City of McPherson, Kansas
Board of Public Utilities

Pipeline Response Plan

as required by

Title 49
Code of Federal Regulations
Part 194

WILSON &COMPANY

December, 2012

City of McPherson, Kansas
Board of Public Utilities

Pipeline Response Plan
as required by
Title 49 Code of Federal Regulations Part 194

Prepared by:

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December 2012

File: 1240002100

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CITY OF MCPHERSON, KANSAS

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OIL PIPELINE RESPONSE PLAN

FORWARD

Response Plans for onshore oil pipeline facilities are required in accordance with current U.S. Department of Transportation (DOT) regulations contained in Title 49, Code of Federal Regulations, Part 194 (49 CFR 194). The purpose of these regulations is to reduce the environmental impact of oil discharged from onshore oil pipelines and applies to operators of onshore pipelines that, because of their location, could reasonably be expected to cause substantial harm, or significant and substantial harm to the environment by discharging oil into or on any navigable waters of the United States or adjoining shorelines.

In accordance with 49 CFR 194.101, operators of onshore oil pipeline facilities shall prepare a Response Plan and submit the Response Plan to PHMSA as provided in 49 CFR 194.119. Operators are not required to submit a Response Plan if:

1. The pipeline meets all of the following criteria: it is 6⅝ inches or less in outside nominal diameter; is 10 miles or less in length; has not experienced a release greater than 1,000 barrels within the previous five years; has not experienced at least two reportable releases within the previous five years; does not operate at a maximum pressure established under 49 CFR 195.406 that corresponds to a stress level greater than 50 percent of the specified yield strength of the pipe if the pipeline contains any electric resistance welded pipe manufactured prior to 1970; and the pipeline is not in proximity to navigable waters, public drinking water intakes, or environmentally sensitive areas.

2. The operator determines that it is unlikely that the worst case discharge from any point on the line section would adversely affect, within 12 hours of initiation of the discharge, any navigable waters, public drinking water intakes, or environmentally sensitive areas for a line section that is greater than 6⅝ inches in nominal outside diameter and is greater than 10 miles in length.

3. The operator determines that it is unlikely that the worst case discharge from any point on the line section would adversely affect, within 4 hours after initiation of discharge, any navigable waters, public drinking water intakes, or environmentally sensitive areas for a line section that is 6⅝ inches or less in nominal outside diameter and is 10 miles or less in length.

Operators that meet any of the above scenarios must still submit their Response Plan if PHMSA grants a request from the OSC to require the Operator to submit a response plan

or if the pipeline is covered by 49 CFR 149.103, Significant and Substantial Harm; Operator's Statement.

The Response Plan must be consistent with both the National Contingency Plan (NCP) (40 CFR 300) and any applicable Area Contingency Plan (ACP) and must coordinate for the necessary resources for responding to a worst case discharge or substantial threat of such a discharge to the maximum extent practicable. The Plan must also be written in English and, if applicable, in a language that is understood by the personnel responsible for carrying out the Plan. The Response Plan is required to include a core plan and appendices for each response zone with information specific to each respective response zone. The following topics are to be included:

1. Information summary,
2. Immediate notification procedures,
3. Spill detection and mitigation procedures,
4. Name, address, and telephone number of the oil spill response, if applicable,
5. Response activities and response resources,
6. Names and telephone numbers of federal, state, and local agencies which the operator expects to have pollution control responsibilities or support,
7. Training procedures,
8. Equipment testing,
9. Drill types, schedules, and procedures, and
10. Plan review and update procedures.

Each operator is required to maintain a complete copy of the Response Plan at the operator's headquarters and a complete copy is to be provided to each qualified individual. The core plan and relevant appendices shall also be maintained at each line section location whose pressure may be affected by the operation of a particular pump station, at the pump station, and any other location where response activities may be conducted.

Operators are required to review their Response Plan at least every five years from the date of submission and modify the Plan to address new or different operating conditions or information included in the Plan. If a new or different operating condition or information would substantially affect implementation of the Response Plan, the operator must immediately modify the Plan to address the change and submit the change to

PHMSA within 30 days of making such a change. Example causes of significant changes to a Response Plan include:

1. Extension of an existing pipeline or construction of a new pipeline in a response zone not covered previously;

2. Relocation or replacement of the pipeline in a way that substantially affects the information included in the Response Plan, such as a change to the worst case discharge volume;

3. Change in the type of oil transported if the required response resources are affected.

4. Changes to emergency response procedures, oil spill removal organization, qualified individual(s), NCP or ACP, or any other information relating to circumstances that may affect full implementation of the Plan.

The Operator must also resubmit the Plan to PHMSA for review every five years from the last five-year submission date. In the event that the Plan is current at the time of the required five-year resubmission, the Operator may submit a letter to PHMSA indicating that the Plan on file is current for review.

The Operator is required to submit two copies of these subsequent Plan revisions to:

Response Plans Officer
U.S. Department of Transportation
Office of Pipeline Safety
Room E22-210
1200 New Jersey Avenue, S.E.
Washington, DC 20590

The Operator shall refer to "OPID Number 38903" on all correspondence associated with this Plan.

KEY DEFINITIONS

The following are key definitions from 49 CFR 194 (unless indicated otherwise) that are used or referred to in this Response Plan.

Adverse Weather: Weather conditions considered by the operator in identifying the response systems and equipment to be deployed in accordance with a Response Plan, including wave height, ice, temperature, or visibility.

Barrel: 42 United States gallons (159 liters) at 60°F. (15.6°C.)

Breakout Tank: Tank used to relieve surges in an oil pipeline system or receive and store oil transported by a pipeline for reinjection and continued transportation by pipeline.

Contract or Other Approved Means: Written contract or other legally binding agreement between the operator and a response contractor or other spill response organization identifying and ensuring the availability of specified personnel and equipment within stipulated response times for a specified geographic area; or certification that specified equipment is owned or operated by the pipeline operator and operator personnel and equipment are available within specified response times for a specified geographic area; or active membership in a local or regional oil spill removal organization that has identified specified personnel and equipment to be available within a stipulated response time for a specified geographic area.

Environmentally Sensitive Area: Area of environmental importance which is in or adjacent to navigable waters.

Hazardous Liquid (49 CFR 195.2): Petroleum, petroleum products, or anhydrous ammonia.

Line Section: Continuous run of pipe that is contained between adjacent pressure pump stations, between a pressure pump station and a terminal or breakout tank, between a pressure pump station and block valve, or between adjacent block valves.

Maximum Extent Practicable: Limits of available technology and the practical and technical limits on a pipeline operator in planning the response resources required to provide the on-water recovery capability and the shoreline protection and cleanup capability to conduct response activities for a worst case discharge from a pipeline in adverse weather.

