mobilization factor found in Table 4 of this appendix from the appropriate operating area and response tier to determine the total on-water oil recovery capacity in barrels per day that must be identified or contracted to arrive on-scene within the applicable time for each response tier. Three tiers are specified. For higher volume port areas, the contracted tiers of resources must be located such that they are capable of arriving on-scene within 6 hours for Tier 1, 30 hours for Tier 2, and 54 hours for Tier 3 of the discovery of an oil discharge. For all other rivers and canals, inland, nearshore areas, and the Great Lakes, these tiers are 12, 36, and 60 hours.

7.2.4 The resulting on-water oil recovery capacity in barrels per day for each tier is used to identify response resources necessary to sustain operations in the applicable operating area. The equipment shall be capable of sustaining operations for the time period specified in Table 2 of this appendix. The facility owner or operator shall identify and ensure the availability, by contract or other approved means as described in §112.2, of sufficient oil spill recovery devices to provide the effective daily oil recovery capacity required. If the required capacity exceeds the applicable cap specified in Table 5 of this appendix, then a facility owner or operator shall ensure, by contract or other approved means as described in §112.2, only for the quantity of resources required to meet the cap, but shall identify sources of additional resources as indicated in section 5.4 of this appendix. The owner or operator of a facility whose planning volume exceeded the cap in 1993 must make arrangements to identify and ensure the availability, by contract or other approved means as described in §112.2, for additional capacity to be under contract by 1998 or 2003, as appropriate. For a facility that handles multiple groups of oil, the required effective daily recovery capacity for each oil group is calculated before applying the cap. The oil group calculation resulting in the largest on-water recovery volume

those resources is capable of being used in close-to-shore response activities in shallow water. For any EPA-regulated facility that is required to plan for response in shallow water, at least 20 percent of the on-water response equipment identified for the applicable operating area shall, as appropriate, be capable of operating in water of 6 feet or less depth.

5.7 In addition to oil spill recovery devices, a facility owner or operator shall identify sufficient quantities of boom that are available, by contract or other approved means as described in §112.2, to arrive on-scene within the specified response times for oil containment and collection. The specific quantity of boom required for collection and containment will depend on the facility-specific information and response strategies employed. A facility owner or operator shall, as appropriate, also identify sufficient quantities of oil containment boom to protect fish and wildlife and sensitive environments. For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to this part, section 13, for availability), and the applicable ACP. Refer to this guidance document for the number of days and geographic areas (*i.e.*, operating environments) specified in Table 2 and Table 6 of this appendix.

5.8 A facility owner or operator shall also identify, by contract or other approved means as described in §112.2, the availability of an oil spill removal organization(s) (as described in §112.2) capable of responding to a shoreline cleanup operation involving the calculated volume of oil and emulsified oil that might impact the affected shoreline. The volume of oil that shall, as appropriate, be planned for is calculated through the application of factors contained in Tables 2, 3, 6, and 7 of this appendix. The volume calculated from these tables is intended to assist the facility owner or operator to identify an oil spill removal organization with sufficient resources and expertise.

*6.0 Determining Effective Daily Recovery Capacity for Oil Recovery Devices*

6.1 Oil recovery devices identified by a facility owner or operator must be identified by the manufacturer, model, and effective daily recovery capacity. These capacities must be used to determine whether there is sufficient capacity to meet the applicable planning criteria for a small discharge, a medium discharge, and a worst case discharge to the maximum extent practicable.

6.2 To determine the effective daily recovery capacity of oil recovery devices, the formula listed in section 6.2.1 of this appendix shall be used. This formula considers potential limitations due to available daylight, weather, sea state, and percentage of emulsified oil in the recovered material. The RA may assign a lower efficiency factor to equipment listed in a response plan if it is determined that such a reduction is warranted.

6.2.1 The following formula shall be used to calculate the effective daily recovery capacity:

$R = T \times 24 \text{ hours} \times E$

where:

R—Effective daily recovery capacity;
T—Throughput rate in barrels per hour (nameplate capacity); and
E—20 percent efficiency factor (or lower factor as determined by the Regional Administrator).

6.2.2 For those devices in which the pump limits the throughput of liquid, throughput rate shall be calculated using the pump capacity.

6.2.3 For belt or moptype devices, the throughput rate shall be calculated using the speed of the belt or mop through the device, assumed thickness of oil adhering to or collected by the device, and surface area of the belt or mop. For purposes of this calculation, the assumed thickness of oil will be ¼ inch.

6.2.4 Facility owners or operators that include oil recovery devices whose throughput is not measurable using a pump capacity or belt/mop speed may provide information to support an alternative method of calculation. This information must be submitted following the procedures in section 6.3.2 of this appendix.

6.3 As an alternative to section 6.2 of this appendix, a facility owner or operator may submit adequate evidence that a different effective daily recovery capacity should be applied for a specific oil recovery device. Adequate evidence is actual verified performance data in discharge conditions or tests using American Society of Testing and Materials (ASTM) Standard F 631–99, F 808–83 (1999), or an equivalent test approved by EPA as deemed appropriate (see Appendix E to this part, section 13, for general availability of documents).

6.3.1 The following formula must be used to calculate the effective daily recovery capacity under this alternative:

$R = D \times U$

where:

R—Effective daily recovery capacity;
D—Average Oil Recovery Rate in barrels per hour (Item 26 in F 808–83; Item 13.2.16 in F 631–99; or actual performance data); and
U—Hours per day that equipment can operate under discharge conditions. Ten hours per day must be used unless a facility owner or operator can demonstrate that the recovery operation can be sustained for longer periods.

(4) Equipment necessary to assess the impact of such discharges; and

(5) Other appropriate equipment necessary to respond to a discharge involving the type of oil handled, stored,, or transported.

7.6.2 Response resources identified in a response plan for a facility that handles, stores, or transports Group 5 oils under section 7.6.1 of this appendix shall be capable of being deployed (on site) within 24 hours of discovery of a discharge to the area where the facility is operating.

7.6.3 A response plan must identify response resources with fire fighting capability. The owner or operator of a facility that handles, stores, or transports Group 5 oils that does not have adequate fire fighting resources located at the facility or that cannot rely on sufficient local fire fighting resources must identify adequate fire fighting resources. The facility owner or operator shall ensure, by contract or other approved means as described in §112.2, the availability of these resources. The response plan shall also identify an individual located at the facility to work with the fire department for Group 5 oil fires. This individual shall also verify that sufficient well-trained fire fighting resources are available within a reasonable response time to respond to a worst case discharge. The individual may be the qualified individual identified in the response plan or another appropriate individual located at the facility.

7.7 *Non-petroleum oils other than animal fats and vegetable oils.* The procedures described in sections 7.7.1 through 7.7.5 of this appendix must be used to determine appropriate response plan development and evaluation criteria for facilities that handle, store, or transport non-petroleum oils other than animal fats and vegetable oils. Refer to section 11 of this appendix for information on the limitations on the use of chemical agents for inland and nearshore areas.

7.7.1 An owner or operator of a facility that handles, stores, or transports non-petroleum oils other than animal fats and vegetable oils must provide information in his or her plan that identifies:

(1) Procedures and strategies for responding to a worst case discharge to the maximum extent practicable; and

(2) Sources of the equipment and supplies necessary to locate, recover, and mitigate such a discharge.

7.7.2 An owner or operator of a facility that handles, stores, or transports non-petroleum oils other than animal fats and vegetable oils must ensure that any equipment identified in a response plan is capable of operating in the conditions expected in the geographic area(s) (*i.e.,* operating environments) in which the facility operates using the criteria in Table 1 of this appendix. When evaluating the operability of equipment, the facility owner or operator must consider limitations that are identified in the appropriate ACPs, including:

(1) Ice conditions;

(2) Debris;

(3) Temperature ranges; and

(4) Weather-related visibility.

7.7.3 The owner or operator of a facility that handles, stores, or transports non-petroleum oils other than animal fats and vegetable oils must identify the response resources that are available by contract or other approved means, as described in §112.2. The equipment described in the response plan shall, as appropriate, include:

(1) Containment boom, sorbent boom, or other methods for containing oil floating on the surface or to protect shorelines from impact;

(2) Oil recovery devices appropriate for the type of non-petroleum oil carried; and

(3) Other appropriate equipment necessary to respond to a discharge involving the type of oil carried.

7.7.4 Response resources identified in a response plan according to section 7.7.3 of this appendix must be capable of commencing an effective on-scene response within the applicable tier response times in section 5.3 of this appendix.

7.7.5 A response plan must identify response resources with fire fighting capability. The owner or operator of a facility that handles, stores, or transports non-petroleum oils other than animal fats and vegetable oils that does not have adequate fire fighting resources located at the facility or that cannot rely on sufficient local fire fighting resources must identify adequate fire fighting resources. The owner or operator shall ensure, by contract or other approved means as described in §112.2, the availability of these resources. The response plan must also identify an individual located at the facility to work with the fire department for fires of these oils. This individual shall also verify that sufficient well-trained fire fighting resources are available within a reasonable response time to a worst case scenario. The individual may be the qualified individual identified in the response plan or another appropriate individual located at the facility.

*8.0 Determining Response Resources Required for Small Discharges—Animal Fats and Vegetable Oils*

8.1 A facility owner or operator shall identify sufficient response resources available, by contract or other approved means as described in §112.2, to respond to a small discharge of animal fats or vegetable oils. A small discharge is defined as any discharge volume less than or equal to 2,100 gallons, but not to exceed the calculated worst case discharge. The equipment must be designed to function in the operating environment at the point of expected use.

must be used to plan for the amount of response resources for a worst case discharge, unless the oil group comprises 10 percent or less by volume of the facility's total oil storage capacity.

7.3 The procedures discussed in sections 7.3.1–7.3.3 of this appendix must be used to calculate the planning volume for identifying shoreline cleanup capacity (for Group 1 through Group 4 oils).

7.3.1 The following must be determined: the worst case discharge volume of oil for the facility; the appropriate group(s) for the types of oil handled, stored, or transported at the facility [persistent (Groups 2, 3, or 4) or non-persistent (Group 1)]; and the geographic area(s) in which the facility operates (*i.e.*, operating areas). For a facility handling, storing, or transporting oil from different groups, each group must be calculated separately. Using this information, Table 2 of this appendix must be used to determine the percentages of the total volume to be used for shoreline cleanup resource planning.

7.3.2 The shoreline cleanup planning volume must be adjusted to reflect an emulsification factor using the same procedure as described in section 7.2.2 of this appendix.

7.3.3 The resulting volume shall be used to identify an oil spill removal organization with the appropriate shoreline cleanup capability.

7.4 A response plan must identify response resources with fire fighting capability. The owner or operator of a facility that handles, stores, or transports Group 1 through Group 4 oils that does not have adequate fire fighting resources located at the facility or that cannot rely on sufficient local fire fighting resources must identify adequate fire fighting resources. The facility owner or operator shall ensure, by contract or other approved means as described in §112.2, the availability of these resources. The response plan must also identify an individual located at the facility to work with the fire department for Group 1 through Group 4 oil fires. This individual shall also verify that sufficient well-trained fire fighting resources are available within a reasonable response time to a worst case scenario. The individual may be the qualified individual identified in the response plan or another appropriate individual located at the facility.

7.5 The following is an example of the procedure described above in sections 7.2 and 7.3 of this appendix: A facility with a 270,000 barrel (11.3 million gallons) capacity for #6 oil (specific gravity 0.96) is located in a higher volume port area. The facility is on a peninsula and has docks on both the ocean and bay sides. The facility has four aboveground oil storage tanks with a combined total capacity of 80,000 barrels (3.36 million gallons) and no secondary containment. The remaining facility tanks are inside secondary containment structures. The largest aboveground oil storage tank (90,000 barrels or 3.78 million gallons) has its own secondary containment. Two 50,000 barrel (2.1 million gallon) tanks (that are not connected by a manifold) are within a common secondary containment tank area, which is capable of holding 100,000 barrels (4.2 million gallons) plus sufficient freeboard.

7.5.1 The worst case discharge for the facility is calculated by adding the capacity of all aboveground oil storage tanks without secondary containment (80,000 barrels) plus the capacity of the largest aboveground oil storage tank inside secondary containment. The resulting worst case discharge volume is 170,000 barrels or 7.14 million gallons.

7.5.2 Because the requirements for Tiers 1, 2, and 3 for inland and nearshore exceed the caps identified in Table 5 of this appendix, the facility owner will contract for a response to 10,000 barrels per day (bpd) for Tier 1, 20,000 bpd for Tier 2, and 40,000 bpd for Tier 3. Resources for the remaining 7,850 bpd for Tier 1, 9,750 bpd for Tier 2, and 7,600 bpd for Tier 3 shall be identified but need not be contracted for in advance. The facility owner or operator shall, as appropriate, also identify or contract for quantities of boom identified in their response plan for the protection of fish and wildlife and sensitive environments within the area potentially impacted by a worst case discharge from the facility. For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments," (see Appendix E to this part, section 13, for availability) and the applicable ACP. Attachment C-III to Appendix C provides a method for calculating a planning distance to fish and wildlife and sensitive environments and public drinking water intakes that may be impacted in the event of a worst case discharge.

7.6 The procedures discussed in sections 7.6.1–7.6.3 of this appendix must be used to determine appropriate response resources for facilities with Group 5 oils.

7.6.1 The owner or operator of a facility that handles, stores, or transports Group 5 oils shall, as appropriate, identify the response resources available by contract or other approved means, as described in §112.2. The equipment identified in a response plan shall, as appropriate, include:

(1) Sonar, sampling equipment, or other methods for locating the oil on the bottom or suspended in the water column;

(2) Containment boom, sorbent boom, silt curtains, or other methods for containing the oil that may remain floating on the surface or to reduce spreading on the bottom;

(3) Dredges, pumps, or other equipment necessary to recover oil from the bottom and shoreline;

daily recovery capacity as indicated in section 12.2 of this appendix, or 36,000 gallons per day. This is the information the facility owner or operator must use to identify and ensure the availability of the required response resources, by contract or other approved means as described in §112.2. The facility owner shall also identify how much boom is available for use.

*10.0 Calculating Planning Volumes for a Worst Case Discharge—Animal Fats and Vegetable Oils.*

10.1 A facility owner or operator shall plan for a response to the facility's worst case discharge. The planning for on-water oil recovery must take into account a loss of some oil to the environment due to physical, chemical, and biological processes, potential increases in volume due to emulsification, and the potential for deposition of oil on the shoreline or on sediments. The response planning procedures for animal fats and vegetable oils are discussed in section 10.7 of this appendix. You may use alternate response planning procedures for animal fats and vegetable oils if those procedures result in environmental protection equivalent to that provided by the procedures in section 10.7 of this appendix.

10.2 The following procedures must be used by a facility owner or operator in determining the required on-water oil recovery capacity:

10.2.1 The following must be determined: the worst case discharge volume of oil in the facility; the appropriate group(s) for the types of oil handled, stored, or transported at the facility (Groups A, B, C); and the facility's specific operating area. See sections 1.2.1 and 1.2.9 of this appendix for the definitions of animal fats and vegetable oils and groups thereof. Facilities that handle, store, or transport oil from different oil groups must calculate each group separately, unless the oil group constitutes 10 percent or less by volume of the facility's total oil storage capacity. This information is to be used with Table 6 of this appendix to determine the percentages of the total volume to be used for removal capacity planning. Table 6 of this appendix divides the volume into three categories: oil lost to the environment; oil deposited on the shoreline; and oil available for on-water recovery.

10.2.2 The on-water oil recovery volume shall, as appropriate, be adjusted using the appropriate emulsification factor found in Table 7 of this appendix. Facilities that handle, store, or transport oil from different groups must compare the on-water recovery volume for each oil group (unless the oil group constitutes 10 percent or less by volume of the facility's total storage capacity) and use the calculation that results in the largest on-water oil recovery volume to plan for the amount of response resources for a worst case discharge.

10.2.3 The adjusted volume is multiplied by the on-water oil recovery resource mobilization factor found in Table 4 of this appendix from the appropriate operating area and response tier to determine the total on-water oil recovery capacity in barrels per day that must be identified or contracted to arrive on-scene within the applicable time for each response tier. Three tiers are specified. For higher volume port areas, the contracted tiers of resources must be located such that they are capable of arriving on-scene within 6 hours for Tier 1, 30 hours for Tier 2, and 54 hours for Tier 3 of the discovery of a discharge. For all other rivers and canals, inland, nearshore areas, and the Great Lakes, these tiers are 12, 36, and 60 hours.

10.2.4 The resulting on-water oil recovery capacity in barrels per day for each tier is used to identify response resources necessary to sustain operations in the applicable operating area. The equipment shall be capable of sustaining operations for the time period specified in Table 6 of this appendix. The facility owner or operator shall identify and ensure, by contract or other approved means as described in §112.2, the availability of sufficient oil spill recovery devices to provide the effective daily oil recovery capacity required. If the required capacity exceeds the applicable cap specified in Table 5 of this appendix, then a facility owner or operator shall ensure, by contract or other approved means as described in §112.2, only for the quantity of resources required to meet the cap, but shall identify sources of additional resources as indicated in section 5.4 of this appendix. The owner or operator of a facility whose planning volume exceeded the cap in 1998 must make arrangements to identify and ensure, by contract or other approved means as described in §112.2, the availability of additional capacity to be under contract by 2003, as appropriate. For a facility that handles multiple groups of oil, the required effective daily recovery capacity for each oil group is calculated before applying the cap. The oil group calculation resulting in the largest on-water recovery volume must be used to plan for the amount of response resources for a worst case discharge, unless the oil group comprises 10 percent or less by volume of the facility's oil storage capacity.

10.3 The procedures discussed in sections 10.3.1 through 10.3.3 of this appendix must be used to calculate the planning volume for identifying shoreline cleanup capacity (for Groups A and B oils).

10.3.1 The following must be determined: the worst case discharge volume of oil for the facility; the appropriate group(s) for the types of oil handled, stored, or transported at the facility (Groups A or B); and the geographic area(s) in which the facility operates

8.2 Complexes that are regulated by EPA and the USCG must also consider planning quantities for the marine transportation-related portion of the facility.

8.2.1 The USCG planning level that corresponds to EPA's "small discharge" is termed "the average most probable discharge." A USCG rule found at 33 CFR 154.1020 defines "the average most probable discharge" as the lesser of 50 barrels (2,100 gallons) or 1 percent of the volume of the worst case discharge. Owners or operators of complexes that handle, store, or transport animal fats and vegetable oils must compare oil discharge volumes for a small discharge and an average most probable discharge, and plan for whichever quantity is greater.

8.3 The response resources shall, as appropriate, include:

8.3.1 One thousand feet of containment boom (or, for complexes with marine transfer components, 1,000 feet of containment boom or two times the length of the largest vessel that regularly conducts oil transfers to or from the facility, whichever is greater), and a means of deploying it within 1 hour of the discovery of a discharge;

8.3.2 Oil recovery devices with an effective daily recovery capacity equal to the amount of oil discharged in a small discharge or greater which is available at the facility within 2 hours of the detection of a discharge; and

8.3.3 Oil storage capacity for recovered oily material indicated in section 12.2 of this appendix.

*9.0 Determining Response Resources Required for Medium Discharges—Animal Fats and Vegetable Oils*

9.1 A facility owner or operator shall identify sufficient response resources available, by contract or other approved means as described in §112.2, to respond to a medium discharge of animal fats or vegetable oils for that facility. This will require response resources capable of containing and collecting up to 36,000 gallons of oil or 10 percent of the worst case discharge, whichever is less. All equipment identified must be designed to operate in the applicable operating environment specified in Table 1 of this appendix.

9.2 Complexes that are regulated by EPA and the USCG must also consider planning quantities for the transportation-related transfer portion of the facility. Owners or operators of complexes that handle, store, or transport animal fats or vegetable oils must plan for oil discharge volumes for a medium discharge. For non-petroleum oils, there is no USCG planning level that directly corresponds to EPA's "medium discharge." Although the USCG does not have planning requirements for medium discharges, they do have requirements (at 33 CFR 154.545) to identify equipment to contain oil resulting from an operational discharge.

9.3 Oil recovery devices identified to meet the applicable medium discharge volume planning criteria must be located such that they are capable of arriving on-scene within 6 hours in higher volume port areas and the Great Lakes and within 12 hours in all other areas. Higher volume port areas and Great Lakes areas are defined in section 1.1 of Appendix C to this part.

9.4 Because rapid control, containment, and removal of oil are critical to reduce discharge impact, the owner or operator must determine response resources using an effective daily recovery capacity for oil recovery devices equal to 50 percent of the planning volume applicable for the facility as determined in section 9.1 of this appendix. The effective daily recovery capacity for oil recovery devices identified in the plan must be determined using the criteria in section 6 of this appendix.

9.5 In addition to oil recovery capacity, the plan shall, as appropriate, identify sufficient quantity of containment boom available, by contract or other approved means as described in §112.2, to arrive within the required response times for oil collection and containment and for protection of fish and wildlife and sensitive environments. For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (59 FR 14713–22, March 29, 1994) and the applicable ACP. Although 40 CFR part 112 does not set required quantities of boom for oil collection and containment, the response plan shall identify and ensure, by contract or other approved means as described in §112.2, the availability of the quantity of boom identified in the plan for this purpose.

9.6 The plan must indicate the availability of temporary storage capacity to meet section 12.2 of this appendix. If available storage capacity is insufficient to meet this level, then the effective daily recovery capacity must be derated (downgraded) to the limits of the available storage capacity.

9.7 The following is an example of a medium discharge volume planning calculation for equipment identification in a higher volume port area:

The facility's largest aboveground storage tank volume is 840,000 gallons. Ten percent of this capacity is 84,000 gallons. Because 10 percent of the facility's largest tank, or 84,000 gallons, is greater than 36,000 gallons, 36,000 gallons is used as the planning volume. The effective daily recovery capacity is 50 percent of the planning volume, or 18,000 gallons per day. The ability of oil recovery devices to meet this capacity must be calculated using the procedures in section 6 of this appendix. Temporary storage capacity available on-scene must equal twice the

and sensitive environments within the area potentially impacted by a worst case discharge from the facility. For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments," (see Appendix E to this part, section 13, for availability) and the applicable ACP. Attachment C-III to Appendix C provides a method for calculating a planning distance to fish and wildlife and sensitive environments and public drinking water intakes that may be adversely affected in the event of a worst case discharge.

10.6 The procedures discussed in sections 10.6.1 through 10.6.3 of this appendix must be used to determine appropriate response resources for facilities with Group C oils.

10.6.1 The owner or operator of a facility that handles, stores, or transports Group C oils shall, as appropriate, identify the response resources available by contract or other approved means, as described in §112.2. The equipment identified in a response plan shall, as appropriate, include:

(1) Sonar, sampling equipment, or other methods for locating the oil on the bottom or suspended in the water column;

(2) Containment boom, sorbent boom, silt curtains, or other methods for containing the oil that may remain floating on the surface or to reduce spreading on the bottom;

(3) Dredges, pumps, or other equipment necessary to recover oil from the bottom and shoreline;

(4) Equipment necessary to assess the impact of such discharges; and

(5) Other appropriate equipment necessary to respond to a discharge involving the type of oil handled, stored, or transported.

10.6.2 Response resources identified in a response plan for a facility that handles, stores, or transports Group C oils under section 10.6.1 of this appendix shall be capable of being deployed on scene within 24 hours of discovery of a discharge.

10.6.3 A response plan must identify response resources with fire fighting capability. The owner or operator of a facility that handles, stores, or transports Group C oils that does not have adequate fire fighting resources located at the facility or that cannot rely on sufficient local fire fighting resources must identify adequate fire fighting resources. The owner or operator shall ensure, by contract or other approved means as described in §112.2, the availability of these resources. The response plan shall also identify an individual located at the facility to work with the fire department for Group C oil fires. This individual shall also verify that sufficient well-trained fire fighting resources are available within a reasonable response time to respond to a worst case discharge. The individual may be the qualified individual identified in the response plan or another appropriate individual located at the facility.

10.7 The procedures described in sections 10.7.1 through 10.7.5 of this appendix must be used to determine appropriate response plan development and evaluation criteria for facilities that handle, store, or transport animal fats and vegetable oils. Refer to section 11 of this appendix for information on the limitations on the use of chemical agents for inland and nearshore areas.

10.7.1 An owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils must provide information in the response plan that identifies:

(1) Procedures and strategies for responding to a worst case discharge of animal fats and vegetable oils to the maximum extent practicable; and

(2) Sources of the equipment and supplies necessary to locate, recover, and mitigate such a discharge.

10.7.2 An owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils must ensure that any equipment identified in a response plan is capable of operating in the geographic area(s) (*i.e.*, operating environments) in which the facility operates using the criteria in Table 1 of this appendix. When evaluating the operability of equipment, the facility owner or operator must consider limitations that are identified in the appropriate ACPs, including:

(1) Ice conditions;

(2) Debris;

(3) Temperature ranges; and

(4) Weather-related visibility.

10.7.3. The owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils must identify the response resources that are available by contract or other approved means, as described in §112.2. The equipment described in the response plan shall, as appropriate, include:

(1) Containment boom, sorbent boom, or other methods for containing oil floating on the surface or to protect shorelines from impact;

(2) Oil recovery devices appropriate for the type of animal fat or vegetable oil carried; and

(3) Other appropriate equipment necessary to respond to a discharge involving the type of oil carried.

10.7.4 Response resources identified in a response plan according to section 10.7.3 of this appendix must be capable of commencing an effective on-scene response within the applicable tier response times in section 5.3 of this appendix.

10.7.5 A response plan must identify response resources with fire fighting capability. The owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils that does not have adequate fire fighting resources located at

(i.e., operating areas). For a facility handling, storing, or transporting oil from different groups, each group must be calculated separately. Using this information, Table 6 of this appendix must be used to determine the percentages of the total volume to be used for shoreline cleanup resource planning.

10.3.2 The shoreline cleanup planning volume must be adjusted to reflect an emulsification factor using the same procedure as described in section 10.2.2 of this appendix.

10.3.3 The resulting volume shall be used to identify an oil spill removal organization with the appropriate shoreline cleanup capability.

10.4 A response plan must identify response resources with fire fighting capability appropriate for the risk of fire and explosion at the facility from the discharge or threat of discharge of oil. The owner or operator of a facility that handles, stores, or transports Group A or B oils that does not have adequate fire fighting resources located at the facility or that cannot rely on sufficient local fire fighting resources must identify adequate fire fighting resources. The facility owner or operator shall ensure, by contract or other approved means as described in §112.2, the availability of these resources. The response plan must also identify an individual to work with the fire department for Group A or B oil fires. This individual shall also verify that sufficient well-trained fire fighting resources are available within a reasonable response time to a worst case scenario. The individual may be the qualified individual identified in the response plan or another appropriate individual located at the facility.

10.5 The following is an example of the procedure described in sections 10.2 and 10.3 of this appendix. A facility with a 37.04 million gallon (881,904 barrel) capacity of several types of vegetable oils is located in the Inland Operating Area. The vegetable oil with the highest specific gravity stored at the facility is soybean oil (specific gravity 0.922, Group B vegetable oil). The facility has ten aboveground oil storage tanks with a combined total capacity of 18 million gallons (428,571 barrels) and without secondary containment. The remaining facility tanks are inside secondary containment structures. The largest aboveground oil storage tank (3 million gallons or 71,428 barrels) has its own secondary containment. Two 2.1 million gallon (50,000 barrel) tanks (that are not connected by a manifold) are within a common secondary containment tank area, which is capable of holding 4.2 million gallons (100,000 barrels) plus sufficient freeboard.

10.5.1 The worst case discharge for the facility is calculated by adding the capacity of all aboveground vegetable oil storage tanks without secondary containment (18.0 million gallons) plus the capacity of the largest aboveground storage tank inside secondary containment (3.0 million gallons). The resulting worst case discharge is 21 million gallons or 500,000 barrels.

10.5.2 With a specific worst case discharge identified, the planning volume for on-water recovery can be identified as follows:

Worst case discharge: 21 million gallons (500,000 barrels) of Group B vegetable oil

Operating Area: Inland

Planned percent recovered floating vegetable oil (from Table 6, column Nearshore/Inland/Great Lakes): Inland, Group B is 20%

Emulsion factor (from Table 7): 2.0

Planning volumes for on-water recovery: 21,000,000 gallons × 0.2 × 2.0 = 8,400,000 gallons or 200,000 barrels.

Determine required resources for on-water recovery for each of the three tiers using mobilization factors (from Table 4, column Inland/Nearshore/Great Lakes)

| Inland Operating Area | Tier 1 | Tier 2 | Tier 3 |
|---|---|---|---|
| Mobilization factor by which you multiply planning volume | .15 | .25 | .40 |
| Estimated Daily Recovery Capacity (bbls) | 30,000 | 50,000 | 80,000 |

10.5.3 Because the requirements for On-Water Recovery Resources for Tiers 1, 2, and 3 for Inland Operating Area exceed the caps identified in Table 5 of this appendix, the facility owner will contract for a response of 12,500 barrels per day (bpd) for Tier 1, 25,000 bpd for Tier 2, and 50,000 bpd for Tier 3. Resources for the remaining 17,500 bpd for Tier 1, 25,000 bpd for Tier 2, and 30,000 bpd for Tier 3 shall be identified but need not be contracted for in advance.

10.5.4 With the specific worst case discharge identified, the planning volume of onshore recovery can be identified as follows:

Worst case discharge: 21 million gallons (500,000 barrels) of Group B vegetable oil

Operating Area: Inland

Planned percent recovered floating vegetable oil from onshore (from Table 6, column Nearshore/Inland/Great Lakes): Inland, Group B is 65%

Emulsion factor (from Table 7): 2.0

Planning volumes for shoreline recovery:

21,000,000 gallons × 0.65 × 2.0 = 27,300,000 gallons or 650,000 barrels

10.5.5 The facility owner or operator shall, as appropriate, also identify or contract for quantities of boom identified in the response plan for the protection of fish and wildlife

TABLE 1 TO APPENDIX E—RESPONSE RESOURCE OPERATING CRITERIA

| Oil Recovery Devices | | |
|---|---|---|
| Operating environment | Significant wave height[1] | Sea state |
| Rivers and Canals | ≤ 1 foot | 1 |
| Inland | ≤ 3 feet | 2 |
| Great Lakes | ≤ 4 feet | 2–3 |
| Ocean | ≤ 6 feet | 3–4 |

| Boom | | | | |
|---|---|---|---|---|
| Boom property | Use | | | |
| | Rivers and canals | Inland | Great Lakes | Ocean |
| Significant Wave Height[1] | ≤ 1 | ≤ 3 | ≤ 4 | ≤ 6 |
| Sea State | 1 | 2 | 2–3 | 3–4 |
| Boom height—inches (draft plus freeboard) | 6–18 | 18–42 | 18–42 | ≥42 |
| Reserve Buoyancy to Weight Ratio | 2:1 | 2:1 | 2:1 | 3:1 to 4:1 |
| Total Tensile Strength—pounds | 4,500 | 15,000–20,000. | 15,000–20,000. | ≥20,000 |
| Skirt Fabric Tensile Strength—pounds | 200 | 300 | 300 | 500 |
| Skirt Fabric Tear Strength—pounds | 100 | 100 | 100 | 125 |

[1] Oil recovery devices and boom *shall* be at least capable of operating in wave heights up to and including the values listed in Table 1 for each operating environment.

TABLE 2 TO APPENDIX E—REMOVAL CAPACITY PLANNING TABLE FOR PETROLEUM OILS

| Spill location | Rivers and canals | | | Nearshore/inland/Great Lakes | | |
|---|---|---|---|---|---|---|
| Sustainability of on-water oil recovery | 3 days | | | 4 days | | |
| Oil group[1] | Percent natural dissipation | Percent recovered floating oil | Percent oil onshore | Percent natural dissipation | Percent recovered floating oil | Percent oil onshore |
| 1—Non-persistent oils | 80 | 10 | 10 | 80 | 20 | 10 |
| 2—Light crudes | 40 | 15 | 45 | 50 | 50 | 30 |
| 3—Medium crudes and fuels | 20 | 15 | 65 | 30 | 50 | 50 |
| 4—Heavy crudes and fuels | 5 | 20 | 75 | 10 | 50 | 70 |

[1] The response resource considerations for non-petroleum oils other than animal fats and vegetable oils are outlined in section 7.7 of this appendix.

**Note:** Group 5 oils are defined in section 1.2.8 of this appendix; the response resource considerations are outlined in section 7.6 of this appendix.

TABLE 3 TO APPENDIX E—EMULSIFICATION FACTORS FOR PETROLEUM OIL GROUPS[1]

| | |
|---|---|
| Non-Persistent Oil: | |
| Group 1 | 1.0 |
| Persistent Oil: | |
| Group 2 | 1.8 |
| Group 3 | 2.0 |
| Group 4 | 1.4 |
| Group 5 oils are defined in section 1.2.7 of this appendix; the response resource considerations are outlined in section 7.6 of this appendix. | |

[1] See sections 1.2.2 and 1.2.7 of this appendix for group designations for non-persistent and persistent oils, respectively.

TABLE 4 TO APPENDIX E—ON-WATER OIL RECOVERY RESOURCE MOBILIZATION FACTORS

| Operating area | Tier 1 | Tier 2 | Tier 3 |
|---|---|---|---|
| Rivers and Canals | 0.30 | 0.40 | 0.60 |
| Inland/Nearshore Great Lakes | 0.15 | 0.25 | 0.40 |

Note: These mobilization factors are for total resources mobilized, not incremental response resources.

TABLE 5 TO APPENDIX E—RESPONSE CAPABILITY CAPS BY OPERATING AREA

| | Tier 1 | Tier 2 | Tier 3 |
|---|---|---|---|
| February 18, 1993: | | | |
| All except Rivers & Canals, Great Lakes | 10K bbls/day | 20K bbls/day | 40K bbls/day. |

the facility or that cannot rely on sufficient local fire fighting resources must identify adequate fire fighting resources. The owner or operator shall ensure, by contract or other approved means as described in §112.2, the availability of these resources. The response plan shall also identify an individual located at the facility to work with the fire department for animal fat and vegetable oil fires. This individual shall also verify that sufficient well-trained fire fighting resources are available within a reasonable response time to respond to a worst case discharge. The individual may be the qualified individual identified in the response plan or another appropriate individual located at the facility.

*11.0 Determining the Availability of Alternative Response Methods*

11.1 For chemical agents to be identified in a response plan, they must be on the NCP Product Schedule that is maintained by EPA. (Some States have a list of approved dispersants for use within State waters. Not all of these State-approved dispersants are listed on the NCP Product Schedule.)

11.2 Identification of chemical agents in the plan does not imply that their use will be authorized. Actual authorization will be governed by the provisions of the NCP and the applicable ACP.

*12.0 Additional Equipment Necessary to Sustain Response Operations*

12.1 A facility owner or operator shall identify sufficient response resources available, by contract or other approved means as described in §112.2, to respond to a medium discharge of animal fats or vegetables oils for that facility. This will require response resources capable of containing and collecting up to 36,000 gallons of oil or 10 percent of the worst case discharge, whichever is less. All equipment identified must be designed to operate in the applicable operating environment specified in Table 1 of this appendix.

12.2 A facility owner or operator shall evaluate the availability of adequate temporary storage capacity to sustain the effective daily recovery capacities from equipment identified in the plan. Because of the inefficiencies of oil spill recovery devices, response plans must identify daily storage capacity equivalent to twice the effective daily recovery capacity required on-scene. This temporary storage capacity may be reduced if a facility owner or operator can demonstrate by waste stream analysis that the efficiencies of the oil recovery devices, ability to decant waste, or the availability of alternative temporary storage or disposal locations will reduce the overall volume of oily material storage.

12.3 A facility owner or operator shall ensure that response planning includes the capability to arrange for disposal of recovered oil products. Specific disposal procedures will be addressed in the applicable ACP.

*13.0 References and Availability*

13.1 All materials listed in this section are part of EPA's rulemaking docket and are located in the Superfund Docket, 1235 Jefferson Davis Highway, Crystal Gateway 1, Arlington, Virginia 22202, Suite 105 (Docket Numbers SPCC-2P, SPCC-3P, and SPCC-9P). The docket is available for inspection between 9 a.m. and 4 p.m., Monday through Friday, excluding Federal holidays.

Appointments to review the docket can be made by calling 703-603-9232. Docket hours are subject to change. As provided in 40 CFR part 2, a reasonable fee may be charged for copying services.

13.2 The docket will mail copies of materials to requestors who are outside the Washington, DC metropolitan area. Materials may be available from other sources, as noted in this section. As provided in 40 CFR part 2, a reasonable fee may be charged for copying services. The RCRA/Superfund Hotline at 800-424-9346 may also provide additional information on where to obtain documents. To contact the RCRA/Superfund Hotline in the Washington, DC metropolitan area, dial 703-412-9810. The Telecommunications Device for the Deaf (TDD) Hotline number is 800-553-7672, or, in the Washington, DC metropolitan area, 703-412-3323.

13.3 Documents

(1) National Preparedness for Response Exercise Program (PREP). The PREP draft guidelines are available from United States Coast Guard Headquarters (G-MEP-4), 2100 Second Street, SW., Washington, DC 20593. (See 58 FR 53990-91, October 19, 1993, Notice of Availability of PREP Guidelines).

(2) "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments (published in the Federal Register by DOC/NOAA at 59 FR 14713-22, March 29, 1994.). The guidance is available in the Superfund Docket (see sections 13.1 and 13.2 of this appendix).

(3) ASTM Standards. ASTM F 715, ASTM F 989, ASTM F 631-99, ASTM F 808-83 (1999). The ASTM standards are available from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959.

(4) Response Plans for Marine Transportation-Related Facilities, Interim Final Rule. Published by USCG, DOT at 58 FR 7330-76, February 5, 1993.

## ATTACHMENTS TO APPENDIX E

**Attachment E-1 --**
**Worksheet to Plan Volume of Response Resources**
**for Worst Case Discharge - Petroleum Oils**

Part I Background Information

Step (A) Calculate Worst Case Discharge in barrels (Appendix D) [ ] (A)

Step (B) Oil Group[1] (Table 3 and section 1.2 of this appendix) . [ ]

Step (C) Operating Area (choose one) . . . . [ ] Near shore/Inland Great Lakes [ ] or Rivers and Canals

Step (D) Percentages of Oil (Table 2 of this appendix)

| Percent Lost to Natural Dissipation | Percent Recovered Floating Oil | Percent Oil Onshore |
|---|---|---|
| [ ] (D1) | [ ] (D2) | [ ] (D3) |

Step (E1) On-Water Oil Recovery Step (D2) x Step (A) / 100 [ ] (E1)

Step (E2) Shoreline Recovery Step (D3) x Step (A) / 100 . . . . [ ] (E2)

Step (F) Emulsification Factor
(Table 3 of this appendix) . . . . . [ ] (F)

Step (G) On-Water Oil Recovery Resource Mobilization Factor
(Table 4 of this appendix)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| [ ] (G1) | [ ] (G2) | [ ] (G3) |

[1] A facility that handles, stores, or transports multiple groups of oil must do separate calculations for each oil group on site except for those oil groups that constitute 10 percent or less by volume of the total oil storage capacity at the facility. For purposes of this calculation, the volumes of all products in an oil group must be summed to determine the percentage of the facility's total oil storage capacity.

TABLE 5 TO APPENDIX E—RESPONSE CAPABILITY CAPS BY OPERATING AREA—Continued

| | Tier 1 | Tier 2 | Tier 3 |
|---|---|---|---|
| Great Lakes | 5K bbls/day | 10K bbls/day | 20K bbls/day. |
| Rivers & Canals | 1.5K bbls/day | 3.0K bbls/day | 6.0K bbls/day. |
| February 18, 1998: | | | |
| All except Rivers & Canals, Great Lakes | 12.5K bbls/day | 25K bbls/day | 50K bbls/day. |
| Great Lakes | 6.35K bbls/day | 12.3K bbls/day | 25K bbls/day. |
| Rivers & Canals | 1.875K bbls/day | 3.75K bbls/day | 7.5K bbls/day. |
| February 18, 2003: | | | |
| All except Rivers & Canals, Great Lakes | TBD | TBD | TBD. |
| Great Lakes | TBD | TBD | TBD. |
| Rivers & Canals | TBD | TBD | TBD. |

Note: The caps show cumulative overall effective daily recovery capacity, not incremental increases.
TBD=To Be Determined.

TABLE 6 TO APPENDIX E—REMOVAL CAPACITY PLANNING TABLE FOR ANIMAL FATS AND VEGETABLE OILS

| Spill location | Rivers and canals | | | Nearshore/Inland/Great Lakes | | |
|---|---|---|---|---|---|---|
| Sustainability of on-water oil recovery | 3 days | | | 4 days | | |
| Oil group [1] | Percent natural loss | Percent recovered floating oil | Percent recovered oil from onshore | Percent natural loss | Percent recovered floating oil | Percent recovered oil from onshore |
| Group A | 40 | 15 | 45 | 50 | 20 | 30 |
| Group B | 20 | 15 | 65 | 30 | 20 | 50 |

[1] Substances with a specific gravity greater than 1.0 generally sink below the surface of the water. Response resource considerations are outlined in section 10.6 of this appendix. The owner or operator of the facility is responsible for determining appropriate response resources for Group C oils including locating oil on the bottom or suspended in the water column; containment boom or other appropriate methods for containing oil that may remain floating on the surface; and dredges, pumps, or other equipment to recover animal fats or vegetable oils from the bottom and shoreline.

Note: Group C oils are defined in sections 1.2.1 and 1.2.9 of this appendix; the response resource procedures are discussed in section 10.6 of this appendix.

TABLE 7 TO APPENDIX E—EMULSIFICATION FACTORS FOR ANIMAL FATS AND VEGETABLE OILS

| | |
|---|---|
| *Oil Group* [1]: | |
| Group A | 1.0 |
| Group B | 2.0 |

[1] Substances with a specific gravity greater than 1.0 generally sink below the surface of the water. Response resource considerations are outlined in section 10.6 of this appendix. The owner or operator of the facility is responsible for determining appropriate response resources for Group C oils including locating oil on the bottom or suspended in the water column; containment boom or other appropriate methods for containing oil that may remain floating on the surface; and dredges, pumps, or other equipment to recover animal fats or vegetable oils from the bottom and shoreline.

Note: Group C oils are defined in sections 1.2.1 and 1.2.9 of this appendix; the response resource procedures are discussed in section 10.6 of this appendix.

**Attachment E-1 Example --**
**Worksheet to Plan Volume of Response Resources**
**for Worst Case Discharge - Petroleum Oils**

Part I Background Information

Step (A) Calculate Worst Case Discharge in barrels (Appendix D) | 170,000 | (A)

Step (B) Oil Group[1] (Table 3 and section 1.2 of this appendix) . | 4 |

Step (C) Operating Area (choose one) . . | X | Near shore/Inland Great Lakes | | or Rivers and Canals

Step (D) Percentages of Oil (Table 2 of this appendix)

| Percent Lost to Natural Dissipation | Percent Recovered Floating Oil | Percent Oil Onshore |
|---|---|---|
| 10 | 50 | 70 |
| (D1) | (D2) | (D3) |

Step (E1) On-Water Oil Recovery $\frac{\text{Step (D2) x Step (A)}}{100}$ | 85,000 | (E1)

Step (E2) Shoreline Recovery $\frac{\text{Step (D3) x Step (A)}}{100}$ | 119,000 | (E2)

Step (F) Emulsification Factor (Table 3 of this appendix) . . . . . | 1.4 | (F)

Step (G) On-Water Oil Recovery Resource Mobilization Factor (Table 4 of this appendix)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| 0.15 | 0.25 | 0.40 |
| (G1) | (G2) | (G3) |

[1] A facility that handles, stores, or transports multiple groups of oil must do separate calculations for each oil group on site except for those oil groups that constitute 10 percent or less by volume of the total oil storage capacity at the facility. For purposes of this calculation, the volumes of all products in an oil group must be summed to determine the percentage of the facility's total oil storage capacity.

**Attachment E-1 (continued) --**
**Worksheet to Plan Volume of Response Resources**
**for Worst Case Discharge - Petroleum Oils**

Part II On-Water Oil Recovery Capacity (barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| | | |
| Step (E1) x Step (F) x Step (G1) | Step (E1) x Step (F) x Step (G2) | Step (E1) x Step (F) x Step (G3) |

Part III Shoreline Cleanup Volume (barrels) . . . . . [ ]

Step (E2) x Step (F)

Part IV On-Water Response Capacity By Operating Area
(Table 5 of this appendix)
(Amount needed to be contracted for in barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| | | |
| (J1) | (J2) | (J3) |

Part V On-Water Amount Needed to be Identified, but not Contracted for in Advance (barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| | | |
| Part II Tier 1 - Step (J1) | Part II Tier 2 - Step (J2) | Part II Tier 3 - Step (J3) |

NOTE: To convert from barrels/day to gallons/day, multiply the quantities in Parts II through V by 42 gallons/barrel.

Attachment E-2 --
Worksheet to Plan Volume of Response Resources
for Worst Case Discharge - Animal Fats and Vegetable Oils

Part I Background Information

Step (A) Calculate Worst Case Discharge in barrels (Appendix D) [ ] (A)

Step (B) Oil Group[1] (Table 7 and section 1.2 of this appendix) . [ ]

Step (C) Operating Area (choose one) . . . . [ ] Near shore/Inland Great Lakes [ ] or Rivers and Canals

Step (D) Percentages of Oil (Table 6 of this appendix)

| Percent Lost to Natural Dissipation | Percent Recovered Floating Oil | Percent Oil Onshore |
|---|---|---|
| [ ] (D1) | [ ] (D2) | [ ] (D3) |

Step (E1) On-Water Oil Recovery $\frac{\text{Step (D2) x Step (A)}}{100}$ [ ] (E1)

Step (E2) Shoreline Recovery $\frac{\text{Step (D3) x Step (A)}}{100}$ . . . [ ] (E2)

Step (F) Emulsification Factor
(Table 7 of this appendix) . . . . . [ ] (F)

Step (G) On-Water Oil Recovery Resource Mobilization Factor
(Table 4 of this appendix)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| [ ] (G1) | [ ] (G2) | [ ] (G3) |

[1] A facility that handles, stores, or transports multiple groups of oil must do separate calculations for each oil group on site except for those oil groups that constitute 10 percent or less by volume of the total oil storage capacity at the facility. For purposes of this calculation, the volumes of all products in an oil group must be summed to determine the percentage of the facility's total oil storage capacity.

**Attachment E-1 Example (continued) --**
**Worksheet to Plan Volume of Response Resources**
**for Worst Case Discharge - Petroleum Oils**

Part II On-Water Oil Recovery Capacity (barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| 17,850 | 29,750 | 47,600 |
| Step (E1) x Step (F) x Step (G1) | Step (E1) x Step (F) x Step (G2) | Step (E1) x Step (F) x Step (G3) |

Part III Shoreline Cleanup Volume (barrels) . . . . . 166,600

Step (E2) x Step (F)

Part IV On-Water Response Capacity By Operating Area
(Table 5 of this appendix)
(Amount needed to be contracted for in barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| 10,000 | 20,000 | 40,000 |
| (J1) | (J2) | (J3) |

Part V On-Water Amount Needed to be Identified, but not Contracted for in Advance (barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| 7,850 | 9,750 | 7,600 |
| Part II Tier 1 - Step (J1) | Part II Tier 2 - Step (J2) | Part II Tier 3 - Step (J3) |

NOTE: To convert from barrels/day to gallons/day, multiply the quantities in Parts II through V by 42 gallons/barrel.

**Attachment E-2 Example --**
**Worksheet to Plan Volume of Response Resources**
**for Worst Case Discharge - Animal Fats and Vegetable Oils**

Part I Background Information

Step (A) Calculate Worst Case Discharge in barrels (Appendix D) . . . . . 500,000 (A)

Step (B) Oil Group[1] (Table 7 and section 1.2 of this appendix) . . . . . B

Step (C) Operating Area (choose one) [X] Near shore/Inl and Great Lakes [ ] or Rivers and Canals

Step (D) Percentages of Oil (Table 6 of this appendix)

| Percent Lost to Natural Dissipation | Percent Recovered Floating Oil | Percent Oil Onshore |
|---|---|---|
| 30 (D1) | 20 (D2) | 50 (D3) |

Step (E1) On-Water Oil Recovery $\frac{\text{Step (D2) x Step (A)}}{100}$ = 100,000 (E1)

Step (E2) Shoreline Recovery $\frac{\text{Step (D3) x Step (A)}}{100}$ = 250,000 (E2)

Step (F) Emulsification Factor (Table 7 of this appendix) . . . . . 2.0 (F)

Step (G) On-Water Oil Recovery Resource Mobilization Factor (Table 4 of this appendix)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| 0.15 (G1) | 0.25 (G2) | 0.40 (G3) |

[1] A facility that handles, stores, or transports multiple groups of oil must do separate calculations for each oil group on site except for those oil groups that constitute 10 percent or less by volume of the total oil storage capacity at the facility. For purposes of this calculation, the volumes of all products in an oil group must be summed to determine the percentage of the facility's total oil storage capacity.

**Attachment E-2 (continued) --**
**Worksheet to Plan Volume of Response Resources**
**for Worst Case Discharge - Animal Fats and Vegetable Oils**

Part II On-Water Oil Recovery Capacity (barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| | | |
| Step (E1) x Step (F) x Step (G1) | Step (E1) x Step (F) x Step (G2) | Step (E1) x Step (F) x Step (G3) |

Part III Shoreline Cleanup Volume (barrels) . . . . [ ]

Step (E2) x Step (F)

Part IV On-Water Response Capacity By Operating Area
(Table 5 of this appendix)
(Amount needed to be contracted for in barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| | | |
| (J1) | (J2) | (J3) |

Part V On-Water Amount Needed to be Identified, but not Contracted for in Advance (barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| | | |
| Part II Tier 1 - Step (J1) | Part II Tier 2 - Step (J2) | Part II Tier 3 - Step (J3) |

NOTE: To convert from barrels/day to gallons/day, multiply the quantities in Parts II through V by 42 gallons/barrel.

1.7 Plan Implementation
1.7.1 Response Resources for Small, Medium, and Worst Case Spills
1.7.2 Disposal Plans
1.7.3 Containment and Drainage Planning
1.8 Self-Inspection, Drills/Exercises, and Response Training
1.8.1 Facility Self-Inspection
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1.8.3.2 Discharge Prevention Meeting Logs
1.9 Diagrams
1.10 Security
2.0 Response Plan Cover Sheet
3.0 Acronyms
4.0 References

*1.0 Model Facility-Specific Response Plan*

(A) Owners or operators of facilities regulated under this part which pose a threat of substantial harm to the environment by discharging oil into or on navigable waters or adjoining shorelines are required to prepare and submit facility-specific response plans to EPA in accordance with the provisions in this appendix. This appendix further describes the required elements in §112.20(h).

(B) Response plans must be sent to the appropriate EPA Regional office. Figure F-1 of this Appendix lists each EPA Regional office and the address where owners or operators must submit their response plans. Those facilities deemed by the Regional Administrator (RA) to pose a threat of significant and substantial harm to the environment will have their plans reviewed and approved by EPA. In certain cases, information required in the model response plan is similar to information currently maintained in the facility's Spill Prevention, Control, and Countermeasures (SPCC) Plan as required by 40 CFR 112.3. In these cases, owners or operators may reproduce the information and include a photocopy in the response plan.

(C) A complex may develop a single response plan with a set of core elements for all regulating agencies and separate sections for the non-transportation-related and transportation-related components, as described in §112.20(h). Owners or operators of large facilities that handle, store, or transport oil at more than one geographically distinct location (e.g., oil storage areas at opposite ends of a single, continuous parcel of property) shall, as appropriate, develop separate sections of the response plan for each storage area.

**Attachment E-2 Example (continued) --**
**Worksheet to Plan Volume of Response Resources**
**for Worst Case Discharge - Animal Fats and Vegetable Oils (continued)**

Part II On-Water Oil Recovery Capacity (barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| 30,000 | 50,000 | 80,000 |
| Step (E1) x Step (F) x Step (G1) | Step (E1) x Step (F) x Step (G2) | Step (E1) x Step (F) x Step (G3) |

Part III Shoreline Cleanup Volume (barrels) . . . . 500,000

Step (E2) x Step (F)

Part IV On-Water Response Capacity By Operating Area
(Table 5 of this appendix)
(Amount needed to be contracted for in barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| 12,500 | 25,000 | 50,000 |
| (J1) | (J2) | (J3) |

Part V On-Water Amount Needed to be Identified, but not Contracted for in Advance (barrels/day)

| Tier 1 | Tier 2 | Tier 3 |
|---|---|---|
| 17,500 | 25,000 | 30,000 |
| Part II Tier 1 - Step (J1) | Part II Tier 2 - Step (J2) | Part II Tier 3 - Step (J3) |

NOTE: To convert from barrels/day to gallons/day, multiply the quantities in Parts II through V by 42 gallons/barrel.

[59 FR 34111, July 1, 1994; 59 FR 49006, Sept. 26, 1994, as amended at 65 FR 40806, 40807, June 30, 2000; 65 FR 47325, Aug. 2, 2000; 66 FR 47325, Aug. 2, 2000; 66 FR 35460, 35461, June 29, 2001]

## APPENDIX F TO PART 112—FACILITY-SPECIFIC RESPONSE PLAN

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1.4.2 Vulnerability Analysis
1.4.3 Analysis of the Potential for an Oil Spill
1.4.4 Facility Reportable Oil Spill History
1.5 Discharge Scenarios
1.5.1 Small and Medium Discharges
1.5.2 Worst Case Discharge
1.6 Discharge Detection Systems
1.6.1 Discharge Detection By Personnel
1.6.2 Automated Discharge Detection

forms included in the associated sections of the response plan. Each Emergency Response Action Plan section may be tabbed for quick reference. The Action Plan shall be maintained in the front of the same binder that contains the complete response plan or it shall be contained in a separate binder. In the latter case, both binders shall be kept together so that the entire plan can be accessed by the qualified individual and appropriate spill response personnel. The Emergency Response Action Plan shall be made up of the following sections:

1. Qualified Individual Information (Section 1.2) partial
2. Emergency Notification Phone List (Section 1.3.1) partial
3. Spill Response Notification Form (Section 1.3.1) partial
4. Response Equipment List and Location (Section 1.3.2) complete
5. Response Equipment Testing and Deployment (Section 1.3.3) complete
6. Facility Response Team (Section 1.3.4) partial
7. Evacuation Plan (Section 1.3.5) condensed
8. Immediate Actions (Section 1.7.1) complete
9. Facility Diagram (Section 1.9) complete

### *1.2 Facility Information*

The facility information form is designed to provide an overview of the site and a description of past activities at the facility. Much of the information required by this section may be obtained from the facility's existing SPCC Plan.

1.2.1 *Facility name and location:* Enter facility name and street address. Enter the address of corporate headquarters only if corporate headquarters are physically located at the facility. Include city, county, state, zip code, and phone number.

1.2.2 *Latitude and Longitude:* Enter the latitude and longitude of the facility. Include degrees, minutes, and seconds of the main entrance of the facility.

1.2.3 *Wellhead Protection Area:* Indicate if the facility is located in or drains into a wellhead protection area as defined by the Safe Drinking Water Act of 1986 (SDWA).[1] The response plan requirements in the Wellhead Protection Program are outlined by the State or Territory in which the facility resides.

1.2.4 *Owner/operator:* Write the name of the company or person operating the facility and the name of the person or company that owns the facility, if the two are different. List the address of the owner, if the two are different.

1.2.5 *Qualified Individual:* Write the name of the qualified individual for the entire facility. If more than one person is listed, each individual indicated in this section shall have full authority to implement the facility response plan. For each individual, list: name, position, home and work addresses (street addresses, not P.O. boxes), emergency phone number, and specific response training experience.

1.2.6 *Date of Oil Storage Start-up:* Enter the year which the present facility first started storing oil.

1.2.7 *Current Operation:* Briefly describe the facility's operations and include the North American Industrial Classification System (NAICS) code.

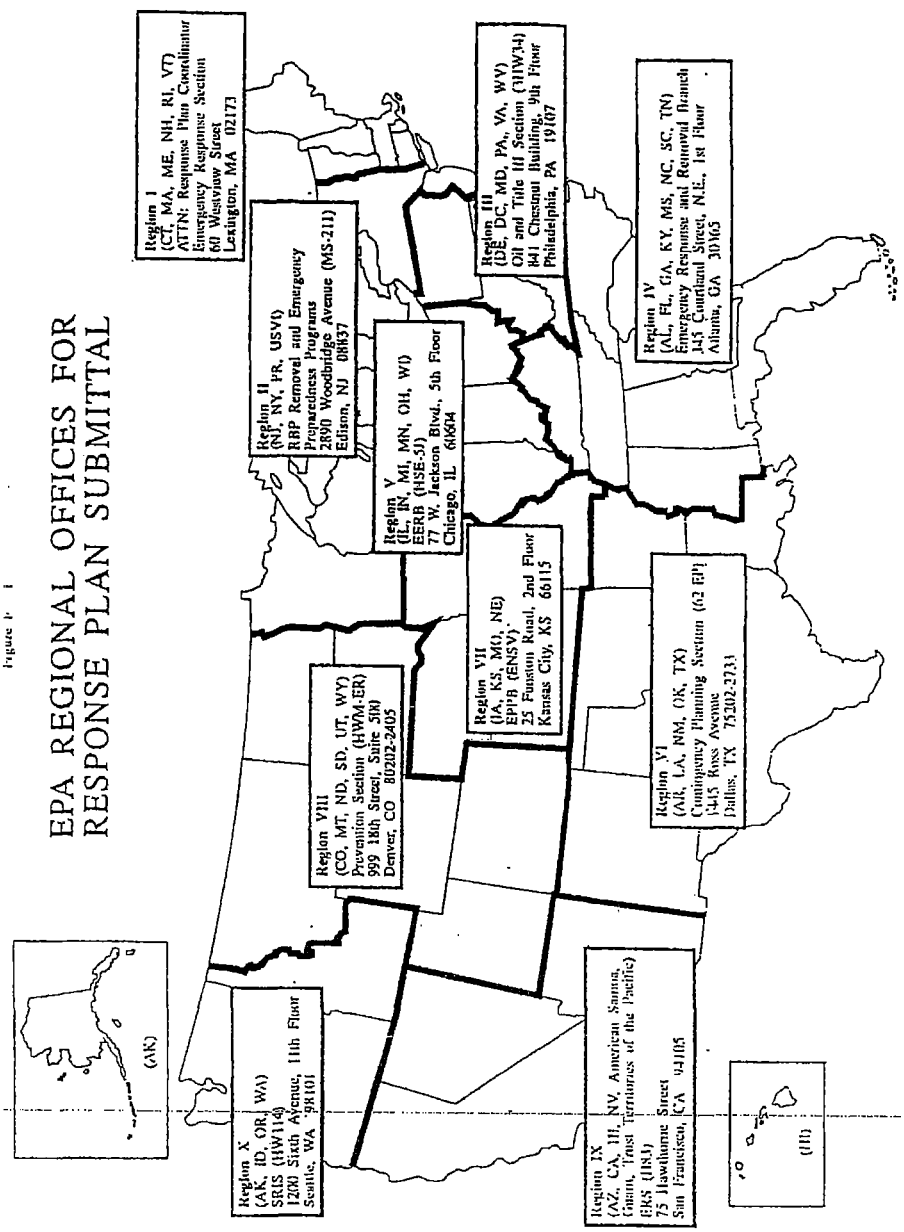
1.2.8 *Dates and Type of Substantial Expansion:* Include information on expansions that have occurred at the facility. Examples of such expansions include, but are not limited to: Throughput expansion, addition of a product line, change of a product line, and installation of additional oil storage capacity. The data provided shall include all facility historical information and detail the expansion of the facility. An example of substantial expansion is any material alteration of the facility which causes the owner or operator of the facility to re-evaluate and increase the response equipment necessary to adequately respond to a worst case discharge from the facility.

Date of Last Update: _____

FACILITY INFORMATION FORM

Facility Name: _____
Location (Street Address): _____
City: _____ State: _____ Zip: _____
County: _____ Phone Number: ( ) _____
Latitude: _____ Degrees _____ Minutes _____ Seconds
Longitude: _____ Degrees _____ Minutes _____ Seconds
Wellhead Protection Area: _____
Owner: _____
Owner Location (Street Address): _____
(if different from Facility Address)
City: _____ State: _____ Zip: _____
County: _____ Phone Number: ( ) _____
Operator (if not Owner): _____
Qualified Individual(s): (attach additional sheets if more than one)
Name: _____
Position: _____
Work Address: _____
Home Address: _____
Emergency Phone Number: ( ) _____

[1] A wellhead protection area is defined as the surface and subsurface area surrounding a water well or wellfield, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or wellfield. For further information regarding State and territory protection programs, facility owners or operators may contact the SDWA Hotline at 1–800–426–4791.




*1.1 Emergency Response Action Plan*

Several sections of the response plan shall be co-located for easy access by response personnel during an actual emergency or oil discharge. This collection of sections shall be called the Emergency Response Action Plan. The Agency intends that the Action Plan contain only as much information as is necessary to combat the discharge and be arranged so response actions are not delayed. The Action Plan may be arranged in a number of ways. For example, the sections of the Emergency Response Action Plan may be photocopies or condensed versions of the

EMERGENCY NOTIFICATION PHONE LIST WHOM TO NOTIFY

Reporter's Name: _____
Date: _____
Facility Name: _____
Owner Name: _____
Facility Identification Number: _____
Date and Time of Each NRC Notification: _____

| Organization | Phone No. |
|---|---|
| 1. National Response Center (NRC): | 1–800–424–8802 |
| 2. Qualified Individual: | |
| Evening Phone: | |
| 3. Company Response Team: | |
| Evening Phone: | |
| 4. Federal On-Scene Coordinator (OSC) and/or Regional Response Center (RRC): | |
| Evening Phone(s): | |
| Pager Number(s): | |
| 5. Local Response Team (Fire Dept/Cooperatives): | |
| 6. Fire Marshall: | |
| Evening Phone: | |
| 7. State Emergency Response Commission (SERC): | |
| Evening Phone: | |
| 8. State Police: | |
| 9. Local Emergency Planning Committee (LEPC): | |
| 10. Local Water Supply System: | |
| Evening Phone: | |
| 11. Weather Report: | |
| 12. Local Television/Radio Station for Evacuation Notification: | |
| 13. Hospitals: | |

SPILL RESPONSE NOTIFICATION FORM

Reporter's Last Name: _____
First: _____
M.I.: _____
Position: _____
Phone Numbers:
Day ( ) -
Evening ( ) -
Company: _____
Organization Type: _____
Address: _____
_____
City: _____
State: _____
Zip: _____
Were Materials Discharged? _____ (Y/N) Confidential? _____ (Y/N)
Meeting Federal Obligations to Report? _____ (Y/N) Date Called: _____
Calling for Responsible Party? _____ (Y/N) Time Called: _____

*Incident Description*

Source and/or Cause of Incident:
_____
_____
_____
_____
Date of Incident: _____
Time of Incident: _____ AM/PM
Incident Address/Location: _____
_____
Nearest City: _____
State: _____
County: _____ Zip: _____
Distance from City: _____ Units of Measure: _____ Direction from City: _____
Section: _____ Township: _____ Range: _____ Borough: _____
Container Type: _____ Tank Oil Storage Capacity: _____ Units of Measure: _____
Facility Oil Storage Capacity: _____ Units of Measure: _____
Facility Latitude: _____ Degrees _____ Minutes _____ Seconds _____
Facility Longitude: _____ Degrees _____ Minutes _____ Seconds _____

Date of Oil Storage Start-up: _____
Current Operations: _____
_____
_____
Date(s) and Type(s) of Substantial Expansion(s): _____
_____
(Attach additional sheets if necessary)

*1.3 Emergency Response Information*

(A) The information provided in this section shall describe what will be needed in an actual emergency involving the discharge of oil or a combination of hazardous substances and oil discharge. The Emergency Response Information section of the plan must include the following components:

(1) The information provided in the Emergency Notification Phone List in section 1.3.1 identifies and prioritizes the names and phone numbers of the organizations and personnel that need to be notified immediately in the event of an emergency. This section shall include all the appropriate phone numbers for the facility. These numbers must be verified each time the plan is updated. The contact list must be accessible to all facility employees to ensure that, in case of a discharge, any employee on site could immediately notify the appropriate parties.

(2) The Spill Response Notification Form in section 1.3.1 creates a checklist of information that shall be provided to the National Response Center (NRC) and other response personnel. All information on this checklist must be known at the time of notification, or be in the process of being collected. This notification form is based on a similar form used by the NRC. Note: Do not delay spill notification to collect the information on the list.

(3) Section 1.3.2 provides a description of the facility's list of emergency response equipment and location of the response equipment. When appropriate, the amount of oil that emergency response equipment can handle and any limitations (e.g., launching sites) must be described.

(4) Section 1.3.3 provides information regarding response equipment tests and deployment drills. Response equipment deployment exercises shall be conducted to ensure that response equipment is operational and the personnel who would operate the equipment in a spill response are capable of deploying and operating it. Only a representative sample of each type of response equipment needs to be deployed and operated, as long as the remainder is properly maintained. If appropriate, testing of response equipment may be conducted while it is being deployed. Facilities without facility-owned response equipment must ensure that the oil spill removal organization that is identified in the response plan to provide this response equipment certifies that the deployment exercises have been met. Refer to the National Preparedness for Response Exercise Program (PREP) Guidelines (see Appendix E to this part, section 13, for availability), which satisfy Oil Pollution Act (OPA) response exercise requirements.

(5) Section 1.3.4 lists the facility response personnel, including those employed by the facility and those under contract to the facility for response activities, the amount of time needed for personnel to respond, their responsibility in the case of an emergency, and their level of response training. Three different forms are included in this section. The Emergency Response Personnel List shall be composed of all personnel employed by the facility whose duties involve responding to emergencies, including oil discharges, even when they are not physically present at the site. An example of this type of person would be the Building Engineer-in-Charge or Plant Fire Chief. The second form is a list of the Emergency Response Contractors (both primary and secondary) retained by the facility. Any changes in contractor status must be reflected in updates to the response plan. Evidence of contracts with response contractors shall be included in this section so that the availability of resources can be verified. The last form is the Facility Response Team List, which shall be composed of both emergency response personnel (referenced by job title/position) and emergency response contractors, included in one of the two lists described above, that will respond immediately upon discovery of an oil discharge or other emergency (i.e., the first people to respond). These are to be persons normally on the facility premises or primary response contractors. Examples of these personnel would be the Facility Hazardous Materials (HAZMAT) Spill Team 1, Facility Fire Engine Company 1, Production Supervisor, or Transfer Supervisor. Company personnel must be able to respond immediately and adequately if contractor support is not available.

(6) Section 1.3.5 lists factors that must, as appropriate, be considered when preparing an evacuation plan.

(7) Section 1.3.6 references the responsibilities of the qualified individual for the facility in the event of an emergency.

(B) The information provided in the emergency response section will aid in the assessment of the facility's ability to respond to a worst case discharge and will identify additional assistance that may be needed. In addition, the facility owner or operator may want to produce a wallet-size card containing a checklist of the immediate response and notification steps to be taken in the event of an oil discharge.

*1.3.1 Notification*

Date of Last Update: _____

| Type and year | Capacity | Storage location | Response time (minutes) |
|---|---|---|---|
| | | | |
| | | | |

5. Sorbents—Operational Status: _____
Type and Year Purchased: _____
Amount: _____
Absorption Capacity (gal.): _____
Storage Location(s): _____
6. Hand Tools—Operational Status: _____

| Type and year | Quantity | Storage location |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

7. Communication Equipment (include operating frequency and channel and/or cellular phone numbers)—Operational Status: _____

| Type and year | Quantity | Storage location/ number |
|---|---|---|
| | | |
| | | |

8. Fire Fighting and Personnel Protective Equipment—Operational Status: _____

| Type and year | Quantity | Storage location |
|---|---|---|
| | | |
| | | |

| Type and year | Quantity | Storage location |
|---|---|---|
| | | |
| | | |

9. Other (e.g., Heavy Equipment, Boats and Motors)—Operational Status: _____

| Type and year | Quantity | Storage location |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

*1.3.3 Response Equipment Testing/Deployment*

Date of Last Update:_____

Response Equipment Testing and Deployment Drill Log

Last Inspection or Response Equipment Test Date: _____
Inspection Frequency: _____
Last Deployment Drill Date: _____
Deployment Frequency: _____
Oil Spill Removal Organization Certification (if applicable): _____

*1.3.4 Personnel*

Date of Last Update:_____

*Material*

| CHRIS Code | Discharged quantity | Unit of measure | Material Discharged in water | Quantity | Unit of measure |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

*Response Action*

Actions Taken to Correct, Control or Mitigate Incident:

_____

_____

_____

_____

*Impact*

Number of Injuries: _____ Number of Deaths: _____

Were there Evacuations? _____ (Y/N) Number Evacuated: _____

Was there any Damage? _____ (Y/N)

Damage in Dollars (approximate): _____

Medium Affected: _____

Description: _____

More Information about Medium: _____

_____

_____

*Additional Information*

Any information about the incident not recorded elsewhere in the report:

_____

_____

_____

*Caller Notifications*

EPA? _____ (Y/N) USCG? _____ (Y/N) State? _____ (Y/N)

Other? _____ (Y/N) Describe: _____

*1.3.2 Response Equipment List*

Date of Last Update:_____

FACILITY RESPONSE EQUIPMENT LIST

1. Skimmers/Pumps—Operational Status: __
Type, Model, and Year: _____

_____

Type Model Year

Number: _____

Capacity: _____ gal./min.

Daily Effective Recovery Rate: _____

Storage Location(s): _____

Date Fuel Last Changed: _____

2. Boom—Operational Status: _____

Type, Model, and Year: _____

Type Model Year

Number: _____

Size (length): _____ ft.

Containment Area: _____ sq. ft.

Storage Location: _____

3. Chemicals Stored (Dispersants listed on EPA's NCP Product Schedule)

| Type | Amount | Date purchased | Treatment capacity | Storage location |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |

Were appropriate procedures used to receive approval for use of dispersants in accordance with the NCP (40 CFR 300.910) and the Area Contingency Plan (ACP), where applicable?_____ (Y/N).

Name and State of On-Scene Coordinator (OSC) authorizing use: _____

Date Authorized: _____.

4. Dispersant Dispensing Equipment—Operational Status: _____.

| Type and year | Capacity | Storage location | Response time (minutes) |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

FACILITY RESPONSE TEAM—Continued

Date of Last Update:_____

| Team member | Response time (minutes) | Phone or pager number (day/evening) |
|---|---|---|
| | | / |
| | | / |
| | | / |
| | | / |
| | | / |
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Note: If the facility uses contracted help in an emergency response situation, the owner or operator must provide the contractors' names and review the contractors' capacities to provide adequate personnel and response equipment.

*1.3.5 Evacuation Plans*

1.3.5.1 Based on the analysis of the facility, as discussed elsewhere in the plan, a facility-wide evacuation plan shall be developed. In addition, plans to evacuate parts of the facility that are at a high risk of exposure in the event of a discharge or other release must be developed. Evacuation routes must be shown on a diagram of the facility (see section 1.9 of this appendix). When developing evacuation plans, consideration must be given to the following factors, as appropriate:

(1) Location of stored materials;

(2) Hazard imposed by discharged material;

(3) Discharge flow direction;

(4) Prevailing wind direction and speed;

(5) Water currents, tides, or wave conditions (if applicable);

(6) Arrival route of emergency response personnel and response equipment;

(7) Evacuation routes;

(8) Alternative routes of evacuation;

(9) Transportation of injured personnel to nearest emergency medical facility;

(10) Location of alarm/notification systems;

(11) The need for a centralized check-in area for evacuation validation (roll call);

(12) Selection of a mitigation command center; and

(13) Location of shelter at the facility as an alternative to evacuation.

1.3.5.2 One resource that may be helpful to owners or operators in preparing this section of the response plan is The *Handbook of Chemical Hazard Analysis Procedures* by the Federal Emergency Management Agency (FEMA), Department of Transportation (DOT), and EPA. *The Handbook of Chemical Hazard Analysis Procedures* is available from: FEMA , Publication Office, 500 C. Street, S.W., Washington, DC 20472, (202) 646–3484.

1.3.5.3 As specified in §112.20(h)(1)(vi), the facility owner or operator must reference existing community evacuation plans, as appropriate.

*1.3.6 Qualified Individual's Duties*

The duties of the designated qualified individual are specified in §112.20(h)(3)(ix). The qualified individual's duties must be described and be consistent with the minimum requirements in §112.20(h)(3)(ix). In addition, the qualified individual must be identified with the Facility Information in section 1.2 of the response plan.

EMERGENCY RESPONSE PERSONNEL

Company Personnel

| Name | Phone [1] | Response time | Responsibility during response action | Response training type/date |
|---|---|---|---|---|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
| 5. | | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |

[1] Phone number to be used when person is not on-site.

EMERGENCY RESPONSE CONTRACTORS

Date of Last Update: _____

| Contractor | Phone | Response time | Contract responsibility [1] |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |

[1] Include evidence of contracts/agreements with response contractors to ensure the availability of personnel and response equipment.

FACILITY RESPONSE TEAM

Date of Last Update:_____

| Team member | Response time (minutes) | Phone or pager number (day/evening) |
|---|---|---|
| Qualified Individual: | | / |
| | | / |

HAZARD IDENTIFICATION TANKS [1]

Date of Last Update: _____

| Tank No. | Substance Stored (Oil and Hazardous Substance) | Quantity Stored (gallons) | Tank Type/Year | Maximum Capacity (gallons) | Failure/Cause |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
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| | | | | | |
| | | | | | |
| | | | | | |

[1] Tank = any container that stores oil.
Attach as many sheets as necessary.

HAZARD IDENTIFICATION SURFACE IMPOUNDMENTS (SIS)

Date of Last Update: _____

| SI No. | Substance Stored | Quantity Stored (gallons) | Surface Area/Year | Maximum Capacity (gallons) | Failure/Cause |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
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| | | | | | |
| | | | | | |

Attach as many sheets as necessary.

*1.4.2 Vulnerability Analysis*

The vulnerability analysis shall address the potential effects (i.e., to human health, property, or the environment) of an oil discharge. Attachment C-III to Appendix C to this part provides a method that owners or operators shall use to determine appropriate distances from the facility to fish and wildlife and sensitive environments. Owners or operators can use a comparable formula that is considered acceptable by the RA. If a comparable formula is used, documentation of the reliability and analytical soundness of the formula must be attached to the response plan cover sheet. This analysis must be prepared for each facility and, as appropriate, must discuss the vulnerability of:

(1) Water intakes (drinking, cooling, or other);

(2) Schools;

(3) Medical facilities;

(4) Residential areas;

(5) Businesses;

*1.4 Hazard Evaluation*

This section requires the facility owner or operator to examine the facility's operations closely and to predict where discharges could occur. Hazard evaluation is a widely used industry practice that allows facility owners or operators to develop a complete understanding of potential hazards and the response actions necessary to address these hazards. *The Handbook of Chemical Hazard Analysis Procedures*, prepared by the EPA, DOT, and the FEMA and the *Hazardous Materials Emergency Planning Guide* (NRT-1), prepared by the National Response Team are good references for conducting a hazard analysis. Hazard identification and evaluation will assist facility owners or operators in planning for potential discharges, thereby reducing the severity of discharge impacts that may occur in the future. The evaluation also may help the operator identify and correct potential sources of discharges. In addition, special hazards to workers and emergency response personnel's health and safety shall be evaluated, as well as the facility's oil spill history.

*1.4.1 Hazard Identification*

The Tank and Surface Impoundment (SI) forms, or their equivalent, that are part of this section must be completed according to the directions below. ("Surface Impoundment" means a facility or part of a facility which is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well or a seepage facility.) Similar worksheets, or their equivalent, must be developed for any other type of storage containers.

(1) List each tank at the facility with a separate and distinct identifier. Begin aboveground tank identifiers with an "A" and belowground tank identifiers with a "B", or submit multiple sheets with the aboveground tanks and belowground tanks on separate sheets.

(2) Use gallons for the maximum capacity of a tank; and use square feet for the area.

(3) Using the appropriate identifiers and the following instructions, fill in the appropriate forms:

(a) Tank or SI number—Using the aforementioned identifiers (A or B) or multiple reporting sheets, identify each tank or SI at the facility that stores oil or hazardous materials.

(b) Substance Stored—For each tank or SI identified, record the material that is stored therein. If the tank or SI is used to store more than one material, list all of the stored materials.

(c) Quantity Stored—For each material stored in each tank or SI, report the average volume of material stored on any given day.

(d) Tank Type or Surface Area/Year—For each tank, report the type of tank (e.g., floating top), and the year the tank was originally installed. If the tank has been refabricated, the year that the latest refabrication was completed must be recorded in parentheses next to the year installed. For each SI, record the surface area of the impoundment and the year it went into service.

(e) Maximum Capacity—Record the operational maximum capacity for each tank and SI. If the maximum capacity varies with the season, record the upper and lower limits.

(f) Failure/Cause—Record the cause and date of any tank or SI failure which has resulted in a loss of tank or SI contents.

(4) Using the numbers from the tank and SI forms, label a schematic drawing of the facility. This drawing shall be identical to any schematic drawings included in the SPCC Plan.

(5) Using knowledge of the facility and its operations, describe the following in writing:

(a) The loading and unloading of transportation vehicles that risk the discharge of oil or release of hazardous substances during transport processes. These operations may include loading and unloading of trucks, railroad cars, or vessels. Estimate the volume of material involved in transfer operations, if the exact volume cannot be determined.

(b) Day-to-day operations that may present a risk of discharging oil or releasing a hazardous substance. These activities include scheduled venting, piping repair or replacement, valve maintenance, transfer of tank contents from one tank to another, etc. (not including transportation-related activities). Estimate the volume of material involved in these operations, if the exact volume cannot be determined.

(c) The secondary containment volume associated with each tank and/or transfer point at the facility. The numbering scheme developed on the tables, or an equivalent system, must be used to identify each containment area. Capacities must be listed for each individual unit (tanks, slumps, drainage traps, and ponds), as well as the facility total.

(d) Normal daily throughput for the facility and any effect on potential discharge volumes that a negative or positive change in that throughput may cause.

*1.5.2 Worst Case Discharge*

1.5.2.1 In this section, the owner or operator must identify the worst case discharge volume at the facility. Worksheets for production and non-production facility owners or operators to use when calculating worst case discharge are presented in Appendix D to this part. When planning for the worst case discharge response, all of the aforementioned factors listed in the small and medium discharge section of the response plan shall be addressed.

1.5.2.2 For onshore storage facilities and production facilities, permanently manifolded oil storage tanks are defined as tanks that are designed, installed, and/or operated in such a manner that the multiple tanks function as one storage unit (i.e., multiple tank volumes are equalized). In this section of the response plan, owners or operators must provide evidence that oil storage tanks with common piping or piping systems are not operated as one unit. If such evidence is provided and is acceptable to the RA, the worst case discharge volume shall be based on the combined oil storage capacity of all manifold tanks or the oil storage capacity of the largest single oil storage tank within the secondary containment area, whichever is greater. For permanently manifolded oil storage tanks that function as one storage unit, the worst case discharge shall be based on the combined oil storage capacity of all manifolded tanks or the oil storage capacity of the largest single tank within a secondary containment area, whichever is greater. For purposes of the worst case discharge calculation, permanently manifolded oil storage tanks that are separated by internal divisions for each tank are considered to be single tanks and individual manifolded tank volumes are not combined.

*1.6 Discharge Detection Systems*

In this section, the facility owner or operator shall provide a detailed description of the procedures and equipment used to detect discharges. A section on discharge detection by personnel and a discussion of automated discharge detection, if applicable, shall be included for both regular operations and after hours operations. In addition, the facility owner or operator shall discuss how the reliability of any automated system will be checked and how frequently the system will be inspected.

*1.6.1 Discharge Detection by Personnel*

In this section, facility owners or operators shall describe the procedures and personnel that will detect any discharge of oil or release of a hazardous substance. A thorough discussion of facility inspections must be included. In addition, a description of initial response actions shall be addressed. This section shall reference section 1.3.1 of the response plan for emergency response information.

