SECTION 8 – EMERGENCY AND REMEDIAL RESPONSE PLAN

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[redacted]

8.1 Emergency and Remedial Response Plan Overview

This Emergency and Remedial Response Plan for the Orchard Project was prepared to meet the requirements of 16 Texas Administrative Code (TAC) **§5.206(h)** [Title 40, U.S. Code of Federal Regulations (40 CFR) **§146.94**]. This section is organized into six distinct parts. The parts address the issues of (1) potentially affected infrastructure and parties, (2) definitions of degrees of severity, (3) specific events and their response plans, (4) training, (5) communications plans and notification procedures, and (6) Emergency and Remedial Response Plan review and updates. These sections aim to ensure an expeditious and appropriate response to protect any Underground Sources of Drinking Water (USDWs) and maximize the protection of the environment, surrounding community, and company property. This plan will remain in place during the construction, operation, closure, and post-closure periods of the Orchard Project.

8.2 Resources/Infrastructure in the AOR

[redacted]

Local resources (Table 8-1) may be activated to supplement Orchard Storage's response to an emergency or adverse event, if required to minimize the event's impact.

[redacted]

Figure 8-1 shows the location of the Orchard Project AOR, with existing and planned infrastructure identified.

[redacted]

[redacted]

8.3 Degree of Risk for Emergency Events

Response actions will depend on the degree of the severity of the event triggering an emergency response. Incident response will be managed via the Incident Command System (ICS) to organize, scale, and coordinate the response with third parties and communicate via a common emergency response language. Response teams will be assembled, organized, and scaled as necessary, depending on the severity of the event. At a minimum, response teams will be comprised of Orchard operations specialists and the Orchard Storage team. The team will be expanded as needed to include specialty environmental-response resources, specialty well-intervention specialists, local first responders, and Gaines County officials. All responses will be coordinated and communicated as necessary with the relevant regulatory bodies.

A risk matrix was developed to aid in identifying situations of elevated risk with the major categories summarized in Table 8-2. The risk matrix combines the severity of the consequences of a given adverse event and the likelihood that the event will occur. The severity score is weighted 40% for safety, 40% environmental, and 20% financial. The risk and severity scores are weighted into a "Total Score" for the final risk assessment; this score is then graded as shown in Table 8-3. This matrix provides a framework for mitigation efforts during emergency response planning and as an input for the financial assurance determination. The full risk matrix is provided in *Appendix F*.

[redacted]

[redacted]

Table 8-3 – Degree of Severity

Risk Assessment Score	Description
>15	Avoid to the degree possible. Mitigate through an immediate responsive action plan to reduce likelihood to an acceptable level.
10-14.9	Preventative and mitigative measures are required.
3.5-9.9	Preventative and mitigative measures are optional. Monitoring is required.
0-3.4	No preventative or mitigative measures are required. Monitor the situation.

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8.5 Training

Orchard Storage staff will attend, as a minimum, annual training associated with Health, Safety, and Environment (HSE). This training will include all the required Occupational Safety and Health Administration (OSHA) training (HAZWOPER, etc). The staff will be trained in the Incident Command Structure (ICS) to ensure efficient response to incidents. In addition, the Orchard Storage staff will be provided technical training regarding the specific properties associated with CO_2 and standard operating procedures related to CO_2 storage.

Training will be reinforced by emergency drills that create scenarios to highlight specific incident responses. These drills will be as realistic as possible and may include local county first responders. All training and emergency drills will be documented for verification.

Orchard Storage intends to implement an active outreach program with county first responders and the resident neighbors in the project storage area. Before starting CO_2 injection operations, Orchard Storage will provide a copy of this Emergency and Remedial Response Plan to local first responders and discuss potential response scenarios.

Per 16 TAC **§5.206 (h)(2)(C)**, Orchard Storage will provide training schedules, dates, and course outlines to the Commission annually and upon request.

8.6 Communications Plan and Emergency Notification Procedures

Orchard Storage intends to implement the ICS to respond to emergencies. The system, widely utilized by emergency response professionals, provides a common language and hierarchy to emergency response—a Unified Command—so that multiple agencies can effectively work together. The system can also be scaled to fit the incident.

A high-level structure for the ICS is as follows:

The chain-of-command members will be developed after the operating company has been formed and commercial agreements have been arranged. This section will then be updated to reflect the nomination of the chain-of-command members. As these positions are filled, relevant phone numbers including a phone number for the local Orchard Storage office will be provided.

Emergency response contacts are provided in Table 8-4.

[redacted]

As appropriate, Orchard Storage will communicate with the public regarding events that require an emergency response, including the impact of the event on drinking water or the severity of the event, actions taken or planned, etc.

Prior to commencing operations, Orchard Storage will develop Emergency Operating Procedures that will include:

- Procedures for requesting assistance and for follow-up action to remove the public from an area of exposure;
- Provisions for advance briefing of the public within the AOR on subjects such as the hazards and characteristic of CO_2;
- The manner in which the public will be notified of an emergency and steps to be taken in case of an emergency; and
- if necessary, proposed actions designed to minimize and respond to risks associated with potential seismic events, including seismic monitoring

8.7 Emergency and Remedial Response Plan Review and Updates

This Emergency and Remedial Response Plan will be reviewed annually to ensure its applicability. Additionally, the plan will be reviewed after any AOR reevaluation and following any significant changes to the project that would necessitate such a review.

Any amendments to this plan must be approved by the Director and incorporated into the permit. This plan will also be reviewed and submitted to the Director within one year of an AOR evaluation—following any significant changes to the facility (e.g., addition of injection or monitoring wells), change in personnel, or when required by the Director.