Navigable Waters: Waters of the United States, including the territorial sea and such waters as lakes, rivers, streams, waters which are used for recreation, and waters from which fish or shellfish are taken and sold in interstate or foreign commerce.

Oil: Oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, vegetable oil, animal oil, sludge, oil refuse, oil mixed with wastes other than dredged spoil.

Oil Spill Removal Organization: Entity that provides response resources.

On-Scene Coordinator (OSC): Federal official designated by the Administrator of the EPA or by the Commandant of the USCG to coordinate and direct federal response under Subpart D of the NCP (40 CFR 300).

Onshore Oil Pipeline Facilities: New and existing pipe, rights-of-way and any equipment, facility, or building used in the transportation of oil located in, on or under any land within the United States other than submerged land.

Operator: Person who owns or operates onshore oil pipeline facilities.

OPS: Office of Pipeline Safety, part of U.S. Department of Transportation (DOT) PHMSA.

PHMSA: Pipeline and Hazardous Materials Safety Administration under U.S. Department of Transportation (DOT) and replaces RSPA.

Pipeline: means all parts of an onshore pipeline facility through which oil moves including, but not limited to, line pipe, valves and other appurtenances connected to line pipe, pumping units, fabricated assemblies associated with pumping units, metering and delivery stations and fabricated assemblies therein, and breakout tanks.

Qualified Individual: English-speaking representative of an operator, available on a 24-hour basis, with full authority to: activate and contract with required oil spill removal organization(s); activate personnel and equipment maintained by the operator; act as liaison with the OSC; and obligate any funds required to carry out all required or directed oil response activities.

Reportable Release or Spill (49 CFR 195.50): Release of a hazardous liquid transported resulting in:

- explosion or fire not intentionally set by the operator;
- release of 5 gallons or more of hazardous liquid, except that no report is required for a release of less than 5 barrels resulting from a pipeline maintenance activity if the release is:
    - not otherwise reportable under §195;
    - did not result in pollution of any stream, river, lake, or other body of water that violated applicable water quality standards, caused a discoloration of the surface of the water or adjoining shoreline, or deposited a sludge or emulsion beneath the surface of the water or upon adjoining shorelines;

  - confined to company property or pipeline right-of-way; and
  - cleaned up promptly;
- death of any person;
- personal injury necessitating hospitalization; or
- estimated property damage, including cost of cleanup and recovery, value of lost product, and damage to the property of the operator or others, or both, exceeding $50,000.

Response Activities: the containment and removal of oil from the water and shorelines, the temporary storage and disposal of recovered oil, or the taking of other actions as necessary to minimize or mitigate damage to the environment.

Response Plan: The operator's core plan and the response zone appendices for responding, to the maximum extent practicable, to a worst case discharge of oil, or the substantial threat of such a discharge.

Response Resources: Personnel, equipment, supplies, and other resources necessary to conduct response activities.

Response Zone: Geographic area either along a length of pipeline or including multiple pipelines, containing one or more adjacent line sections, for which the operator must plan for deployment of, and provide spill response capabilities. The size of the zone is determined by the operator after considering available capability, resources, and geographic characteristics.

RSPA: Research and Special Programs Administration. No longer exists, replaced by PHMSA.

Specified Minimum Yield Strength: Minimum yield strength, expressed in pounds per square inch, prescribed by the specification under which the material is purchased from the manufacturer.

Stress Level: Level of tangential orhoop stress, usually expressed as a percentage of specified minimum yield strength.

Worst Case Discharge: Largest foreseeable discharge of oil, including discharge from fire or explosion, in adverse weather conditions as determined per §194.105. The operator determines the worst case volume for each response zone and must provide the methodology, including calculations. The worst case discharge is the largest volume, in barrels, of the following:

- The pipeline's maximum release time in hours, plus the maximum shutdown response time in hours (based on historic discharge data or in the absence of such historic data, the operator's best estimate), multiplied by the maximum flowrate expressed in barrels per hour (based on maximum daily capacity of the pipeline), plus the largest

line drainage volume after shutdown of the line section(s) in the response zone expressed in barrels; or

- The largest foreseeable discharge for the line section(s) within a response zone, expressed in barrels, based on the maximum historic discharge, if one exists, adjusted for any subsequent corrective action taken; or
- If the response zone contains one or more breakout tanks, the capacity of the single largest tank or battery of tanks within a single secondary containment system, adjusted for the capacity or size of the secondary containment system, expressed in barrels.

CERTIFICATIONS

The following pages include certifications as required by 49 CFR 194:

Page(s)	Certification Description	Regulatory Reference
viii – ix	Operator's Determination of Significant and Substantial Harm Certification	§194.103
x	Significant and Substantial Harm Determination Documentation	§194.103
xi – xii	Determination of Conditions to Exception to Requirement to Submit a Response Plan	§194.101(b)
xiii	Exception to Plan Submittal Requirements Determination Documentation	§194.101(b)
xiv	National Contingency Plan Certification	§194.107(c)
xv	Response Resource Certification	§194.115(a)
xvi	Plan Review and Amendment Form	§194.121(a)

BOARD OF PUBLIC UTILITIES
CITY OF MCPHERSON, KANSAS

PIPELINE RESPONSE PLAN

OPERATOR'S DETERMINATION OF SIGNIFICANT AND SUBSTANTIAL HARM CERTIFICATION

Pipeline Name: **NuStar EnergyPipeline** (formerly Valero Pipeline)
(BPU – Power Plant No. 2, 1128 W. Avenue A)

In accordance with 49 CFR 194.103, the above referenced pipeline consisting of one line section encompassed in one response zone may be expected to cause significant and substantial harm to the environment in the event of a discharge of oil into or on the navigable waters or adjoining shorelines based on answers to the following criteria:

1. Is the pipeline greater than 6⅝ inches in outside nominal diameter?
YES_____ NO___**X**

AND

2. Is the pipeline greater than 10 miles in length? YES_____ NO___**X**

AND

3. Does the pipeline meet *any* of the following criteria? YES_____ NO___**X**

   a. Has the pipeline experienced a release greater than 1,000 barrels within the last five years? YES_____ NO___**X**

   OR

   b. Has the pipeline experienced two or more reportable releases, as defined in 49 CFR 195.50, within the previous five years? YES_____ NO___**X**

   OR

   c. Does the pipeline contain any electric resistance welded pipe, manufactured prior to 1970, that is operated under the maximum operating pressure established under 49 CFR 195.406 that corresponds to a stress level greater than 50 percent of the specified minimum yield strength of the pipe?
YES_____ NO___**X**

OR

d. Is the pipeline located within a 5 mile radius of potentially affected public drinking water intakes and could reasonably be expected to reach public drinking water intakes? YES_____ NO___**X**

OR

e. Is the pipeline located within a 1 mile radius of potentially affected environmentally sensitive areas and could reasonably be expected to reach these areas? YES_____ NO___**X**

CONCLUSION

Can the above referenced pipeline be expected to cause significant and substantial harm based on the above criteria?