*1.6.2 Automated Discharge Detection*

In this section, facility owners or operators must describe any automated discharge detection equipment that the facility has in place. This section shall include a discussion of overfill alarms, secondary containment sensors, etc. A discussion of the plans to verify an automated alarm and the actions to be taken once verified must also be included.

*1.7 Plan Implementation*

In this section, facility owners or operators must explain in detail how to implement the facility's emergency response plan by describing response actions to be carried out under the plan to ensure the safety of the facility and to mitigate or prevent discharges described in section 1.5 of the response plan. This section shall include the identification of response resources for small, medium, and worst case discharges; disposal plans; and containment and drainage planning. A list of those personnel who would be involved in the cleanup shall be identified. Procedures that the facility will use, where appropriate or necessary, to update their plan after an oil discharge event and the time frame to update the plan must be described.

*1.7.1 Response Resources for Small, Medium, and Worst Case Discharages*

1.7.1.1 Once the discharge scenarios have been identified in section 1.5 of the response plan, the facility owner or operator shall identify and describe implementation of the response actions. The facility owner or operator shall demonstrate accessibility to the proper response personnel and equipment to effectively respond to all of the identified discharge scenarios. The determination and demonstration of adequate response capability are presented in Appendix E to this part. In addition, steps to expedite the cleanup of oil discharges must be discussed. At a minimum, the following items must be addressed:

(1) Emergency plans for spill response;

(2) Additional response training;

(3) Additional contracted help;

(4) Access to additional response equipment/experts; and

(5) Ability to implement the plan including response training and practice drills.

1.7.1.2A recommended form detailing immediate actions follows.

(6) Wetlands or other sensitive environments;[2]
(7) Fish and wildlife;
(8) Lakes and streams;
(9) Endangered flora and fauna;
(10) Recreational areas;
(11) Transportation routes (air, land, and water);
(12) Utilities; and
(13) Other areas of economic importance (e.g., beaches, marinas) including terrestrially sensitive environments, aquatic environments, and unique habitats.

*1.4.3 Analysis of the Potential for an Oil Discharge*

Each owner or operator shall analyze the probability of a discharge occurring at the facility. This analysis shall incorporate factors such as oil discharge history, horizontal range of a potential discharge, and vulnerability to natural disaster, and shall, as appropriate, incorporate other factors such as tank age. This analysis will provide information for developing discharge scenarios for a worst case discharge and small and medium discharges and aid in the development of techniques to reduce the size and frequency of discharges. The owner or operator may need to research the age of the tanks the oil discharge history at the facility.

*1.4.4 Facility Reportable Oil Spill History*

Briefly describe the facility's reportable oil spill[3] history for the entire life of the facility to the extent that such information is reasonably identifiable, including:
(1) Date of discharge(s);
(2) List of discharge causes;
(3) Material(s) discharged;
(4) Amount discharged in gallons;
(5) Amount of discharge that reached navigable waters, if applicable;
(6) Effectiveness and capacity of secondary containment;
(7) Clean-up actions taken;
(8) Steps taken to reduce possibility of recurrence;
(9) Total oil storage capacity of the tank(s) or impoundment(s) from which the material discharged;
(10) Enforcement actions;
(11) Effectiveness of monitoring equipment; and
(12) Description(s) of how each oil discharge was detected.

The information solicited in this section may be similar to requirements in 40 CFR 112.4(a). Any duplicate information required by §112.4(a) may be photocopied and inserted.

*1.5 Discharge Scenarios*

In this section, the owner or operator is required to provide a description of the facility's worst case discharge, as well as a small and medium discharge, as appropriate. A multi-level planning approach has been chosen because the response actions to a discharge (*i.e.*, necessary response equipment, products, and personnel) are dependent on the magnitude of the discharge. Planning for lesser discharges is necessary because the nature of the response may be qualitatively different depending on the quantity of the discharge. The facility owner or operator shall discuss the potential direction of the discharge pathway.

*1.5.1 Small and Medium Discharges*

1.5.1.1 To address multi-level planning requirements, the owner or operator must consider types of facility-specific discharge scenarios that may contribute to a small or medium discharge. The scenarios shall account for all the operations that take place at the facility, including but not limited to:
(1) Loading and unloading of surface transportation;
(2) Facility maintenance;
(3) Facility piping;
(4) Pumping stations and sumps;
(5) Oil storage tanks;
(6) Vehicle refueling; and
(7) Age and condition of facility and components.

1.5.1.2 The scenarios shall also consider factors that affect the response efforts required by the facility. These include but are not limited to:
(1) Size of the discharge;
(2) Proximity to downgradient wells, waterways, and drinking water intakes;
(3) Proximity to fish and wildlife and sensitive environments;
(4) Likelihood that the discharge will travel offsite (*i.e.*, topography, drainage);
(5) Location of the material discharged (*i.e.*, on a concrete pad or directly on the soil);
(6) Material discharged;
(7) Weather or aquatic conditions (*i.e.*, river flow);
(8) Available remediation equipment;
(9) Probability of a chain reaction of failures; and
(10) Direction of discharge pathway.

[2] Refer to the DOC/NOAA "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (See appendix E to this part, section 13, for availability).

[3] As described in 40 CFR part 110, reportable oil spills are those that: (a) violate applicable water quality standards, or (b) cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

inspections and monitoring. Similar requirements exist in 40 CFR part 112, subparts A through C. Duplicate information from the SPCC Plan may be photocopied and inserted in this section. The inspection checklist consists of the following items:

TANK INSPECTION CHECKLIST

1. Check tanks for leaks, specifically looking for:
   A. drip marks;
   B. discoloration of tanks;
   C. puddles containing spilled or leaked material;
   D. corrosion;
   E. cracks; and
   F. localized dead vegetation.
2. Check foundation for:
   A. cracks;
   B. discoloration;
   C. puddles containing spilled or leaked material;
   D. settling;
   E. gaps between tank and foundation; and
   F. damage caused by vegetation roots.
3. Check piping for:
   A. droplets of stored material;
   B. discoloration;
   C. corrosion;
   D. bowing of pipe between supports;
   E. evidence of stored material seepage from valves or seals; and
   F. localized dead vegetation.

TANK/SURFACE IMPOUNDMENT INSPECTION LOG

| Inspector | Tank or SI# | Date | Comments |
|---|---|---|---|
| | | | |
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*1.8.1.2 Response Equipment Inspection*

Using the Emergency Response Equipment List provided in section 1.3.2 of the response plan, describe each type of response equipment, checking for the following:

OIL SPILL RESPONSE—IMMEDIATE ACTIONS

| | |
|---|---|
| 1. Stop the product flow | Act quickly to secure pumps, close valves, etc. |
| 2. Warn personnel ..... | Enforce safety and security measures. |
| 3. Shut off ignition sources. | Motors, electrical circuits, open flames, etc. |
| 4. Initiate containment .... | Around the tank and/or in the water with oil boom. |
| 5. Notify NRC ..... | 1–800–424–8802 |
| 6. Notify OSC | |
| 7. Notify, as appropriate | |

Source: FOSS, Oil Spill Response—Emergency Procedures, Revised December 3, 1992.

*1.7.2 Disposal Plans*

1.7.2.1 Facility owners or operators must describe how and where the facility intends to recover, reuse, decontaminate, or dispose of materials after a discharge has taken place. The appropriate permits required to transport or dispose of recovered materials according to local, State, and Federal requirements must be addressed. Materials that must be accounted for in the disposal plan, as appropriate, include:

(1) Recovered product;

(2) Contaminated soil;

(3) Contaminated equipment and materials, including drums, tank parts, valves, and shovels;

(4) Personnel protective equipment;

(5) Decontamination solutions;

(6) Adsorbents; and

(7) Spent chemicals.

1.7.2.2 These plans must be prepared in accordance with Federal (e.g., the Resource Conservation and Recovery Act [RCRA]), State, and local regulations, where applicable. A copy of the disposal plans from the facility's SPCC Plan may be inserted with this section, including any diagrams in those plans.

| Material | Disposal facility | Location | RCRA permit/manifest |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |

*1.7.3 Containment and Drainage Planning*

A proper plan to contain and control a discharge through drainage may limit the threat of harm to human health and the environment. This section shall describe how to contain and control a discharge through drainage, including:

(1) The available volume of containment (use the information presented in section 1.4.1 of the response plan);

(2) The route of drainage from oil storage and transfer areas;

(3) The construction materials used in drainage troughs;

(4) The type and number of valves and separators used in the drainage system;

(5) Sump pump capacities;

(6) The containment capacity of weirs and booms that might be used and their location (see section 1.3.2 of this appendix); and

(7) Other cleanup materials.

In addition, a facility owner or operator must meet the inspection and monitoring requirements for drainage contained in 40 CFR part 112, subparts A through C. A copy of the containment and drainage plans that are required in 40 CFR part 112, subparts A through C may be inserted in this section, including any diagrams in those plans.

NOTE: The general permit for stormwater drainage may contain additional requirements.

*1.8 Self-Inspection, Drills/Exercises, and Response Training*

The owner or operator must develop programs for facility response training and for drills/exercises according to the requirements of 40 CFR 112.21. Logs must be kept for facility drills/exercises, personnel response training, and spill prevention meetings. Much of the recordkeeping information required by this section is also contained in the SPCC Plan required by 40 CFR 112.3. These logs may be included in the facility response plan or kept as an annex to the facility response plan.

*1.8.1 Facility Self-Inspection*

Under 40 CFR 112.7(e), you must include the written procedures and records of inspections for each facility in the SPCC Plan. You must include the inspection records for each container, secondary containment, and item of response equipment at the facility. You must cross-reference the records of inspections of each container and secondary containment required by 40 CFR 112.7(e) in the facility response plan. The inspection record of response equipment is a new requirement in this plan. Facility self-inspection requires two-steps: (1) a checklist of things to inspect; and (2) a method of recording the actual inspection and its findings. You must note the date of each inspection. You must keep facility response plan records for five years. You must keep SPCC records for three years.

*1.8.1.1. Tank Inspection*

The tank inspection checklist presented below has been included as guidance during

inspections and monitoring. Similar requirements exist in 40 CFR part 112, subparts A through C. Similar requirements exist in 40 CFR 112.7(e). Duplicate information from the SPCC Plan may be photocopied and inserted in this section.

*1.8.2 Facility Drills/Exercises*

(A) CWA section 311(j)(5), as amended by OPA, requires the response plan to contain a description of facility drills/exercises. According to 40 CFR 112.21(c), the facility owner or operator shall develop a program of facility response drills/exercises, including evaluation procedures. Following the PREP guidelines (see Appendix E to this part, section 13, for availability) would satisfy a facility's requirements for drills/exercises under this part. Alternately, under §112.21(c), a facility owner or operator may develop a program that is not based on the PREP guidelines. Such a program is subject to approval by the Regional Administrator based on the description of the program provided in the response plan.

(B) The PREP Guidelines specify that the facility conduct internal and external drills/exercises. The internal exercises include: qualified individual notification drills, spill management team tabletop exercises, equipment deployment exercises, and unannounced exercises. External exercises include Area Exercises. Credit for an Area or Facility-specific Exercise will be given to the facility for an actual response to a discharge in the area if the plan was utilized for response to the discharge and the objectives of the Exercise were met and were properly evaluated, documented, and self-certified.

(C) Section 112.20(h)(8)(ii) requires the facility owner or operator to provide a description of the drill/exercise program to be carried out under the response plan. Qualified Individual Notification Drill and Spill Management Team Tabletop Drill logs shall be provided in sections 1.8.2.1 and 1.8.2.2, respectively. These logs may be included in the facility response plan or kept as an annex to the facility response plan. See section 1.3.3 of this appendix for Equipment Deployment Drill Logs.

*1.8.2.1 Qualified Individual Notification Drill Logs*

Qualified Individual Notification Drill Log

Date: _____

Company: _____

Qualified Individual(s): _____

Emergency Scenario: _____

_____

_____

Evaluation: _____

_____

_____

_____

Changes to be Implemented: _____

_____

_____

Time Table for Implementation: _____

_____

*1.8.2.2 Spill Management Team Tabletop Exercise Logs*

Spill Management Team Tabletop Exercise Log

Date: _____

Company: _____

Qualified Individual(s): _____

Emergency Scenario: _____

_____

_____

Evaluation: _____

_____

_____

_____

Changes to be Implemented: _____

_____

_____

Time Table for Implementation: _____

*1.8.3 Response Training*

Section 112.21(a) requires facility owners or operators to develop programs for facility response training. Facility owners or operators are required by §112.20(h)(8)(iii) to provide a description of the response training program to be carried out under the response plan. A facility's training program can be based on the USCG's Training Elements for Oil Spill Response, to the extent applicable to facility operations, or another response training program acceptable to the RA. The training elements are available from the USCG Office of Response (G–MOR) at (202) 267–0518 or fax (202) 267–4085. Personnel response training logs and discharge prevention meeting logs shall be included in sections 1.8.3.1 and 1.8.3.2 of the response plan respectively. These logs may be included in the facility response plan or kept as an annex to the facility response plan.

*1.8.3.1 Personnel Response Training Logs*

PERSONNEL RESPONSE TRAINING LOG

| Name | Response training/date and number of hours | Prevention training/date and number of hours |
|---|---|---|
| | | |
| | | |

Response Equipment Checklist

1. Inventory (item and quantity);
2. Storage location;
3. Accessibility (time to access and respond);
4. Operational status/condition;
5. Actual use/testing (last test date and frequency of testing); and
6. Shelf life (present age, expected replacement date).

Please note any discrepancies between this list and the available response equipment.

RESPONSE EQUIPMENT INSPECTION LOG

(Use section 1.3.2 of the response plan as a checklist)

| Inspector | Date | Comments |
|---|---|---|
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*1.8.1.3 Secondary Containment Inspection*

Inspect the secondary containment (as described in sections 1.4.1 and 1.7.2 of the response plan), checking the following:

Secondary Containment Checklist

1. Dike or berm system.
   A. Level of precipitation in dike/available capacity;
   B. Operational status of drainage valves;
   C. Dike or berm permeability;
   D. Debris;
   E. Erosion;
   F. Permeability of the earthen floor of diked area; and
   G. Location/status of pipes, inlets, drainage beneath tanks, etc.
2. Secondary containment
   A. Cracks;
   B. Discoloration;
   C. Presence of spilled or leaked material (standing liquid);
   D. Corrosion; and
   E. Valve conditions.
3. Retention and drainage ponds
   A. Erosion;
   B. Available capacity;
   C. Presence of spilled or leaked material;
   D. Debris; and
   E. Stressed vegetation.

The tank inspection checklist presented below has been included as guidance during

tank nearest the transfer structure as described above. The interface may be defined differently at a specific facility if agreed to by the RA and the appropriate Federal official.

(2) The Site Drainage Plan Diagram shall, as appropriate, include:
(A) major sanitary and storm sewers, manholes, and drains;
(B) weirs and shut-off valves;
(C) surface water receiving streams;
(D) fire fighting water sources;
(E) other utilities;
(F) response personnel ingress and egress;
(G) response equipment transportation routes; and
(H) direction of discharge flow from discharge points.

(3) The Site Evacuation Plan Diagram shall, as appropriate, include:
(A) site plan diagram with evacuation route(s); and
(B) location of evacuation regrouping areas.

*1.10 Security*

According to 40 CFR 112.7(g) facilities are required to maintain a certain level of security, as appropriate. In this section, a description of the facility security shall be provided and include, as appropriate:

(1) emergency cut-off locations (automatic or manual valves);
(2) enclosures (e.g., fencing, etc.);
(3) guards and their duties, day and night;
(4) lighting;
(5) valve and pump locks; and
(6) pipeline connection caps.

The SPCC Plan contains similar information. Duplicate information may be photocopied and inserted in this section.

*2.0 Response Plan Cover Sheet*

A three-page form has been developed to be completed and submitted to the RA by owners or operators who are required to prepare and submit a facility-specific response plan. The cover sheet (Attachment F–I) must accompany the response plan to provide the Agency with basic information concerning the facility. This section will describe the Response Plan Cover Sheet and provide instructions for its completion.

*2.1 General Information*

*Owner/Operator of Facility:* Enter the name of the owner of the facility (if the owner is the operator). Enter the operator of the facility if otherwise. If the owner/operator of the facility is a corporation, enter the name of the facility's principal corporate executive. Enter as much of the name as will fit in each section.

(1) *Facility Name:* Enter the proper name of the facility.

(2) *Facility Address:* Enter the street address, city, State, and zip code.

(3) *Facility Phone Number:* Enter the phone number of the facility.

(4) *Latitude and Longitude:* Enter the facility latitude and longitude in degrees, minutes, and seconds.

(5) *Dun and Bradstreet Number:* Enter the facility's Dun and Bradstreet number if available (this information may be obtained from public library resources).

(6) North American Industrial Classification System (NAICS) Code: Enter the facility's NAICS code as determined by the Office of Management and Budget (this information may be obtained from public library resources.)

(7) *Largest Oil Storage Tank Capacity:* Enter the capacity in GALLONS of the largest aboveground oil storage tank at the facility.

(8) *Maximum Oil Storage Capacity:* Enter the total maximum capacity in GALLONS of all aboveground oil storage tanks at the facility.

(9) *Number of Oil Storage Tanks:* Enter the number of all aboveground oil storage tanks at the facility.

(10) *Worst Case Discharge Amount:* Using information from the worksheets in Appendix D, enter the amount of the worst case discharge in GALLONS.

(11) *Facility Distance to Navigable Waters:* Mark the appropriate line for the nearest distance between an opportunity for discharge (i.e., oil storage tank, piping, or flowline) and a navigable water.

*2.2 Applicability of Substantial Harm Criteria*

Using the flowchart provided in Attachment C–I to Appendix C to this part, mark the appropriate answer to each question. Explanations of referenced terms can be found in Appendix C to this part. If a comparable formula to the ones described in Attachment C–III to Appendix C to this part is used to calculate the planning distance, documentation of the reliability and analytical soundness of the formula must be attached to the response plan cover sheet.

*2.3 Certification*

Complete this block after all other questions have been answered.

*3.0 Acronyms*

ACP: Area Contingency Plan
ASTM: American Society of Testing Materials
bbls: Barrels
bpd: Barrels per Day
bph: Barrels per Hour
CHRIS: Chemical Hazards Response Information System
CWA: Clean Water Act
DOI: Department of Interior
DOC: Department of Commerce

PERSONNEL RESPONSE TRAINING LOG—Continued

| Name | Response training/date and number of hours | Prevention training/date and number of hours |
|---|---|---|
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*1.8.3.2 Discharge Prevention Meetings Logs*

DISCHARGE PREVENTION MEETING LOG

Date: _____

Attendees: _____

_____

_____

| Subject/issue identified | Required action | Implementation date |
|---|---|---|
| | | |
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*1.9 Diagrams*

The facility-specific response plan shall include the following diagrams. Additional diagrams that would aid in the development of response plan sections may also be included.

(1) The Site Plan Diagram shall, as appropriate, include and identify:

(A) the entire facility to scale;

(B) above and below ground bulk oil storage tanks;

(C) the contents and capacities of bulk oil storage tanks;

(D) the contents and capacity of drum oil storage areas;

(E) the contents and capacities of surface impoundments;

(F) process buildings;

(G) transfer areas;

(H) secondary containment systems (location and capacity);

(I) structures where hazardous materials are stored or handled, including materials stored and capacity of storage;

(J) location of communication and emergency response equipment;

(K) location of electrical equipment which contains oil; and

(L) for complexes only, the interface(s) (i.e., valve or component) between the portion of the facility regulated by EPA and the portion(s) regulated by other Agencies. In most cases, this interface is defined as the last valve inside secondary containment before piping leaves the secondary containment area to connect to the transportation-related portion of the facility (i.e., the structure used or intended to be used to transfer oil to or from a vessel or pipeline). In the absence of secondary containment, this interface is the valve manifold adjacent to the

North American Industrial Classification System (NAICS) Code:[1] _____

Maximum Oil Storage Capacity (Gallons): _____

Worst Case Oil Discharge Amount (Gallons): _____

Facility Distance to Navigable Water. Mark the appropriate line.

0–¼ mile ___ ¼–½ mile ___ ½–1 mile ___ >1 mile ___

APPLICABILITY OF SUBSTANTIAL HARM CRITERIA

Does the facility transfer oil over-water[2] to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?

Yes _____

No _____

Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and, within any storage area, does the facility lack secondary containment [2] that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation?

Yes _____

No _____

Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance [2] (as calculated using the appropriate formula in Appendix C or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments?[3]

Yes _____

No _____

Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance [2] (as calculated using the appropriate formula in Appendix C or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake?[2] _____

[2] Explanations of the above-referenced terms can be found in Appendix C to this part. If a comparable formula to the ones contained in Attachment C-III is used to establish the appropriate distance to fish and wildlife and sensitive environments or public drinking water intakes, documentation of the reliability and analytical soundness of the formula must be attached to this form.

[3] For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments" (see Appendix E to this part, section 13, for availability) and the applicable ACP.

Yes _____

No _____

Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill [2] in an amount greater than or equal to 10,000 gallons within the last 5 years?

Yes _____

No _____

CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining information, I believe that the submitted information is true, accurate, and complete.

Signature: _____

Name (Please type or print): _____

Title: _____

Date: _____

[59 FR 34122, July 1, 1994; 59 FR 49006, Sept. 26, 1994, as amended at 65 FR 40816, June 30, 2000; 65 FR 43840, July 14, 2000; 66 FR 34561, June 29, 2001; 67 FR 47152, July 17, 2002]

# PART 113—LIABILITY LIMITS FOR SMALL ONSHORE STORAGE FACILITIES

## Subpart A—Oil Storage Facilities

Sec.

113.1 Purpose.
113.2 Applicability.
113.3 Definitions.
113.4 Size classes and associated liability limits for fixed onshore oil storage facilities, 1,000 barrels or less capacity.
113.5 Exclusions.
113.6 Effect on other laws.

AUTHORITY: Sec. 311(f)(2), 86 Stat. 867 (33 U.S.C. 1251 (1972)).

SOURCE: 38 FR 25440, Sept. 13, 1973, unless otherwise noted.

## Subpart A—Oil Storage Facilities

### § 113.1 Purpose.

This subpart establishes size classifications and associated liability limits for small onshore oil storage facilities with fixed capacity of 1,000 barrels or less.

DOT: Department of Transportation
EPA: Environmental Protection Agency
FEMA: Federal Emergency Management Agency
FR: Federal Register
gal: Gallons
gpm: Gallons per Minute
HAZMAT: Hazardous Materials
LEPC: Local Emergency Planning Committee
MMS: Minerals Management Service (part of DOI)
NAICS: North American Industrial Classification System
NCP: National Oil and Hazardous Substances Pollution Contingency Plan
NOAA: National Oceanic and Atmospheric Administration (part of DOC)
NRC: National Response Center
NRT: National Response Team
OPA: Oil Pollution Act of 1990
OSC: On-Scene Coordinator
PREP: National Preparedness for Response Exercise Program
RA: Regional Administrator
RCRA: Resource Conservation and Recovery Act
RRC: Regional Response Centers
RRT: Regional Response Team
RSPA: Research and Special Programs Administration
SARA: Superfund Amendments and Reauthorization Act
SERC: State Emergency Response Commission
SDWA: Safe Drinking Water Act of 1986
SI: Surface Impoundment
SPCC: Spill Prevention, Control, and Countermeasures
USCG: United States Coast Guard

*4.0 References*

CONCAWE. 1982. Methodologies for Hazard Analysis and Risk Assessment in the Petroleum Refining and Storage Industry. Prepared by CONCAWE's Risk Assessment Adhoc Group.

U.S. Department of Housing and Urban Development. 1987. Siting of HUD-Assisted Projects Near Hazardous Facilities: Acceptable Separation Distances from Explosive and Flammable Hazards. Prepared by the Office of Environment and Energy, Environmental Planning Division, Department of Housing and Urban Development. Washington, DC.

U.S. DOT, FEMA and U.S. EPA. Handbook of Chemical Hazard Analysis Procedures.

U.S. DOT, FEMA and U.S. EPA. Technical Guidance for Hazards Analysis: Emergency Planning for Extremely Hazardous Substances.

The National Response Team. 1987. Hazardous Materials Emergency Planning Guide. Washington, DC.

The National Response Team. 1990. Oil Spill Contingency Planning, National Status: A Report to the President. Washington, DC. U.S. Government Printing Office.

Offshore Inspection and Enforcement Division. 1988. Minerals Management Service, Offshore Inspection Program: National Potential Incident of Noncompliance (PINC) List. Reston, VA.

ATTACHMENTS TO APPENDIX F

Attachment F-1—Response Plan Cover Sheet

This cover sheet will provide EPA with basic information concerning the facility. It must accompany a submitted facility response plan. Explanations and detailed instructions can be found in Appendix F. Please type or write legibly in blue or black ink. Public reporting burden for the collection of this information is estimated to vary from 1 hour to 270 hours per response in the first year, with an average of 5 hours per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate of this information, including suggestions for reducing this burden to: Chief, Information Policy Branch, Mail Code: PM-2822, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington D.C. 20503.

GENERAL INFORMATION

Owner/Operator of Facility:

_____

Facility Name: _____

Facility Address (street address or route):

_____

_____

City, State, and U.S. Zip Code:

_____

Facility Phone No.: _____

Latitude (Degrees: North):

_____

degrees, minutes, seconds

Dun & Bradstreet Number:[1]

_____

Largest Aboveground Oil Storage Tank Capacity (Gallons):

_____

Number of Aboveground Oil Storage Tanks:

_____

Longitude (Degrees: West):

_____

degrees, minutes, seconds _____

[1] These numbers may be obtained from public library resources.

# APPENDIX K

## AREA CONTINGENCY PLAN

# Oil and Hazardous Substances Integrated Contingency Plan

## To Report Spills Call the National Response Center
## 24-hour phone: (800) 424-8802

National Response Center
United States Coast Guard Headquarters
Washington, DC

**Regional Response Centers & Emergency Response 24-Hour Emergency Numbers**

**(312) 353-2318**
U.S. Environmental Protection Agency
Region 5
Waste Management Division
Office of Superfund
Emergency and Enforcement Response Branch
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

**(216) 522-3984**
United States Coast Guard
Ninth Coast Guard District Office
1240 East Ninth Street
Cleveland, Ohio 44199-2060

**(504) 589-6225**
United States Coast Guard
Eighth Coast Guard District Office
Director of Western Rivers Operations
501 Magazine Street
New Orleans, Louisiana 70130-3396

EPA United States Environmental Protection Agency

**Oil and Hazardous Substances Pollution/ Area Contingency Plan**

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## LETTER OF PROMULGATION

In accordance with the provisions of the Federal Water Pollution Control Act of 1972 as amended by the Clean Water Act of 1977, and Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, a National Oil and Hazardous Substances Contingency Plan was developed by the United States Environmental Protection Agency (U.S. EPA). Section 300.41 of the National Contingency Plan states that Regional Contingency Plans shall be prepared for each standard Federal region. The Region 5 Oil and Hazardous Materials Contingency Plan has been developed with cooperation of all designated Federal Agencies and State governments. This plan provides a mechanism for coordinating responses to releases of oil or hazardous materials within the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin, and within the Tribal lands of the 31 Federally recognized Native American Tribes in Region 5.

This plan is effective upon receipt and supersedes the previous plans* in their entirety. Changes to this plan will be noted and consecutively numbered. Comments and recommendations regarding this plan should be addressed to U.S. EPA Region 5. Requests for amendments and changes will be addressed during regularly scheduled RRT meetings.

Copies of this plan may be obtained from:

U.S. Environmental Protection Agency
Office of Superfund (HSE-5J)
77 West Jackson Boulevard
Chicago, IL 60604

Richard Karl, Chief Captain Thomas Daley
Emergency Response Branch Chief, Marine Safety Division
U.S. Environmental Protection Agency U.S. Coast Guard
Region 5 Ninth Coast Guard District
Co-Chair, Region 5 RRT Co-Chair, Region 5 RRT

* Note: This plan incorporates and supersedes US EPA Region 5 Inland Plan.

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## iii. DEFINITIONS

**Area Committee:** As provided for by Sections 311(a)(18) and (j)(4) of the Clean Water Act (CWA), means the entity appointed by the President consisting of members from qualified personnel of Federal, State, and local agencies with responsibilities that include preparing an Area Contingency Plan for the area designated by the President. The Area Committee may include ex-officio (i.e., non-voting) members (e.g., industry and local interest groups).

**Area Contingency Plan:** As provided for by Sections 311(a)(19) and (j)(4) of CWA, means the plan prepared by an Area Committee that is developed to be implemented in conjunction with the NCP and RCP, in part to address removal of a worst case discharge and to mitigate or prevent a substantial threat of such a discharge from a vessel, offshore facility, or onshore facility operating in or near an Area designated by the President.

**coastal waters:** As defined in the NCP, for the purposes of classifying the size of discharges, the waters of the coastal zone except for the Great Lakes and specified ports and harbors on inland rivers. Precise boundaries are identified in U.S. Coast Guard/U.S. Environmental Protection Agency agreements, Federal Regional Contingency Plans and Area Contingency Plans.

**coastal zone:** As defined in the NCP, all United States waters subject to the tide, United States waters of the Great Lakes, specified ports and harbors on inland rivers, waters of the contiguous zone, other waters of the high seas subject to the NCP, and the land surface or land substrata, ground waters, and ambient air proximal to those waters. The term coastal zone delineates an area of Federal responsibility for response action. Precise boundaries are determined by U.S. EPA/USCG agreements and identified in Federal Regional Contingency Plans. No ports or harbors are designated in Region 5.

**discharge:** As defined by Section 311(a)(2) of CWA, includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil, but excludes discharges in compliance with a permit under Section 402 of the CWA, discharges resulting from circumstances identified and reviewed and made a part of the public record with respect to a permit issued or modified under Section 402 of the CWA, and subject to a condition in such permit, or continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under Section 402 of the CWA, that are caused by events occurring within the scope of relevant operating or treatment systems. For purposes of the NCP, discharge also means substantial threat of discharge.

**drinking water supply:** As defined by Section 101(7) of CERCLA, means any raw or finished water source that is or may be used by a public water system (as defined in the Safe Drinking Water Act, 42 U.S.C. *et seq.*) or as drinking water by one or more individuals.

**economically sensitive areas:** Those areas of explicit economic importance to the public that due to their proximity to potential spill sources may require special protection and include, but are not limited to: public water supplies, publicly managed use areas, and Tribal use areas.

**Emergency Planning and Community Right-to-Know Act (EPCRA):** Title III Section 300. of SARA; created a system of State and local planning agencies for chemical emergencies and provided a way for communities to gain information about potential chemical hazards. EPCRA's mandates cover three main topics: emergency planning, emergency notification requirements, and requirements for reporting hazardous chemical inventories.

**environmentally sensitive areas:** Areas identified as a priority for protection and special attention during cleanup in the event of a pollution incident. Designations of types of areas considered to be sensitive can be found in 1) the U.S. Fish and Wildlife Annex (Appendix IX) and 2) the Guidance for Facility and Vessel Response Plans Fish and Wildlife and Sensitive Environments, published by Department of Commerce/National Oceanic and Atmospheric Administration. In addition to this definition, Area Committees may include any additional areas determined to be "sensitive." These areas are mapped in Region 5 and are available on paper and CD-ROM as a companion to this Plan. 4202.(a)(4)(B)(ii)

**hazardous substance:** As defined by section 101(14) of CERCLA, any substance designated pursuant to section 311(b)(2)(A) of the CWA; any element, compound, mixture, solution, or substance designated pursuant to section 102 of CERCLA; any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (but not including any waste the regulation of which under the Solid Waste Disposal Act [42 U.S. C. 6901 et seq.] has been suspended by Act of Congress); any toxic pollutant listed under section 307(a) of the CWA; any hazardous air pollutant listed under section 112 of the Clean Air Act; and any imminently hazardous chemical substance or mixture with respect to which the U.S. EPA Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act (TSCA). This term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance in the first sentence of this paragraph, and does not include natural gas, natural gas liquids, liquified natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and synthetic gas).

**inland waters:** As defined in the NCP, for the purposes of classifying the size of discharges, means those waters of the United States in the inland zone, waters of the Great Lakes, and specified ports and harbors on inland rivers.

**inland zone:** As defined in the NCP, means the environment inland of the coastal zone excluding the Great Lakes and specified ports and harbors on inland rivers. The term inland zone delineates an area of Federal responsibility for response action. Precise boundaries are determined by U.S. EPA/USCG agreements and identified in Federal regional contingency plans.

**Local Emergency Planning Committee (LEPC):** A group of local representatives appointed by the State Emergency Response Commission (SERC) to prepare a comprehensive emergency plan for the local emergency planning district, as required by the Emergency Planning and Community Right-to-know Act (EPCRA), Title III Section 301(c) of SARA.

**National Oil and Hazardous Substances Pollution Contingency Plan (NCP):** As required by section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9605, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), Pub. L. 99-499, collectively called (CERCLA), and by section 311(d) of the Clean Water Act (CWA), 33 U.S.C. 1321(d), as amended by the Oil Pollution Act of 1990 (OPA), Pub. L. 101-380, the NCP provides nationwide organizational structure and procedures for responding to discharges of oil and releases of hazardous substances, pollutants and contaminants. In Executive Order (E.O.) 12777 (56 FR 54757, October 1991), the President delegated to the Environmental Protection Agency (EPA) the responsibility for the amendment of the NCP in coordination with members of the National Response Team (NRT) as well as the Federal Emergency Management Agency (FEMA) and the Nuclear Regulatory Commission to avoid inconsistent or duplicative requirements in the emergency planning responsibilities of those agencies.

**National Pollution Fund Center (NPFC):** As defined by Section 7 of Executive Order 12777, the NPFC is the entity established by the Secretary of the Department of Transportation whose function is the administration of the Oil Spill Liability Trust Fund (OSLTF). This includes access to the OSLTF by Federal Agencies, States, and designated trustees for removal actions and initiation of natural resource damage assessments, as well as claims for removal costs and damages.

**Natural Resource Trustees:** Officials representing State, Tribal, Federal, and foreign governments who are authorized to act pursuant to section 107(f) of CERCLA, section 311(f)(5) of the CWA, or section 10006 of the OPA when there is injury or threat to natural resources, including their supporting ecosystems, as a result of a release of a hazardous substance or a discharge of oil. Natural resources means land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources.

**navigable waters:** As defined by 40 CFR 110.1, the term navigable waters includes: (a) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide; (b) Interstate waters, including interstate wetlands; (c) All other waters such as intrastate lakes, rivers, streams, mudflats, sandflats, and wetlands, the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters: (1) That are or could be used by interstate or foreign travelers for recreational or other purposes; (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; (3) That are used or could be used for industrial purposes by industries in interstate commerce; (d) All impoundments of waters otherwise defined as navigable waters under this Section; (e) Tributaries of waters identified in (a) through (d) of this definition, including adjacent wetlands; and (f) Wetlands adjacent to waters identified in (a) through (e) of this definition: Provided, that waste treatment systems (other than cooling ponds meeting the criteria of this paragraph) are not waters of the United States. Water of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal Agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with U.S. EPA.

**oil:** As defined by Section 311(a)(1) of CWA, means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil, as defined by Section 1001 of OPA means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged oil, but does not include petroleum, including crude oil or any fraction thereof, which is specifically listed or designated as a hazardous substance under paragraphs (A) through (F) of Section 101(14) of CERCLA (42 U.S.C. 9601) and which is subject to the provisions of that Act.

**Oil Spill Liability Trust Fund (OSLTF):** As defined by the NCP, means the fund established under Section 9509 of the Internal Revenue Code of 1986 (26 U.S.C. Section 9509).

**On-Scene Coordinator (OSC):** As defined by the NCP, means the Federal official predesignated by U.S. EPA or USCG to coordinate and direct responses, or the government official designated by the lead agency to coordinate and direct removal actions under the NCP. In certain site-specific situations, DOD or DOE may also act as OSC.

**Region 5 Integrated Contingency Plan (ICP):** Developed to fulfill the requirements of the NCP for both the RCP and Area Contingency Plans (ACP), as well as relevant portions of the Federal Response Plan (FRP), particularly Emergency Support Function #10 for Hazardous Materials (ESF #10)

**Regional Oil and Hazardous Substances Pollution Contingency Plan (RCP):** As provided for by Section 300.210 (b) of the NCP, and under the auspices of the Regional Response Team (RRT), the RCP is the mechanism for planning and coordinating regional preparedness and response actions for discharges of oil and releases of hazardous substances.

**Regional Response Team (RRT):** As defined in the NCP, the regional response organization (consisting of a representative from each State in the region and representatives from 15 Federal Agencies) which acts as a regional body responsible for regional planning and coordination of preparedness and response actions involving oil and hazardous materials. The RRT coordinates assistance and advice to the OSC in the event of a major or substantial spill. **State Emergency Response Commission (SERC):** As provided in SARA Section 301.(a), an individual or group of officials appointed by the State governor to implement the provisions of EPCRA (see above). The SERC coordinates and supervises the work of the Local

Emergency Planning Committees and reviews local emergency plans annually.

**Tribal Emergency Response Commission (TERC):** A group of officials appointed by Native American governing bodies to implement the provisions of Title III of SARA.

**used oil:** Any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

**waste oil:** For the purposes of this Plan waste oil is any oil that has been refined from crude oil, or any synthetic oil, that has been physically or chemically contaminated as a result of a spill.

**wetlands:** Those areas that are inundated or saturated by surface or groundwater at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs, and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds (40 CFR 112.2[y]).

**worst case discharge:** As defined by section 311(a)(24) of the CWA, means, in the case of a vessel, a discharge in adverse weather conditions of its entire cargo and, in the case of an offshore facility or onshore facility, the largest foreseeable discharge in adverse weather conditions.

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## NCP Crosswalk

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## SECTION 1: INTRODUCTION

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### 1.1. INTRODUCTION

This Region 5 Oil and Hazardous Substances Integrated Contingency Plan (ICP) is intended for use by local, Tribal, State, and Federal emergency response personnel as a tool for procuring resources to respond to an oil or hazardous materials incident. It outlines the response mechanisms that would be activated among the various levels of the response community in the event of an emergency situation. It is not intended to displace local emergency response plans, but rather it is intended to coordinate with local plans and build on the mechanisms set forth in State plans.

The Federal On-Scene Coordinator (OSC) is the link between local and State emergency response communities and Federal response efforts.

This ICP outlines:

(a) the types of assistance available to Federal OSCs from Regional Response Team (RRT) member agencies during response actions, and

(b) the cooperative response that should be carried out by OSCs during response actions.

The plan also includes resource information from governmental, commercial, and other sources that may be utilized during a response.

This plan has been organized to follow the structure of the Incident Command System (ICS), as outlined in the Integrated Contingency Plan guidance developed by the National Response Team (NRT), but this will be appended by reference in this plan.

This plan combines the response authorities relevant for both oil and hazardous materials. Although these releases and the related contingency planning are regulated separately under the Oil Pollution Act of 1990 (OPA) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), there is significant overlap in the type and scope of relevant information. In order to minimize confusion and maximize resources, the two plans are combined herein. In order to meet some of the requirements of OPA, subarea plans are being developed separately, but will be referenced in this ICP.

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### 1.2. PURPOSE AND OBJECTIVE

The purpose of this combined ICP is to fulfill the requirements of Sections 300.210(b) and (c), of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and Section 311(j)(4) of the Clean Water Act (CWA) as well as relevant portions of the Federal Response Plan (FRP), particularly Emergency Support Function #10 Hazardous Materials (ESF #10). The ICP is designed to coordinate timely and effective response among

- local, Tribal, and State officials;
- private industry;
- OSCs;
- Remedial Project Managers (RPMs);
- various Federal Agencies; and
- other organizations

to minimize damage resulting from releases of oil or hazardous substances, pollutants, or contaminants.

The objective of this plan is to describe response protocols and assist in providing a coordinated response capability in the event of a release or spill that poses a threat to the environment or to human health and welfare. The initial actions taken by the OSC and/or other appropriate personnel should be to determine whether proper response actions have already been initiated.

In general, if the party or parties responsible for the release or spill do not take appropriate actions, or if the party or parties responsible for the release or spill are unknown, the local response community or State agencies will become involved. If Federal assistance is requested or required, the OSC shall respond, implement provisions of the NCP and applicable agency

guidance, and coordinate activities as outlined in this ICP.

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## 1.3. AUTHORITY

The RCP is developed pursuant to Section 300.210 of the NCP. The NCP is required by Section 105 of CERCLA, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), by Section 311(d) of CWA, as amended by OPA. The ESF 10 components of this plan are required by the Robert T. Stafford Disaster Relief and Emergency Act (Public Law 93-288), as amended. The RCP is applicable to response actions taken pursuant to the authorities under CERCLA, Section 311 of CWA, and OPA. The NCP requires establishment of RRTs, which are responsible for Regional planning and preparedness activities before response actions, and for providing advice and support to the RRT when activated during a response.

The ACP is required by Section 311(j)(4) of CWA, and is written in conjunction with the NCP and CERCLA.

To accomplish the coordinated planning structure envisioned under OPA, Section 4202(a) of OPA requires the President to designate specific Areas for which Area Committees are established. Each Area Committee, under the direction of an OSC, must prepare and submit to the President for approval an ACP that, in conjunction with the NCP, is adequate to remove a worst case discharge from a vessel or facility operating in or near that Area.

Through Executive Order 12777, the President delegated to the Administrator of the United States Environmental Protection Agency (U.S. EPA) responsibility for designating the Areas and appointing the committees for the inland zone as designated in the NCP. The Administrator further delegated this authority to the U.S. EPA Regional Administrators, and designated the 10 pre-existing RRT areas as the Areas for OPA planning purposes. U.S. EPA Region 5, which consists of Illinois, Indiana, Minnesota, Michigan, Ohio, and Wisconsin, is one Area. Establishment of the Area Committee is required by Section 311(j)(4) of CWA.

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## 1.4. SCOPE AND PROVISIONS

This ICP:
(a) expands upon planning and response requirements set forth in the NCP,
(b) augments coordination with local and State authorities, and
(c) integrates existing local, Tribal, State, and private sector plans for the Area.

The U.S. EPA Region 5 RCP/ACP has been developed in coordination with the NCP and the United States Coast Guard (USCG) area plans. The Ninth Coast Guard District is covered by eight area contingency plans, seven of which are in Region 5. Each plan covers the coastal zone of the corresponding Marine Safety Office (MSO). Each USCG area contingency plan is developed by an area committee chaired by the respective Coast Guard Captain-of-the-Port.

USCG's eight area contingency plans cover, in part, how to respond to an oil or hazardous substance spill in the coastal zone of the Great Lakes and the connecting channels. This includes the identification, prioritization, and cleanup strategies for sensitive areas; and identification of contractors and equipment.

While U.S. EPA has chosen to combine its Area Contingency Plan for Region 5 into the existing Regional Contingency Plan to produce this joint document, the USCG's seven area contingency plans are separate documents, which are compatible with and may be used in conjunction with this ICP for spills which impact both the inland and coastal zones.

**The ACP referred to in this Plan is the U.S. EPA Inland Plan unless otherwise stated.** This plan applies to the Region 5 RRT (RRT5) member agencies and covers:

(a) discharge or threats of discharge of oil into or upon navigable waters of the United States and adjoining shorelines or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States;

(b) releases or substantial threats of release of hazardous substances into the environment; and

(c) releases or substantial threats of release of pollutants or contaminants that may present an imminent and substantial danger to public health or welfare in the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin, and in the lands of the Federally recognized Native American Tribes in Region 5.

The ICP, when implemented in conjunction with other provisions of the NCP, shall be adequate to remove a worst case

discharge and to mitigate or prevent a substantial threat of such a discharge.

The RCP portion of this plan covers response for all of Region 5. The ACP portion of this plan covers the inland portion only. Thus, when reading the plan, if the jurisdiction falls in the coastal zone, the spill will fall under the responsibility of the Coast Guard and will only be subject to the RCP components of this plan. If a jurisdiction is in the inland zone, both ACP and RCP components of this plan apply.

Certain groups of counties have been or will be designated as sub areas of the ACP and will be appended to the plan. They are chosen based on criteria for threat (proximity to large bodies of fresh water, number of facilities) and need for greater jurisdictional coordination. They may also contain portions of other adjacent areas to provide for a coordinated plan for spills affecting certain boundary locations.

See Appendix I for coastal zone boundaries.
See Appendix I for the jurisdictions in Region 5.

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### 1.5. UPDATING

Section 311(j)(4)(C)(viii) of CWA requires that the ACP be updated periodically by the Area Committee. For national consistency, it has been determined that the ACP will be updated annually for 5 years, starting January 1, 1995, and once every 5 years thereafter. The document may be updated more frequently, as policy changes require.

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### 1.6. CONSISTENCY WITH STATE, TRIBAL, AND FEDERAL STATUTES

Planning and response protocols and decisions may be subject to existing statutes (e.g., radiological emergencies that involve response by various agencies; disposal restrictions for oiled debris; compliance with the Endangered Species Act; State, Tribal, and Federal authorities to protect cultural and historic resources). RRT representatives will assist the OSC by involving the appropriate regulatory staffs.

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## SECTION 2: COMMAND

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**2.2: Incident Command Protocal/Liaison**
**2.3: Local Response**
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### 2.1. INTRODUCTION

It is the policy of the RRT that response actions on non-Federal lands should be monitored or implemented by the most immediate level of government with authority and capability to conduct such activities. The first level of response will generally be the responsible party (RP), followed by local government agencies, followed by State agencies when local capabilities are exceeded. When incident response is beyond the capability of the State response, U.S. EPA or USCG is authorized to take response measures deemed necessary to protect the public health or welfare or the environment from discharges of oil or releases of hazardous substances, pollutants, or contaminants. The need for Federal response is based on evaluation by the Federal OSC.

#### 2.1.1. Response to Public Safety and Property Threats Caused by Spills

When a spill poses public safety and property threats via potential fires, explosions, toxic clouds, or other means, local

officials are usually in command of the incident. The party responsible for the incident is required to cooperate with and aid the local police and fire agencies. At some facilities, the responsible party conducts the response; at other facilities and in transportation incidents where the responsible party may not have the specialized capability to address an incident, public agencies direct the response. If highly specialized activities such as off-loading tank cars or repackaging hazardous chemicals are required, the responsible party may implement the actions under the general direction of the local public safety commander.

In most States, the role of State agencies in public safety response during the early stages of an incident is to provide technical advice to local commanders as soon as possible. During major incidents, State and Federal authorities may be able to provide additional assistance to the local commander at the spill scene by:
· conducting sampling and analysis of chemicals,
· providing specialized contractors or equipment, or
· providing detailed advice or other supporting functions.

Seldom will State or Federal authorities assume command from a local fire or police commander for short-term, on-site, public-safety-related issues.

### 2.1.2. Response to Environmental and Health Threats Caused by Spills

A number of State and Federal programs require parties who are responsible for a spill to investigate and remedy all related environmental and health threats. Often these actions include activities on properties owned by third parties or public agencies. The actions usually begin somewhat later than the public safety protection response, but can continue for a much longer period. The actions may include, but are not limited to:
· placing containment and recovery booms and pads,
· sampling runoff and rivers,
· excavating soil,
· sampling smoke,
· performing hydrogeological investigations,
· wildlife rescue and rehabilitation,
· closing drinking water intakes, and
· providing an alternate water supply.

Sometimes a responsible party is unable or unwilling to undertake adequately or quickly the environmental and health protection actions required by State or Federal authorities. In those cases, State or Federal authorities can assume a more direct role. Usually this is done through investigation or cleanup contractors using governmental funds, such as State or Federal Superfunds or the Oil Spill Liability Trust Fund (OSLTF). The costs of these direct government actions will usually be recovered later from the responsible party. The decision to assume governmental control of environmental and health followup of an incident is dependent on:
· the ability and willingness of the responsible party to respond effectively,
· the severity of the incident,
· the cost and duration of required actions, and
· the resources available to the various levels of government.

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## 2.2. INCIDENT COMMAND PROTOCOL/LIAISON

Federal law requires implementation of a site-specific incident command system by the senior emergency response official at all emergencies involving hazardous substances (29 CFR 1910.120 (q) and 40 CFR 311). The specific regulatory language suggests a seniority hierarchy increasing from local to State to Federal levels. Often the senior local or State official assumes command because they are most familiar with the resources immediately available. At the same time, it must be recognized that local, Tribal, State, and Federal responders are charged by law with specific authorities and responsibilities in certain emergency situations that cannot be subsumed. **This protocol does not commit any parties adopting it to do anything not already required by Federal law.**

An Incident Command System (ICS) shall be established at all incidents involving spills of oil or hazardous

substances[1] by the senior on-scene official of the first response organization to arrive at an incident. The ICS should be based on the organization, terminology, and procedures recommended by the National Fire Academy[2] and applied in a broad sense to include all hazard control and mitigation response organizations, including responsible parties; private responders; and local, Tribal, State, and Federal Agencies. Each participating entity is required by Federal law to implement an intra-organizational ICS and integrate it with the overall ICS (29 CFR 1910.120, 40 CFR 311, or 30 CFR 154).

A Unified Command System (UCS) consisting of the responsible party and senior competent local, Tribal, State, and Federal emergency response officials at the site may be the preferred approach to integrating several levels of government into an ICS. A UCS is a type of ICS in which parties with jurisdiction command by agreeing on objective priorities and response strategies.

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### 2.2.1. Single Jurisdictional Area Affected

When an incident involves and affects only a single geographical jurisdiction (e.g., within the boundaries of a city or county), the organizational structure of the ICS will be determined by the established local contingency plan. It may involve one or more agencies. **In all situations, one person shall act as either Incident Commander (IC) in sole charge of the ICS, or as Operations Chief to implement the action plan of a Unified Command.**

In such instances, responding State and Federal officials who might otherwise be considered the senior competent emergency response official at the site shall:

(1) identify themselves to the IC and integrate themselves into the established ICS per the IC's direction, usually as a technical specialist to an operations group supervisor or as an operations group supervisor; or

(2) join the existing Unified Command or request that the IC establish a Unified Command; or

(3)assume the Incident Commander role:
· when required by Federal or State law, or
· when an existing IC agrees to such a transition, or
· when no ICS has been established.

The protocols for ICS transfer of command or initial assumption of command shall be used.

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### 2.2.2. Multiple Jurisdictional Areas Affected

When the incident involves and affects multiple local geographical jurisdictions or areas not covered by local emergency response organizations, the State or Federal competent senior official at the site shall:

(1) **preferably** join an existing Incident Command or Unified Command as in subsection 2.2.1 (above); or

(2) establish a Unified Command as an encompassing ICS if none exists; or

(3) assume Incident Command and establish an ICS incorporating existing local efforts as operations section branches or as otherwise appropriate.

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### 2.2.3. Local, Tribal, State, and Federal Interaction

When not specifically prescribed, a Unified Command consisting of senior competent local, Tribal, State, and Federal emergency response officials at the site shall be the preferred approach to integrating several levels of government into an ICS. Where State law specifies incident command assignment, it shall take precedence over this protocol with respect to those State and local organizations to which it applies. Federal jurisdiction specified in CERCLA, OPA, or other sections of this RCP/ACP shall take precedence over this protocol.

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### 2.2.4. Seniority

For purposes of this plan, Seniority, as discussed in 29 CFR 1910.120(q)(3)(i)[3], is ranked according to competency and breadth of responsibility.

Competency will be determined by meeting the requirements of 29 CFR 1910.120 (q)(6)(v).[4] All officials meeting the

competency criteria are senior to those who do not, unless specifically assigned overriding authority applicable to the specific incident situation by State or Federal law.

Breadth of responsibility will be considered to increase from the local to the State to the Federal level. **However, this protocol encourages the establishment of the ICS at the most local level practicable to assure the earliest implementation of a unified response strategy.**

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### 2.2.5. Post-Emergency Operations

This protocol is intended to apply only during the emergency phase of a response to which 29 CFR 1910.120(q) applies. However, use of an ICS throughout a response and cleanup is encouraged.

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[1] *The definition of hazardous substances used by the Occupational Safety and Health Administration (OSHA) is broader than the CERCLA definition used throughout this document.*

[2] *One set of common terminology and procedures is vital to the efficient functioning of an ICS in an emergency. The response management system recommended for use in the National Response Team (NRT) Integrated Contingency Plan (ICP) is the ICS of the National Interagency Incident Management System (NIIMS). NIIMS ICS is a nationally recognized system currently in use by numerous local, State, and Federal organizations. USCG has adopted this Unified Command System (UCS) protocol.*

[3] 29 CFR 1910.120 (q)(3)(i): "The senior emergency response official responding to an emergency shall become the individual in charge of a site-specific Incident Command System (ICS). All emergency responders and their communications shall be coordinated and controlled through the individual in charge of the ICS assisted by the senior official present for each employer.

"NOTE to (q)(3)(i): The 'senior official' at an emergency response is the most senior official on the site who has the responsibility for controlling the operations at the site. Initially it is the senior officer on the first-due piece of responding emergency apparatus to arrive on the scene. As more senior officials arrive (e.g., battalion chief, fire chief, State law enforcement official, site coordinator), the position is passed up the line of authority which has been previously established.

[4] 29 CFR 1910.120 (q)(6)(v): "On-scene incident commander. Incident commanders, who will assume control of the incident scene beyond the first responder awareness level, shall receive at least 24 hours of training equal to the first responder awareness level and in addition have competency in the following areas and the employer shall so certify:
(a) Know and be able to implement the employer's incident response system.
(b) Know how to implement the employer's incident response system.
(c) Know and understand the hazards and risks associated with employees working in chemical protective clothing.
(d) Know how to implement the local emergency response plan.
(e) Know of the State emergency response plan and of the Federal Regional Response Team.
(f) Know and understand the importance of decontamination procedures."

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## 2.3. LOCAL RESPONSE

The focus of local responders is usually directed toward abating immediate public safety threats. The degree of local response will depend upon the training and capabilities of local responders relative to the needs of the specific emergency. In some cases this may be using hazard awareness training knowledge to identify the nature and scope of the hazard. This information is then passed on to State and Federal responders who are activated to address the situation with specific expertise and/or capabilities. Often local agencies take mitigating actions of a defensive nature to contain the incident and protect the public. In many instances, responsible parties or local agencies are capable of aggressive response and quick abatement of immediate hazards. Usually in these cases, local authorities rely on State and Federal responders to assure that cleanup is complete and remediation is technically sufficient.

A major role of local organizations during all emergency incidents is providing security for onscene forces and equipment. For large incidents, help is often requested through State emergency management agencies. This includes establishing local liaison with hospital, emergency services, and police personnel, as well as restricting entrance to hazardous areas to only essential personnel.

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## 2.4. STATE RESPONSE

The Governor of each State in Region 5 is requested to designate a lead agencythat will direct State-lead response operations. This agency is responsible for designating the lead State response actions and coordinating/communicating with any other State agencies,as appropriate (NCP 300.180). Each Governor will also designate a representative for the State on

the RRT. Each State representative may participate fully in all activities of the RRT. The State RRT representatives are expected to coordinate with the State Emergency Response Commissions (SERCs¾in Wisconsin, the State Emergency Response Board, or SERB) in their States in order to communicate and coordinate preparedness and preresponse planning activities between the State and the RRT. State and local government agencies are encouraged to coordinate with:
· State contingency planning efforts for response to oil and hazardous material events,
· this plan, and
· requirements of SARA Title III.

Section 311(j)(4) of CWA calls for inclusion of local, Tribal, and State representatives on the Area Committee. In U.S. EPA Region 5, this has been only partially accomplished through the designation of the RRT as the Area Committee.

Each State in Region 5 has a State disaster plan and laws that specify that State's authority and organization for a technical response to environmental emergencies. All States can provide technical expertise to assess environmental and public health threats and damage, as well as to advise local responders. In specific circumstances, States may provide additional response capabilities in the form of contractors and funding.

The following are summaries of emergency preparedness measures for lead agencies for each State in Region 5.

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**2.4.1. ILLINOIS**

2.4.1.1. Emergency Response to Oil Spills and Hazardous Materials Incidents

The Illinois Environmental Protection Agency (IEPA) provides the designated RRT member for Illinois. To prevent and abate environmental pollution, IEPA has various responsibilities for responding to environmental emergencies within the State or its adjoining waters. IEPA is the State's lead agency for developing plans and coordinating action before, during, and after certain emergency situations, including:
· emergencies involving waste management;
· emergencies involving public water supplies;
· spills of oil or hazardous materials upon waters or lands of the State; and
· releases of harmful quantities of toxic substances to the atmosphere.

Within IEPA, the Emergency Response Unit (ERU) of the Office of Chemical Safety has the responsibility for coordinating the agency's response and ensuring appropriate cleanup of any subsequent environmental contamination. ERU collects information about environmental emergencies and responds directly and/or notifies other divisions within IEPA of needed action. Technical expertise is provided to first responders and public officials, addressing such issues as:
· the physical, chemical, and toxicological characteristics of the materials involved;
· effective response and treatment actions; and
· precautions to be taken to prevent further injury or damage to public health or the environment.

**2.4.1.2. Other Agencies' Responsibilities and Requirements**

(a) Illinois Emergency Management Agency (IEMA): coordination and communications center for Illinois State agencies and is in overall command of emergency government efforts during major multijurisdictional disaster responses. IEMA is also the SERC designated pursuant to SARA Title III.

(b) Illinois Department of Nuclear Safety: incidents involving radioactivity, whether in transport or at nuclear power plants or other facilities.

(c) Illinois Department of Mines and Minerals: initial investigation of incidents involving crude oil and natural gas production sites, unless waters of the state are being impacted (then IEPA).

(d) Illinois State Fire Marshal: incidents involving underground storage tanks (USTs); this responsibility is shared with IEPA. Has the authority to require equipment inspection and testing.

(e) Illinois Commerce Commission: incidents involving railroad transport with respect to authority over the use, movement, and compliance of railroad equipment with U.S. Department of Transportation (DOT) regulations.

> ***The Illinois 24-hour spill notification number is to the Illinois Emergency Management Agency 217-782-7860 (800-782-7860 in Illinois). The office hours phone is 217-782-3637. After office hours call IEMA to get our Duty Officer.***

(f) Illinois State Police: transportation incidents involving DOT Hazardous Materials, enforcement of DOT shipping regulations, traffic control, and security.

(g) Illinois Department of Conservation: assessment of natural resource damage in incidents involving serious environmental injury, such as fish kills and oiled waterfowl.

Other agencies serve a secondary role and provide technical support and resources as needed; however, they do not generally maintain an emergency response capability for onscene response: the Departments of Agriculture, Public Health, and Energy and Natural Resources; the Office of the Attorney General; and other human service agencies that might be involved with evacuees, should a prolonged incident occur requiring relocation of the general public.

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## 2.4.2. INDIANA

2.4.2.1. Emergency Response to Oil Spills and Hazardous Materials Incidents

The Indiana Department of Environmental Management (IDEM) provides the designated member of the RRT for Indiana and is the lead agency for the State in addressing spills, providing a 24hour response capability. IDEM must provide technical assistance to the responsible party and the responding personnel and ensure compliance with the Indiana spill regulation and other pertinent State and Federal rules and regulations. Technical assistance takes the form of:

- chemical identification, handling, and hazard information;
- evaluation of the threat to environmental and public safety;
- personal protection recommendations;
- containment and cleanup methods; and
- resource identification and location.

On large spills, or where the spiller fails to respond adequately, IDEM staff respond onsite to assist in the response effort, assuming the role of State OSC if necessary.

During a response, staff of the Emergency Response Section (ERS) of IDEM assume the role of technical advisors and provide onscene assistance to the responsible party, and to individuals or agencies involved in the response. On occasion, ERS staff have assumed a role that would appropriately be called OSC. However, if a structure (e.g., ICS) exists within a local or County jurisdiction that provides an OSC and that OSC is being utilized, ERS staff will provide assistance to that OSC.

Once the immediate threat to public health and the environment has been relieved, the incident is further stabilized and cleaned up under ERS supervision. Rule 327 IAC 26.1, *Spills: Reporting, Containment, and Response*, requires that the spiller report to IDEM and perform a spill response. A spill response means that a spill is contained and free material is removed or neutralized. Disposal of recovered material that is classified as waste is referred by ERS staff to appropriate personnel in the Office of Solid and Hazardous Waste Management. ERS staff may then conduct a followup investigation to ensure that material has been disposed of properly and the cleanup is acceptable.

***Spills can be reported 24-hours-a-day at 888-233-7745.***

2.4.2.2. Other Agencies' Responsibilities and Requirements

The role of liaison between a spiller and the different program areas of IDEM is perhaps the greatest benefit that ERS can provide to those involved in a spill. This role can also extend to other State agencies and other response organizations. State agencies include:

(a) State Emergency Management Agency (SEMA): SEMA is the lead planning agency for coordinating man-made and natural disasters. SEMA also provides an alternate member for the RRT.

(b) Office of the State Fire Marshal (OSFM): OSFM responds to fire and explosion hazards from hazardous materials incidents.

(c) Office of the Indiana State Chemist (OISC): OISC provides technical guidance regarding agricultural chemical incidents including fertilizers and pesticides. It also conducts investigations of improper application of regulated agricultural chemicals.

(d) Department of Natural Resources (DNR), Fish and Wildlife Division: DNR Conservation Officers conduct investigations to assess damages to natural resources such as fish kills.

(e) DNR, Oil and Gas Division (O & G): DNR O & G regulates oil production facilities, including operation, maintenance, construction, and abandonment of oil wells and associated equipment.

(f) Indiana State Police (ISP): ISP investigates transportation incidents involving DOT hazardous materials, enforces DOT shipping regulations, and provides traffic control and site security.

(g) Indiana State Department of Health (ISDH): ISDH is the lead agency for releases of radiological and etiological materials. They also provide technical guidance to IDEM regarding health issues and advisories.

(h) Indiana Department of Transportation (INDOT): INDOT usually provides traffic control for major transportation incidents involving releases of petroleum and hazardous materials. ERS also coordinates with other program areas within IDEM as well as local response agencies such as fire departments, hazardous materials teams, sheriffs' departments, local emergency planning committees (LEPCs), emergency management agencies, county health departments, and county highway departments.

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### 2.4.3. MICHIGAN

2.4.3.1. Emergency Response to Oil Spills and Hazardous Materials Incidents

Michigan's representation on RRT5 comes from the Michigan Department of Environmental Quality (MDEQ). MDEQ is the primary environmental emergency response agency in the State in all non-agricultural-related spills. Recent legislation has designated the Michigan Department of Agriculture (MDA) as the primary response organization, in close association with MDEQ, in spills involving agricultural chemicals.

***Staff of MDEQ can be notified of oil and hazardous materials incidents via the Pollution Emergency Alert System (PEAS) at (800) 292-4706 (in-state) or (517) 373-7660.***

MDEQ has approximately 19 full-time equivalent field positions available to respond to complaints and environmental emergencies. Most of these positions are located in the nine Field Operations Districts operated by MDEQ, which are situated throughout the State. The primary response role of MDEQ is one of technical advisor. These personnel are responsible for complaint investigation and emergency spill response and generally oversee the environmental aspects of spill containment, control, and mitigation. Appropriately trained staff within MDEQ can provide hands-on response with absorbents and skirt boom if the situation requires this type of response. It is anticipated, however, that all "first responder" response will be conducted by local units of government and the various Hazardous Material Response Teams located throughout the State, although predominantly in the lower third of the peninsula.

Environmental mitigation associated with material spills will generally be conducted by the RP. If the RP cannot be identified or is reluctant to adequately address mitigation needs, the State can hire contractors to perform the mitigation. A limited amount of money is available through funds administered by the MDEQ Environmental Response Division. The State can also access the Federal fund administered under OPA in accordance with Federal guidelines and regulations.

Michigan has a responder immunity act.

MDEQ, in conjunction with the Department of Attorney General, is the designated Natural Resources Trustee for the State.

2.4.3.2. Other Agencies' Responsibilities and Requirements

(a) Michigan State Police (MSP): The MSP Emergency Management Division (EMD) serves as the designated emergency/disaster response coordination agency for the State and as the primary State contact point in the event of a declared disaster resulting in the activation of the State Emergency Management Plan.

(b) Michigan Department of Agriculture (MDA): MDA is the lead agency in spill responses involving agricultural chemicals and/or fertilizers.

(c) Michigan Emergency Response Commission (MERC): MERC is the primary coordination agency and liaison with the local Emergency Planning Commissions throughout the state. MERC is co-chaired by MSP-EMD and MDEQ.

(d) Michigan Department of Natural Resources (MDNR): MDNR is the lead agency for the State in decisions involving fish and wildlife issues during a spill response working cooperatively with the MDEQ State OSC.

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### 2.4.4. MINNESOTA

2.4.4.1. Emergency Response to Oil Spills and Hazardous Materials Incidents

The Minnesota Pollution Control Agency (MPCA) provides the designated member of RRT5 for Minnesota. MPCA is the primary State responder to spills and other emergencies involving hazardous materials (with the exception of incidents

involving pesticides and fertilizers, which are under the jurisdiction of the Minnesota Department of Agriculture). All of the following information describing State emergency response therefore assumes MPCA actions for general hazardous materials incidents, but applies to the Department of Agriculture for all pesticide and fertilizer incidents.

***Spills can be reported through the following telephone numbers: 651-649-5451 and 800-422-0798 (in-State long distance).***

MPCA's Emergency Response Team (ERT) includes eight full-time ERT members whose primary duty is to monitor the cleanup of spills and other emergency situations that pollute or threaten to pollute surface or ground water. By default, they also respond to reports of other environmental emergencies (e.g., air releases, illegal hazardous waste disposal, tire dump fires). In addition to receiving release reports, the ERT may perform field inspections at spill sites, provide technical assistance to responsible parties, or carry out enforcement actions for violation of State laws and rules.

If necessary, ERT staff will proceed to the site to provide coordination and assistance in handling the emergency. This may include taking charge of the response if the responsible party is unknown or unavailable. In situations where public safety is the primary consideration, the ERT member does not take charge of the incident, but assists the fire chief or other public safety officials at the scene. This assistance may include emergency waiver or suspension of State laws and rules (e.g., allowing emergency wastewater discharges or burning of a spilled product in order to minimize overall environmental damage). The assistance may also include activation of contractors using State funds.

Minnesota Statute Chapter 115E requires companies handling oil and hazardous substances to act to prevent releases and to be prepared for releases they may have. Chapter 115E requirements are similar to OPA but cover protection of the public's safety and the environment, and pollution of the land, air, and waters of the State. A facility operator is to notify the Emergency Response Commission when their plan is completed, and must supply a copy upon request. ERT staff actively inspect the prevention capabilities and preparedness of major facilities, and will assist facility owners if requested. They conduct enforcement if the preparedness of a facility is found to be inadequate, especially if it contributed to a release or poor response.

Both Minnesota Statute Chapter 115E and State Superfund Chapter 115B contain language providing immunity to those responding to oil or hazardous substance discharges.

2.4.4.2. Other Agencies' Responsibilities and Requirements

The Department of Public Safety Division of Emergency Management (DEM) operates the 24-hour-per-day Duty Officer System to take incident reports for all State agencies. DEM also coordinates the actions of State agencies, including MPCA, Natural Resources, Transportation, Public Safety, and Health. DEM conducts training for State and local responders, and reviews County emergency plans. DEM and the State Fire Marshal contract with a number of local jurisdictions to provide hazardous materials assessment and response teams to the various regions of the State. The Emergency Response Commission conducts the Right-to-Know programs in the State.

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**2.4.5. OHIO**

2.4.5.1. Emergency Response to Oil Spills and Hazardous Materials Incidents

The Ohio Environmental Protection Agency (OEPA) is the designated representative of RRT5 for Ohio. OEPA is also the State agency charged with investigating releases of oil and hazardous substances from both fixed and mobile facilities. Ohio's spill response program is housed in the Emergency Response Unit (ERU), which is a part of the Division of Emergency and Remedial Response. This unit, which is responsible for receiving reports of releases to all environmental media, uses 15 spill responders to aid in chemical identification, containment, cleanup, public safety, and the identification of responsible parties. If a responsible party cannot be identified or is recalcitrant, the ERU can activate a level-of-effort contractor to initiate actions to contain or clean up the spill.

***Spills can be reported 24-hours-a-day at 800-282-9378.***

Ohio has enacted no laws specifically related to responder immunity in environmental emergencies but it has enacted both a Good Samaritan Statute and a "General Duty Clause" that applies to State employees.

2.4.5.2. Other Agencies' Responsibilities and Requirements

Several different State agencies have areas of expertise to contribute during a spill, and in the case of such an event, operate under a cooperative agreement that outlines the activities of the signatory agencies when a spill occurs. These agencies are:
· the Ohio Emergency Management Agency,

· the State Fire Marshal,
· the Department of Highway Safety,
· the Public Utilities Commission,
· the Department of Transportation,
· the Department of Health,
· the Department of Agriculture,
· the Department of Natural Resources, and
· OEPA.

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### 2.4.6. WISCONSIN

2.4.6.1. Emergency Response to Oil Spills and Hazardous Materials Incidents

The primary agency representative to the RRT for Wisconsin is the Wisconsin Department of Natural Resources (WDNR) and alternate representative agency is from Wisconsin Emergency Management (WEM). WDNR is responsible for developing and updating a State Contingency Plan addressing spill response. The agency is responsible for: receiving notifications of releases; identifying the responsible party; and ensuring that appropriate measures are being taken by the responsible party to address public safety; and contain, clean up, and remediate a release. When a responsible party is unknown, or unable or unwilling to take appropriate actions, a WDNR representative may activate a Zone Contractor to take necessary actions.

WEM administers the Emergency Planning and Community Right-To-Know Act (EPCRA) in the State, and also administers eight Level A Regional Hazardous Materials Response Teams. This agency also coordinates resources for overall emergency management and provides hazardous materials training classes for all levels of responders. WEM operates a 24-hour emergency hotline that has a voice prompt directing spill calls to WDNR. WEM also serves as the lead State agency for consequence management of terrorism events.

2.4.6.2. Other Agencies' Responsibilities and Requirements

(a) The Department of Health and Family Services (DHFS) is responsible for monitoring the effects of chemical spills on public health and for providing assistance to local public health authorities.

***Spills can be reported to the WEM 24-hour emergency hotline at 1-800-943-0003***

(b) The Department of Agriculture, Trade, and Consumer Protection (DATCP) responds to spills of agrichemicals and coordinates with WDNR on remediation issues.

(c) The Wisconsin State Patrol (WSP) enforces State hazardous materials transportation regulations and can be involved in the initial response to transportation-related spills.

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## 2.5. NATIVE AMERICAN RESPONSE

The Tribe is the designated natural resource trustee for Native American communities. Response capabilities of Tribes in Region 5 vary. When a Tribal representative is not available or if it is unclear if there are any potential Tribal impacts, the Bureau of Indian Affairs (BIA) should be consulted. Contact with BIA can be facilitated by notifying the DOI RRT representative.

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## 2.6. FEDERAL RESPONSE

### 2.6.1. Statutory Authority

Section 104 of CERCLA as amended by SARA gives the Federal government the authority to respond to any hazardous substance released or to a substantial threat of a release into the environment or any pollutant or contaminant which may present an imminent and substantial danger to the public health or welfare and to remove or arrange to remove the hazardous substance, pollutant or contaminant or take any other response measure consistent with the NCP which is necessary.

Section 311 of CWA, 33 U.S.C. 1321, gives the Federal Government the authority to respond to a discharge or substantial

threat of discharge of oil or a hazardous substance into or upon the navigable waters of the United States, adjoining shorelines, or the waters of the contiguous zone. It gives the President the authority to:
· remove or arrange for removal of a discharge and mitigate or prevent a substantial threat of a discharge at any time;
· direct or monitor all private, local, State, and Federal actions to remove a discharge; and
· if necessary, destroy by whatever means are available a vessel discharging, or threatening to discharge.

This authority is delegated to the Administrator of U.S. EPA, who has delegated it to the Regional Administrators of U.S. EPA, who then delegate that authority to OSCs. If a discharge or threat of discharge poses a substantial threat to public health or the welfare of the United States, the OSC shall direct all private, local, State, and Federal actions to remove the discharge or to mitigate or prevent the threat of discharge.

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**2.6.2. Federal OSC Responsibilities**

The Federal OSC directs Federal response efforts and coordinates all other Federal efforts at the scene of a discharge or release. The OSC may monitor local, Tribal, State, or private actions to remove a discharge, and may provide technical assistance to local, Tribal, State, or responsible party response personnel.

If a response action is being conducted through local, Tribal, State, or responsible party efforts, the OSC will ensure adequate oversight. If local, Tribal, or State agencies or the responsible party cannot or will not initiate action to eliminate the threat, or if the removal is not being conducted properly, the OSC should advise the government agency or responsible party and take appropriate actions to mitigate or remove the threat or discharge.

When the OSC has determined that a discharge poses or may present a substantial threat to public health or welfare, he/she is authorized by the NCP to direct all private, State, or Federal actions to remove the discharge or to mitigate or prevent the threat of such a discharge. In addition, the OSC may remove or arrange for the removal of the discharge or mitigate or prevent the substantial threat of the discharge; and may remove and, if necessary, destroy by whatever means available a vessel discharging, or threatening to discharge, without regard for any other provision of law governing contracting procedures or employment of personnel by the Federal Government (40 CFR 300.322).

Upon receipt of notification of a discharge or release, the OSC is responsible for conducting a preliminary assessment to determine:
(a) threat to human health and the environment;
(b) the responsible party and its capability to conduct the removal; and
(c) feasibility of removal or the mitigation of impact.

OSC responsibilities in the event of a discharge or release include the following:

(a) Coordinate with appropriate Federal Agencies.

(b) Notify the appropriate State and Federal Agencies. OSC notification responsibilities are discussed in further detail in subsection 2.10 of this plan (p. 31).

(c) Determine whether proper response actions have been initiated. If the party responsible for the release or spill does not act promptly in accordance with the directions of the OSC or does not take appropriate actions, or if the party is unknown, the OSC shall respond in accordance with provisions of the NCP and agency guidance, and coordinate activities as outlined in this ICP.

(d)Collect information concerning the discharge or release:
· its source and cause;
· potentially responsible parties;
· the nature, amount, location, direction, and time of discharge;
· pathways to human and environmental exposure;
· potential impact on human health, welfare, and safety, and the environment;
· possible impact on natural resources and property;
· priorities for protecting human health and welfare and the environment; and
· estimated cost for the response.

(e) Coordinate his/her efforts with other appropriate Federal, State, and local agencies.

(f) Consult with and inform the RRT members of reported discharges and releases through Pollution Reports in Message Format (POLREPs). (See Figure 2-1, p. 34)

(g) Consult with the appropriate Regional or District office regarding situations potentially requiring temporary or permanent relocation. In the event of a declared Federal disaster, coordinate with the Federal Emergency Management Agency (FEMA) Federal Coordinating Officer (FCO) as appropriate.

(h) Implement appropriate community relations activities.

(i) Address worker health and safety issues prior to and during a response operation, and comply with all worker health and safety regulations.

(j) Coordinate with the Agency for Toxic Substances and Disease Registry (ATSDR), as deemed necessary, regarding possible public health threats.

(k) Coordinate with the U.S. EPA Office of Radiation and Indoor Air (ORIA) and the Department of Energy (DOE) in emergencies involving radiological hazards.

As requested by the NRT or RRT, the OSC shall submit to the RRT a complete report on the removal operation and the actions taken. The report shall record:
· the situation as it develops,
· the actions taken,
· the resources committed, and
· the problems encountered.

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**2.6.3. Regional Response Team (RRT)**

The RRT is reponsible for regional planning and preparedness activities, as well as for coordination of assistance and advice to the OSC during site-specific incidents. The Co-Chairs of the Region 5 RRT are the Chief of the Emergency Response Branch, U.S. EPA Region 5; and the Chief of the Marine Safety Division, Ninth Coast Guard District. The RRT membership includes representatives from each State appointed by the Governor, and the designated regional representatives of the following Federal Agencies:
· the Department of Agriculture (USDA),
· the Department of Commerce (DOC),
· the Department of Defense (DOD),
· DOE,
· FEMA,
· the General Services Administration (GSA),
· the Department of Health and Human Services (HHS),
· the Department of the Interior (DOI),
· the Department of Justice (DOJ),
· the Department of Labor (DOL),
· the Nuclear Regulatory Commission,
· the Department of State (DOS),
· the Department of Transportation (DOT),
· USCG, and
· U.S. EPA.

Federal RRT member agencies have duties established by Statute or Executive Order that may apply to Federal response actions following or in prevention of a discharge of oil or a release or threat of release of a hazardous substance, pollutant, or contaminant. The RRT also functions as the Area Committee for Inland Region 5.

The principal components of the RRT are a standing RRT and incident-specific RRTs. The standing RRT consists of designated representatives from each participating Federal Agency listed above and each State. Each incident-specific RRT is formed from the standing team when the RRT is activated for a response, and consists of representatives of appropriate local governments, State agencies, and Federal Agencies.

Each member agency should designate one member and at least one alternate member to the standing RRT. Agencies whose regional subdivisions do not correspond to the standard Federal Regions may designate additional representatives to the standing RRT to ensure appropriate coverage of the standard Federal Region. Federally recognized Native American Tribal governments may arrange for representation on the RRT. Other interested parties may attend and observe RRT meetings. The usual process by which the RRT reaches its decisions is by consensus. However, in instances where a decision is reached by means of a vote, the voting capacity of each Federal member agency and other RRT member organizations is limited to one vote per member agency or organization.

The first Federal official affiliated with an RRT agency to arrive at the scene of a discharge or release, provided they have the proper training, should coordinate activities under the NCP, this RCP/ACP, and agency guidance until the predesignated OSC is available. That Federal official should consult directly with the predesignated OSC regarding any necessary initial actions. Fund-financed operations must be authorized by the OSC prior to implementation.

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### 2.6.3.1. STANDING RRT

The role of the standing RRT includes communications and procedures planning, coordination, training, evaluation of responses, preparedness, and related activities on a Region- and Area-wide basis. These activities include, but are not limited to the following:

(a) Providing resources, upon request, for response to major discharges or releases inside the Region or outside the Region;

(b) Providing technical assistance for preparedness and conducting and participating in as necessary training and exercises to encourage preparedness activities of the response community within the Region (Region 5 will participate in one exercise per year);

(c) Reviewing and updating the ICP;

(d) Discussing, modifying, and adopting procedures to enhance the various aspects of response coordination between local, Tribal, State, Regional, and Federal response efforts;

(e) Reviewing and commenting, where practicable, on local emergency response plans (required by SARA, Title III). Such reviews are conducted upon the request of a Local Emergency Planning Commission (LEPC), forwarded to the RRT by a SERC. The standing RRT may also review and comment on other issues concerning the preparation or implementation of related response plans;

(f) Providing guidance to Area Committees, as appropriate, to ensure interarea consistency and consistency of individual ACPs with the RCP and NCP;

(g) Reviewing, evaluating, and commenting on Regional and local responses to discharges or releases, and recommending improvements, as appropriate;

(h) Encouraging the State and local response communities to improve preparedness for response;

(i) Planning for use of dispersants, surface collection agents, burning agents, biological additives, or other chemical agents, as appropriate; and, upon request, approving chemicals and techniques for response, following established procedures;

(j) Meeting three times annually, rotating meetings among States, to review response actions, address preparedness and pre-response activities, and consider changes to the RCP;

(k) Providing reports on RRT activities to the NRT twice a year, no later than January 31 and July 31;

(l) Integrating, to the extent possible, ongoing planning and preparedness activities with RRT preparedness initiatives, and all RRT agencies;

(m) Recommending revisions of the NCP to the NRT, based on observations of response operations;

(n) Evaluating the preparedness of the participating agencies and the effectiveness of Federal response to discharges and releases;

(o) Preparing an annual work plan to coordinate emergency response and preparedness activities; and

(p) Coordinating planning and preparedness with RRTs in adjacent Regions.

To carry out the preparedness and planning charge of the RRT, a steering committee, with representatives of Co-Chairs and volunteers from member agencies and States, has been established to identify and facilitate implementation of preparedness and pre-response responsibilities. Work groups will be established as projects and particular work efforts are identified. The necessity of the work groups shall be reevaluated annually.

***A list of the current members of the Region 5 standing RRT is provided in Appendix III.***

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### 2.6.3.2 INCIDENT-SPECIFIC RRT

An incident-specific RRT is formed from the standing team each time the RRT is activated for a response. It consists of representatives of local and Tribal governments and the appropriate State and Federal Agencies described in subsection 2.6.3.