YES_____ NO___**X**

CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this determination of significant and substantial harm, 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.

Timothy S Maier — General Manager

(Signature) (Title)

Timothy S Maier — 1-25-13

(Name -please type or print) (Date)

SIGNIFICANT AND SUBSTANTIAL HARM DETERMINATION DOCUMENTATION

The following information documents completion of the preceding Significant and Substantial Harm Determination Certification for the McPherson, Kansas, Board of Public Utilities NuStar Energy Pipeline Response Plan.

1. The NuStar Energy pipeline is 4 inch steel with a nominal outside diameter of 4½ inches. Thus, the answer to Certification Question No. 1 is **NO**.

2. The NuStar Energy pipeline is 2.84 miles long. Thus, the answer to Certification Question No. 1 is **NO**.

3. The NuStar Energy pipeline does not meet any of the following criteria. Thus, the answer to Certification Question No. 3 is **NO**.
   a. The pipeline has not had a release greater than 1,000 barrels (42,000 gallons) within the last five years. Thus, the answer to Certification Question No. 3a is **NO**.
   b. The pipeline has not had two or more reportable releases (as defined per 49 CFR 195.50) within the last five years. Thus, the answer to Certification Question No. 3b is **NO**.
   c. The pipeline was installed during the 1970s as part of a line feeding from the "Derby" terminal and the 90 degree turn that crosses the highway and runs into the terminal was installed in 1989. It is not believed to contain any electric resistance welded pipe manufactured prior to 1970 nor is it believed to be operated under the maximum operating pressure per §195.406 that corresponds to a stress level greater than 50 percent of the specified minimum yield strength of the pipe. Thus, the answer to Certification Question No. 3c is **NO**.
   d. (b) (7)(F) [redacted] **O**.
   e. The nearest environmentally sensitive area from where the pipeline crosses Bull Creek is the Oxbow Wetlands near Valley Center, Kansas which is over 40 miles distant. A release would not be reasonably expected to reach the Oxbow Wetlands. Thus, the answer to Certification Question No. 3e is **NO**.

BOARD OF PUBLIC UTILITIES
CITY OF MCPHERSON, KANSAS

PIPELINE RESPONSE PLAN

DETERMINATION OF CONDITIONS TO EXCEPTION TO REQUIREMENT TO SUBMIT A RESPONSE PLAN

Pipeline Name: **NuStar Energy Pipeline** (formerly Valero Pipeline)
(BPU – Power Plant No. 2, 1128 W. Avenue A)

In accordance with 49 CFR 194.101, pipeline operators that meet the following criteria need not submit a response plan to PHMSA.

1. Is the pipeline 6⅝ inches or less in outside nominal diameter and 10 miles or less in length and do all of the following conditions apply (answer "NO" to all)?
   YES_____ NO___**X**

   a. Has the pipeline experienced a release greater than 1,000 barrels within the last five years? YES_____ NO___**X**

   b. Has the pipeline experienced two or more reportable releases, as defined in 49 CFR 195.50, within the previous five years? YES_____ NO___**X**

   c. Does the pipeline contain any electric resistance welded pipe, manufactured prior to 1970, that is operated under the maximum operating pressure established under 49 CFR 195.406 that corresponds to a stress level greater than 50 percent of the specified minimum yield strength of the pipe?
   YES_____ NO___**X**

   d. Is the pipeline in proximity to navigable waters, public drinking water intakes, or environmentally sensitive areas? YES___**X** NO_____

   OR

2. Is the pipeline greater than 6⅝ inches in outside nominal diameter and more than 10 miles in length and is it unlikely that the worst case discharge from any point in the pipeline would adversely affect, within 12 hours after initiation of the discharge, any navigable waters, public drinking water intake, or environmentally sensitive areas? YES_____ NO___**X**

   OR

3. Is the pipeline 6⅝ inches or less in outside nominal diameter and 10 miles or less in length and is it unlikely that the worst case discharge from any point in the pipeline would adversely affect, within 4 hours after the initiation of discharge, any navigable waters, public drinking water intake, or environmentally sensitive areas? YES_____ NO__**X**

4. Does the pipeline meet any of the exception criteria so that the operator need not submit a response plan? YES_____ NO__**X**

EXCEPTION TO PLAN SUBMITTAL REQUIREMENTS DETERMINATION DOCUMENTATION

The following information documents completion of the preceding Significant and Substantial Harm Determination Certification for the McPherson, Kansas, Board of Public Utilities Pipeline Response Plan.

1. The NuStar Energy pipeline is 4 inch steel with a nominal outside diameter of 4½ inches and a length of 2.84 miles. However, not all of the following conditions apply. Thus, the answer to Exception Determination Question No. 1 is **NO**.
   a. The pipeline has not had a release greater than 1,000 barrels (42,000 gallons) in the last five years. Thus, the answer to Exception Determination Question No. 1a is **NO**.
   b. The pipeline has not had two or more reportable releases (as defined per 49 CFR 195.50) within the last five years. Thus, the answer to Exception Determination Question No. 1b is **NO**.
   c. The pipeline was installed during the 1970s as part of a line feeding from a "Derby" terminal and the 90 degree turn that crosses the highway and runs into the terminal was installed in 1989. It is not believed to contain any electric resistance welded pipe manufactured prior to 1970 nor is it believed to be operated under the maximum operating pressure per §195.406 that corresponds to a stress level greater than 50 percent of the specified minimum yield strength of the pipe. Thus, the answer to Exception Determination Question No. 1c is **NO**.
   d. The pipeline crosses Bull Creek (a navigable water) at two separate locations. Thus, the answer to Exception Determination Question No. 1d is **YES**.

2. The NuStar Energy pipeline outside nominal diameter is less than 6⅝ inches and the pipeline length is less than 10 miles. Thus, the answer to Exception Determination Question No. 2 is **NO**.

3. The NuStar Energy pipeline meets the diameter and length criteria; however, the pipeline crosses Bull Creek (a navigable water) at two separate locations. Thus, it is likely that a worst-case discharge could adversely affect a navigable water within four hours of initiation of discharge. Thus, the answer to Exception Determination Question No. 3 is **NO**.

CONCLUSION

The NuStar Energy pipeline does not meet any of the exceptions per 49 CFR 194.101 and as the operator, BPU must submit 2 copies of the Plan to PHMSA as described in the Forward to this Plan. Furthermore, the answer to Exception Determination Question No. 3 shows that potential spills from the NuStar Energy pipeline pose substantial harm per 49 CFR 194.3, Applicability.

BOARD OF PUBLIC UTILITIES
CITY OF MCPHERSON, KANSAS

PIPELINE RESPONSE PLAN

NATIONAL CONTINGENCY PLAN CERTIFICATION

Pipeline Name: **NuStar Energy Pipeline** (formerly Valero Pipeline)
(BPU – Power Plant No. 2, 1128 W. Avenue A)

I certify under penalty of law that in accordance with 49 CFR 194.107(c), I have reviewed the National Contingency Plan (NCP) (40 CFR 300) and each applicable Area Contingency Plan (ACP) and that this Response Plan is consistent with the existing NCP and existing applicable ACP. The U.S. EPA Region 7 Regional Contingency Plan is the ACP and incorporates the NCP as Appendix G of the Regional Contingency Plan.

Timothy S Maier — General Manager
(Signature) (Title)

Timothy S Maier — 1-25-13
(Name -please type or print) (Date)

BOARD OF PUBLIC UTILITIES
CITY OF MCPHERSON, KANSAS

PIPELINE RESPONSE PLAN

RESPONSE RESOURCE CERTIFICATION

Pipeline Name: **NuStar Energy Pipeline** (formerly Valero Pipeline)
(BPU – Power Plant No. 2, 1128 W. Avenue A)

I certify under penalty of law that in accordance with 49 CFR 194.115(a), that the Board of Public Utilities has obtained through contract or other approved means, the necessary private personnel and equipment to respond, to the maximum extent practicable, to a worst case discharge or a substantial threat of such a discharge. The Board of Public Utilities and McPherson Fire Department are both entities of the City of McPherson municipal government and possess substantial combined internal resources. Furthermore, the City of McPherson has in place an Interlocal Agreement with the County of McPherson and a Memorandum of Understanding between National Cooperative Refinery Association (NCRA) and the City to provide fire and hazardous materials (HAZMAT) response services. Copies of these agreements are provided in Appendix A.

Timothy J Maier — (Signature)

General Manager — (Title)

Timothy S Maier — (Name -please type or print)

1-25-13 — (Date)

BOARD OF PUBLIC UTILITIES
CITY OF MCPHERSON, KANSAS

PIPELINE RESPONSE PLAN

PLAN REVIEW AND AMENDMENT FORM

Pipeline Name: **NuStar Energy Pipeline** (formerly Valero Pipeline)
(BPU – Power Plant No. 2, 1128 W. Avenue A)

As discussed in detail in the Forward to this Plan, a pipeline operator must immediately amend its Plan in the event of new or different operating conditions or information that could substantially affect the implementation of the Response Plan. At a minimum, a pipeline operator must review its Response Plan at least every five years from the date of submission and modify the Plan as necessary to ensure new or different operating conditions or information are included in the Plan.

Amendments to this Plan shall be tracked using the log provided in Appendix I. Appropriate supporting documentation may be included as necessary following the log in Appendix I.

CERTIFICATION

I certify that I have completed a review of the Pipeline Response Plan in accordance with 49 CFR 194.121(a) for the Board of Public Utilities, City of McPherson, Kansas, on the date listed below and will amend the Plan as a result.

Timothy S Maier — (Signature)

General Manager — (Title)

Timothy S Maier — (Name -please type or print)

1-25-13 — (Date)

SECTION 1.0

INFORMATION SUMMARY

1.1 Operator Information

The Operator is defined as the person who owns or operates onshore oil pipeline facilities in accordance with 49 CFR 194.5. The City of McPherson, Kansas, Board of Public Utilities (BPU) owns a (b) (7)(F) at NuStar Energy pipeline's McPherson facility located at 1152 14th Avenue (vicinity of intersection of Iron Horse Road and 14th Ave., aka Old 81 Hwy) and the pipeline between the transfer tank and BPU Power Plant No. 2. Thus, the McPherson BPU is the Operator for the pipeline system between the NuStar Energy facility and Power Plant No. 2, hereafter referred to as the NuStar Energy pipeline (formerly known as the Valero Pipeline).

Operator (Owner): City of McPherson
Board of Public Utilities
401 W. Kansas Avenue
McPherson, Kansas 67460
(620) 245-2525 (General Manager's Office)
(620) 245-2554 (after hours/weekends/holidays)

Other Key Locations:

NuStar Energy Pipeline
1152 14th Avenue
McPherson, Kansas 67460
NuStar Operations: (620) 241-2641 (land)
or (620) 245-5699 (cell)

BPU Power Plant No. 2
1128 W. Avenue A
McPherson, Kansas 67460
(620) 245-2555

1.2 Pipeline Description

NuStar Energy, L.P. acquired Valero, L.P. and this Plan has been updated throughout, replacing "Valero" with "NuStar."

The NuStar Energy pipeline consists of one (1) line section (as defined by 49 CFR 194.5) that runs from the (b) (7)(F) -owned transfer tank at the NuStar Energy's McPherson terminal to (b) (7)(F) No. 2. The pipeline consists of 2.84 miles of 4-inch single wall steel pipe and is underground, except where it is connected to equipment, pumps, or storage tanks. Any leakage from underground piping would discharge fuel oil to the subsurface. The above ground portions of the piping are of similar construction. These highly visible and

frequented areas at BPU Power Plant No. 2 are visually inspected and inspections logged once each shift and are viewed multiple times by BPU Power Plant No. 2 personnel each day. NuStar personnel perform the inspections of the transfer tank and above ground piping at the NuStar McPherson Terminal. The pipeline crosses Bull Creek at two separate locations. Corrosion protection is provided by cathodic protection with sacrificial anodes. The cathodic protection system is checked annually by a certified inspector.

The BPU-owned transfer tank at the NuStar Energy facility is normally kept with 1 foot of diesel fuel in the bottom of the tank. When the BPU Power Plant No. 2 requires No. 2 fuel oil, NuStar personnel are notified to transfer up to10,000 barrels (420,000 gallons) of fuel oil to the transfer tank. Once the transfer tank is full, it is allowed to sit for 24 hours so that any sediment will settle. Fuel is then pumped to Plant 2 at a flow rate of (b) (7) . It may take up to 25 hours to transfer 10,000 barrels. At times it is necessary to pump fuel from the facility back to the BPU-owned transfer tank located at the NuStar Energy facility. Fuel is pumped from Tank No.'s A2 and A3 to the NuStar Energy transfer tank at a rate of (b) (7)

The transfer pumps and the pipeline are checked 2 to 3 times per day for line integrity and pump vibration when transfer operations are occurring. In addition, Tanks A2 and A3, and the associated above ground pumps and piping are checked each shift as part of the documented facility inspection.