***Appendix I contains a discussion of the U.S. EPA and USCG jurisdictions in Region 5.***

An incident-specific RRT has one Chair, the Regional Co-Chair from the agency providing the Federal OSC/RPM for the response to the incident. The standing RRT Co-Chairs may designate other U.S. EPA and USCG employees to act as Co-Chair. The role of the incident-specific team is determined by the operational requirements of the response to a specific discharge or release. Participation is relative to the technical nature and geographic location of the discharge or release.

The incident-specific RRT Chair coordinates with the RRT membership and the OSC/RPM for the incident to determine the appropriate level of RRT member activation. Member agencies and States participating with the RRT must ensure that designated representatives or alternates can function as resource personnel for the OSC/RPM during incident-specific events.

When activated, members of an incident-specific RRT may:

(a) Provide resources and special or technical expertise;

(b) Provide advice and recommend courses of action for consideration by the OSC;

(c) Advise the OSC/RPM on the duration and extent of Federal response and recommend to the OSC/RPM specific actions to respond to a discharge or release;

(d) Request other Federal, State, or local government or private agencies to provide resources under their existing authorities to respond to a discharge or release or to monitor response operations;

(e) Recommend a change of OSC/RPM to the RRT Co-Chairs, if circumstances warrant (e.g., substantial movement of the pollution into the predesignated area of another OSC lead agency);

(f) Ensure continual communication with the National Response Center (NRC) as significant developments occur; and

(g) Monitor and evaluate reports from the OSC/RPM.

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### 2.6.3.3. ACTIVATION OF THE INCIDENT-SPECIFIC RRT

An incident-specific RRT will be activated during any discharge or release upon a request from the OSC or from any RRT representative to a Co-Chair of the RRT when a discharge or release:

(a) exceeds the response capabilities available to the OSC in the place where it occurs;

(b) transects State, Regional, or international boundaries;

(c) poses a substantial threat to public health, welfare, or to the environment, or to Regionally significant amounts of property; or

(d) is a worst case discharge.

Requests for RRT activation shall subsequently be confirmed in writing. Local requests for RRT activation must be made through the State RRT member. The various levels of activation can be found in the NCP. An incident-specific RRT activation may take place by telephone or by assembly.

Levels of activation are:

(1) Alert: Notification of RRT members that an incident has occurred.

(2) Standby: Notice to some or all RRT members that their services may be needed and that they are to assume a readiness posture and await further instructions. Notice may be given by phone.

(3) Partial: Notice to selected RRT members that their services are required in response to a pollution incident. The activation notice will specify the services requested and the services that will be required. The initial activation notice may be provided by

telephone.

(4) Full: Notice to all RRT members (with the exception of representatives of nonaffected States) that their services are requested in response to a pollution incident. The activation notice will specify the services being requested from each RRT member. The services of some members may be limited to advising the OSC on general matters. The initial activation notice may be provided by telephone.

The RRT can be deactivated by the Chair, when the Chair determines that the OSC no longer requires RRT assistance. The time of deactivation shall be included in a POLREP.

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### 2.6.4. Federal Agency Responsibilities

The Federal Agencies listed in this section have duties established by statute, executive order, or Presidential directive which may apply to Federal response actions following, or in prevention of, the discharge of oil or release of a hazardous substance, pollutant, or contaminant. Some of these agencies also have duties relating to the rehabilitation, restoration, or replacement of natural resources injured or lost as a result of such discharge or release. It is recognized that Native American authorities, responders, and communities are entitled to the same cooperation and protection arrangements as the States.

Federal Agencies should plan for emergencies and develop procedures for addressing oil discharges and releases of hazardous substances, pollutants, or contaminants from vessels and facilities under their jurisdiction, custody, or control. Appropriate Federal RRT members or their representatives should provide OSCs/RPMs with assistance from their respective agencies, commensurate with agency responsibilities, resources, and capabilities within the Region. During a response action, the members of the RRT should seek to make available the resources of their agencies to the OSC/RPM. Specifically, member Federal Agency responsibilities include the following:

(a) Informing the RRT of changes in the availability of their response resources;

(b) Reporting discharges and releases from facilities or vessels under their jurisdiction or control;

(c) Making necessary information available to the RRT and OSCs; and

(d) Providing representatives to the RRT and otherwise assisting RRT and OSCs in formulating RCPs.

Following is a list of Federal Agencies and their responsibilities and functions.

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### 2.6.4.1. DEPARTMENT OF AGRICULTURE

The U.S. Forest Service is the designated USDA representative to the RRT. USDA maintains a Regional Emergency Team in each of the 10 Standard Federal Regions to provide liaison and coordination with Federal Agencies operating on a Regional basis. Regional Emergency Teams are composed of representatives of USDA agencies having essential emergency functions at the Regional level. These are:

Forest Services (FS): Responsible for prevention and control of fires in rural areas, in cooperation with State Foresters and appropriate Federal Agencies; and emergency production, availability, and utilization of timber and timber products in cooperation with the Department of Commerce. The agency has capabilities to provide emergency communications systems, specialized aircraft, and human support facilities for large groups of people, and has specially trained incident management teams.

Food and Nutrition Service (FNS): Through the Food Distribution Program, provides food as emergency assistance to disaster victims. In appropriate emergency situations, FNS will authorize State agencies to issue food stamps based on emergency procedure.

Food Safety and Inspection Service (FSIS): Tests meat and poultry products for the presence of violative drugs, chemical residues, and other adulterants.

Agricultural Stabilization and Conservation Service (ASCS): In cooperation with the Forest Service, Soil Conservation Service, and the U.S. Army Corps of Engineers, is responsible for emergency plans and preparedness programs for food processing, storage, and distribution through the wholesale level.

Animal and Plant Health Inspection Service (APHIS): Provides expertise on plant and animal diseases and health.

National Agricultural Statistics Service: Serves as a source of data on crops, livestock, poultry, dairy products, and labor. State Statistical Offices collect and publish local information on these topics.

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### 2.6.4.2. DEPARTMENT OF COMMERCE

DOC, through the National Oceanic and Atmospheric Administration (NOAA), has three roles within Region 5:

Scientific Support Coordinator (SSC): In accordance with the NCP, the SSC provides scientific advice to support the Federal OSC in operational decisions that will protect the environment effectively, mitigate collateral harm, and facilitate environmental recovery. The SSC advises on other technical issues (as requested by the OSC) after consulting with the appropriate NOAA hazardous materials (HAZMAT) resources or other Federal, State, or academic networks. This includes considering advice from the trustee agencies (including the NOAA HAZMAT RRT member), and any divergent opinions.

National Resource Trustee: The Secretary of Commerce acts as trustee for natural resources managed or controlled by DOC, including their supporting ecosystems. 40 CFR 300.600(b), (b)(1). Pursuant to the Great Lakes Critical Programs Act of 1990, 33 USC 1268 (Great Lakes Act), and the Great Lakes Water Quality Agreement of 1978, as amended by the Water Quality Agreement of 1987 (Great Lakes Water Quality Agreement), the United States, in part through DOC, manages and/or controls the water and sediments of the Great Lakes System.

The Secretary of Commerce also acts as trustee for natural resources managed or controlled by other federal agencies that are found in, under, or using waters navigable by deep draft vessels, tidally influenced waters, or waters of the contiguous zone, the exclusive economic zone, and the outer continental shelf. Therefore, all federally managed or controlled resources that are found in those waters, such as water and sediments that form navigation channels and that are managed, controlled, and maintained by the Army Corps of Engineers, and the fisheries that are controlled by the Food and Drug Administration through derivation of action levels, fall within DOC trusteeship. Similarly, the water and sediment of the Great Lakes System are within the administrative jurisdiction of the United States, and are federally managed or controlled pursuant to the Great Lakes Act and the Great Lakes Water Quality Agreement.

The Secretary has delegated his authority to act as trustee to the Administrator of NOAA. Pursuant to these delegations, NOAA has trusteeship for the water, sediment, and the biological resources, of the Great Lakes and their supporting ecosystems. The NCP also cites as examples of DOC trusteeship the following natural resources and their supporting ecosystems: migratory birds, anadromous fish, and endangered species and marine mammals. 40 CFR 300.600(b)(1), (b)(2).

Under OPA and the NCP, NOAA has specific responsibilities as a natural resource trustee that include:

(a) Receiving notification of potential or actual spills threatening NOAA resources;

(b) Being consulted on the preparation of the fish and wildlife and sensitive environments annex (this includes concurring on specific countermeasures or removal actions during the contingency planning phase);

(c) Being consulted on removal actions during an incident; and

(d) Implementing damage assessment activities.

All of these activities are intended to minimize impacts and to restore the environment.

RRT Member: Has the primary goal to support the appropriate RRT Co-Chair who supports the Federal OSC by providing advice and resources that will protect the environment effectively, mitigate collateral harm, and facilitate environmental recovery. Carries out this goal by:

(a) serving as an access point to other DOC resources and expertise, usually outside NOAA HAZMAT, that have primary roles in carrying out NOAA's trusteeship role during spills;

(b) representing DOC in carrying out its policy responsibilities (such as trusteeship);

(c) helping the NOAA SSC provide technical assistance, if needed; and

(d) representing NOAA HAZMAT at meetings where the SSC cannot be present.

This member can provide:

· scientific expertise on living aquatic resources for which DOC is responsible;

· current and predicted meteorological, hydrologic, ice, and limnologic conditions;

· charts and maps; and

· communication services to the general public, various levels of government, and the media via its NOAA weather wire and NOAA weather radio systems.

These roles are the responsibility of all DOC representatives, whether from NOAA HAZMAT, NOAA National Marine Fisheries Service (NMFS), or NOAA National Weather Service (NWS).

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### 2.6.4.3. DEPARTMENT OF DEFENSE

DOD, consistent with its operational requirements, may provide assistance in critical oil and hazardous materials incidents, in the maintenance of navigation channels, and in removal and salvage of navigation obstructions. DOD will provide the OSC and RRT Chair for releases occurring on DOD property or facilities.

U.S. Army Corps of Engineers (USACE): Has specialized equipment and personnel for maintaining navigation channels, for removing navigational obstructions, for accomplishing structural repairs, and for performing maintenance to hydropower electric generating equipment. USACE can also provide design services, perform construction, and provide contract writing and contract administration services for other Federal Agencies.

U.S. Navy Supervisor of Salvage (SUPSALV): Is knowledgeable and experienced in ship salvage, shipboard damage control, diving, and has equipment for salvage-related and open-sea pollution incidents.

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### 2.6.4.4. DEPARTMENT OF ENERGY

DOE provides the designated OSC/RPM for responses to releases on or from any facility or vessel under its jurisdiction. DOE administers, implements, and coordinates the Federal Radiological Monitoring and Assessment Center (FRMAC). Under the Federal Radiological Emergency Response Plan (FRERP), DOE provides advice and assistance to the RRT regarding the identification of the source and extent of radioactive contamination, and removal and disposal of radioactive releases.

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### 2.6.4.5. FEDERAL EMERGENCY MANAGEMENT AGENCY

FEMA requires the development, evaluation, and exercise of all-hazard contingency plans for all FEMA-funded jurisdictions at the State and local levels. SARA Title III plans are often annexes of the all-hazard plan. FEMA monitors and provides technical assistance regarding public sector emergency response training and planning for incidents involving hazardous materials. In a response, FEMA provides advice and assistance to the lead agency on coordinating relocation assistance and mitigation efforts with other Federal Agencies, State and local governments, and the private sector.

If the President declares a disaster or emergency, FEMA coordinates all Federal assistance, including temporary housing. The OSC coordinates with the Federal Coordinating Officer in situations where both authorities are active.

FEMA's National Emergency Support Team and Regional Emergency Response Teams provide coordination of Federal response in situations of unique national significance, such as commercial nuclear power plant or nuclear weapons accidents and catastrophic natural disasters.

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### 2.6.4.6. GENERAL SERVICES ADMINISTRATION

GSA, upon request, provides expedited logistical and telecommunications support to Federal Agencies that are members of the NRT. The support includes, but is not limited to,
· provision of space,
· transportation,
· telecommunications,

· supplies, and
· procurement-related services.

Services may be furnished through GSA personnel who are located at the scene of the oil or hazardous material release, or at their regular duty stations, depending on the specific requirements of the Federal OSC or the emergency situation. Expenses incurred by GSA in providing requested assistance to other agencies must be reimbursed.

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### 2.6.4.7. DEPARTMENT OF HEALTH AND HUMAN SERVICES

HHS assists with the assessment, preservation, and protection of human health and helps ensure the availability of essential human services. HHS provides technical and nontechnical assistance in the form of advice, guidance, and resources to other Federal Agencies, as well as to State and local governments.

The principal HHS response comes from the U.S. Public Health Service (PHS). Within PHS, the primary response to hazardous materials emergencies comes from ATSDR and the Centers for Disease Control (CDC). Both ATSDR and CDC have 24-hour emergency response capability whereby scientific and technical personnel are available to provide technical assistance to the lead Federal Agency and State and local response agencies on human health threat assessment and analysis, and exposure prevention and mitigation. Such assistance is used in situations requiring evacuation of affected areas, dealing with human exposure to hazardous materials, or advice on mitigation and prevention.

Agency for Toxic Substances and Disease Registry: ATSDR is the lead Federal public health agency for hazardous material incidents under CERCLA. Two ATSDR representatives are assigned to each U.S. EPA Region to assist in U.S. EPA/ATSDR communications. Regional representatives can also assist in emergency response events that involve RRT issues by coordinating with ATSDR headquarters Emergency Response and Consultation Branch and with the CDC RRT representative. Under CERCLA Section 104(i), ATSDR is required to:

(a) establish appropriate disease/exposure registries;

(b) provide medical care and testing of exposed individuals in public emergencies;

(c) develop, maintain, and provide information on health effects of toxic substances;

(d) conduct research to determine relationships between exposure to toxic substances and illness;

(e) develop guidelines, with U.S. EPA, for toxicological profiles for hazardous substances; and

(f) develop educational materials for health professionals related to health effects of toxic substances.

Additionally, ATSDR operates a 24-hour phone line to address public health issues.

Centers for Disease Control and Prevention: CDC takes the lead during oil releases regulated under CWA and OPA. PHS has designated the CDC representative to the RRT. This person is responsible for coordinating all public health responses on the Federal level and for coordinating all responses with State and local health agencies.

Other PHS agencies involved in support during hazardous materials incidents, either directly or through ATSDR/CDC, include the Food and Drug Administration (FDA), the Health Resources and Services Administration, the Indian Health Service, and the National Institutes of Health (NIH).

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### 2.6.4.8. DEPARTMENT OF THE INTERIOR

DOI can provide information concerning the lands and resources specifically under DOI jurisdiction, as well as offer technical expertise related to geology, hydrology, minerals, fish and wildlife, cultural resources, and recreation resources. Under Executive Order 12580, DOI is designated by the NCP as a Federal Trustee for Natural Resources.

DOI has direct jurisdiction for protection of resources on its own lands, as well as trustee responsibilities for certain natural resources, regardless of location. The DOI natural resource trusteeship that extends beyond DOI site boundaries includes migratory birds, anadromous fish, and endangered/threatened species and their critical habitat.

Bureaus may provide assistance in investigations to evaluate the magnitude and severity of discharges on or affecting facilities or resources under their jurisdiction, and may conduct activities as natural resource trustees as set forth in Subpart G

of the NCP.

Bureaus may also provide:

· advice to the OSC/RPM when response operations are being performed that affect land, facilities, or natural resources under their management authority;

· technical assistance in disposal activities; however, lands under the jurisdiction of DOI (including certain municipal landfills) may not be utilized as disposal sites; or

· air and ground transportation support, and maintainenance of communications support.

Within the Department, individual bureaus and offices have specific responsibilities and capabilities as follows:

Office of Environmental Policy and Compliance (OEPC): The Regional Environmental Officer (REO) represents DOI on the RRT, and is responsible for coordinating RRT/DOI activities. The Regional Environmental Assistant (REA) provides support to the REO in planning and emergency response and acts for the REO when unavailable. The Regional Coordinator (RC) provides planning and natural resource damage assessment (NRDA) coordination. OEPC provides a number of services, including:

· presenting the DOI position on chemical countermeasure and in situ burn decisions,

· facilitating technical assistance requests from the OSC,

· supplying administrative details to secure response cost reimbursement approval from the OSC,

· initiation of natural resource damage assessments (NRDAs), and

· coordinating response between DOI Bureaus.

U.S. Fish and Wildlife Service (USFWS): Can provide responders with information concerning migratory birds, Federally listed threatened and endangered species and their designated critical habitat, certain anadromous fish, and certain Federal lands (National Wildlife Refuges, Waterfowl Production Areas, and National Fish Hatcheries), as well as technical assistance concerning the effects of oil on these resources. In addition, it will help coordinate wildlife rescue and rehabilitation efforts in conjunction with State natural resource trustee(s). The Service is responsible for assessing damages to natural resources as a result of releases of oil or hazardous substances into the environment, and issues Federal Migratory Bird and Eagle Permits to qualified individuals and/or organizations conducting wildlife collection, rescue, and rehabilitation operations related to oil spill incidents.

National Park Service (NPS): Provides expertise on historic, cultural, archeological, architectural, and recreational resources and sites on the National Register of Historic Places. NPS can also provide information on National Parks, National Recreation Areas, National Historic Sites,

***DOI Bureaus can be contacted through the Regional Environmental Officer.***

National Trails, Lake Shores, National Monuments, and Wild and Scenic Rivers listed on the Nationwide Rivers Inventory (NRI).

U.S. Geological Survey (USGS): Provides advice and information concerning geohydrologic, geologic, and geochemical data; ground and surface water data; and maps. USGS maintains stream flow gauges in every State and can provide historical stream flow information, assist in predicting the time/travel/trajectory of spills, and can collect and analyze surface and groundwater samples.

The Biological Resources Division performs research in support of biological resource management; inventories, monitors, and reports on the status and trends in the nation's biologic resources; and transfers the information gained to resource managers and others concerned with the care, use, and conservation of the nation's natural resources.

Bureau of Indian Affairs (BIA): Responsible for protecting and improving the trust resources of Native American Tribes and facilitating an active role in planning and response for Tribal governments as requested. BIA coordinates activities affecting Native American Tribal lands, and can provide assistance to the OSC in identifying Native American Tribal government officials. BIA can also assist in obtaining access to Tribal land areas as needed for response action and will coordinate with the incident Public Information Office Director to ensure pertinent information is made available to appropriate Tribal authorities on a timely basis.

Bureau of Land Management (BLM): Has expertise in minerals, soils, vegetation, archeology, and wildlife habitat, and may provide advice on response affecting lands or minerals administered by BLM. May also provide advice in the field of oil and

gas drilling, production, handling, and transportation by pipeline.

All bureaus of the Department of the Interior may be contacted through the Regional Environmental Officer, the designated member of the RRT.

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### 2.6.4.9. DEPARTMENT OF JUSTICE

DOJ members of the RRT serve as representatives of the Department of Justice and not as legal counsel to the RRT or its member agencies. Although the DOJ representative to the RRT is not a substitute for member agencies' in-house counsel, the DOJ representative will be able to offer the advice, views, and expertise of the Department with respect to RRT's long-term planning and incident-specific functions.

As a consequence of DOJ's primary role as litigation counsel for the Federal Government and as legal counsel on enforcement and interagency matters, its participation in RRT activities will ordinarily focus on litigation concerns regarding response activities and interagency coordination. The DOJ representative might provide:

· general legal advice;

· review and comment on regional planning and procedural documents; and

· incident-specific assistance, including assigning staff attorneys when an incident may result in litigation or raise difficult issues of interagency coordination.

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### 2.6.4.10. DEPARTMENT OF LABOR

DOL, through the Occupational Safety and Health Administration (OSHA):

(a) conducts safety and health inspections at hazardous waste sites and during emergencies to ensure that employees are being protected and to determine compliance with its regulations, and

(b) provides the OSC/RPM with advice, guidance, and assistance regarding hazards to persons involved in removal or control of oil or chemical spills, and the precautions necessary to protect such persons' health and safety.

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### 2.6.4.11. NUCLEAR REGULATORY COMMISSION

The Nuclear Regulatory Commission (NRC) will:

(a) respond, as appropriate, to releases of radioactive materials by its licensees, in accordance with the NRC Incident Response Plan to monitor the actions of those licensees and assure that the public health and environment are protected and adequate recovery operations are instituted;

(b) keep U.S. EPA informed of any significant actual or potential releases in accordance with procedural agreements; and

(c) provide advice to the OSC/RPM when assistance is required in identifying the source or character of other hazardous substance releases where the NRC has licensing authority for activities utilizing radioactive materials.

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### 2.6.4.12. DEPARTMENT OF STATE

DOS will:

(a) lead in developing joint international contingency plans;

(b) provide assistance in coordination when a pollution release crosses international boundaries or involves foreign flag vessels; and

(c) coordinate requests for assistance from the Government of Canada and U.S. proposals for conducting research at incidents that occur in Canadian waters.

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### 2.6.4.13. DEPARTMENT OF TRANSPORTATION

DOT, through USCG, provides the Co-Chair of RRT5 and predesignated OSCs for the Great Lakes Coastal Zone and specified ports and harbors in Region 5. DOT also provides expertise regarding transportation of oil or hazardous materials. Through USCG, DOT:

(a) supplies expertise in the domestic/international fields of

· port safety and security;

· marine law enforcement, navigation, and construction; and

· manning, operation, and safety of vessels and marine facilities;

(b) maintains continuously manned facilities that are capable of command, control, and surveillance for oil or hazardous substances releases occurring on the waters of the United States, and may provide these services to the OSC.

DOT, through the Research and Special Programs Administration (RSPA), establishes oil discharge contingency planning requirements for pipelines, transport by rail and containers, or bulk transport of oil.

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### 2.6.4.14. U.S. ENVIRONMENTAL PROTECTION AGENCY

U.S. EPA provides the Co-Chair of RRT5 and provides OSCs for all inland areas for which an ACP is required under CWA Section 311(j) and for discharges and releases occurring in the inland zone. It also provides RPMs for remedial actions except as otherwise provided, and generally provides the Scientific Support Center for responses in the inland zone.

U.S. EPA is responsible for providing expertise regarding environmental effects of pollution and environmental pollution control techniques. U.S. EPA will also:

· assist USCG in hazardous materials incidents,

· advise the RRT and the OSC of the degree of hazard a particular release poses to public health and safety, and

· coordinate scientific support, including environmental assessment, in inland regions.

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## 2.7. MULTIREGIONAL RESPONSES

The Federal OSC for a given incident is determined by the point of origin of the release. However, if a discharge or release affects areas covered by two or more RCPs/ACPs, the response mechanisms of both may be affected. In this case, response actions of all Regions concerned shall be fully coordinated as detailed in the RCPs.

**There shall be only one OSC at any time during the course of a specific response operation.** Should a discharge or release affect two or more areas, U.S. EPA, USCG, DOD, DOE, or other lead agency, as appropriate, shall give prime consideration to the area vulnerable to the greatest threat, in determining which agency should provide the OSC. The RRT shall designate the OSC if the RRT member agencies who have response authority within the affected area are unable to agree on the designation. The NRT shall designate the OSC if members of one RRT or two adjacent RRTs are unable to agree on the designation.

Where USCG has initially provided the OSC for response to a release from hazardous waste management facilities located in the coastal zone, responsibility for response shall shift to U.S. EPA or another Federal Agency, as appropriate.

The OSC/RPM shall be provided by the Region within which the release occurs, or according to preestablished protocols described in the interregional contingency plans and Section 3 of this ICP.

Several interregional agencies have been established that have interests within Region 5 and have roles in response and planning. The agencies vary considerably in their concerns and capabilities. The following is a list of these interregional organizations.

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### 2.7.1. The Great Lakes Commission

The Great Lakes Commission (GLC) is an interstate compact commission consisting of gubernatorially appointed and legislatively mandated representatives of the eight Great Lakes States (Minnesota, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, and New York). The Commission was formed to promote the informed use, development, and protection of Great Lakes Basin land and water resources through regional coordination, policy development, and advocacy.

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### 2.7.2. Ohio River Valley Water Sanitation Commission

The Ohio River Valley Water Sanitation Commission (ORSANCO) is an interstate water pollution control agency established in 1948, with membership consisting of representatives from the eight States in the Ohio River Valley (Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, Virginia, and West Virginia), and a representative from U.S. EPA. The Commission is responsible for operating several programs:

· water quality monitoring of the Ohio River and its major tributaries;

· regulation of wastewater discharge to the Ohio River; and

· investigation of particular water pollution problems.

In addition, ORSANCO assists State environmental agencies, U.S. EPA, and USCG in emergency spill response and notification. ORSANCO maintains a spill notification database on the Ohio River and its tributaries. Specifically, in the event of a spill on the Ohio River or a major tributary, ORSANCO's role is to serve as an interstate communications center, assisting in emergency notification procedures and to coordinate emergency stream monitoring.

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### 2.7.3. Upper Mississippi River Basin Association

The Upper Mississippi River Basin Association (UMRBA) is an interstate organization formed by the Governors of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to maintain communication and cooperation among the States on matters related to water resources planning and management in the Upper Mississippi Basin. The five States are represented through gubernatorial appointees, and five Federal Agencies have advisory status. As part of its efforts to facilitate cooperative planning, the Association provides support to an ad-hoc Upper Mississippi Spills Coordination Group, which includes representatives of the five State response agencies, as well as U.S. EPA Regions 5 and 7, USCG, USFWS, NOAA, and USACE. The group meets periodically to discuss common problems and coordinate activities to respond to spills on the Upper Mississippi.

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## 2.8. NATIONAL RESPONSE

### 2.8.1. National Response Team

The NRT is responsible for oil and hazardous materials spill planning and coordination on the national level. The NRT is made up of representatives of each of 15 Federal Agencies, chaired by U.S. EPA and vice-chaired by USCG. The NRT's responsibilities include:

· evaluating methods of responding to discharges,

· maintaining national preparedness to respond to a major oil discharge, and

· developing procedures, in coordination with the National Strike Force Coordination Center (NSFCC), to ensure the

coordination of Federal, State, and local governments.

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### 2.8.2. Federal Radiological Emergency Response Plan

Response to radiological emergencies is coordinated under the FRERP.

***ORSANCO has developed a spill notification and response plan, which should be used as the operative plan for spills on the Ohio River, and the* ORSANCO Emergency Response Resource Manual.**

***UMRBA and the member State and Federal Agencies of the Upper Mississippi Rivers Hazardous Spills Coordination Group have produced the* Upper Mississippi River Spills Response Plan and Resource Manual. *The manual functions as a working contingency plan, to supplement the appropriate State emergency response plans, RCPs, and the NCP. As such, themanual is consistent with the U.S. EPA Region 5 ICP and Region 7 RCP, is in compliance with requirements of the NCP, and should be used as the operative plan for spills on the Mississippi River.***

This interagency agreement coordinates the response of various agencies, under a variety of statutes, to a large radiological accident. The lead Federal Agency, defined by the FRERP, activates the FRERP for any peacetime radiological emergency that, based upon the agency's professional judgment, is expected to have a significant radiological effect within the United States, its territories, possessions, or territorial waters; and that could require a response by several Federal Agencies.

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### 2.8.3. Federal Response Plan

In the event of a declaration of a major disaster by the President, FEMA may activate the Federal Response Plan. An FCO, designated by the President, may implement the Federal Response Plan and coordinate and direct emergency assistance and disaster relief of impacted individuals, businesses, and public services under the Stafford Disaster Relief Act. Planning for disasters is coordinated by FEMA under the Federal Response Plan. The RCP is Emergency Support Function #10 under the Federal Response Plan, along with the FRMAP.

The Federal Response Plan was developed under the Disaster Relief Act of 1974, as amended by the Stafford Disaster Relief Act of 1988. The Federal Response Plan established a foundation for coordinating Federal assistance to supplement State and local response efforts to save lives, protect public health and safety, and protect property in the event of a natural disaster, catastrophic earthquake, or other incident declared a major disaster by the President.

The delivery of Federal assistance is facilitated through twelve annexes, or Emergency Support Functions (ESFs), which describe a single functional area of response activity: Transportation, Communications, Public Works and Engineering, Fire Fighting, Information and Planning, Mass Care, Resource Support, Health and Medical Services, Urban Search and Rescue, Hazardous Materials, Food, and Energy. The Hazardous Materials annex, ESF #10, addresses releases of oil and hazardous substances that occur as a result of a natural disaster or catastrophic event and incorporates preparedness and response actions carried out under the NCP. U.S. EPA serves as the Chair of ESF #10 and is responsible for oversight of all preparedness and response actions associated with ESF #10 activities, only if assigned it by FEMA. All NRT/RRT departments and agencies serve as support agencies to ESF #10.

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## 2.9. INTERNATIONAL RESPONSE

### 2.9.1. International Joint Commission

The International Joint Commission (IJC) is a binational organization that was created under the Boundary Waters Treaty of 1909 to advise the governments of the United States and Canada on issues concerning water quality and quantity in the boundary waters between the two nations. The IJC monitors and assesses cleanup progress under the Treaty and advises governments on matters related to the quality of the boundary waters of the Great Lakes system. The Commission consists of six members, three appointed by the President of the United States, and three appointed by the Prime Minister of Canada.

**In the event of releases that impact or threaten the international border, the following Canadian government agencies should be notified:**

**Canadian Coast Guard | (519) 337-6360**

**Environment Canada | (416) 518-3221**
**Emergency Preparedness Canada | (613) 991-7000**

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### 2.9.2. Joint Contingency Plan

A Joint Contingency Plan is being developed with Canada for releases of oil and hazardous substances. Several plans will cover the Great Lakes and the inland area.

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## 2.10. COMMUNICATIONS

### 2.10.1. Discovery

It is the spiller's responsibility to report all spills. The spiller or responsible party is required to immediately report all releases of oil and hazardous substances into or on navigable water, adjoining shorelines, or the contiguous zone, to the National Response Center (NRC). The NRC will notify the appropriate OSC. If NRC notification is not practicable, the responsible party should notify the U.S. EPA or USCG predesignated OSC and the appropriate State environmental agency.

If U.S. EPA or USCG is the first to be notified of a release or discharge, U.S. EPA or USCG will notify the State and the NRC, the appropriate trustees for natural resources and other RRT members, as stated in Subsection 2.10.2 of this plan. OSC notification of trustees is accomplished through protocols developed via trustee-specific agreements. For spills of significance, if the State or other agency is the first to be notified, they shall notify the appropriate Federal Agencies.

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### 2.10.2. OSC Notification Responsibilities

As used in this section, "notification" refers to the actions taken by the predesignated Federal OSC to immediately alert appropriate Federal and State agencies of a release. The purpose of this notification is to provide the best available summary of OSC observations and operations, and to allow the notified agency an opportunity to perform some on-scene program function. Usually, the OSC will notify agencies by telephone.

Upon notification from the NRC, the OSC may investigate the report to determine the threat posed to the public health or welfare or to the environment. Notifications are based on the actual or potential size of the spill and the threat posed as outlined in Table 2-1.

**OSCs should also ensure that all appropriate public and private interests are kept informed and their concerns considered.**

If radioactive substances are present in a release, the U.S. EPA Region 5 Emergency Response Branch should be notified for evaluation and assistance, either directly or through the National Response Center.

### 2.10.3. Pollution Report Messages (POLREPs)

When conducting Federal removal actions, the OSC will submit POLREPs to the above-mentioned agencies, and include local entities as necessary. As changing conditions warrant, POLREP distribution may be expanded to include additional entities. In the case of an oil release, the OSC will submit a POLREP to the National Pollution Fund Center (NPFC).

Except as noted below, the designated OSC prepares POLREPs for each release occurring within the OSC's area of responsibility. The OSC submits POLREPs to the RRT as significant developments occur. For medium and major releases, these submittals will occur on a daily basis until, in the judgment of the OSC, the response operation and the impact of the release have stabilized. The standard POLREP format is presented as Figure 2-1.

***Notification should be made to the NRC duty officer at (800) 424-8802 or (202) 267-2675.***

***The U.S. EPA Region 5 predesignated OSC can be reached 24 hours a day at (312) 353-2318. The USCG predesignated OSC can be reached at (216) 522-3984 (Ninth District) or (504) 589-6225 (Eighth District).***

***Appendix III provides communication information (including FAX numbers) for RRT members, OSCs, and other***

***government entities that routinely participate in Federal response activities in Region 5.***

FIGURE 2-1: Model Initial POLREP

U.S. ENVIRONMENTAL PROTECTION AGENCY POLLUTION REPORT

I. HEADING

Date:

Subject:

From:

To: , U.S. EPA, OSWER FAX: _____, U.S. EPA ERB FAX: _____

, Chief, U.S. EPA Response Section __ FAX: _____

, Chief, U.S. EPA ESS FAX: _____

, U.S. EPA Office of Public Affairs FAX: _____

, U.S. EPA ORC FAX: _____

, U.S. EPA Enforcement Specialist FAX: _____

, State agency FAX: _____

, USCG, District __ FAX: _____

, U.S. DOI FAX: 215-597-9845

, County official FAX: _____

POLREP No.:

**II. BACKGROUND**

Site No.:

Delivery Order No.:

Response Authority:

ERNS No.:

CERCLIS No.:

NPL Status:

State Notification:

Action Memorandum Status:

Start Date:

Demobilization Date:

Completion Date:

**III. SITE INFORMATION**

A. Incident Category

B. Site Description

1. Site location

2. Description of threat

**FIGURE 3-1: Model Initial POLREP (cont.)**

C. Preliminary Assessment/Site Inspection Results

**IV. RESPONSE INFORMATION**

A. Situation

1. Current situation

2. Removal activities to date

3. Enforcement

B. Planned Removal Activities

C. Next Steps

D. Key Issues

**V. COST INFORMATION**

The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

**VI. DISPOSITION OF WASTES**

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**2.10.3.1. Special Cases**

Fund Manager: In the event of a Federally funded oil cleanup, the OSC will submit a POLREP to the NPFC.

Worker Safety: If the pollutant is a hazardous substance and Federal or private sector personnel are participating in a "hands-on" removal, the OSC will include the Department of Labor RRT representative in the distribution of POLREPs. (Note: this provision does not extend to the activities of State and local government employees.)

Federal Land Manager: Consistent with spill notification guidelines, when a release impacts Federal lands, the OSC will include the RRT representative of the managing agency in the distribution of POLREPs.

Intrastate Distribution: The State office designated to receive POLREPs from Federal OSCs will perform any further distribution to other elements of government within that State.

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**2.10.3.2. Means of Transmission**

Facsimile (FAX) is the standard method of transmitting messages between member agencies of RRT5. However, individual agencies and a lead agency may agree to use other means of communication (e.g., E-mail, AUTODIN, TELEX). It is incumbent upon each agency to identify a reliable 24-hour means of receiving POLREPs. Where this has not been done, distribution will be by regular mail.

Where an incident generates substantial interest in the response community and the lead agency experiences a demand for POLREPs beyond the normal RRT distribution, the lead agency may elect to post POLREPs on a commonly accessible computer bulletin board in lieu of direct transmission to individual offices. In such an event, the Ninth Coast Guard District will employ the NOAA RRT System discussed in

subsection 5.4.5 of this plan.

**2.10.4. Public Information**

In accordance with 40 CFR 300.415(n), the lead agency shall designate a spokesperson who shall:
· inform the community of actions taken,
· respond to inquiries, and

· provide information concerning the response action.

All news releases or statements made by participating agencies shall be jointly coordinated and released through a public information office. The spokesperson shall notify, at a minimum, immediately affected citizens, local and State officials and, when appropriate, emergency management agencies. OSCs may consider use of the RRT to assist in media relations and other community involvement activities. Also, responsible parties may implement community involvement activities.

For response actions lasting less than 30 days, the following apply:

(a) The administrative record file must be maintained at the U.S. EPA Regional Office;

(b) The administrative record must be made available to the public no later than 60 days after initiation of activity at the site, and U.S. EPA must inform the public that it is available for public inspection by placing a notice in a major newspaper; and

(c) No public comment period on the administrative record is required when on-site activity lasts less than 30 days.

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## 2.11. SAFETY

### 2.11.1. Worker Health and Safety

U.S. EPA Worker Protection Standards apply to employers of State and local governments whose employees are engaged in hazardous waste operations and emergency response. OSHA regulations apply directly to private and Federal employees and to those State and local government employees in States having OSHA-approved plans. OSHA and U.S. EPA worker protection standards (29 CFR 1910.120 and 40 CFR 11) implement Section 126 of SARA. U.S. EPA's worker protection regulations cover State and local government employees without OSHA-approved plans (reference 300.150 of the NCP).

An employer conducting a cleanup must comply with all the requirements in (b) through (o) of the OSHA standard. The requirements of (b) through (o) of the standard specify a minimum of 24 hours of off-site training. During emergency responses under 29 CFR 1910.120, the employer must comply with 1910.120 (q). If a post-emergency-response cleanup is done on plant property using plant or workplace employees, the employer must comply with the training requirements of 29 CFR 1910.38(a), 1910.134, 1910.120, and other appropriate training made necessary by the tasks they are expected to perform.

Based on experience with the standard (29 CFR 1910.120 [q][11][i]) during oil spills off the coasts of Texas, Alaska, and California, the hazards to employees vary widely in severity of potential injury or illness. For job duties and responsibilities with a low magnitude of risk, fewer than 24 hours of training may be appropriate for post-emergency cleanup workers. It is the expectation of OSHA that though the number of hours of training may vary, a minimum of 4 hours would be appropriate in most situations. Moreover, petroleum spills are unique in that many people who assist in the cleanup may not engage in this activity on a recurring basis. In addition, for maximum protection of the environment, petroleum spills dictate that cleanup must be completed as soon as possible (OSHA Instruction CPL 2-2.251). The DOL RRT representative is responsible for determining site-specific training requirements.

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### 2.11.2. Safety and Environmental Health Officer

The Ninth and the Eighth Coast Guard District Offices each maintain a billet for a Safety and Environmental Health Officer (SEHO); District Industrial Hygienist). Primary responsibility of the incumbent is to provide occupational safety and health support for USCG Marine Safety personnel. This includes pollution response operations. The SEHO can provide USCG OSCs advice on safety and health matters and can assist on-scene in environmental and medical monitoring activities. Outside normal working hours, OSCs may request the SEHO's services through the District Operations Center.

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### 2.11.3. Emotional Health Services

Emergency workers often experience delayed reactions to the death and destruction caused by explosion, fire, or oil and chemical releases. No one is immune to the tragedy and mental stress. Responders should be debriefed within 1 week of their return home. It is each member agency's responsibility to ensure that its employees have this type of training. Contact FEMA for materials that address this aspect of emergency response.

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**SECTION 3: Operations**

3.1: Assessment/Classification of Discharge
**3.2: Operational Response Objectives**
**3.3: Discharge or Release Control**
**3.4: Decontamination**
**3.5: Nonresponder Medical Needs**
**3.6: Wildlife Conservation**
**3.7: Evidence for Cost Recovery Actions**
**3.8: Waste Management**

## 3.1. ASSESSMENT/CLASSIFICATION OF DISCHARGE

When the OSC receives a report of a discharge, initial actions include investigating the report to determine the threat posed to human health or welfare of the United States or the environment, the type and quantity of polluting material, and the source of the discharge. The OSC then officially classifies the size (i.e., minor, medium, major) and type (i.e., substantial threat, worst case discharge) of the discharge and determines the course of action to be followed. (See Table 2-1, p. 33)

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### 3.1.1. Spill of National Significance

A Spill of National Significance (SONS) is a spill that due to:
· severity,
· size,
· location,
· actual or potential impact on the public health and welfare or the environment, or
· the necessary response effort, is so complex that it requires extraordinary coordination of Federal, State, local, Tribal, and responsible party resources to contain and clean up the discharge.

A discharge may be classified as a SONS by the Administrator of U.S. EPA for discharges occurring in the inland zone and the Commandant of the USCG for discharges occurring in the coastal zone. For a SONS in the inland zone, the U.S. EPA Administrator may name a senior Agency official to assist the OSC in communicating with the affected parties and the public and coordinating Federal, State, local, Tribal, and international resources at the national level. This strategic coordination will involve, as appropriate, the NRT, RRT(s), the Governor(s) of affected State(s), and the mayor(s) or other chief executive(s) of local government(s).

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### 3.1.2. Worst Case Discharge

CWA Section 311(d)(2)(J) requires the ACP to include procedures and standards for removing a worst case discharge of oil, and for mitigating or preventing a substantial threat of such a discharge. A "worst case" discharge for the purposes of this plan will be the catastrophic release as identified in Facility Response Plans (FRPs) submitted to U.S. EPA. Since this is a requirement of OPA, only oil scenarios will be listed.

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## 3.2. OPERATIONAL RESPONSE OBJECTIVES

The priority response objective is protection of public health and safety, which includes response worker health and safety. Protection of the environment and public welfare (infrastructure) are also important response objectives, but are subordinate to public and worker safety.

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## 3.3. DISCHARGE OR RELEASE CONTROL

### 3.3.1. Actions To Lessen Impact

Defensive actions should begin as soon as possible to prevent, minimize, or mitigate the threat to the public health or welfare or to the environment. Actions may include the following:

(a) Analysis of water samples to determine the source and spread of the contaminants;

(b) Control of the source of the discharge;

(c) Measurements and sampling;

(d) Placement of physical barriers to deter the spread of the oil or to protect sensitive environmental resources through coordination with resource agency specialists;

(e) Control of the water discharged from upstream impoundments; and

(f) If approved, the use of chemicals and other materials to restrain the spread of the oil and mitigate its effects, in accordance with the NCP. Use of chemical agents is not pre-approved in Region 5.

***Appendix IV presents a list of facilities by State, city, and name, and the worst case discharge and the water body threatened. Facilities are also cited on the Inland Sensitivity Maps.***

Appropriate actions should be taken to recover the oil or mitigate its effects. Of the numerous chemical or physical methods that may be used, the chosen methods should be the most consistent with protecting the public health and welfare and the environment. **Sinking agents shall not be used.**

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### 3.3.1.1. General Guidelines for Oil Spills

Shoreline Cleanup Guideline Matrices have been developed for the U.S. EPA Region 5 Area by the RRT. These guidelines address the use of specific countermeasures on various shoreline habitats for four oil types. The shoreline types are listed in relative order of sensitivity. Habitat sensitivity is a function of a range of factors, including:
- degree of exposure to natural removal processes,
- biological productivity and ability to recover following oil exposure,
- human use of the habitat, and
- ease of oil removal.

These correlate directly with the rankings used in the Environmental Sensitivity Index (ESI) atlases published for the U.S. Great Lakes by NOAA.

The classifications developed for these matrices indicate the relative environmental impact expected as a result of implementing the response techniques on a specific shoreline. The relative effectiveness of the technique also has been incorporated into the matrices, especially where use of the technique would result in longer application and thus greater ecological impacts, or leave higher oil residues in the habitat.

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### 3.3.1.2. Oil Removal Actions

Selection of appropriate oil spill protection, recovery, and cleanup techniques prior to and following an oil spill is a critical element affecting the spill's environmental impact. To choose techniques that most effectively prevent or minimize adverse ecological impact, it is important to identify techniques that have minimal intrinsic ecological impacts and also are effective in minimizing the impact of the oil. Furthermore, it is important that these response techniques be pre-planned so that in the event of a spill, minimal time be spent preparing for the response.

***Shoreline Cleanup Guideline Matrices are included in electronic form in Appendix V.***

**See Options for Minimizing Environmental Impacts of Freshwater Spill Response Actions *(American Petroleum Institute [API]/NOAA, 1994), included in electronic form in Appendix VI.***

Refer to Section 3.8 of this plan for details on disposal of recovered oil and contaminated materials.

As stated previously, the OSC directs response efforts and coordinates all other efforts at the scene of a discharge. As part of this effort, and following the required notifications, the OSC should:

(a) collect information about the discharge including source and cause;

(b) identify responsible parties;

(c) obtain technical data including amount, exposure pathways, and time of travel;

(d) determine potential impact on human health and the environment;

(e) determine whether spill poses a substantial threat;

(f) assess impact on natural resources and other property;

(g) determine protection priorities; and

(h) document costs.

OSCs shall consult with the natural resource trustees and appropriate local, Tribal, State, and Federal response agencies on all removal actions. OSCs may designate capable persons from local, State, or Federal agencies to act as their on-scene representatives. FEMA should be notified of all potential major disaster situations.

Properly trained volunteers can be used for such duties during an incident as beach surveillance, logistical support, and bird and wildlife rehabilitation. Such use of volunteers must, however, be approved by the appropriate State, Federal, and Native American fish and wildlife officials. Unless specifically requested by the OSC, these volunteers generally should not be used for physical removal or mitigative activities. If, in the judgement of the OSC, dangerous conditions exist, these volunteers shall be restricted from on-scene operations.

All response actions shall be conducted in accordance with the NCP. Oil recovered in cleanup operations and contaminated materials shall be disposed of in accordance with this ICP and local contingency plans.

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### 3.3.2. Use of Chemical Agents

The OSC must choose the best method from the available response tools in any incident. The physical recovery and removal of oil is the preferred cleanup technique. Under certain conditions, however, chemical agents can be an effective tool. There are no pre-approved uses of chemical agents in Region 5. If chemical use is considered, the guidelines below are intended to aid the OSC in making a decision.

U.S. EPA has compiled the NCP Product Schedule, a list of dispersants and other chemicals which the OSC and/or PRP may consider for use during a spill emergency. The Product Schedule does not authorize or pre-approve use of any of the listed products. The OSC may not authorize use of a product that is not listed on the Product Schedule.

***The notifications required by the OSC are described in Section 2.10.2.***

***The USFWS must approve responsible party or OSC requests to allow trained volunteers to capture oiled birds. Federally and State-licensed bird rehabilitators with USFWS oversight may employ properly trained volunteers for bird cleaning activities. Bird handlers should have current tetanus shots.***

***Physical recovery and removal of oil is preferred.***

Sinking agents shall not be used in U.S. EPA Region 5. U.S. EPA Region 5 does not promote the use of dispersants or other oil emulsifiers. The use of:
· surface collecting agents,
· biological additives,
· burning agents, or
· miscellaneous oil spill control agents
on surface waters, particularly near sensitive wetland or water supplies (fresh water systems) must be approved by State and/or Federal Agencies. Such use adds to the potential for serious impact of already released petroleum products. This stance is necessary to protect subsurface water intakes (potable and non-potable).

The Region does recognize, however, that as a last resort, such agents may have some limited applicability. An example of a situation in which chemical use might be considered for reasons other than protection of human life is during the migratory season, when significant migratory bird or endangered species populations are in danger of becoming oiled.

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### 3.3.2.1. Application Steps for Use of Chemical Spill Control Agent

The OSC may authorize or is authorized to use any chemical product without requesting permission if its use is necessary to prevent or substantially reduce a hazard to human life. The RRT should be notified as soon as practicable. In situations where a human hazard is not present, the OSC must receive the concurrence of:

(a) the RRT Co-Chair, and

(b) the RRT representative(s) of the affected State(s), in consultation with

(c) the DOI RRT member (and, where the Great Lakes are affected, the DOC RRT member, where practicable) before authorizing use of a listed product.

The OSC may consult with the NOAA or EPA Scientific Support Coordinator (SSC) prior to chemical agent application in U.S. EPA Region 5. The NOAA and EPA SSCs provide:
· oil spill modeling results,
· interpretation of ESI maps,
· location of sensitive areas,
· chemical effects, and
· environmental risks.

The OSC will request approval from the RRT to use chemicals on behalf of the spiller. Use of chemicals on a Regional boundary should include the appropriate RRT members of the bordering Region. The RRT shall be notified of any chemical use as soon as practicable.

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### 3.3.2.2. Chemical Use Checklist

The OSC/RPM will supply the appropriate members of the RRT with the information contained in the checklist. The checklist provides information concerning the circumstances of the spill, trajectories, environmental resources at risk, and available decision makers with the information necessary to make a decision on the use of chemical agents.

***Refer to Appendix VII for the Chemical Use Checklist.***

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### 3.3.3. Use of In Situ Burning in U.S. EPA Region 5

In order to minimize the environmental impacts and facilitate effective cleanup of an oil spill, responders have a limited number of techniques available to them. These include mechanical methods, the use of certain chemical countermeasures, and in situ burning. Under certain specific conditions, in situ burning may offer a logistically simple, rapid, inexpensive, and relatively safe means for reducing the shoreline impacts of an oil spill. Moreover, because a large portion of the oil is converted to gaseous combustion products, the need for collection, storage, transport, and disposal of recovered material can be substantially reduced. In situ burning may be able to remove a large amount of spilled oil before spreading and drifting of the spill fouls shorelines and threatens wildlife. In certain circumstances, such as oil spilled in ice conditions, burning may be the only viable response technique. Authorization of in-situ burning is subject to consultation and concurrence from the State and DOI. Considerations for use should include an analysis of oil location and the potential impact of smoke on downwind populations.

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## 3.4. DECONTAMINATION

Personnel responding to hazardous substance incidents may become contaminated in a number of ways, including: · contacting vapors, gases, or particulates in the air;

· being splashed by materials while sampling or opening containers;
· walking through puddles of liquids or on contaminated soil; or
· using contaminated instruments or equipment.

Decontamination consists of physically removing contaminants or changing their chemical nature to innocuous substances. The extent of decontamination depends on a number of factors, the most important being the type of contaminants involved.

A decontamination plan should be developed as part of the safety plan for an emergency response. The initial decontamination plan is based on a worst-case situation or assumes no information is available about the incident. Specific conditions (e.g., type of contaminant, amount of contamination, levels of protection required, type of protective clothing worn) are then evaluated, and the initial decontamination plan is modified to adapt as new information about site conditions becomes available. All materials and equipment used for decontamination must be disposed of properly.

In addition to routine decontamination procedures, emergency decontamination procedures must be established. In an emergency, the primary concern is to prevent the loss of life or severe injury to site personnel. If immediate medical treatment is required to save a life, decontamination should be delayed until the victim is stabilized. If decontamination can be performed without interfering with essential lifesaving techniques or first aid, or if a worker has been contaminated with an extremely toxic or corrosive material that could cause severe injury or loss of life, decontamination must be performed immediately. During an emergency, provision must also be made for protecting medical personnel and disposing of contaminated clothing and equipment.

***The complete text of* In Situ Burning of Oil as a Response Tool in Region 5, Parts I and II *(January 1996) is presented as Appendix VIII of this Plan.***

***The OSC is responsible for addressing worker health and safety concerns at a response scene in accordance with 40 CFR Section 300.150.***

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### 3.5. NONRESPONDER MEDICAL NEEDS

#### 3.5.1. Population Protective Actions

Protective actions for human populations are shelter in place, evacuation, or some combination of the two (e.g., evacuate the general population but shelter bedridden patients, jail populations). Guidance is currently being developed by FEMA in conjunction with other Federal Agencies on the decision-making process between evacuation and in-place sheltering. Until that guidance is available, it should be noted that if no decision is made, by default people will be sheltered in place, albeit not as effectively.

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#### 3.5.2. Treatment of Exposed Population

The first priority of response personnel is to assess the health and welfare of individuals involved in the emergency incident. Immediate medical attention is given to seriously injured persons; the hospital is alerted and transportation is requested as necessary.

(a) An initial survey of the area should be performed to determine radiologically contaminated areas and, if possible, to identify an uncontaminated area to which any injured persons can be removed.

(b) Contamination monitoring of all injured persons should be performed in the clean area and appropriate decontamination performed, if necessary.

(c) Seriously injured individuals who cannot be completely decontaminated should be wrapped in blankets to prevent the spread of contamination during transport.

(d) Individuals not completely decontaminated should be tagged to alert medical personnel to their contaminated status. Each tag should include the name of the individual, the injuries identified, the date and time of the incident, suspected contaminants, and the locations and levels of contamination.

(e) Provisions for appropriate testing should be made in all cases of suspected internal contamination of affected individuals or response personnel.

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## 3.6. WILDLIFE CONSERVATION

The contamination of wildlife by oil has a high public impact which must be recognized by the OSC and members of the RRT. Public interest, inquiries, criticism, and demands for the cleaning of affected wildlife can seriously hamper the OSC's ability to proceed with mitigation of the spill. Early inspection of impacted or potentially impacted areas known to be wildlife habitat should be made by the OSC, and at the first sign of wildlife involvement, the OSC/RPM should contact the DOI representative to RRT5 to request organization and supervision of the wildlife protection efforts. Funding for these efforts will be required either from a responsible party or the pollution fund.

During response to a discharge or release, natural resource trustees and managers may provide technical assistance and expertise on potential effects on fish and wildlife and their habitats, or other sensitive environments that can be found in the affected area. They are familiar with the area or habitats affected and may be able to provide recommendations on the best locations for staging areas, access points, or anchorage. The natural resource trustees and managers may recommend specific habitats where protective measures should be taken and offer advice on response actions. They may assist in the development of a response monitoring plan and subsequent collection of data. Finally, the USFWS and the state wildlife agency can be expected to direct or provide oversight for the protection, rescue, and/or rehabilitation of fish and wildlife.

***Additional Information on shelter in place can be found at the following web sites:***
***http://www.fema.gov/library/hazmatf.htm;***
***http://www.fema.gov/pte/talkdiz/chemical.htm***

Protective measures may include one or more of the following:

· Preventing oil from reaching areas where migratory birds and other wildlife are located by either containing or recovering the oil, or

· Deterring birds or other wildlife from entering areas affected by oil by using wildlife hazing devices or other methods.

If exposure of birds and other wildlife to oil cannot be prevented, an immediate decision will need to be made regarding whether to capture and rehabilitate oiled birds and other wildlife. The DOI has statutory responsibilities for protecting migratory birds and Federally-listed threatened and endangered species. These responsibilities are delegated to the USFWS. If animals other than migratory birds or Federally-listed threatened or endangered species are found injured, the responsible agency would typically be the state wildlife agency. The decision to rescue and rehabilitate oiled wildlife must be made in consultation with the applicable state and Federal natural resource management agencies, since state and Federal permits are required by law. Any wildlife rescue and rehabilitation will be directed or overseen by the USFWS.

Detailed information on procedures, permit requirements, and appropriate contacts is provided in Appendix IX, Fish and Wildlife Annex to the U.S. EPA Region 5 Integrated Contingency Plan.

Tri-State Bird Rescue and Research, Inc., of Wilmington, DE, and International Bird Research and Rehabilitation Center of Berkeley, CA, are the two nationally recognized centers that can assist in planned or emergency training and organization of wildlife conservation efforts. Several regional centers have experience with oiled wildlife. USFWS Regional Pollution Response Coordinators are sources of these and other contacts in the Region.

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## 3.7. EVIDENCE FOR COST RECOVERY ACTIONS

### 3.7.1. Sample Collection Procedures

The OSC must observe precautions when collecting and handling liquid samples for analyses, as the character of the sample may be affected by a number of common conditions. Standard agency protocols are to be followed in the collection and shipment of all samples. Reports of laboratory analyses will be forwarded to the appropriate RRT Co-Chair for transmittal to counsel.

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### 3.7.2. Photographic Records

Conditions should be photographed to show the source and the extent of oil or hazardous material, if possible using both color and black-and-white film. The following information should be recorded on the back of each photographic print:

(a) name and location of vessel or facility;
(b) date and time the photo was taken;
(c) names of the photographer and witnesses;
(d) shutter speed and lens opening; and
(e) type of film used and details of film processing.

***A reference manual* Oiled Bird Rehabilitation: A Guide for Establishing and Operating a Treatment Facility for Oiled Birds *has been prepared by Tri-State Bird Rescue and Research, Inc., and is a valuable resource for learning more about all aspects of wildlife conservation. Contact Tri-State Bird Rescue and Research, Inc., at (302) 737-7241.***

***See Appendix IX for USFWS Regional Pollution Response Coordinator contact information.***

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### 3.7.3. Chain-of-Custody Record

All samples and other tangible evidence must be maintained in proper custody until orders have been received from competent authority directing their disposition. Precautions should be taken to protect the samples from breakage, fire, altering, and tampering. It is important that a chainofcustody of the samples be properly maintained and recorded from the time the samples are collected until ultimate use at the trial of the case. In this regard, a record of time, place, and name and title of the person collecting the sample, and each person handling same thereafter, must be maintained and forwarded with the sample. Form No. IEPA350051 may be used. U.S. EPA Regional procedures for sample collection, transport and custody are to be used for all samples submitted to the Central Regional Laboratory.

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## 3.8. WASTE MANAGEMENT

### 3.8.1. State Disposal and Management

Although the 1992 40 CFR Part 279 rules are not all immediately applicable Region-wide, individual States can enforce the rules as a matter of State law. Illinois, for example, has already promulgated equivalent regulations to 40 CFR Part 279. In addition, some States (e.g., Wisconsin) may prohibit the land disposal of oils.

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#### 3.8.1.1. ILLINOIS

The Illinois Environmental Protection Agency (IEPA) expedites spill residue disposal permitting through its Emergency Action Center in Springfield. Permits are required for open burning and may be prescribed in some cases. Spill residues are considered Special Wastes in Illinois and require permit authorization numbers from IEPA for acceptance for disposal in a landfill. The procedural aspects of such permits can be expedited by IEPA but the technical requirements must be met (i.e., characterizations of the waste and its suitability for acceptance by a particular facility). IEPA maintains a current list of hazardous materials remediation contractors and disposal/treatment facilities, as well as a list of licensed waste haulers.

During office hours, IEPA can issue emergency generator identification numbers (both State and Federal). During non-office hours, IEPA may issue exemptions for procedural requirements when necessary to prevent additional damage to the environment. Out-of-state wastes may require additional review time.

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#### 3.8.1.2. INDIANA

The Indiana Department of Environmental Management (IDEM) Emergency Response Section (ERS) facilitates issues related to waste management and disposal. The Indiana Code under Title 13 and Indiana Administrative Code includes laws related to these issues.

***Contact the IEPA Duty Officer at: (217) 782-3637 (office) or (217) 782-7860 (both 24-hour numbers).***

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### 3.8.1.3. MICHIGAN

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### 3.8.1.4. MINNESOTA

In Minnesota, disposal options for waste generated from a spill vary, depending on the contaminant and waste media. The Minnesota Pollution Control Agency (MPCA) Emergency Response Team members can assist the responsible party and expedite the necessary approvals for disposal of wastes generated from spills. In some emergency situations, the Team members may grant approval directly. Waste generated from oil spills can be disposed as follows:

(a) Oil-contaminated Water. After removal of free oil, the contaminated water can be stored for later treatment or disposed by discharge with approval to a local wastewater treatment plant, surface water, or on land. In some cases, the water may require carbon filtration and/or air stripping before discharge.

(b) Oil-contaminated Soil. There are several options—land applying or land farming, composting, and thermal treatment. The MPCA has developed guidance for these options.

(c) Oil-contaminated Debris. Possible options are co-incineration with municipal or industrial solid waste, open burning (permit required), or landfill deposition, depending on the volume, level of contamination, and location of the waste.

(d) Oil-contaminated Sorbent. For heavily saturated sorbent, incineration at a permitted solid waste facility is the only option. In some cases where little waste is generated and the sorbent has little contamination, the material can be wrung out, dried, and landfilled.

(e) Burning Oil Spills. The MPCA ERT is authorized to approve the burning of oil spills with the concurrence of local authorities and the Department of Natural Resources.

All disposal options must be approved by MPCA staff prior to disposal.

***General information regarding open burning can be obtained from the Office of Air Management at (317) 233-0178.***

***During normal business hours, OSHWM phone number is (317) 615-7956. General information can be obtained at (317) 615-7373. General information can be obtained at (317) 615-8670.***

***The 24-hour contact numbers for the MPCA Emergency Response Team are (612) 649-5451 and (800) 442-0798.***

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### 3.8.1.5. OHIO

The Division of Emergency and Remedial Response OSCs facilitate disposal of soils, spilled product, and contaminated water with the appropriate staff of other Ohio Environmental Protection Agency (OEPA) divisions. The Ohio Revised Code and Administrative Code provide emergency permitting for open burning, recovery, and injection wells, and assigns explosives and hazardous waste emergency generator identification numbers.

(a) Explosives. Under emergency conditions, the OEPA Emergency Response Duty Officer or OSC may grant verbal approval to local officials to detonate explosives. During business hours the responsible party must complete an application with the Central Office Division of Hazardous Waste Management.

(b) Open Burning. The OSC may authorize open burning of hydrocarbons and associated debris if the material and spill site meet established criteria. Any open burning is corrdinated with the local fire department, local health departments (air), and the OEPA Division of Air Pollution Control through the district offices. Requests are handled on a case-by-case basis.

(c) Hazardous Waste Generator Identification Numbers. Emergency Hazardous Waste Generator Identification Numbers are now assigned by the OEPA Division of Hazardous Waste Management during business hours. The Duty Officer and OSC may facilitate this process and help identify possible sites for waste storage and disposal.

(d) Hazardous Material Transporters. The Public Utilities Commission of Ohio (PUCO) registers Hazardous Material Transporters for OEPA. Over 500 companies are registered by the State of Ohio. The PUCO Transportation Division also enforces U.S. DOT's motor carrier safety laws.

(e) Groundwater/Wastewater Discharges. The Division of Public Drinking Water oversees the construction standards for wells. Enhanced recovery, involving shallow injection wells, requires a permit. Recovery wells, which result in a discharge to waters of the State, require best available treatment standards to be met. Recovery systems may require the owner/operator to apply for a permit to install. Typically, activated carbon is used on oil/water separation recovery systems before discharge to waters of the State is allowed. Permit applications are handled by the district office staff.

(f) Other. Treatment options such as on-site treatment or vapor recovery are handled on a case-by-case basis by the OSC.

***The Central Office Division of Hazardous Waste Management can be contacted at (614) 644-2917.***

***The OEPA Division of Hazardous Waste Management can be reached during normal business hours at (614) 728-3778.***

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### 3.8.1.6. WISCONSIN

The Wisconsin Department of Natural Resources rule series, "Investigation and Remediation of Environmental Contamination," includes specific rules on immediate and interim actions (NR 708); management of solid wastes excavated during response actions (NR 718); soil cleanup standards (NR 720); standards for selecting remedial actions (NR 722); remedial and interim action design, implementation, operation, maintenance and monitoring requirements (NR 724); and case closure (NR 726). The cleanup program is decentralized making staff available in the five regional offices for technical assistance. Each regional office has a Spill Coordinator to assist in spill-related technical issues.

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### 3.8.2. Federal Disposal—Hazardous Materials

In order to ensure proper treatment and disposal of hazardous substances recovered from CERCLA emergency response or removal sites, Section 300.65 of the NCP requires that off-site transport of hazardous substances use only facilities operating under appropriate Federal or State permits or authorization. Hazardous substances removed from such sites may be transferred only to facilities that are operating in compliance with RCRA, TSCA, and all applicable State requirements. These requirements also preclude the use of disposal units that have releases of hazardous wastes or hazardous constituents, or of disposal facilities that have releases which have not been addressed by corrective action.

U.S. EPA issued policies and procedures related to these requirements on November 13, 1987, entitled *Revised Procedures for Implementing Off-site Response Actions* (Office of Solid Waste and Emergency Response [OSWER] Directive 9834.11). Specific OSC roles and responsibilities for implementing the requirements can be found in Section IV of the *Superfund Removal Procedures Manual*, dated February 1988 (OSWER Directive 9360.03B).

***The PUCO Transportation Division can be contacted at (614) 466-0351.***

The OSC should coordinate closely with the Regional RCRA Off-site Coordinator (RROC), and/or TSCA personnel and the State, as appropriate.

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### 3.8.3. Federal Management—Oil

The NCP, Appendix E to Part 300, Oil Spill Response, Section 5.4, states that oil recovered in cleanup operations shall be disposed of in accordance with the RCP, ACP, and any applicable laws, regulations, or requirements. RRT and ACP guidelines may identify the disposal plans to be followed during an oil spill response and may address:

· sampling, testing, and classifying of recovered oil and oiled debris;

· segregation and stockpiling of recovered oil and oiled debris

· prior State disposal approvals and permits; and

· routes, methods (e.g., recycle/reuse, on-site burning, incineration, landfilling, etc.), and sites for the disposal of collected oil, oiled debris, and animal carcasses.

The Solid Waste Disposal Act as amended by the Used Oil Recycling Act (1980) and the Hazardous and Solid Waste Amendments (1984) provide the statutory authority for RCRA, as amended regulations applying to recovered oils and oily wastes. In 1992, U.S. EPA promulgated new used oil regulations at 40 CFR Part 279; these regulations incorporate the old used oil fuel requirements formerly codified at 40 CFR 266, Subpart E (1986_1992 CFRs).

The new used oil management standards at 40 CFR Part 279 apply only to "used oil," defined as any oil that has been refined from crude oil, used, and, as a result of such use, contaminated by physical and chemical impurities. If used oil is destined for disposal, the 40 CFR Part 279 regulations reference the RCRA hazardous waste management standards. Mixtures of waste oil (i.e., spilled, unused product oils) and used oil are regulated as used oil.

Waste oil and oily wastes are subject to the hazardous waste management regulations at 40 CFR Parts 124, 260-266, 268, and 270. Non-hazardous used oil may be disposed of in an industrial or a municipal solid waste landfill (each State may have additional, more stringent requirements), in accordance with 40 CFR 257 and 258.

It is Federal policy to recycle waste and used oils rather than dispose of them. Under the pre-1992 used oil regulations, used oil destined for recycling (in any way other than burning for energy recovery) is exempt from regulation as hazardous waste. The 1992 used oil management standards do address all recycling activities. Recycling waste oils and oily wastes is addressed by applicable hazardous waste management regulations.

Determining which used oil regulations apply to a particular spill is complicated by U.S. EPA's use of different statutory authority for the pre-1992 used oil fuel regulations than for the September 10, 1992, used oil management standards. The pre-1992 used oil regulations are Federally enforceable requirements in all U.S. EPA Region 5 States. The 1992 used oil management standards will become Federally enforceable requirements as the individual States promulgate regulations and become authorized for them. The relationship between 40 CFR 266 Subpart E and 40 CFR Part 279 was clarified in a May 3, 1993 *Federal Register* final rule (58 FR 26420-26426).

***For answers to spill cleanup questions, call the RCRA Hotline at (800) 424-9346.***

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**SECTION 4: PLANNING**

4.1: Resource Protection
**4.2: Trustees For Natural Resources**
**4.3: Field Survey Techniques**
**4.4: Weather Information**
**4.5: Models**

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**SECTION 4: PLANNING**

**4.1. RESOURCE PROTECTION**

Mitigation and cleanup of spills requires a knowledge of resources at risk. Because many source locations and pollution paths are possible, strict prioritization of protection strategies is difficult. However, identification of resources potentially at risk before an incident and discussion of their relative importance are useful processes, both technically and from communications and human standpoints.

Sources of resource information are provided in this section. Planning is the preferred means to identify protection strategies as it reduces time required to implement effective protective measures and improves coordination through prior personal contact between responsible agencies. Where planning has not been completed, early notification and coordination with the appropriate agencies is critical. This section identifies types of resources to be considered for protection.

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**4.1.1. Cultural Sites**

Identification of culturally sensitive sites in the vicinity of a spill can be accomplished by contacting the State Historic Preservation Officer (SHPO). This individual is generally associated with the State Historical Preservation Office or Society, which may or may not be within a department of State government. Additionally, NPS has responsibility for sites located on

Federal lands within the Region and can serve as a liaison to request NPS assistance concerning these resources. Specific procedures and Federal OSC responsibilities are set forth in the *Programmatic Agreement on Protection of Historic Properties During Emergency Response Under the National Oil and Hazardous Substances Contingency Plan.*

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### 4.1.2. Drinking Water Intakes

One of the major differences between coastal marine spills and freshwater spills (to Great Lakes and inland surface waters) is the potential impact on drinking water supplies. In many cases, users of surface waters do not have an alternate source of supply, nor do they have treatment or monitoring facilities for oil or chemical contamination.

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### 4.1.3. Environmentally and Economically Sensitive Areas

Environmentally and Economically Sensitive Areas are identified in the Inland Sensitivity Atlases. Information mapped includes:

- species data including Federal and State threatened and endangered species,
- Federal, State, Regional, and privately-owned and managed natural resource areas,
- Tribal Lands,
- Federal, State, Regional, and private designations of natural resource areas (no ownership),
- drinking water intakes,
- industrial water intakes,
- locks and dams,
- marinas and boat accesses, and
- oil storage above 42,000 gallons and oil pipelines.

Owners/operators, in the preparation of their FRPs, should also incorporate locally managed environmentally and economically sensitive area information for inclusion in the FRP.

***Additional contacts for resource information are provided in Appendix IX.***

***A list of cultural site preservation contacts for U.S. EPA Region 5 is provided in Appendix X. These contacts are generally available during business hours only.***

***Identification of drinking water intakes may be found in the Inland Sensitivity Maps, USCG local Contingency Plans, State Health Departments, and locally in Emergency Management Plans.***

***Appendix IX, the Fish and Wildlife Annex to the U.S. EPA Region 5 ICP, dentifies and establishes priorities for fish and wildlife resources and their habitats and other important sensitive areas requiring protection from discharges. It provides mechanisms for timely identification of protection priorities during a spill response.***

#### 4.1.3.1. FISH, WILDLIFE, AND PLANTS

USFWS Field Response Coordinators are the primary Federal contact for information about migratory birds, endangered and threatened species, and fish and wildlife at risk as a result of spills in the inland and coastal zones.

Each State has fisheries and wildlife biologists, who may be assigned to a Department of Natural Resources or other State agency. These personnel are assigned to geographic areas within a State (district or region) and are listed in Appendix IX. They can also be identified through State emergency response agencies or USFWS Pollution Response Coordinators.

Each State has a Natural Heritage or Natural Features Inventory in computer format. These databases were initiated by The Nature Conservancy and have been turned over to States for management. These inventories incorporate observations of endangered, threatened, and otherwise specially designated species of fish, wildlife, and plants. Some inventories are in computer format; others are hard copy only. Data can be faxed in an emergency. The inventory is generally housed in the State Department of Natural Resources.

In Illinois, the Illinois Department of Natural Resources maintains a natural heritage inventory system. At present, the location information consists of hand-labeled topographical maps. Efforts are underway to input this information to a GIS system so that publication-quality maps can be more readily reproduced. Emergency contact: IEPA (217) 782-3637.

The Great Lakes Indian Fish and Wildlife Commission (GLIFWC) can be a source of technical assistance in understanding Native American fish and wildlife management and cultural values. Another source of valuable information is the National Animal Poison Control Center.

Sea Grant Universities and Extension Agents may be a source of local knowledge outside the public sector. These agents have contact with local scientists, fishermen, environmental groups, and other sources that may supplement information provided by regulatory agencies. They can be contacted through the NOAA SSC.

4.1.3.2. PROTECTED HABITAT

Updated information on protected habitat and economically and environmentally sensitive environments is provided in this plan in three separate indices, one for each of the three drainage basins in

Region 5: the Great Lakes Basin, the Mississippi River Basin, and the Ohio River Basin. Each index contains detailed information, in digital format, regarding the environmentally and economically sensitive areas, and Tribal interests. Descriptive information, maps, and emergency contact lists are also included. The text in the indices provides further instructions on accessing the data available on the disks.

A variety of protected areas such as forests, parks, preserves, reserves, and management areas are managed by public or private organizations such as The Nature Conservancy/Heritage Foundation. Additional sources of this information include Federal or State land management agencies, which include the Departments of the Interior, Agriculture, and Commerce at the Federal level and their counterparts at the State and local levels.

***The list of current USFWS personnel and their geographic areas of expertise and/or responsibility is provided in Appendix IX.***

Following is a list of locations of Nature Conservancy-sponsored inventories of "species of concern." The staff are not response personnel and are available during business hours only:

- Indiana: Indianapolis (317) 232-4052
- Minnesota: St. Paul (612) 331-0750
- Ohio: Columbus (614) 265-6453
- Wisconsin: Madison (608) 266-0924
- Michigan: Lansing (517) 373-1552/9338

***The National Animal Poison Control Center can be contacted at: 888-426-4435***

***The Great Lakes Basin, the Mississippi River Basin, and the Ohio River Basin indices are contained in Appendix XI.***

***See Appendix IX for listings of protected areas.***

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## 4.2. TRUSTEES FOR NATURAL RESOURCES

CERCLA, CWA, and OPA require the designation of certain Federal, State, and Native American Tribal officials to act on behalf of the public as trustees for natural resources that they manage or protect. Natural resources, as defined in CERCLA Section 101(16) and OPA 1001(20) means land, fish, wildlife, biota, air, water, groundwater, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States, any state or local government, or Indian Tribe.

Natural resource(s) trustees are responsible for assessing damages to resources under their jurisdictions resulting from oil spills or release of hazardous substances. Also, agencies are responsible for seeking recovery for losses from responsible parties and for devising and carrying out rehabilitation, restoration, and replacement of injured natural resources. Where more than one natural resource(s) trustee has jurisdiction over a resource, agencies will coordinate and cooperate in carrying out the activities described above (reference NCP 300.600). Damage assessment is controlled by the designated natural resource(s) trustees and not response; however, it is important for natural resource(s) trustees to work with the OSC/RPM to coordinate activities as necessary.

To minimize impacts to natural resources and assist trustees in carrying out their responsibilities, the OSC is required to:

(1) Promptly report actual or potential discharges or releases to those federal, state, and tribal agencies designated as trustees for natural resources;

(2) Consult with trustees and other natural resource managers in determining such impacts and appropriate protective actions;

(3) Coordinate all response activities with trustees and other natural resource managers;

(4) Make available to trustees, documentation and information that can assist the trustees in determining actual or potential natural resource injuries; and

(5) Consult with USFWS on all incidents and response activities that may affect federally-listed threatened or endangered species, or their habitats.

The trustees and other natural resource managers, consistent with procedures specified in the *Fish and Wildlife Annex* (Appendix IX), may provide timely advice on recommended actions concerning resources that are potentially affected by a discharge of oil or release of hazardous substances. This could include providing assistance to the OSC/RPM in identifying and recommending pre-approved response techniques and in predesignating shoreline types and areas.

***For U.S. EPA Region 5, the DOI Office of Environmental Policy and Compliance contact is located in Philadelphia, PA, at (215) 597-5378.***

***See Appendix IX for detailed discussion of trustee responsibilities.***

***Contact U.S. EPA Emergency Response Team (ERT) at (908) 906-6825 (business hours).***

The trustees are authorized to assess monetary damages for resources injured, lost, or destroyed as a result of discharge of oil or releases of hazardous substances. In addition, the trustees are authorized to seek damages from the responsible person(s), and to devise and carry out restoration, rehabilitation and replacement of natural resources. Where more than one trustee has jurisdiction over a resource, these agencies should coordinate and cooperate in carrying out their activities. RRT representatives from trustee agencies serve as contact points.

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### 4.2.1. Federal Trustees

Unless delegated to an Authorized Official, the Secretary of the Interior is the natural resource trustee for the natural resources managed or controlled by the following DOI Bureaus:

NPS: National parks, national monuments, national historic sites, national recreation areas, and wild and scenic rivers;

USFWS: National wildlife refuges, national fish hatcheries, waterfowl production areas, migratory birds, threatened and endangered species, and anadromous fish.

BLM: Public lands and federally owned minerals (underlying private as well as public lands).

BIA: In cases where the United States acts on behalf of a Native American Tribe, the Secretary of the Interior also acts as trustee for natural resources for which the tribe would otherwise act as trustee, i.e., reservations and other lands or natural resources held in trust for the tribe including off-reservation natural resources).

The Secretary of Agriculture is trustee for the national forests and national grasslands.

The Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), is trustee for lands under their administration; certain federally listed species; marine mammals; and marine, anadromous, and some Great Lakes fishes.

The Secretary of Defense is trustee for military lands and USACE project lands.

The Secretary of Energy is trustee for DOE lands and facilities.

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### 4.2.2. State Trustees

The governor of each state has designated state officials to act on behalf of the public as trustees for natural resources. Natural resources under state jurisdiction include all fish, wildlife, and biota including a shared trusteeship with the federal government for certain plants and animals, air, surface water, groundwater, and land.

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### 4.2.3. Native American Tribal Trustees

The tribal chairman or head of the tribal governing body, or person designated by tribal officials, acts as trustee of natural resources under Native American tribal trusteeship including lands and other natural resources belonging to, managed by, controlled by, or otherwise appertaining to the tribe; or held in trust for the tribe; or belonging to a member of the tribe if subject to a trust restriction on alienation.

***State trustees for natural resources within Region 5 are listed in Annex 1 to Appendix IX.***

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### 4.2.4. Functions of Trustees

The DOI Office of Environmental Policy and Compliance manages oil spills,and releases of hazardous substances. This includes supervision of DOI's participation in contingency planning, response activities, technical assistance, and training exercises. In this regard it represents the Department in the NCP, the FRERP, and other Federal response plans for natural and technological hazards on national and regional response teams.

The DOI Office of Environmental Policy and Compliance is the initial contact for notification and for overall coordination of its trustee activities. USFWS is the program manager for endangered species, anadromous fish, and the lands in the National Wildlife Refuge system, and will be among those involved for DOI in spill incidents because of its responsibility for these resources. The Department of the Interior, Department of Defense, Department of Energy, Department of Agriculture, U.S. National Forest Service, National Oceanic and Atmospheric Administration, and Native American Tribes may serve as trustees or co-trustees.

At the time of a spill, the Federal trustees and trustees of affected Stateand Tribal communities will meet and select one agency to act as Lead Administrative Trustee (LAT). They will convene a trustee group to ensure the best possible coordination of natural resource trustee activities such as data gathering, damage assessment, and negotiations with responsible parties.

The trustees may initiate a natural resource damage assessment. The Federal damage assessment regulations for oil discharges mandated under OPA were developed by NOAA and are now final. The regulations developed by DOI under CERCLA and CWA authorities apply to releases of hazardous substances and are in effect and available for trustee guidance and use. The NOAA SSC can serve as the liaison between the OSC and the trustees conducting damage assessment data collection efforts.

Specific natural resource trustee activities which may be expected to begin during a response include, but are not limited to:

(a) convening the trustee group;

(b) developing and implementing initial sampling plans;

(c) establishing the lead administrative trustee;

(d) developing NRDA initiation requests to the OSLTF;

(e) selecting appropriate assessment strategies;

(f) implementing longer-term assessment studies; and

(g) planning and implementing natural resource restoration.

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## 4.3. FIELD SURVEY TECHNIQUES

### 4.3.1. Remote Sensing

A variety of land-based remote sensing methods exist which have been successfully used and are commercially available through contractors. Contact U.S. EPA for details and access its contracted resources.

Aerial remote sensing, primarily used for locating pollutants in water, is in its early stages of development. Technologies are similar to land-based systems; however, data acquisition and interpretation are costly and of limited value. The agencies listed below have capabilities and experts that can be consulted regarding the use of these techniques.

EPA Environmental Photographic Interpretation Center (EPIC)
Reston, Virginia | (703) 648-4284; fax: (708) 648-4290
NOAA Satellite Services Division | (301) 7638051 (business hours); (301) 763-8142, x 124
Environment Canada (Emergency Science Division) | (613) 9989622

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### 4.3.2. Underwater Response

4.3.2.1. UNDERWATER SURVEY EQUIPMENT

The following underwater survey equipment is available to the Region through the U.S. EPA Emergency Response Team (ERT):

Remote-Operated Vehicle (ROV): For use in observing underwater objects from shore or boat (1,000-foot depth limit).

Mesotech Sonar: Mounted on ROV to locate any object above bottom sediments. ROV directed to potential drums by sonar.

Proton Magnetometer: Locates metal objects underwater. Towed behind a boat.

Sediment and Water Sampling Equipment: Provides ability to sample water and sediments at any depth. Analyses performed at ERT's laboratory facilities, Edison, NJ.

20-foot Boston Whaler: Trailerable boat specially designed for underwater electronic surveys and diving operations.

Side-Scan Sonar Survey Equipment: Accurately maps bottom.

4.3.2.2. DIVING CAPABILITIES

ERT Diving Team: Three U.S. EPA-certified divers with Level B-equivalent diving gear.

Commercial (Contract) Divers: For long-term underwater removals, Region 5 uses private diving firms that comply with U.S. EPA's Chapter 10 Diving Safety Regulations.

Various Diving Equipment: Available from any of U.S. EPA's five diving units.

***Contact ERT's Unit Dive Officer: 908-906-6825 (business hours). For a list of qualified diving contractors and required equipment modifications, contact Unit Dive Officer, U.S. EPA Region 5 (312-886-4466).***

### 4.3.3. Field Services Section

The Field Services Section, Superfund Division, Region 5, has the ability to perform limited field surveys at hazardous waste sites. The Section has staff and equipment to provide the following services using various techniques and field equipment:

(a) Surface geophysical surveys: using ground-penetrating radar, electromagnetic surveys, magnetometers, seismic refraction, and resistivity measures.

(b) Subsurface geophysical surveys: using seismic tomography, electromagnetic surveys, natural gamma detection, single-point resistivity, spontaneous potential measures, fluid resistivity, and various borehole measures.

(c) Soil/Groundwater samples: using a Geoprobe or similar equipment.

(d) Aerial photography: using a remote control helicopter for low level flights.

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## 4.4. WEATHER INFORMATION

NOAA's NWS forecast offices are operated 24 hours a day and primarily provide weather forecasts and warnings. In addition, many can provide hydrological information.

The NWS Forecast Office in Cleveland houses a computer weather product database called DMWDS. A password that can be obtained through the Cleveland office allows access to forecasts for all the Great Lakes and raw data (e.g., wind speed and direction) from many reporting stations, including NOAA data buoys throughout the Great Lakes. The NWS offices on the inland rivers provide river velocity information, as well as weather forecasts, warnings, and observations.

The offices listed below are Forecast Offices at which forecasts are prepared. Other NWS offices located throughout the region have access to the same data and can be useful resources.
Cleveland, OH -- (216) 265-2374
Pittsburgh, PA -- (412) 262-1988
Charleston, WV -- (304) 746-0188/89
Romeoville, IL -- (815) 834-0651
Detroit/Pontiac, MI -- (810) 625-4139
Minneapolis, MN -- (612) 361-6671
Milwaukee, WI -- (414) 965-5063
Indianapolis, IN -- (317) 856-0360
Marquette, MI -- (906) 475-5213
Duluth, MN -- (218) 729-6572
Green Bay, WI -- (414) 497-9177

***The Field Services Section, Superfund Division, Region 5 can be contacted at (312) 886-3011.***

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**4.5. MODELS**

**4.5.1. Water**

4.5.1.1. NOAA GREAT LAKES ENVIRONMENTAL RESEARCH LABORATORY (Great Lakes open water)

Surface water models exist for the Great Lakes and interconnecting channels. The open water model for all of the Lakes was produced by NOAA's Great Lakes Environmental Research Laboratory (GLERL) and is housed on their VAX.

Models of near-shore areas and tributaries to the Great Lakes have various levels of detail. Contact with Sea Grant Institutions or USGS is suggested.

4.5.1.2. ReachScan Model

A model for the Mississippi River or Illinois Waterway was developed for U.S. EPA by Versar, Inc., in 1986. The model is called ReachScan, and is also on PC GEMS, a widely used U.S. EPA modeling program. Contact SSC for 24-hour information on pollutant movement in surface waters.

4.5.1.3. NOAA HAZMAT MODELING AND SIMULATION STUDIES BRANCH (MASS)

MASS can provide spill trajectories and information on
· weather,
· currents,
· water levels, and
· oil fate and behavior.

MASS maintains and operates the On-Scene Spill Model (OSSM) for marine spills and can run other available models (such as GLERL's) for the Great Lakes and Inland Rivers.

4.5.1.4. USACE COLD REGIONS RESEARCH ENGINEERING LABORATORY (CRREL) (RIVERS: GENERAL, AND ST. MARY'S, DETROIT—ST. CLAIR, AND OHIO RIVERS SPECIFICALLY); AND ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION (SLSDC)

Interconnecting channel models have been produced by the USACE CRREL. SLSDC also has a model for the St. Lawrence River. These models are available through USACE and operate on an MSDOS PC. Noncomputerized hydraulic information, which can be used to calculate travel times along the Great Lakes interconnecting channels, is provided in CANUSLAK.

4.5.1.5.ORSANCO (OHIO RIVER, MAIN STEM ONLY)

Time-of-travel estimations for the main stem of the Ohio River have been modeled by ORSANCO (model does not include the Monongahela and Allegheny tributaries). The model can be run on a MSDOS PC and is available through ORSANCO.

4.5.1.6. USACE DISTRICTS

USACE Districts are a source of information concerning water levels and velocities on the interconnecting channels to the Great Lakes and on the inland rivers.

***The open water model for all of the Lakes is accessible to anyone with a modem by contacting (313) 741-2244.***

***Contact MASS at (206) 526-6317 or via the NOAA SSC for the Great Lakes and Inland Rivers (216) 522-7760).***

***The contact number for ORSANCO is (513) 231-7719.***

(a) USACE's Detroit Office is capable of running trajectory models for the St. Mary's and the Detroit-St. Clair River Systems.

(b) USACE's Buffalo office houses the St. Lawrence River model.

(c) The Rock Island District and the St. Louis District can provide projections of flow on the Mississippi River from Minneapolis to St. Louis and the Illinois Waterway.

(d) The Pittsburgh Office and the Cincinnati Division can provide river flow data and river stage data for the Ohio River.

(e) The Chicago Office can provide river flow information for waterways in the Chicago Metropolitan area: the Chicago, Fox, DuPage, Little Calumet, and Kankakee Rivers.

(f) The St. Paul District's Riverine Emergency Management Model (REMM) can compute travel time between any two points on a river system and optionally can compute the fate of a chemical spill on the system. REMM is a generic program whose data set has been modeled on the Mississippi River headwaters.

4.5.1.7. NWS FORECAST OFFICES

These are secondary sources of river flow information, which can convert flows to velocities at select locations along rivers.

Ohio River—Cincinnati, OH (513) 383-0527

Lower Mississippi River—Slidell, LA (504) 641-4343

North Central—Minneapolis, MN (612) 361-6660

National Ocean Service (NOS), Silver Spring, MD (Water Levels) (301) 713-2902; (301) 713-2902 (business hours)

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**4.5.2. Air Dispersion**

A variety of air dispersion models are available, some of which are personal-computer-based and some of which require a mainframe computer. Computer-based models are quite useful in response planning; however, their results should be applied with caution. Discussion of output with experts is critical to correct interpretation and limitations. ARCHIE (developed by FEMA, U.S. EPA, and DOT), and NOAA's ALOHA (part of CAMEO), are examples of simple, computer-based planning models.

***Detroit (Detroit River/Lake St. Clair/St. Mary's River) (313) 226-6413***

***Buffalo (St. Lawrence Riv.) (716) 879-4200***

***Rock Island (Upper Mississippi River, and the Illinois River) (309) 794-5272; (319) 627-4138 (24 hours).***

***St. Louis (St. Louis to Cairo and lower Illinois) (314) 331-8000***

***Chicago (Illinois River, defer to Rock Island) (312) 353-8884***

***REMM (612) 290-5402***

***Agencies that can run air dispersion models, interpret the output, and provide expert advice during a response include:***
***NOAA MASS (206) 526-6317;***
***U.S. EPA ERT (908) 321-6660;***
***ATSDR (404) 639-0615;***
***Environment Canada (416) 3461971;***

***Ontario Ministry of the Environment, Spills Action Center (416) 3253000.***

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## SECTION 5: LOGISTICS

5.1: Site Security
5.2: Communications
5.3: Transportation
5.4: Special Teams and Other Assistance Available to OSCS/RPMS
5.5: Non-Federal Chemical Expertise
5.6: State Organizations
5.7: Basic Ordering Agreement (BOA) Contractors

### 5.1. SITE SECURITY

Generally, local law enforcement or the responsible party provide site security at the scene of a response. However, the OSC has the authority to provide for site security as necessary.

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### 5.2. COMMUNICATIONS

#### 5.2.1. Computer Bulletin Boards

Access by other staff to the computer bulletin boards listed below may be arranged through the appropriate RRT member.

5.2.1.1. FIRSTCLASS E-MAIL(NOAA RRT SYSTEM)

NOAA's FirstClass E-mail is an electronic communication network. Through this system, e-mail can be exchanged between RRT and NRT members, contractors, and State and Federal spill response agencies with accounts on the system. Although the capability exists, the effort has been directed at establishing support for the NRT members and the RRT Co-chairs. NRT members and RRT Co-chairs can contact the NRT FirstClass Administrator for information on obtaining an account.

5.2.1.2. ORSANCO

ORSANCO operates an electronic bulletin board, which is available to provide water quality information during spill events in the Ohio River basin. The system is resident on a personal computer and employs Mustang's Wildcat Bulletin Board software. In addition to spillrelated information, ORSANCO posts daily flow data and seasonal water quality data on the Board. There is no charge or formal registration procedure to use the system. Anyone can call and obtain immediate access to whatever is on file.

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#### 5.2.2. NRC Teleconference Service

The National Response Center is capable of establishing a teleconference of up to 60 participants. The system is intended for use in support of emergency response operations, but can be made available on a limited basis for routine matters.

Federal OSCs and RRT chairmen may request a teleconference by contacting the NRC Duty Officer. They may request emergency conferences at any time, but should provide 1-day advance notice whenever possible.

In addition, both FEMA and GSA has a dedicated teleconference system capable of handling 10 participants.

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### 5.3. TRANSPORTATION (AIR, LAND, WATER)

Generally, government and/or personal vehicles or commercial airlines are utilized as transportation during response incidents. If necessary, charter services may be contracted.

***For further information, see the* NOAA HAZMAT FirstClass User's Manual, *dated June 1994, or contact (202)***

***267-4497.***

***For information concerning procedures for logging onto the system and for reading reports, contact ORSANCO at (513) 231-7719.***

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## 5.4. SPECIAL TEAMS AND OTHER ASSISTANCE AVAILABLE TO OSCS/RPMS

Different Federal Agencies can provide special forces that an OSC/RPM can call upon for assistance during an oil spill or hazardous substance release. These special forces are described below. They can be requested through the agency's RRT member.

### 5.4.1. National Strike Team

The National Strike Team consists of the three USCG Strike Teams, the Public Information Assist Team (PIAT), and the NSFCC, and is available to assist OSCs in both preparedness and response. The Strike Team provides trained personnel and specialized equipment to assist the OSC in training, spill stabilization and containment, and monitoring or directing response actions. The NSFCC can provide coordination support to the OSC and assist in locating spill response resources.

5.4.1.1. ATLANTIC STRIKE TEAM (AST)

AST is a pollution control team equipped and trained to assist in the response to oil or chemical incidents. The AST has personnel on standby to respond to incidents occurring in the Great Lakes and eastern United States. Services available from the AST include:
· technical expertise;
· supervisory assistance;
· cost documentation;
· deployment of salvage and pollution control equipment; and
· training in pollution response techniques.

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### 5.4.2. U.S. EPA Scientific Support Center

5.4.2.1. U.S. EPA ENVIRONMENTAL RESPONSE TEAM (ERT)

The ERT provides access to special response equipment including decontamination, sampling,, and air monitoring equipment. The ERT has expertise in treatment technology, biology, chemistry, hydrology, geology, and engineering, and can advise the OSC in:
· hazard evaluation and risk assessment,
· multimedia sampling and analysis,
· water supply decontamination and protection,
· safety,
· cleanup techniques and priorities,
· dispersant application, and
· training.

5.4.2.2. RADIOLOGICAL EMERGENCY RESPONSE TEAMS (RERTS) have been established by U.S. EPA ORIA to provide response and support for incidents or sites containing radiological hazards. Expertise is available in:
· radiation monitoring,
· radionuclide analysis,
· radiation health physics, and
· risk assessment.

RERTs can provide on-site support, including mobile monitoring laboratories for radiochemical sampling and analysis. Requests for support may be made 24 hours a day via the National Response Center or directly to the Regional U.S. EPA Radiation Program Manager in the Air and Radiation Division. Assistance is also available from the Nuclear Regulatory Commission, DOE, and other Federal Agencies.

***The NSFCC's contact number is (919) 331-6000.***

***The Atlantic Strike Team's contact number is (609) 7240008.***

***The ERT's contact number is (908) 321-6740.***

***The contact number for the NRC's Radiological Emergency Response Team is (800) 424-8802.***

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### 5.4.3. ATSDR/CDC

ATSDR, the lead Federal Agency for hazardous materials incidents, can provide the following experts for consultation and advice:

(1) Within 10 minutes: an emergency response coordinator;

(2) Within 20 minutes: a preliminary assessment team consisting of a toxicologist, chemist, environmental health scientist, physician, and other health personnel as required;

(3) Within 8 hours: an on-site response team (if the incident warrants).

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### 5.4.4. Navy Supervisor of Salvage

The Navy Supervisor of Salvage and Diving, Office of the Director of Ocean Engineering (SUPSALV), maintains special equipment and trained teams for response to salvage-related oil and hazardous substance incidents. SUPSALV maintains an extensive inventory of oil pollution abatement equipment located primarily at Williamsburg, VA, and Stockton, CA, which is containerized for immediate deployment by air or truck.

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### 5.4.5. NOAA Scientific Support Coordinator

The NOAA SSC provides scientific support in
· environmental chemistry,
· oil spill trajectories,
· natural resources at risk,
· environmental tradeoffs of countermeasures and cleanup, and
· information management.

OSC requests for SSC support can be made directly to the assigned area SSC, the NOAA HAZMAT program office in Seattle, or the DOC RRT representative.

The SSC may, at the request of the OSC, lead the scientific team and be responsible for providing scientific support for operational decisions and for coordinating on-scene scientific activity. The SSC may also facilitate the OSC's work with the lead administrative trustee for natural resources to ensure coordination between damage assessment data collection efforts and data collected in support of response operations. The SSC can also support RRTs and Area Committees in preparing Regional and area contingency plans and in conducting spill training.

The NOAA SSC serving the Ninth Coast Guard District is located at District Headquarters in Cleveland, Ohio. The NOAA SSC can provide:
· weather forecasts, water levels, and currents;
· spill trajectory forecasts;
· oil observations and overflight maps;
· information management;
· natural resources at risk;
· coordination of the natural resource trustee agencies;
· environmental tradeoffs of countermeasures and cleanup;
· environmental chemistry, including oil fingerprinting;
· health and safety;
· support to RRTs and Area Committees in preparing regional and area contingency plans and conducting spill training and exercises.

***The ATSDR/CDC contact number is (404) 639-0615.***

**NOAA SSC contact numbers are:**
**usiness hours: (216) 522-7760**
**24-hour: (206) 526-6317 FAX: (216) 522-7759**

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### 5.4.6. USCG District Response Group

The USCG District Response Groups (DRGs) provide the OSC with technical assistance, personnel, and equipment. The DRG comprises USCG personnel and equipment in the district, and an advisory team that coordinates movement of USCG resources.

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### 5.4.7. Office of Pipeline Safety

The DOT Office of Pipeline Safety is another resource available to OSCs.

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### 5.5. NON-FEDERAL CHEMICAL EXPERTISE

Technical and scientific information generated by the local community, along with information from Federal, State, and local governments, should be used to assist the OSC in devising response strategies where effective standard techniques are unavailable. Additional support is available from the organizations listed below.

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### 5.5.1. Chemical Transportation Emergency Center

The Chemical Transportation Emergency Center (CHEMTREC), a service of the Chemical Manufacturers' Association, provides technical data, coordination of chemical manufacturers, and emergency response information on chemical spills.

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### 5.5.2. American Petroleum Institute

The American Petroleum Institute (API), 2100 L Street, NW, Washington, DC 20037, is an organization consisting of representatives of the petroleum industry. Technical and operational expertise is available.

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### 5.5.3. National Pesticide Telecommunication Network

The National Pesticide Telecommunication Network provides information on pesticide-related health/toxicity/minor cleanup to physicians, veterinarians, fire departments, government agencies, and the general public.

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### 5.5.4. Canadian Transport Emergency Center

For dealing with Canadian shipments, the Canadian Transport Emergency Center (CANUTEC) has technical experts on duty 24 hours for chemical guidance.

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### 5.5.5. Association of Railroads, Bureau of Explosives

The Bureau of Explosives of the Association of Railroads, Washington, DC, can provide assistance in:
· accident assessment,
· classification of materials,
· environmental impacts,
· methods of cleanup, and
· mechanical evaluations
for incidents involving railroad trains.

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## 5.6. STATE ORGANIZATIONS

For services listed in this section, contact the appropriate State representative to the RRT.

***District 9 Marine Safety Office contact number is (216) 902-6047/8.***

***District 8 Marine Safety Division contact number is (504) 589-6225.***

***The Office of Pipeline Safety contact number is (202) 366-4595.***

***The CHEMTREC 24-hour emergency number is (800) 4249300.***

***The contact number for API is (202) 682-8000 (business hours only).***

***The 24-hour number for CANUTEC is (613) 996-6666.***

***The Bureau of Explosives can be contacted at (202) 639-2222 during normal business hours; 24-hour response is available through CHEMTREC/Bureau of Explosives at (800) 424-9300.***

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### 5.6.1. Illinois

IEPA has six chemists on its emergency response staff and immediate access to four toxicologists and one certified industrial hygienist. Explosive disposal expertise is available commercially in the Chicago area or through the Illinois Secretary of State's Police Bomb Squad, based in Springfield.

IEPA and the Indiana Department of Public Health (IDPH) have human and environmental toxicologists. The University of Illinois supports a 24hour veterinary toxicology hotline. Computer databases for physical, chemical, toxicological, and environmental data are available through government and commercial sources to both IEPA and IDPH.

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### 5.6.2. Indiana

IDEM has access to the Chemistry Section Chief 24 hours per day for technical advice about hazardous materials releases. In addition, IDEM has access to ISDH staff toxicologists to provide toxicological information and to assess the impact of spills on ingestion, inhalation, or direct contact, and to make recommendations on human health advisories 24 hours per day.

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### 5.6.3. Michigan

*To be written.*

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### 5.6.4. Minnesota

The on-call staff of MPCA are trained in chemical emergency hazards. MPCA toxicologist and Health Risk Assessment staff of the Department of Health can consult on hazards, but are not on call. The State's Duty Officer can reach and activate several local bomb squads throughout the State. MPCA's emergency contractor has staff trained in chemical hazards and industrial hygiene.

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### 5.6.5. Ohio

In consultation with the Ohio Department of Health Epidemiology Section, toxicological information can be provided and recommendations can be made on human health advisories concerning spills that may impact water supplies, the food chain, or result in public exposure.

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### 5.6.6. Wisconsin

The Department of Health and Family Services provides coordination of emergency public health and human services. Emergency public health activities includes technical assistance for hazardous material releases, disease outbreaks, radiological monitoring, natural disasters, and other health emergencies. The Division of Health employs a large number of environmental health professionals, including physicians, toxicologists, environmental health specialists, epidemiologists, public health nurses and public health educators who can be involved as a situation and their expertise warrants.

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### 5.7. BASIC ORDERING AGREEMENT (BOA) CONTRACTORS

USCG has established Basic Ordering Agreements with a number of commercial environmental remediation contractors. The list of current contractors is available on the following web sites:
· http://www.uscg.mil/mlclant/fdiv/8thdistrict.htm
· http://www.uscg.mil/mlclant/fdiv/9thdistrict.htm

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## SECTION 6: FINANCE

6.1: General
6.2: CERCLA-Funded Responses
6.3: OPA-Funded Responses
6.4: Reimbursement to Local Governments For Emergency Response to Substance Releases
6.5: Documentation for Enforcement and Cost Recovery

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### 6.1. GENERAL

The person or persons responsible for discharges or releases are liable for costs of cleanup. The OSC shall attempt to have the party responsible for the discharge or release voluntarily assume responsibility for containment, removal, and disposal operations. If the OSC determines that the responsible party has caused the discharge of oil or release of hazardous substances, he/she may initiate appropriate response actions established by OPA, CWA, or CERCLA. Action will be initiated by the agency administering the funding mechanism to recover such expenditures from the party responsible for the discharge, if known. The OSC may also issue an Administrative Order, either by consent or unilaterally, to require financially viable responsible parties to conduct the removal action.

Until new guidance is published, all incidents requiring funding must be screened by category:

(a) CWA Section 311(k) for oil only, and

(b) CERCLA for any release or threat of release of a hazardous material as defined by CERCLA.

A U.S. EPA and USCG Headquarters agreement states that response to any potentially hazardous oil and hazardous materials mixture shall be CERCLA-funded. This section addresses U.S. EPA and State access to OPA and CERCLA funding. USCG procedures can be found in USCG ACPs.

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### 6.2. CERCLA-FUNDED RESPONSES

Two mechanisms exist for funding a response and response-related activities of another Federal Agency other than U.S. EPA:

(a) an agency's Superfund budget, and

(b) an interagency agreement (IAG) authorizing access to the CERCLA Superfund account.

Response operations for hazardous substances or mixture of hazardous materials and oil may be funded from the CERCLA Superfund account. Removal actions shall not continue after $2 million has been obligated or twelve months have elapsed from the date of the initial response, unless U.S. EPA grants an exemption in accordance with Section 104(c)(1) CERCLA, as amended. Additionally, CERCLA-funded action may not be taken in response to a release or threat of a release:

(a) Of a naturally occurring substance in its unaltered form or altered solely through naturally occurring processes or phenomena, from a location where it is naturally found;

(b) From products which are part of the structure of, and result in exposure within, residential buildings or business or community structures;

(c) Into public or private drinking water supplies as a result of system deterioration through ordinary use.

However, U.S. EPA may respond to any release or threat of release if it is determined that it constitutes a public health or environmental emergency and no other person with the authority and capability to respond to the emergency will do so in a timely manner.

The U.S. EPA Superfund Division has been delegated authority to approve actions costing up to $2 million. State and local governments are not authorized to take actions that involve expenditure of CERCLA funds, unless an appropriate contract or cooperative agreement has been established.

The OSC is responsible for identifying whether technical assistance from another agency is necessary, and for making arrangements for that assistance. In addition, OSCs are responsible for initiating and processing any site-specific IAGs necessary for reimbursing Federal Agency participation.

U.S. EPA OSCs may develop, negotiate terms, and award IAGs for site-specific, U.S. EPA-led actions. For these IAGs, the OSC:

(a) defines the scope of work to be performed;

(b) outlines the responsibilities of each agency;

(c) determines the performance period;

(d) identifies primary contacts in each agency;

(e) names contractors and the dollar amounts of any contracts, if applicable;

(f) determines the overall reporting, invoicing, and amendment requirements

(g) prepares four copies of the Interagency Agreement/Amendment (EPA Form 1610-1), and

(h) prepares the commitment notice and the transmittal/decision memorandum.

The OSC then monitors accomplishment of work in accordance with the IAG scope of work.

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### 6.3. OPA-FUNDED RESPONSES

#### 6.3.1. National Pollution Fund Center (NPFC)

OPA established the Oil Spill Liability Trust Fund (OSLTF) to pay for oil spill cleanups and damages in cases where the responsible party cannot or will not pay for the cleanup. The NPFC currently administers the disbursement of OSLTF money. The NPFC has several responsibilities, including:

(a) providing funding to permit timely removal actions;

(b) initiating Natural Resource Damage Assessments for oil spills;

(c) compensating claimants for damages caused by oil pollution;

(d) recovering costs owed by the responsible parties for oil pollution damages; and

(e) certifying the financial responsibility of vessel owners and operators.

OPA effectively permits other Federal Agencies, the States and Native American Tribes access to the OSLTF for a variety of purposes. The OSLTF can be used following an incident for removal actions and actions necessary to minimize or mitigate damage to the public health or welfare, and natural resources. Access to the OSLTF is partially governed by Section 6002 of OPA, 33 U.S.C. Section 2753. Federal, State, local, or Tribal agencies may get funding for removal costs through the OSC or by submitting a claim to the NPFC.

*The NPFC can be contacted at (703) 235-4700. Its mailing address is 4200 Wilson Blvd., Ste. 1000 Arlington, VA 22203-1804*

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**6.3.2. U.S. EPA Access to OSLTF**

Following spill notification, the OSC should:

(a) Contact the appropriate USCG District Office to obtain a Federal Project Number (FPN) for the response;

(b) Obtain approval for the project expenditure ceiling from USCG;

(c) Contact U.S. EPA Region 5 Budget Office in Cincinnati and obtain an account number;

(d) If necessary, initiate proper contracting mechanisms (such as ERCS, BOA, START) to assist in the cleanup effort; and

(e) If necessary, utilize Federal support structure as defined in the NCP. An OSC may obtain assistance from USCG/Strike Teams, NOAA, ERT, etc.

During the actual response, the OSC should:

(a) Document progress through POLREPs, including costs (copies to NPFC, Marine Logistics Command [MLC], District); and

(b) Track costs using U.S. EPA Removal Cost Management System or USCG paperwork.

In the case of a cleanup that lasts 30 days or less, the OSC must submit a cost documentation package within 30 days of cleanup completion.

For cleanups that extend beyond 30 days, the OSC must submit a cost documentation package every 45 days.

The documents to be included in cost documentation package are listed below:
(a) Summary letter,
(b) Personnel costs,
(c) Personnel travel costs,
(d) Other U.S. EPA costs, including U.S. EPA vehicles and equipment,
(e) U.S. EPA contractor costs,
(f) USCG Basic Ordering Agreements (BOAs), and
(g) Other government agency costs (local, State, or Federal).

When the cleanup has been completed, the OSC should write a completion report, which should be sent to the NPFC and to the ERD Division Director. The report should be similar to the OSC report developed at the end of a CERCLA response. The final POLREP for the response can serve as the completion report, unless the RRT requests a formal report. The report should include:

(a) a summary of the response events, including:

· spill location,
· cause,
· responsible party actions, and
· beginning and ending dates;

(b) an appraisal of the effectiveness of the removal actions taken by:
· the responsible parties,
· Federal Agencies,
· contractors,
· private groups, and
· volunteers; and

(c) recommendations for prevention of future incidents.

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**6.3.3. State Access to OSLTF**

States can access the OSLTF in three ways:

(a) Direct Access. States must request direct access through the FOSC. State access must be approved by the FOSC. The request must come only from the official designated by the Governor.

A proposal must be submitted to the FOSC and include anticipated funding and scope of work to be taken at the site. Ceiling increases and changes in the scope of work must be approved by the FOSC.

(b) Pollution Removal Funding Authorization (PRFA). The State acts as a contractor to the FOSC on site and can oversee site activities. The State can oversee Federal contractors under a PRFA.

The FOSC will prepare cost documentation and submit to the NPFC. State and other agency rates can be developed in conjunction with the NPFC.

Each agency involved in the spill must have a separate PRFA.

(c) Claims. Costs for spill cleanup can be submitted to the NPFC after the incident if direct access or a PRFA was not used. An FOSC is not involved in the claims process.

The NPFC will determine whether all actions taken at the site were consistent with the NCP.

In accordance with regulations promulgated under Section 1012(d)(1) of OPA, the President, upon the request of a Governor of a State or the individual designated by the Governor, may obligate the OSLTF through the NPFC for payment in an amount not to exceed $250,000 for removal costs consistent with the NCP required for the immediate removal of a discharge, or the mitigation or prevention of a substantial threat of a discharge, of oil. Requests for access to the OSLTF must be made to the OSC by telephone or other rapid means.

***The list of current State designees to request OSLTF funds is contained in Appendix XIII, Section 7.***

In making a request to access the OSLTF, the person making the request must do the following:

(a) Indicate that the request is a State access request under

33 CFR Part 133;

(b) Give their name, title, department, and State;

(c) Describe the incident in sufficient detail to allow a determination of jurisdiction, including at a minimum:
· the date of the occurrence,
· type of product discharged,
· estimated quantity of the discharge,
· body of water involved, and
· proposed removal actions for which funds are being requested under this part; and

(d) Indicate the amount of funds being requested.

For further information, refer to the USCG Technical Operating Procedures (TOPs) for State Access Under Section 1012

(d)(1) of OPA (NPFC Instruction 16451.1, November 1992), and the Flow Chart, State Access to OSLTF Under Section 1012(d)(1) of OPA, 33 U.S.C. Section 2712. These documents are available through the NPFC.

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### 6.3.4. Trustee Access to OSLTF

Trustees must obtain OSC approval prior to obtaining reimbursement of removal costs incurred while responding to an oil and/or hazardous substance discharge under the direction of the OSC. If a trustee believes that a Federal response action is necessary to protect natural resources, whether or not the response action has been Federalized, the trustee must notify the OSC in order to assure that any response action taken is authorized and in accordance with the requirements of the NCP, located at 40 CFR Part 300. If natural resource trustees wish to access the OSLTF in order to initiate a natural resource damages assessment, they must work directly with the NPFC, through the Federal Lead Administrative Trustee. In addition, the trustees may submit claims for natural resource damages to the NPFC for payment from the OSLTF.

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### 6.3.5. Reimbursable Expenses

OPA authorizes payment of "Removal Costs, including the costs of monitoring removal actions, consistent with the National Contingency Plan." This allows payment of incident-specific costs authorized by a Federal OSC, including costs of monitoring a responsible party's cleanup, as well as actual Federal cleanup activities. The fund may pay:

(a) costs of containment and removal of oil from water and shorelines;

(b) costs to prevent, minimize, or mitigate oil pollution where there is a substantial threat of discharge of oil; and

(c) costs of taking other related actions necessary to minimize or mitigate damage to the public health or welfare, including, but not limited to, damage to:
- fish,
- shellfish,
- wildlife,
- public and private property,
- shorelines, and
- beaches.

Examples of incident-specific Federal removal costs payable from the fund include:

- out-of-pocket expenses (e.g. per diem, travel, vehicle mileage costs; replication, transmission, and delivery of reports; rental cars; and field consumable costs),

- contracted costs,

- costs of U.S. EPA technical assistance teams,

- specific salary costs for temporary government employees hired or activated for the duration of the spill response, and

- specific salary costs for Federal employees not ordinarily available for oil spill response.

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### 6.3.6. Procedures for Reimbursement

To seek reimbursement from the Federal Pollution Fund:

(1) Federal Agencies must submit their reimbursable expenses on Form SF 1080, "Voucher for Transfer between Appropriations and/or Funds," to the OSC for certification.

(2) The OSC will submit certified requests for reimbursements to NPFC within 60 days after completion of the cleanup action (33 CFR 153.417).

(3) The USCG will effect transfer of funds to the agency requesting reimbursement, and prepare a billing for the discharger from information on recoverable expenditures on the USCG form, "Personnel Vehicle and Miscellaneous Cost Accounting

Sheet" (available from USCG).

State agencies that do not have a formal agreement must submit a letter to the OSC requesting reimbursement. This letter must include a detailed itemized statement of reimbursable expenditures. Refer to the USCG Marine Safety Manual for additional information.

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### 6.3.7. Cost Recovery Action

All agencies participating in a Federal response must submit an itemized account of all recoverable costs to the OSC within 60 days of the completion of a cleanup operation.

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### 6.3.8. Recoverable Costs

The discharger incurs liability up to the discharger's legal limit of liability for all actual costs associated with Federal removal following Federal assumption of response activities. Recoverable costs include:

(a) direct expenditures from the fund (i.e., payment of contractors or vendors);

(b) all reimbursable agency expenses;

(c) all personnel costs, including salaries of response personnel;

(d) equipment costs, including depreciation and maintenance;

(e) administrative overhead; and

(f) pollution removal damage claims.

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### 6.3.9. Liability Limits

OPA sets limits of liability which apply to all removal costs and damages sought under the act. The limits may be adjusted for inflation every 3 years, based upon the consumer price index. The limits set by OPA are as follows:

(a) Tank vessels: $1,200 per gross ton; $10 million if 3,000 gross tons or greater; $2 million if less than 3,000 gross tons.

(b) Any other vessel: $600 per gross ton or $500,000.

(c) Offshore facility except Deep Water Ports: $75,000,000.

(d) Onshore facility and Deep Water Port: $350,000,000.

There are certain exceptions to these liability limits. The limits do not apply:

(a) if the incident was caused by gross negligence or willful misconduct;

(b) if the incident was a result of a violation of applicable Federal safety, construction, or operating regulations; or

(c) if the responsible party fails to report the incident, provide all reasonable cooperation and assistance required by a response official, or comply with an order issued by the Federal OSC.

In addition, OPA does not preempt State laws regarding liability, so in areas where State law places a higher limit, compensation for damages up to the liability limit established by the State law may be pursued.

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## 6.4. REIMBURSEMENT TO LOCAL GOVERNMENTS FOR EMERGENCY RESPONSE TO SUBSTANCE RELEASES

Section 123 of CERCLA and Section 1002 (b)(2)(F) of OPA authorize U.S. EPA to reimburse local governments for some and (in rare cases) possibly all of the expenses incurred in carrying out temporary emergency measures in response to hazardous substance threats or releases. These measures or operations are necessary to prevent or mitigate injury to human health or the environment.

The intent of the CERCLA reimbursement provision is to reduce any significant financial burden that may have been incurred by a local government (city, county, municipality, parish, township, town, Federally recognized Native American Tribe, or other official political subdivisions designated by a particular State) that takes the above measures in response to hazardous substance threats. Traditional local responsibilities, such as routine fire fighting, are not eligible for reimbursement. States are not eligible for this program and may not request reimbursement on their own behalf or on the behalf of a political subdivision within a given State (40 CFR Parts 310.20 and 310.30).

***An application package can be obtained by contacting the RCRA/Superfund Hotline at U.S. EPA Headquarters at (800) 424-9346. The application package contains detailed, line-by-line instructions for completing the application.***

The following criteria must be met before a request for reimbursement is to be considered:

(a) local government must have had a Title III plan by October 1, 1988.

(b) Response occurred after the effective date of this rule (October 17, 1986).

(c) local government informed U.S. EPA or the NRC as soon as possible, but not more than 24 hours after initiating response.

(d) Response actions were consistent with CERCLA, the NCP, and EPCRA.

(e) The request contains assurances that the response reimbursement does not supplant local funds normally provided for such activities.

(f) The applicant must have first attempted to recover the costs from all known potentially responsible parties (PRPs) and any other possible sources of reimbursement (State funds, insurance companies, etc.). Sixty (60) days must be allowed for the above responsible party to respond by making payment, expressing an intent to pay, or demonstrating willingness to negotiate payment.

CERCLA limits the amount of reimbursement to $25,000 per single response. If several agencies or departments are involved in a response, they must determine among themselves which agency will submit the request for reimbursement. Any request must be received by U.S. EPA within 6 months of the related response action.

Some of the allowable costs may include, but are not limited to, the following:

(a) Disposable materials and supplies acquired and used specifically for the related response.

(b) Employee compensation for response work that is not provided in the applicant's operating budget.

(c) Rental or leasing of equipment.

(d) Replacement costs of equipment contaminated to the extent that it is beyond reuse or repair.

(e) Decontamination of equipment.

(f) Special technical services needed for the response, such as those provided by experts or specialists.

(g) Other special services, such as utilities.

(h) Laboratory analysis costs related to the response.

(i) Costs associated with supplies, services, and equipment procured for a specific evaluation.

A review panel will evaluate each request and will rank the requests on the basis of financial burden. Financial burden is based on the ratio of eligible response costs to the locality's per capita income adjusted for population. If a request is not reimbursed during the review period for which it is submitted, the U.S. EPA reimbursement official has the discretion to hold the request open for a 1-year reconsideration.

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## 6.5. DOCUMENTATION FOR ENFORCEMENT AND COST RECOVERY

### 6.5.1. Introduction

The OSC in charge at the scene of a release may be from any one of several agencies. It is necessary, therefore, to establish uniform procedures for notification of counsel and for collection of samples and information consistent with the several phases in Federal response situations. Necessary information and sample collection must be performed at the proper times during Federal involvement in a spill for the purpose of later use in identifying the party responsible for cost recovery.

Time is of great importance, as wind, tide, and current may disperse or remove the evidence and witnesses may no longer be available. Thus, during the response phases, the OSC must take the necessary action to ensure that information, records, and samples adequate for legal and research purposes are obtained and safeguarded for future use.

Section 300.335 of the NCP outlines the types of funds which may be available to address certain oil and hazardous substances discharges. For releases of oil or a hazardous substance, pollutant, or contaminant, the following provisions apply:

(a) During all phases of response, the lead agency shall complete and maintain documentation to support all actions taken under the ACP and to form the basis for cost recovery. In general, documentation shall be sufficient to provide the source and circumstances of release; identity of responsible parties; response action taken; accurate accounting of Federal, State, or private party costs incurred for response actions; and impacts and potential impacts to public health and welfare and the environment. Where applicable, documentation shall state when the NRC received notification of release of a reportable quantity.

(b) The information and reports obtained by the lead agency for OSLTFfinanced response actions shall, as appropriate, be transmitted to the NPFC. Copies can then be forwarded to the NRT, members of the RRT, and others as appropriate.

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### 6.5.2. Notification

The OSC is responsible for coordinating with counsel in his/her agency. Counsel for the RRT member furnishing the OSC is responsible for notifying other RRT member counsel, as appropriate, of potential enforcement or cost recovery matters related to an incident. The OSC and his/her counsel are responsible, following review and consultation with other RRT members involved in an incident, for notifying a responsible party of any determination under the CWA or CERCLA that the party is not properly accomplishing any response action.

The information and reports obtained by the OSC are to be transmitted to the applicable RRT Co-chair. Copies will then be forwarded to members of the RRT and others, as appropriate. The representative of the agency on the RRT having cost recovery authority will then refer copies of the oil or hazardous materials reports to that agency's respective counsel.

***Detailed guidance on preferred procedures can be found in***

**Enforcement Considerations for Evaluations of Uncontrolled Hazardous Waste Disposal Sites by Contractors, *U.S. EPA, National Enforcement Investigation Center, April 1980.***

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### 6.5.3. Legal Notice to Suspected Releaser

The owner, operator, or other appropriate responsible person shall be notified of Federal interest and potential action in an oil or hazardous materials release by the agency furnishing the OSC. This notice shall include:

(a) advice of the owner or operator's potential liability for proper response to the release;

(b) the need to perform removal in accordance with existing Federal and State statutes and regulations, this Plan, and the NCP; and

(c) identification of the OSC.

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### 6.5.4. Oil or Hazardous Materials Release Report

The appropriate information for each oil or hazardous material release should be obtained by the OSC and reported in the

appropriate format established by the Emergency Response Division, Washington, DC. The OSC will retain:
· statements of witnesses,
· photographs,
· analyses of samples, and
· related documentation for possible use in enforcement actions. In all major spills, the oil or hazardous material incident report should be completed and forwarded to the RRT Chair.

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## APPENDIX I: JURISDICTIONS IN REGION 5

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### 1. REGIONAL AREAS

Region 5 has been divided into two operational areas, inland and coastal, which correspond to the areas in which U.S. EPA and USCG are responsible respectively for providing OSCs. The coastal operational area consists of the open waters of the Great Lakes, including Lake St. Clair, the interconnecting rivers, major bays, ports, and harbors of the Region 5 States; and the land surface, land substrata, ground water, and ambient air proximal to those waters. The inland operational area includes all other land territory of the six States of Region 5, including each State's inland lakes and rivers. Numerous Native American community reservations and treaty rights areas are also delineated within Region 5.

Two Coast Guard Districts share Federal Region 5. The Ninth Coast Guard District, headquartered in Cleveland, serves the Great Lakes drainage basin. The Eighth Coast Guard District, headquartered in New Orleans, serves the drainage basins of the upper Mississippi and the Ohio Rivers.

Within the Great Lakes coastal zone, the appropriate Captain of the Port (COTP) functions as the predesignated OSC for all oil and hazardous substance releases, subject to a DOT/U.S. EPA redelegation of certain CERCLA response authorities. U.S. EPA performs the following two categories of response actions within the coastal zone: 1) remedial actions for releases originating from facilities, and 2) all response actions for releases originating from hazardous waste management facilities.

The scope of the Eighth Coast Guard District response role is defined by a revised Memorandum of Understanding (MOU), between that District and U.S. EPA Region 5, signed by the Regional Administrator on April 12, 1993. The revised MOU assigned U.S. EPA as the predesignated OSC for the entire inland zone, including the inland river system within the Eighth Coast Guard District for responding to all discharges of oil and hazardous substances. The USCG would respond for spills from commercial vessels only.

DOD or DOE provides OSCs for all response actions for releases of hazardous substances, pollutants, or contaminants which originate on any facility or vessel under the jurisdiction, custody, or control of DOD or DOE. In the case of a Federal agency other than U.S. EPA, USCG, DOD, or DOE, such agency shall provide OSCs for all removal actions necessitated by releases originating on any facility or vessel under its jurisdiction that are not emergencies.

U.S. EPA or USCG OSCs may be requested to provide technical assistance to the lead agency OSC who is responding to the release or threatened release. In the event of an emergency on Federal agency property, other than DOD or DOE, U.S. EPA or USCG retains response authority and U.S. EPA OSCs may respond and later initiate cost recovery actions against the potentially responsible party.

Definitions of the boundaries of OSC jurisdictions for Region 5 are provided in the following subsections. Where highways are used to delineate the boundary, the roadbed right-of-ways of the highway are included in the inland (U.S. EPA) zone.

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### 2. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY OSC BOUNDARIES

#### 2.1. U.S. EPA Region 3 OSC Boundaries

U.S. EPA Region 3 will provide OSCs for investigating and responding to releases to the main stem of the Ohio River from the Ohio-Pennsylvania boundary, mile 40.1, to the Kentucky-West Virginia boundary, mile 317.2.

All releases in the above-named stretch of the Ohio River emanating from sources in West Virginia will be handled by U.S. EPA Region 3 personnel; those from sources in Region 5 will be handled by personnel from Region 5.

If either RRT is activated, the Eighth USCG District would be involved along the entire stretch of the Ohio River.

### 2.2. U.S. EPA Region 4 OSC Boundaries

U.S. EPA Region 4 will provide OSCs for investigating and responding to releases of oil or hazardous materials to the main stem of the Ohio River from the Kentucky-West Virginia boundary, mile 317.2, to its junction with the Mississippi River, mile 981.2.

Releases in the above-named stretch of the Ohio River emanating from shoreline sources in U.S. EPA Region 4 will be handled by personnel of Region 4; those spills from shoreline sources in Ohio, Indiana, and Illinois will be handled by personnel from Region 5.

Region 4 will have the responsibility for ensuring notification of water users downstream of the location of the release, including coordination with ORSANCO, the USCG Eighth District, and COE when a release occurs on the south shoreline or in the main stream of the Ohio River;

Region 5 has a like responsibility, including coordination with ORSANCO, the USCG Eighth District, and COE when a release occurs on the north shoreline of the river.

Either Region, when requested by the other, may assume the functional OSC role for a particular incident. The decision to accept this responsibility will rest with the Region being requested on an incident-specific basis. Boundary lines do not preclude mutual assistance between the two agencies.

### 2.3. U.S. EPA Region 7 OSC Boundaries

U.S. EPA Region 7 will provide OSCs for investigating and responding to releases to the main stem of the Upper Mississippi River (UMR) when either Iowa or Missouri is the principal first responding State.

U.S. EPA Region 5 will have jurisdiction for such releases within the State of Minnesota and where Minnesota, Wisconsin, or Illinois is the first principal responding State.

When releases to the UMR main stem will result in significant response by more than one State, or when there is uncertainty as to the responding States, Region 7 will provide OSCs for such releases occurring between Cairo, Illinois, and Keokuk, Iowa (miles 0.0 to 354.5), and Region 5 above that point.

For spills from shore facilities and non-waterborne sources, OSCs will be provided by the Region in which the source is located.

### 2.4. U.S. EPA Region 8 OSC Boundaries

U.S. EPA Region 5 will provide OSCs for investigating and responding to releases to the main stem of the Red River of the North from its origin in Lake Traverse near Browns Valley, Minnesota, to the Canadian border. All spills to the above-named stretch of the Red River emanating from sources in North Dakota and South Dakota will be handled by Region 8 personnel.

South of the Browns Valley area, the boundary between South Dakota and Minnesota involves the headwaters of the Minnesota River flowing southward. Region 5 Spill Response personnel will respond to releases to the main stem of the Little Minnesota River and Big Stone Lake southward to Ortonville, Minnesota.

All releases to the above-named headwaters of the Minnesota River emanating from sources in South Dakota will be handled by Region 8 personnel; releases from sources in Minnesota will be handled by Region 5 personnel.

U.S. EPA Region 8 will provide communications as necessary with the Canadian Province of Manitoba concerning all releases occurring in waters flowing into Canada, including those emanating from Region 5.

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## 3. NINTH COAST GUARD DISTRICT OSC BOUNDARIES

Eight USCG units provide OSCs for releases occurring within the coastal zone, each serving a specific geographic area. These geographic areas are defined as: the international boundary with Canada, the boundaries between the units (described at 33 CFR 3.45), and the boundary between the inland zone and the coastal zone. In most locations, the boundary between inland and coastal zones follows the near shore areas adjoining the Great Lakes and the interconnecting rivers.

The following subsections detail, for each of the eight units, which tributaries fall within the coastal zone and where a geographic feature, such as a highway, serves as the boundary.

**3.1. Marine Safety Office, Chicago, IL**

1. Lake Michigan: within limits of COTP Chicago.

2. North Point Marina (Winthrop Harbor, Illinois): Entire marina.

3. Waukegan Harbor: Entire harbor.

4. Wilmette Harbor: From the entrance to the sluice gate.

5. Montrose Harbor (Chicago, Illinois): Entire harbor.

6. Belmont Harbor (Chicago, Illinois): Entire harbor.

7. Diversey Harbor (Chicago, Illinois): Entire harbor.

8. Chicago River: The outer harbor, limited to the waters outside the Chicago Lock and retaining walls, including the waters inside the lock gates.

9. Burnham Park Harbor (Chicago, Illinois): Entire harbor.

10. 59th Street Harbor (Chicago, Illinois): Entire harbor.

11. Jackson Park Harbor (Chicago, Illinois): Entire harbor.

12. Calumet Harbor and River (Chicago, Illinois): From the mouth of the Calumet River south to the north side of O'Brien Lock and Dam, including the waters inside the lock gates. From "The Forks" west to the temporary dike at the south boundary of Lake Calumet.

13. Hammond Marina: Entire marina.

14. Indiana Harbor (East Chicago, Indiana): Upstream to Conrail Railroad Bridge.

15. Pastrick Marina (East Chicago, Indiana): Entire marina.

16. Buffington Harbor (Gary, Indiana): Entire harbor.

17. Gary Harbor (Gary, Indiana): Entire harbor.

18. Burns Harbor (Burns Harbor, Indiana): From the entrance to the south end of deep draft slip.

19. Michigan City Harbor: Entrance to Bascule Bridge.

20. Betsie Lake (Frankfort): Entire lake throughout up to and including the mouth of the Betsie River to Highway M-22 bridge.

21. Arcadia Lake: Entire lake.

22. Portage Lake: Entire lake.

23. Manistee Lake (Manistee): Entire lake throughout up to and including the mouth of the Manistee River to Highway M-55 bridge.

24. Pere Marquette Lake (Ludington): Entire lake throughout up to and including the mouth of the Pere Marquette River to Old U.S. 31 bridge.

25. Pentwater Lake: Entire lake.

26. White Lake: Entire lake.

27. Muskegon/Bear Lake (Muskegon, Michigan): Entire lake throughout up to and including the Muskegon River to the U.S. 31 bridges.

28. Mona Lake: Entire lake.

29. Spring Lake: Entire lake.

30. Grand River: From the mouth to the end of the dredged channel at Buoy #78 (in Ottawa County approximately 17 miles upstream).

# APPENDIX L

## COMPLETE INSPECTION CHECKLISTS

**FrickServices, inc.**

**Facility Response Plan (40 CFR 112)**
**Response Equipment Inspection**

| | |
|---|---|
| **Inspection Date:** 8-21-09 | **Signature of Inspector:** Jeff Harper |
| **Time:** 9:00 am | **Print Name:** Jeff Harper |

| Inventory Item | Quantity | Storage Location | Accessibility (time to access and respond) | Operational Status/ Condition | Use/ Test Date and Frequency of Testing | Shelf Life | |
|---|---|---|---|---|---|---|---|
| | | | | | | Age | Replacement Date |
| **Absorbent Boom (8 inch)** | 80 feet | Near Mooring and AST #8 | 1 min | In Service | | 6mo | |
| **Sorbent pads (14 inch X 19 inch)** | 2 bundles | Near Mooring and AST #8 | located in spill kit at Dock | In Service | | 6mo | |
| **Sorbent blanket (3-ft X 100 ft)** | 4 each 3 | Near Mooring and AST #8 | 1 min | In Service | | 6mo 1mo | |

**FrickServices,inc.**

**Facility Response Plan (40 CFR 112)**
**Secondary Containment Inspection Checklist**

| | | |
|---|---|---|
| **Date:** 8-21-09 | | |
| **Inspector:** Jeff Hopper | | |
| **Tank Number:** 6 | | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| 1) Check dike or berm system for: | | |
| A. Level of precipitation in dike / available capacity | None | |
| B. Operational status of drainage valves (there are no drainage valves in the bermed area) | No | |
| C. Dike or berm permeability | good | |
| D. Debris | No | |
| E. Erosion | No | |
| F. Permeability of the earthen floor of diked area | good | |
| G. Location/status of pipes, inlets, drainage beneath tanks, etc. | N/A | Need to Replace Hanger rod on above lines |
| 2) Check secondary containment for: | | |
| A. Cracks | No | |
| B. Discoloration | No | |
| C. Presence of spilled or leaked material (standing liquid) | No | |
| D. Corrosion | No | |
| E. Valve conditions | good | |
| 3) Retention and drainage ponds: | | |
| A. Erosion | No | |
| B. Available capacity | good | |
| C. Presence of spilled or leaked material (lab analysis) | No | |
| D. Debris | No | |
| E. Stressed Vegetation | No | |
| F. Localized dead vegetation | No | |
| Signature of Inspector: | | |

**FrickServices,inc.**

**Facility Response Plan (40 CFR 112)**
**Secondary Containment Inspection Checklist**

| | | |
|---|---|---|
| **Date:** | 8-21-09 | |
| **Inspector:** | Jeff Harper | |
| **Tank Number:** | 7 | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| 1) Check dike or berm system for: | | |
| A. Level of precipitation in dike / available capacity | None | |
| B. Operational status of drainage valves (there are no drainage valves in the bermed area) | Na | |
| C. Dike or berm permeability | good | |
| D. Debris | No | |
| E. Erosion | No | |
| F. Permeability of the earthen floor of diked area | good | |
| G. Location/status of pipes, inlets, drainage beneath tanks, etc. | good | |
| 2) Check secondary containment for: | | |
| A. Cracks | No | |
| B. Discoloration | No | |
| C. Presence of spilled or leaked material (standing liquid) | No | |
| D. Corrosion | No | |
| E. Valve conditions | good | |
| 3) Retention and drainage ponds: | | |
| A. Erosion | No | |
| B. Available capacity | | |
| C. Presence of spilled or leaked material (lab analysis) | No | |
| D. Debris | No | |
| E. Stressed Vegetation | No | |
| F. Localized dead vegetation | Yes | Sprayed weed killer |
| Signature of Inspector: | Jeff Harper | |

**FrickServices,inc.**

**Facility Response Plan (40 CFR 112)**
**Secondary Containment Inspection Checklist**

| | | |
|---|---|---|
| **Date:** 8-21-09 | | |
| **Inspector:** Jeff Hooper | | |
| **Tank Number:** 8 | | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| 1) Check dike or berm system for: | | |
| A. Level of precipitation in dike / available capacity | None | |
| B. Operational status of drainage valves (there are no drainage valves in the bermed area) | NA | |
| C. Dike or berm permeability | good | |
| D. Debris | Yes | Removed brush from dike |
| E. Erosion | No | |
| F. Permeability of the earthen floor of diked area | good | |
| G. Location/status of pipes, inlets, drainage beneath tanks, etc. | good | |
| 2) Check secondary containment for: | | |
| A. Cracks | Yes | Some crack asphalt Berm |
| B. Discoloration | No | |
| C. Presence of spilled or leaked material (standing liquid) | No | |
| D. Corrosion | No | |
| E. Valve conditions | good | |
| 3) Retention and drainage ponds: | NA | |
| A. Erosion | | |
| B. Available capacity | | |
| C. Presence of spilled or leaked material (lab analysis) | No | |
| D. Debris | No | |
| E. Stressed Vegetation | No | |
| F. Localized dead vegetation | No | |
| Signature of Inspector: | Jeff Hooper | |

FrickServices, inc.

Facility Response Plan (40 CFR 112)
Tank Inspection Checklist

| | | |
|---|---|---|
| Date: 8-21-09 | | |
| Inspector: Jeff Harper | | |
| Tank Number: 6 | | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| 1) Check tank for leaks for: | | |
| A. Drip marks | N | |
| B. Discoloration of tanks | N | |
| C. Puddles containing spilled or leaked material | N | |
| D. Corrosion | N | |
| E. Cracks | N | |
| F. Localized dead vegetation | Y | Sprayed with weed killer |
| 2) Check foundation for: | NA | No foundation |
| A. Cracks | | |
| B. Discoloration | N | |
| C. Puddles containing spilled or leaked material | N | |
| D. Settling | N | |
| E. Gaps between tank and foundation | NA | |
| F. Damage caused by vegetation roots | N | |
| 3) Check Piping for: | | |
| A. Droplets of stored material | N | |
| B. Discoloration | N | |
| C. Corrosion | N | |
| D. Bowing of pipe between supports | N | |
| E. Evidence of stored material seepage from valves or seals | N | |
| F. Localized dead vegetation | N | |
| Signature of Inspector: Jeff Harper | | |

FrickServices,inc.

Facility Response Plan (40 CFR 112)
Tank Inspection Checklist

| | | |
|---|---|---|
| Date: 8-21-09 | | |
| Inspector: Jeff Harper | | |
| Tank Number: 8 | | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| 1) Check tank for leaks for: | | |
| A. Drip marks | N | |
| B. Discoloration of tanks | N | |
| C. Puddles containing spilled or leaked material | N | |
| D. Corrosion | N | |
| E. Cracks | N | |
| F. Localized dead vegetation | N | |
| 2) Check foundation for: | | |
| A. Cracks | N | |
| B. Discoloration | N | |
| C. Puddles containing spilled or leaked material | N | |
| D. Settling | N | |
| E. Gaps between tank and foundation | N | |
| F. Damage caused by vegetation roots | N | |
| 3) Check Piping for: | | |
| A. Droplets of stored material | N | |
| B. Discoloration | N | |
| C. Corrosion | N | |
| D. Bowing of pipe between supports | N | |
| E. Evidence of stored material seepage from valves or seals | N | |
| F. Localized dead vegetation | N | |
| Signature of Inspector: Jeff Harper | | |

FrickServices,inc.

Facility Response Plan (40 CFR 112)
Tank Inspection Checklist

| | | |
|---|---|---|
| Date: 8-21-09 | | |
| Inspector: Jeff Harper | | |
| Tank Number: 7 | | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| 1) Check tank for leaks for: | | |
| A. Drip marks | N | |
| B. Discoloration of tanks | N | |
| C. Puddles containing spilled or leaked material | N | |
| D. Corrosion | N | |
| E. Cracks | N | |
| F. Localized dead vegetation | Y | Weeds where Sprayed |
| 2) Check foundation for: | NA | No foundation |
| A. Cracks | | |
| B. Discoloration | N | |
| C. Puddles containing spilled or leaked material | N | |
| D. Settling | N | |
| E. Gaps between tank and foundation | N | |
| F. Damage caused by vegetation roots | N | |
| 3) Check Piping for: | | |
| A. Droplets of stored material | N | |
| B. Discoloration | N | |
| C. Corrosion | N | |
| D. Bowing of pipe between supports | N | |
| E. Evidence of stored material seepage from valves or seals | N | |
| F. Localized dead vegetation | N | |
| Signature of Inspector: Jeff Harper | | |

# APPENDIX M

## COMPELTED FACILITY DRILLS AND EXERCISES

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 0 2 2009

Certified Mail
Return Receipt Requested

REPLY TO THE ATTENTION OF:
SE-5J

Mr. Jeff Harper
Frick Services, Inc.
570 East Boundary Road
Portage, IN 46368

Re: FRP 05A0618

Dear Mr. Harper:

On July 20, 2009, representatives of the United States Environmental Protection Agency (US EPA) Region 5 conducted an unannounced exercise at Frick Services, Inc., located at 570 East Boundary Road, Portage, IN. The drill began at 11:30 a.m. and concluded at 1:30 p.m. The scenario for the exercise involved a tank truck failure at the loading rack of tank 8, resulting in 2100 gallons of #4 recycled fuel oil entering the East Harbor Arm of Lake Michigan.

All regulatory calls were made in a timely fashion. Some of the regulatory telephone numbers were incorrect, specifically the LEPC and the U.S. EPA telephone numbers. While the regulatory telephone calls were being made, facility personnel immediately responded by placing sorbent boom on the harbor in order to create a barrier and prevent any additional oil from entering the East Harbor Arm of Lake Michigan. Facility personnel also brought out a front end loader to deploy sand on the harbor for additional containment. The OSRO arrived with a vac truck; however, the OSRO could not immediately deploy the boom since the entrance gate to the boat launch was locked. U.S EPA recommends that Frick Services work with the Port of Indiana in order to be able to gain immediate access to the boat launch.

Due to the successful completion of this exercise, you are exempt from government initiated unannounced exercises for three years. If you have any questions, please contact Sheila Calovich at 312-353-1505.

Sincerely,

Beverly J. Kush

Beverly Kush, Chief
Oil Planning and Response Section

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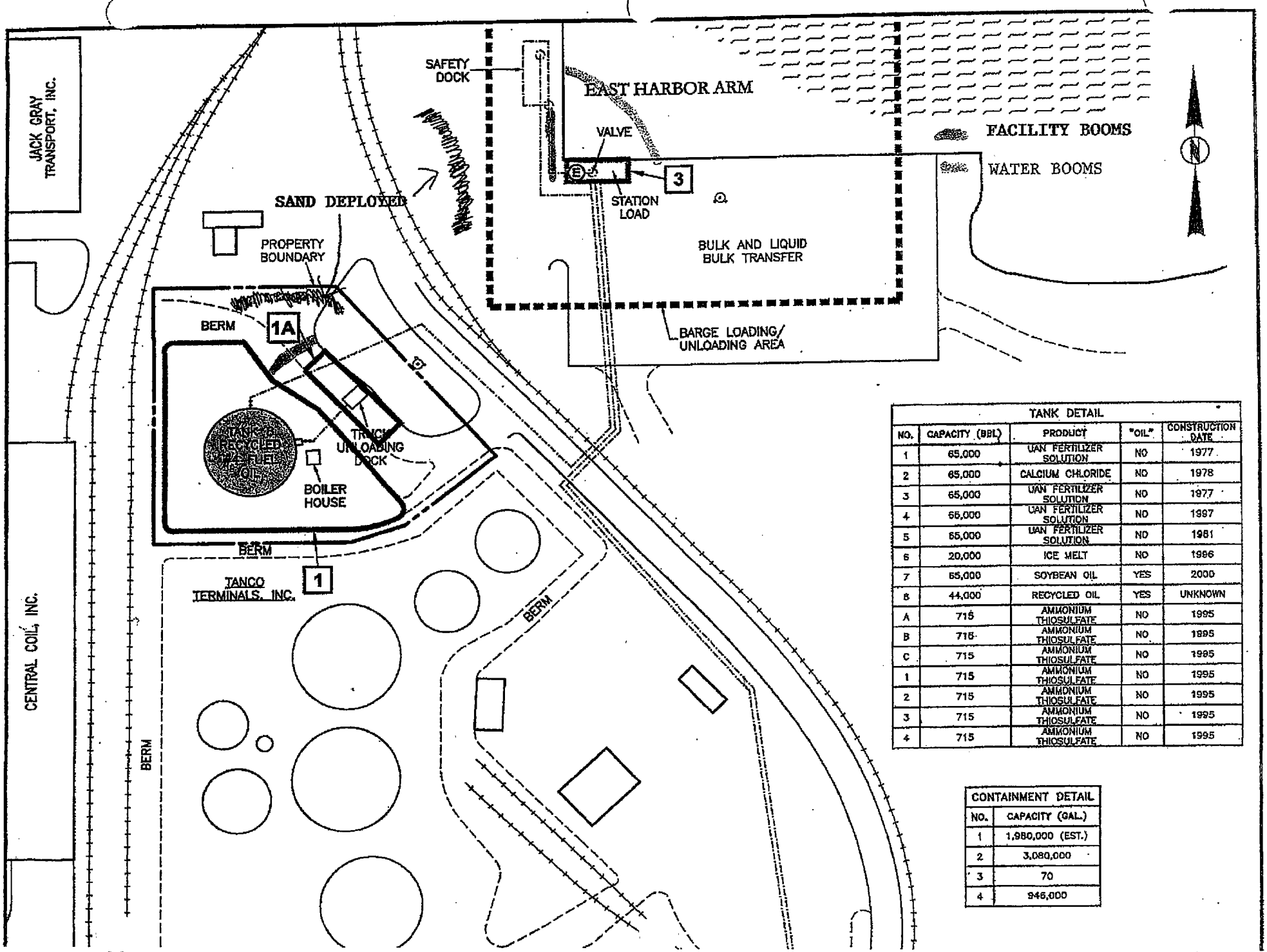
# Facility Response Plan (40 CFR 112)
# Equipment Deployment Exercise

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date(s) Performed: | 7-20-09 |
| 2a) Exercise or Actual Response: | ~~XXX~~ TRUCK OF OIL OFF LOADING AT TANK 8 SPLITS OPEN, OVERFLOWS CONTAINMENT & ENTERS THE EAST HARBOR |
| 2b) If an Exercise, Announced or Unannounced: | UNANNOUNCED. IMPLEMENTED BY US. EPA REPRESENTITIVES ALEXSANDER TZALLAS & BARRI LEE |
| 3) Deployment Locations: | SOUTH WEST CORNER OF THE EAST HARBOR ARM |
| 4a) Time Started: | 11; 30 AM. |
| 4b) Time OSRO/HSRO Called: | 11:30 AM. |
| 4c) Time On-Scene: | 12:40 AM |
| 4d) Time Boom Deployed: | 12:55 AM. |
| 4e) Time Recovery Equipment Arrives on Scene: | 12:30 |
| 4f) Time Completed: | 1:20 PM |
| 5) Equipment Deployed Was: | X Facility Owned<br>____ OSRO/HSRO-Owned if so Which –<br>X OSRO or HSRO<br>____ Both |
| 6) List Type and Amount of all Equipment (e.g., Boom and Skimmers) Deployed and Number of Support Personnel Employed: | 1 BOOM TRAILER, I 16' BOAT, 1 VAC TRUCK & OPERATOR, 1000' OF CONTAINMAINT BOOM. 3 FRICK RESPONCE TEAM, 4 CLEAN HARBOR RESPONCE MEMBERS. 1 TRUCK VAC OPERATERS. |
| 7) Describe Goals of the Equipment Deployment and List Any Area Contingency Plan Strategies Tested. (Attach a Sketch of Equipment Deployments and Booming Strategies: | DEPLOYED FACILITY EQUIPMENT TO CONTAIN THE FLOW OF OIL & PREVENT ENTERING WATER. CLEAN WATERS DEPLOYED BOOM IN WATER TO CONTAIN SPREADING OF OIL. |
| 8a) For Deployment of Facility-Owned Equipment, was the Amount of the Equipment Deployed at Least the Amount Necessary to Respond to Your Facility's Average Most Probable Spill? | ALL FRICK EQUIPMENT NEEDED TO CONTAIN SPREAD OF SPILL WAS SUFFICIENT. |




| TANK DETAIL | | | | |
|---|---|---|---|---|
| NO. | CAPACITY (BBL) | PRODUCT | "OIL" | CONSTRUCTION DATE |
| 1 | 65,000 | UAN FERTILIZER SOLUTION | NO | 1977 |
| 2 | 65,000 | CALCIUM CHLORIDE | NO | 1978 |
| 3 | 65,000 | UAN FERTILIZER SOLUTION | NO | 1977 |
| 4 | 65,000 | UAN FERTILIZER SOLUTION | NO | 1997 |
| 5 | 65,000 | UAN FERTILIZER SOLUTION | NO | 1981 |
| 6 | 20,000 | ICE MELT | NO | 1996 |
| 7 | 65,000 | SOYBEAN OIL | YES | 2000 |
| 8 | 44,000 | RECYCLED OIL | YES | UNKNOWN |
| A | 715 | AMMONIUM THIOSULFATE | NO | 1995 |
| B | 715 | AMMONIUM THIOSULFATE | NO | 1995 |
| C | 715 | AMMONIUM THIOSULFATE | NO | 1995 |
| 1 | 715 | AMMONIUM THIOSULFATE | NO | 1995 |
| 2 | 715 | AMMONIUM THIOSULFATE | NO | 1995 |
| 3 | 715 | AMMONIUM THIOSULFATE | NO | 1995 |
| 4 | 715 | AMMONIUM THIOSULFATE | NO | 1995 |

| CONTAINMENT DETAIL | |
|---|---|
| NO. | CAPACITY (GAL.) |
| 1 | 1,980,000 (EST.) |
| 2 | 3,080,000 |
| 3 | 70 |
| 4 | 946,000 |

**FrickServices,Inc.**

# Facility Response Plan (40 CFR 112)
# Unannounced / Area Exercise

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date Performed: | 7-21-09 |
| 2a) Exercise or Actual Response: | ACTUAL |
| 2b) Announced or Unannounced: | UNANNOUNCED |
| 3) Location: | 570 EAST BOUNDARY RD. PORTAGE,IN. |
| 4) Facility Name: | FRICK SERVICES. INC. |
| 5a) Time Started: | 11:30 AM. |
| 5b) Time Completed: | 1:30 PM |
| 6) Sections of Facility Emergency Procedures Exercised (i.e., response to collision, response to oil spill on deck, response to vessel fire, etc.)? | RESPONCE TO OIL SPILL |
| 7) Description of Exercise: | TANKER TRUCK UNLOADING AT TANK 8 SPLITS OPEN OVERFLOWS CONTAINMENT AREA & ENTERS EAST HARBOR ARM. |
| 8) Identify Which of the 15 Core Components of Your Response Plan were Exercised During This Particular Procedure: | ALL 15 CORE COMPONENTS |
| **Certifying Signature:** | Jeff Harper |

Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years.

**FrickServices,Inc.** **Facility Response Plan (40 CFR 112)**
**Spill Management Team Tabletop Exercise**

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date(s) Performed: | 7-21-09 |
| 2) Qualified Individual: | JEFF HARPER |
| 3) Participants: | ERICK EMPLOYEES, OSRC, USEPA, PORT SECRUITY |
| 4) Exercise or Actual Response: | ACTUAL |
| 5) Announced or Unannounced: | UNANNOUNCED |
| 6) Location of Table Top Exercise: | 570 EAST BOUNDARY RD. |
| 7) Time Started: | 11:30 AM — Completed: 1:30 PM. |
| 8) Emergency Scenario Used (Check One): | X Average Most Probable Discharge<br>_____ Maximum Most Probable Discharge<br>_____ Worst Case Discharge<br>2100 GAL Size of (Simulated) Spill (gallons) |

9) Describe how the following objectives were exercised:

a) Spill Management Team's Knowledge of Oil-Spill Response Plan: GOOD

b) Proper Notifications:
ALL CONTACTS MADE, FROM PHONE LIST ON FRP MANUAL

c) Communication System:
TWO WAY RADIOS, CELL PHONES, & HARD LINE

d) Spill Management Team's Ability to Access Contracted Oil Spill Removal Organizations:
IMMEDIATE RESPONCE FROM CLEANHARBORS 24 HR PHONE #

e) Spill Management Team's Ability to Coordinate Spill Response With the On-Scene Coordinator, State and Applicable Agencies: ALL COMMUNICATIONS WHERE WELL UNDERSTOOD BY ALL PARTIES AT THE SCENE.

f) Spill Management Team's Ability to Access Sensitive Site and Resource Information in the Area Contingency Plan:
GOOD

10) Identify Which of the 15 Core Components of Your Response Plan were Exercised During this Particular Exercise: ALL 15 CORE COMPONENTS

11) Attach an Evaluation of Lesson(s) Learned, Procedures, Changes to be Implemented, Schedule for Implementation, and Person(s) Responsible for Follow-up of Corrective Measures.

**Certifying Signature:** Jeff Harper

Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years.

**FrickServices,Inc.**

# Facility Response Plan (40 CFR 112)
# Qualified Individual Notification Exercise

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date Performed: | 7-20-09 |
| 2) Qualified Individual | JEFF HARPER |
| 3) Exercise or Actual Response: | ACTUAL RESPONCE |
| 4) Emergency Scenario: | TANKER TRUCK AT TANK 8 SPLITS OPEN, OVERFLOWES CONTAINMENT & ENTERS EAST HARBOR |
| 4) Name of Person Notified: | RANDY ROBBINS |
| 5) Others Contacted: | OSRO,NRC, PORT SECRUITY,USCG,LERC,INDIANA STATE POLICE |
| 6) Time Initiated: | 11:30 AM. |
| 7) Time in Which Qualified Individual or Designee Responded: | FRICK EMPLOYEES, 5MIN. OSRO 1HR. 10 MIN. |
| 8) Method Used to Contact: | X Telephone<br>____ Pager<br>X Radio<br>____ Other |
| 9) Description of Notification Procedure: | FRICK EMPLOYESS NOTIFIED BY RADIO & CELL PHONES. ALL OTHERS PHONED IN ORDER OF FACILITY RESPONCE PLAN. |
| 10) Evaluation: | THIS WAS A SUCCESSFUL EXERCISE COMPLETED IN COMPLIANCE WITH THE US,EPA. |
| 11) Changes To Be Implemented: | PORT SECRUITY MUST BE NOTIFIED TO UNLOCK PORTS BOAT RAMP. LERC PHONE NUMBER WRONG. AND 24 HR CONTACT NUMBER WOULD BE PORTER CO. SHERRIFFS OFFICE. |
| 12) Time Table for Implementation: | ALL NECESSARY CHANGES WHERE EMPLEMENTED THAT DAY |
| **Certifying Signature:** | Jeff Harper |

Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years.

**Frick Services, Inc.** **Facility Response Plan (40 CFR 112)**
**Equipment Deployment Exercise**

| TOPIC | EXERCISE INFORMATION |
|---|---|
| 1) Date(s) Performed: | 7-20-09 |
| 2a) Exercise or Actual Response: | XXL, TRUCK OF OIL OFF LOADING AT TANK 8 SPLITS OPEN, OVERFLOWS CONTAINMENT & ENTERS THE EAST HARBOR |
| 2b) If an Exercise, Announced or Unannounced: | UNANNOUNCED. IMPLEMENTED BY US. EPA REPRESENTITIVES ALEXANDER TZALLAS & BARRY LEE |
| 3) Deployment Locations: | SOUTH WEST CORNER OF THE EAST HARBOR ARM |
| 4a) Time Started: | 11; 30 AM. |
| 4b) Time OSRO/HSRO Called: | 11:30 AM. |
| 4c) Time On-Scene: | 12:40 AM |
| 4d) Time Boom Deployed: | 12:55 AM. |
| 4e) Time Recovery Equipment Arrives on Scene: | 12:30 |
| 4f) Time Completed: | 1:20 PM |
| 5) Equipment Deployed Was: | X Facility Owned<br>____ OSRO/HSRO-Owned if so Which --<br>X OSRO or HSRO<br>____ Both |

6) List Type and Amount of all Equipment (e.g., Boom and Skimmers) Deployed and Number of Support Personnel Employed: 1 BOOM TRAILER, 1 16' BOAT, 1 VAC TRUCK & OPERATOR, 1000' OF CONTAINMAINT BOOM. 3 FRICK RESPONCE TEAM, 4 CLEAN HARBOR RESPONCE MEMBERS. 1 TRUCK VAC OPERATERS.

7) Describe Goals of the Equipment Deployment and List Any Area Contingency Plan Strategies Tested. (Attach a Sketch of Equipment Deployments and Booming Strategies: DEPLOYED FACILITY EQUIPMENT TO CONTAIN THE FLOW OF OIL & PREVENT ENTERING WATER. CLEAN WATERS DEPLOYED BOOM IN WATER TO CONTAIN SPREADING OF OIL.

8a) For Deployment of Facility-Owned Equipment, was the Amount of the Equipment Deployed at Least the Amount Necessary to Respond to Your Facility's Average Most Probable Spill?

ALL FRICK EQUIPMENT NEEDED TO CONTAIN SPREAD OF SPILL WAS SUFFICIENT.

**FrickServices,Inc.** **Facility Response Plan (40 CFR 112)**
**Equipment Deployment Exercise**

| |
|---|
| 8b) Was the Equipment Deployed in its Intended Operating Environment?<br><br>YES, OIL BOOMS DEPLOYED ON THE DOCK AND IN THE HARBOR. |
| 9a) For Deployment of OSRO/HSRO-Owned Equipment, was a Representative Sample (at Least 1000 Feet of Each Boom Type and at Least One of Each Skimmer Type) Deployed?<br><br>YES 1000' OF BOOM AND BOAT DEPLOYED IN THE HARBOR. |
| 9b) Was the Equipment Deployed in its Intended Operating Environment?<br><br>YES |
| 10) Are all Facility Personnel that are Responsible for Response Operations Involved in a Comprehensive Training Program, and all Pollution Response Equipment Involved in a Comprehensive Maintenance Program? If so, Describe the Program:<br><br>ALL EMPLOYEES WHERE TRAINED AS OUTLINED THRU ARE FRP MANUAL. |
| 11) Was the Equipment Deployed by Personnel Responsible for its Deployment in the Event of an Actual Spill?<br>YES, ARE OSRC AND FRICK EMPLOYEES |
| 12) Was all Deployed Equipment Operational? If not, why not?<br>YES |
| 13) Identify Which of the 15 Core Components of Your Response Plan were Exercised During this Particular Exercise: |
| 14) Attach a Description of Lesson(s) Learned, Procedures and Schedule for Implementation, and Personnel Responsible for Follow-up of Corrective Measures. |
| **Certifying Signature:** Jeff Harper<br>Retain this Form and Other Documentation Related to this Exercise on File for a Minimum of 5 Years. |

# APPENDIX N

## COMMUNITY EVACUATION PLAN

**Evacuation Plan: Indiana's International Port**

In the event of a major incident requiring the evacuation of the Port of Indiana (inclusive of any Hostage-Barricade-Terrorist (HBT) or Chemical-Biological-Radiological (CBR) incident), the following procedures will immediately be implemented:

1. Make notification to immediate emergency first responders i.e. Police, Fire, Coast Guard, Port Director, Port Security Manager, etc.

2. Notify each Port tenant and their employees that a major incident has occurred which will require all personnel to evacuate the premises. This will be accomplished by:

   A. If time permits, a facility advisory will be faxed and an e-mail will be sent, to all tenants advising them to evacuate.

   B. PORT Security mobilized site supervisor will respond physically to each tenant location and advise of the evacuation.

   C. PORT Security personnel assigned to the North and South Guard House entrance of the Port will stop all incoming traffic and re-route off port property.

   D. Main gate security officer will be responsible for directing emergency responders to location of incident.

   E. If possible, an incident command post under the direction of the Port of Indiana Security Manager will be established at the Port Administration Building where a log of events taking place, communications, and emergency responders, will be maintained.

   F. In the event the South Port entrance is unavailable the security officer at the gate will redirect traffic exiting the port through the Mittal Steel and Midwest Steel gates with the assistance of Port personnel to direct traffic.

   G. Port maintenance staff, Operations Manager, and Security Manager will assist in the use of barricades, traffic control, and making notification until properly relieved by emergency responders.

It is important to keep a running log of events that occur during the evacuation to help in the after incident evaluation. This will help us to stream line the procedures and improve our response effort in the event an evacuation is needed in the future.

Warren Fasone
Security Manager
Port of Indiana-Burns Harbor/Portage
(219) 787-8636

Frick Services, inc.

# SPILL PREVENTION, CONTROL AND COUNTERMEASURE PLAN

**(Per 40 CFR 112)**

**Frick Services, Inc. Liquid Terminal**
**570 EAST BOUNDARY ROAD**
**PORTAGE, INDIANA 46368**

**East Harbor, Port of Indiana**
**Facility Phone Number: (219) 787-8548**

**November 2012**

**FINAL**

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## INTRODUCTION

The purpose of this Spill Prevention, Control, and Countermeasure (SPCC) Plan is to describe measures implemented by Frick Services' Liquids Terminal to prevent oil discharges from occurring, and to prepare the facility to respond in a safe, effective, and timely manner to mitigate the impacts of a discharge. Frick Services' management has determined that this facility poses a risk of substantial harm under 40 CFR 112, as recorded in the "Substantial Harm Determination." Because this facility has the potential to cause substantial harm to the environment in the event of a discharge, Frick Services has prepared and submitted a Facility Response Plan to Environmental Protection Agency (EPA). This SPCC Plan addresses all transfer stations and oil filled piping, with the exception of the dock-side barge transfer station and the piping leading to it from the first valve located outside of the bulk oil storage tanks within the dike. This transfer station and piping is subject to the regulations of the Department of Transportation and is addressed within the Burns Harbor Liquid Terminal Facility Response Plan (FRP).

The facility did not have a reportable release of oil for the twelve-month period preceding the date of this Plan.

This SPCC Plan has been prepared to meet the requirements of Title 40, *Code of Federal Regulations,* Part 112 (40 CFR 112). In addition to fulfilling requirements of 40 CFR 112, this SPCC Plan is used as a reference for oil storage information and testing records, as a tool to communicate practices on preventing and responding to discharges with employees, as a guide to facility inspections, and as a resource during emergency response. Frick Services' staff and all contractors are subject to the requirements of this SPCC Plan that will be followed in the event of a release of oil to the environment. This SPCC Plan provides guidance on the following key actions that must be performed to comply with the SPCC rule:

- √ Complete periodic inspections of the bulk storage tanks, secondary containment, and drums and totes using the checklists and documentation provided in Appendix D.
- √ Complete records of drainage events associated with secondary containment using documentation provided in Appendix H.
- √ Conduct annual employee training as outlined in Section 3.4-Personnel, Training, and Discharge Prevention Procedures and documented in Appendix F.
- √ Submit the Discharge Information Form (Appendix B) to the US EPA Region 5 Regional Administrator (RA) and the Indiana Department of Environmental Management (IDEM) if either of the following occurs:
  1) The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the United States or adjoining shorelines in a single spill event;
  2) The facility discharges oil in quantities greater than 42 gallons in each of two spill events within any twelve month period.

√ Amending the SPCC Plan within six (6) months whenever where is a change in facility design, construction, operation, or maintenance that materially affects the facility's spill potential. A full update/revision of the Plan must be performed at least every five (5) years. Technical revisions and updates to the SPCC Plan must be recertified by an Indiana Professional Engineer (PE).

√ Review the SPCC Plan on an annual basis. Update the SPCC Plan to reflect any "administrative changes" that are applicable, such as personnel changes or revisions to contact information, such as phone numbers. Administrative changes must be documented in the review log, but do not have to be certified by an Indiana PE.