1.2.1 Map and Piping Diagram: A site plan depicting the NuStar Energy pipeline routing and including a table presenting depth to pipe between each survey station is presented in Appendix B of this Plan.

1.2.2 Material Transported: The NuStar Energy pipeline is used exclusively to transport No. 2 Diesel Fuel (fuel oil). A typical material safety data sheet (MSDS) for No. 2 Diesel is presented in Appendix C of this Plan.

1.2.3 Worst Case Discharge: The worst case discharge as determined in accordance with 49 CFR 194.105 for the NuStar Energy pipeline is (b) (7)(F) . Determination of the worst case discharge is documented in Appendix D of this Plan.

1.3 Qualified Individuals

A listing of Qualified Individuals as defined by 49 CFR 194.5 is presented on the following page.

1.4 Response Zone Description

A single (one) Response Zone encompasses the entire NuStar pipeline. The response zone is located in McPherson County, Kansas, as shown on the Site Plan referenced in Paragraph 1.2.1. The land within the response zone is essentially flat and drains to Bull

Creek. The NuStar Energy pipeline crosses Bull Creek at two locations, between Point of Intersection Stations (PISta) 61 and 62 and approximately 0.45 miles upstream between Point of Intersection Stations (PISta) 33 and 34.

The water distance from the NuStar Energy pipeline Bull Creek Cross between PISta's 61 and 62 to Dry Creek to Dry Turkey Creek to Turkey Creek and to the point where Turkey Creek flows into the Little Arkansas River is approximately 26 miles. Review of Kansas Department of Health and Environment and Kansas Water Office (b) (7)(F) [redacted].

The nearest environmentally sensitive area is the point where Turkey Creek discharges into the Little Arkansas River near Alta Mills, Kansas, based on information provided by the Kansas Department of Wildlife and Parks (KDWP) (reference, NCRA SPCC Plan dated 29 November 2004). Kansas considers the oxbow wetlands at Valley Center, Kansas, and up river along the Little Arkansas River to be environmentally sensitive; however, they are not federally-listed. No other known environmentally sensitive areas (to include areas with threatened, endangered, or species in need of conservation) are known to be located immediately downstream.

1.5 Significant and Substantial Harm

The basis for the Operator's (BPU's) determination of significant and substantial harm is presented on pages viii – x under the Certifications Section of this Plan.

Potential spills from the NuStar Energy pipeline pose substantial harm only and not significant and substantial harm.

QUALIFIED INDIVIDUALS

Position	Work Address	24-Hour Emergency Phone Number	Responsibilities:
General Manager	401 W. Kansas Avenue, McPherson, Kansas 67460	(620) 245-2555	Contracting authority, provide engineering and technical expertise.
Assistant General Manager	401 W. Kansas Avenue McPherson, Kansas 67460	(620) 245-2555	Contracting authority, provide engineering and technical expertise.
Safety Director & Environmental Compliance Officer	401 W. Kansas Avenue, McPherson, Kansas 67460	(620) 245-2555	Coordinate & ensure spill response & cleanup compliance actions.
Superintendent of Electric Production	1128 W. Avenue A, McPherson, Kansas 67460	(620) 245-2555	Implement immediate spill response actions, coordinate & supervision of employees.
Maintenance Supervisor	1128 W. Avenue A, McPherson, Kansas 67460	(620) 245-2555	Implement immediate spill response actions, coordinate and direct employee activities.
Assistant Maintenance Supervisor	1128 W. Avenue A, McPherson, Kansas 67460	(620) 245-2555	Implement immediate spill response actions, coordinate and direct employee activities.
NERC Coordinator	1128 W. Avenue A, McPherson, Kansas 67460	(620) 245-2555	Implement immediate spill response actions, coordinate and direct employee activities.

SECTION 2.0

NOTIFICATION PROCEDURES

2.1 General

These notification procedures apply to the NuStar Energy pipeline from the NuStar Energy facility to BPU Power Plant No. 2 in McPherson County, Kansas.

2.2 Checklist of Notifications

In the event of a release from the NuStar Energy pipeline, the following actions should be taken:

2.2.1 Immediate Actions

Action Required	Examples
1. Stop the product flow	Close valves, stop pumps, stop transfer
2. Warn personnel	Contact control room, identify any hazard to personnel, take appropriate safety measures including contacting emergency services, evacuation, etc. Control room contact Safety & Environmental Compliance Director or other Qualified Individual
3. Shut off any ignition sources	Stop motors, electrical devices. Extinguish any open flames. Contact Fire Department if fire hazard exists.
4. Initiate containment	Verify containment valves are closed. Arrange to construct earthen berms to prevent spill from reaching waterway. Contact Fire Department at 911. Initiate immediate containment procedures as described above to prevent spill from reaching waterway.
5. Notify National Response Center (if spill reaches or threatens to reach water)	Have facility information and preliminary description of the event available.
6. Notify Federal On-Scene Coordinator (if spill reaches or threatens to reach water)	Have facility information and preliminary description of the event available.
7. Notify KDHE (if spill threatens soil)	Have facility information and preliminary description of the event available.

2.2.2 Follow-On Actions

Actions Required		Examples
If spill reached waterway:		
1.	Determine boom location based on the distance spill is expected to travel before deployment.	Possible locations (See Figure 9.5 from the Facility Response Plan included in Appendix B of this Plan): Near eastside discharge into Bull Creek Near Avenue A South of the end of Hickory St. North of the NCRA aeration pond South of the end of Chestnut St. South of the end of Walnut St. East of the Main St. crossing Water body along old Hwy 81& Eisenhower Rd.
2.	Deploy boom, skimmers and temporary storage trailers, as appropriate	Deploy larger booms and skimmers for larger spills
3.	Evaluate need for additional response resources	Call in additional response resources
4.	Prepare for 24 hour recovery operations	Deploy lights Prepare for relief workers Prepare for meals for recovery workers
5.	Dispose of recovered product and contaminated water	Haul oil and water off-site for disposal. Verify that transfer operations are contained.
6.	Clean up shoreline and soil contamination	Remove contaminated soil to dump trucks. Test soil as required for residual contamination Decontaminate affected vegetation with detergent solution or other approved method
7.	Dispose of contaminated soil	Land farm or landfill in approved location
8.	Dispose of sorbents	Dry if possible to pass paint filter test. If not possible, prepare for transport to an approved landfill.
9.	Complete reports	Submit to contacted agencies, BPU files
If spill did not reach waterway:		
1.	Deploy collection equipment to collect spill	Deploy pumps to remove oil from bermed area. Use sorbents for minor areas of spill
2.	Transport collected oil	Haul oil and water off-site for disposal. Verify that transfer operations are contained.
3.	If soil contaminated, remove contaminated soil	Remove contaminated soil to dump trucks. Test soil as required for residual contamination Decontaminate affected vegetation with detergent solution or other approved method
4.	Dispose of contaminated soil	Land farm or landfill in approved location.