## EMERGENCY CONTACT LIST

In the event of a discharge or substantial threat of a discharge of oil, the facility's Emergency Response Plan will be followed. The following is a prioritized list of the individuals and organizations to be notified:

1. Facility Response Personnel (Qualified Individuals)

Jeff Harper, Operations Manager

The personnel listed above can be reached at the Frick Liquid Terminal at:

| | |
|---|---|
| Facility Phone: | (219) 787-8548 |
| Cellular Phone: | (219) 728-8043 |
| Home Phone: | (219) 926-2004 |
| Fax: | (219) 787-8101 |

2. Alternate Qualified Individuals

The following employees are authorized to act as Designated Alternates to the Qualified Individual. Each of the following individuals is to be notified in the event of a spill. The telephone number listed is a cellular phone number and can be used for 24-hour contact.

| | |
|---|---|
| Randy Robbins, Operator | (C)(219) 608-8240 |
| Gary Hageman, Operator | (C)(219) 713-0539 |
| Crawford Smith, Operator | (C)(773) 354-1496 |

3. Oil Spill Removal Organization (OSRO)

| | |
|---|---|
| Clean Harbors Environmental Services | (708) 479-6900 |
| 24-Hour Emergency Response: | (800) 645-8265 |

Federal, State and Local Agencies

| | |
|---|---|
| 4. National Response Center (NRC) | (800) 424-8802 |
| Federal On-Site Coordinator | (312) 353-2318 |
| 5. Port of Indiana Security | (219) 787-8853 |
| Port of Indiana - Burns Harbor / Weather Conditions report | (219) 787-8636 |
| 6. United States Coast Guard (24-hour Emergency) | (414) 747-7190 |
| United States Coast Guard (Lake Michigan Sector) | (630) 986-2155 |
| United States Coast Guard (Michigan City) | (219) 879-8371 |

**The Port of Indiana and the USCG Duty Officer will determine the need for the facility to continue with the following notifications.**

| | |
|---|---|
| 7. Local Emergency Response Commission (24-hour Emergency) | (219) 465-3070 |
| Porter County Emergency Management | (219) 465-3490 |
| Porter County HAZMAT Team (LERC Main) | (219) 465-3593 |
| 8. Portage Police Department | 911/(219) 762-3122 |
| Portage Fire Department | 911 |

| | |
|---|---|
| 9. Indiana State Police Department | (800) 552-8917 |
| Indiana State Emergency Response Commission | (317) 232-3830 |
| Indiana State Fire Marshal | (800) 423-0765 |
| 10. Indiana Department of Environmental Management: | |
| 24 Hour Emergency (Toll Free) | (888) 233-7745 |
| Northwest Regional Office (Toll Free) | (888) 209-8892 |

11. Facilities / Water Intakes Potentially Impacted:

| | |
|---|---|
| City of Portage Public Works (wastewater) | (219) 762-4204 |
| Indiana American Water Co. (Gary-Hobart) (water supply) | (800) 492-8373 |
| Bethlehem Steel Corporation | (317) 636-8407 |
| Lakes and Rivers Transfer Inc. | (219) 787-9280 |
| Cargill Inc. | (219) 659-2000 |
| Federal Marine Terminals, Inc. | (219) 787-1017 |

Local Television/Radio Station for Evacuation Notification: Evacuation notifications will be conducted by the Local Emergency Response Commission, Porter County Emergency Management and the Indiana State Police.

## 2.0 CERTIFICATIONS AND APPROVALS

### 1.1 MANAGEMENT APPROVAL ACKNOWLEDGEMENT

I am familiar with the requirements included in this Spill Prevention Control and Countermeasure (SPCC) Plan to:

1) Prevent oil discharges through the implementation of sound operating procedures, such as inspections and personnel training requirements.

2) Prevent oil discharges from reaching navigable waters or adjoining shorelines by requiring measures such as secondary containment and integrity testing for bulk storage tanks.

3) Prepare the Burns Harbor Liquids Terminal to respond to an oil discharge event.

I acknowledge that this SPCC Plan will be implemented as described herein with full approval of management at a level with authority to commit the necessary resources to implement it.

Signature:_____ Date: _____

Printed Name: Daniel R. Frick Title: Managing Member

### 1.2 PROFESSIONAL ENGINEER CERTIFICATION

I hereby certify that

1) I am familiar with the requirements of the SPCC rule.

2) I have visited and examined the Burns Harbor Liquids Terminal.

3) The SPCC Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards, and with the requirements of the SPCC rule.

4) Procedures for required inspections and testing have been established.

5) The SPCC Plan is adequate for the Burns Harbor Liquids Terminal facility.

Engineer: William K. Graham Registration No: PE10911000 State: IN

Signature:_____ Date:_____

(SEAL)

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Engineer: William K. Graham Registration No: PE10911000 State: IN

Signature:_____ Date:_____

(SEAL)

## CERTIFICATION OF SUBSTANTIAL HARM DETERMINATION FORM

**FACILITY NAME:** Frick Services Liquid Terminal
**FACILITY ADDRESS:** 570 E. Boundary Road, Portage, IN 46368

**US Environmental Protection Agency (USEPA) Criterion**

| | | | | |
|---|---|---|---|---|
| 1. Does the non-transportation facility have a total oil storage capacity greater than or equal to 42,000 gallons and transfers oil over water to or from vessels? | YES | √ | NO | — |
| 2. Does the facility have a maximum oil storage capacity greater than or equal to one million (1,000,000) gallons and is the facility without secondary containment for each aboveground storage area sufficiently large to contain the capacity of the largest aboveground storage tank within the storage area? | YES | √ | NO | — |
| 3. Does the facility have a maximum oil storage capacity greater than or equal to one million (1,000,000) gallons and is the facility located at a distance such that a discharge from the facility could cause injury (defined in 40 CFR 112.2) to fish, wildlife and sensitive environments? | YES | √ | NO | — |
| 4. Does the facility have a maximum oil storage capacity greater than or equal to one million (1,000,000) gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III of 40 CFR 112.20), such that a discharge from the facility would shut down a public drinking water intake, which is analogous to a public water system as described in 40 CFR 143.2? | YES | — | NO | √ |
| 5. Does the facility have a maximum oil storage capacity greater than or equal to one million (1,000,000) gallons and within the past 5 years, has the facility experienced a reportable spill in an amount greater than or equal to 10,000 gallons? | YES | — | NO | √ |

**CERTIFICATION**

I certify, under penalty of law, that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Signature: _____ Date: 11/2/12

Printed Name: Daniel R. Frick Title: Managing Member

## 1.3 PLAN REVIEW AND AMENDMENTS

Burns Harbor Liquids Terminal is required to develop, implement, and maintain a Spill Prevention Control and Countermeasure (SPCC) Plan in accordance with the regulations of Title 40 of the Code of Federal Regulations, Part 112 (40 CFR 112) as amended through June 19, 2009, based on the following criteria:

- Aboveground oil storage capacity is greater than 1,320 gallons.
- Due to its location, the facility could reasonably be expected to discharge oil into or upon the navigable waters of the United States or adjoining shorelines.

This SPCC Plan will be amended whenever there is a change in facility design, construction, operation, or maintenance, which materially affects the potential for the discharge of oil into or upon the navigable waters of the US or adjoining shorelines. Such technical amendments will be implemented as soon as possible, but not later than six months after such change occurs.

Facility modifications that could require a technical amendment are:

- Reconstruction, replacement or installation of new tanks or piping systems;
- Addition of new truck or rail loading / unloading facilities;
- Modifications that would reduce secondary containment or the ability to contain spills; or,
- Any other changes in the facility or its operations that affect the facility's potential to discharge oil to navigable waters or adjoining shorelines. This includes procedural changes such as reducing inspections from those specified in this SPCC Plan.
- A review and evaluation of the SPCC Plan must be completed at least once every five years in accordance with 40 CFR 112.5(b).

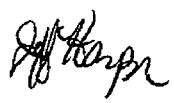
Any technical amendment to the SPCC Plan shall be certified by a Professional Engineer in accordance with 40 CFR 112.3(d). A Professional Engineer certification is not required for non-technical amendments such as changes to phone numbers, names, etc. If the SPCC Plan does not require a technical amendment, the facility operator/manager may sign and date the five-year review, stating no technical amendment was necessary. The Five Year Review Plan Summary Page is located on the following page.

This SPCC plan is not required to be filed with the USEPA, but a copy will be available for on-site review by the Regional Administrator during normal working hours. The SPCC plan must be submitted to the US EPA Region 5 Regional Administrator and the Indiana Department of Environmental Management along with the Discharge Information Form (Appendix B) if either of the following occurs:

1) The facility discharges more than 1,000 gallons of oil into or upon the navigable waters of the United States or adjoining shorelines in a single spill event;
2) The facility discharges oil in quantities greater than 42 gallons in each of two spill events within any twelve month period.

## FIVE YEAR REVIEW PLAN SUMMARY PAGE

In accordance with 40 CFR 112.5(b), a review and evaluation of this SPCC Plan is conducted at least once every 5 years. These reviews and evaluations are recorded below:

| Operations Manager* Signature | Operations Manager (print) | Date | Comments | Is P.E. re-certification required (yes or no) |
|---|---|---|---|---|
|  | Jeff Harper | November 8, 2012 | Tank 6 removed from oil service; added security; non-technical amendments | Yes |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

* Operations Manager reviews and evaluates the SPCC Plan and completes this form.

### LOCATION OF PLAN STATEMENT [40 CFR § 112.3(E)(1)]

A complete copy of this SPCC Plan is maintained in the Operations Manager's office of this facility per 40 CFR 112.3(e)(1).

### SPCC GENERAL REQUIREMENTS [40 CFR § 112.7]

**40 CFR 112.7**

If you do not follow the sequence specified in this section for the Plan, you must prepare an equivalent Plan acceptable to the Regional Administrator that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan.

The Burns Harbor Liquids Terminal SPCC Plan has been organized to sequentially follow all the applicable regulatory sections of 40 CFR 112. Therefore, a cross-reference of applicable regulatory requirements and the locations where they are discussed in this SPCC Plan is not necessary. Text references from the applicable SPCC regulation are provided in a box after each section heading, followed by a description of Frick Services' conformance with each requirement.

All transfer stations and oil filled piping is addressed in this Plan, with the exception of the dock-side barge transfer station and the piping leading to it from the first valve located outside of the bulk oil storage tanks within the dike. This transfer station and piping is subject to the regulations of the Department of Transportation and is addressed within the Burns Harbor Liquid Terminal Facility Response Plan (FRP).

Except for the FRP, there are no other spill prevention standards that are required to be followed; including other prevention and containment procedures listed in 40 CFR 112 or any applicable State of Illinois or local rules, regulations or guidelines.

## 2.0 FACILITY DESCRIPTION

**40 CFR 112.7(a)(3)**

Describe in your Plan the physical layout of the facility and include a facility diagram, which must mark the location and contents of each container.

The Frick Services' Burns Harbor Liquid Terminal facility generally consists of an operations building, fifteen land-side aboveground storage tanks (ASTs) with secondary containment, associated pipeline system, two land-side tanker truck transfer stations, and one rail car transfer station; which together are utilized for the purpose of warehousing, marketing, and distribution of bulk fertilizers, calcium chloride solutions, soy bean oil and recycled oil to marine and land based customers. Mooring location is on the east harbor arm of the Port of Indiana, seventeen hundred feet north of the Frick terminal office at a 350-ft by 1,900-ft Port of Indiana-Burns Harbor dock/berth. Safety equipment is located at the terminal office and the mooring location. See Figure 1 behind the *Figures* tab for the Site Location Map and Figure 2 for the Site Plan.

The petroleum products handled at the facility consist of Recycled No.4 Fuel Oil and Soybean Oil. Recycled No. 4 Fuel Oil is mainly trucked in and shipped out by barge, while soybean oil is brought in and out by either rail car or tanker truck. Dock operations consist mainly of transfers of petroleum product between the facility's land-side storage tank and marine barges or vessels.

The Port of Indiana-Burns Harbor is located in the town of Portage, Porter County, Indiana. The Port is monitored by cameras 24 hours a day. In addition, Port Security conducts inspections of the Port 12 times a day (four inspections per shift, three shifts per day). Land use in the vicinity of the Burns Harbor Liquid Terminal is a mixture of industrial and undeveloped property. Surface gradient throughout the Burns Harbor area is relatively flat with a slight northward slope towards Lake Michigan. The facility information form for the Burns Harbor Liquid Terminal is provided on the following page.

### 2.1 FACILITY OWNER / OPERATOR INFORMATION

| | |
|---|---|
| Facility Name and Location: | Frick Liquid Terminal<br>570 E. Boundary Road, Port of Indiana<br>Portage, Indiana 46368<br>Porter County<br><br>Tank Farm Operator: **(219) 787-8548** |
| Terminal Facility Location: | Latitude: 41 Deg 38 Min 08 Sec<br>Longitude: 87 Deg 09 Min 00 Sec |
| Owner/Operator: | Frick Services, Inc.<br>3154 West Depot Street<br>Wawaka, Indiana 46794<br>(260) 761-3311 |

| | |
|---|---|
| Qualified Individual: | Jeff Harper – Operations Manager<br>Facility Phone: (219) 787-8548<br>24-hour Cell Phone: (219) 242-4575<br>Address: 570 E. Boundary Road, Port of Indiana, Portage, Indiana<br>Home Phone: (219) 926-2004<br>Fax: (219) 787-8101<br>Trained to necessary qualifications of position<br><br>***Alternate Qualified Individuals***<br>Randy Robbins – Operator, Cell Phone: (219) 608-8240<br>Gary Hageman – Operator, Cell Phone: (219) 713-0539<br>Crawford Smith – Operator, Cell Phone: (773) 354-1496<br>Trained to necessary qualifications of position |
| Date of Oil Storage Start-up: | 2008 |
| Current Operation<br><br>North American Industrial Classification System (NAICS) codes:<br>**424710** - Petroleum Bulk Stations and Terminals<br>**493190** – Other Warehousing and Storage | Bulk recycled oil storage and terminal operations: receives recycled oil and soybean oil via tank trucks. Fertilizers, soybean oil and stores petroleum products through pipelines and tankage at the Liquid Terminal, and distributes via barges at the Barge Loading Area of the East Harbor of the Port of Indiana.<br><br>Standard Industry Classification code:<br>**5171** - Petroleum Terminals & Bulk Stations<br>**4225** – General Warehousing and Storage |
| Dates and Type of Substantial Expansion | Facility has operated since 1976, and added Tank 7(June 2007) for storage of soybean oil, Tank 8 (September 2008) for the storage of #4 fuel oil, and Tank 6 (May 2009) for storage of #4 Fuel Oil. Tank 6 was removed from #4 fuel oil service in April 2010. |

## 2.2 OIL STORAGE AND HANDLING LOCATIONS

**40 CFR 112.7(a)(3)(i)**

Describe in your Plan the physical layout of the facility and include a facility diagram, which must mark the location and contents of each container. The facility diagram must include completely buried tanks that are otherwise exempted from the requirements of this part under § 112.1(d)(4). The facility diagram must also include all transfer stations and connecting pipes. You must also address in your Plan:
(i) The type of oil in each container and its storage capacity;

A list of the oil storage containers, maximum capacities, and the type of oil stored is included in Table 1, Summary of Oil Storage. See Figure 2 behind the *Figures* tab for the location of the bulk oil storage tanks, associated piping, transfer stations, and oil filled electrical transformers Also provided on the figure are flow (slope) directions of rainwater (and spilled oil paths). There are no storm sewers located within the facility, nor are there underground storage tanks or surface impoundments used for the storage of any petroleum product.

All transfer stations and oil filled piping is addressed in this Plan, with the exception of the dock-side barge transfer station and the piping leading to it from the first valve located outside of the bulk oil storage tanks within the dike. This transfer station and piping is subject to the regulations of the Department of Transportation and is addressed within the Burns Harbor Liquid Terminal Facility Response Plan (FRP).

| TABLE 1- SUMMARY OF OIL STORAGE | | | |
|---|---|---|---|
| **Figure Location** | **Storage Container** | **Substance Stored** | **Capacity (gallons)** |
| A | Tank 6 | Removed from Oil Service 4/2010 | NA |
| B | Tank 7 | Soybean Oil | 2,800,000 |
| C | Tank 8 | Recycled No. 4 Fuel Oil | 1,900,000 |
| D | Tote (1)(Drums-2) | Lube Oil(Used Oil) | 275 (2 @ 55) |
| E | Transformer* | Mineral Oil | <55 (based on size) |
| F | Transformer* | Mineral Oil | <55 (based on size) |
| G | Transformer* | Mineral Oil | <55 (based on size) |
| | | **Total Regulated Oil Storage Capacity** | **4,700,385** |

Note: *Containers with a storage capacity of less that 55 gallons are not regulated under 40 CFR 112.

## 2.3 FACILITY OPERATIONS

**40 CFR 112.7(a)(3)(ii)** You must also address in your Plan:

(ii) Discharge prevention measures including procedures for routine handling of products (loading, unloading, and facility transfers, etc.);

**Discharge Prevention Measures**

See the following sections of this Plan for a discussion of the discharge prevention measures implemented at the facility:

- Section 3.1- Containment Structures (40 CFR 112.7(c)(1))
- Section 3.2- Facility Response Plan (40 CFR 112.7(d))
- Section 3.3- Inspections, Tests, and Records (40 CFR 112.7(e))
- Section 3.4- Personnel, Training, and Discharge Prevention Procedures (40 CFR 112.7(f)(1))
- Section 4.1- Fencing (40 CFR 112.7(g)(1))
- Section 4.2- Storage Tank Valves (40 CFR 112.7(g)(2))
- Section 4.3- Oil Pump Starter Controls (40 CFR 112.7(g)(3))
- Section 4.4- Piping- Not in Service (40 CFR 112.7 (g)(4))
- Section 4.5- Lighting (40 CFR 112.7(g)(5))
- Section 5.0- Loading/Unloading Racks (40 CFR 112.7(h))
- Section 7.0- Facility Drainage (40 CFR 112.8(b)(1) and 112.12(b)(1))

**40 CFR 112.7(a)(3)(iii):** You must also address in your Plan:

(iii) Discharge or drainage controls such as secondary containment around containers and other structures, equipment, and procedures for the control of a discharge;

**Discharge Control**

See the following sections of this Plan for a discussion of the discharge/drainage controls implemented at the facility:

- Section 3.1- Containment Structures (40 CFR 112.7(c)(1))
- Section 5.0- Loading/Unloading Racks (40 CFR 112.7(h)(1))
- Section 7.0- Facility Drainage (40 CFR 112.8(b)(1) and 112.12(b)(1))

**40 CFR 112.7(a)(3)(iv):** You must also address in your Plan:

(iv) Countermeasures for discharge discovery, response, and cleanup (both the facility's capability and those that might be required of a contractor);

**Discharge Countermeasures**

Should a discharge occur, depending on the size, Burns Harbor Liquid Terminal will use employees that have been trained to clean up small spills with sorbent materials stored on site. Oil dry sorbent, sorbent pads, sorbent boom, squeegees, and shovels would be the primary response equipment used in case of a release. This equipment is stored in salvage drums in mobile trailers at the following locations:

- Barge Dock Load/Unload Transfer Station
- Liquid Terminal Office

These locations have been identified on Figure 2.

Large spills would be handled by the Oil Spill Response Organizations (OSRO) that has been identified in Appendix A. Capabilities of the contractor are also included in Appendix A.

If an oil spill occurs at the facility, the procedures outlined in the Burns Harbor Liquid Terminal Facility Response Plan (FRP) will be followed.

**40 CFR 112.7(a)(3)(v):** You must also address in your Plan:

(v) Methods of disposal of recovered materials in accordance with applicable legal requirements;

Waste handling procedures will be preceded by several steps with an overall objective of waste minimization, cost effectiveness, minimization of impact on unaffected areas or already cleaned areas, regulatory compliance, worker safety, and proper disposal. Burns Harbor Liquid Terminal will recover, reuse, decontaminate, or dispose of released product as appropriate. Waste materials may include, but not be limited to the following:

- Recovered product.
- Contaminated soil.
- Contaminated equipment & materials: drums, tank parts, valves, and shovels.
- Personal protective equipment.
- Decontamination solutions.
- Absorbents.
- Spent chemicals.

Spilled petroleum-related materials and contaminated spill cleanup materials recovered from land and water require proper handling. Management of hazardous substance and oily waste material, including recycling, treatment, storage, and disposal, are the responsibility of the OSRO, are outlined in the contract with the OSRO, and must comply with applicable state and federal regulations. Waste handling procedures will be preceded by several steps with an overall objective of waste minimization, cost effectiveness, minimization of impact on unaffected areas or already cleaned areas, regulatory compliance, worker safety, and proper disposal.

Contaminated spill clean-up materials will be characterized for proper handling by either analysis or by knowledge of the materials. If the constituents of both the recovered spill and contaminated spill clean-up materials are known, characterization may be possible based only on previous knowledge. If previous knowledge is not adequate, representative samples of these materials must be collected and sent to a laboratory for analysis. The analytical results will be evaluated, and the wastes will be handled in accordance with appropriate state and federal regulation. If the material cannot be recycled, a

determination will be made whether the material is non-hazardous (special waste) or hazardous. Burns Harbor Liquid Terminal will verify that OSROs comply with applicable regulations when disposing of wastes generated at their work site due to spill recovery operations.

**40 CFR 112.7(a)(3)(vi):** You must also address in your Plan:

(vi) Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with whom you have an agreement for response, and all appropriate Federal, State, and local agencies who must be contacted in case of a discharge as described in § 112.1(b).

Please refer to the spill notification contacts and cleanup contractors provided at the front of this Plan on page 3.

## 3.0 POTENTIAL SPILL PREDICTIONS AND DISCHARGE CONTROL

**40 CFR 112.7(b)**

Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of a discharge), include in your Plan a prediction of the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure.

**Spill Prediction**

Fuel oil and soybean oil are stored, piped or transported throughout the facility, therefore spills could occur at various locations. The following are possible discharge scenarios:

- Failure of manifold and mechanical loading arm, other transfer equipment or hoses
- Tank overfill
- Tank failure
- Piping leaks
- Piping rupture
- Explosion and/or fire
- Equipment failure

Frick Services' Liquids Terminal maintains spill containment and structures that are intended to prevent spillage from reaching and entering navigable water. The following predictions include direction, rate of flow, and quantity of oil that that could be discharged as a result of each major type of failure.

**Bulk Storage Areas**

Spills resulting from tank overfilling in the bulk storage areas would be contained within secondary containment dikes. The rate of a tank overflow would depend on the flow rate during the transfer to the tank. The total quantity of product that may be released depends upon the particular transfer rate, and the duration of the release event.

A failure could be an instantaneous (catastrophic) failure, causing the release of the entire volume of the tank at one time or a gradual leak of variable size, volume, and flow rate. Leaks could occur at tank and piping connections, valves, pumps, and other product handling equipment.

In the event of a complete failure of Tank 7, the secondary containment structure is adequate to contain the entire contents of the tank plus a 6-inch rainfall. Tank 7 is one of six tanks within an earthen berm that serves as secondary containment for the tanks. Because the other tanks within this area are used for the storage of fertilizer solutions and calcium chloride solutions, the secondary containment structure for Tank 7 is constructed with a 6-inch clay lining as specified under Indiana Administrative Code Article 2 Rule 5 for fertilizer storage (355 IAC 2-5-7).

In the event of a complete failure of Tank 6 or Tank 8, the secondary containment structures for these tanks are not adequate to contain the entire content of the tank plus a 6-inch rainfall. Oil would escape secondary containment and flow northeastward. Free liquid will be contained using absorbent booms, earthen dikes, or interceptor trenches. An event of this magnitude would be addressed via the FRP and ORSO. If a release threatened Lake Michigan, Burns Harbor would be boomed at its mouth.

***Underground Piping***

The total quantity of a potential release of oil from underground piping depends upon the particular transfer rate and the duration of the release event.

**Truck Loading/Unloading Areas**

Releases resulting from truck overflows at the truck loading/unloading racks would be contained within the secondary containment around these areas. Containment of releases from the truck loading racks is provided by concrete surface (near Tanks 6 and 7) or asphalt surface (near Tank 8) sloped towards sumps. When rainwater accumulates, the sumps are pumped into the base of the adjacent AST secondary containment areas. The maximum size of a tanker truck servicing this facility is 12,000 gallons total, in at least four separate compartments. Therefore, the maximum release due to a truck compartment rupture is 3,000 gallons. A system of pipes and pumps transfers product to/from trucks to the ASTs. A rupture of a tank truck could be an instantaneous failure resulting in the release of the entire volume of one compartment, or a gradual leak of variable size. Leaks may occur at tank and piping connections, valves, pumps, and other material handing equipment. Tank trucks are loaded/unloaded using electric pumps operating at 650 gallons per minute. The release volume and rate of flow due to a leak are variable and depend on the type of leak.

**Rail Car Loading Racks**

Releases resulting from rail car overflows at the rail car loading/unloading racks would be contained within the secondary containment around these areas. Containment of releases from the rail car loading racks is provided by concrete surface sloped towards sumps. The loading racks are covered to minimize the amount of storm water that enters the sumps. The maximum size of a rail car servicing this facility is 20,000 gallons total, therefore, the maximum release due to a truck compartment rupture is 20,000 gallons. A system of pipes and pumps transfer product to/from the rail cars to the ASTs. A rupture of a rail truck could be an instantaneous failure resulting in the release of the entire volume of one rail car, or a gradual leak of variable size. Leaks may occur at tank and piping connections, valves, pumps, and other material handing equipment. Rail cars are loaded/unloaded using electric pumps operating at 700 gallons per minute. The release volume and rate of flow due to a leak are variable and depend on the type of leak.

**Drums and Totes**

Releases resulting from drums and totes would be contained within the secondary containment areas of the Truck Loading/Unloading Areas and the Rail Car Loading Racks. The maximum release due to a complete failure of a drum is 55 gallons; a complete failure of a tote would release 275 gallons. Secondary containment areas have sufficient capacity to retain the entire contents of a drum or tote. Where drums and totes are staged outside permanent secondary containment areas, they are staged on containment pallets.

## 3.1 CONTAINMENT STRUCTURES

**40 CFR 112.7(c)(1)**

Provide appropriate containment and/or diversionary structures or equipment to prevent discharged oil from reaching navigable watercourse. The entire containment system, including walls and floor, must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank or pipe, will not escape the containment system before cleanup occurs. At a minimum, include one of following preventive systems for onshore facilities:

i) Dikes, berms or retaining walls;

ii) Curbing;

iii) Culverts, gutters or other drainage;
iv) Weirs, booms or other barriers;
v) Spill diversion ponds;
vi) Retention ponds; and,
vii) Sorbent materials.

The following secondary containment structures are utilized at the facility. A summary of secondary containment volumes are presented in Table 2. Secondary Containment Volume Calculations are presented in Appendix C.

**TABLE 2- SUMMARY OF SECONDARY CONTAINMENT VOLUMES**

| Location | Secondary Containment Volume (Gallons) | Maximum Tank/Compartment Capacity (Gallons) | Containment Greater than 100% Plus Rainfall? |
|---|---|---|---|
| Tank 6 – Removed from oil service 4/2010 | 706,000 | 860,000 | NA |
| Tank 7 | 3,080,000 (est) | 2,800,000 | Yes |
| Tank 8 | 648,000 | 1,900,000 | No* |
| Truck Loading/Unloading Area- Tanks 6 and 7 | 6,300 | 3,000 | Yes |
| Truck Loading/Unloading Area- Tank 8 | 4,000 | 3,000 | Yes |
| Rail Car Loading/Unloading Area | 24,000 | 20,000 | Yes |

Note: * See Section 4.2- Facility Response Plan (40 CFR 112.7(d))

**Tank 6:**

The 860,000-gallon Tank 6 is located within a separate earthen dike with a 706,000-gallon capacity. It was removed from oil service and cleaned in April 2010 and placed in liquid fertilizer service. If this tank reverts to oil service, this SPCC Plan would be amended.

**Tank 7:**

The 2,800,000-gallon Soybean Oil Tank is located within an earthen dike with an estimated 3,080,000-gallon capacity. The floor and sides are capable of containing oil and are constructed so that any discharge of oil from a tank or pipe will not escape the containment system before cleanup occurs. The earthen dike is adequate to contain the entire contents of the tank plus a 6-inch rainfall. Because the other tanks within this area are used for the storage of fertilizer solutions and calcium chloride solutions, the secondary containment structure for Tank 7 is constructed with a 6-inch clay lining as specified under Indiana Administrative Code Article 2 Rule 5 for fertilizer storage (355 IAC 2-5-7).

**Tank 8:**

The 1,900,000-gallon Recycled No. 4 Fuel Oil Tank is located within a separate dike with earthen floor and berms of earth covered with slag. The containment has a 648,000-gallon capacity. The floor and sides are capable of containing oil and are constructed so that a discharge of oil from a tank or pipe will not escape the containment system before cleanup occurs. The dike is not adequate to contain the entire contents of the tank plus a 6-inch rainfall. It has been determined that increasing the capacity of the containment is impractical. The reasons for the impracticability determination is discussed in the Section 4.2 - Facility Response Plan (40 CFR 112.7(d)).

**Truck Loading/Unloading Area- Tank 6 and Tank 7:**

The truck loading/unloading area for Tank 6 and Tank 7 is located in a separate curbed concrete area with a 6,300 gallon containment capacity sufficiently impervious to contain potential spills. The containment area is adequate to contain the entire contents of the largest compartment of a tanker truck.

**Truck Loading/Unloading Area- Tank 8:**

The truck loading/unloading area for Tank 8 is located in a separate curbed asphalted area with a 4,100 gallon containment capacity sufficiently impervious to contain potential spills. The containment area is adequate to contain the entire contents of the largest compartment of a tanker truck plus a 6-inch rainfall.

**Rail Car Loading/Unloading Area:**

The rail car loading/unloading area is located in a separate concrete area sloped towards sumps with a 23,800 gallon containment capacity sufficiently impervious to contain potential spills. The containment area is adequate to contain the entire contents of the largest compartment of a rail car.

## 3.2 FACILITY RESPONSE PLAN

**40 CFR 112.7(d)**

When installation of structures or equipment, as outlined in 112.7(c) is not practicable, clearly explain why such measures are not practicable; for bulk storage containers, conduct periodic integrity testing of the containers and periodic integrity and leak testing of the valves and piping, unless you have submitted a response plan under 40 CFR 112.20 provide the following in your SPCC Plan:

1. Provide an oil spill contingency plan described in 40 CFR 109; and,
2. Provide a written commitment of manpower, equipment and materials to control and remove harmful quantity of oil discharged.

Frick Services Liquid Terminal has determined that the following secondary containment areas, along with the facility drainage system and the readily available equipment at this facility is practical and effective to prevent discharge oil from reaching navigable waters:

- Earthen secondary containment dike for Tank 7
- Concrete secondary containment for Truck Loading/Unloading Area- Tank 6 and Tank 7
- Asphalt secondary containment for Truck Loading/Unloading Area- Tank 8
- Earthen and Concrete secondary containment for Rail Car Loading/Unloading Area

Capacities of the earthen secondary containment dikes for Tank 8 are not adequate to contain the contents of those tanks in the case of a complete tank failure plus a 6-inch rainfall. In the event of a catastrophic failure, oil could escape secondary containment and flow northeastward. Free liquid would be contained using absorbent booms, earthen dikes, or interceptor trenches.

IMPRACTICABILITY DETERMINATION: It has been determined that increasing the capacity of the secondary containment dike for Tank 8 is impractical for the following reasons:

**Tank 8 Secondary Containment Dike**

1) The height of the northern portion of the dike is less than 6 feet above interior grade. However, the horizontal expansion required to maintain a sloped dike is limited by the property line to the north, west and south, and by the Truck Loading/Unloading Area - Tank 8, to the east. The facility also lacks the space for remote impoundment. Other containment measures under 112.7(c) such as sorbents would be ineffective for larger releases.

    - Because providing 100% Secondary Containment capacity for this bulk storage tank is impractical, Frick Services has provided in this SPCC Plan the additional elements required under 40 CFR 112.7(d): Periodic integrity testing of the bulk storage containers will be conducted, including facility self-inspections, formal internal and external inspections, and

leak tests consistent with industry standards. A formal internal inspection was completed 9/6/2005, with recommendations made including reinspection in 15 years.

- Frick Services Liquid Terminal maintains a Facility Response Plan in accordance with 40 CFR Section 112 which includes a written commitment of manpower, equipment, and materials required to address oil discharged that may be harmful.

## 3.3 INSPECTIONS, TESTS, AND RECORDS

**40 CFR 112.7(e)**

Conduct inspections and tests required by this part in accordance with written procedures that you or the certifying engineer develop for the facility. You must keep these written procedures and a record of the inspections and tests, signed by the appropriate supervisor or inspector, with the SPCC Plan for a period of three years. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

Facility self-inspections are conducted on a regular basis to identify and correct problems before spills occur. Signs of leakage or potential leakage are reported to the Operations Manager and corrective actions and/or repairs are promptly implemented. Facility self-inspection checklists, including Tank Inspection Checklist, Secondary Containment Inspection Checklist, and Drums and Totes Inspection Checklist are located in Appendix D. These monthly visual inspections are performed based on the relevant elements of API 653 Tank In-Service Inspection Checklist (Appendix J). Completed monthly inspection forms are located in Appendix E. Inspection logs are signed by the Operations Manager and original copies are maintained with this plan at the Frick Services Liquid Terminal Operations Office for a minimum of three years. Periodic formal internal and external inspections of the bulk storage tanks are also conducted on a regular basis in accordance with Section 6 – Inspection of API 653 Tank Inspection, Repair, Alteration and Reconstruction. The schedule for inspections is outlined in Table 3.

**TABLE 3- INSPECTION SCHEDULE**

| Inspection Area | Facility Self-Inspection | Formal External Inspection | Formal Internal Inspection** |
|---|---|---|---|
| Tank 7 | Monthly | Every five (5) years* | Every twenty (20) years* |
| Tank 8 | Monthly | Every five (5) years* | Every twenty (20) years** |
| Tank 6 Earthen Dike | Monthly | -- | -- |
| Tank 7 Earthen Dike | Monthly | -- | -- |
| Tank 8 Earthen Dike | Monthly | -- | -- |
| Truck Loading/Unloading Area- Tank 6 and 7 | Monthly | -- | -- |
| Truck Loading/Unloading Area- Tank 6 and 7 | Monthly | -- | -- |
| Drums and Totes | Monthly | -- | -- |
| Response Equipment | Semi-Annually | -- | -- |

Note: * And whenever material repairs are made ** 2005 Tank 8 Inspection report says 15 years

## 3.4 PERSONNEL, TRAINING, AND DISCHARGE PREVENTION PROCEDURES

**40 CFR 112.7(f)(1)**

At a minimum, train your oil-handling personnel in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC Plan.

Frick Services provides spill response and prevention training to its oil-handling employees at least once a year. Spill training at the facility involves reviewing proper use of oil sorbent, and spill response materials, notification of facility personnel, regulators, and spill response contractors, and appropriate measures to maintain the health and safety of workers. Documentation of these events are recorded on the employee training record sheet (Appendix F), and kept on file with this SPCC Plan. Frick Services also provides training on procedures for offloading oil from trucks at the facility. Documentation of this training is kept on file with this SPCC Plan in Appendix G.

All new employees are carefully trained and supervised during the first year of employment. Training is provided in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of this SPCC Plan. Each new employee is accompanied by trained personnel on each new work assignment and instructed regarding proper operational and maintenance spill prevention, and emergency response procedures. New employees are not given sole responsibility for any specific work assignment until they have proven themselves qualified by conducting normal assignments under the direct supervision of trained personnel.

Frick Services Liquid Terminal will certify that its Qualified Individual and Emergency Response Contractors assigned to all levels have received the required training or equivalent and are competent. Copies of certificates should be kept with initial and refresher training documentation. Initial training and the method used to satisfy the refresher training / competency demonstration requirement must be documented in writing for each employee trained for spill response. This documentation should include the type of training, the date of the training, and the number of hours completed.

## 4.0 SECURITY

### 4.1 FENCING

**40 CFR 112.7(g)(1)**

Fully fence each facility handling, processing, or storing oil, and lock and/or guard entrance gates when the facility is not in production or is unattended.

Security at this Facility is controlled by the Port Authority Security, which includes controlled access to the Port area. The Port of Indiana is also monitored by security cameras 24 hours per day. Port Security conducts inspections of the Port twelve times a day (four inspections per shift, three shifts per day). Perimeter fencing prohibits unauthorized personnel from entering the facility. New restrictions are being placed into effect for access to the Bulk Loading Area due to Homeland Security Regulations, and access to these areas is restricted to persons who display upon entry to security guards government-issued identification cards with a photograph.

A Facility Security Plan (FSP) has been implemented under US Coast Guard/Homeland Security Regulations at 33 CFR 105.400. Among elements of the FSP are: (1) Security administration and organization of the facility; (2) Personnel training; (3) Drills and exercises; (4) Records and documentation; (5) Response to change in MARSEC Level; (6) Procedures for interfacing with vessels;(7) Declaration of Security (DoS); (8) Communications;(9) Security systems and equipment maintenance;(10) Security measures for access control, including designated public access areas; (11) Security measures for restricted areas; (12) Security measures for handling cargo; (13) Security measures for delivery of vessel stores and bunkers; (14) Security measures for monitoring;(15) Security incident procedures; and (16) Audits and security plan amendments.

Implementation of the FSP at Frick Services includes limiting and controlling access by adding signage, security fencing and gates, closed circuit monitoring, prohibiting unauthorized or unescorted access, requiring credentials including Transportation Worker Identification Cards (TWIC).

### 4.2 STORAGE TANK VALVES

**40 CFR 112.7(g)(2)**

Ensure that the master flow and drain valves and any other valves permitting direct outward flow of the container's contents to the surface have adequate security measures so that they remain in the closed position when in non-operating or non-standby status.

Pumps and valves at the facility are locked in the closed position when unattended. Security and perimeter fencing prohibits unauthorized personnel from entering the facility and opening any flow or drain valves.

### 4.3 OIL PUMP STARTER CONTROLS

**40 CFR 112.7(g)(3)**

Lock the starter control on each oil pump in the "off" position and locate it at a site accessible only to authorized personnel when the pump is in a non-operating or non-standby status.

Pumps and valves are locked when unattended. In the event of an emergency, shut down is provided by a quick cut off of the pumping motor and closing of all valves. All personnel involved in the operations at this terminal carry hand held radios. Frick Services Liquid Terminal is a secure site accessible only to authorized personnel or escorted visitors..

### 4.4 PIPING – NOT IN SERVICE

**40 CFR 112.7(g)(4)**

Securely cap or blank-flange the loading/unloading connections of oil pipelines or facility piping when not in service or when in standby service for an extended time. This security practice also applies to piping that is emptied of liquid content either by draining or by inert gas pressure.

Pipelines that are de-commissioned or out-of-service for extended periods of time are capped.

### 4.5 LIGHTING

**40 CFR 112.7(g)(5)**

Provide facility lighting commensurate with the type and location of the facility that will assist in the:

i) Discovery of discharges occurring during hours of darkness, both by operating personnel, if present, and by non-operating personnel (the general public, local police, etc.); and

ii) Prevention of discharges occurring through acts of vandalism.

Facility over head lighting for nighttime operations is provided. This lighting meets or exceeds that necessary for safe operations. Lighting is also adequate to detect spills during nighttime hours and prevent vandalism.

## 5.0 LOADING / UNLOADING RACKS

**40 CFR 112.7(h)(1)**

Where loading/unloading area drainage does not flow into a catchment basin or treatment facility designed to handle discharges, use a quick drainage system for tank car or tank truck loading and unloading areas. You must design any containment system to hold at least the maximum capacity of any single compartment of a tank car or tank truck loaded or unloaded at the facility.

**40 CFR 112.7(h)(2)**

Provide an interlocked warning light or physical barrier system, warning signs, wheel chocks, or vehicle break interlock system in loading/unloading areas to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines.

**40 CFR 112.7(h)(3)**

Prior to filling and departure of any tank car or tank truck, closely inspect for discharges the lowermost drain and all outlets of such vehicles, and if necessary, ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit.

See the following sections of this Plan for a discussion of the Truck and Rail Car Loading/Unloading Areas secondary containment:

- *Containment Structures* **(40 CFR 112.7(c)(1))**

All drivers must meet the minimum requirements and regulations for tank truck loading established by the U.S. Department of Transportation. Frick Services ensures that the driver understands the site layout, knows the protocol for entering the facility and loading product, and has the necessary equipment to respond to a discharge from the vehicle or fuel delivery hose. All loading and unloading of tank vehicles takes place only in the designated loading/unloading areas. The truck driver remains with the vehicle at all times while fuel is being transferred. Prior to filling or departure of tank trucks or rail cars, the driver applies the brake on his truck and shuts off the engine. The truck driver then completes an inspection of all outlets of the vehicle to ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit. A warning sign is present in the loading/unloading areas to prevent vehicles from departing before a complete disconnection of flexible or fixed oil transfer lines.

## 6.0 FIELD CONSTRUCTED ABOVEGROUND CONTAINERS

**40 CFR 112.7(i)**

If a field-constructed aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, evaluate the container for risk of discharge or failure due to brittle fracture or other catastrophe, and as necessary, take appropriate action.

In the event of a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure of Tank 6, Tank 7, or Tank 8, or if the container has discharged oil or failed, the container will be formally inspected for brittle fracture as defined in accordance with American Petroleum Institute (API) Standard 653 Tank Inspection, Repair, Alteration and Reconstruction recommendations.

"Repair" is defined as any work necessary to maintain or restore a container to a condition suitable for safe operation. Typical examples include:

- Removal and replacement of material (such as roof, shell, or bottom material, including weld metal) to maintain container integrity;
- Re-leveling or jacking of a container shell, bottom, or roof; the addition of reinforcing plates to existing shell penetrations;
- Repair of flaws, such as tears or gouges, by grinding or gouging followed by welding.

"Alteration" is defined as any work on a container involving cutting, burning, welding, or heating operations that changes the physical dimensions or configurations of the container.

Typical examples include:

- Addition of manways and nozzles greater than 12-inch nominal pipe size
- An increase or decrease in tank shell height.

"Reconstruction" is defined as any work necessary to reassemble a tank that has been dismantled and relocated to a new site.

"Change in Service" is defined as any change from previous operating conditions involving different properties of the stored product (e.g., specific gravity, corrosivity) or service conditions (e.g., temperature, pressure).

**SPCC SPECIFIC REQUIREMENTS FOR ONSHORE FACILITIES [40 CFR § 112.8 and 40 CFR § 112.12]**

## 7.0 FACILITY DRAINAGE

**40 CFR 112.8(b)(1) and 40 CFR 112.12(b)(1)**

Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

**Drainage of Secondary Containment Areas**

The secondary containment areas for Tank 6, Tank 7, Tank 8, and Truck Loading/Unloading Area- Tank 8 at Frick Services Liquid Terminal are designed to allow rainwater to evaporate. Rainwater within the containment area for the Truck Loading/Unloading Area- Tanks 6 and 7 is transferred manually via pump into the adjacent containment area for Tank 7. The containment area for Tank 7 is slightly sloped to the southeast, so that rainwater can be retained inside of a secondary berm within the containment, and not be pooled around the tank bases.

Prior to all dike rainwater transfers, an inspection is performed to verify no oil or sheen exists on the water (see Dike Transfer Log in Appendix H). Accumulated water from the containment area is transferred only if visual observations do not indicate the presence of oil (sheen or oil floating on the water). If visual observations indicate the presence of a sheen or oil on the accumulated water, the water will not be transferred. Arrangements will be made to have the accumulated water pumped into drums or a tank truck for proper disposal.

## 7.1 DIKED STORAGE AREA DRAINAGE

**40 CFR 112.8(b)(2) and 40 CFR 112.12(b)(2)**

Use valves of manual, open-and closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained storm water, as provided in paragraphs (c)(3)(ii), (iii), and (iv) of this section.

Not applicable. Rainwater within diked storage areas is either allowed to evaporate or is transferred manually via pump into an adjacent containment area. .

## 7.2 UNDIKED AREA DRAINAGE

**40 CFR 112.8(b)(3) and 40 CFR 112.12(b)(3)**

Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

Facility drainage systems from undiked areas would follow the same general flow patterns for the collection and processing of storm water. The horizontal range of a spill occurring at the Frick Services Liquid Terminal would be limited by:

- Surface gradient and composition– surface gradient of Frick Services Liquid Terminal is very flat and comprised mainly of sandy soils, which would help limit the lateral migration rate and distance of spilled substances.
- Surface features at Frick Services Liquid Terminal area and distance to navigable water. There are unpaved containments, railroad tracks, roadways and, in the case of Tanks 6 and 7, intervening tank farm containments that would prevent direct flow to the harbor from the oil storage ASTs, piping, or a truck discharge outside of the loading/unloading area.

The entire port area is built in a former sand dune area, and no storm sewers were installed. Storm water either infiltrates the ground or flows north across paved areas toward the harbor. Spills not contained by the tank dike structures would not impact Frick Services sanitary sewer utilities because no sanitary sewers are located downgradient of the tank farms.

### 7.3 DISCHARGE DIVERSION SYSTEM

**40 CFR 112.8(b)(4) and 40 CFR 112.12(b)(4)**

If facility drainage is not engineered as in paragraph (b)(3) of this 40 CFR, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

See the following sections of this Plan for a discussion of the discharge diversion system maintained at the facility:

- Section 7.2- Undiked Area Drainage (40 CFR 112.8(b)(3) and 40 CFR 112.12(b)(3))

### 7.4 DRAINAGE SYSTEM PUMPS

**40 CFR 112.8(b)(5) and 40 CFR 112.12(b)(5)**

Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two "lift" pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in § 112.1(b) in case there is an equipment failure or human error at the facility

The Frick Services facility does not have wastewater treatment system.

## 8.0 BULK STORAGE CONTAINERS

### 8.1 TANK COMPATIBILITY

**40 CFR 112.8(c)(1) and 40 CFR 112.12(c)(1)**

Do not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

The material and construction of all storage tanks at Frick Services Liquid Terminal are compatible with the substance stored and the conditions of storage (pressure and temperature).

### 8.2 SECONDARY CONTAINMENT

**40 CFR 112.8(c)(1) and 40 CFR 112.12(c)(1)**

Construct all bulk storage container installations so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

See the secondary containment discussion in the following section for the oil storage areas present at the facility:

- Section 3.1- Containment Structures (40 CFR Part 112.7(c)(1))

### 8.3 DRAINAGE PROCEDURE FOR DIKED STORAGE AREAS

**40 CFR 112.8(c)(3)** and **40 CFR 112.12(c)(3)**

Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in § 112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with § 122.41(j)(2) and 122.41(m)(3).

See the drainage procedure for dike storage areas discussion in the following section:

- Section 7.0- Facility Drainage (40 CFR 112.8(b)(1) and 40 CFR 112.12(b)(1))

## 8.4 UNDERGROUND METALLIC STORAGE TANKS

**40 CFR 112.8(c)(4) and 40 CFR 112.12(c)(4)**

Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

There are no completely buried metallic tanks for the storage of oil in operation at Frick Services Liquid Terminal.

## 8.5 PARTIALLY BURIED OR BUNKERED METALLIC TANKS

**40 CFR 112.8(c)(5) and 40 CFR 112.12(c)(5)**

Do not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

There are no partially buried or bunkered metallic tanks for the storage of oil in operation at Frick Services Liquid Terminal.

## 8.6 INTEGRITY TESTING OF ABOVEGROUND STORAGE TANKS

**40 CFR 112.8(c)(6) and 40 CFR 112.12(c)(6)**

Test each aboveground container for integrity on a regular schedule, and whenever you make material repairs. The frequency of and type of testing must take into account container size and design (such as floating roof, skid-mounted, elevated, or partially buried).

- You must combine visual inspection with another testing technique such as hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or another system of nondestructive shell testing.
- You must keep comparison records and you must also inspect the container's supports and foundations.
- In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas.

Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

See the following section of this Plan for a discussion of aboveground storage tanks inspection and integrity testing at the facility:

- Section ~~4.3~~ 3.3 Inspections, Tests, and Records (40 CFR 112.7(e))

## 8.7 INTERNAL HEATING COILS

**40 CFR 112.8(c)(7) and 40 CFR 112.12(c)(7)**

Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

Not applicable. Tank 8 contains a dedicated tank heating system which is located within secondary containment and does not discharge into an open waterway, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

## 8.8 LIQUID LEVEL SENSING DEVICES

**40 CFR 112.8(c)(8) and 40 CFR 112.12(c)(8)**

Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct communication between tank gauger and pumping station.

(iv) Fast response system for determining liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

Frick Services utilizes direct communication between the tank gauger and unloading vehicle driver during transfers. Prior to transfers, the Operator will verify that the tank is available for the amount of material to be transferred without overfill and that tank measurements and barge, truck, or rail measurements are consistent with each other. Frick Services Liquid Terminal does not currently utilize liquid level sensing devices.

## 8.9 OBSERVATION OF TREATMENT SYSTEM EFFLUENT

**112.8(c)(9) and 112.12(c)(9)**

Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in § 112.1(b).

Not applicable. The facility has no effluent treatment facilities.

## 8.10 CORRECTION OF OIL DISCHARGES

**112.8(c)(10) and 112.12(c)(10)**

Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

Any observable oil leaks which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts will be corrected within 8 hours of detection or the material transferred to another tank or tote until repairs are made. Any oil from the observed release that may accumulate within the secondary containment (if present) must be removed.

### 8.11 MOBILE OR PORTABLE OIL STORAGE CONTAINERS

**112.8(c)(11) and 112.12(c)(11)**

Position or locate mobile or portable oil storage containers to prevent a discharge as described in §112.1(b). You must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

Not applicable. There are no mobile or portable oil storage containers at the Frick Services Liquid Terminal. Tanker trucks delivering recycled No. 4 Fuel Oil are staged within truck unloading area secondary containment.

## 9.0 FACILITY TRANSFER OPERATIONS

### 9.1 BURIED PIPING STANDARDS

**40 CFR 112.8(d)(1) and 40 CFR 112.12(d)(1)**

Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage, you must undertake additional examination and corrective action as indicated by the magnitude of the damage.

Buried piping transporting oil products at this facility were installed prior to August 16, 2002. Replaced or repaired buried pipelines will have protective wrapping and coating installed and be cathodically protected to minimize the corrosive effects of the soil conditions. If a section of buried line is exposed for any reason, the section will be carefully inspected for deterioration. If corrosion damage is identified, additional examination and corrective action will be taken as indicated by the magnitude of the damage. New buried piping that is installed or replaced will have cathodic protection.

### 9.2 TERMINAL CONNECTIONS

**40 CFR 112.8(d)(2) and 40 CFR 112.12(d)(2)**

Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

See the following Section of this Plan for a discussion of terminal connections- Piping- Not in Service (40 CFR 112.7(g)(4)).

### 9.3 PIPE SUPPORT DESIGN

**40 CFR 112.8(d)(3) and 40 CFR 112.12(d)(3)**

Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

Properly designed sleeves, wear plates, or shoes are installed, as necessary, to reduce the possibility of corrosion, abrasive action, and allow for expansion and contraction.

### 9.4 INSPECTION OF ABOVEGROUND VALVES, PIPING, AND APPURTENANCES

**40 CFR 112.8(d)(4) and 40 CFR 112.12(d)(4)**

Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and

leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

Above ground valves, piping, and appurtenances will be regularly inspected. See the following section of this Plan for a discussion of inspections of aboveground valves, piping, and appurtenances:

- Section 3.3- Inspections, Tests, and Records (40 CFR 112.7(e))

Integrity and leak testing will be conducted on buried piping at the time of installation, modification, construction, relocation, or replacement.

## 9.5 WARNING TO VEHICLES ENTERING THE FACILITY

**40 CFR 112.8(d)(5) and 40 CFR 112.12(d)(5)**

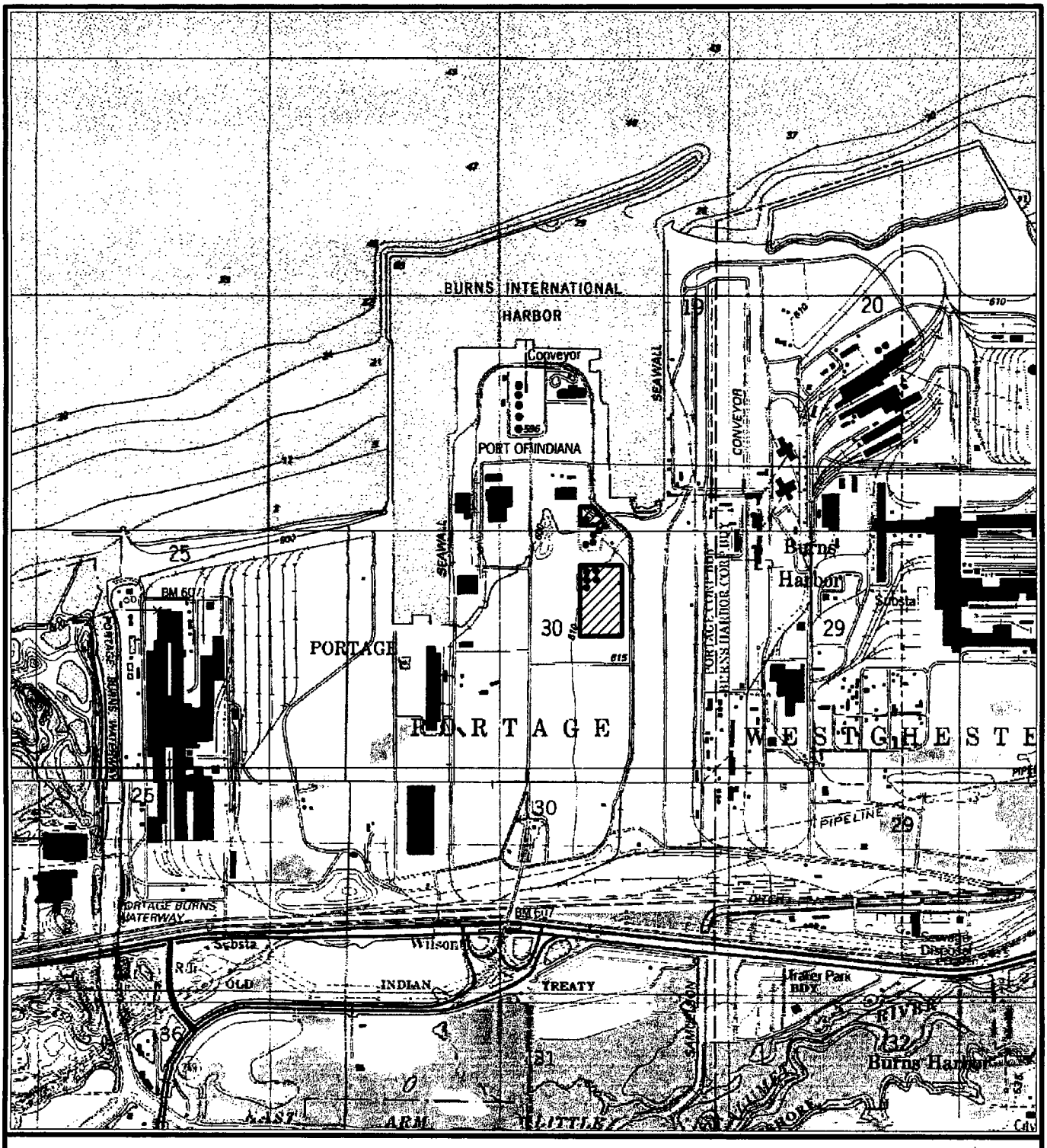
Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

On all roadways where vehicular traffic is required, overhead-elevated pipelines have sufficient clearance for truck and heavy equipment movement.

## 10.0 REGULATORY SECTIONS NOT APPLICABLE TO THE FACILITY

The following SPCC regulations do not apply to the This Frick Services Liquid Terminal:

- 40 CFR § 112.9 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities;
- 40 CFR § 112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities;
- 40 CFR § 112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.




INDIANA

QUADRANGLE LOCATION

Scale 1:24000

0 1/2 MILE 1 MILES

1000 0 1000 2000 3000

(SOURCE OF MAP IS USGS 7.5 MINUTE QUADRANGLE MAP, OGDEN DUNES (1991), INDIANA)

| | |
|---|---|
| CHECK BY | KS |
| DRAWN BY | OS/BCP |
| DATE | 9-14-09 |
| SCALE | AS_SHOWN |
| CAD NO. | 008054.40A |
| PRJ NO. | 07008-008054 |

SITE LOCATION MAP

FRICK SERVICES, INC. – LIQUID TERMINAL

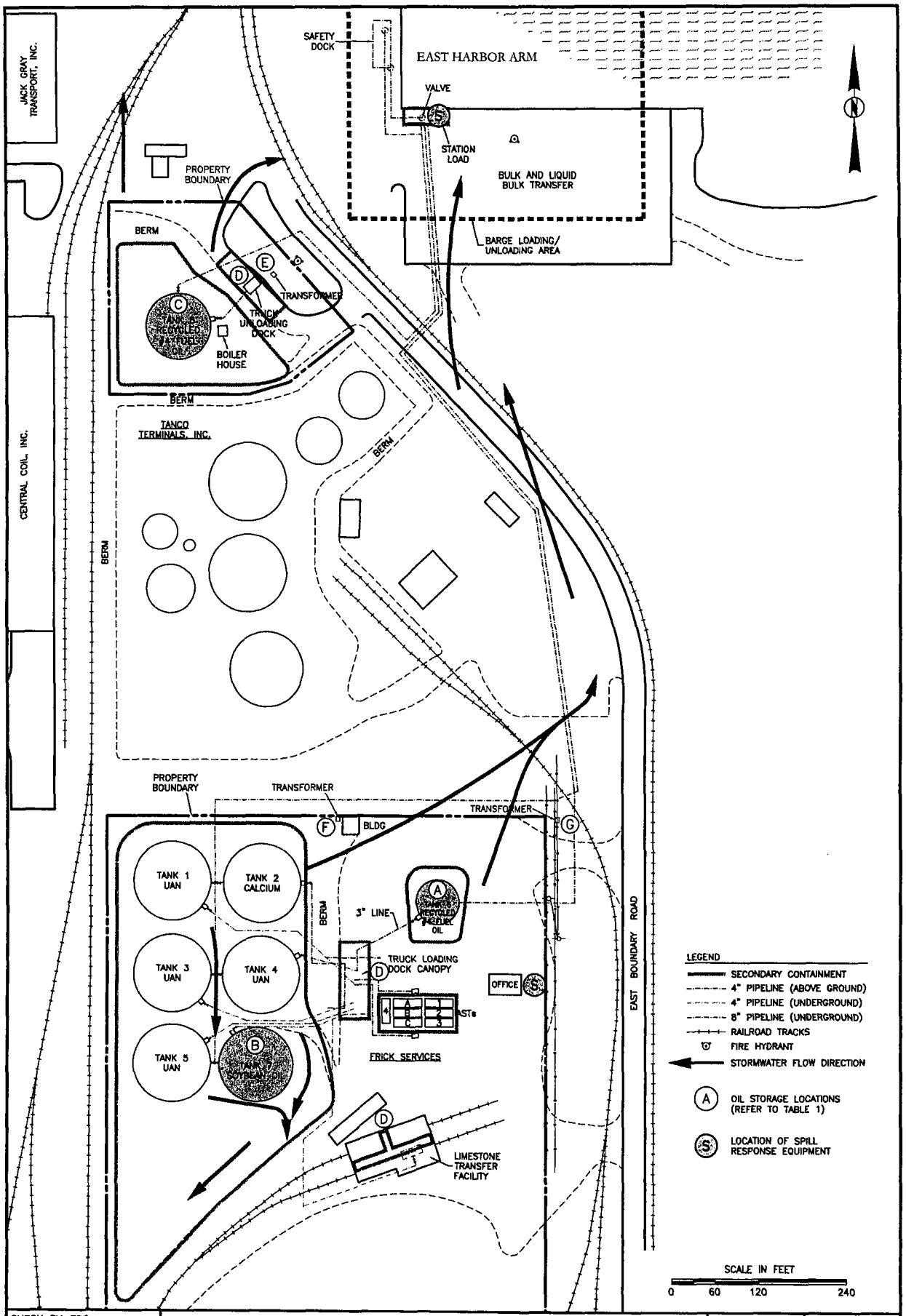
PORT OF INDIANA

PORTAGE, INDIANA

BUREAU VERITAS

FIGURE

1




| | |
|---|---|
| CHECK BY | ESS |
| DRAWN BY | OS/BCP |
| DATE | 9-14-09 |
| SCALE | AS SHOWN |
| CAD NO. | 008054.40b |
| PRJ NO. | 07008-008054 |

SITE PLAN

FRICK SERVICES, INC. – LIQUID TERMINAL
PORT OF INDIANA
PORTAGE, INDIANA

BUREAU VERITAS

FIGURE 2

# APPENDIX A

## EMERGENCY RESPONSE CONTRACTOR CAPABILITIES

**24-HR EMERGENCY RESPONSE**
**(800) OIL-TANK**
**(800) 645-8265**

# EMERGENCY RESPONSE RESOURCE BOOK

**MANAGED BY THE CLEAN HARBORS NATIONAL RESPONSE TEAM (NRT)**

# COMPANY QUALIFICATIONS

Clean Harbors Environmental Services (CHES) is a multidisciplinary company of managers, supervisors, equipment operators, engineers, biologists, chemists, skilled craftsmen and experienced technicians. It is from the varied background of its employees that CHES has emerged as the leader in providing Oil Spill Response services in the Northeast, Midwest, Mid-Atlantic and Southeast regions. This dedication to Oil Spill Response coupled with CHES's full range of environmental services has made CHES the premier provider of spill clean-up services.

Clean Harbors provides 24-hour emergency oil spill response services to a diversified group of customers on an integrated basis. These services are typically provided to petroleum, chemical, transportation, utility, industrial firms, other waste management companies and regulatory agencies in the more than 40 states where we operate. Our clients include the majority of the Fortune 500 companies, thousands of smaller private entities and numerous governmental agencies including the U.S. Coast Guard and Environmental Protection Agency.

Clean Harbors maintains 74 service locations, 48 treatment, storage and disposal (TSD) facilities and 5 incineration facilities serving 36 states, 6 Canadian Provinces, Mexico, and Puerto Rico. We employ over 4400 personnel, 800 of which are actively involved in oil and hazardous material related services and of these, 500 are experienced in oil and hazardous materials emergency response containment and clean-up.

Throughout its 25-year history, Clean Harbors has responded to numerous incidents involving large tankers, barges, transportation, refinery, pipeline and storage facility incidents, as well as natural disasters.

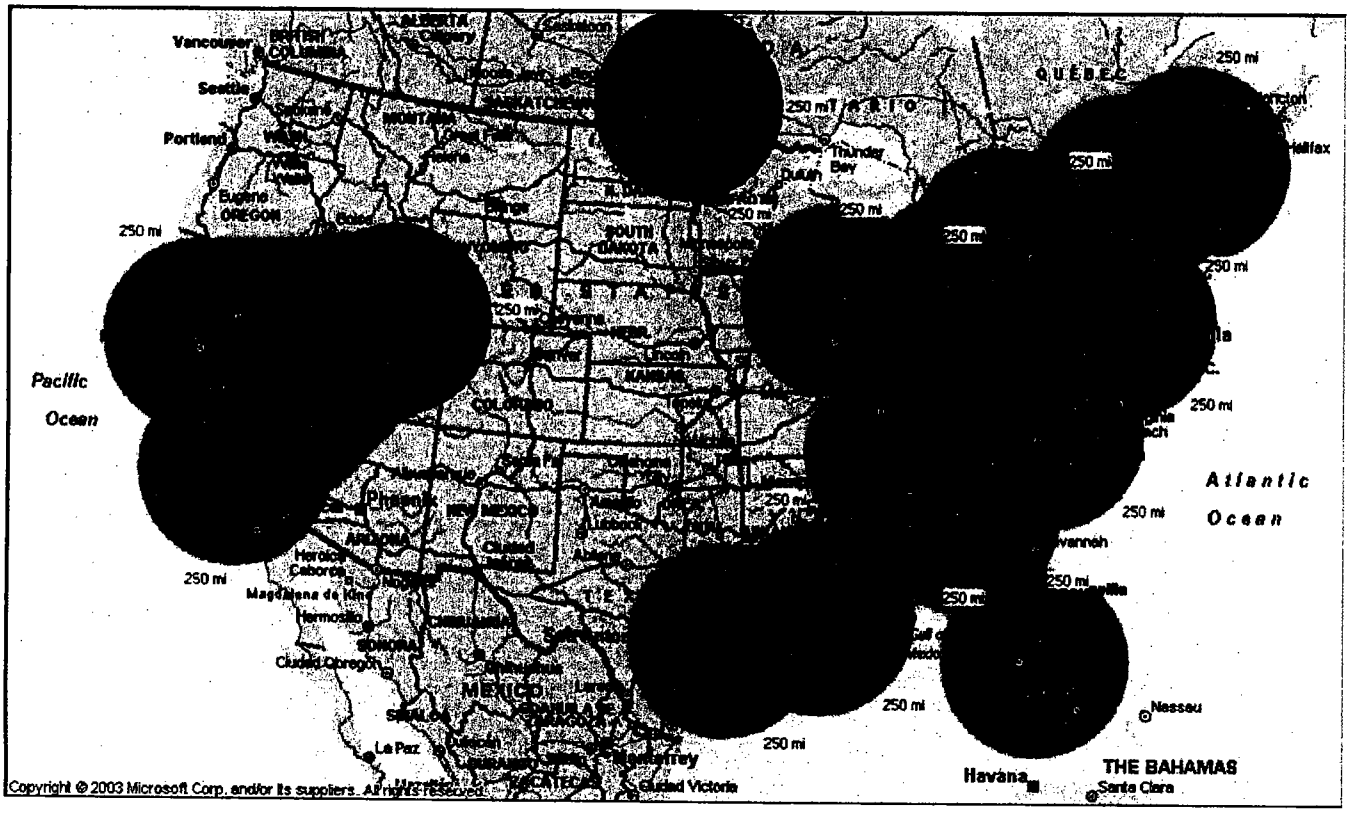
Clean Harbors offers its customers not only 24-hour Emergency oil spill response, but also the necessary backup components to complete an entire project. Services such as environmental remediation including surface remediation, groundwater restoration, underground storage tank management, and site decontamination are essential to successful emergency response activities. Their remedial programs are designed to provide both planned and emergency services to the variety of environmental situations that can develop from an emergency spill.

Our Waste management offering includes the collection, treatment, resource recovery, transportation and disposal of oil spill debris and other wastes generated as a result of a spill. Clean Harbors has four out of our nineteen hazardous waste treatment/transfer facilities designed specifically for oil treatment/recycling and storage. In addition, their waste management includes the treatment, storage and disposal of most hazardous, industrial, and toxic wastes as well as oil spill liquid and solid residue.

Technical capabilities include the environmental engineering group and certified analytical capabilities. These services, coupled with our remedial and waste management capabilities, allow us to offer a complete solution to complex environmental requirements.

For an in-depth, comprehensive look at all services provided by Clean Harbors, please visit our website at www.cleanharbors.com.

# EMERGENCY RESPONSE COVERAGE MAP




Coverage Map Updated February 2, 2006

| | | |
|---|---|---|
| **CHICAGO, IL SERVICE CENTER** | **24 Hr. #** | **(773) 646-6202** |
| **11800 South Stony Island Avenue** | **24 Hr. #** | **(800) 645-8265** |
| **Chicago, IL 60617** | **Fax #** | **(773) 646-6381** |

Mike Ortiz, General Manager — EPA / Federal ID #: ILD000608471

**Personnel Authorized to release equipment / materials / manpower, etc:**

Mike DeCleene
Mike Ortiz
Joe Rios
Steve Osuch

**40-Hour OSHA Trained Personnel:**

| | |
|---|---|
| Supervisor | 3 |
| Foreman | 3 |
| Field Technician I | 5 |
| Field Technician II | 2 |

| **Equipment List**<br>**Item Description** | **Location** | **Capacity / Size / Model** | **# of Units** |
|---|---|---|---|
| | | | |
| **(1) Marine Support Equipment** | | | |
| 24' Hanko Workboat | Chicago | Aluminum Outboard 150HP (1033893) | 1 |
| 19' Pointer Workboat | Chicago | 110 HP Outboard (MS6387AP) | 1 |
| 18' Crestliner Workboat | Chicago | Aluminum Outboard 40 HP (IL8312HT) | 1 |
| 14' Starcraft Workboat | Chicago | Aluminum, no motor | 1 |
| | | | |
| **(2) Motor Vehicles** | | | |
| Vacuum Tankers | Chicago | 5000 gal stainless steel | 4 |
| Vacuum Tankers | Chicago | 6000 gal stainless steel | 1 |
| Vacuum Tankers | Chicago | 5500 gal stainless steel | 9 |
| Vacuum Tankers | Chicago | 3800 gal w/ pony motor | 1 |
| Vacuum Lined Tankers | Chicago | 5000 gal Dekrane fiberglass lines | 1 |
| Straight Vacuums | Chicago | 3000 gal stainless steel | 1 |
| Straight Van Trucks | Chicago | 17' | 2 |
| Straight Van Trucks | Chicago | 24' | 2 |
| Bulk Trailers | Chicago | 6000 gal stainless steel w/heat | 1 |
| Van Trailers | Chicago | Dry | 11 |
| Roll-off Trailers | Chicago | | 3 |
| Roll-off Cans | Chicago | | 15 |
| Emergency Response Trailer | Chicago | Level A, B, C equipped | 2 |
| Pickup Trucks | Chicago | | 8 |
| Stake Body Trucks | Chicago | Lift Gate | 1 |
| Utility Trucks | Chicago | | 1 |
| Skid Mounted Vacuum Unit | Chicago | 1000 gal | 1 |
| Skid Mounted Vacuum Unit | Chicago | 500 gal | 1 |
| Tractors | Chicago | City | 6 |
| Tractors | Chicago | Road | 10 |
| Frac Tanks | Chicago | 20,000 gal ea. (heating capability) | 3 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(3) Pumps and Pressure Equipment** | | | |
| Double Diaphragm | Chicago | 3" Steel | 3 |
| Double Diaphragm | Chicago | 3" Poly | 1 |
| Double Diaphragm | Chicago | 2" Steel | 3 |
| Double Diaphragm | Chicago | 2" Poly | 4 |
| Double Diaphragm | Chicago | 1" Poly | 1 |
| Drum Vacuum | Chicago | 2" Tornado | 2 |
| Drum Vacuum | Chicago | 2" Nortech | 1 |
| Hot Water Pressure Washer | Chicago | 3000 psi, trailer mounted | 2 |
| Cold Water Pressue Washer | Chicago | 2000 psi, portable | 1 |
| | | | |
| **(4) Oil Spill Containment Booms** | | | |
| Oil Containment Boom | Chicago | Hard 18"-1800' on 3 Trailers | 2100 |
| Oil Containment Boom | Chicago | Hard 10"-Amer. Marine Superswamp | 800 |
| 12' Boom Trailer | Chicago | Closed | 2 |
| 16' Boom Trailer | Chicago | Closed | 1 |
| 20' Boom Trailer | Chicago | Open | 1 |
| Absorbents | Chicago | 8" Sorbent Booms, Pads, Sweep | Stock |
| | | | |
| **(5) Environmental Monitoring Equipment** | | | |
| HNU Meters | Chicago | | 3 |
| LEL/O2/CO/H2S Meters | Chicago | | 3 |
| Jerome Meter | Chicago | | 1 |
| Draeger Pumps | Chicago | | 4 |
| Personal Sampling Pumps | Chicago | | 6 |
| | | | |
| **(6) Recovery Equipment** | | | |
| 3.5' x 3.5' Duckbill Skimmer | Chicago | | 1 |
| 4' Double Barrel Skimmr | Chicago | | 1 |
| 8' Double Barrel Skimmer | Chicago | | 1 |
| | | | |
| **(7) Beach or Earth Cleaning and Excavating Equipment** | | | |
| 743 Bobcat With Trailer | Chicago | 743 Bobcat | 1 |
| | | | |
| **(8) Generators / Compressors / Light Towers** | | | |
| Generator | Chicago | 3500 | 1 |
| Compressors | Chicago | 185 CFM | 3 |
| Mobile Light Towers | Chicago | w/generator | 1 |
| | | | |
| **(9) Health and Safety Equipment** | | | |
| SCBA's | Chicago | 4500 PSI | 5 |
| SCBA Cylinders | Chicago | 4500 PSI | 4 |
| SCBA's | Chicago | 2216 PSI | 2 |
| SCBA Cylinders | Chicago | 2216 PSI | 2 |
| SAR Regulators | Chicago | | 2 |
| SAR 4 Man Manifold | Chicago | | 2 |
| SAR 2 Man Manifold | Chicago | | 1 |
| SAR w/ 5 Minute Egress | Chicago | | 8 |
| SAR Pigtails | Chicago | | 1 |
| Air Line | Chicago | Breathing Air | 1000' |
| APR Full Face | Chicago | Stock | 2 |
| | | | |

| Equipment List Cont.<br><br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| **(10) Communications** | | | |
| Marine Radios (Hand Held) | Chicago | | 4 |
| Two-Way Radios (Hand Held) | Chicago | | 8 |
| | | | |
| **(11) Miscellaneous** | | | |
| Remote Drum Operator | Chicago | | 1 |
| Intrinsically Safe Lighting | Chicago | | 3 |
| Mechanical Extraction Devices | Chicago | | 3 |
| Tank Truck Tripod | Chicago | | 3 |
| Coppus Horns | Chicago | | 4 |
| Pneumatic Resiprocating Saw | Chicago | | 6 |
| 4" Cusco Hose | Chicago | | 300' |
| 1" Hard Hose | Chicago | | 800' |
| 2" Hard Hose | Chicago | | 500' |
| 3" Hard Hose | Chicago | | 500' |
| 4" Vactor Hose | Chicago | | 300' |
| 3" Lay Flat Hose | Chicago | | 500' |
| Air Hose | Chicago | 3/4" | 1000' |
| Chemical Hard Suction Hose | Chicago | 2" | 400' |
| Pneumatic Fans | Chicago | | 2 |
| Pneumatic Nibbler | Chicago | | 1 |
| Portable Acetylene Torch | Chicago | | 2 |
| Chain Saws | Chicago | | 1 |
| Demolition Saws | Chicago | | 2 |
| Field First Aid Kits | Chicago | | 3 |
| Hydrogen Cuyanide Antidote Kits | Chicago | | 1 |
| Anchors | Chicago | | 6 |
| Chest Waders | Chicago | | 5 |
| Rope Line (poly) | Chicago | | 2000' |
| Rope Line (manila) | Chicago | | 1500' |
| Personal Floatation Devices | Chicago | | 10 |
| Fully Encapsulated Suits | Chicago | Limited Response | 7 |
| Nomex Coveralls | Chicago | | 10 |
| Saranex Suits | Chicago | | Stock |
| Poly Tyvek Suits | Chicago | | Stock |
| Barricade Suits | Chicago | | Stock |
| Gloves | Chicago | | Stock |
| Ledisolv | Chicago | 5 Gallon Containers | 1 |
| Hydrated Lime | Chicago | 100 lbs each | 20 |
| Eye Wash Station | Chicago | Portable | 1 |
| | | | |

**Emergency Response Subcontractors**

**On Site Staffing**
12311 W. 26th St., Suite 313
Chicago, IL
Phone # (800) 667-3680

**Contact:**
None Specific

**Services Provided:**
Staffing

**Baker Tanks**
Lincoln Highway
Chicago Heights, IL
Phone # (800) 532-8265

**Contact:**
None Specific

**Services Provided:**
Roll-offs
Frac Tanks
Pumps and Hoses
Containments

**Rain For Rent**
221 Mcdonald Avenue
Joliet, IL
Phone #: (815) 744-3947
Fax / Other # (815) 744-4820

**Contact:**
None Specific

**Services Provided:**
Roll-offs
Frac Tanks
Pumps and Hoses
Containments

| | | |
|---|---|---|
| **CHICAGO, IL FACILITY** | **Main Phone #** | **(773) 646-6202** |
| **11800 South Stony Island Avenue** | | |
| **Chicago, IL 60617** | **Fax #** | **(773) 646-6381** |

**EPA/Federal ID #:** ILD000608471
**State ID# (If applicable):** N/A

John E. Lancaster, Facility Manager

**Personnel Authorized to release equipment / materials / manpower, etc:**

John E. Lancaster

**Type of Facility:**

Transfer, Treatment, Recovery, and Storage Facility

**Wastes Handled:**

Bulk/Drums via Trucks
Aqueous Organic and Inorganic waste
Household Chemicals
Laboratory Chemicals
Solvents
Oils
Sludge for Dewatering

NOTE: Illinois generator # required for waste to be accepted.

**Waste Storage / Fixed Tank Capacity:**

Fixed Bulk – 1,343,600 gallons
Containerized – 2,969 Drums
Transporters – 40 bulk/roll-off/drum vans

| Equipment List<br>Item Description | Location | Capacity / Size / Model | # of Units |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

# APPENDIX B

## DISCHARGE INFORMATION FORM

**INITIAL NOTIFICATION MUST NOT BE DELAYED PENDING COLLECTION OF ALL INFORMATION**

**Reporting Party**

**Reporter's Last Name:** _____
First Name: _____
Position: _____
Phone Numbers:

Day ( ) -
Evening ( ) -

Company: Frick Services, Inc. Liquid Terminal
Organization Type: Bulk Petroleum Facility
Address: 570 E. Boundary Road, Port of Indiana
City: Portage
State: Indiana
ZIP: 46368

**Suspected Responsible Party (if different than above)**

Name: _____
Phone Numbers:
Day ( ) -
Evening ( ) -

Organization Type (check appropriate, if known):
Private Citizen _____
Private Enterprise _____
Public Utility _____
Local Government _____
State Government _____
Federal Government _____
City: _____
State: _____
ZIP: _____

Were materials discharged? ____ (Y/N)
Meeting federal obligations to report? ____ (Y/N) Date called: _____
Calling for responsible party? ____ (Y/N) Time called: _____

**Incident Description**

Source and/or cause of incident:

_____

Date of Incident: _____

Time of Incident: _____ AM / PM

Incident location:

_____

_____

_____

_____

Nearest City: Portage State: Indiana County: Porter Zip: 46368

Distance from city: Within city limits

Container Type (AST, UST, drum?): _____

Tank Oil Storage Capacity: _____

Units of Measure: _____

Facility Oil Storage Capacity: Recycled Oil: 44,000 barrels

Soybean Oil: 66,700 barrels

Facility Total: 110,700 barrels

Facility Latitude: 41° 38' 08" North

Facility Longitude: 87° 09' 00" West

**Material**

| Discharged Quantity | Unit of Measure | Was the Material Discharged in Water (Y/N) | What Quantity Was Discharged to Water? | Unit of Measure |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

**Response Action**

Actions taken to correct, control or mitigate incident:

_____
_____

_____
_____

**Impact**

Number of injuries: _____ Number of deaths: _____

Were there evacuations? _____ (Y/N) Number evacuated: _____

Was there any damage? _____ (Y/N)

Damage in dollars (approximate): $_____

Medium affected: _____

Description:

_____
_____
_____
_____
_____

More information about medium:

_____
_____
_____
_____
_____

**Additional Information**

Any information about the incident not recorded elsewhere in the report:

_____
_____
_____
_____
_____

**Caller Notifications**

**ALL PHONE NUMBERS ARE AVAILABLE on Page 3 of SPCC plan.**

| Have you called: | Y/N | Who | Date | Time: |
|---|---|---|---|---|
| The Qualified Individual? | | | | |
| A Spill Management Team Member? | | | | |
| The National Response Center? | | | | |
| The US Coast Guard? | | | | |
| Porter County Emergency Management? | | | | |
| Indiana Department of Environmental Management? | | | | |
| Indiana State Police? | | | | |
| Fire Department? | | | | |

# APPENDIX C

## SECONDARY CONTAINMENT VOLUME CALCULATIONS

BUREAU VERITAS

## Secondary Containment Calculation for Rail Car Loading Rack

Large Sump Volume = 30 ft (15 ft)(2 ft) = 900 $ft^3$

Small Sump Volume = 12 ft (15 ft)(2 ft) = 360 $ft^3$

Long Sump Volume = 6 ft (4 ft)(80') = 1920 $ft^3$

Railcar loading dock protected from rain with roof.

Total Volume = 900 + 360 + 1920

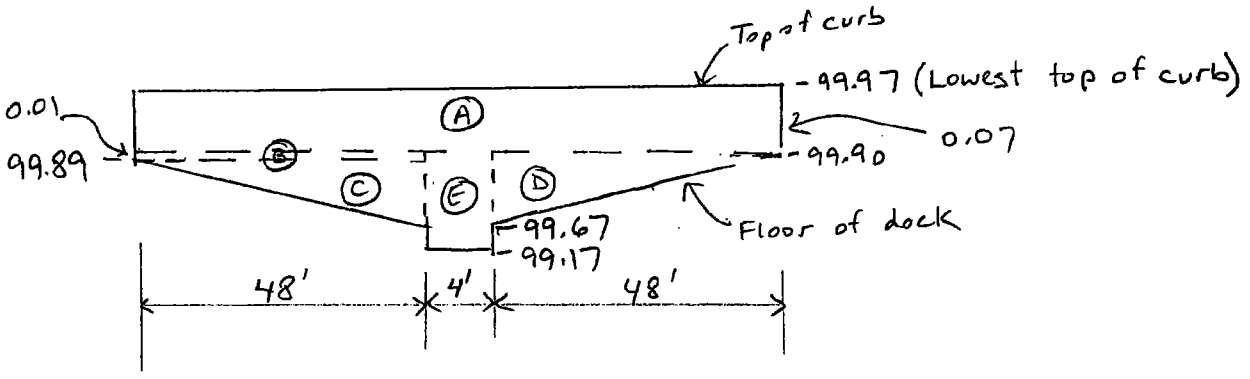
= 3180 $ft^3$ = 23,788 gallons

Rail Car Compartment Capacity = 20,000 gallons < 23,788 gallons

∴ Containment adequate

BUREAU VERITAS

# Secondary Containment Calculation for Tank 6+7 Truck Loading Rack




Width of Loading Dock = 40', Protected from rain with canopy

$$\text{Total Volume} = \left[ (0.07)(100) + (0.01)(48) + \tfrac{1}{2}(99.89-99.67)(48) + \tfrac{1}{2}(99.90-99.67)(48) + (99.90-99.17)(4) \right] \times 40'$$

(A) (B) (C) (D) (E)

$$= 848 \text{ ft}^3$$

Displacement Volume:

Truck tires, piping

Assume $10 \text{ ft}^3$

Net Volume = Total Volume − Displacement Volume

$$= 848 - 10$$

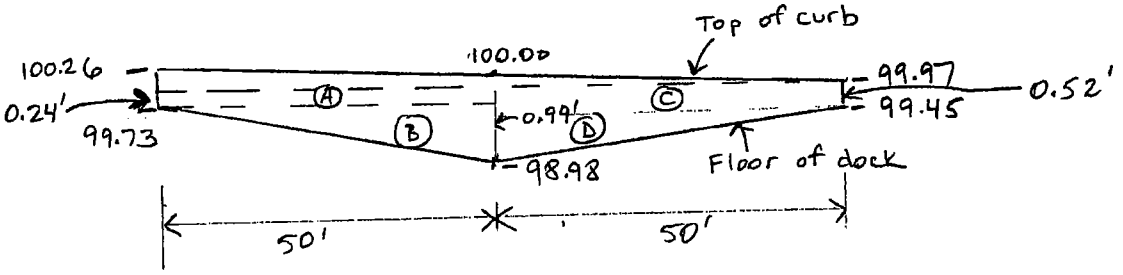
$$= 838 \text{ ft}^3 = 6{,}270 \text{ gallons}$$

Truck Compartment Capacity = 3,000 gallons < 6,270 gallons

∴ Containment adequate

BUREAU VERITAS

## Secondary Containment Calculation for Tank & Truck Loading Dock




Width of Truck Loading Dock = 30'

$$\text{Total Volume} = \left[(0.24)(50) + \tfrac{1}{2}(0.99-0.24)(50) + (0.52)(50) + \tfrac{1}{2}(0.99-0.52)(50)\right] \times 30'$$

(A), (B), (C), (D)

$$= 2055\ ft^3$$

$$\text{0.5 ft Rainfall Volume} = 0.5'(100)(30) = 1500\ ft^3$$

Displacement Volume:
Shelter support columns, 55-gallon drum, truck tires
Assume $10\ ft^3$

Net Volume = Total Volume − Rainfall Volume − Displacement Volume

$$= 2055 - 1500 - 10$$

$$= 545\ ft^3 = 4{,}077 \text{ gallons}$$

Truck Compartment Capacity = 3,000 gallons < 4,077 gallons

∴ Containment adequate

BUREAU VERITAS

## Secondary Containment Calculation for Tank 6

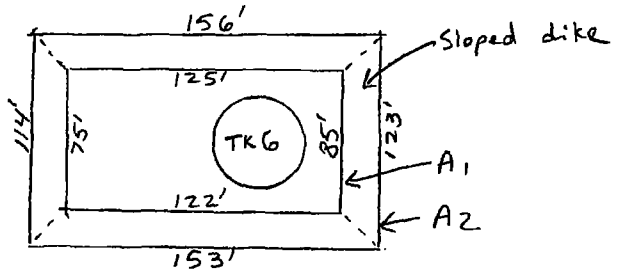
Average bottom elev = $\frac{100.21+100.43+100.10+99.82+100.09+99.81}{6} = 100.07$

Lowest top of dike elev = 107.37 ft

Average depth = 107.37 − 100.07 = 7.3 ft

Net depth = Avg depth − 0.5 ft Rainfall

= 6.8 ft




Total Volume = $(A_1 + A_2 + \sqrt{A_1 A_2})(\frac{H}{3})$

$A_1 = (\frac{125+122}{2})(\frac{75+85}{2}) = 9{,}880\ ft^2$

$A_2 = (\frac{156+153}{2})(\frac{114+123}{2}) = 18{,}308\ ft^2$

Total Volume = $(9{,}880 + 18{,}308 + \sqrt{(9880)(18308)})(\frac{6.8}{3})$

= 94378 $ft^3$

Displacement Volume:

Not applicable T6 is only structure in dike. Catastrophic failure would avoid displacement. Tank volume below 6.8 ft is available for secondary containment.

Net Volume = Total Volume − Displacement Volume

= 94378 $ft^3$ = 706,042 gallons

Tank 6 Capacity = 860,000 gallons > 706,042 gallons

∴ Containment not adequate

BUREAU VERITAS

## Secondary Containment Calculation for Tank 8

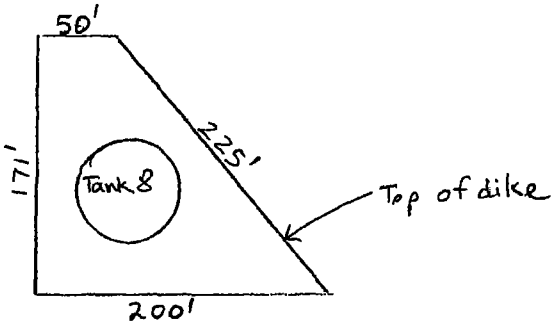
Average bottom elev = $\frac{94.74+94.65+94.92+93.74+93.88+93.33+93.51}{7} = 94.11$

Lowest top of dike elev = 98.95 ft

Average depth = 98.95 - 94.11 = 4.84 ft

Net depth = Avg depth − 0.5 ft Rainfall

= 4.34 ft




Total Area = $50(171) + \frac{1}{2}(171)(150) = 21{,}375\ ft^2$

Displacement Volumes:

- Tank 8, dia = 89'

  $V_{TANK} = \pi(44.5)^2(4.34) = 27{,}000\ ft^3$

- shed, piping, pump — negligible
- Sloped dike, assume 45° slope

  $V_{DIKE} = \frac{1}{2}(4.34)(4.34)(171+50+225+200) = 6{,}084\ ft^3$

Net Volume = Total Area × Net Depth − Displacement Volumes

= 21,375 × 4.34 − 6,084

= 86,684 $ft^3$ = 648,440 gal

Tank 8 Capacity = 1,900,000 gallons > 648,440 gallons

∴ Containment not adequate

# APPENDIX D

## MONTHLY INSPECTION FORMS

| Date: | | |
|---|---|---|
| Inspector: | | |
| Containers Inspected: | | |
| Inspection Performed | Yes / No | Comments |
| 1) Check drum/tote for leaks: | | |
| A. Drip marks | | |
| B. Discoloration of container | | |
| C. Puddles containing spilled or leaked material | | |
| D. Corrosion | | |
| E. Cracks | | |
| F. Localized dead vegetation | | |
| 2) Check spill pallet/overpack for: | | |
| A. Drip marks | | |
| B. Discoloration | | |
| C. Puddles containing spilled or leaked material | | |
| D. No standing water | | |
| E. No visible sheen | | |
| Signature of Inspector: | | |

| Date: | | |
|---|---|---|
| Inspector: | | |
| Tank Number: | | |
| Inspection Performed | Yes / No | Comments |
| 1) Check dike or berm system for: | | |
| A. Level of precipitation in dike / available capacity | | |
| B. Operational status of drainage valves (there are no drainage valves in the bermed area) | | |
| C. Dike or berm permeability | | |
| D. Debris | | |
| E. Erosion | | |
| F. Permeability of the earthen floor of diked area | | |
| G. Location/status of pipes, inlets, drainage beneath tanks, etc. | | |
| 2) Check secondary containment for: | | |
| A. Cracks | | |
| B. Discoloration | | |
| C. Presence of spilled or leaked material (standing liquid) | | |
| D. Corrosion | | |
| E. Valve conditions | | |
| 3) Retention and drainage ponds: | | |
| A. Erosion | | |
| B. Available capacity | | |
| C. Presence of spilled or leaked material (lab analysis) | | |
| D. Debris | | |
| E. Stressed Vegetation | | |
| F. Localized dead vegetation | | |
| Signature of Inspector: | | |

| Date: | | |
|---|---|---|
| Inspector: | | |
| Tank Number: | | |
| Inspection Performed | Yes / No | Comments |
| 1) Check tank for leaks for: | | |
| A. Drip marks | | |
| B. Discoloration of tanks | | |
| C. Puddles containing spilled or leaked material | | |
| D. Corrosion | | |
| E. Cracks | | |
| F. Localized dead vegetation | | |
| 2) Check foundation for: | | |
| A. Cracks | | |
| B. Discoloration | | |
| C. Puddles containing spilled or leaked material | | |
| D. Settling | | |
| E. Gaps between tank and foundation | | |
| F. Damage caused by vegetation roots | | |
| 3) Check Piping for: | | |
| A. Droplets of stored material | | |
| B. Discoloration | | |
| C. Corrosion | | |
| D. Bowing of pipe between supports | | |
| E. Evidence of stored material seepage from valves or seals | | |
| F. Localized dead vegetation | | |
| Signature of Inspector: | | |

# APPENDIX E

## COMPLETED MONTHLY INSPECTION FORMS

See Inspection folder

FrickServices,Inc.

**Facility Response Plan (40 CFR 112)**
**Secondary Containment Inspection Checklist**

| | | |
|---|---|---|
| **Date:** 8-21-09 | | |
| **Inspector:** Jeff Harper | | |
| **Tank Number:** 6 | | |
| **Inspection Performed** | **Yes / No** | **Comments** |
| **1) Check dike or berm system for:** | | |
| **A. Level of precipitation in dike / available capacity** | None | |
| **B. Operational status of drainage valves (there are no drainage valves in the bermed area)** | No | |
| **C. Dike or berm permeability** | good | |
| **D. Debris** | No | |
| **E. Erosion** | No | |
| **F. Permeability of the earthen floor of diked area** | good | |
| **G. Location/status of pipes, inlets, drainage beneath tanks, etc.** | ~~N/A~~ | Need to Replace Hanger rod on above lines |
| **2) Check secondary containment for:** | | |
| **A. Cracks** | No | |
| **B. Discoloration** | No. | |
| **C. Presence of spilled or leaked material (standing liquid)** | No | |
| **D. Corrosion** | No | |
| **E. Valve conditions** | good | |
| **3) Retention and drainage ponds:** | | |
| **A. Erosion** | No | |
| **B. Available capacity** | good | |
| **C. Presence of spilled or leaked material (lab analysis)** | No | |
| **D. Debris** | No | |
| **E. Stressed Vegetation** | No | |
| **F. Localized dead vegetation** | No | |
| **Signature of Inspector:** | | |

# APPENDIX F

## EMPLOYEE TRAINING RECORD SHEET

FrickServices,Inc.

# Facility Response Plan (40 CFR 112)
## Personnel Response Training Log

| Name | Response Training (Date and Number of Hours) | Prevention Training (Date and Number of Hours) |
|---|---|---|
| Adam Biggs | 10/7/09 - 2 | 10/7/09 - 1 |
| GARY HAGEMAN | 10/7/09 - 2 | 10/7/09 - 1 |
| Jeff Harper | 10/7/09 - 2 | 10/7/09 - 1 |
| Randy C. Robbins | 10/7/09 - 2 | 10/7/09 - 1 |
| Kathy Breitenbach | 10/7/09 - 2 | 10/7/09 - 1 |
| Randy C. Robbins | 9/23-10 | 9/23/10 - 1 |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| Jeff Harper | 9-28-11 | 9-28-11 |
| [illegible] | | |
| [illegible] | | |
| Randy C Robbins | | |
| [illegible] | | |
| Jeff Harper | 8-13-12 | 8-13-12 |
| Randy C Robbins | | |
| | | |
| [illegible] | | |
| [illegible] | | |
| Kathy Breitenbach | | |
| [illegible] | 8-20-13 1hr | 8-20-13 1hr |
| Jeff Harper | | |
| [illegible] | 1 | |
| Randy C Robbins | | |
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SIGNATURE OF RESPONSIBLE OFFICIAL:

DATE: 6-20-14

ATTENDEES: [signature]

Jeff Harper
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[signature]
[signature]

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Blowing of dock line after discharge or loading Completion | To make sure line is empty before dis connection of hoses from Vessel + or Dock line Hoses properly Blinded off | 6-20-14 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

**FrickServices,Inc.** **Facility Response Plan (40 CFR 112)**
**Discharge Prevention Meeting Log**

| | |
|---|---|
| DATE: 8-20-13 | |
| ATTENDEES: | |
| Jeff Harper | |
| Lawrence C. S. | |
| Crawford M. Smith | |
| Randy C. Robbins | |
| Kathy Bleitenbach | |

| Subject/Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Underground pipeline route + Annual Pressure Testing | Review of underground pipeline location | 8-20-13 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

FrickServices,Inc.

# Facility Response Plan (40 CFR 112)
# Discharge Prevention Meeting Log

DATE: 8-13-12

ATTENDEES:

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|---|---|
| Jeff Harper | Crawford M. Smith Crawford M. Smith |
| Kathy Breitenbach Kathy Breitenbach | |
| Lawrence Jones Lawrence Jones | |
| Randy C. Robbins Randy C Robbins | |
| Lene L. Martinez | |

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Barge hose Inspection | | 8-13-12 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

**FrickServices,Inc.** **Facility Response Plan (40 CFR 112)**
**Discharge Prevention Meeting Log**

DATE: 9-28-11

ATTENDEES:

Jeff Harper Jeff Harper
Kathy Bretenbach Kathy Bretenbach
Lawrence Jones Lawrence Jones
Crawford M. Smith Crawford M. Smith
Pete L Martinez
Randy E Robbins Randy E Robbins

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Pipeline underground Testing | annually | 9-28-11 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

**FrickServices,Inc.** **Facility Response Plan (40 CFR 112)**
**Discharge Prevention Meeting Log**

DATE: 9-23-10

ATTENDEES:

Jeff Harper Jeff Harper Crawford M. Smith Crawford M. Smith
Kathy Reitenbach Kathy Reitenbach
Lawrence Jones Lawrence Jones
Randy C. Robbins Randy C Robbins
Steven L Mudrey

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Tank Inspections | | 9-23-10 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

**Frick Services, Inc.** **Facility Response Plan (40 CFR 112)**
**Discharge Prevention Meeting Log**

DATE: 10/7/09

ATTENDEES:

| | |
|---|---|
| Adam Biggs | Adam Biggs |
| GARY HAGEMAN | Gary Hageman |
| Jeff Harper | Jeff Harper |
| Randy C. Robbins | Randy Robbins |
| Kathy Breitenbach | Kathy Breitenbach |

| Subject/Issue Identified | Required Action | Implementation Date |
|---|---|---|
| SPILL PREVENTION | | 10/7/09 |
| SPILL REACTION | | 10/7/09 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: [signature]

FrickServices,Inc.

# Facility Response Plan (40 CFR 112)
# Discharge Prevention Meeting Log

DATE: 8-20-13

ATTENDEES:

| | |
|---|---|
| Jeff Harper | |
| Lawrence C. [illegible] | |
| Crawford M. [illegible] | |
| Randy C. Robbins | |
| Kathy Bretenbach | |

| Subject/Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Underground pipeline route + Annual Pressure Testing | Review of underground pipeline location | 8-20-13 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

**Frick Services, Inc.**

# Facility Response Plan (40 CFR 112)
# Response Equipment Inspection Log

2010-2011-2012

| Name | Inspection Date | Comments/Findings |
|---|---|---|
| RANDY C. Robbins | OCT/10 | |
| RANDY C. Robbins | JAN/11 | |
| RANDY C. Robbins | MAR/11 | ordered spill pads. |
| RANDY C. Robbins | MAY/11 | |
| RANDY C. Robbins | July/11 | |
| RANDY C. Robbins | Sept/11 | |
| RANDY C. Robbins | Dec/11 | ordered spill socks |
| RANDY C. Robbins | MAR/12 | |
| Randy C. Robbins | June/12 | |
| Randy C. Robbins | Aug/12 | ordered spill pads. pads. |
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APP. L

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| EMPLOYEE TRAINING RECORD | DATE: |
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SIGNATURE OF RESPONSIBLE OFFICIAL:

# APPENDIX G

## COMPLETED OFFLOADING TRAINING SHEETS

## PROCEDURE FOR OFFLOADING OIL AT FRICK SERVICES LIQUID

1. SCALE INCOMING TRUCK AND TRAILER.
2. VERIFY PRODUCT ON TRUCK.
3. DIRECT DRIVER TO PROPER UNLOADING AREA. HAVE DRIVER SET BRAKE ON TRUCK AND SHUT OFF ENGINE.
4. OPEN APPROPIATE VALVE ON TANK.
5. HAVE DRIVER VENT HIS TRAILER.
6. USING DRIP PAN REMOVE 3" PLUG FROM UNLOADING HOSE AND ATTACH TO TRUCK TRAILER.
7. HAVE DRIVER OPEN VALVE ON TRAILER.
8. OPEN VALVE ON PUMP, BLEED AIR FROM PUMP IF NEEDED ENERGIZER ELECTRIC PUMP AND VERIFY FLOW.
9. WHEN TRAILER IS EMPTY SHUT TRUCK VALVE. VENT THE HOSE TO CLEAR PRODUCT. REMOVE HOSE AND REINSTALL HOSE PLUG. SHUT PUMP VALVE AND TURN OFF PUMP.
10. SCALE TRUCK OUT AND GIVE DRIVER HIS PAPER WORK.

I HAVE READ AND BEEN TRAINED IN THE ABOVE PROCEDURES.

NAME _____ DATE 8-10-10

## PROCEDURE FOR OFFLOADING OIL AT FRICK SERVICES LIQUID

1. SCALE INCOMING TRUCK AND TRAILER.
2. VERIFY PRODUCT ON TRUCK.
3. DIRECT DRIVER TO PROPER UNLOADING AREA. HAVE DRIVER SET BRAKE ON TRUCK AND SHUT OFF ENGINE.
4. OPEN APPROPIATE VALVE ON TANK.
5. HAVE DRIVER VENT HIS TRAILER.
6. USING DRIP PAN REMOVE 3" PLUG FROM UNLOADING HOSE AND ATTACH TO TRUCK TRAILER.
7. HAVE DRIVER OPEN VALVE ON TRAILER.
8. OPEN VALVE ON PUMP, BLEED AIR FROM PUMP IF NEEDED ENERGIZER ELECTRIC PUMP AND VERIFY FLOW.
9. WHEN TRAILER IS EMPTY SHUT TRUCK VALVE. VENT THE HOSE TO CLEAR PRODUCT. REMOVE HOSE AND REINSTALL HOSE PLUG. SHUT PUMP VALVE AND TURN OFF PUMP.
10. SCALE TRUCK OUT AND GIVE DRIVER HIS PAPER WORK.

I HAVE READ AND BEEN TRAINED IN THE ABOVE PROCEDURES.

NAME Rene Lara Martinez DATE 8-14-10

## PROCEDURE FOR OFFLOADING OIL AT FRICK SERVICES LIQUID

1. SCALE INCOMING TRUCK AND TRAILER.
2. VERIFY PRODUCT ON TRUCK.
3. DIRECT DRIVER TO PROPER UNLOADING AREA. HAVE DRIVER SET BRAKE ON TRUCK AND SHUT OFF ENGINE.
4. OPEN APPROPIATE VALVE ON TANK.
5. HAVE DRIVER VENT HIS TRAILER.
6. USING DRIP PAN REMOVE 3" PLUG FROM UNLOADING HOSE AND ATTACH TO TRUCK TRAILER.
7. HAVE DRIVER OPEN VALVE ON TRAILER.
8. OPEN VALVE ON PUMP, BLEED AIR FROM PUMP IF NEEDED ENERGIZER ELECTRIC PUMP AND VERIFY FLOW.
9. WHEN TRAILER IS EMPTY SHUT TRUCK VALVE. VENT THE HOSE TO CLEAR PRODUCT. REMOVE HOSE AND REINSTALL HOSE PLUG. SHUT PUMP VALVE AND TURN OFF PUMP.
10. SCALE TRUCK OUT AND GIVE DRIVER HIS PAPER WORK.

I HAVE READ AND BEEN TRAINED IN THE ABOVE PROCEDURES.

NAME Randy C. Robbins DATE 8/11/09

## PROCEDURE FOR OFFLOADING OIL AT FRICK SERVICES LIQUID

1. SCALE INCOMING TRUCK AND TRAILER.
2. VERIFY PRODUCT ON TRUCK.
3. DIRECT DRIVER TO PROPER UNLOADING AREA. HAVE DRIVER SET BRAKE ON TRUCK AND SHUT OFF ENGINE.
4. OPEN APPROPIATE VALVE ON TANK.
5. HAVE DRIVER VENT HIS TRAILER.
6. USING DRIP PAN REMOVE 3" PLUG FROM UNLOADING HOSE AND ATTACH TO TRUCK TRAILER.
7. HAVE DRIVER OPEN VALVE ON TRAILER.
8. OPEN VALVE ON PUMP, BLEED AIR FROM PUMP IF NEEDED ENERGIZER ELECTRIC PUMP AND VERIFY FLOW.
9. WHEN TRAILER IS EMPTY SHUT TRUCK VALVE. VENT THE HOSE TO CLEAR PRODUCT. REMOVE HOSE AND REINSTALL HOSE PLUG. SHUT PUMP VALVE AND TURN OFF PUMP.
10. SCALE TRUCK OUT AND GIVE DRIVER HIS PAPER WORK.

I HAVE READ AND BEEN TRAINED IN THE ABOVE PROCEDURES.

NAME Crawford M. Smith DATE 8/11/09

# APPENDIX H

## DIKE TRANSFER LOG

Dike Transfer Log (40 CFR 112.8(b)(1) and 112.12(b)(1))

| Date | Personnel | Condition of Water | Approximate Volume Drained |
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**Only drain accumulated water from the containment area if visual observations do not indicate the presence of oil (sheen or oil floating on the water). If visual observations indicate the presence of a sheen or oil on the accumulated water, the water will not be discharged to ground. Arrangements will be made to have the accumulated water pumped into drums or a tank truck for proper disposal.

# APPENDIX I

## APPLICABLE EPA REGULATIONS
## 40 CFR 112

**Title 40: Protection of Environment**

**PART 110—DISCHARGE OF OIL**

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**Section Contents**

§ 110.1 Definitions.
§ 110.2 Applicability.
§ 110.3 Discharge of oil in such quantities as "may be harmful" pursuant to section 311(b)(4) of the Act.
§ 110.4 Dispersants.
§ 110.5 Discharges of oil not determined "as may be harmful" pursuant to Section 311(b)(3) of the Act.
§ 110.6 Notice.

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**Authority:** 33 U.S.C. 1321(b)(3) and (b)(4) and 1361(a); E.O. 11735, 38 FR 21243, 3 CFR Parts 1971–1975 Comp., p. 793.

**Source:** 52 FR 10719, Apr. 2, 1987, unless otherwise noted.

**§ 110.1 Definitions.**

Terms not defined in this section have the same meaning given by the Section 311 of the Act. As used in this part, the following terms shall have the meaning indicated below:

*Act* means the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 *et seq.* , also known as the Clean Water Act;

*Administrator* means the Administrator of the Environmental Protection Agency (EPA);

*Applicable water quality standards* means State water quality standards adopted by the State pursuant to section 303 of the Act or promulgated by EPA pursuant to that section;

*MARPOL 73/78* means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, Annex I, which regulates pollution from oil and which entered into force on October 2, 1983;

*Navigable waters* means the waters of the United States, including the territorial seas. The term includes:

(a) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;

(b) Interstate waters, including interstate wetlands;

(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, and wetlands, the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) That are or could be used by interstate or foreign travelers for recreational or other purposes;

(2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce;

(3) That are used or could be used for industrial purposes by industries in interstate commerce;

(d) All impoundments of waters otherwise defined as navigable waters under this section;

(e) Tributaries of waters identified in paragraphs (a) through (d) of this section, including adjacent wetlands; and

(f) Wetlands adjacent to waters identified in paragraphs (a) through (e) of this section: Provided, That waste treatment systems (other than cooling ponds meeting the criteria of this paragraph) are not waters of the United States;

Navigable waters do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

*NPDES* means National Pollutant Discharge Elimination System;

*Sheen* means an iridescent appearance on the surface of water;

*Sludge* means an aggregate of oil or oil and other matter of any kind in any form other than dredged spoil having a combined specific gravity equivalent to or greater than water;

*United States* means the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

*Wetlands* means those areas that are inundated or saturated by surface or ground water at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds.

[52 FR 10719, Apr. 2, 1987, as amended at 58 FR 45039, Aug. 25, 1993; 61 FR 7421, Feb. 28, 1996]

**§ 110.2 Applicability.**

The regulations of this part apply to the discharge of oil prohibited by section 311(b)(3) of the Act.

[61 FR 7421, Feb. 28, 1996]

**§ 110.3 Discharge of oil in such quantities as "may be harmful" pursuant to section 311(b)(4) of the Act.**

For purposes of section 311(b)(4) of the Act, discharges of oil in such quantities that the Administrator has determined may be harmful to the public health or welfare or the environment of the United States include discharges of oil that:

(a) Violate applicable water quality standards; or

(b) Cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

[61 FR 7421, Feb. 28, 1996]

**§ 110.4 Dispersants.**

Addition of dispersants or emulsifiers to oil to be discharged that would circumvent the provisions of this part is prohibited.

[52 FR 10719, Apr. 2, 1987. Redesignated at 61 FR 7421, Feb. 28, 1996]

**§ 110.5 Discharges of oil not determined "as may be harmful" pursuant to Section 311(b)(3) of the Act.**

Notwithstanding any other provisions of this part, the Administrator has not determined the following discharges of oil "as may be harmful" for purposes of section 311(b) of the Act:

(a) Discharges of oil from a properly functioning vessel engine (including an engine on a public vessel) and any discharges of such oil accumulated in the bilges of a vessel discharged in compliance with MARPOL 73/78, Annex I, as provided in 33 CFR part 151, subpart A;

(b) Other discharges of oil permitted under MARPOL 73/78, Annex I, as provided in 33 CFR part 151, subpart A; and

(c) Any discharge of oil explicitly permitted by the Administrator in connection with research, demonstration projects, or studies relating to the prevention, control, or abatement of oil pollution.

[61 FR 7421, Feb. 28, 1996]

**§ 110.6 Notice.**

Any person in charge of a vessel or of an onshore or offshore facility shall, as soon as he or she has knowledge of any discharge of oil from such vessel or facility in violation of section 311(b)(3) of the Act, immediately notify the National Response Center (NRC) (800–424–8802; in the Washington, DC metropolitan area, 202–426–2675). If direct reporting to the NRC is not practicable, reports may be made to the Coast Guard or EPA predesignated On-Scene

Coordinator (OSC) for the geographic area where the discharge occurs. All such reports shall be promptly relayed to the NRC. If it is not possible to notify the NRC or the predesignated OCS immediately, reports may be made immediately to the nearest Coast Guard unit, provided that the person in charge of the vessel or onshore or offshore facility notifies the NRC as soon as possible. The reports shall be made in accordance with such procedures as the Secretary of Transportation may prescribe. The procedures for such notice are set forth in U.S. Coast Guard regulations, 33 CFR part 153, subpart B and in the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR part 300, subpart E.
(Approved by the Office of Management and Budget under control number 2050–0046)

[52 FR 10719, Apr. 2, 1987. Redesignated and amended at 61 FR 7421, Feb. 28, 1996; 61 FR 14032, Mar. 29, 1996]

## PART 112—OIL POLLUTION PREVENTION

**Section Contents**

**Subpart A—Applicability, Definitions, and General Requirements for All Facilities and All Types of Oils**

§ 112.1 General applicability.
§ 112.2 Definitions.
§ 112.3 Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.
§ 112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.
§ 112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.
§ 112.6 Qualified Facilities Plan Requirements.
§ 112.7 General requirements for Spill Prevention, Control, and Countermeasure Plans.

**Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)**

§ 112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).
§ 112.9 Spill Prevention, Control, and Countermeasure Plan Requirements for onshore oil production facilities (excluding drilling and workover facilities).
§ 112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.
§ 112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

**Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, including Oils from Seeds, Nuts, Fruits, and Kernels**

§ 112.12 Spill Prevention, Control, and Countermeasure Plan requirements.
§§ 112.13-112.15 [Reserved]

**Subpart D—Response Requirements**

§ 112.20 Facility response plans.
§ 112.21 Facility response training and drills/exercises.
Appendix A to Part 112—Memorandum of Understanding Between the Secretary of Transportation and the Administrator of the Environmental Protection Agency
Appendix B to Part 112—Memorandum of Understanding Among the Secretary of the Interior, Secretary of Transportation, and Administrator of the Environmental Protection Agency
Appendix C to Part 112—Substantial Harm Criteria
Appendix D to Part 112—Determination of a Worst Case Discharge Planning Volume
Appendix E to Part 112—Determination and Evaluation of Required Response Resources for Facility Response Plans
Appendix F to Part 112—Facility-Specific Response Plan
Appendix G to Part 112—Tier I Qualified Facility SPCC Plan

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**Authority:** 33 U.S.C. 1251 *et seq.* ; 33 U.S.C. 2720; E.O. 12777 (October 18, 1991), 3 CFR, 1991 Comp., p. 351.

**Source:** 38 FR 34165, Dec. 11, 1973, unless otherwise noted.

**Editorial Note:** Nomenclature changes to part 112 appear at 65 FR 40798, June 30, 2000.

**Subpart A—Applicability, Definitions, and General Requirements for All Facilities and All Types of Oils**

top

**Source:** 67 FR 47140, July 17, 2002, unless otherwise noted.

**§ 112.1 General applicability.**

top

(a)(1) This part establishes procedures, methods, equipment, and other requirements to prevent the discharge of oil from non-transportation-related onshore and offshore facilities into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act).

(2) As used in this part, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa, as the case may require.

(b) Except as provided in paragraph (d) of this section, this part applies to any owner or operator of a non-transportation-related onshore or offshore facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location, could reasonably be expected to discharge oil in quantities that may be harmful, as described in part 110 of this chapter, into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act) that has oil in:

(1) Any aboveground container;

(2) Any completely buried tank as defined in §112.2;

(3) Any container that is used for standby storage, for seasonal storage, or for temporary storage, or not otherwise "permanently closed" as defined in §112.2;

(4) Any "bunkered tank" or "partially buried tank" as defined in §112.2, or any container in a vault, each of which is considered an aboveground storage container for purposes of this part.

(c) As provided in section 313 of the Clean Water Act (CWA), departments, agencies, and instrumentalities of the Federal government are subject to this part to the same extent as any person.

(d) Except as provided in paragraph (f) of this section, this part does not apply to:

(1) The owner or operator of any facility, equipment, or operation that is not subject to the jurisdiction of the Environmental Protection Agency (EPA) under section 311(j)(1)(C) of the CWA, as follows:

(i) Any onshore or offshore facility, that due to its location, could not reasonably be expected to have a discharge as described in paragraph (b) of this section. This determination must be based solely upon consideration of the geographical and location aspects of the facility (such as proximity to navigable waters or adjoining shorelines, land contour, drainage, etc.) and must exclude consideration of manmade features such as dikes, equipment or other structures, which may serve to restrain, hinder, contain, or otherwise prevent a discharge as described in paragraph (b) of this section.

(ii) Any equipment, or operation of a vessel or transportation-related onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation, as defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of EPA, dated November 24, 1971 (appendix A of this part).

(iii) Any equipment, or operation of a vessel or onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation or the U.S. Department of the Interior, as defined in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (appendix B of this part).

(2) Any facility which, although otherwise subject to the jurisdiction of EPA, meets both of the following requirements:

(i) The completely buried storage capacity of the facility is 42,000 U.S. gallons or less of oil. For purposes of this exemption, the completely buried storage capacity of a facility excludes the capacity of a completely buried tank, as defined in §112.2, and connected underground piping, underground ancillary equipment, and containment systems, that is currently subject to all of the technical requirements of part 280 of this chapter or all of the technical requirements of a State program approved under part 281 of this chapter, or the capacity of any underground oil storage tanks deferred under 40 CFR part 280 that supply emergency diesel generators at a nuclear power generation facility licensed by the Nuclear Regulatory Commission and subject to any Nuclear Regulatory Commission provision regarding design and quality criteria, including, but not limited to, 10 CFR part 50. The completely buried storage capacity of a facility also excludes the capacity of a container that is "permanently closed," as defined in §112.2 and the capacity of intra-facility gathering lines subject to the regulatory requirements of 49 CFR part 192 or 195.

(ii) The aggregate aboveground storage capacity of the facility is 1,320 U.S. gallons or less of oil. For the purposes of this exemption, only containers with a capacity of 55 U.S. gallons or greater are counted. The aggregate aboveground storage capacity of a facility excludes:

(A) The capacity of a container that is "permanently closed" as defined in §112.2;

(B) The capacity of a "motive power container" as defined in §112.2;

(C) The capacity of hot-mix asphalt or any hot-mix asphalt container;

(D) The capacity of a container for heating oil used solely at a single-family residence;

(E) The capacity of pesticide application equipment and related mix containers.

(F) The capacity of any milk and milk product container and associated piping and appurtenances.

(3) Any offshore oil drilling, production, or workover facility that is subject to the notices and regulations of the Minerals Management Service, as specified in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (appendix B of this part).

(4) Any completely buried storage tank, as defined in §112.2, and connected underground piping, underground ancillary equipment, and containment systems, at any facility, that is subject to all of the technical requirements of part 280 of this chapter or a State program approved under part 281 of this chapter, or any underground oil storage tanks including below-grade vaulted tanks,

deferred under 40 CFR part 280, as originally promulgated, that supply emergency diesel generators at a nuclear power generation facility licensed by the Nuclear Regulatory Commission, provided that such a tank is subject to any Nuclear Regulatory Commission provision regarding design and quality criteria, including, but not limited to, 10 CFR part 50. Such emergency generator tanks must be marked on the facility diagram as provided in §112.7(a)(3), if the facility is otherwise subject to this part.

(5) Any container with a storage capacity of less than 55 gallons of oil.

(6) Any facility or part thereof used exclusively for wastewater treatment and not used to satisfy any requirement of this part. The production, recovery, or recycling of oil is not wastewater treatment for purposes of this paragraph.

(7) Any "motive power container," as defined in §112.2. The transfer of fuel or other oil into a motive power container at an otherwise regulated facility is not eligible for this exemption.

(8) Hot-mix asphalt, or any hot-mix asphalt container.

(9) Any container for heating oil used solely at a single-family residence.

(10) Any pesticide application equipment or related mix containers.

(11) Intra-facility gathering lines subject to the regulatory requirements of 49 CFR part 192 or 195, except that such a line's location must be identified and marked as "exempt" on the facility diagram as provided in §112.7(a)(3), if the facility is otherwise subject to this part.

(12) Any milk and milk product container and associated piping and appurtenances.

(e) This part establishes requirements for the preparation and implementation of Spill Prevention, Control, and Countermeasure (SPCC) Plans. SPCC Plans are designed to complement existing laws, regulations, rules, standards, policies, and procedures pertaining to safety standards, fire prevention, and pollution prevention rules. The purpose of an SPCC Plan is to form a comprehensive Federal/State spill prevention program that minimizes the potential for discharges. The SPCC Plan must address all relevant spill prevention, control, and countermeasures necessary at the specific facility. Compliance with this part does not in any way relieve the owner or operator of an onshore or an offshore facility from compliance with other Federal, State, or local laws.

(f) Notwithstanding paragraph (d) of this section, the Regional Administrator may require that the owner or operator of any facility subject to the jurisdiction of EPA under section 311(j) of the CWA prepare and implement an SPCC Plan, or any applicable part, to carry out the purposes of the CWA.

(1) Following a preliminary determination, the Regional Administrator must provide a written notice to the owner or operator stating the reasons why he must prepare an SPCC Plan, or applicable part. The Regional Administrator must send such notice to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional

Administrator must also mail a copy of such notice to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(2) Within 30 days of receipt of such written notice, the owner or operator may provide information and data and may consult with the Agency about the need to prepare an SPCC Plan, or applicable part.

(3) Within 30 days following the time under paragraph (b)(2) of this section within which the owner or operator may provide information and data and consult with the Agency about the need to prepare an SPCC Plan, or applicable part, the Regional Administrator must make a final determination regarding whether the owner or operator is required to prepare and implement an SPCC Plan, or applicable part. The Regional Administrator must send the final determination to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of the final determination to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(4) If the Regional Administrator makes a final determination that an SPCC Plan, or applicable part, is necessary, the owner or operator must prepare the Plan, or applicable part, within six months of that final determination and implement the Plan, or applicable part, as soon as possible, but not later than one year after the Regional Administrator has made a final determination.

(5) The owner or operator may appeal a final determination made by the Regional Administrator requiring preparation and implementation of an SPCC Plan, or applicable part, under this paragraph. The owner or operator must make the appeal to the Administrator of EPA within 30 days of receipt of the final determination under paragraph (b)(3) of this section from the Regional Administrator requiring preparation and/or implementation of an SPCC Plan, or applicable part. The owner or operator must send a complete copy of the appeal to the Regional Administrator at the time he makes the appeal to the Administrator. The appeal must contain a clear and concise statement of the issues and points of fact in the case. In the appeal, the owner or operator may also provide additional information. The additional information may be from any person. The Administrator may request additional information from the owner or operator. The Administrator must render a decision within 60 days of receiving the appeal or additional information submitted by the owner or operator and must serve the owner or operator with the decision made in the appeal in the manner described in paragraph (f)(1) of this section.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77290, Dec. 26, 2006; 73 FR 74300, Dec. 5, 2008; 74 FR 58809, Nov. 13, 2009; 76 FR 21660, Apr. 18, 2011]

**§ 112.2 Definitions.**

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For the purposes of this part:

*Adverse weather* means weather conditions that make it difficult for response equipment and personnel to clean up or remove spilled oil, and that must be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include significant wave height as specified in appendix E to this part (as

appropriate), ice conditions, temperatures, weather-related visibility, and currents within the area in which the systems or equipment is intended to function.

*Alteration* means any work on a container involving cutting, burning, welding, or heating operations that changes the physical dimensions or configuration of the container.

*Animal fat* means a non-petroleum oil, fat, or grease of animal, fish, or marine mammal origin.

*Breakout tank* means a container used to relieve surges in an oil pipeline system or to receive and store oil transported by a pipeline for reinjection and continued transportation by pipeline.

*Bulk storage container* means any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container.

*Bunkered tank* means a container constructed or placed in the ground by cutting the earth and re-covering the container in a manner that breaks the surrounding natural grade, or that lies above grade, and is covered with earth, sand, gravel, asphalt, or other material. A bunkered tank is considered an aboveground storage container for purposes of this part.

*Completely buried tank* means any container completely below grade and covered with earth, sand, gravel, asphalt, or other material. Containers in vaults, bunkered tanks, or partially buried tanks are considered aboveground storage containers for purposes of this part.

*Complex* means a facility possessing a combination of transportation-related and non-transportation-related components that is subject to the jurisdiction of more than one Federal agency under section 311(j) of the CWA.

*Contiguous zone* means the zone established by the United States under Article 24 of the Convention of the Territorial Sea and Contiguous Zone, that is contiguous to the territorial sea and that extends nine miles seaward from the outer limit of the territorial area.

*Contract or other approved means* means:

(1) A written contractual agreement with an oil spill removal organization that identifies and ensures the availability of the necessary personnel and equipment within appropriate response times; and/or

(2) A written certification by the owner or operator that the necessary personnel and equipment resources, owned or operated by the facility owner or operator, are available to respond to a discharge within appropriate response times; and/or

(3) Active membership in a local or regional oil spill removal organization that has identified and ensures adequate access through such membership to necessary personnel and equipment to respond to a discharge within appropriate response times in the specified geographic area; and/or

(4) Any other specific arrangement approved by the Regional Administrator upon request of the owner or operator.

*Discharge* includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil, but excludes discharges in compliance with a permit under section 402 of the CWA; discharges resulting from circumstances identified, reviewed, and made a part of the public record with respect to a permit issued or modified under section 402 of the CWA, and subject to a condition in such permit; or continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 of the CWA, that are caused by events occurring within the scope of relevant operating or treatment systems. For purposes of this part, the term discharge shall not include any discharge of oil that is authorized by a permit issued under section 13 of the River and Harbor Act of 1899 (33 U.S.C. 407).

*Facility* means any mobile or fixed, onshore or offshore building, property, parcel, lease, structure, installation, equipment, pipe, or pipeline (other than a vessel or a public vessel) used in oil well drilling operations, oil production, oil refining, oil storage, oil gathering, oil processing, oil transfer, oil distribution, and oil waste treatment, or in which oil is used, as described in appendix A to this part. The boundaries of a facility depend on several site-specific factors, including but not limited to, the ownership or operation of buildings, structures, and equipment on the same site and types of activity at the site. Contiguous or non-contiguous buildings, properties, parcels, leases, structures, installations, pipes, or pipelines under the ownership or operation of the same person may be considered separate facilities. Only this definition governs whether a facility is subject to this part.

*Farm* means a facility on a tract of land devoted to the production of crops or raising of animals, including fish, which produced and sold, or normally would have produced and sold, $1,000 or more of agricultural products during a year.

*Fish and wildlife and sensitive environments* means areas that may be identified by their legal designation or by evaluations of Area Committees (for planning) or members of the Federal On-Scene Coordinator's spill response structure (during responses). These areas may include wetlands, National and State parks, critical habitats for endangered or threatened species, wilderness and natural resource areas, marine sanctuaries and estuarine reserves, conservation areas, preserves, wildlife areas, wildlife refuges, wild and scenic rivers, recreational areas, national forests, Federal and State lands that are research national areas, heritage program areas, land trust areas, and historical and archaeological sites and parks. These areas may also include unique habitats such as aquaculture sites and agricultural surface water intakes, bird nesting areas, critical biological resource areas, designated migratory routes, and designated seasonal habitats.

*Injury* means a measurable adverse change, either long- or short-term, in the chemical or physical quality or the viability of a natural resource resulting either directly or indirectly from exposure to a discharge, or exposure to a product of reactions resulting from a discharge.

*Loading/unloading rack* means a fixed structure (such as a platform, gangway) necessary for loading or unloading a tank truck or tank car, which is located at a facility subject to the requirements of this part. A loading/unloading rack includes a loading or unloading arm, and may include any combination of the following: piping assemblages, valves, pumps, shut-off devices, overfill sensors, or personnel safety devices.

*Maximum extent practicable* means within the limitations used to determine oil spill planning resources and response times for on-water recovery, shoreline protection, and cleanup for worst case discharges from onshore non-transportation-related facilities in adverse weather. It includes the planned capability to respond to a worst case discharge in adverse weather, as contained in a response plan that meets the requirements in §112.20 or in a specific plan approved by the Regional Administrator.

*Mobile refueler* means a bulk storage container onboard a vehicle or towed, that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.

*Motive power container* means any onboard bulk storage container used primarily to power the movement of a motor vehicle, or ancillary onboard oil-filled operational equipment. An onboard bulk storage container which is used to store or transfer oil for further distribution is not a motive power container. The definition of motive power container does not include oil drilling or workover equipment, including rigs.

*Navigable waters* of the United States means "navigable waters" as defined in section 502(7) of the FWPCA, and includes:

(1) All navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 Amendments to the FWPCA (Pub. L. 92–500), and tributaries of such waters;

(2) Interstate waters;

(3) Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and

(4) Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

*Non-petroleum oil* means oil of any kind that is not petroleum-based, including but not limited to: Fats, oils, and greases of animal, fish, or marine mammal origin; and vegetable oils, including oils from seeds, nuts, fruits, and kernels.

*Offshore facility* means any facility of any kind (other than a vessel or public vessel) located in, on, or under any of the navigable waters of the United States, and any facility of any kind that is subject to the jurisdiction of the United States and is located in, on, or under any other waters.

*Oil* means oil of any kind or in any form, including, but not limited to: fats, oils, or greases of animal, fish, or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits, or kernels; and, other oils and greases, including petroleum, fuel oil, sludge, synthetic oils, mineral oils, oil refuse, or oil mixed with wastes other than dredged spoil.

*Oil-filled operational equipment* means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled

operational equipment include, but are not limited to, hydraulic systems, lubricating systems ( *e.g.* , those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.

*Oil Spill Removal Organization* means an entity that provides oil spill response resources, and includes any for-profit or not-for-profit contractor, cooperative, or in-house response resources that have been established in a geographic area to provide required response resources.

*Onshore facility* means any facility of any kind located in, on, or under any land within the United States, other than submerged lands.

*Owner or operator* means any person owning or operating an onshore facility or an offshore facility, and in the case of any abandoned offshore facility, the person who owned or operated or maintained the facility immediately prior to such abandonment.

*Partially buried tank* means a storage container that is partially inserted or constructed in the ground, but not entirely below grade, and not completely covered with earth, sand, gravel, asphalt, or other material. A partially buried tank is considered an aboveground storage container for purposes of this part.

*Permanently closed* means any container or facility for which:

(1) All liquid and sludge has been removed from each container and connecting line; and

(2) All connecting lines and piping have been disconnected from the container and blanked off, all valves (except for ventilation valves) have been closed and locked, and conspicuous signs have been posted on each container stating that it is a permanently closed container and noting the date of closure.

*Person* includes an individual, firm, corporation, association, or partnership.

*Petroleum oil* means petroleum in any form, including but not limited to crude oil, fuel oil, mineral oil, sludge, oil refuse, and refined products.

*Produced water container* means a storage container at an oil production facility used to store the produced water after initial oil/water separation, and prior to reinjection, beneficial reuse, discharge, or transfer for disposal.

*Production facility* means all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or intra-facility gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation-related equipment) used in the production, extraction, recovery, lifting, stabilization, separation or treating of oil (including condensate), or associated storage or measurement, and is located in an oil or gas field, at a facility. This definition governs whether such structures, piping, or equipment are subject to a specific section of this part.

*Regional Administrator* means the Regional Administrator of the Environmental Protection Agency, in and for the Region in which the facility is located.

*Repair* means any work necessary to maintain or restore a container to a condition suitable for safe operation, other than that necessary for ordinary, day-to-day maintenance to maintain the functional integrity of the container and that does not weaken the container.

*Spill Prevention, Control, and Countermeasure Plan; SPCC Plan, or Plan* means the document required by §112.3 that details the equipment, workforce, procedures, and steps to prevent, control, and provide adequate countermeasures to a discharge.

*Storage capacity* of a container means the shell capacity of the container.

*Transportation-related and non-transportation-related* , as applied to an onshore or offshore facility, are defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the Environmental Protection Agency, dated November 24, 1971, (appendix A of this part).

*United States* means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, the U.S. Virgin Islands, and the Pacific Island Governments.

*Vegetable oil* means a non-petroleum oil or fat of vegetable origin, including but not limited to oils and fats derived from plant seeds, nuts, fruits, and kernels.

*Vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel.

*Wetlands* means those areas that are inundated or saturated by surface or groundwater at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs, and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds.

*Worst case discharge* for an onshore non-transportation-related facility means the largest foreseeable discharge in adverse weather conditions as determined using the worksheets in appendix D to this part.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77290, Dec. 26, 2006; 73 FR 71943, Nov. 26, 2008; 73 FR 74300, Dec. 5, 2008]

**§ 112.3 Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.**

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APPENDIX I - SPCC Plan, Portage, IN
DISCHARGE OF OIL 40 CFR 110
OIL POLLUTION PREVENTION 40 CFR 112

The owner or operator or an onshore or offshore facility subject to this section must prepare in writing and implement a Spill Prevention Control and Countermeasure Plan (hereafter "SPCC Plan" or "Plan")," in accordance with §112.7 and any other applicable section of this part.

(a)(1) Except as otherwise provided in this section, if your facility, or mobile or portable facility, was in operation on or before August 16, 2002, you must maintain your Plan, but must amend it, if necessary to ensure compliance with this part, and implement the amended Plan no later than November 10, 2011. If such a facility becomes operational after August 16, 2002, through November 10, 2011, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan on or before November 10, 2011. If such a facility (excluding oil production facilities) becomes operational after November 10, 2011, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan before you begin operations. You are not required to prepare a new Plan each time you move a mobile or portable facility to a new site; the Plan may be general. When you move the mobile or portable facility, you must locate and install it using the discharge prevention practices outlined in the Plan for the facility. The Plan is applicable only while the mobile or portable facility is in a fixed (non-transportation) operating mode.

(2) If your drilling, production or workover facility, including a mobile or portable facility, is offshore or has an offshore component; or your onshore facility is required to have and submit a Facility Response Plan pursuant to 40 CFR 112.20(a), and was in operation on or before August 16, 2002, you must maintain your Plan, but must amend it, if necessary to ensure compliance with this part, and implement the amended Plan no later than November 10, 2010. If such a facility becomes operational after August 16, 2002, through November 10, 2010, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan on or before November 10, 2010. If such a facility (excluding oil production facilities) becomes operational after November 10, 2010, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan before you begin operations. You are not required to prepare a new Plan each time you move a mobile or portable facility to a new site; the Plan may be general. When you move the mobile or portable facility, you must locate and install it using the discharge prevention practices outlined in the Plan for the facility. The Plan is applicable only while the mobile or portable facility is in a fixed (non-transportation) operating mode.

(3) If your farm, as defined in §112.2, was in operation on or before August 16, 2002, you must maintain your Plan, but must amend it, if necessary to ensure compliance with this part, and implement the amended Plan on or before May 10, 2013. If your farm becomes operational after August 16, 2002, through May 10, 2013, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan on or before May 10, 2013. If your farm becomes operational after May 10, 2013, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan before you begin operations.

(b) If your oil production facility as described in paragraph (a)(1) of this section becomes operational after November 10, 2011, or as described in paragraph (a)(2) of this section becomes operational after November 10, 2010, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan within six months after you begin operations.

(c) [Reserved]

(d) Except as provided in §112.6, a licensed Professional Engineer must review and certify a Plan for it to be effective to satisfy the requirements of this part.

(1) By means of this certification the Professional Engineer attests:

(i) That he is familiar with the requirements of this part ;

(ii) That he or his agent has visited and examined the facility;

(iii) That the Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards, and with the requirements of this part;

(iv) That procedures for required inspections and testing have been established; and

(v) That the Plan is adequate for the facility.

(vi) That, if applicable, for a produced water container subject to §112.9(c)(6), any procedure to minimize the amount of free-phase oil is designed to reduce the accumulation of free-phase oil and the procedures and frequency for required inspections, maintenance and testing have been established and are described in the Plan.

(2) Such certification shall in no way relieve the owner or operator of a facility of his duty to prepare and fully implement such Plan in accordance with the requirements of this part.

(e) If you are the owner or operator of a facility for which a Plan is required under this section, you must:

(1) Maintain a complete copy of the Plan at the facility if the facility is normally attended at least four hours per day, or at the nearest field office if the facility is not so attended, and

(2) Have the Plan available to the Regional Administrator for on-site review during normal working hours.

(f) *Extension of time.* (1) The Regional Administrator may authorize an extension of time for the preparation and full implementation of a Plan, or any amendment thereto, beyond the time permitted for the preparation, implementation, or amendment of a Plan under this part, when he finds that the owner or operator of a facility subject to this section, cannot fully comply with the requirements as a result of either nonavailability of qualified personnel, or delays in construction or equipment delivery beyond the control and without the fault of such owner or operator or his agents or employees.

(2) If you are an owner or operator seeking an extension of time under paragraph (f)(1) of this section, you may submit a written extension request to the Regional Administrator. Your request must include:

(i) A full explanation of the cause for any such delay and the specific aspects of the Plan affected by the delay;

(ii) A full discussion of actions being taken or contemplated to minimize or mitigate such delay; and

(iii) A proposed time schedule for the implementation of any corrective actions being taken or contemplated, including interim dates for completion of tests or studies, installation and operation of any necessary equipment, or other preventive measures. In addition you may present additional oral or written statements in support of your extension request.

(3) The submission of a written extension request under paragraph (f)(2) of this section does not relieve you of your obligation to comply with the requirements of this part. The Regional Administrator may request a copy of your Plan to evaluate the extension request. When the Regional Administrator authorizes an extension of time for particular equipment or other specific aspects of the Plan, such extension does not affect your obligation to comply with the requirements related to other equipment or other specific aspects of the Plan for which the Regional Administrator has not expressly authorized an extension.

(g) *Qualified Facilities.* The owner or operator of a qualified facility as defined in this subparagraph may self-certify his facility's Plan, as provided in §112.6. A qualified facility is one that meets the following Tier I or Tier II qualified facility criteria:

(1) A Tier I qualified facility meets the qualification criteria in paragraph (g)(2) of this section and has no individual aboveground oil storage container with a capacity greater than 5,000 U.S. gallons.

(2) A Tier II qualified facility is one that has had no single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons or no two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan self-certification date, or since becoming subject to this part if the facility has been in operation for less than three years (other than discharges as described in §112.1(b) that are the result of natural disasters, acts of war, or terrorism), and has an aggregate aboveground oil storage capacity of 10,000 U.S. gallons or less.

[67 FR 47140, July 17, 2002, as amended at 68 FR 1351, Jan. 9, 2003; 68 FR 18894, Apr. 17, 2003; 69 FR 48798, Aug. 11, 2004; 71 FR 8466, Feb. 17, 2006; 71 FR 77290, Dec. 26, 2006; 72 FR 27447, May 16, 2007; 73 FR 74301, Dec. 5, 2008, 74 FR 29141, June 19, 2009; 74 FR 58809, Nov. 13, 2009; 75 FR 63102, Oct. 14, 2010; 76 FR 21660, Apr. 18, 2011; 76 FR 64248, Oct. 18, 2011; 76 FR 72124, Nov. 22, 2011]

**§ 112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.**

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If you are the owner or operator of a facility subject to this part, you must:

(a) Notwithstanding compliance with §112.3, whenever your facility has discharged more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b), or discharged more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b), occurring within any twelve month period, submit the following information to the Regional Administrator within 60 days from the time the facility becomes subject to this section:

(1) Name of the facility;

(2) Your name;

(3) Location of the facility;

(4) Maximum storage or handling capacity of the facility and normal daily throughput;

(5) Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;

(6) An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;

(7) The cause of such discharge as described in §112.1(b), including a failure analysis of the system or subsystem in which the failure occurred;

(8) Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence; and

(9) Such other information as the Regional Administrator may reasonably require pertinent to the Plan or discharge.

(b) Take no action under this section until it applies to your facility. This section does not apply until the expiration of the time permitted for the initial preparation and implementation of the Plan under §112.3, but not including any amendments to the Plan.

(c) Send to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located a complete copy of all information you provided to the Regional Administrator under paragraph (a) of this section. Upon receipt of the information such State agency or agencies may conduct a review and make recommendations to the Regional Administrator as to further procedures, methods, equipment, and other requirements necessary to prevent and to contain discharges from your facility.

(d) Amend your Plan, if after review by the Regional Administrator of the information you submit under paragraph (a) of this section, or submission of information to EPA by the State agency under paragraph (c) of this section, or after on-site review of your Plan, the Regional Administrator requires that you do so. The Regional Administrator may require you to amend your Plan if he finds that it does not meet the requirements of this part or that amendment is necessary to prevent and contain discharges from your facility.

(e) Act in accordance with this paragraph when the Regional Administrator proposes by certified mail or by personal delivery that you amend your SPCC Plan. If the owner or operator is a corporation, he must also notify by mail the registered agent of such corporation, if any and if known, in the State in which the facility is located. The Regional Administrator must specify the terms of such proposed amendment. Within 30 days from receipt of such notice, you may submit written information, views, and arguments on the proposed amendment. After considering all relevant material presented, the Regional Administrator must either notify you of any amendment required or rescind the notice. You must amend your Plan as required within 30 days after such notice, unless the Regional Administrator, for good cause, specifies another effective date. You must implement the amended Plan as soon as possible, but not later than six months after you amend your Plan, unless the Regional Administrator specifies another date.

(f) If you appeal a decision made by the Regional Administrator requiring an amendment to an SPCC Plan, send the appeal to the EPA Administrator in writing within 30 days of receipt of the notice from the Regional Administrator requiring the amendment under paragraph (e) of this section. You must send a complete copy of the appeal to the Regional Administrator at the time you make the appeal. The appeal must contain a clear and concise statement of the issues and points of fact in the case. It may also contain additional information from you, or from any other person. The EPA Administrator may request additional information from you, or from any other person. The EPA Administrator must render a decision within 60 days of receiving the appeal and must notify you of his decision.

**§ 112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.**

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If you are the owner or operator of a facility subject to this part, you must:

(a) Amend the SPCC Plan for your facility in accordance with the general requirements in §112.7, and with any specific section of this part applicable to your facility, when there is a change in the facility design, construction, operation, or maintenance that materially affects its potential for a discharge as described in §112.1(b). Examples of changes that may require amendment of the Plan include, but are not limited to: commissioning or decommissioning containers; replacement, reconstruction, or movement of containers; reconstruction, replacement, or installation of piping systems; construction or demolition that might alter secondary containment structures; changes of product or service; or revision of standard operation or maintenance procedures at a facility. An amendment made under this section must be prepared within six months, and implemented as soon as possible, but not later than six months following preparation of the amendment.

(b) Notwithstanding compliance with paragraph (a) of this section, complete a review and evaluation of the SPCC Plan at least once every five years from the date your facility becomes subject to this part; or, if your facility was in operation on or before August 16, 2002, five years from the date your last review was required under this part. As a result of this review and evaluation, you must amend your SPCC Plan within six months of the review to include more effective prevention and control technology if the technology has been field-proven at the time of the review and will significantly reduce the likelihood of a discharge as described in §112.1(b)

from the facility. You must implement any amendment as soon as possible, but not later than six months following preparation of any amendment. You must document your completion of the review and evaluation, and must sign a statement as to whether you will amend the Plan, either at the beginning or end of the Plan or in a log or an appendix to the Plan. The following words will suffice, "I have completed review and evaluation of the SPCC Plan for (name of facility) on (date), and will (will not) amend the Plan as a result."

(c) Except as provided in §112.6, have a Professional Engineer certify any technical amendments to your Plan in accordance with §112.3(d).

[67 FR 47140, July 17, 2002, as amended at 71 FR 77291, Dec. 26, 2006; 73 FR 74301, Dec. 5, 2008; 74 FR 58809, Nov. 13, 2009]

**§ 112.6 Qualified Facilities Plan Requirements.**

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Qualified facilities meeting the Tier I applicability criteria in §112.3(g)(1) are subject to the requirements in paragraph (a) of this section. Qualified facilities meeting the Tier II applicability criteria in §112.3(g)(2) are subject to the requirements in paragraph (b) of this section.

(a) *Tier I Qualified Facilities* —(1) *Preparation and Self-Certification of the Plan.* If you are an owner or operator of a facility that meets the Tier I qualified facility criteria in §112.3(g)(1), you must either: comply with the requirements of paragraph (a)(3) of this section; or prepare and implement a Plan meeting requirements of paragraph (b) of this section; or prepare and implement a Plan meeting the general Plan requirements in §112.7 and applicable requirements in subparts B and C, including having the Plan certified by a Professional Engineer as required under §112.3(d). If you do not follow the appendix G template, you must prepare an equivalent Plan that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan. To complete the template in appendix G, you must certify that:

(i) You are familiar with the applicable requirements of 40 CFR part 112;

(ii) You have visited and examined the facility;

(iii) You prepared the Plan in accordance with accepted and sound industry practices and standards;

(iv) You have established procedures for required inspections and testing in accordance with industry inspection and testing standards or recommended practices;

(v) You will fully implement the Plan;

(vi) The facility meets the qualification criteria in §112.3(g)(1);

(vii) The Plan does not deviate from any requirement of this part as allowed by §112.7(a)(2) and 112.7(d) or include measures pursuant to §112.9(c)(6) for produced water containers and any associated piping; and

(viii) The Plan and individual(s) responsible for implementing this Plan have the approval of management, and the facility owner or operator has committed the necessary resources to fully implement this Plan.

(2) *Technical Amendments.* You must certify any technical amendments to your Plan in accordance with paragraph (a)(1) of this section when there is a change in the facility design, construction, operation, or maintenance that affects its potential for a discharge as described in §112.1(b). If the facility change results in the facility no longer meeting the Tier I qualifying criteria in §112.3(g)(1) because an individual oil storage container capacity exceeds 5,000 U.S. gallons or the facility capacity exceeds 10,000 U.S. gallons in aggregate aboveground storage capacity, within six months following preparation of the amendment, you must either:

(i) Prepare and implement a Plan in accordance with §112.6(b) if you meet the Tier II qualified facility criteria in §112.3(g)(2); or

(ii) Prepare and implement a Plan in accordance with the general Plan requirements in §112.7, and applicable requirements in subparts B and C, including having the Plan certified by a Professional Engineer as required under §112.3(d).

(3) *Plan Template and Applicable Requirements.* Prepare and implement an SPCC Plan that meets the following requirements under §112.7 and in subparts B and C of this part: introductory paragraph of §§112.7, 112.7(a)(3)(i), 112.7(a)(3)(iv), 112.7(a)(3)(vi), 112.7(a)(4), 112.7(a)(5), 112.7(c), 112.7(e), 112.7(f), 112.7(g), 112.7(k), 112.8(b)(1), 112.8(b)(2), 112.8(c)(1), 112.8(c)(3), 112.8(c)(4), 112.8(c)(5), 112.8(c)(6), 112.8(c)(10), 112.8(d)(4), 112.9(b), 112.9(c)(1), 112.9(c)(2), 112.9(c)(3), 112.9(c)(4), 112.9(c)(5), 112.9(d)(1), 112.9(d)(3), 112.9(d)(4), 112.10(b), 112.10(c), 112.10(d), 112.12(b)(1), 112.12(b)(2), 112.12(c)(1), 112.12(c)(3), 112.12(c)(4), 112.12(c)(5), 112.12(c)(6), 112.12(c)(10), and 112.12(d)(4). The template in appendix G to this part has been developed to meet the requirements of 40 CFR part 112 and, when completed and signed by the owner or operator, may be used as the SPCC Plan. Additionally, you must meet the following requirements:

(i) *Failure analysis, in lieu of the requirements in §112.7(b).* Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of discharge), include in your Plan a prediction of the direction and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure.

(ii) *Bulk storage container secondary containment, in lieu of the requirements in §§112.8(c)(2) and (c)(11) and 112.12(c)(2) and (c)(11).* Construct all bulk storage container installations (except mobile refuelers and other non-transportation-related tank trucks), including mobile or portable oil storage containers, so that you provide a secondary means of containment for the entire capacity of the largest single container plus additional capacity to contain precipitation. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any

discharge will terminate and be safely confined in a catchment basin or holding pond. Position or locate mobile or portable oil storage containers to prevent a discharge as described in §112.1(b).

(iii) *Overfill prevention, in lieu of the requirements in §§112.8(c)(8) and 112.12(c)(8).* Ensure that each container is provided with a system or documented procedure to prevent overfills of the container, describe the system or procedure in the SPCC Plan and regularly test to ensure proper operation or efficacy.

(b) *Tier II Qualified Facilities* —(1) *Preparation and Self-Certification of Plan.* If you are the owner or operator of a facility that meets the Tier II qualified facility criteria in §112.3(g)(2), you may choose to self-certify your Plan. You must certify in the Plan that:

(i) You are familiar with the requirements of this part;

(ii) You have visited and examined the facility;

(iii) The Plan has been prepared in accordance with accepted and sound industry practices and standards, and with the requirements of this part;

(iv) Procedures for required inspections and testing have been established;

(v) You will fully implement the Plan;

(vi) The facility meets the qualification criteria set forth under §112.3(g)(2);

(vii) The Plan does not deviate from any requirement of this part as allowed by §112.7(a)(2) and 112.7(d) or include measures pursuant to §112.9(c)(6) for produced water containers and any associated piping, except as provided in paragraph (b)(3) of this section; and

(viii) The Plan and individual(s) responsible for implementing the Plan have the full approval of management and the facility owner or operator has committed the necessary resources to fully implement the Plan.

(2) *Technical Amendments.* If you self-certify your Plan pursuant to paragraph (b)(1) of this section, you must certify any technical amendments to your Plan in accordance with paragraph (b)(1) of this section when there is a change in the facility design, construction, operation, or maintenance that affects its potential for a discharge as described in §112.1(b), except:

(i) If a Professional Engineer certified a portion of your Plan in accordance with paragraph (b)(4) of this section, and the technical amendment affects this portion of the Plan, you must have the amended provisions of your Plan certified by a Professional Engineer in accordance with paragraph (b)(4)(ii) of this section.

(ii) If the change is such that the facility no longer meets the Tier II qualifying criteria in §112.3(g)(2) because it exceeds 10,000 U.S. gallons in aggregate aboveground storage capacity you must, within six months following the change, prepare and implement a Plan in accordance with the general Plan requirements in §112.7 and the applicable requirements in subparts B and C

of this part, including having the Plan certified by a Professional Engineer as required under §112.3(d).

(3) *Applicable Requirements.* Except as provided in this paragraph, your self-certified SPCC Plan must comply with §112.7 and the applicable requirements in subparts B and C of this part:

(i) *Environmental Equivalence.* Your Plan may not include alternate methods which provide environmental equivalence pursuant to §112.7(a)(2), unless each alternate method has been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (b)(4) of this section.

(ii) *Impracticability.* Your Plan may not include any determinations that secondary containment is impracticable and provisions in lieu of secondary containment pursuant to §112.7(d), unless each such determination and alternate measure has been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (b)(4) of this section.

(iii) *Produced Water Containers.* Your Plan may not include any alternative procedures for skimming produced water containers in lieu of sized secondary containment pursuant to §112.9(c)(6), unless they have been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (b)(4) of this section.

(4) *Professional Engineer Certification of Portions of a Qualified Facility's Self-Certified Plan.*

(i) As described in paragraph (b)(3) of this section, the facility owner or operator may not self-certify alternative measures allowed under §112.7(a)(2) or (d), that are included in the facility's Plan. Such measures must be reviewed and certified, in writing, by a licensed Professional Engineer. For each alternative measure allowed under §112.7(a)(2), the Plan must be accompanied by a written statement by a Professional Engineer that states the reason for nonconformance and describes the alternative method and how it provides equivalent environmental protection in accordance with §112.7(a)(2). For each determination of impracticability of secondary containment pursuant to §112.7(d), the Plan must clearly explain why secondary containment measures are not practicable at this facility and provide the alternative measures required in §112.7(d) in lieu of secondary containment. By certifying each measure allowed under §112.7(a)(2) and (d), the Professional Engineer attests:

(A) That he is familiar with the requirements of this part;

(B) That he or his agent has visited and examined the facility; and

(C) That the alternative method of environmental equivalence in accordance with §112.7(a)(2) or the determination of impracticability and alternative measures in accordance with §112.7(d) is consistent with good engineering practice, including consideration of applicable industry standards, and with the requirements of this part.

(ii) As described in paragraph (b)(3) of this section, the facility owner or operator may not self-certify measures as described in §112.9(c)(6) for produced water containers and any associated piping. Such measures must be reviewed and certified, in writing, by a licensed Professional Engineer, in accordance with §112.3(d)(1)(vi).

(iii) The review and certification by the Professional Engineer under this paragraph is limited to the alternative method which achieves equivalent environmental protection pursuant to §112.7(a)(2); to the impracticability determination and measures in lieu of secondary containment pursuant to §112.7(d); or the measures pursuant to §112.9(c)(6) for produced water containers and any associated piping and appurtenances downstream from the container.

[73 FR 74302, Dec. 5, 2008, as amended at 74 FR 58810, Nov. 13, 2009]

**§ 112.7 General requirements for Spill Prevention, Control, and Countermeasure Plans.**

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If you are the owner or operator of a facility subject to this part you must prepare a Plan in accordance with good engineering practices. The Plan must have the full approval of management at a level of authority to commit the necessary resources to fully implement the Plan. You must prepare the Plan in writing. If you do not follow the sequence specified in this section for the Plan, you must prepare an equivalent Plan acceptable to the Regional Administrator that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan. If the Plan calls for additional facilities or procedures, methods, or equipment not yet fully operational, you must discuss these items in separate paragraphs, and must explain separately the details of installation and operational start-up. As detailed elsewhere in this section, you must also:

(a)(1) Include a discussion of your facility's conformance with the requirements listed in this part.

(2) Comply with all applicable requirements listed in this part. Except as provided in §112.6, your Plan may deviate from the requirements in paragraphs (g), (h)(2) and (3), and (i) of this section and the requirements in subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.9(d)(3), 112.10(c), 112.12(c)(2), and 112.12(c)(11), where applicable to a specific facility, if you provide equivalent environmental protection by some other means of spill prevention, control, or countermeasure. Where your Plan does not conform to the applicable requirements in paragraphs (g), (h)(2) and (3), and (i) of this section, or the requirements of subparts B and C of this part, except the secondary containment requirements in paragraph (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), and 112.12(c)(11), you must state the reasons for nonconformance in your Plan and describe in detail alternate methods and how you will achieve equivalent environmental protection. If the Regional Administrator determines that the measures described in your Plan do not provide equivalent environmental protection, he may require that you amend your Plan, following the procedures in §112.4(d) and (e).

(3) Describe in your Plan the physical layout of the facility and include a facility diagram, which must mark the location and contents of each fixed oil storage container and the storage area where mobile or portable containers are located. The facility diagram must identify the location of and mark as "exempt" underground tanks that are otherwise exempted from the requirements of this part under §112.1(d)(4). The facility diagram must also include all transfer stations and

connecting pipes, including intra-facility gathering lines that are otherwise exempted from the requirements of this part under §112.1(d)(11). You must also address in your Plan:

(i) The type of oil in each fixed container and its storage capacity. For mobile or portable containers, either provide the type of oil and storage capacity for each container or provide an estimate of the potential number of mobile or portable containers, the types of oil, and anticipated storage capacities;

(ii) Discharge prevention measures including procedures for routine handling of products (loading, unloading, and facility transfers, etc.);

(iii) Discharge or drainage controls such as secondary containment around containers and other structures, equipment, and procedures for the control of a discharge;

(iv) Countermeasures for discharge discovery, response, and cleanup (both the facility's capability and those that might be required of a contractor);

(v) Methods of disposal of recovered materials in accordance with applicable legal requirements; and

(vi) Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with whom you have an agreement for response, and all appropriate Federal, State, and local agencies who must be contacted in case of a discharge as described in §112.1(b).

(4) Unless you have submitted a response plan under §112.20, provide information and procedures in your Plan to enable a person reporting a discharge as described in §112.1(b) to relate information on the exact address or location and phone number of the facility; the date and time of the discharge, the type of material discharged; estimates of the total quantity discharged; estimates of the quantity discharged as described in §112.1(b); the source of the discharge; a description of all affected media; the cause of the discharge; any damages or injuries caused by the discharge; actions being used to stop, remove, and mitigate the effects of the discharge; whether an evacuation may be needed; and, the names of individuals and/or organizations who have also been contacted.

(5) Unless you have submitted a response plan under §112.20, organize portions of the Plan describing procedures you will use when a discharge occurs in a way that will make them readily usable in an emergency, and include appropriate supporting material as appendices.

(b) Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of a discharge), include in your Plan a prediction of the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure.

(c) Provide appropriate containment and/or diversionary structures or equipment to prevent a discharge as described in §112.1(b), except as provided in paragraph (k) of this section for qualified oil-filled operational equipment, and except as provided in §112.9(d)(3) for flowlines

and intra-facility gathering lines at an oil production facility. The entire containment system, including walls and floor, must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank, will not escape the containment system before cleanup occurs. In determining the method, design, and capacity for secondary containment, you need only to address the typical failure mode, and the most likely quantity of oil that would be discharged. Secondary containment may be either active or passive in design. At a minimum, you must use one of the following prevention systems or its equivalent:

(1) For onshore facilities:

(i) Dikes, berms, or retaining walls sufficiently impervious to contain oil;

(ii) Curbing or drip pans;

(iii) Sumps and collection systems;

(iv) Culverting, gutters, or other drainage systems;

(v) Weirs, booms, or other barriers;

(vi) Spill diversion ponds;

(vii) Retention ponds; or

(viii) Sorbent materials.

(2) For offshore facilities:

(i) Curbing or drip pans; or

(ii) Sumps and collection systems.

(d) Provided your Plan is certified by a licensed Professional Engineer under §112.3(d), or, in the case of a qualified facility that meets the criteria in §112.3(g), the relevant sections of your Plan are certified by a licensed Professional Engineer under §112.6(d), if you determine that the installation of any of the structures or pieces of equipment listed in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), and 112.12(c)(11) to prevent a discharge as described in §112.1(b) from any onshore or offshore facility is not practicable, you must clearly explain in your Plan why such measures are not practicable; for bulk storage containers, conduct both periodic integrity testing of the containers and periodic integrity and leak testing of the valves and piping; and, unless you have submitted a response plan under §112.20, provide in your Plan the following:

(1) An oil spill contingency plan following the provisions of part 109 of this chapter.

(2) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.

(e) *Inspections, tests, and records.* Conduct inspections and tests required by this part in accordance with written procedures that you or the certifying engineer develop for the facility. You must keep these written procedures and a record of the inspections and tests, signed by the appropriate supervisor or inspector, with the SPCC Plan for a period of three years. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(f) *Personnel, training, and discharge prevention procedures.* (1) At a minimum, train your oil-handling personnel in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC Plan.

(2) Designate a person at each applicable facility who is accountable for discharge prevention and who reports to facility management.

(3) Schedule and conduct discharge prevention briefings for your oil-handling personnel at least once a year to assure adequate understanding of the SPCC Plan for that facility. Such briefings must highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures.

(g) *Security (excluding oil production facilities).* Describe in your Plan how you secure and control access to the oil handling, processing and storage areas; secure master flow and drain valves; prevent unauthorized access to starter controls on oil pumps; secure out-of-service and loading/unloading connections of oil pipelines; and address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges.

(h) *Facility tank car and tank truck loading/unloading rack (excluding offshore facilities).*

(1) Where loading/unloading rack drainage does not flow into a catchment basin or treatment facility designed to handle discharges, use a quick drainage system for tank car or tank truck loading/unloading racks. You must design any containment system to hold at least the maximum capacity of any single compartment of a tank car or tank truck loaded or unloaded at the facility.

(2) Provide an interlocked warning light or physical barrier system, warning signs, wheel chocks or vehicle brake interlock system in the area adjacent to a loading/unloading rack, to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines.

(3) Prior to filling and departure of any tank car or tank truck, closely inspect for discharges the lowermost drain and all outlets of such vehicles, and if necessary, ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit.

(i) If a field-constructed aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, evaluate the container for risk of discharge or failure due to brittle fracture or other catastrophe, and as necessary, take appropriate action.

(j) In addition to the minimal prevention standards listed under this section, include in your Plan a complete discussion of conformance with the applicable requirements and other effective discharge prevention and containment procedures listed in this part or any applicable more stringent State rules, regulations, and guidelines.

(k) *Qualified Oil-filled Operational Equipment.* The owner or operator of a facility with oil-filled operational equipment that meets the qualification criteria in paragraph (k)(1) of this sub-section may choose to implement for this qualified oil-filled operational equipment the alternate requirements as described in paragraph (k)(2) of this sub-section in lieu of general secondary containment required in paragraph (c) of this section.

(1) *Qualification Criteria—Reportable Discharge History:* The owner or operator of a facility that has had no single discharge as described in §112.1(b) from any oil-filled operational equipment exceeding 1,000 U.S. gallons or no two discharges as described in §112.1(b) from any oil-filled operational equipment each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan certification date, or since becoming subject to this part if the facility has been in operation for less than three years (other than oil discharges as described in §112.1(b) that are the result of natural disasters, acts of war or terrorism); and

(2) *Alternative Requirements to General Secondary Containment.* If secondary containment is not provided for qualified oil-filled operational equipment pursuant to paragraph (c) of this section, the owner or operator of a facility with qualified oil-filled operational equipment must:

(i) Establish and document the facility procedures for inspections or a monitoring program to detect equipment failure and/or a discharge; and

(ii) Unless you have submitted a response plan under §112.20, provide in your Plan the following:

(A) An oil spill contingency plan following the provisions of part 109 of this chapter.

(B) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77292, Dec. 26, 2006; 73 FR 74303, Dec. 5, 2008; 74 FR 58810, Nov. 13, 2009]

**Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)**

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**Source:** 67 FR 47146, July 17, 2002, unless otherwise noted.

**§ 112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).**

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If you are the owner or operator of an onshore facility (excluding a production facility), you must:

(a) Meet the general requirements for the Plan listed under §112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, as provided in paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

(4) If facility drainage is not engineered as in paragraph (b)(3) of this section, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

(5) Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two "lift" pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in §112.1(b) in case there is an equipment failure or human error at the facility.

(c) *Bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

(2) Construct all bulk storage tank installations (except mobile refuelers and other non-transportation-related tank trucks) so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

(3) Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in §112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with §§122.41(j)(2) and 122.41(m)(3) of this chapter.

(4) Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

(5) Not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

(6) Test or inspect each aboveground container for integrity on a regular schedule and whenever you make material repairs. You must determine, in accordance with industry standards, the appropriate qualifications for personnel performing tests and inspections, the frequency and type of testing and inspections, which take into account container size, configuration, and design (such as containers that are: shop-built, field-erected, skid-mounted, elevated, equipped with a liner, double-walled, or partially buried). Examples of these integrity tests include, but are not limited to: visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other systems of non-destructive testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices satisfy the recordkeeping requirements of this paragraph.

(7) Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

(8) Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct audible or code signal communication between the container gauger and the pumping station.

(iv) A fast response system for determining the liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

(9) Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in §112.1(b).

(10) Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

(11) Position or locate mobile or portable oil storage containers to prevent a discharge as described in §112.1(b). Except for mobile refuelers and other non-transportation-related tank trucks, you must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

(d) *Facility transfer operations, pumping, and facility process.* (1) Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage, you must undertake additional examination and corrective action as indicated by the magnitude of the damage.

(2) Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

(3) Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

(4) Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

[67 FR 47146, July 17, 2002, as amended at 71 FR 77293, Dec. 26, 2006; 73 FR 74304, Dec. 5, 2008]

**§ 112.9 Spill Prevention, Control, and Countermeasure Plan Requirements for onshore oil production facilities (excluding drilling and workover facilities).**

top

If you are the owner or operator of an onshore oil production facility (excluding a drilling or workover facility), you must:

(a) Meet the general requirements for the Plan listed under §112.7, and the specific discharge prevention and containment procedures listed under this section.

(b) *Oil production facility drainage.* (1) At tank batteries and separation and treating areas where there is a reasonable possibility of a discharge as described in §112.1(b), close and seal at all times drains of dikes or drains of equivalent measures required under §112.7(c)(1), except when draining uncontaminated rainwater. Prior to drainage, you must inspect the diked area and take action as provided in §112.8(c)(3)(ii), (iii), and (iv). You must remove accumulated oil on the rainwater and return it to storage or dispose of it in accordance with legally approved methods.

(2) Inspect at regularly scheduled intervals field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers, for an accumulation of oil that may have resulted from any small discharge. You must promptly remove any accumulations of oil.

(c) *Oil production facility bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and the conditions of storage.

(2) Except as described in paragraph (c)(5) of this section for flow-through process vessels and paragraph (c)(6) of this section for produced water containers and any associated piping and appurtenances downstream from the container, construct all tank battery, separation, and treating facility installations, so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must safely confine drainage from undiked areas in a catchment basin or holding pond.

(3) Except as described in paragraph (c)(5) of this section for flow-through process vessels and paragraph (c)(6) of this section for produced water containers and any associated piping and appurtenances downstream from the container, periodically and upon a regular schedule visually inspect each container of oil for deterioration and maintenance needs, including the foundation and support of each container that is on or above the surface of the ground.

(4) Engineer or update new and old tank battery installations in accordance with good engineering practice to prevent discharges. You must provide at least one of the following:

(i) Container capacity adequate to assure that a container will not overfill if a pumper/gauger is delayed in making regularly scheduled rounds.

(ii) Overflow equalizing lines between containers so that a full container can overflow to an adjacent container.

(iii) Vacuum protection adequate to prevent container collapse during a pipeline run or other transfer of oil from the container.

(iv) High level sensors to generate and transmit an alarm signal to the computer where the facility is subject to a computer production control system.