5.	Dispose of sorbents	Dry if possible to pass paint filter test. If not possible, prepare for transport to an approved landfill.
6.	Complete reports	Submit to contacted agencies, BPU files

2.2.3 Resources Required

Resource Required	Resource Availability	Location
Containment Boom: 100' would span the widest reach of Bull Creek	1- 50 foot long and 2-25' long, 6" Mini Booms	BPU Warehouse (15 minute response time)
Containment Boom:	300' boom	NCRA HAZMAT Response Trailer (<2.5 hr. response time)
Tier 1 Response – Start operations within 12 hours of event		
Skimmer: 47,250 gallons (1,125 bbls) / day effective daily recovery capacity	Skimmer: Effective daily recovery rate: 1,370 bbl./ day	NCRA HAZMAT Response Trailer (<2.5 hr. response time)
Tank trucks, capable of hauling 94,500 gallons per day.	Tank trucks, 7,000 gallons each, 4 needed to allow for filling and travel time. Use one for O/W separation.	Ellinwood Tank Service, Ellinwood, Kansas (2 hr. response time)
Tier 2 Response – Start operations within 36 hours of event		
Skimmer: 63,000 gallons (1,500 bbls) / day effective daily recovery capacity	Skimmer: (2,740 bbl. total) Effective daily recovery rate: 1,370 bbl./ day Effective daily recovery rate: 1,370 bbl./ day	NCRA HAZMAT Response Trailer (<2.5 hr. response time) Jayhawk Pipeline (NCRA subsidiary) Response Trailer (3 hr. response time)
Tank trucks, capable of hauling 126,000 gallons per day.	Tank trucks, 7,000 gallons each, 4 needed to allow for filling and travel time. Use one for O/W separation.	Ellinwood Tank Service, Ellinwood, Kansas (2 hr. response time)

Tier 3 Response – Start operations within 60 hours of event		
Skimmer: 94,500 gallons (2,250 bbls) / day effective daily recovery capacity	Skimmer: (2,740 bbl. total) Effective daily recovery rate: 1,370 bbl./ day Effective daily recovery rate: 1,370 bbl./ day	NCRA HAZMAT Response Trailer (<2.5 hr. response time) Jayhawk Pipeline (NCRA subsidiary) Response Trailer (1 hr. response time)
Tank trucks, capable of hauling 189,000 gallons per day.	Tank trucks, 7,000 gallons each, 4 needed to allow for filling and travel time. Use one for O/W separation.	Ellinwood Tank Service, Ellinwood, Kansas (2 hr. response time)
Additional resources		
Fire fighting equipment	Sufficient to respond to a fire during a worst-case discharge (See equipment lists, Sections 3 and 4)	Contact McPherson Fire Department. Fire Department will call out NCRA Fire Brigade and Rural Volunteer Fire Departments, as needed.
Sorbents, as required for spill	See Sections 3 and 4	Enrico Building Spill kits in JM 35, JM 115, Park, Refinery, and East McPherson substations. BPU warehouse
Earth moving equipment	Loaders / backhoes / dump trucks	Enrico Building BPU warehouse
Hand tools	Shovels, brooms, wheel barrows, wet/dry vacuums	PP No. 2 Warehouse Enrico Building Steam Plant Building

2.3 Response Notification

The phone list on the following page identifies the phone numbers needed to report and respond to an emergency situation. A Spill Response Notification Form is to be completed by the qualified individual supervising the clean-up operation and used to provide information to the government agencies. A blank copy of this form is in Appendix E. Completing this form should not delay reporting the incident, additional information can be provided when available.

BPU EMERGENCY TELEPHONE NUMBERS LIST

Note: Dial "9" To Get An Outside Line (Except Cell Phones)

ORGANIZATION	*PHONE NUMBERS*	
1. United States Coast Guard National Response Center (NRC)	800-424-8802 (24 hour emergency telephone number)	
2. US DOT Pipeline Hazardous Materials Safety Administration (PHMSA) - Central Region	816-329-3800	
3. Qualified Individuals:	**DAY**	**EVENING**
General Manager	620-245-2532	620-245-2554
Assistant General Manager	620-245-2533	620-245-2554
Safety Director & Environmental Compliance Officer	620-245-2524	620-245-2554
Superintendent Electric & Water Production	620-245-2555	620-245-2554
Superintendent Electric Distribution	620-245-2560	620-245-2554
Superintendent Electrical Substations	620-245-2525	620-245-2554
Superintendent Water Distribution	620-245-2560	620-245-2554
Maintenance Supervisor	620-245-2555	620-245-2554
NERC Coordinator	620-245-2555	620-245-2554
Substation Electrical Crew Chief	620-245-2560	620-245-2554
Electric Transmission & Distribution Supervisor	620-245-2560	620-245-2554
Electrical Services Supervisor	620-245-2560	620-245-2554
4. State Environmental Agency - Spill Reporting	**DAY**	**EVENING/ WEEKEND**
Kansas Department of Health and Environment (Topeka)	785-296-1679	785-296-1679
KDHE North Central District Office	785-827-9639	
5. Company or Facility Response Team		
NCRA HAZMAT Team	911 (Fire Dept. - 24 hours)	
6. Federal On-Scene Coordinator (OSC)		
EPA Region VII	913-281-0991 (24 hours)	
7. Regional Response Center (RRC)		
EPA Region VII	913-281-0991 (24 hours)	
8. Local Response Team (Fire Dept./Cooperatives)	911/620-245-2505	
9. Fire Marshal:		
State of Kansas: State Fire Marshall	785-296-3401	
City: Fire Chief, Assistant Fire Chief	620-245-2505, 911	
10. State of Kansas Emergency Response Center (ERC):		
Adjutant General	785-296-3176	
11. State Police	911	
12. McPherson County Emergency Management	620-245-1260/620-245-1266 911	

BPU EMERGENCY TELEPHONE NUMBERS LIST

Note: Dial "9" To Get An Outside Line (Except Cell Phones)

ORGANIZATION	*PHONE NUMBERS*
13. McPherson County Local Emergency Planning Committee (LEPC)	620-245-1260
14. Local Water Supply System Board of Public Utilities	 620-245-2554
15. City of McPherson Wastewater (sanitary sewer & storm sewer maintenance)	620-245-2540
16. City of McPherson Street Department	620-245-2544
17. Local Television/Radio Station for Evacuation Notification KBBE/KNGL	620-241-1504
18. Hospitals Memorial Hospital 1000 Hospital Drive McPherson, KS 67460	 620-241-2250
19. Other U.S. Fish and Wildlife Service Kansas Department of Wildlife & Parks Kansas Dig Safe (One Call) Westar Energy City of Moundridge	 785-539-3474 620-672-5911 800-344-7233 785-575-6050 620-345-8246 620-345-8800

***The County Emergency Management and the Fire Department have a designated callout procedure for all local and state authorities.**

SECTION 3.0

SPILL DETECTION AND ON-SCENE SPILL MITIGATION PROCEDURES

3.1 Discharge Detection, Mitigation, and Prevention Procedures

When BPU Power Plant No. 2 requires No. 2 fuel oil, NuStar Energy personnel are notified to transfer up to 10,000 barrels (420,000 gallons) per transfer. Once the BPU-owned transfer tank is full, it is allowed to sit for 24-hours so that any sediment can settle. Fuel is then pumped to Tank A2 and/or A3 at Plant 2 at a flow rate of (b) (7)(F), which requires approximately 25-hours to complete transfer operations.