(5) *Flow-through process vessels.* The owner or operator of a facility with flow-through process vessels may choose to implement the alternate requirements as described below in lieu of sized secondary containment required in paragraphs (c)(2) and (c)(3) of this section.

(i) Periodically and on a regular schedule visually inspect and/or test flow-through process vessels and associated components (such as dump valves) for leaks, corrosion, or other conditions that could lead to a discharge as described in §112.1(b).

(ii) Take corrective action or make repairs to flow-through process vessels and any associated components as indicated by regularly scheduled visual inspections, tests, or evidence of an oil discharge.

(iii) Promptly remove or initiate actions to stabilize and remediate any accumulations of oil discharges associated with flow-through process vessels.

(iv) If your facility discharges more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b), or discharges more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b) within any twelve month period, from flow-through process vessels (excluding discharges that are the result of natural disasters, acts of war, or terrorism) then you must, within six months from the time the facility becomes subject to this paragraph, ensure that all flow-through process vessels subject to this subpart comply with §112.9(c)(2) and (c)(3).

(6) *Produced water containers.* For each produced water container, comply with §112.9(c)(1) and (c)(4); and §112.9(c)(2) and (c)(3), or comply with the provisions of the following paragraphs (c)(6)(i) through (v):

(i) Implement, on a regular schedule, a procedure for each produced water container that is designed to separate the free-phase oil that accumulates on the surface of the produced water. Include in the Plan a description of the procedures, frequency, amount of free-phase oil expected to be maintained inside the container, and a Professional Engineer certification in accordance with §112.3(d)(1)(vi). Maintain records of such events in accordance with §112.7(e). Records kept under usual and customary business practices will suffice for purposes of this paragraph. If this procedure is not implemented as described in the Plan or no records are maintained, then you must comply with §112.9(c)(2) and (c)(3).

(ii) On a regular schedule, visually inspect and/or test the produced water container and associated piping for leaks, corrosion, or other conditions that could lead to a discharge as described in §112.1(b) in accordance with good engineering practice.

(iii) Take corrective action or make repairs to the produced water container and any associated piping as indicated by regularly scheduled visual inspections, tests, or evidence of an oil discharge.

(iv) Promptly remove or initiate actions to stabilize and remediate any accumulations of oil discharges associated with the produced water container.

(v) If your facility discharges more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b), or discharges more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b) within any twelve month period from a produced water container subject to this subpart (excluding discharges that are the result of natural disasters, acts of war, or terrorism) then you must, within six months from the time the facility becomes subject to this paragraph, ensure that all produced water containers subject to this subpart comply with §112.9(c)(2) and (c)(3).

(d) *Facility transfer operations, oil production facility.* (1) Periodically and upon a regular schedule inspect all aboveground valves and piping associated with transfer operations for the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items.

(2) Inspect saltwater (oil field brine) disposal facilities often, particularly following a sudden change in atmospheric temperature, to detect possible system upsets capable of causing a discharge.

(3) For flowlines and intra-facility gathering lines that are not provided with secondary containment in accordance with §112.7(c), unless you have submitted a response plan under §112.20, provide in your Plan the following:

(i) An oil spill contingency plan following the provisions of part 109 of this chapter.

(ii) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that might be harmful.

(4) Prepare and implement a written program of flowline/intra-facility gathering line maintenance. The maintenance program must address your procedures to:

(i) Ensure that flowlines and intra-facility gathering lines and associated valves and equipment are compatible with the type of production fluids, their potential corrosivity, volume, and pressure, and other conditions expected in the operational environment.

(ii) Visually inspect and/or test flowlines and intra-facility gathering lines and associated appurtenances on a periodic and regular schedule for leaks, oil discharges, corrosion, or other conditions that could lead to a discharge as described in §112.1(b). For flowlines and intra-facility gathering lines that are not provided with secondary containment in accordance with §112.7(c), the frequency and type of testing must allow for the implementation of a contingency plan as described under part 109 of this chapter.

(iii) Take corrective action or make repairs to any flowlines and intra-facility gathering lines and associated appurtenances as indicated by regularly scheduled visual inspections, tests, or evidence of a discharge.

(iv) Promptly remove or initiate actions to stabilize and remediate any accumulations of oil discharges associated with flowlines, intra-facility gathering lines, and associated appurtenances.

[73 FR, 74304, Dec. 5, 2008, as amended at 74 FR 58810, Nov. 13, 2009]

**§ 112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.**

top

If you are the owner or operator of an onshore oil drilling and workover facility, you must:

(a) Meet the general requirements listed under §112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Position or locate mobile drilling or workover equipment so as to prevent a discharge as described in §112.1(b).

(c) Provide catchment basins or diversion structures to intercept and contain discharges of fuel, crude oil, or oily drilling fluids.

(d) Install a blowout prevention (BOP) assembly and well control system before drilling below any casing string or during workover operations. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while that BOP assembly and well control system are on the well.

**§ 112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.**

top

If you are the owner or operator of an offshore oil drilling, production, or workover facility, you must:

(a) Meet the general requirements listed under §112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Use oil drainage collection equipment to prevent and control small oil discharges around pumps, glands, valves, flanges, expansion joints, hoses, drain lines, separators, treaters, tanks, and associated equipment. You must control and direct facility drains toward a central collection sump to prevent the facility from having a discharge as described in §112.1(b). Where drains and sumps are not practicable, you must remove oil contained in collection equipment as often as necessary to prevent overflow.

(c) For facilities employing a sump system, provide adequately sized sump and drains and make available a spare pump to remove liquid from the sump and assure that oil does not escape. You must employ a regularly scheduled preventive maintenance inspection and testing program to

assure reliable operation of the liquid removal system and pump start-up device. Redundant automatic sump pumps and control devices may be required on some installations.

(d) At facilities with areas where separators and treaters are equipped with dump valves which predominantly fail in the closed position and where pollution risk is high, specially equip the facility to prevent the discharge of oil. You must prevent the discharge of oil by:

(1) Extending the flare line to a diked area if the separator is near shore;

(2) Equipping the separator with a high liquid level sensor that will automatically shut in wells producing to the separator; or

(3) Installing parallel redundant dump valves.

(e) Equip atmospheric storage or surge containers with high liquid level sensing devices that activate an alarm or control the flow, or otherwise prevent discharges.

(f) Equip pressure containers with high and low pressure sensing devices that activate an alarm or control the flow.

(g) Equip containers with suitable corrosion protection.

(h) Prepare and maintain at the facility a written procedure within the Plan for inspecting and testing pollution prevention equipment and systems.

(i) Conduct testing and inspection of the pollution prevention equipment and systems at the facility on a scheduled periodic basis, commensurate with the complexity, conditions, and circumstances of the facility and any other appropriate regulations. You must use simulated discharges for testing and inspecting human and equipment pollution control and countermeasure systems.

(j) Describe in detailed records surface and subsurface well shut-in valves and devices in use at the facility for each well sufficiently to determine their method of activation or control, such as pressure differential, change in fluid or flow conditions, combination of pressure and flow, manual or remote control mechanisms.

(k) Install a BOP assembly and well control system during workover operations and before drilling below any casing string. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while the BOP assembly and well control system are on the well.

(l) Equip all manifolds (headers) with check valves on individual flowlines.

(m) Equip the flowline with a high pressure sensing device and shut-in valve at the wellhead if the shut-in well pressure is greater than the working pressure of the flowline and manifold valves up to and including the header valves. Alternatively you may provide a pressure relief system for flowlines.

(n) Protect all piping appurtenant to the facility from corrosion, such as with protective coatings or cathodic protection.

(o) Adequately protect sub-marine piping appurtenant to the facility against environmental stresses and other activities such as fishing operations.

(p) Maintain sub-marine piping appurtenant to the facility in good operating condition at all times. You must periodically and according to a schedule inspect or test such piping for failures. You must document and keep a record of such inspections or tests at the facility.

**Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, including Oils from Seeds, Nuts, Fruits, and Kernels**

top

**Source:** 67 FR 57149, July 17, 2002, unless otherwise noted.

**§ 112.12 Spill Prevention, Control, and Countermeasure Plan requirements.**

top

If you are the owner or operator of an onshore facility, you must:

(a) Meet the general requirements for the Plan listed under §112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, subject to the requirements of paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

(4) If facility drainage is not engineered as in paragraph (b)(3) of this section, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

(5) Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two "lift" pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in §112.1(b) in case there is an equipment failure or human error at the facility.

(c) *Bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

(2) Construct all bulk storage tank installations (except mobile refuelers and other non-transportation-related tank trucks) so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

(3) Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in §112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with §§122.41(j)(2) and 122.41(m)(3) of this chapter.

(4) Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

(5) Not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

(6) *Bulk storage container inspections.*

(i) Except for containers that meet the criteria provided in paragraph (c)(6)(ii) of this section, test or inspect each aboveground container for integrity on a regular schedule and whenever you make material repairs. You must determine, in accordance with industry standards, the appropriate qualifications for personnel performing tests and inspections, the frequency and type of testing and inspections, which take into account container size, configuration, and design (such as containers that are: shop-built, field-erected, skid-mounted, elevated, equipped with a liner,

double-walled, or partially buried). Examples of these integrity tests include, but are not limited to: Visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other systems of non-destructive testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices satisfy the recordkeeping requirements of this paragraph.

(ii) For bulk storage containers that are subject to 21 CFR part 110, are elevated, constructed of austenitic stainless steel, have no external insulation, and are shop-fabricated, conduct formal visual inspection on a regular schedule. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. You must determine and document in the Plan the appropriate qualifications for personnel performing tests and inspections. Records of inspections and tests kept under usual and customary business practices satisfy the recordkeeping requirements of this paragraph (c)(6).

(7) Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

(8) Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct audible or code signal communication between the container gauger and the pumping station.

(iv) A fast response system for determining the liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

(9) Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in §112.1(b).

(10) Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

(11) Position or locate mobile or portable oil storage containers to prevent a discharge as described in §112.1(b). Except for mobile refuelers and other non-transportation-related tank

trucks, you must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

(d) *Facility transfer operations, pumping, and facility process.* (1) Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage, you must undertake additional examination and corrective action as indicated by the magnitude of the damage.

(2) Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

(3) Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

(4) Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

[67 FR 57149, July 17, 2002, as amended at 71 FR 77293, Dec. 26, 2006; 73 FR 74305, Dec. 5, 2008]

# APPENDIX I

## APPLICABLE EPA REGULATIONS
## 40 CFR 112

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engine on a public vessel) and any discharges of such oil accumulated in the bilges of a vessel discharged in compliance with MARPOL 73/78, Annex I, as provided in 33 CFR part 151, subpart A;

(b) Other discharges of oil permitted under MARPOL 73/78, Annex I, as provided in 33 CFR part 151, subpart A; and

(c) Any discharge of oil explicitly permitted by the Administrator in connection with research, demonstration projects, or studies relating to the prevention, control, or abatement of oil pollution.

[61 FR 7421, Feb. 28, 1996]

### § 110.6 Notice.

Any person in charge of a vessel or of an onshore or offshore facility shall, as soon as he or she has knowledge of any discharge of oil from such vessel or facility in violation of section 311(b)(3) of the Act, immediately notify the National Response Center (NRC) (800–424–8802; in the Washington, DC metropolitan area, 202–426–2675). If direct reporting to the NRC is not practicable, reports may be made to the Coast Guard or EPA predesignated On-Scene Coordinator (OSC) for the geographic area where the discharge occurs. All such reports shall be promptly relayed to the NRC. If it is not possible to notify the NRC or the predesignated OCS immediately, reports may be made immediately to the nearest Coast Guard unit, provided that the person in charge of the vessel or onshore or offshore facility notifies the NRC as soon as possible. The reports shall be made in accordance with such procedures as the Secretary of Transportation may prescribe. The procedures for such notice are set forth in U.S. Coast Guard regulations, 33 CFR part 153, subpart B and in the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR part 300, subpart E.

(Approved by the Office of Management and Budget under control number 2050–0046)

[52 FR 10719, Apr. 2, 1987. Redesignated and amended at 61 FR 7421, Feb. 28, 1996; 61 FR 14032, Mar. 29, 1996]

# PART 112—OIL POLLUTION PREVENTION

Sec.


**Subpart A—Applicability, Definitions, and General Requirements For All Facilities and All Types of Oils**

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112.9 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.
112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.
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**Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, Including Oils from Seeds, Nuts, Fruits and Kernels**

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112.13–112.15 [Reserved]

**Subpart D—Response Requirements**

112.20 Facility response plans.
112.21 Facility response training and drills/exercises.

APPENDIX A TO PART 112—MEMORANDUM OF UNDERSTANDING BETWEEN THE SECRETARY

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APPENDIX B TO PART 112—MEMORANDUM OF UNDERSTANDING AMONG THE SECRETARY OF THE INTERIOR, SECRETARY OF TRANSPORTATION, AND ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY
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AUTHORITY: 33 U.S.C. 1251 *et seq.*; 33 U.S.C. 2720; E.O. 12777 (October 18, 1991), 3 CFR, 1991 Comp., p. 351.

SOURCE: 38 FR 34165, Dec. 11, 1973, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 112 appear at 65 FR 40798, June 30, 2000.

## Subpart A—Applicability, Definitions, and General Requirements for All Facilities and All Types of Oils

SOURCE: 67 FR 47140, July 17, 2002, unless otherwise noted.

### § 112.1 General applicability.

(a)(1) This part establishes procedures, methods, equipment, and other requirements to prevent the discharge of oil from non-transportation-related onshore and offshore facilities into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act).

(2) As used in this part, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa, as the case may require.

(b) Except as provided in paragraph (d) of this section, this part applies to any owner or operator of a non-transportation-related onshore or offshore facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location, could reasonably be expected to discharge oil in quantities that may be harmful, as described in part 110 of this chapter, into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act) that has oil in:

(1) Any aboveground container;

(2) Any completely buried tank as defined in § 112.2;

(3) Any container that is used for standby storage, for seasonal storage, or for temporary storage, or not otherwise "permanently closed" as defined in § 112.2;

(4) Any "bunkered tank" or "partially buried tank" as defined in § 112.2, or any container in a vault, each of which is considered an aboveground storage container for purposes of this part.

(c) As provided in section 313 of the Clean Water Act (CWA), departments, agencies, and instrumentalities of the Federal government are subject to this part to the same extent as any person.

(d) Except as provided in paragraph (f) of this section, this part does not apply to:

(1) The owner or operator of any facility, equipment, or operation that is not subject to the jurisdiction of the Environmental Protection Agency (EPA) under section 311(j)(1)(C) of the CWA, as follows:

(i) Any onshore or offshore facility, that due to its location, could not reasonably be expected to have a discharge as described in paragraph (b) of this section. This determination must be based solely upon consideration of

the geographical and location aspects of the facility (such as proximity to navigable waters or adjoining shorelines, land contour, drainage, etc.) and must exclude consideration of manmade features such as dikes, equipment or other structures, which may serve to restrain, hinder, contain, or otherwise prevent a discharge as described in paragraph (b) of this section.

(ii) Any equipment, or operation of a vessel or transportation-related onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation, as defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of EPA, dated November 24, 1971 (Appendix A of this part).

(iii) Any equipment, or operation of a vessel or onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation or the U.S. Department of the Interior, as defined in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (Appendix B of this part).

(2) Any facility which, although otherwise subject to the jurisdiction of EPA, meets both of the following requirements:

(i) The completely buried storage capacity of the facility is 42,000 gallons or less of oil. For purposes of this exemption, the completely buried storage capacity of a facility excludes the capacity of a completely buried tank, as defined in §112.2, and connected underground piping, underground ancillary equipment, and containment systems, that is currently subject to all of the technical requirements of part 280 of this chapter or all of the technical requirements of a State program approved under part 281 of this chapter. The completely buried storage capacity of a facility also excludes the capacity of a container that is "permanently closed," as defined in §112.2.

(ii) The aggregate aboveground storage capacity of the facility is 1,320 gallons or less of oil. For the purposes of this exemption, only containers with a capacity of 55 gallons or greater are counted. The aggregate aboveground storage capacity of a facility excludes the capacity of a container that is "permanently closed," and the capacity of a "motive power container" as defined in §112.2.

(3) Any offshore oil drilling, production, or workover facility that is subject to the notices and regulations of the Minerals Management Service, as specified in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (Appendix B of this part).

(4) Any completely buried storage tank, as defined in §112.2, and connected underground piping, underground ancillary equipment, and containment systems, at any facility, that is subject to all of the technical requirements of part 280 of this chapter or a State program approved under part 281 of this chapter, except that such a tank must be marked on the facility diagram as provided in §112.7(a)(3), if the facility is otherwise subject to this part.

(5) Any container with a storage capacity of less than 55 gallons of oil.

(6) Any facility or part thereof used exclusively for wastewater treatment and not used to satisfy any requirement of this part. The production, recovery, or recycling of oil is not wastewater treatment for purposes of this paragraph.

(7) Any "motive power container," as defined in §112.2. The transfer of fuel or other oil into a motive power container at an otherwise regulated facility is not eligible for this exemption.

(e) This part establishes requirements for the preparation and implementation of Spill Prevention, Control, and Countermeasure (SPCC) Plans. SPCC Plans are designed to complement existing laws, regulations, rules, standards, policies, and procedures pertaining to safety standards, fire prevention, and pollution prevention rules. The purpose of an SPCC Plan is to form a comprehensive Federal/State spill prevention program that minimizes the potential for discharges. The SPCC Plan must address all relevant spill prevention, control, and countermeasures necessary at the specific facility. Compliance with this

part does not in any way relieve the owner or operator of an onshore or an offshore facility from compliance with other Federal, State, or local laws.

(f) Notwithstanding paragraph (d) of this section, the Regional Administrator may require that the owner or operator of any facility subject to the jurisdiction of EPA under section 311(j) of the CWA prepare and implement an SPCC Plan, or any applicable part, to carry out the purposes of the CWA.

(1) Following a preliminary determination, the Regional Administrator must provide a written notice to the owner or operator stating the reasons why he must prepare an SPCC Plan, or applicable part. The Regional Administrator must send such notice to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of such notice to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(2) Within 30 days of receipt of such written notice, the owner or operator may provide information and data and may consult with the Agency about the need to prepare an SPCC Plan, or applicable part.

(3) Within 30 days following the time under paragraph (b)(2) of this section within which the owner or operator may provide information and data and consult with the Agency about the need to prepare an SPCC Plan, or applicable part, the Regional Administrator must make a final determination regarding whether the owner or operator is required to prepare and implement an SPCC Plan, or applicable part. The Regional Administrator must send the final determination to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of the final determination to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(4) If the Regional Administrator makes a final determination that an SPCC Plan, or applicable part, is necessary, the owner or operator must prepare the Plan, or applicable part, within six months of that final determination and implement the Plan, or applicable part, as soon as possible, but not later than one year after the Regional Administrator has made a final determination.

(5) The owner or operator may appeal a final determination made by the Regional Administrator requiring preparation and implementation of an SPCC Plan, or applicable part, under this paragraph. The owner or operator must make the appeal to the Administrator of EPA within 30 days of receipt of the final determination under paragraph (b)(3) of this section from the Regional Administrator requiring preparation and/or implementation of an SPCC Plan, or applicable part. The owner or operator must send a complete copy of the appeal to the Regional Administrator at the time he makes the appeal to the Administrator. The appeal must contain a clear and concise statement of the issues and points of fact in the case. In the appeal, the owner or operator may also provide additional information. The additional information may be from any person. The Administrator may request additional information from the owner or operator. The Administrator must render a decision within 60 days of receiving the appeal or additional information submitted by the owner or operator and must serve the owner or operator with the decision made in the appeal in the manner described in paragraph (f)(1) of this section.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77290, Dec. 26, 2006]

### § 112.2 Definitions.

For the purposes of this part:

*Adverse weather* means weather conditions that make it difficult for response equipment and personnel to clean up or remove spilled oil, and that must be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include significant wave height as specified in Appendix E to this part (as appropriate), ice conditions, temperatures, weather-related visibility, and currents within the area in which the systems or equipment is intended to function.

*Alteration* means any work on a container involving cutting, burning, welding, or heating operations that changes the physical dimensions or configuration of the container.

*Animal fat* means a non-petroleum oil, fat, or grease of animal, fish, or marine mammal origin.

*Breakout tank* means a container used to relieve surges in an oil pipeline system or to receive and store oil transported by a pipeline for reinjection and continued transportation by pipeline.

*Bulk storage container* means any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container.

*Bunkered tank* means a container constructed or placed in the ground by cutting the earth and re-covering the container in a manner that breaks the surrounding natural grade, or that lies above grade, and is covered with earth, sand, gravel, asphalt, or other material. A bunkered tank is considered an aboveground storage container for purposes of this part.

*Completely buried tank* means any container completely below grade and covered with earth, sand, gravel, asphalt, or other material. Containers in vaults, bunkered tanks, or partially buried tanks are considered aboveground storage containers for purposes of this part.

*Complex* means a facility possessing a combination of transportation-related and non-transportation-related components that is subject to the jurisdiction of more than one Federal agency under section 311(j) of the CWA.

*Contiguous zone* means the zone established by the United States under Article 24 of the Convention of the Territorial Sea and Contiguous Zone, that is contiguous to the territorial sea and that extends nine miles seaward from the outer limit of the territorial area.

*Contract or other approved means* means:

(1) A written contractual agreement with an oil spill removal organization that identifies and ensures the availability of the necessary personnel and equipment within appropriate response times; and/or

(2) A written certification by the owner or operator that the necessary personnel and equipment resources, owned or operated by the facility owner or operator, are available to respond to a discharge within appropriate response times; and/or

(3) Active membership in a local or regional oil spill removal organization that has identified and ensures adequate access through such membership to necessary personnel and equipment to respond to a discharge within appropriate response times in the specified geographic area; and/or

(4) Any other specific arrangement approved by the Regional Administrator upon request of the owner or operator.

*Discharge* includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil, but excludes discharges in compliance with a permit under section 402 of the CWA; discharges resulting from circumstances identified, reviewed, and made a part of the public record with respect to a permit issued or modified under section 402 of the CWA, and subject to a condition in such permit; or continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 of the CWA, that are caused by events occurring within the scope of relevant operating or treatment systems. For purposes of this part, the term discharge shall not include any discharge of oil that is authorized by a permit issued under section 13 of the River and Harbor Act of 1899 (33 U.S.C. 407).

*Facility* means any mobile or fixed, onshore or offshore building, structure, installation, equipment, pipe, or pipeline (other than a vessel or a public vessel) used in oil well drilling operations, oil production, oil refining, oil storage, oil gathering, oil processing, oil transfer, oil distribution, and waste treatment, or in which oil is used, as described in Appendix A to this part. The boundaries of a facility depend on several site-specific factors, including, but not limited to, the ownership or operation of buildings, structures, and

equipment on the same site and the types of activity at the site.

*Farm* means a facility on a tract of land devoted to the production of crops or raising of animals, including fish, which produced and sold, or normally would have produced and sold, $1,000 or more of agricultural products during a year.

*Fish and wildlife and sensitive environments* means areas that may be identified by their legal designation or by evaluations of Area Committees (for planning) or members of the Federal On-Scene Coordinator's spill response structure (during responses). These areas may include wetlands, National and State parks, critical habitats for endangered or threatened species, wilderness and natural resource areas, marine sanctuaries and estuarine reserves, conservation areas, preserves, wildlife areas, wildlife refuges, wild and scenic rivers, recreational areas, national forests, Federal and State lands that are research national areas, heritage program areas, land trust areas, and historical and archaeological sites and parks. These areas may also include unique habitats such as aquaculture sites and agricultural surface water intakes, bird nesting areas, critical biological resource areas, designated migratory routes, and designated seasonal habitats.

*Injury* means a measurable adverse change, either long- or short-term, in the chemical or physical quality or the viability of a natural resource resulting either directly or indirectly from exposure to a discharge, or exposure to a product of reactions resulting from a discharge.

*Maximum extent practicable* means within the limitations used to determine oil spill planning resources and response times for on-water recovery, shoreline protection, and cleanup for worst case discharges from onshore non-transportation-related facilities in adverse weather. It includes the planned capability to respond to a worst case discharge in adverse weather, as contained in a response plan that meets the requirements in §112.20 or in a specific plan approved by the Regional Administrator.

*Mobile refueler* means a bulk storage container onboard a vehicle or towed, that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.

*Motive power container* means any onboard bulk storage container used primarily to power the movement of a motor vehicle, or ancillary onboard oil-filled operational equipment. An onboard bulk storage container which is used to store or transfer oil for further distribution is not a motive power container. The definition of motive power container does not include oil drilling or workover equipment, including rigs.

*Navigable waters* means the waters of the United States, including the territorial seas.

(1) The term includes:

(i) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters subject to the ebb and flow of the tide;

(ii) All interstate waters, including interstate wetlands;

(iii) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce including any such waters:

(A) That are or could be used by interstate or foreign travelers for recreational or other purposes; or

(B) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or,

(C) That are or could be used for industrial purposes by industries in interstate commerce;

(iv) All impoundments of waters otherwise defined as waters of the United States under this section;

(v) Tributaries of waters identified in paragraphs (1)(i) through (iv) of this definition;

(vi) The territorial sea; and

(vii) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraph (1) of this definition.

(2) Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the

CWA (other than cooling ponds which also meet the criteria of this definition) are not waters of the United States. Navigable waters do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with EPA.

*Non-petroleum oil* means oil of any kind that is not petroleum-based, including but not limited to: Fats, oils, and greases of animal, fish, or marine mammal origin; and vegetable oils, including oils from seeds, nuts, fruits, and kernels.

*Offshore facility* means any facility of any kind (other than a vessel or public vessel) located in, on, or under any of the navigable waters of the United States, and any facility of any kind that is subject to the jurisdiction of the United States and is located in, on, or under any other waters.

*Oil* means oil of any kind or in any form, including, but not limited to: fats, oils, or greases of animal, fish, or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits, or kernels; and, other oils and greases, including petroleum, fuel oil, sludge, synthetic oils, mineral oils, oil refuse, or oil mixed with wastes other than dredged spoil.

*Oil-filled operational equipment* means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (*e.g.*, those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.

*Oil Spill Removal Organization* means an entity that provides oil spill response resources, and includes any for-profit or not-for-profit contractor, cooperative, or in-house response resources that have been established in a geographic area to provide required response resources.

*Onshore facility* means any facility of any kind located in, on, or under any land within the United States, other than submerged lands.

*Owner or operator* means any person owning or operating an onshore facility or an offshore facility, and in the case of any abandoned offshore facility, the person who owned or operated or maintained the facility immediately prior to such abandonment.

*Partially buried tank* means a storage container that is partially inserted or constructed in the ground, but not entirely below grade, and not completely covered with earth, sand, gravel, asphalt, or other material. A partially buried tank is considered an aboveground storage container for purposes of this part.

*Permanently closed* means any container or facility for which:

(1) All liquid and sludge has been removed from each container and connecting line; and

(2) All connecting lines and piping have been disconnected from the container and blanked off, all valves (except for ventilation valves) have been closed and locked, and conspicuous signs have been posted on each container stating that it is a permanently closed container and noting the date of closure.

*Person* includes an individual, firm, corporation, association, or partnership.

*Petroleum oil* means petroleum in any form, including but not limited to crude oil, fuel oil, mineral oil, sludge, oil refuse, and refined products.

*Production facility* means all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation-related equipment) used in the production, extraction, recovery, lifting, stabilization, separation or treating of oil, or associated storage or measurement,

and located in a single geographical oil or gas field operated by a single operator.

*Regional Administrator* means the Regional Administrator of the Environmental Protection Agency, in and for the Region in which the facility is located.

*Repair* means any work necessary to maintain or restore a container to a condition suitable for safe operation, other than that necessary for ordinary, day-to-day maintenance to maintain the functional integrity of the container and that does not weaken the container.

*Spill Prevention, Control, and Countermeasure Plan; SPCC Plan, or Plan* means the document required by §112.3 that details the equipment, workforce, procedures, and steps to prevent, control, and provide adequate countermeasures to a discharge.

*Storage capacity* of a container means the shell capacity of the container.

*Transportation-related and non-transportation-related*, as applied to an onshore or offshore facility, are defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the Environmental Protection Agency, dated November 24, 1971, (Appendix A of this part).

*United States* means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, the U.S. Virgin Islands, and the Pacific Island Governments.

*Vegetable oil* means a non-petroleum oil or fat of vegetable origin, including but not limited to oils and fats derived from plant seeds, nuts, fruits, and kernels.

*Vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel.

*Wetlands* means those areas that are inundated or saturated by surface or groundwater at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs, and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds.

*Worst case discharge* for an onshore non-transportation-related facility means the largest foreseeable discharge in adverse weather conditions as determined using the worksheets in Appendix D to this part.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77290, Dec. 26, 2006]

### §112.3 Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.

The owner or operator of an onshore or offshore facility subject to this section must prepare a Spill Prevention, Control, and Countermeasure Plan (hereafter "SPCC Plan" or "Plan)," in writing, and in accordance with §112.7, and any other applicable section of this part.

(a)(1) If your onshore or offshore facility was in operation on or before August 16, 2002, you must maintain your Plan, but most amend it, if necessary to ensure compliance with this part, and implement the Plan no later than July 1, 2009. If your onshore or offshore facility becomes operational after August 16, 2002, through July 1, 2009, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan on or before July 1, 2009.

(2) If your onshore facility is a farm as defined in §112.2, the compliance date described in paragraph (a)(1) of this section is delayed until the effective date of a rule establishing SPCC requirements specifically for farms or otherwise establishes dates by which farms must comply with the provisions of this part.

(b)(1) If you are the owner or operator of an onshore or offshore facility that becomes operational after July 1, 2009, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan before you begin operations.

(2) If your onshore facility meets the definition of farm in §112.2, the compliance date described in paragraph (b)(1) of this section is delayed until the effective date of a rule establishing

SPCC requirements specifically for farms or otherwise establishes dates by which farms must comply with the provisions of this part.

(c) If you are the owner or operator of an onshore or offshore mobile facility, such as an onshore drilling or workover rig, barge mounted offshore drilling or workover rig, or portable fueling facility, you must prepare, implement, and maintain a facility Plan as required by this section. You must maintain your Plan, but must amend and implement it, if necessary to ensure compliance with this part, on or before July 1, 2009. If your onshore or offshore mobile facility becomes operational after July 1, 2009, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan before you begin operations. This provision does not require that you prepare a new Plan each time you move the facility to a new site. The Plan may be a general Plan. When you move the mobile or portable facility, you must locate and install it using the discharge prevention practices outlined in the Plan for the facility. The Plan is applicable only while the facility is in a fixed (non-transportation) operating mode.

(d) Except as provided in §112.6, a licensed Professional Engineer must review and certify a Plan for it to be effective to satisfy the requirements of this part.

(1) By means of this certification the Professional Engineer attests:

(i) That he is familiar with the requirements of this part ;

(ii) That he or his agent has visited and examined the facility;

(iii) That the Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards, and with the requirements of this part;

(iv) That procedures for required inspections and testing have been established; and

(v) That the Plan is adequate for the facility.

(2) Such certification shall in no way relieve the owner or operator of a facility of his duty to prepare and fully implement such Plan in accordance with the requirements of this part.

(e) If you are the owner or operator of a facility for which a Plan is required under this section, you must:

(1) Maintain a complete copy of the Plan at the facility if the facility is normally attended at least four hours per day, or at the nearest field office if the facility is not so attended, and

(2) Have the Plan available to the Regional Administrator for on-site review during normal working hours.

(f) *Extension of time.* (1) The Regional Administrator may authorize an extension of time for the preparation and full implementation of a Plan, or any amendment thereto, beyond the time permitted for the preparation, implementation, or amendment of a Plan under this part, when he finds that the owner or operator of a facility subject to this section, cannot fully comply with the requirements as a result of either nonavailability of qualified personnel, or delays in construction or equipment delivery beyond the control and without the fault of such owner or operator or his agents or employees.

(2) If you are an owner or operator seeking an extension of time under paragraph (f)(1) of this section, you may submit a written extension request to the Regional Administrator. Your request must include:

(i) A full explanation of the cause for any such delay and the specific aspects of the Plan affected by the delay;

(ii) A full discussion of actions being taken or contemplated to minimize or mitigate such delay; and

(iii) A proposed time schedule for the implementation of any corrective actions being taken or contemplated, including interim dates for completion of tests or studies, installation and operation of any necessary equipment, or other preventive measures. In addition you may present additional oral or written statements in support of your extension request.

(3) The submission of a written extension request under paragraph (f)(2) of this section does not relieve you of your obligation to comply with the requirements of this part. The Regional Administrator may request a copy of your Plan to evaluate the extension request. When the Regional Administrator authorizes an extension of time

for particular equipment or other specific aspects of the Plan, such extension does not affect your obligation to comply with the requirements related to other equipment or other specific aspects of the Plan for which the Regional Administrator has not expressly authorized an extension.

(g) *Qualified Facilities.* The owner or operator of a qualified facility as defined in this subparagraph may self-certify his or her facility's Plan, as provided in §112.6. A qualified facility is one that:

(1) Has an aggregate aboveground storage capacity of 10,000 gallons or less; and

(2) Has had no single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons or no two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan self-certification date, or since becoming subject to this part if the facility has been in operation for less than three years (other than discharges as described in §112.1(b) that are the result of natural disasters, acts of war, or terrorism).

[67 FR 47140, July 17, 2002, as amended at 68 FR 1351, Jan. 9, 2003; 68 FR 18894, Apr. 17, 2003; 69 FR 48798, Aug. 11, 2004; 71 FR 8466, Feb. 17, 2006; 71 FR 77290, Dec. 26, 2006; 72 FR 27447, May 16, 2007]

### §112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.

If you are the owner or operator of a facility subject to this part, you must:

(a) Notwithstanding compliance with §112.3, whenever your facility has discharged more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b), or discharged more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b), occurring within any twelve month period, submit the following information to the Regional Administrator within 60 days from the time the facility becomes subject to this section:

(1) Name of the facility;

(2) Your name;

(3) Location of the facility;

(4) Maximum storage or handling capacity of the facility and normal daily throughput;

(5) Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;

(6) An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;

(7) The cause of such discharge as described in §112.1(b), including a failure analysis of the system or subsystem in which the failure occurred;

(8) Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence; and

(9) Such other information as the Regional Administrator may reasonably require pertinent to the Plan or discharge.

(b) Take no action under this section until it applies to your facility. This section does not apply until the expiration of the time permitted for the initial preparation and implementation of the Plan under §112.3, but not including any amendments to the Plan.

(c) Send to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located a complete copy of all information you provided to the Regional Administrator under paragraph (a) of this section. Upon receipt of the information such State agency or agencies may conduct a review and make recommendations to the Regional Administrator as to further procedures, methods, equipment, and other requirements necessary to prevent and to contain discharges from your facility.

(d) Amend your Plan, if after review by the Regional Administrator of the information you submit under paragraph (a) of this section, or submission of information to EPA by the State agency under paragraph (c) of this section, or after on-site review of your Plan, the Regional Administrator requires that you do so. The Regional Administrator may require you to amend your Plan if he finds that it does not meet the requirements of this part or that amendment is necessary to prevent and contain discharges from your facility.

(e) Act in accordance with this paragraph when the Regional Administrator proposes by certified mail or by personal delivery that you amend your

SPCC Plan. If the owner or operator is a corporation, he must also notify by mail the registered agent of such corporation, if any and if known, in the State in which the facility is located. The Regional Administrator must specify the terms of such proposed amendment. Within 30 days from receipt of such notice, you may submit written information, views, and arguments on the proposed amendment. After considering all relevant material presented, the Regional Administrator must either notify you of any amendment required or rescind the notice. You must amend your Plan as required within 30 days after such notice, unless the Regional Administrator, for good cause, specifies another effective date. You must implement the amended Plan as soon as possible, but not later than six months after you amend your Plan, unless the Regional Administrator specifies another date.

(f) If you appeal a decision made by the Regional Administrator requiring an amendment to an SPCC Plan, send the appeal to the EPA Administrator in writing within 30 days of receipt of the notice from the Regional Administrator requiring the amendment under paragraph (e) of this section. You must send a complete copy of the appeal to the Regional Administrator at the time you make the appeal. The appeal must contain a clear and concise statement of the issues and points of fact in the case. It may also contain additional information from you, or from any other person. The EPA Administrator may request additional information from you, or from any other person. The EPA Administrator must render a decision within 60 days of receiving the appeal and must notify you of his decision.

### § 112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.

If you are the owner or operator of a facility subject to this part, you must:

(a) Amend the SPCC Plan for your facility in accordance with the general requirements in § 112.7, and with any specific section of this part applicable to your facility, when there is a change in the facility design, construction, operation, or maintenance that materially affects its potential for a discharge as described in § 112.1(b). Examples of changes that may require amendment of the Plan include, but are not limited to: commissioning or decommissioning containers; replacement, reconstruction, or movement of containers; reconstruction, replacement, or installation of piping systems; construction or demolition that might alter secondary containment structures; changes of product or service; or revision of standard operation or maintenance procedures at a facility. An amendment made under this section must be prepared within six months, and implemented as soon as possible, but not later than six months following preparation of the amendment.

(b) Notwithstanding compliance with paragraph (a) of this section, complete a review and evaluation of the SPCC Plan at least once every five years from the date your facility becomes subject to this part; or, if your facility was in operation on or before August 16, 2002, five years from the date your last review was required under this part. As a result of this review and evaluation, you must amend your SPCC Plan within six months of the review to include more effective prevention and control technology if the technology has been field-proven at the time of the review and will significantly reduce the likelihood of a discharge as described in § 112.1(b) from the facility. You must implement any amendment as soon as possible, but not later than six months following preparation of any amendment. You must document your completion of the review and evaluation, and must sign a statement as to whether you will amend the Plan, either at the beginning or end of the Plan or in a log or an appendix to the Plan. The following words will suffice, "I have completed review and evaluation of the SPCC Plan for (name of facility) on (date), and will (will not) amend the Plan as a result."

(c) Except as provided in § 112.6, have a Professional Engineer certify any technical amendments to your Plan in accordance with § 112.3(d).

[67 FR 47140, July 17, 2002, as amended at 71 FR 77291, Dec. 26, 2006]

**§ 112.6 Qualified Facility Plan Requirements.**

(a) *Preparation and Self-certification of Plan.* If you are the owner or operator of a facility that meets the qualified facility qualification criteria in § 112.3(g), you may choose to self-certify your Plan. You must certify in the Plan that:

(1) You are familiar with the requirements of this part;

(2) You have visited and examined the facility;

(3) The Plan has been prepared in accordance with accepted and sound industry practices and standards, and with the requirements of this part;

(4) Procedures for required inspections and testing have been established;

(5) The Plan is being fully implemented;

(6) The facility meets the qualification criteria set forth under § 112.3(g);

(7) The Plan does not deviate from any requirement of this part as allowed by §§ 112.7(a)(2) and 112.7(d), except as provided in paragraph (c) of this section; and

(8) The Plan and individual(s) responsible for implementing the Plan have the full approval of management and the facility owner or operator has committed the necessary resources to fully implement the Plan.

(b) *Self-certification of Technical Amendments.* If you self-certify your Plan pursuant to paragraph (a) of this section, you must certify any technical amendments to your Plan in accordance with paragraph (a) of this section when there is a change in the facility design, construction, operation, or maintenance that affects its potential for a discharge as described in § 112.1(b) except:

(1) If a Professional Engineer certified a portion of your Plan in accordance with paragraph (d) of this section, and the technical amendment affects this portion of the Plan, you must have the amended provisions of your Plan certified by a Professional Engineer in accordance with § 112.6(d)(2).

(2) If the change is such that the facility no longer meets the qualifying criteria in § 112.3(g) because it exceeds 10,000 gallons in aggregate aboveground storage capacity, you must prepare a Plan in accordance with the general Plan requirements in § 112.7 and the applicable requirements in subparts B and C, including having the Plan certified by a Professional Engineer as required under § 112.3(d).

(c) *Applicable Requirements.* Except as provided in this subparagraph, your self-certified SPCC Plan must comply with § 112.7 and the applicable requirements in subparts B and C of this part:

(1) *Environmental Equivalence.* Your Plan may not include alternate methods which provide environmental equivalence pursuant to § 112.7(a)(2), unless each alternate method has been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (d) of this section.

(2) *Impracticability.* Your Plan may not include any determinations that secondary containment is impracticable and provisions in lieu of secondary containment pursuant to § 112.7(d), unless each such determination and alternative provision has been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (d) of this section.

(3) *Security (excluding oil production facilities).* You must either:

(i) Comply with the requirements under § 112.7(g); or

(ii) Describe in your Plan how you secure and control access to the oil handling, processing and storage areas; secure master flow and drain valves; prevent unauthorized access to starter controls on oil pumps; secure out-of-service and loading/unloading connections of oil pipelines; address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges.

(4) *Bulk Storage Container Inspections.* You must either:

(i) Comply with the requirements under § 112.8(c)(6) or § 112.12(c)(6), as applicable; or

(ii) Test/inspect each aboveground container for integrity on a regular schedule and whenever material repairs are made. You must determine, in accordance with industry standards, the appropriate qualifications for personnel performing tests and inspections, the frequency and type of testing and inspections which take into account container size, configuration,

and design (such as containers that are: shop built, skid-mounted, elevated, equipped with a liner, double walled, or partially buried). Examples of these integrity tests include, but are not limited to: visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other systems of non-destructive testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices satisfy the recordkeeping requirements of this paragraph.

(d) *Professional Engineer Certification of Portions of a Qualified Facility's Self-certified Plan.* As described in paragraph (c) of this section, the facility owner or operator may not self-certify alternative measures allowed under §112.7(a)(2) or (d), that are included in the facility's Plan. Such measures must be reviewed and certified, in writing, by a licensed Professional Engineer as follows:

(1) For each alternative measure allowed under §112.7(a)(2), the Plan must be accompanied by a written statement by a Professional Engineer that states the reason for nonconformance and describes the alternative method and how it provides equivalent environmental protection in accordance with §112.7(a)(2). For each determination of impracticability of secondary containment pursuant to §112.7(d), the Plan must clearly explain why secondary containment measures are not practicable at this facility and provide the alternative measures required in §112.7(d) in lieu of secondary containment.

(2) By certifying each measure allowed under §112.7(a)(2) and (d), the Professional Engineer attests:

(i) That he is familiar with the requirements of this part;

(ii) That he or his agent has visited and examined the facility; and

(iii) That the alternative method of environmental equivalence in accordance with §112.7(a)(2) or the determination of impracticability and alternative measures in accordance with §112.7(d) is consistent with good engineering practice, including consideration of applicable industry standards, and with the requirements of this part.

(3) The review and certification by the Professional Engineer under this paragraph is limited to the alternative method which achieves equivalent environmental protection pursuant to §112.7(a)(2) or to the impracticability determination and measures in lieu of secondary containment pursuant to §112.7(d).

[71 FR 77291, Dec. 26, 2006]

### § 112.7 General requirements for Spill Prevention, Control, and Countermeasure Plans.

If you are the owner or operator of a facility subject to this part you must prepare a Plan in accordance with good engineering practices. The Plan must have the full approval of management at a level of authority to commit the necessary resources to fully implement the Plan. You must prepare the Plan in writing. If you do not follow the sequence specified in this section for the Plan, you must prepare an equivalent Plan acceptable to the Regional Administrator that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan. If the Plan calls for additional facilities or procedures, methods, or equipment not yet fully operational, you must discuss these items in separate paragraphs, and must explain separately the details of installation and operational start-up. As detailed elsewhere in this section, you must also:

(a)(1) Include a discussion of your facility's conformance with the requirements listed in this part.

(2) Comply with all applicable requirements listed in this part. Except as provided in §112.6, your Plan may deviate from the requirements in paragraphs (g), (h)(2) and (3), and (i) of this section and the requirements in subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11),

112.9(c)(2), 112.10(c), 112.12(c)(2), and 112.12(c)(11), where applicable to a specific facility, if you provide equivalent environmental protection by some other means of spill prevention, control, or countermeasure. Where your Plan does not conform to the applicable requirements in paragraphs (g), (h)(2) and (3), and (i) of this section, or the requirements of subparts B and C of this part, except the secondary containment requirements in paragraph (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), and 112.12(c)(11), you must state the reasons for nonconformance in your Plan and describe in detail alternate methods and how you will achieve equivalent environmental protection. If the Regional Administrator determines that the measures described in your Plan do not provide equivalent environmental protection, he may require that you amend your Plan, following the procedures in §112.4(d) and (e).

(3) Describe in your Plan the physical layout of the facility and include a facility diagram, which must mark the location and contents of each container. The facility diagram must include completely buried tanks that are otherwise exempted from the requirements of this part under §112.1(d)(4). The facility diagram must also include all transfer stations and connecting pipes. You must also address in your Plan:

(i) The type of oil in each container and its storage capacity;

(ii) Discharge prevention measures including procedures for routine handling of products (loading, unloading, and facility transfers, etc.);

(iii) Discharge or drainage controls such as secondary containment around containers and other structures, equipment, and procedures for the control of a discharge;

(iv) Countermeasures for discharge discovery, response, and cleanup (both the facility's capability and those that might be required of a contractor);

(v) Methods of disposal of recovered materials in accordance with applicable legal requirements; and

(vi) Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with whom you have an agreement for response, and all appropriate Federal, State, and local agencies who must be contacted in case of a discharge as described in §112.1(b).

(4) Unless you have submitted a response plan under §112.20, provide information and procedures in your Plan to enable a person reporting a discharge as described in §112.1(b) to relate information on the exact address or location and phone number of the facility; the date and time of the discharge, the type of material discharged; estimates of the total quantity discharged; estimates of the quantity discharged as described in §112.1(b); the source of the discharge; a description of all affected media; the cause of the discharge; any damages or injuries caused by the discharge; actions being used to stop, remove, and mitigate the effects of the discharge; whether an evacuation may be needed; and, the names of individuals and/or organizations who have also been contacted.

(5) Unless you have submitted a response plan under §112.20, organize portions of the Plan describing procedures you will use when a discharge occurs in a way that will make them readily usable in an emergency, and include appropriate supporting material as appendices.

(b) Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of a discharge), include in your Plan a prediction of the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure.

(c) Provide appropriate containment and/or diversionary structures or equipment to prevent a discharge as described in §112.1(b), except as provided in paragraph (k) of this section for qualified oil-filled operational equipment. The entire containment system, including walls and floor, must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank or pipe, will not escape the containment system before cleanup

occurs. At a minimum, you must use one of the following prevention systems or its equivalent:

(1) For onshore facilities:

(i) Dikes, berms, or retaining walls sufficiently impervious to contain oil;

(ii) Curbing;

(iii) Culverting, gutters, or other drainage systems;

(iv) Weirs, booms, or other barriers;

(v) Spill diversion ponds;

(vi) Retention ponds; or

(vii) Sorbent materials.

(2) For offshore facilities:

(i) Curbing or drip pans; or

(ii) Sumps and collection systems.

(d) Provided your Plan is certified by a licensed Professional Engineer under §112.3(d), or, in the case of a qualified facility that meets the criteria in §112.3(g), the relevant sections of your Plan are certified by a licensed Professional Engineer under §112.6(d), if you determine that the installation of any of the structures or pieces of equipment listed in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), and 112.12(c)(11) to prevent a discharge as described in §112.1(b) from any onshore or offshore facility is not practicable, you must clearly explain in your Plan why such measures are not practicable; for bulk storage containers, conduct both periodic integrity testing of the containers and periodic integrity and leak testing of the valves and piping; and, unless you have submitted a response plan under §112.20, provide in your Plan the following:

(1) An oil spill contingency plan following the provisions of part 109 of this chapter.

(2) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.

(e) *Inspections, tests, and records.* Conduct inspections and tests required by this part in accordance with written procedures that you or the certifying engineer develop for the facility. You must keep these written procedures and a record of the inspections and tests, signed by the appropriate supervisor or inspector, with the SPCC Plan for a period of three years. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(f) *Personnel, training, and discharge prevention procedures.* (1) At a minimum, train your oil-handling personnel in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC Plan.

(2) Designate a person at each applicable facility who is accountable for discharge prevention and who reports to facility management.

(3) Schedule and conduct discharge prevention briefings for your oil-handling personnel at least once a year to assure adequate understanding of the SPCC Plan for that facility. Such briefings must highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures.

(g) *Security (excluding oil production facilities).* (1) Fully fence each facility handling, processing, or storing oil, and lock and/or guard entrance gates when the facility is not in production or is unattended.

(2) Ensure that the master flow and drain valves and any other valves permitting direct outward flow of the container's contents to the surface have adequate security measures so that they remain in the closed position when in non-operating or non-standby status.

(3) Lock the starter control on each oil pump in the "off" position and locate it at a site accessible only to authorized personnel when the pump is in a non-operating or non-standby status.

(4) Securely cap or blank-flange the loading/unloading connections of oil pipelines or facility piping when not in service or when in standby service for an extended time. This security practice also applies to piping that is emptied of liquid content either by draining or by inert gas pressure.

(5) Provide facility lighting commensurate with the type and location of the facility that will assist in the:

(i) Discovery of discharges occurring during hours of darkness, both by operating personnel, if present, and by non-operating personnel (the general public, local police, etc.); and

(ii) Prevention of discharges occurring through acts of vandalism.

(h) *Facility tank car and tank truck loading/unloading rack (excluding offshore facilities).* (1) Where loading/unloading area drainage does not flow into a catchment basin or treatment facility designed to handle discharges, use a quick drainage system for tank car or tank truck loading and unloading areas. You must design any containment system to hold at least the maximum capacity of any single compartment of a tank car or tank truck loaded or unloaded at the facility.

(2) Provide an interlocked warning light or physical barrier system, warning signs, wheel chocks, or vehicle break interlock system in loading/unloading areas to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines.

(3) Prior to filling and departure of any tank car or tank truck, closely inspect for discharges the lowermost drain and all outlets of such vehicles, and if necessary, ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit.

(i) If a field-constructed aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, evaluate the container for risk of discharge or failure due to brittle fracture or other catastrophe, and as necessary, take appropriate action.

(j) In addition to the minimal prevention standards listed under this section, include in your Plan a complete discussion of conformance with the applicable requirements and other effective discharge prevention and containment procedures listed in this part or any applicable more stringent State rules, regulations, and guidelines.

(k) *Qualified Oil-filled Operational Equipment.* The owner or operator of a facility with oil-filled operational equipment that meets the qualification criteria in paragraph (k)(1) of this subsection may choose to implement for this qualified oil-filled operational equipment the alternate requirements as described in paragraph (k)(2) of this sub-section in lieu of general secondary containment required in paragraph (c) of this section.

(1) *Qualification Criteria—Reportable Discharge History:* The owner or operator of a facility that has had no single discharge as described in §112.1(b) from any oil-filled operational equipment exceeding 1,000 U.S. gallons or no two discharges as described in §112.1(b) from any oil-filled operational equipment each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan certification date, or since becoming subject to this part if the facility has been in operation for less than three years (other than oil discharges as described in §112.1(b) that are the result of natural disasters, acts of war or terrorism); and

(2) *Alternative Requirements to General Secondary Containment.* If secondary containment is not provided for qualified oil-filled operational equipment pursuant to paragraph (c) of this section, the owner or operator of a facility with qualified oil-filled operational equipment must:

(i) Establish and document the facility procedures for inspections or a monitoring program to detect equipment failure and/or a discharge; and

(ii) Unless you have submitted a response plan under §112.20, provide in your Plan the following:

(A) An oil spill contingency plan following the provisions of part 109 of this chapter.

(B) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77292, Dec. 26, 2006]

## Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)

SOURCE: 67 FR 47146, July 17, 2002, unless otherwise noted.

### § 112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).

If you are the owner or operator of an onshore facility (excluding a production facility), you must:

(a) Meet the general requirements for the Plan listed under § 112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, as provided in paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

(4) If facility drainage is not engineered as in paragraph (b)(3) of this section, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

(5) Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two "lift" pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in § 112.1(b) in case there is an equipment failure or human error at the facility.

(c) *Bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

(2) Construct all bulk storage tank installations (except mobile refuelers) so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

(3) Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in § 112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with §§ 122.41(j)(2) and 122.41(m)(3) of this chapter.

(4) Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

(5) Not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

(6) Test each aboveground container for integrity on a regular schedule, and whenever you make material repairs. The frequency of and type of testing must take into account container size and design (such as floating roof, skid-mounted, elevated, or partially buried). You must combine visual inspection with another testing technique such as hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or another system of non-destructive shell testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(7) Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

(8) Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct audible or code signal communication between the container gauger and the pumping station.

(iv) A fast response system for determining the liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

(9) Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in § 112.1(b).

(10) Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

(11) Position or locate mobile or portable oil storage containers to prevent a discharge as described in § 112.1(b). Except for mobile refuelers, you must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

(d) *Facility transfer operations, pumping, and facility process.* (1) Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage,

you must undertake additional examination and corrective action as indicated by the magnitude of the damage.

(2) Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

(3) Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

(4) Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

[67 FR 47146, July 17, 2002, as amended at 71 FR 77293, Dec. 26, 2006]

### § 112.9 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.

If you are the owner or operator of an onshore production facility, you must:

(a) Meet the general requirements for the Plan listed under § 112.7, and the specific discharge prevention and containment procedures listed under this section.

(b) *Oil production facility drainage.* (1) At tank batteries and separation and treating areas where there is a reasonable possibility of a discharge as described in § 112.1(b), close and seal at all times drains of dikes or drains of equivalent measures required under § 112.7(c)(1), except when draining uncontaminated rainwater. Prior to drainage, you must inspect the diked area and take action as provided in § 112.8(c)(3)(ii), (iii), and (iv). You must remove accumulated oil on the rainwater and return it to storage or dispose of it in accordance with legally approved methods.

(2) Inspect at regularly scheduled intervals field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers, for an accumulation of oil that may have resulted from any small discharge. You must promptly remove any accumulations of oil.

(c) *Oil production facility bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and the conditions of storage.

(2) Provide all tank battery, separation, and treating facility installations with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must safely confine drainage from undiked areas in a catchment basin or holding pond.

(3) Periodically and upon a regular schedule visually inspect each container of oil for deterioration and maintenance needs, including the foundation and support of each container that is on or above the surface of the ground.

(4) Engineer or update new and old tank battery installations in accordance with good engineering practice to prevent discharges. You must provide at least one of the following:

(i) Container capacity adequate to assure that a container will not overfill if a pumper/gauger is delayed in making regularly scheduled rounds.

(ii) Overflow equalizing lines between containers so that a full container can overflow to an adjacent container.

(iii) Vacuum protection adequate to prevent container collapse during a pipeline run or other transfer of oil from the container.

(iv) High level sensors to generate and transmit an alarm signal to the computer where the facility is subject to a computer production control system.

(d) *Facility transfer operations, oil production facility.* (1) Periodically and upon a regular schedule inspect all aboveground valves and piping associated with transfer operations for the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items.

(2) Inspect saltwater (oil field brine) disposal facilities often, particularly following a sudden change in atmospheric temperature, to detect possible system upsets capable of causing a discharge.

(3) Have a program of flowline maintenance to prevent discharges from each flowline.

### § 112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.

If you are the owner or operator of an onshore oil drilling and workover facility, you must:

(a) Meet the general requirements listed under §112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Position or locate mobile drilling or workover equipment so as to prevent a discharge as described in §112.1(b).

(c) Provide catchment basins or diversion structures to intercept and contain discharges of fuel, crude oil, or oily drilling fluids.

(d) Install a blowout prevention (BOP) assembly and well control system before drilling below any casing string or during workover operations. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while that BOP assembly and well control system are on the well.

### § 112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

If you are the owner or operator of an offshore oil drilling, production, or workover facility, you must:

(a) Meet the general requirements listed under §112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Use oil drainage collection equipment to prevent and control small oil discharges around pumps, glands, valves, flanges, expansion joints, hoses, drain lines, separators, treaters, tanks, and associated equipment. You must control and direct facility drains toward a central collection sump to prevent the facility from having a discharge as described in §112.1(b). Where drains and sumps are not practicable, you must remove oil contained in collection equipment as often as necessary to prevent overflow.

(c) For facilities employing a sump system, provide adequately sized sump and drains and make available a spare pump to remove liquid from the sump and assure that oil does not escape. You must employ a regularly scheduled preventive maintenance inspection and testing program to assure reliable operation of the liquid removal system and pump start-up device. Redundant automatic sump pumps and control devices may be required on some installations.

(d) At facilities with areas where separators and treaters are equipped with dump valves which predominantly fail in the closed position and where pollution risk is high, specially equip the facility to prevent the discharge of oil. You must prevent the discharge of oil by:

(1) Extending the flare line to a diked area if the separator is near shore;

(2) Equipping the separator with a high liquid level sensor that will automatically shut in wells producing to the separator; or

(3) Installing parallel redundant dump valves.

(e) Equip atmospheric storage or surge containers with high liquid level sensing devices that activate an alarm or control the flow, or otherwise prevent discharges.

(f) Equip pressure containers with high and low pressure sensing devices that activate an alarm or control the flow.

(g) Equip containers with suitable corrosion protection.

(h) Prepare and maintain at the facility a written procedure within the Plan for inspecting and testing pollution prevention equipment and systems.

(i) Conduct testing and inspection of the pollution prevention equipment and systems at the facility on a scheduled periodic basis, commensurate with the complexity, conditions, and circumstances of the facility and any other appropriate regulations. You

must use simulated discharges for testing and inspecting human and equipment pollution control and countermeasure systems.

(j) Describe in detailed records surface and subsurface well shut-in valves and devices in use at the facility for each well sufficiently to determine their method of activation or control, such as pressure differential, change in fluid or flow conditions, combination of pressure and flow, manual or remote control mechanisms.

(k) Install a BOP assembly and well control system during workover operations and before drilling below any casing string. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while the BOP assembly and well control system are on the well.

(l) Equip all manifolds (headers) with check valves on individual flowlines.

(m) Equip the flowline with a high pressure sensing device and shut-in valve at the wellhead if the shut-in well pressure is greater than the working pressure of the flowline and manifold valves up to and including the header valves. Alternatively you may provide a pressure relief system for flowlines.

(n) Protect all piping appurtenant to the facility from corrosion, such as with protective coatings or cathodic protection.

(o) Adequately protect sub-marine piping appurtenant to the facility against environmental stresses and other activities such as fishing operations.

(p) Maintain sub-marine piping appurtenant to the facility in good operating condition at all times. You must periodically and according to a schedule inspect or test such piping for failures. You must document and keep a record of such inspections or tests at the facility.

## Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, including Oils from Seeds, Nuts, Fruits, and Kernels.

SOURCE: 67 FR 57149, July 17, 2002, unless otherwise noted.

### § 112.12 Spill Prevention, Control, and Countermeasure Plan requirements.

If you are the owner or operator of an onshore facility (excluding a production facility), you must:

(a) Meet the general requirements for the Plan listed under §112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, subject to the requirements of paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

(4) If facility drainage is not engineered as in paragraph (b)(3) of this section, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

(5) Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two "lift" pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in §112.1(b) in case there is an equipment failure or human error at the facility.

(c) *Bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

(2) Construct all bulk storage tank installations (except mobile refuelers) so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

(3) Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in §112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with §§122.41(j)(2) and 122.41(m)(3) of this chapter.

(4) Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

(5) Not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

(6) Test each aboveground container for integrity on a regular schedule, and whenever you make material repairs. The frequency of and type of testing must take into account container size and design (such as floating roof, skid-mounted, elevated, or partially buried). You must combine visual inspection with another testing technique such as hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or another system of non-destructive shell testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(7) Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

(8) Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly

attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct audible or code signal communication between the container gauger and the pumping station.

(iv) A fast response system for determining the liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

(9) Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in § 112.1(b).

(10) Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

(11) Position or locate mobile or portable oil storage containers to prevent a discharge as described in § 112.1(b). Except for mobile refuelers, you must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

(d) *Facility transfer operations, pumping, and facility process.* (1) Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage, you must undertake additional examination and corrective action as indicated by the magnitude of the damage.

(2) Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

(3) Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

(4) Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

[67 FR 57149, July 17, 2002, as amended at 71 FR 77293, Dec. 26, 2006]

**§§ 112.13–112.15 [Reserved]**

## Subpart D—Response Requirements

### § 112.20 Facility response plans.

(a) The owner or operator of any non-transportation-related onshore facility that, because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters or adjoining shorelines shall prepare and submit a facility response plan to the Regional Administrator, according to the following provisions:

(1) For the owner or operator of a facility in operation on or before February 18, 1993 who is required to prepare and submit a response plan under 33 U.S.C. 1321(j)(5), the Oil Pollution Act of 1990 (Pub. L. 101–380, 33 U.S.C. 2701 *et seq.*) requires the submission of a response plan that satisfies the requirements of 33 U.S.C. 1321(j)(5) no later than February 18, 1993.

(i) The owner or operator of an existing facility that was in operation on or before February 18, 1993 who submitted a response plan by February 18, 1993 shall revise the response plan to satisfy

# APPENDIX J

## API 653 TANK IN-SERVICE INSPECTION CHECKLIST

| TANK IN-SERVICE INSPECTION CHECKLIST | | | |
|---|---|---|---|
| | **Item** | **Completed ✔** | **Comments** |
| C.1.1 | **FOUNDATION** | | |
| | Measure foundation levelness and bottom elevations (see Appendix B for extent of measurements). | | |
| C.1.1.1 | **Concrete Ring** | | |
| | a. Inspect for broken concrete, spalling, and cracks, particularly under backup bars used in welding butt-welded annular rings under the shell. | | |
| | b. Inspect drain openings in ring, back of waterdraw basins and top surface of ring for indications of bottom leakage. | | |
| | c. Inspect for cavities under foundation and vegetation against bottom of tank. | | |
| | d. Check that runoff rainwater from the shell drains away from tank. | | |
| | e. Check for settlement around perimeter of tank. | | |
| C.1.1.2 | **Asphalt** | | |
| | a. Check for settling of tank into asphalt base which would direct runoff rain water under the tank instead of away from it. | | |
| | b. Look for areas where leaching of oil has left rock filler exposed, which indicates hydrocarbon leakage. | | |
| C.1.1.3 | **Oiled Dirt or Sand** | | |
| | Check for settlement into the base which would direct runoff rain water under the tank rather than away from it. | | |
| C.1.1.4 | **Rock** | | |
| | Presence of crushed rock under the steel bottom usually results in severe underside corrosion. Make a note to do additional bottom plate examination (ultrasonic, hammer testing, or turning of coupons) when the tank is out of service. | | |
| C.1.1.5 | **Site Drainage** | | |
| | a. Check site for drainage away from the tank and associated piping and manifolds. | | |
| | b. Check operating condition of the dike drains. | | |
| C.1.1.6 | **Housekeeping** | | |
| | Inspect the area for buildup of trash, vegetation, and other inflammables buildup. | | |
| C.1.2 | **SHELLS** | | |
| C.1.2.1 | **External Visual Inspection** | | |
| | a. Visually inspect for paint failures, pitting, and corrosion. | | |
| | b. Clean off the bottom angle area and inspect for corrosion and thinning on plate and weld. | | |
| | c. Inspect the bottom-to-foundation seal, if any. | | |
| C.1.2.2 | **Internal (Floating Roof Tank)** | | |
| | Visually inspect for grooving, corrosion, pitting, and coating failures. | | |
| C.1.2.3 | **Riveted Shell Inspection** | | |
| | a. Inspect external surface for rivet and seam leaks. | | |
| | b. Locate leaks by sketch or photo (location will be lost when shell is abrasive cleaned for painting). | | |
| | c. Inspect rivets for corrosion loss and wear. | | |
| | d. Inspect vertical seams to see if they have been full fillet lap-welded to increase joint efficiency. | | |

| TANK IN-SERVICE INSPECTION CHECKLIST—Continued | | | |
|---|---|---|---|
| | **Item** | **Completed ✔** | **Comments** |
| | e. If no record exists of vertical riveted seams, dimension and sketch (or photograph) the rivet pattern: number of rows, rivet size, pitch length, and note whether the joint is butt-riveted or lap-riveted. | | |
| C.1.2.4 | **Wind Girder (Floating Roof Tanks)** | | |
| | a. Inspect wind girder and handrail for corrosion damage (paint failure, pitting, corrosion product buildup), especially where it occurs at tack-welded junction, and for broken welds. | | |
| | b. Check support welds to shell for pitting, especially on shell plates. | | |
| | c. Note whether supports have reinforcing pads welded to shell. | | |
| C.1.3 | **SHELL APPURTENANCES** | | |
| C.1.3.1 | **Manways and Nozzles** | | |
| | a. Inspect for cracks or signs of leakage on weld joint at nozzles, manways, and reinforcing plates. | | |
| | b. Inspect for shell plate dimpling around nozzles, caused by excessive pipe deflection. | | |
| | c. Inspect for flange leaks and leaks around bolting. | | |
| | d. Inspect sealing of insulation around manways and nozzles. | | |
| | e. Check for inadequate manway flange and cover thickness on mixer manways. | | |
| C.1.3.2 | **Tank Piping Manifolds** | | |
| | a. Inspect manifold piping, flanges, and valves for leaks. | | |
| | b. Inspect fire fighting system components. | | |
| | c. Check for anchored piping which would be hazardous to the tank shell or bottom connections during earth movement. | | |
| | d. Check for adequate thermal pressure relief of piping to the tank. | | |
| | e. Check operation of regulators for tanks with purge gas systems. | | |
| | f. Check sample connections for leaks and for proper valve operation. | | |
| | g. Check for damage and test the accuracy of temperature indicators. | | |
| | h. Check welds on shell-mounted davit clips above valves 6 in. and larger. | | |
| C.1.3.3 | **Autogauge System** | | |
| | a. Inspect autogauge tape guide and lower sheave housing (floating swings) for leaks. | | |
| | b. Inspect autogauge head for damage. | | |
| | c. Bump the checker on autogauge head for proper movement of tape. | | |
| | d. Identify size and construction material of autogauge tape guide (floating roof tanks). | | |
| | e. Ask operator if tape tends to hang up during tank roof movement (floating roof tanks). | | |
| | f. Compare actual product level to the reading on the autogauge (maximum variation is 2 in.). | | |
| | g. On floating roof tanks, when the roof is in the lowest position, check that no more than two ft of tape are exposed at the end of the tape guide. | | |
| | h. Inspect condition of board and legibility of board-type autogauges. | | |
| | i. Test freedom of movement of marker and float. | | |
| C.1.3.4 | **Shell-Mounted Sample Station** | | |
| | a. Inspect sample lines for function of valves and plugging of lines, including drain or return-to-tank line. | | |
| | b. Check circulation pump for leaks and operating problems. | | |

| TANK IN-SERVICE INSPECTION CHECKLIST—Continued | | | |
|---|---|---|---|
| | Item | Completed ✔ | Comments |
| | c. Test bracing and supports for sample lines and equipment. | | |
| C.1.3.5 | **Heater (Shell Manway Mounted)** | | |
| | Inspect condensate drain for presence of oil indicating leakage. | | |
| C.1.3.6 | **Mixer** | | |
| | a. Inspect for proper mounting flange and support. | | |
| | b. Inspect for leakage. | | |
| | c. Inspect condition of power lines and connections to mixer. | | |
| C.1.3.7 | **Swing Lines: Winch Operation** | | |
| | a. Nonfloating. Raise, then lower the swing line with the winch, and check for cable tightness to confirm that swing line lowered properly. | | |
| | b. Floating. With tank half full or more, lower the swing line, then let out cable and check if swing has pulled cable tight, indicating that the winch is operating properly. | | |
| | c. Indicator. Check that the indicator moves in the proper direction: Floating swing line indicators show a lower level as cable is wound up on the winch. Non-floating swing line indicators show the opposite. | | |
| C.1.3.8 | **Swing Lines: External Guide System** | | |
| | Check for leaks at threaded and flanged joints. | | |
| C.1.3.9 | **Swing Lines: Identify Ballast Varying Need** | | |
| | Check for significant difference in stock specific gravity. | | |
| C.1.3.10 | **Swing Lines: Cable Material and Condition** | | |
| | a. For nonstainless steel cable, check for corrosion over entire length. | | |
| | b. All cable: check for wear or fraying. | | |
| C.1.3.11 | **Swing lines: Product Sample Comparison** | | |
| | Check for water or gravity differences that would indicate a leaking swing joint. | | |
| C.1.3.12 | **Swing Lines: Target** | | |
| | Target should indicate direction of swing opening (up or down) and height above bottom where suction will be lost with swing on bottom support. | | |
| C.1.4 | **ROOFS** | | |
| C.1.4.1 | **Deck Plate Internal Corrosion** | | |
| | For safety, before accessing the roof, check with ultrasonic instrument or lightly use a ball peen hammer to test the deck plate near the edge of the roof for thinning. (Corrosion normally attacks the deck plate at the edge of a fixed roof and at the rafters in the center of the roof first.) | | |
| C.1.4.2 | **Deck Plate External Corrosion** | | |
| | Visually inspect for paint failure, holes, pitting, and corrosion product on the roof deck. | | |
| C.1.4.3 | **Roof Deck Drainage** | | |
| | Look for indication of standing water. (Significant sagging of fixed roof deck indicates potential rafter failure. Large standing water areas on a floating roof indicate inadequate drainage design or, if to one side, a nonlevel roof with possible leaking pontoons.) | | |
| C.1.4.4 | **Level of Floating Roof** | | |
| | At several locations, measure distance from roof rim to a horizontal weld seam above the roof. A variance in the readings indicates a nonlevel roof with possible shell out-of-round, out-of-plumb, leaking pontoons, or hang-up. On small diameter tanks, an unlevel condition can indicate unequal loading at that level. | | |

| TANK IN-SERVICE INSPECTION CHECKLIST—Continued | | | |
|---|---|---|---|
| | Item | Completed ✔ | Comments |
| C.1.4.5 | **Gas Test Internal Floating Roof** | | |
| | Test for explosive gas on top of the internal floating roof. Readings could indicate a leaking roof, leaking seal system, or inadequate ventilation of the area above the internal floating roof. | | |
| C.1.4.6 | **Roof Insulation** | | |
| | a. Visually inspect for cracks or leaks in the insulation weather coat where runoff rain water could penetrate the insulation. | | |
| | b. Inspect for wet insulation under the weather coat. | | |
| | c. Remove small test sections of insulation and check roof deck for corrosion and holes near the edge of the insulated area. | | |
| C.1.4.7 | **Floating Roof Seal Systems** | | |
| | a. Measure and record maximum seal-to-shell gaps at: | | |
| | 1. Low pump out. | | |
| | 2. Mid-shell. | | |
| | 3. High liquid level. | | |
| | b. Measure and record annular space at 30-ft spacing (minimum of four quadrants) around roof and record. Measurements should be taken in directly opposite pairs. | | |
| | 1. _____ _____ Opposite pair 1. | | |
| | 2. _____ _____ Opposite pair 2. | | |
| | c. Check if seal fabric on primary shoe seals is pulling shoes away from shell (fabric not wide enough). | | |
| | d. Inspect fabric for deterioration, holes, tears, and cracks. | | |
| | e. Inspect visible metallic parts for corrosion and wear. | | |
| | f. Inspect for openings in seals that would permit vapor emissions. | | |
| | g. Inspect for protruding bolt or rivet heads against the shell. | | |
| | h. Pull both primary and secondary seal systems back all around the shell to check their operation. | | |
| | i. Inspect secondary seals for signs of buckling or indications that their angle with the shell is too shallow. | | |
| | j. Inspect wedge-type wiper seals for flexibility, resilience, cracks, and tears. | | |
| C.1.5 | **ROOF APPURTENANCES** | | |
| C.1.5.1 | **Sample Hatch** | | |
| | a. Inspect condition and functioning of sample hatch cover. | | |
| | b. On tanks governed by Air Quality Monitoring District rules, check for the condition of seal inside hatch cover. | | |
| | c. Check for corrosion and plugging on thief and gauge hatch cover. | | |
| | d. Where sample hatch is used to reel gauge stock level, check for marker and tab stating hold-off distance. | | |
| | e. Check for reinforcing pad where sample hatch pipe penetrates the roof deck. | | |
| | f. On floating roof sample hatch and recoil systems, inspect operation of recoil reel and condition of rope. | | |
| | g. Test operation of system. | | |
| | h. On ultra clean stocks such as JP4, check for presence and condition of protective coating or liner inside sample hatch (preventing rust from pipe getting into sample). | | |

| TANK IN-SERVICE INSPECTION CHECKLIST—Continued | | | |
|---|---|---|---|
| | **Item** | **Completed ✔** | **Comments** |
| C.1.5.2 | **Gauge Well** | | |
| | a. Inspect visible portion of the gauge well for thinning, size of slots, and cover condition. | | |
| | b. Check for a hold-off distance marker and tab with hold-off distance (legible). | | |
| | c. On floating roofs, inspect condition of roof guide for gauge well, particularly the condition of the rollers for grooving. | | |
| | d. If accessible, check the distance from the gauge well pipe to the tank shell at different levels. | | |
| | e. If tank has a gauge well washer, check valve for leakage and for presence of a bull plug or blind flange. | | |
| C.1.5.3 | **Fixed Roof Scaffold Support** | | |
| | Inspect scaffold support for corrosion, wear, and structural soundness. | | |
| C.1.5.4 | **Autogauge: Inspection Hatch and Guides (Fixed Roof)** | | |
| | a. Check the hatch for corrosion and missing bolts. | | |
| | b. Look for corrosion on the tape guide's and float guide's wire anchors. | | |
| C.1.5.5 | **Autogauge: Float Well Cover** | | |
| | a. Inspect for corrosion. | | |
| | b. Check tape cable for wear or fraying caused by rubbing on the cover. | | |
| C.1.5.6 | **Sample Hatch (Internal Floating Roof)** | | |
| | a. Check overall conditions. | | |
| | b. When equipped with a fabric seal, check for automatic sealing after sampling. | | |
| | c. When equipped with a recoil reel opening device, check for proper operations. | | |
| C.1.5.7 | **Roof-Mounted Vents (Internal Floating Roof)** | | |
| | Check condition of screens, locking and pivot pins. | | |
| C.1.5.8 | **Gauging Platform Drip Ring** | | |
| | On fixed roof tanks with drip rings under the gauging platform or sampling area, inspect for plugged drain return to the tank. | | |
| C.1.5.9 | **Emergency Roof Drains** | | |
| | Inspect vapor plugs for emergency drain: that seal fabric discs are slightly smaller than the pipe ID and that fabric seal is above the liquid level. | | |
| C.1.5.10 | **Removable Roof Leg Racks** | | |
| | Check for leg racks on roof. | | |
| C.1.5.11 | **Vacuum Breakers** | | |
| | Report size, number, and type of vacuum breakers. Inspect vacuum breakers. If high legs are set, check for setting of mechanical breaker in high leg position. | | |
| C.1.5.12 | **Rim Vents** | | |
| | a. Check condition of the screen on the rim vent cover. | | |
| | b. Check for plating off or removal of rim vents where jurisdictional rules do not permit removal. | | |
| C.1.5.13 | **Pontoon Inspection Hatches** | | |
| | a. Open pontoon inspection hatch covers and visually check inside for pontoon leakage. | | |
| | b. Test for explosive gas (an indicator of vapor space leaks). | | |

| TANK IN-SERVICE INSPECTION CHECKLIST—Continued | | | |
|---|---|---|---|
| | **Item** | **Completed ✔** | **Comments** |
| | c. If pontoon hatches are equipped with locked down coves, check for vent tubes. Check that vent tubes are not plugged up. Inspect lock-down devices for condition and operation. | | |
| **C.1.6** | **Accessways** | | |
| | See Tank Out-of-Service Inspection Checklist, item C.2.12. | | |
| **Notes:** | | | |

# CERTIFICATE OF COMPLETION

RANDY C. ROBBIN

Has completed the 8 hour Hazardous Martial awareness course

8 HAZ-MAT REFESHER

William A Reny

Signature

NOV 2 0 2014

Date

# CERTIFICATE OF COMPLETION

JEFF HARPER

Has completed the 8 hour Hazardous Martial awareness course

8 HAZ-MAT REFESHER

William A Rouf

Signature

NOV 2 0 2014

Date

# CERTIFICATE OF COMPLETION

CRAWFORD M. SMITH

Has completed the 8 hour Hazardous Martial awareness course

8 HAZ-MAT REFESHER

William A Reagy

Signature

NOV 2 0 2014

Date

American Petroleum Institute

ICP

# American Petroleum Institute Individual Certification Programs

certifies that

*Peter C. Amanatidis*

has met the requirements to be a certified

*API-653 Above Ground Storage Tank Inspector*

Certification Number

*1327*

Certification Date

*September 30, 2003*

Expiration Date

*September 30, 2006*

Tina Briskin

Manager, Technical Certification Programs

# American Petroleum Institute

Certifies That

## *Clayton Leroy Hepworth*

**Certification Number: 1961**

*has met the requirements to be a certified*
*Above Ground Storage Tank Inspector under the ANSI/API-653*
*Above Ground Storage Tank Inspector Certification Program.*

*Certification Date: March 31, 2002* *Expiration Date: March 31, 2005*

ICP

Tina Brzeskin

Manager, Inspector Certification Programs

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# PURDUE UNIVERSITY

UPON NOMINATION OF THE FACULTY OF THE
SCHOOL OF PROFESSIONAL STUDIES
HAVE GRANTED TO

## PETER CHRIST AMANATIDIS

THE DEGREE OF

## BACHELOR OF SCIENCE IN ENGINEERING

IN RECOGNITION OF THE FULFILLMENT OF THE
REQUIREMENTS OF THAT DEGREE
AWARDED AT HAMMOND IN THE STATE OF INDIANA
DECEMBER 19, 1986.

No. 1168

# The National Institute

# for

# Storage Tank Management

Awards this 2.1 C.E.U. Certificate to

Peter Amanatidis

For successful completion of

Third Annual National Conference on Aboveground Storage Tanks

Dated at Coral Springs, Florida

This 11th day of May, 2000

Gian De Martini

Director of Institute

No. 1376

# The National Institute

# for

# Storage Tank Management

**Awards this 2.0 C.E.U. Certificate to**

Peter Amanatidis

**For successful completion of**

**4th Annual National Conference on Aboveground Storage Tanks**

**Dated at Coral Springs, Florida**

This 6th day of June, 2001

Director of Institute

N. 1630

# The National Institute

# for

# Storage Tank Management

Awards this 20 C.E.U. Certificate to

Peter Amantidis

For successful completion of

5th Annual National Conference on Aboveground Storage Tanks

Dated at Coral Springs, Florida

This 17th day of May 2002

Director of Institute

# National Center for Construction Education and Research

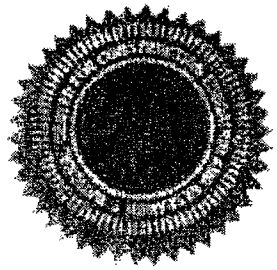
*This is to certify that*

## *Peter Amanatidi*

*has achieved certification for successful completion of the written assessment for*

## *Abnormal Operating Conditions - General Pipeline*

*in the National Center's National Craft Assessment and Certification Program on this Second day of November, 2002*



# National Center for Construction Education and Research

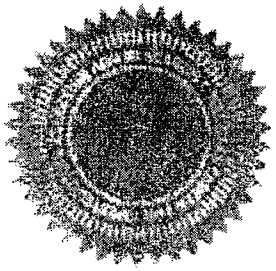
This is to certify that

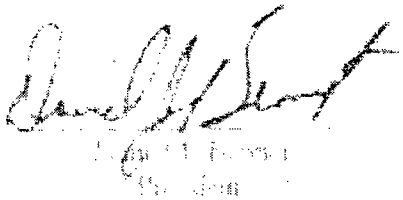
## Shawn Mckern

has achieved certification for successful completion
of the written assessment for

## Abnormal Operating Conditions - Field

in the National Center's National Craft Assessment and Certification Program
on this Fifth day of October, 2002





# National Center for Construction Education and Research

*This is to certify that*

## *Clayton Hepworsh*

has achieved certification for successful completion
of the written assessment for

*Abnormal Operating Conditions - Field*

in the National Center's National Craft Assessment and Certification Program
*on this Twentieth day of September, 2002*

# MFE ENTERPRISES INCORPORATED

## CERTIFICATE OF TRAINING

This is to certify

that

**Pete Armanitidis**

On the

**5th April 1995**

Has received 8 hours training in the basics of Magnetic Flux Leakage and the use of the MFE 2412/1212 scanning systems.

David M. Amos
Director of Training

William B. Duke
President

# Certificate of Qualification

This certifies that

## Peter Amanatidis

has complied with the requirements of Consolidated Fabrication & Constructors practice for the certification of Nondestructive Testing Personnel, and the established guidelines of SNT-TC-1A for certification of Level III Testing Personnel in Ultrasonic Testing Methods

date: 9/25/95

Manager of Engineering

President

Certification No. 100

# Certificate of Qualification

This certifies that

## Clayton Hepworth

has complied with the requirements of Consolidated Fabrication & Constructors practice for the certification of Nondestructive Testing Personnel, and the established guidelines of SNT-TC-1A for certification of Level II Testing Personnel in Ultrasonic Testing Methods

date: 9/25/95

Manager of Engineering

President

Certification No. 101

Berg ENGINEERING & SALES COMPANY, INC.

3693 INDUSTRIAL AVENUE
ROLLING MEADOWS, ILLINOIS 60008
PHONE (708) 577-0960
FAX (708) 577-0962

September 25 1995

To Whom It May Concern

Mr Peter Annuntidis was trained on the USN 50 Ultrasonic unit on July 1 1995 in a consolidated facility by Jerry Berg

Sincerely

BERG ENGINEERING & SALES CO., INC

Jerry Berg
Level III - Ultrasonics

Berg ENGINEERING & SALES COMPANY, INC.

September 25, 1995

To Whom It May Concern:

Mr. Clayton Hepworth was trained on the USN 50 Ultrasonic unit on July 1, 1995 in a consolidated facility by Jerry Berg.

Sincerely,

BERG ENGINEERING & SALES CO., INC

Jerry Berg
Level III - Ultrasonics

**Attachment B**

Employee training documentation

(See attached)

FrickServices,Inc.

# Facility Response Plan (40 CFR 112)
## Personnel Response Training Log

| Name | Response Training (Date and Number of Hours) | Prevention Training (Date and Number of Hours) |
|---|---|---|
| [illegible] | 10/7/09 - 2 | 10/7/09 - 1 |
| GARY HAGEMAN [illegible] | 10/7/09 - 2 | 10/7/09 - 1 |
| Jeff Harper [illegible] | 10/7/09 - 2 | 10/7/09 - 1 |
| Randy C. Robbins [illegible] | 10/7/09 - 2 | 10/7/09 - 1 |
| Kathy Breitenbach [illegible] | 10/7/09 - 2 | 10/7/09 - 1 |
| Randy C. Robbins [illegible] | 9/23-10 | 9/23/10 - 1 |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | 9-28-11 | 9-28-11 |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | 8-13-12 | 8-13-12 |
| [illegible] | | |
| | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| [illegible] | 8-20-13 1hr | 8-20-13 1hr |
| [illegible] | | |
| [illegible] | 1 | |
| Randy C. Robbins | | |
| | | |
| | | |
| | | |

DATE: 6-20-14

ATTENDEES: [signature]

Jeff Harper
[signature]
[signature]
[signature]

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Blowing of dock line after discharge or loading Complete | To make sure line is empty before disconnection of hoses from Vessel + or Dock line Hoses properly Blinded off | 6-20-14 |

SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

FrickServices,Inc.

# Facility Response Plan (40 CFR 112)
## Discharge Prevention Meeting Log

DATE: 8-20-13

ATTENDEES:

| | |
|---|---|
| Jeff Harper | |
| Lawrence C. S. | |
| Crawford M. Frick | |
| Randy C. Robbins | |
| Kathy Bluttenbach | |

| Subject/Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Underground pipeline route + Annual Pressure Testing | Review of underground pipeline location | 8-20-13 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

FrickServices,inc.

# Facility Response Plan (40 CFR 112)
# Discharge Prevention Meeting Log

DATE: 8-13-12

ATTENDEES:

| | |
|---|---|
| Jeff Harper | Crawford M. Smith Crawford M. Smith |
| Kathy Breitenbach Kathy Breitenbach | |
| Lawrence Jones Lawrence Jones | |
| Randy C. Robbins Randy C Robbins | |
| [illegible] | |

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Barge house Inspection | | 8-13-12 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

**FrickServices,Inc.** Facility Response Plan (40 CFR 112)
Discharge Prevention Meeting Log

DATE: 9-28-11

ATTENDEES:

Jeff Harper Jeff Harper Randy C Robbins Randy C Robbins
Kathy Breitenbach Kathy Breitenbach
Lawrence Jones Lawrence Jones
Crawford M. Smith Crawford M. Smith
Rene L Martinez

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Pipeline underground Testing | annually | 9-28-11 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

**FrickServices,Inc.** Facility Response Plan (40 CFR 112)
Discharge Prevention Meeting Log

DATE: 9-23-10

ATTENDEES:

| | |
|---|---|
| Jeff Harper Jeff Harper | Crawford M. Smith Crawford M. Smith |
| Kathy Breitenbach Kathy Breitenbach | |
| Lawrence Jones Lawrence Jones | |
| Randy C. Robbins Randy C Robbins | |
| Pierre L Mudrney | |

| Subject/ Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Tank Inspections | | 9-23-10 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

**FrickServices,Inc.** Facility Response Plan (40 CFR 112)
Discharge Prevention Meeting Log

DATE: 10/7/09

ATTENDEES:

| | |
|---|---|
| Adam Biggs | Adam Biggs |
| GARY HAGEMAN | Gary Hageman |
| Jeff Harper | Jeff Harper |
| Randy C. Robbins | Randy C. Robbins |
| Kathy Breitenbach | Kathy Breitenbach |

| Subject/Issue Identified | Required Action | Implementation Date |
|---|---|---|
| SPILL PREVENTION | | 10/7/09 |
| SPILL REACTION | | 10/7/09 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: [signature]

**FrickServices,Inc.** Facility Response Plan (40 CFR 112)
Discharge Prevention Meeting Log

| | |
|---|---|
| DATE: 8-20-13 | |
| ATTENDEES: | |
| Jeff Harper | |
| [illegible] | |
| Crawford R. Smith | |
| [illegible] | |
| [illegible] | |

| Subject/Issue Identified | Required Action | Implementation Date |
|---|---|---|
| Underground pipeline route + Annual Pressure Testing | Review of underground pipeline location | 8-20-13 |
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SIGNATURE OF RESPONSIBLE OFFICIAL: Jeff Harper

## PROCEDURE FOR OFFLOADING OIL AT FRICK SERVICES LIQUID

1. SCALE INCOMING TRUCK AND TRAILER.
2. VERIFY PRODUCT ON TRUCK.
3. DIRECT DRIVER TO PROPER UNLOADING AREA. HAVE DRIVER SET BRAKE ON TRUCK AND SHUT OFF ENGINE.
4. OPEN APPROPIATE VALVE ON TANK.
5. HAVE DRIVER VENT HIS TRAILER.
6. USING DRIP PAN REMOVE 3" PLUG FROM UNLOADING HOSE AND ATTACH TO TRUCK TRAILER.
7. HAVE DRIVER OPEN VALVE ON TRAILER.
8. OPEN VALVE ON PUMP, BLEED AIR FROM PUMP IF NEEDED ENERGIZER ELECTRIC PUMP AND VERIFY FLOW.
9. WHEN TRAILER IS EMPTY SHUT TRUCK VALVE. VENT THE HOSE TO CLEAR PRODUCT. REMOVE HOSE AND REINSTALL HOSE PLUG. SHUT PUMP VALVE AND TURN OFF PUMP.
10. SCALE TRUCK OUT AND GIVE DRIVER HIS PAPER WORK.

I HAVE READ AND BEEN TRAINED IN THE ABOVE PROCEDURES.

NAME _____ DATE 8-10-10

## PROCEDURE FOR OFFLOADING OIL AT FRICK SERVICES LIQUID

1. SCALE INCOMING TRUCK AND TRAILER.
2. VERIFY PRODUCT ON TRUCK.
3. DIRECT DRIVER TO PROPER UNLOADING AREA. HAVE DRIVER SET BRAKE ON TRUCK AND SHUT OFF ENGINE.
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10. SCALE TRUCK OUT AND GIVE DRIVER HIS PAPER WORK.

I HAVE READ AND BEEN TRAINED IN THE ABOVE PROCEDURES.

NAME Rene Lara Martinez DATE 8-14-10

## PROCEDURE FOR OFFLOADING OIL AT FRICK SERVICES LIQUID

1. SCALE INCOMING TRUCK AND TRAILER.
2. VERIFY PRODUCT ON TRUCK.
3. DIRECT DRIVER TO PROPER UNLOADING AREA. HAVE DRIVER SET BRAKE ON TRUCK AND SHUT OFF ENGINE.
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I HAVE READ AND BEEN TRAINED IN THE ABOVE PROCEDURES.

NAME Randy C. Robbins DATE 8/11/09

## PROCEDURE FOR OFFLOADING OIL AT FRICK SERVICES LIQUID

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10. SCALE TRUCK OUT AND GIVE DRIVER HIS PAPER WORK.

I HAVE READ AND BEEN TRAINED IN THE ABOVE PROCEDURES.

NAME Crawford M. Smith DATE 8/11/09

# CERTIFICATE OF COMPLETION

RANDY C. ROBBIN

Has completed the 8 hour Hazardous Martial awareness course

8 HAZ-MAT REFESHER

William A Long

Signature

NOV 2 0 2014

Date

# CERTIFICATE OF COMPLETION

JEFF HARPER

Has completed the 8 hour Hazardous Martial awareness course

8 HAZ-MAT REFESHER

William A Bruff

Signature

NOV 2 0 2014

Date

# CERTIFICATE OF COMPLETION

## CRAWFORD M. SMITH

Has completed the 8 hour Hazardous Martial awareness course

8 HAZ-MAT REFESHER

William A Bragg

Signature

NOV 2 0 2014

Date

American Petroleum Institute

ICP

# American Petroleum Institute Individual Certification Programs

certifies that

*Peter C. Amanatidis*

has met the requirements to be a certified

*API-653 Above Ground Storage Tank Inspector*

Certification Number

*1327*

Certification Date

*September 30, 2003*

Expiration Date

*September 30, 2006*

*Tina Briskin*

Manager, Individual Certification Programs

# American Petroleum Institute

Certifies That

*Clayton Leroy Hepworth*

**Certification Number: 1961**

*has met the requirements to be a certified*
*Above Ground Storage Tank Inspector under the ANSI/API-653*
*Above Ground Storage Tank Inspector Certification Program.*

*Certification Date: March 31, 2002* *Expiration Date: March 31, 2005*

ICP

Tina Brickin

Manager, Inspector Certification Programs

BE IT KNOWN THAT THE TRUSTEES OF

# PURDUE UNIVERSITY

UPON NOMINATION OF THE FACULTY OF THE
SCHOOL OF PROFESSIONAL STUDIES
HAVE GRANTED TO

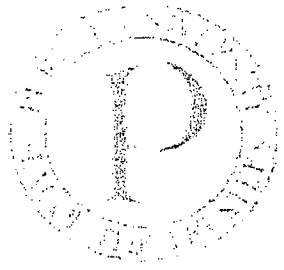
## PETER CHRIST AMANATIDIS

THE DEGREE OF

## BACHELOR OF SCIENCE IN ENGINEERING

IN RECOGNITION OF THE FULFILLMENT OF THE
REQUIREMENTS OF THAT DEGREE
AWARDED AT HAMMOND IN THE STATE OF INDIANA
DECEMBER 19, 1986.

PRESIDENT OF THE TRUSTEES



PRESIDENT OF THE UNIVERSITY

No. 1165

# The National Institute

# for

# Storage Tank Management

Awards this 2.1 C.E.U. Certificate to

Peter Amanatidis

For successful completion of

Third Annual National Conference on Aboveground Storage Tanks

Dated at Coral Springs, Florida

This 13th day of May, 2000

Gino De Martini

Director of Institute

No. 1376

# The National Institute

## for

# Storage Tank Management

Awards this 2.0 C.E.U. Certificate to

Peter Annanatidis

For successful completion of

4th Annual National Conference on Aboveground Storage Tanks

Dated at Coral Springs, Florida

This 5th day of June, 2001

Director of Institute

No. 1630

# The National Institute

# for

# Storage Tank Management

Awards this 20 C.E.U. Certificate to

Peter Amanidis

For successful completion of

5th Annual National Conference on Aboveground Storage Tanks

Dated at Coral Springs, Florida

This 17th day of May, 2002

Director of Institute

# National Center for Construction Education and Research

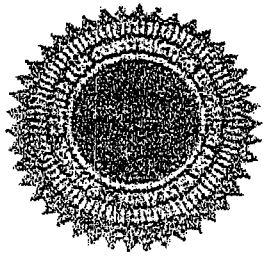
This is to certify that

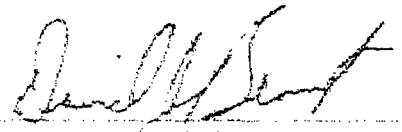
## *Peter Amanatidi*

has achieved certification for successful completion
of the written assessment for

## *Abnormal Operating Conditions - General Pipeline*

in the National Center's National Craft Assessment and Certification Program
on this Second day of November, 2002





[illegible]
President

# National Center for Construction Education and Research

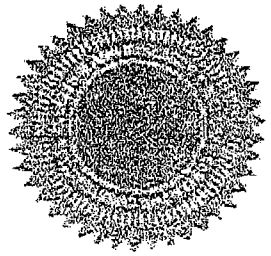
This is to certify that

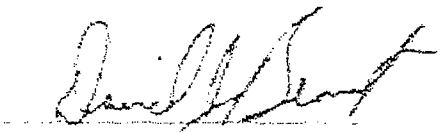
## *Shawn Mckern*

has achieved certification for successful completion
of the written assessment for

## *Abnormal Operating Conditions - Field*

in the National Center's National Craft Assessment and Certification Program
on this Fifth day of October, 2002





Daniel J. Bennet
President

# National Center for Construction Education and Research

*This is to certify that*

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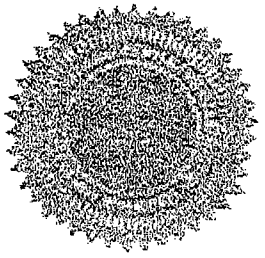
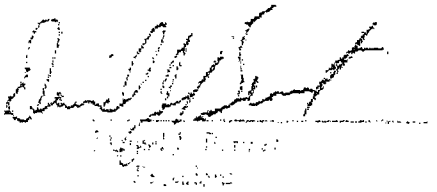
has achieved certification for successful completion
of the written assessment for

*Abnormal Operating Conditions - Field*

in the National Center's National Craft Assessment and Certification Program
on this Twentieth day of September, 2002





# MFE ENTERPRISES INCORPORATED

## CERTIFICATE OF TRAINING

This is to certify

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**Pete Armanitidis**

On the

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Has received 8 hours training in the basics of Magnetic Flux Leakage and the use of the MFE 2412/1212 scanning systems.

David M. Amos
Director of Training

William B. Duke
President

# Certificate of Qualification

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date: 9/25/95

Manager of Engineering

President

Certification No. 100

# Certificate of Qualification

This certifies that

## Clayton Hepworth

has complied with the requirements of Consolidated Fabrication & Constructors practice for the certification of Nondestructive Testing Personnel, and the established guidelines of SNT-TC-1A for certification of Level II Testing Personnel in Ultrasonic Testing Methods

Date: 9/25/95

Manager of Engineering

President

Certification No. 101

Berg ENGINEERING & SALES COMPANY, INC.

5893 INDUSTRIAL AVENUE
ROLLING MEADOWS, ILLINOIS 60008
PHONE (708) 577-0900
FAX (708) 577-0473

September 25 1995

To Whom It May Concern

Mr Peter Ammatuds was trained on the USN 50 Ultrasonic unit on July 1 1995 in a consolidated facility by Jerry Berg.

Sincerely,

BERG ENGINEERING & SALES CO , INC

Jerry Berg
Level III - Ultrasonics

Berg ENGINEERING & SALES COMPANY, INC.

September 25, 1995

To Whom It May Concern:

Mr. Clayton Hepworth was trained on the USN 50 Ultrasonic unit on July 1, 1995 in a consolidated facility by Jerry Berg.

Sincerely,

BERG ENGINEERING & SALES CO., INC.

Jerry Berg
Level III - Ultrasonics

**Attachment C**

Articles of Incorporation

(See attached)

Form No. 17

STATE OF INDIANA

# OFFICE OF THE SECRETARY OF STATE

CHARLES F. CLARK, Secretary of State
LELAND L. SMITH

*To Whom These Presents Come, Greeting:*

*Whereas, there has been presented to me at this office Articles of Incorporation in triplicate for*.....ERICK FARM SUPPLY INC.....

.....

.....

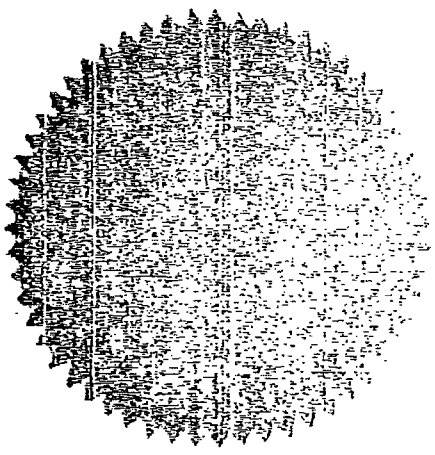
*showing capital stock as follows:*

1,000 shares without par value

*Said Articles of Incorporation having been prepared and signed in accordance with "An Act concerning domestic and foreign corporations for profit, providing penalties for the violation hereof, and repealing all laws or parts of laws in conflict herewith," approved March 16, 1929, and Acts supplemental thereto.*

*Whereas, upon due examination, I find that they conform to law:*

*Now, therefore, I hereby certify that I have this day endorsed my approval upon the triplicate copies of Articles so presented, and, having received the fees required by law, in the sum of $*.....11.00.....*have filed one copy of the Articles in this office and returned two copies bearing the endorsement of my approval to the incorporators, or their representatives.*



*In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this*.....21st.....*day of*

.....March....., 19.50...

.....

CHARLES F. CLARK, *Secretary of State*
Leland L. Smith

*By*.....

ERNEST WEATHERWAX, *Deputy*
G. E. Oles

Corporate Form No. 1 (M[illegible]950)—Page One
ARTICLES OF INCORPORATION

Prescribed by the Secretary of State of Indiana
For Use with Special Instructions No. 1
Use White Paper—Size 8x10½ Inches

Filing Requirements—Present 3 Executed Copies to Secretary of State

Recording Requirements—Record 1 of such 3 Executed Copies, as Approved and Returned by Secretary of State, with Recorder of County where Principal Office is Located.

APPROVED AND FILED
MAR 21 1951
Robert F. Smith
SECRETARY OF STATE OF INDIANA

# ARTICLES OF INCORPORATION

## OF

## FRICK FARM SUPPLY INC.

The undersigned incorporators, desiring to form a corporation (hereinafter referred to as the "Corporation") pursuant to the provisions of The Indiana General Corporation Act, as amended (hereinafter referred to as the "Act"), execute the following Articles of Incorporation.

## ARTICLE I

### Name

The name of the Corporation is Frick Farm Supply Inc.

## ARTICLE II

### Purposes

The purposes for which the Corporation is formed are:

1. To engage generally in the purchase, and in the wholesale and retail of farm feeds, seeds, fertilizer, coal and farm machinery and supplies.

2. To continue as a corporation under its corporate name perpetually.

3. To sue and be sued in its corporate name.

4. To have a corporate seal and to alter the same at pleasure.

5. To acquire, own, hold, use, lease, mortgage, pledge, seal, convey or otherwise dispose of property, real and personal, tangible and intangible.

6. To borrow money and to issue, sell or pledge its obligations and evidence of indebtedness, and to mortgage and pledge its business and franchises to secure the payment thereof.

7. To conduct business in this State and elsewhere, and to have one or more offices out of this State, and to acquire, own, hold and use, and to lease, mortgage, pledge, sell, convey and otherwise dispose of property, real and persona, tangible and intangible, out of this State.

8. To acquire, guarantee, hold, own and vote, and to sell, assign, transfer, mortgage, pledge or otherwise dispose of capital stock, corporation, domestic or foreign.

9. To purchase, own and hold, and to sell and transfer (but not vote) shares of its own capital stock of and when the capital of the corporation is not thereby impaired.

10. To appoint such officers and agents as the business of the corporation may require, and to define their duties and fix their compensation.

11. To make by-laws for the government and regulation of its affairs.

12. To cease doing business and to dissolve and surrender its corporate franchise.

13. To do all acts and things necessary, convenient or expedient to carry out the purpose for which it is formed.

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## ARTICLE III

### Term of Existence

The period during which the Corporation shall continue is perpetual

## ARTICLE IV

### Principal Office and Resident Agent

The post-office address of the principal office of the Corporation is Wawaka, Indiana; and the name and post-office address of its Resident Agent in charge of such office is Harry D. Frick, Wawaka, Indiana

## ARTICLE V

### Amount of Capital Stock

The total number of shares into which the authorized capital stock of the Corporation is divided is One thousand shares consisting of _____ shares with the par value of $_____ per share, and 1,000 shares without par value.

## ARTICLE VI

### Terms of Capital Stock

1. There shall be one class of stock, to-wit; common, capital stock, without par value, containing no preference, qualifications, limitations or restrictions, except

(a) If the holder of any stock in this corporation desires to sell part or all of his said stock, the corporation shall have the first option and right to purchase the same if the capital of the corporation shall not be thereby impaired; and if the corporation does not or cannot exercise its option to purchase, then the remaining stockholders shall have the next option and right to purchase said stock in the proportion of their present holdings in said corporation; and the price to be paid for such stock shall be the book value of the same as shown by the books of the corporation at the time of the proposed sale. Such retiring or selling stockholder shall give notice to the corporation by notifying in writing the President of said corporation and also shall give notice to the other stockholders of his intention to sell part or all of his stock; and said corporation and such remaining stockholders shall have fifteen (15) days from the receipt of such

notice within which to purchase such stock at its book value. If said corporation does not desire to avail itself of the privileges to purchase said stock as herein provided, and if any one or more of said stockholders does not desire to avail themselves of the privilege to purchase said stock as herein provided, and if any one or more of said stockholders does not desire to avail themselves of the privilege to purchase such stock, then the remaining stockholder or stockholders may exercise such privilege and purchase said stock in proportion to be computed without regard to the holdings of those stockholders not desiring to exercise such option. If said corporation or remaining stockholders do not exercise the right to purchase such stock within the above time, then such selling stockholder is at liberty to sell such stock to a third party.

2. Shares of stock of this corporation may be issued by the corporation for such an amount of consideration as may be fixed from time to time by the Board of Directors, and may be paid in whole or part in money, in other property, tangible or intangible, or in labor actually performed for, or services actually rendered to the corporation.

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## ARTICLE VII

### *Voting Rights of Capital Stock*

Each share shall have full voting rights with each shareholder having the right at such shareholders' meeting to one vote for each share of stock standing in his name on the books of the corporation. Each share of capital stock shall also have all other voting rights as provided by laws of the State of Indiana.

## ARTICLE VIII

### Paid-in Capital

The amount of paid-in capital, with which the Corporation is beginning business, is $ 70,000.00

## ARTICLE IX

### Data Respecting Directors

Section 1. Number.

The number of directors shall be three

Section 2. Qualifications. Directors shall all be shareholders of the Corporation. A majority of the Directors at any time shall be citizens of the United States.

## ARTICLE X

### Further Data Respecting Directors

Section 1. Names and Post-Office Addresses. The names and post-office addresses of the first Board of Directors of the Corporation are as follows:

| Name | Number and Street or Building | City | Zone | State |
|---|---|---|---|---|
| Harry D. Frick | | Wawaka, | | Indiana |
| Mary B. Frick | | " | | " |
| Merrill B. Frick | | " | | " |

Section 2. Citizenship. All of such Directors are citizens of the United States.

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## ARTICLE XI

### Data Respecting Incorporators

Section 1. Names and Post-Office Addresses. The names and post-office addresses of the incorporators of the Corporation are as follows:

| Name | Number and Street or Building | City | Zone | State |
|---|---|---|---|---|
| Harry D. Frick | | Wawaka, | | Indiana |
| Mary B. Frick | | Wawaka, | | Indiana |
| Merrill B. Frick | | Wawaka, | | Indiana |

Section 2. Age and Citizenship. All of such incorporators are of lawful age; and all of such incorporators are citizens of the United States.

Section 3. Compliance with Provisions of Sections 15 and 16 of the Act. The undersigned incorporators hereby certify that the person or persons intending to form the Corporation first caused lists for subscriptions to the shares of the capital stock of the Corporation to be opened at such time and place as he or they determined; when such subscriptions had been obtained in an amount not less than $1,000, such person or persons, or a majority of them, called a meeting of such subscribers for the purpose of designating the incorporators and of electing the first Board of Directors; the incorporators so designated are those named in Section 1 of this Article; and the Directors so elected are those named in Section 1 of Article X.

## ARTICLE XII

### Provisions for Regulation of Business and Conduct of Affairs of Corporation

The business of this corporation shall be managed by a Board of Directors consisting of three members, all of whom shall be shareholders in the corporation. Such Board of Directors shall be elected for a term of one year. Said Board of Directors shall have authority to adopt by-laws for the conduct of the business of this corporation and shall further elect the officers of this corporation and said Board shall have such further rights concerning the management of this corporation as are not inconsistent with the laws of the State of Indiana.

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IN WITNESS WHEREOF, the undersigned, being all of the incorporators designated in Article XI, execute these Articles of Incorporation and certify to the truth of the facts herein stated, this 20 day of March, 1952.

Harry D. Frick
(Written signature)
Harry D. Frick
(Printed Signature)

Mary B. Frick
(Written signature)
Mary B. Frick
(Printed Signature)

Merrill B. Frick
(Written signature)
Merrill B. Frick
(Printed Signature)

STATE OF INDIANA)
COUNTY OF Noble } SS:

I, the undersigned, a Notary Public duly commissioned to take acknowledgments and administer oaths in the State of Indiana, certify that Harry D. Frick, Mary B. Frick and Merrill B. Frick, being all of the incorporators referred to in Article XI of the foregoing Articles of Incorporation, personally appeared before me; acknowledged the execution thereof; and swore to the truth of the facts therein stated.

WITNESS my hand and Notarial Seal this 20 day of March, 1952.

Ruth M. Rimmel
(Written signature)
Ruth M. Rimmel
(Printed Signature)
Notary Public

My commission expires

September 11, 1954

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Form SSC-32
State Form 37020

STATE OF INDIANA

# OFFICE OF THE SECRETARY OF STATE

NOV 13 1980

## CERTIFICATE OF AMENDMENT
## OF

2839A049 00
2/21/80

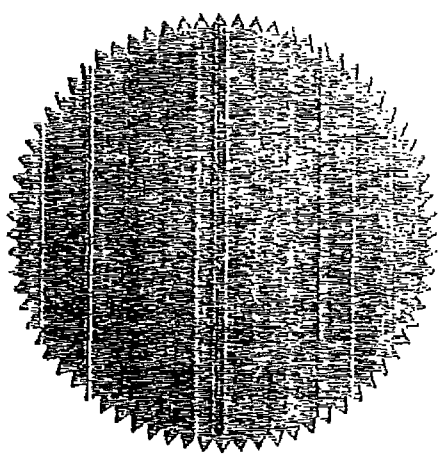
FRICK FARM SUPPLY, INC.

*I, EDWIN J. SIMCOX, Secretary of State of Indiana, hereby certify that Articles of Amendment for the above Corporation have been filed in the form prescribed by my office, prepared and signed in duplicate in accordance with Chapter Four of the Indiana General Corporation Act (IC 23-1-4).*

**The name of the corporation is amended as follows;**

**FRICK SERVICES, INC.**

*NOW, THEREFORE, upon due examination, I find that the Articles of Amendment conform to law, and have endorsed my approval upon the duplicate copies of such Articles; that all fees have been paid as required by law; that one copy of such Articles has been filed in my office; and that the remaining copy of such Articles bearing the endorsement of my approval and filing has been returned by me to the Corporation.*



*In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this* 28th *day of* OCTOBER, *19*80

EDWIN J. SIMCOX, *Secretary of State*

*By* _____ *Deputy*

Corporate Form No. 102 (Jan 1971) Page One

ARTICLES OF AMENDMENT (After Exchange Individual Articles Only)

Prescribed by Larry A. Conrad, Secretary of State of Indiana

Use Size 8½ x 11 White Paper for Inserts

Filing Requirements—Present 2 Executed Copies to Secretary of State, Room 155, State House Indianapolis 46204

Recording Requirements—Not required. However, if the name of the Corporation is changed by these Articles, a certified Certificates of Amendment must be filed with the County Recorder of every County where the Corporation owns real property in Indiana.

APPROVED
AND
FILED
OCT 28 1980
SECRETARY OF STATE OF INDIANA

# ARTICLES OF AMENDMENT OF THE ARTICLES OF INCORPORATION OF

FRICK FARM SUPPLY, INC.

The undersigned officers of FRICK FARM SUPPLY, INC. (hereinafter referred to as the "Corporation") existing pursuant to the provisions of the Indiana General Corporation Act, as amended (hereinafter referred to as the "Act"), desiring to give notice of corporate action effectuating amendment of certain provisions of its Articles of Incorporation, certify the following facts:

## ARTICLE I
## Text of the Amendment

The exact text of Article(s) I, Name, and Article II, Purposes of the Articles of Incorporation of the Corporation, as amended (hereinafter referred to as the "Amendments"), now is as follows:

ARTICLE I

Name

The name of the corporation is Frick Services, Inc.

ARTICLE II

Purposes

1. To engage generally in the purchase and in the wholesale and retail of farm feeds, seeds, fertilizer, coal and farm machinery and supplies and to carry out all other businesses incident thereto or connected therewith.

Article II, Purposes, Continued

2. To carry freight for hire, to receive and load all varieties of commercial freight on board highway motor vehicles, transfer such freight to various destinations, and to buy, sell and otherwise deal in and with tractors and trailers suitable for commercial trucking and to maintain and repair the same.

3. To carry on in any or all of its branches of business of warehousing, storing and forwarding of goods, wares, and merchandise, and in connection therewith to own, lease, build or otherwise acquire, operate and control warehouses, stores, sheds, wharves, docks, piers or other structures, and to issue or receive warehouse, dock, storage, or other receipts, negotiable or nonnegotiable, covering all kinds of goods, wares, merchandise and any other commercial commodity or things of value; to collect and receipt for dockage, wharfage and storage dues and other compensations, and to advance or collect freights, duties, insurance, and liens of every kind upon goods, wares, and merchandise, or other property received in storage, or for the purpose of being warehoused or forwarded, or upon the pledge of storage, dock, or warehouse receipts for such goods, wares, merchandise or other property, and in general to do any and all acts that may be necessary, convenient or appurtenant to any one of the above-mentioned objects.

4. To conduct business in this State or elsewhere and to have one or more offices out of this State and to acquire, own, hold and use and to lease, mortgage, pledge, sell, convey and otherwise dispose of property, real and personal, tangible and intangible out of this State.

5. To have and to exercise all the powers now or hereafter conferred by the laws of the State of Indiana upon corporations organized pursuant to the laws under which this corporation is organized, and any and all acts amendatory and supplemental thereto.

# ARTICLE II
## Manner of Adoption and Vote

Section 1. Action by Directors (select appropriate paragraph).

(a) The Board of Directors of the Corporation, at a meeting thereof, duly called, constituted and held on October 6, 1980, at which a quorum of such Board of Directors was present, duly adopted a resolution proposing to the Shareholders of the Corporation entitled to vote in respect the Amendments that the provisions and terms of Article I & II of its Articles of Incorporation be amended so as to read as set forth in the Amendments; and called a meeting of such shareholders, to be held October 13, 1980, to adopt or reject the Amendments, unless the same were so approved prior to such date by unanimous written consent.

~~(b) By written consent executed on ....., 19....., signed by all of the members of the Board of Directors of the Corporation, a resolution was adopted proposing to the Shareholders of the Corporation entitled to vote in respect of the Amendments, that the provisions and terms of Articles of its Articles of Incorporation be amended so as to read as set forth in the Amendments, and a meeting of such shareholders was called to be held ....., 19....., to adopt or reject the Amendments, unless the same were so approved prior to such date by unanimous written consent.~~

Section 2. Action by Shareholders (select appropriate paragraph).

(a) The Shareholders of the Corporation entitled to vote in respect of the Amendments, at a meeting thereof, duly called, constituted and held on October 13, 1980, at which all stockholders were present in person or by proxy, adopted the Amendments.

The holders of the following classes of shares were entitiled to vote as a class in respect of the Amendments:

(1)

(2)

(3)

The number of shares entitled to vote in respect of the Amendments, the number of shares voted in favor of the adoption of the Amendments, and the number of shares voted against such adoption are as follows:

| | Total | Shares Entitled to Vote as a Class (as listed immediately above) | | |
|---|---|---|---|---|
| | | (1) | (2) | (3) |
| Shares entitled to vote: | 1,000 | 1,000 | | |
| Shares voted in favor: | 1,000 | 1,000 | | |
| Shares voted against: | 0 | 0 | | |

(b) By written consent executed on [illegible] 19[illegible] signed by the holders of [illegible] shares of the Corporation, being all of the shares of the Corporation entitled to vote in respect of the Amendments, the Shareholders adopted the Amendments.

Section 3. Compliance with Legal Requirements.

The manner of the adoption of the Amendments, and the vote by which they were adopted, constitute full legal compliance with the provisions of the Act, the Articles of Incorporation, and the By-Laws of the Corporation.

## ARTICLE III

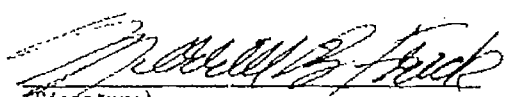
## Statement of Changes Made With Respect to Any Increase In The Number of Shares Heretofore Authorized

| | |
|---|---|
| Aggregate Number of Shares Previously Authorized | N/A |
| Increase | |
| Aggregate Number of Shares To Be Authorized After Effect of This Amendment | |

ARTICLE III

STATEMENT OF CHANGES MADE WITH RESPECT TO ANY INCREASE IN THE NUMBER OF SHARES HERETOFORE AUTHORIZED

| | |
|---|---|
| Aggregate Number of Shares Previously Authorized | 25,000 |
| Increase (indicate "0" or "N/A" if no increase) | N/A |
| Aggregate Number of Shares to be Authorized After Effect of this Amendment | 25,000 |



(Signature)

Merrill B. Frick

(Printed Name)

President

(Title)

**Attachment D**

Employee witness accounts

(See attached)

* EMPLOYEE ACCOUNT OF EVENTS

Dock Valve leak Tank 4

Monday 1-26-15 7:40 am. while opening tanks to load trucks Sam Martinez discovered a leak on Tank 4 dock line Valve. He notified his supervisor Randy Robbins, also notified Jeff Harper manager & Don Frick owner. Jeff called vac truck Co. to clean up spilled product on the ground at 7:45am Serenity Environmental. Started transfer of product from Tk 4 to Tk 5 at 8:15am. Open dock line between Tk 4 & Tk 5 which almost completely stopped leak on Tank 4 Valve, also used pump on 4 to Tank 5. Serenity arrived around 10:00 am and recovered 1280 gal of product between Tanks 4 & 3 with a small amount in between 5 & 2. Randy Robbins installed hose clamps and rubber over rust hole in the Valve to stop any more leaking from Valve, and installed a small plastic pool under leak area to contain any leaking that continued. finished transfer of product Wed. 1-28-15.

Jeff Harper

Called NRC 10:07am report # 1106599 Mr. Threatt contact
" IDEM 10:20 Lowrum contact
Jamie Brown EPA called back at 11:10 am. David Gruintz [redacted] from IDEM stopped by at 12:45 pm to check on our progress and said everything looked good.

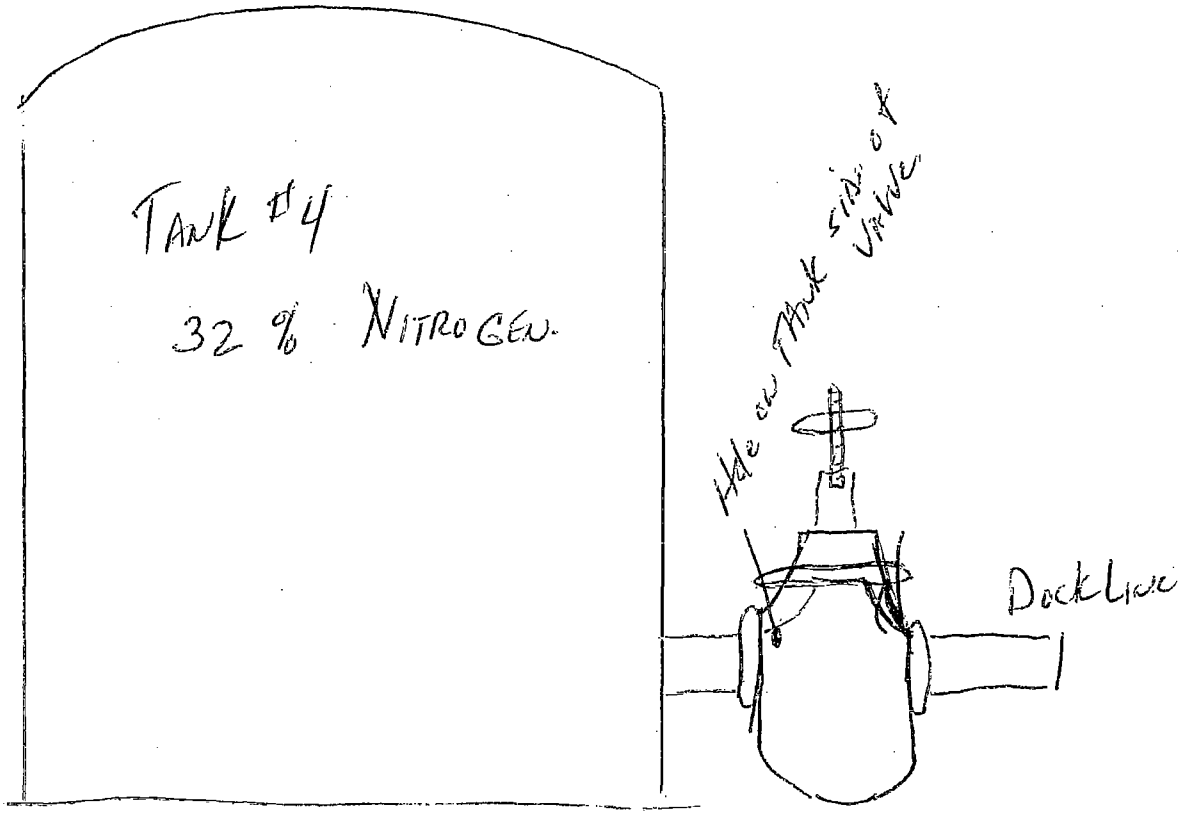
* EMPLOYEE ACCOUNT OF EVENTS - RANDY ROBBINS

1-26-15

Monday Morning, Sam M. went to open the tanks in THE TANK FARM LOCATED AT 570 EAST Boundry Rd., Portage, In 46368. While opening the THE TANKS HE noticed Fluid on THE Ground between TANK 4 + 3 Dock Lines, HE came and got me (Randy) AND we went to observe what was going on. THE Dock Line Valve on TANK 4 WAS LEAKING + SPRAYING out pretty Bad. Come to find out There is A Rust Hole on THE TANK side of THE VALVE, I went AND NOTIFIED Dan Frick + Jeff Harper of THE SITUATION. We got Hoses to gether to start pumping from T#4 + T#5 which WAS Almost Empty it more room FOR THE 32% NITROGEN To pump into. We got Hoses Hooked up AND found out There was A plug in T#3 Line, preceded to run bone WATER in AND unclogged THE line. So we got T#4 to pump to T#5 AND going Eversince. THEN John Voigh sent Vick over from Tanco to look at THE leak AND Told me to open up THE Dock line from T#4 to T#5 TO Relieve THE pressure AND it Slowed leak down alot. THEN SERENITY Came to ~~pump~~ reclaim what leaked on THE ground Recovered About ~~3,000~~ 1800 gals of 32% NITROGEN While doing so We TRIED TO plug THE Hole, but was Unsuccessful, we STILL TRIED so we put AND Ear plug in THE Hole, (I took out a Bolt to Make it EASIER TO see). THEN Took 3 Hose Clamps

And some Rubber and tightes the Clamps down slowed the Leak alot. I went to Megards and bought a 100 Gal. pond fixture to catch the drip. I Had to Dig a Hole and the sand looked fresh no sign of fluid in it. Crawford Measured the Tank and around 6am on Tuesday we should be able to Close the Dock Lines.

EPA Came out and Looked at the spill and was pleased to see what we were Doing, The Spill is Contained in the ~~Dyke~~ dike Area



**Attachment E**

Tank #4 Inspection Report

(See attached)

# INSPECTION REPORT

ACUREN

| | | | |
|---|---|---|---|
| COMPANY: | Frick Services | LOCATION: | 570 East Boundary Rd - Port of Indiana |
| UNIT LOCATION: | Portage, IN | EQUIPMENT NUMBER: | Tank #4 |
| Acuren W.O. #: | SC223341 | COMPLETION DATE: | 10/27/10 |
| EQUIPMENT NAME: | URAN32 (Liquid Fertilizer) | | |

## INSPECTION SUMMARY

| | |
|---|---|
| GENERAL: | **Overall condition of Tank#4 is determined to be in satisfactory condition, with exception of internal note ref. below. Shell Plate, Roof and Bottom Plate thicknesses are suitable for intended service and will meet API requirements.** |
| FOUNDATION: | **Upon visual inspection, the tank foundation was found to be directly on the ground, sitting on a clay and gravel foundation. No visual evidence of seepage or leakage from the bottom exists at time of inspection. Drainage at / around this and other tank areas not known.** |
| INSULATION: | **N/A** |
| EXTERNAL: | **The exterior of the tank is coated/ painted. Evidence of environmental residue streaking is apparent. All Welded seams appeared to be in satisfactory condition with no product seepage noted.** |
| INTERNAL: | **Epoxy floor liner is visibly degraded in numerous areas. (refer to photo pages) Light corrosion has begun to form uniformly on exposed segregated areas of all floor plates; however, no heavy pitting was noted and UT thickness readings at exposed areas showed decent thickness despite of liner degradation. Existence of floor liner/ epoxy coating precluded use of MT inspection to the corner chime, MFE scanner of floor for underside corrosion and use of vacuum box on 100% of the floor lap welded seams. Vacuum box testing and UT thickness readings were only taken where available through blistered /missing epoxy areas.** |

REPAIRS RECOMMENDED FOR TANK (SEE OBSERVATIONS / RECOMMENDATIONS)

[√] YES - ASAP - PRIOR TO RETURNING TO SERVICE  [ ] YES- IN A TIMELY MANNER  [ ] NONE

NEXT INSPECTION DATE:

EXTERNAL: **10/27/15** (*5 YEARS OR ¼ THE REMAINING LIFE, WHICHEVER IS LESS)

INTERNAL: **10/27/15** (*20 YEARS MAXIMUM)

**BASED ON NORMAL OPERATING CONDITIONS*

INSPECTOR: **Richard Gates** DATE: **10/27/10**

SIGNATURE: Rich Gates API 653 NO: Richard W Gates CWI 98010461 QC1 EXP. 1/1/2013 | Richard W. Gates API 653 Cert.#29238 Exp. 10/31/12

# INSPECTION REPORT

CUREN

PANY: Frick Services LOCATION: 570 East Boundary Rd - Port of Indiana

IT LOCATION: Portage, IN EQUIPMENT NUMBER: Tank #4

curen W.O. #: SC223341 COMPLETION DATE: 10/27/10

EQUIPMENT NAME: URAN32 (Liquid Fertilizer)

| OBSERVATIONS | RECOMMENDATIONS |
|---|---|
| Epoxy floor liner is visibly degraded in numerous areas. - | - Sand blast tank floor, selectively at blistered areas, and re- epoxy degraded areas. |
| Roof support column bases are welded directly to floor plates. - | -Addition of re-pads under each column base for additional floor service life and disbursement of concentrated stresses on the floor. |
| No galvanic corrosion control/ grounding devices noted. - | -Install cathodic protection system for corrosion control. |
| Environmental residue /streaking on exterior.- | -Power wash exterior & re-paint. |
| | |
| lo auto gauging feature.- | -Install auto gauge device |
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# INSPECTION REPORT

ACUREN

COMPANY: Frick Services LOCATION: 570 East Boundary Rd - Port of Indiana

UNIT LOCATION: Portage, IN EQUIPMENT NUMBER: Tank #4

Acuren W.O. #: SC223341 COMPLETION DATE: 10/27/10

EQUIPMENT NAME: URAN32 (Liquid Fertilizer)

## Design Data

Year Built: *1977* Service Date: _____ Fabricator: *GATX* contract #076610

Tank Type: ☐ Horizontal ☐ Vertical ☐ Jacketed ☐ Insulated Service/Product: *URAN32*

Tank Height / Length: *40'* ☐ SS ☐ T/T ☐ Overall Tank Diameter: *108'*

Name Plate Verified: Yes ☒ No ☐ N/A ☐ Drawing / Documentation Available: Yes ☐ No ☒

Design Specific Gravity: *1.439* Design & Operating Press./Temp.: *Design* _____ psig _____ °F / *Operating* _____ psig _____ °F

Roof / Head Type : ☐ Elliptical ☐ ASME F & D ☐ Domed ☒ Conical ☐ Flat ☐ Pan
Crown Radius _____ Knuckle Radius _____ Head Ratio _____ Joint Efficiency _____

Bottom / Head Type: ☐ Elliptical ☐ ASME F & D ☐ Domed ☐ Conical ☒ Flat ☐ Pan
Crown Radius _____ Knuckle Radius _____ Head Ratio _____ Joint Efficiency _____

Nom. Roof / Head Thickness: _____ Nom. Bottom / Head Thickness: _____ Nom. Shell Thickness: _____

Shell Joint Construction Type: ☒ Butt Welded ☐ Single Lap Welded ☐ Double Lap Welded
Roof / Head Joint Construction Type: ☐ Butt Welded ☒ Single Lap Welded ☐ Double Lap Welded
Bottom / Head Joint Construction Type: ☐ Butt Welded ☒ Single Lap Welded ☐ Double Lap Welded
Other i.e. Riveted : _____
Corrosion Allowance: Head "A" _____ Head "B" _____ Shell _____

| | Min. Yield | Min. Tensile |
|---|---|---|
| Shell Material: Specification / Grade / Type | | |
| "A" Head Material: Specification /Grade / Type | | |
| "B" Head Material: Specification /Grade / Type | | |

## Pressure Relief Device

**Pressure / Vacuum Breaker:** ☐ Yes ☐ No ☒ N/A Set Pressure: _____ psig or in / Hg
**Flame Arrestor:** ☐ Yes ☐ No ☒ N/A Condition: _____

**Relief Valves:** ☐ Located ☐ Not Located ☒ N/A Condition: _____
Valve Tag: ☐ Located ☐ Not Located Test Date: _____ Set Pressure: _____ psig
Within 5 Years: ☐ Yes ☐ No ☐ Same as Rupture Disc Rating ☐ Higher
**Rupture Disc:** Temp.: °F Pressure: psig ☒ N/A Condition:

## UT Calibration Data

Equipment Make: *Panametrics* Model # : *MG2DL* Serial # : *070371205*
Calibration Block Material : ☒ C/S Serial # : ☐ S/S Serial # :
Transducer Serial # : *683076* Size : *.37"* Frequency: *5* MHZ
UT Couplant Type: *water based* Batch # :

# INSPECTION REPORT

REN

Frick Services — LOCATION: 570 East Boundary Rd - Port of Indiana

CATION: Portage, IN — EQUIPMENT NUMBER: Tank #4

W.O. #: SC223341 — COMPLETION DATE: 10/27/10

UIPMENT NAME: URAN32 (Liquid Fertilizer)

## Internal Visual Inspection Results

| Item No. | Item | Good | Fair | Poor | N/A | |
|---|---|---|---|---|---|---|
| 1 | Shell | √ | | | | |
| 2 | Floor / Bottom Head | | | | X | Floor lining exists. Blistered and missing in numerous spots. |
| 3 | Roof / Top Head | √ | | | | |
| 4 | Shell Welds | √ | | | | |
| 5 | Shell Nozzle Welds | √ | | | | |
| 6 | Floor Welds | √ | | | | |
| 7 | Roof Welds | √ | | | | |
| 8 | Trays | | | | X | |
| 9 | Tray Supports | | | | X | |
| 10 | Caps & Risers | | | | X | |
| 11 | Downcomers | | | | X | |
| 12 | Weirs & Seal pans | | | | X | |
| 13 | Bolting, Bars & Clips | | | | X | |
| 14 | Piping, Baffles, & Sprays | | | | X | |
| 15 | Manway & Flange Seats | √ | | | | |
| 16 | Demister Pad | | | | X | |
| 17 | Decoalescer Pads | | | | X | |
| 18 | Coil Pipe | | | | X | |
| 19 | Coil Supports / Welds | | | | X | |
| 20 | Coil to Shell Welds | | | | X | |
| 21 | Dip Pipes | | | | X | |
| 22 | Agitator Shaft | | | | X | |
| 23 | Agitator Blades | | | | X | |
| 24 | Agitator Bolting | | | | X | |
| 25 | Agitator Seal | | | | X | |
| 26 | Roof Support Structure | √ | | | | |
| 27 | Roof Column Base Plates | | √ | | | No re-pads under bases.- Spots of Epoxy coating degraded |
| | | | | | | |

| | | Yes | No | |
|---|---|---|---|---|
| 28 | Lining/Coatings | √ | | **Type:** **% Lined :** |
| 29 | Hydro, Test | | X | **Test Pressure:** **PSIG** **Result :** |
| 30 | Corrosion | √ | | **Location:** Floor – Light **Depth** n/a **Size** n/a |
| 31 | NDT Used | √ | | **Type:** UT on spots were lining is degraded and floor is beginning to corrode. |

**Notes or Comments:** Floor lining/ coating degraded at numerous areas from small 1" spots to large areas (4' max dimensions).

ACUREN

# INSPECTION REPORT

COMPANY: Frick Services LOCATION: 570 East Boundary Rd - Port of Indiana

UNIT LOCATION: Portage, IN EQUIPMENT NUMBER: Tank #4

Acuren W.O. #: SC223341 COMPLETION DATE: 10/27/10

EQUIPMENT NAME: URAN32 (Liquid Fertilizer)

## External Visual Inspection Results

| Item No. | Item | Good | Fair | Poor | N/A | |
|---|---|---|---|---|---|---|
| 1 | Shell | √ | | | | Environmental residue/ streaking exists. |
| 2 | Floor / Bottom Head | √ | | | | |
| 3 | Roof / Top Head | √ | | | | |
| 4 | Nozzles and Fasteners | √ | | | | |
| 5 | Piping and Components | √ | | | | |
| 6 | Valves and Components | | | | X | |
| 7 | Welds and Seams | √ | | | | |
| 8 | Davits | | | | X | |
| 9 | Manways & Fasteners | √ | | | | |
| 10 | Stiffner Rings | | | | X | |
| 11 | Gauges | | | | X | |
| 12 | Sight Glass | | | | X | |
| 13 | Platforms/Handrails | √ | | | | |
| 14 | Ladders/Cages/Stairs | √ | | | | |
| 15 | Grating/Treads | √ | | | | |
| 16 | Insulation or Coating | | | | X | |
| 17 | Weather Jacket | | | | X | |
| 18 | Supports/Base plates | | | | X | Type: Doubled "C": channels 11" x 8" –floor to roof. |
| 19 | Anchors/Support bolts | | | | X | |
| 20 | Foundation (Spalling, etc.) | √ | | | | |
| 21 | Grouting | | | | | |

| | | Yes | No | COMMENTS |
|---|---|---|---|---|
| 22 | Corrosion (Location) | √ | | Minor light at OS chime –spots, inactive |
| 23 | Name Plate Attached | √ | | |
| 24 | Visible Leaks | | X | |
| 25 | Ground Wire | | X | |
| 26 | Visible Distortion | | X | |
| 27 | Weep Holes Okay | √ | | |
| 28 | Blistering | | X | |
| 29 | Other | | X | |

**Notes or Comments:** External Bio-growth exists on exterior of tub ring painted surface on NW quarter of shell.

**Attachment F**

Material Safety Data Sheet

(See attached)

KOCH

# MATERIAL SAFETY DATA SHEET

KOCH FERTILIZER CANADA, ULC

## 1. Product and Company Identification

| | |
|---|---|
| **Material name** | **Urea Ammonium Nitrate Solution** |
| **Revision date** | 04-18-2012 |
| **Version #** | 01 |
| **CAS #** | Mixture |
| **MSDS Number** | KFC_UAN_NA_EN |
| **Product use** | Fertilizer |
| **Synonym(s)** | UAN 28% Nitrogen, UAN 30% Nitrogen, UAN 32% Nitrogen, UN-28, UN-30, UN-32, URAN, TRI-N-28, TRI-N-30, TRI-N-32, STCC 2871315, UAN |
| **Manufacturer/Supplier** | Koch Fertilizer Canada ULC<br>1400 17th Street East<br>Brandon, MB R7A 7C4 CA<br>kochmsds@kochind.com<br><br>204-729-2900 |
| **Emergency** | For Chemical Emergency<br>Call CHEMTREC day or night<br>USA/Canada 1.800.424.9300<br>Outside USA/Canada 1.703.527.3887<br>(collect calls accepted) |

## 2. Hazards Identification

| | |
|---|---|
| **Physical state** | Liquid. |
| **Appearance** | Colorless liquid. |
| **Emergency overview** | WARNING<br><br>Causes skin, eye and respiratory tract irritation.<br>When water evaporates from this product, residues may contain ammonium nitrate. Solid ammonium nitrate, when sensitized during decomposition, may become unstable and explosive. |
| **OSHA regulatory status** | This product is hazardous according to OSHA 29 CFR 1910.1200. |
| **Potential health effects** | |
| **Routes of exposure** | Eye contact. Skin contact. Inhalation. |
| **Eyes** | Causes eye irritation. Exposed individuals may experience eye tearing, redness, and discomfort. |
| **Skin** | Causes skin irritation. |
| **Inhalation** | Causes respiratory tract irritation. |
| **Ingestion** | If ingested it may cause the formation of methaemoglobin. |
| **Signs and symptoms** | Symptoms can include irritation, redness, scratching of the cornea, and tearing. |
| **Potential environmental effects** | The product is not classified as environmentally hazardous. However, this does not exclude the possibility that large or frequent spills can have a harmful or damaging effect on the environment. |

## 3. Composition / Information on Ingredients

| Components | CAS # | Percent |
|---|---|---|
| Ammonium nitrate | 6484-52-2 | 35 - 55 |
| Urea | 57-13-6 | 25 - 40 |
| Water | 7732-18-5 | 15 - 32 |
| Free Ammonia | 7664-41-7 | 0.02 - 0.15 |

**Composition comments** All concentrations are in percent by weight unless ingredient is a gas. Gas concentrations are in percent by volume.
This Safety Data Sheet is not a guarantee of product specification or NPK value(s). NPK content is on specified sales orders, customer invoices, or product specification sheets obtained from supplier.

## 4. First Aid Measures

**First aid procedures**

| | |
|---|---|
| **Eye contact** | Immediately flush with plenty of water for at least 15 minutes. If easy to do, remove contact lenses. Get medical attention if irritation persists after washing. |
| **Skin contact** | Wash contact areas with soap and water. Get medical attention if irritation develops and persists. |
| **Inhalation** | Move to fresh air. Get medical attention if any discomfort continues. |
| **Ingestion** | Rinse mouth thoroughly. Get medical attention if any discomfort continues. |
| **Notes to physician** | Treat symptomatically. |
| **General advice** | Ensure that medical personnel are aware of the material(s) involved, and take precautions to protect themselves. |

## 5. Fire Fighting Measures

| | |
|---|---|
| **Flammable properties** | Slight fire hazard. When water evaporates from this product residues may contain ammonium nitrate, and solid ammonium nitrate when sensitized during decomposition may become unstable and explosive. |

**Extinguishing media**

| | |
|---|---|
| **Suitable extinguishing media** | Use fire-extinguishing media appropriate for surrounding materials. |
| **Unsuitable extinguishing media** | None known. |

**Protection of firefighters**

| | |
|---|---|
| **Protective equipment and precautions for firefighters** | Selection of respiratory protection for firefighting: follow the general fire precautions indicated in the workplace. Self-contained breathing apparatus and full protective clothing must be worn in case of fire. |
| **Fire fighting equipment/instructions** | Move containers from fire area if you can do it without risk. |
| **Hazardous combustion products** | Carbon oxides. Nitrogen Oxides. Cyanide compounds. Ammonia. Biuret. |

## 6. Accidental Release Measures

| | |
|---|---|
| **Personal precautions** | Avoid inhalation of vapors/spray and contact with skin and eyes. Ensure adequate ventilation. Wear suitable protective clothing. Use personal protection recommended in Section 8 of the MSDS. |
| **Environmental precautions** | Prevent further leakage or spillage if safe to do so. Do not contaminate water. Do not allow to enter drains, sewers or watercourses. |
| **Methods for containment** | Stop the flow of material, if this is without risk. Prevent entry into waterways, sewer, basements or confined areas. |
| **Methods for cleaning up** | Absorb spillage with suitable absorbent material. After removal flush contaminated area thoroughly with water.<br><br>Never return spills to original containers for re-use. |
| **Other information** | Absorb small leaks or spills with sponge, mop up large spills with plenty of soap and water. Clean up in accordance with all applicable regulations. |

## 7. Handling and Storage

| | |
|---|---|
| **Handling** | Avoid inhalation of vapors/spray and contact with skin and eyes. Wear approved safety goggles. Use only with adequate ventilation. Keep the workplace clean. |
| **Storage** | Store in a well-ventilated place. Store in a cool, dry place. Keep container tightly closed. Store away from incompatible materials. |

## 8. Exposure Controls / Personal Protection

**Occupational exposure limits**

**US. ACGIH Threshold Limit Values**

| Components | Type | Value |
|---|---|---|
| Free Ammonia (7664-41-7) | STEL | 35 ppm |
| | TWA | 25 ppm |

**US. OSHA Table Z-1 Limits for Air Contaminants (29 CFR 1910.1000)**

| Components | Type | Value |
|---|---|---|
| Free Ammonia (7664-41-7) | PEL | 35 mg/m3<br>50 ppm |

**Canada. Alberta OELs (Occupational Health & Safety Code, Schedule 1, Table 2)**

| Components | Type | Value |
|---|---|---|
| Free Ammonia (7664-41-7) | STEL | 24 mg/m3<br>35 ppm |
| | TWA | 17 mg/m3<br>25 ppm |

**Canada. British Columbia OELs. (Occupational Exposure Limits for Chemical Substances, Occupational Health and Safety Regulation 296/97, as amended)**

| Components | Type | Value |
|---|---|---|
| Free Ammonia (7664-41-7) | STEL | 35 ppm |
| | TWA | 25 ppm |

**Canada. Ontario OELs. (Control of Exposure to Biological or Chemical Agents)**

| Components | Type | Value |
|---|---|---|
| Free Ammonia (7664-41-7) | STEL | 35 ppm |
| | TWA | 25 ppm |

**Canada. Quebec OELS. (Ministry of Labor - Regulation Respecting the Quality of the Work Environment)**

| Components | Type | Value |
|---|---|---|
| Free Ammonia (7664-41-7) | STEL | 24 mg/m3<br>35 ppm |
| | TWA | 17 mg/m3<br>25 ppm |

**Mexico. Occupational Exposure Limit Values**

| Components | Type | Value |
|---|---|---|
| Free Ammonia (7664-41-7) | STEL | 27 mg/m3<br>35 ppm |
| | TWA | 18 mg/m3<br>25 ppm |

**Engineering controls** Provide adequate ventilation. Observe Occupational Exposure Limits and minimize the risk of inhalation of vapors.

**Personal protective equipment**

**Eye / face protection** Wear approved safety glasses or goggles.

**Skin protection** Risk of contact: Wear appropriate clothing to prevent any possibility of skin contact.

**Respiratory protection** If engineering controls do not maintain airborne concentrations below recommended exposure limits (where applicable) or to an acceptable level (in countries where exposure limits have not been established), an approved respirator must be worn. In the United States of America, if respirators are used, a program should be instituted to assure compliance with OSHA Standard 63 FR 1152, January 8, 1998. In case of inadequate ventilation or risk of inhalation of vapors, use suitable respiratory equipment.

**General hygiene considerations** Always observe good personal hygiene measures, such as washing after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants. Handle in accordance with good industrial hygiene and safety practice.

## 9. Physical & Chemical Properties

| | |
|---|---|
| **Appearance** | Colorless liquid. |
| **Color** | Colorless. |
| **Odor** | Slight ammonia. |
| **Odor threshold** | Not available. |
| **Physical state** | Liquid. |
| **Form** | Liquid. |
| **pH** | 6.8 - 8.5 |
| **Melting point** | Not available. |
| **Freezing point** | Not available. |

| | |
|---|---|
| **Boiling point** | 225 °F (107.2 °C) |
| **Flash point** | Not available. |
| **Evaporation rate** | Not available. |
| **Flammability limits in air, upper, % by volume** | Not available. |
| **Flammability limits in air, lower, % by volume** | Not available. |
| **Vapor pressure** | Not available. |
| **Vapor density** | Not available. |
| **Specific gravity** | 1.05 - 1.35 @ 30 °C |
| **Solubility (water)** | 100% |
| **Partition coefficient (n-octanol/water)** | Not available. |
| **Auto-ignition temperature** | Not available. |
| **Decomposition temperature** | Not available. |

## 10. Chemical Stability & Reactivity Information

| | |
|---|---|
| **Chemical stability** | Stable under normal temperature conditions and recommended use. |
| **Conditions to avoid** | Contact with incompatible materials. Heat, sparks, flames, elevated temperatures. UAN will form urea nitrate when mixed with nitric acid at low pH. Urea nitrate may become unstable and/or explosive under certain conditions. |
| **Incompatible materials** | Reacts violently with strong oxidants, nitrites, inorganic chlorides, chlorites and perchlorates causing fire and explosion hazard. |
| **Hazardous decomposition products** | Carbon oxides. Nitrogen oxides (NOx). Ammonia. Biuret. Cyanide compounds. |
| **Possibility of hazardous reactions** | Hazardous polymerization does not occur. |

## 11. Toxicological Information

**Toxicological data**

| Components | Test Results |
|---|---|
| Urea (57-13-6) | Acute Oral LD50 Rat: 8471 mg/kg |
| Ammonium nitrate (6484-52-2) | Acute Inhalation LC50 Rat: > 88.8 mg/l 4 Hours |
| | Acute Oral LD50 Rat: 4500 mg/kg |

| | |
|---|---|
| **Acute effects** | Ingestion may cause irritation and malaise. Causes skin, eye and respiratory tract irritation. |
| **Local effects** | Causes redness and pain. |
| **Sensitization** | Not a skin sensitizer. |
| **Chronic effects** | No data available. |
| **Carcinogenicity** | This product is not considered to be a carcinogen by IARC, ACGIH, NTP, or OSHA. |
| **Epidemiology** | Not available. |
| **Mutagenicity** | No data available. |
| **Neurological effects** | Not available. |
| **Reproductive effects** | No data available. |
| **Teratogenicity** | Not available. |
| **Symptoms and target organs** | Symptoms can include irritation, redness, scratching of the cornea, and tearing. |
| **Further information** | No other specific acute or chronic health impact noted. |

## 12. Ecological Information

**Ecotoxicological data**

| Components | Test Results |
|---|---|
| Urea (57-13-6) | EC50 Water flea (Daphnia magna): 3910 mg/l 48 hours |

| Components | Test Results |
|---|---|
| Free Ammonia (7664-41-7) | LC50 Carp (Hypophthalmichthys nobilis): 0.3 mg/l 96 hours |

**Ecotoxicity** The product is not classified as environmentally hazardous. However, this does not exclude the possibility that large or frequent spills can have a harmful or damaging effect on the environment.

**Environmental effects** The product may cause risk of hazardous effects to the environment.

**Persistence and degradability** Not available.

**Bioaccumulation / Accumulation** No data available.

**Partition coefficient (n-octanol/water)** Not available.

**Mobility in environmental media** The product is water soluble and may spread in water systems.

## 13. Disposal Considerations

**Disposal instructions** Do not allow this material to drain into sewers/water supplies. Dispose in accordance with all applicable regulations.

**Contaminated packaging** Since emptied containers may retain product residue, follow label warnings even after container is emptied.

## 14. Transport Information

**DOT**

Not regulated as dangerous goods.

**IATA**

Not regulated as dangerous goods.

**IMDG**

Not regulated as dangerous goods.

**TDG**

Not regulated as dangerous goods.

## 15. Regulatory Information

**US federal regulations** This product is hazardous according to OSHA 29 CFR 1910.1200.
All components are on the U.S. EPA TSCA Inventory List.

**TSCA Section 12(b) Export Notification(40 CFR 707, Subpt. D)**

Not regulated.

**US EPCRA (SARA Title III) Section 302 - Extremely Hazardous Spill: Reportable quantity**

| | |
|---|---|
| Free Ammonia (CAS 7664-41-7) | 100 LBS |

**US EPCRA (SARA Title III) Section 302 - Extremely Hazardous Substance: Threshold Planning Quantity**

| | |
|---|---|
| Free Ammonia (CAS 7664-41-7) | 500 LBS |

**US EPCRA (SARA Title III) Section 313 - Toxic Chemical: De minimis concentration**

| | |
|---|---|
| Ammonium nitrate (CAS 6484-52-2) | 1.0 % |
| Free Ammonia (CAS 7664-41-7) | 1.0 % |

**US EPCRA (SARA Title III) Section 313 - Toxic Chemical: Listed substance**

| | |
|---|---|
| Ammonium nitrate (CAS 6484-52-2) | Listed. |
| Free Ammonia (CAS 7664-41-7) | Listed. |

**CERCLA (Superfund) reportable quantity (lbs) (40 CFR 302.4)**

Free Ammonia: 100

**Superfund Amendments and Reauthorization Act of 1986 (SARA)**

**Hazard categories**
Immediate Hazard - Yes
Delayed Hazard - No
Fire Hazard - No
Pressure Hazard - No
Reactivity Hazard - No

| | |
|---|---|
| **Section 302 extremely hazardous substance (40 CRF 355, Appendix A)** | No |
| **Section 311/312 (40 CFR 370)** | Yes |
| **Drug Enforcement Administration (DEA) (21 CFR 1308.11-15)** | Not controlled |
| **Canadian regulations** | This product has been classified in accordance with the hazard criteria of the CPR and the MSDS contains all the information required by the CPR. |
| **WHMIS status** | Controlled |
| **WHMIS classification** | D2B - Other Toxic Effects-TOXIC |

**WHMIS labeling**

**Inventory status**

| Country(s) or region | Inventory name | On inventory (yes/no)* |
|---|---|---|
| Australia | Australian Inventory of Chemical Substances (AICS) | Yes |
| Canada | Domestic Substances List (DSL) | Yes |
| Canada | Non-Domestic Substances List (NDSL) | No |
| China | Inventory of Existing Chemical Substances in China (IECSC) | Yes |
| Europe | European Inventory of Existing Commercial Chemical Substances (EINECS) | Yes |
| Europe | European List of Notified Chemical Substances (ELINCS) | No |
| Japan | Inventory of Existing and New Chemical Substances (ENCS) | Yes |
| Korea | Existing Chemicals List (ECL) | Yes |
| New Zealand | New Zealand Inventory | Yes |
| Philippines | Philippine Inventory of Chemicals and Chemical Substances (PICCS) | Yes |
| United States & Puerto Rico | Toxic Substances Control Act (TSCA) Inventory | Yes |

*A "Yes" indicates that all components of this product comply with the inventory requirements administered by the governing country(s)

**State regulations** This product does not contain a chemical known to the State of California to cause cancer, birth defects or other reproductive harm.

**US - California Hazardous Substances (Director's): Listed substance**

| | |
|---|---|
| Free Ammonia (CAS 7664-41-7) | Listed. |

**US - Massachusetts RTK - Substance: Listed substance**

| | |
|---|---|
| Ammonium nitrate (CAS 6484-52-2) | Listed. |
| Free Ammonia (CAS 7664-41-7) | Listed. |

**US - New Jersey Community RTK (EHS Survey): Reportable threshold**

| | |
|---|---|
| Ammonium nitrate (CAS 6484-52-2) | 500 LBS |
| Free Ammonia (CAS 7664-41-7) | 500 LBS |

**US - New Jersey RTK - Substances: Listed substance**

| | |
|---|---|
| Free Ammonia (CAS 7664-41-7) | Listed. |

**US - Pennsylvania RTK - Hazardous Substances: Listed substance**

| | |
|---|---|
| Ammonium nitrate (CAS 6484-52-2) | Listed. |
| Free Ammonia (CAS 7664-41-7) | Listed. |

**Mexico regulations** This safety data sheet was prepared in accordance with the Official Mexican Standard (NOM-018-STPS-2000).

## 16. Other Information

| | |
|---|---|
| **Recommended restrictions** | Use in accordance with supplier's recommendations. |
| **Further information** | HMIS® is a registered trade and service mark of the NPCA. |
| **HMIS® ratings** | Health: 2<br>Flammability: 1<br>Physical hazard: 0 |

| | |
|---|---|
| **NFPA ratings** | Health: 2<br>Flammability: 1<br>Instability: 0 |
| **Disclaimer** | NOTICE: The information presented herein is based on data considered to be accurate as of the date of preparation of this Safety Data Sheet (SDS) and was prepared pursuant to Government regulation(s) that identify specific types of information to be provided. This SDS may not be used as a commercial specification sheet of manufacturer or seller, and no warranty or representation, expressed or implied, is made as to the accuracy or comprehensiveness of the foregoing data and safety information, nor is any authorization given or implied to practice any patented invention without a license. Additional information may be needed to evaluate other uses of the product, including use of the product in combination with any materials or in any processes other than those specifically referenced. Information provided herein with respect to any hazards that may be associated with the product is not meant to suggest that use of the product in a given application will necessarily result in any exposure or risk to workers or the general public. No responsibility can be assumed by vendor for any damage or injury resulting from abnormal use, from any failure to adhere to recommended practices, or from any hazards inherent in the nature of the product. Purchasers and users assume all risk of use, storage and handling of the product in compliance with applicable federal, state and local laws and regulations. Purchasers and users of the product specifically should advise all of their employees, agents, contractors and customers who will use the product of this (M)SDS. |
| **Issue date** | 04-18-2012 |

**Attachment G**

Scale Ticket

(See attached)

* scale ticket

# FRICK SERVICES - LIQUID TERMINAL

197985

570 EAST BOUNDRY ROAD • PORTAGE, IN 46368 (219) 787-8548

DATE _____

CUSTOMER NAME _____

ADDRESS _____

COMMODITY Serenity Tank #4 11.05

CARRIER _____

INBOUND 43880 lb 21.94 TN
LOOP ID 550
1-26-15
2:08PM

DATE TIME 2:50PM 1-26-15 weight

| | | |
|---|---|---|
| 43880 lb | 21.94 TN | GROSS |
| 24120 lb | 12.06 TN | TARE |
| 19760 lb | 9.88 TN | NET |

1,788 gal

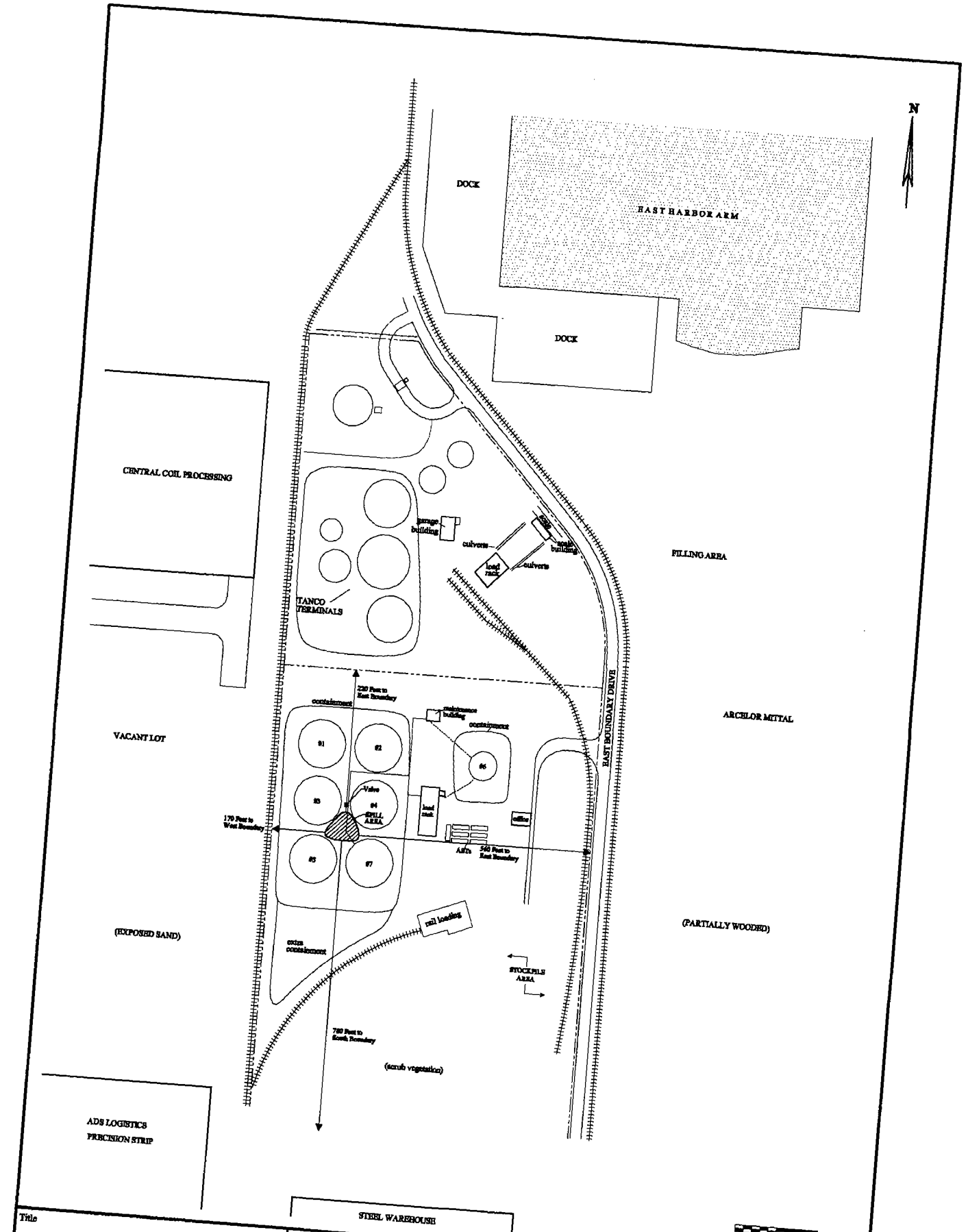
SHIPPER _____ B/L # _____

WEIGHER _____ DRIVER _____

**Attachment H**

Site Map

(See attached)




Title

SITE MAP

Location

Frick Services - Burns Harbor
570 East Boundary Drive
Portage, Indiana

Legend

#1 STORAGE TANK

APPROXIMATE PROPERTY BOUNDARY

RAILROAD TRACKS

| | |
|---|---|
| Project: 2012-229 | Scale: 1" = 180' |
| Date: 10/12/15 | Checked: gh |
| Drawn: wg | Figure: 1 |
| File: 2012229 map | |

SES

**Attachment I**

Letter to IDEM

(see attached)

* Response Letter To IDEM

3/3/2015

• • •

Clay Preston
Frick Services, Inc.
3154 West Depot Street
Wawaka, IN 46794

David Greinke
330 West US Hwy 30 Room 219-464-0233
Valparaiso, IN 46385

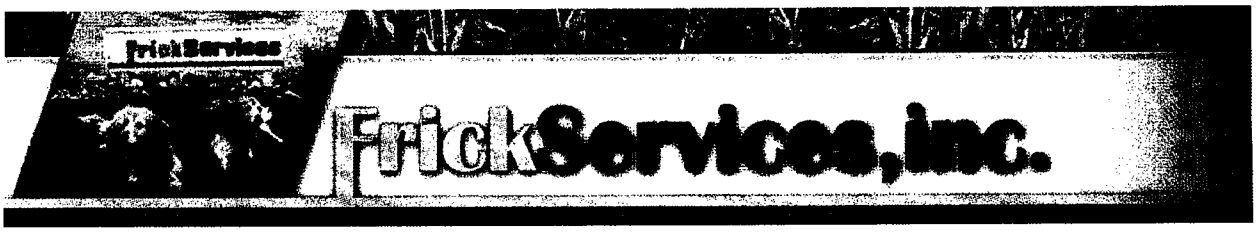
**Mr. Greinke,**

A leak was spotted on a line valve on tank four at 7 A.M. on Monday, January 26, 2015, by Sam Martinez at our Burn's Harbor location. Mr. Martinez reported this to his supervisor Randy Robbins, manager Jeff Harper, and president Dan Frick. Product from tank four was moved into tank five in order to slow the leak and Mr. Martinez and Mr. Robbins attempted to plug the leak with hose clamps and were successful. A small plastic pool was placed under the leaking area to prevent any more 32% nitrogen from getting into the ground. Serenity Environmental was called at 7:15 A.M. to come in for cleanup operations. At around 10 A.M., Serenity arrived and were able to recover nearly 1800 gallons of product using a vacuum truck. The NRC, EPA, and IDEM were called in order to file a report on the spill. The EPA arrived and stated that they were pleased with what was being done and that they were happy the leak was contained to a small area. Mr. Greinke also stopped by at around 12:45 P.M. and stated that everything was looking good as well.

Once the ground thaws, our plan is to remove the top layer of gravel and clay and replace it with new clay and soil in the affected area. Our company plans to keep up on internal and external inspections. The external inspection was done this past year and the internal will be done soon, as the tank is empty to replace the gate valve. To prevent this type of spill from happening again we will pay close attention for pitting and corrosion of the valves.

Sincerely,

Clay Preston
Director of Safety and Compliance
Frick Services, Inc.




**VIA UPS NEXT BUSINESS DAY DELIVERY**

October 14, 2015

Ruth McNamara
Chemical Emergency Preparedness and Prevention Section
US Environmental Protection Agency
77 West Jackson Boulevard (SC-5J)
Chicago, Illinois 60604

**Re: Supplemental Response to Request for Information Pursuant to Section 104 (e) of CERCLA for Frick Services, Inc., Portage, Indiana**

Dear Ms. McNamara:

This supplements our October 13, 2015 letter which responded to M. Cecilia Moore's September 19, 2015 letter addressed to Jeff Harper, Frick Services, Inc., 570 East Boundary Road, Portage, Indiana 46268. The site map was referenced as Attachment G in Responses to Request numbers 35, 36 and 37(a), when it should have been referenced as Attachment H. We also want to correct information in our response to U.S. EPA's Request number 36. Request number 36 is repeated in italics, followed by the amended response of Frick Services, Inc.

36. *Provide a description of the area including residential, commercial, and industrial nature of the area surrounding your facility including the approximate distance of your closest neighbor in each direction.*

Response:

The area is Port of Indiana's Burns Harbor, which contains approximately 30 different companies performing industrial operations, including at least 10 steel companies and three steel mills. Burns Harbor is an industrial area and is zoned heavy industrial. The nearest neighbors to Frick Services in each direction are all industrial operations. To the north is Tanco Terminals, and its property line is about 220 feet from the spill area; to the west is vacant land, and its property line is approximately 170 feet from the spill area, with

Feralloy Processing another 700 feet to the west; to the south is Steel Warehouse, and its property line is about 780 feet from the spill area; and to the east is ArcelorMittal, and its property line is over 560 feet from the spill area across East Boundary Road. See the site map in Attachment H.

I affirm, under penalty of perjury that the above representations are true and accurate to the best of the Facility's knowledge.

Daniel R. Frick, President
Frick Services, Inc.

STATE OF INDIANA )
COUNTY OF Elkhart )

SUBSCRIBED AND SWORN to before me, a Notary Public in and for said County and State, this 14 day of October 2015.

My Commission expires: _____

Notary Public Signature

County of Residence: _____

Printed Name

1477064.1

DANIEL J MARTIN
Notary Public, State of Indiana
Elkhart County
Commission # 664223
My Commission Expires
February 18, 2023