At times it is necessary to pump fuel from Tanks A2 and/or A3 at BPU Power Plant No. 2 back to the BPU-owned transfer tank at the NuStar Energy facility (i.e., internal inspections and/or maintenance). Fuel is pumped from Tank No.'s A2 and/or A3 to the BPU-owned transfer tank at a rate of (b) (7)(F), which would require approximately 26.5 hours to transfer (b) (7) gallons.

Transfer pumps and the pipeline are checked 2 to 3 times per day for line integrity and pump vibration when transfer operations are occurring. In addition, Tanks No.'s A2 and A3 and the associated above ground pumps and piping are inspected each shift as part of the BPU Power Plant No. 2 documented facility inspection. In addition to the tank and pump inspections during operations, the BPU tank at the NuStar facility is inspected weekly and monthly by BPU personnel for compliance with the requirements of the SPCC Plan. All inspections are documented.

(b) (7)(F) [redacted]. The pipeline cathodic protection system is checked yearly by a qualified corrosion specialist.

3.2 Substantial Threat Mitigation

In accordance with 49 CFR 194.107(a), pipeline response plans must not only include procedures and a list of resources for responding, to the maximum extent practicable, to a worst-case discharge, but also to a "substantial threat" of such a discharge. Per 49 CFR 194.107(a), the term "substantial threat" is equivalent to the term "abnormal operations" as defined at 49 CFR 195.402(d).

In order to identify abnormal operations and establish procedures to mitigate the substantial threat of a worst-case discharge, 49 CFR 194.107(a) allows operators to incorporate by reference (cite appropriate sections) into their pipeline response plan, the appropriate procedures from their manual for operations, maintenance, and emergencies (prepared in accordance with 49 CFR 195.402). Thus, so as to comply with the requirement to address the "substantial threat" of a worst-case discharge (abnormal operations), BPU hereby incorporates their procedures manual titled "NuStar Pipeline Fuel Transfer & Abnormal Operations Procedures", Revised April 2012. Specifically, Section 4.0, which addresses abnormal operations procedures and responses and mitigating practices. Abnormal operations addressed in this incorporated section of the manual include pump failure, transfer and main line leaks/failures, valve leaks/failures, transfer tank failure, and fire. BPU will revise the procedures manual as new information becomes available.

3.3 Recommended Improvements

3.3.1 Flow Monitoring: The BPU should consider installation of flow indicating switches or flowmeters at each end of the NuStar Energy pipeline to provide information indicating that flow being pumped is being received. This system would provide a more timely response in the event of a pipeline failure and release.

3.3.2 Inventory Concurrence: Verify level rate changes (i.e., gallons per inch) for all three tanks (BPU-owned transfer tank at NuStar Energy facility and Tank No.'s A2 and A3). Use this information to implement a level monitoring protocol for use during transfer operations that can be used to ensure the volume indicated by tank drawdown agrees with the volume indicated by tank rise rate. A discrepancy can indicate a pipeline failure and release.

3.3.3 Inspection Frequency: Increase inspection frequency throughout the duration of each pipeline transfer operation. Frequency of the visual inspection of tanks, pumps and above grade piping should be established to compliment the recommendations in paragraphs 3.2.1 and 3.2.2. It is recommended that the entire pipeline be visually inspected during transfer operations, especially within the first hour of initiating pumping operations.

3.4 Disposal Plans

This section outlines the plans for disposal of any recovered material, oil-impacted water, or contaminated soil from a spill event. Each category of waste material will be discussed separately.

3.4.1 Recovered Product: Contaminated petroleum oils and fuel will be hauled to the NCRA refinery for disposal through the refinery reclamation system.

NCRA will not accept oils and fuels that are heavily contaminated with sludge and debris. These materials will have to be hauled to a waste oil incineration facility.

3.4.2 Contaminated Water: Recovery operations will involve removing a substantial amount of water during the attempts to recover oil on water. Normally the combined oil / water stream will be passed through a frac tank or other type of oil / water separation step to remove most of the water. The water phase will be discharged to the sanitary sewer, if the water quality is adequate for discharge. Since there is little chemical emulsification, simple gravity separation should yield adequate water quality for this approach. The oil phase would be disposed of as Recovered Product.

3.4.3 Contaminated Soil: Contaminated soil will be disposed of in accordance with applicable federal, state, and local regulations. It is anticipated that disposal of contaminated soil will be at an approved landfill. This will normally require that the soil pass both a paint filter test to ensure the absence of free liquids and the test for Characteristics of Hazardous Waste (ignitability and toxicity/TCLP). Soil will have to be stockpiled while the confirmation testing is being performed. A Special Waste Disposal Authorization (SWDA) from KDHE and acceptance from the receiving landfill will both be secured prior to disposal.

3.4.4 Contaminated Equipment: Equipment that will be reused, such as shovels, trucks, tanks, etc., will be decontaminated with appropriate detergent solutions. The wash water will be collected and treated as wastewater. Depending on levels of contamination, the wash water would normally be sent to the sanitary sewer. The POTW would determine if the washwater is acceptable within their pretreatment regulations or a KDHE permit would be obtained for disposal at an industrial waste facility.

3.4.5 Personnel Protective Equipment: This equipment would be decontaminated in accordance with the manufacturers' recommendations. Most likely this would include detergent washing and rinsing. The water from this operation would be handled similar to the Contaminated Equipment above. If the personal protective equipment is disposable, it would be discarded as a solid waste to a landfill.

3.4.6 Decontamination Solutions: Since the spill material addressed in this Pipeline Response Plan exclusively petroleum fuel oil (No. 2 diesel), the decontamination solutions are normally detergents. These solutions would be transferred to the POTW or an industrial wastewater facility.

3.4.7 Adsorbent Materials: Clay or organic type adsorbents which pass the paint filter test would be hauled to a municipal landfill in Salina or Hutchinson. Synthetic socks and pads would need to be collected and allowed to dry out, or squeezed out by some means until they will pass the paint filter test and then hauled to the same landfill. (If the socks or pads will not pass the paint filter test, they would have to be hauled to an approved hazardous waste facility under a hazardous waste manifest, at

considerable cost.) The liquids removed from the socks or pads would be disposed of with the other liquids from the response operations.

3.4.8 Spent Chemicals: It is unlikely that any chemicals, other than detergents, would be used in a response operation at this facility. If there are any, they would be disposed of in accordance with KDHE regulations.

3.5 Response Equipment

This table lists the equipment owned by the BPU which is available to respond to an emergency spill. The table is generally arranged by equipment category, with the equipment located at or closest to Power Plant No.2 listed first in each category.

A list of the emergency response equipment owned by the City of McPherson follows. The equipment provided by the NCRA HAZMAT Response Team is listed separately in Section 4 of this Plan.

BPU RESPONSE EQUIPMENT LIST

McPherson Board of Public Utilities
Emergency Response Equipment

1. Skimmers / Pumps:

Insp. Date/ Status	Qty	Description	Year	Capacity GPM	Date Fuel Changed	Location
	2	⅓ hp Submersible Pump			Electric	Plant No. 2 Maintenance Building
	1	Honda WXLS 1.5" Trash Pump	2006	60	Stored Ready	Plant No. 3 Maintenance Building
	1	½ hp Submersible Pump			Electric	Plant No. 3 Maintenance Building
	1	¼ hp Submersible Pump			Electric	Plant No. 3 Maintenance Building
	1	Honda 3" 8hp Trash Pump		130-185	Stored Ready	Warehouse
	1	Honda 3" 8hp Trash Pump	1992	56-78	Stored Ready	Warehouse

	1	CH & E 3” 5hp Diaphragm	1995	56-78	Stored Ready	Warehouse
	1	Fairmont 2.5” Hydraulic Submersible Pump	1989	90-120	Electric	Warehouse
	1	Honda 3” 9hp Trash Pump	2004	130-300	Stored Ready	Warehouse
	2	Honda 1.5” Pump	-	15-30	Stored Ready	Warehouse
	1	Gorman Rupp 3” 5 hp Diaphragm	2011	50-80	Stored Ready	Warehouse

2. Booms:

Insp. Date/ Status	Qty	Description	Year	Capacity GPM	Location
	1	Acme Super Mini Boom (50 ft)	2012		Steam Plant
	2	Acme Super Mini Boom (25 ft)	2012		Steam Plant

3. Chemicals Stored: None

4. Dispersant Dispensing Equipment: None

5. Absorbent Materials

Insp. Date/ Status	Qty	Description	Year	Absorption Capacity, gals	Location
	3	Conwed Bonded Fiber Continuous Sorbent Rolls – 100’ ea.	-		Plant No. 2 Enrico Building
	16	3” x 10’ adsorbent socks	2003	1.9 gal. each	Plant No. 2 Enrico Building
	10	10” x 10’ adsorbent socks		20 gal. each	Plant No. 2 Enrico Building
	400	16” x 21” adsorbent pads	2003	0.1 gal. oil capacity each	Plant No. 2 Enrico Building
	100	16” x 21” HAZMAT adsorbent pads		0.1 gal. oil capacity each	Plant No. 2 Enrico Building

	5	40 lb bags Clay Absorbent	2002		Plant No. 2 Enrico Building
	24	Oil Socks 3" x 10' (floaters)	2003	1.9 gal oil capacity each	Warehouse
	12	HAZMAT Socks	2007		Warehouse
	500	Oil Pads 16.5" x 20" (floaters)	-	0.1 gal oil capacity each	Warehouse
	1-5	40 lb bags Clay Absorbent	-		Warehouse
	1	25 lb Shark Oil Absorbent	2004		Warehouse
	2	Conwed Bonded Fiber Continuous Sorbent Rolls, 100'	1998		Plant No. 3 Maintenance Building
	400	16" x 21" adsorbent pads	2007	0.1 gal. oil capacity each	JM115 Substation
	200	16" x 21" adsorbent pads	2003	0.1 gal. oil capacity each	Plant No. 3 Maintenance Building
	8	3" x 10' adsorbent socks	2003	1.9 gal. each	Plant No. 3 Maintenance Building
	3	40 lb bags Clay Absorbent	1998		Plant No. 3 Maintenance Building
	1	95 Gallon Spill Kit – New Pig Corp	2003	64 gal oil capacity / kit	JM 35 Substation Building
	1	95 Gallon Spill Kit – New Pig Corp	2003	64 gal oil capacity / kit	JM 115 Substation Building
	1	95 Gallon Spill Kit – New Pig Corp	2003	64 gal oil capacity / kit	Park Substation Building
	1	95 Gallon Spill Kit – New Pig Corp	2003	64 gal oil capacity / kit	East McPherson Substation Building
	1	95 Gallon Spill Kit – New Pig Corp	2003	64 gal oil capacity / kit	Refinery Substation Building
	1	30 Gallon Spill Kit – New Pig Corp	2007	21 gal oil capacity / kit	Northview Substation
	1	30 Gallon Spill Kit – New Pig Corp	2007	21 gal oil capacity / kit	College Hill Substation
	1	30 Gallon Spill Kit – New Pig Corp	2007	21 gal oil capacity / kit	Eastmoor Substation
	1	30 Gallon Spill Kit – New Pig Corp	2007	21 gal oil capacity / kit	Moundridge Substation

6. Hand Tools:

Insp. Date/ Status	Qty	Description	Year	Location
	10	Shovels	-	Plant No. 2 Maintenance Building
	10	Shovels	-	Warehouse
	10	Shovels	1998	Plant No. 3 Maintenance Building
	10	Brooms	-	Plant No. 2 Maintenance Building
	10	Brooms	-	Warehouse
	10	Brooms	1998	Plant No. 3 Maintenance Building
	2	Wheel Barrows	-	Plant No. 2 Enrico Building
	2	Wheel Barrows	-	Warehouse
	1	Wheel Barrows	1998	Plant No. 3 Maintenance Building
	1	2 hp Wet/Dry Shop Vacuum	2006	Warehouse
	1	2 hp Wet/Dry Shop Vacuum	2007	Plant No. 2 Maintenance Building
	2	5 hp Wet/Dry Shop Vacuum	2007	Plant No. 2 Maintenance Building
	2	5 hp Wet/Dry Shop Vacuum	2004	Warehouse
	1	5 hp Wet/Dry Shop Vacuum	1998	Plant No. 3 Maintenance Building
	1	2 hp Wet/Dry Shop Vacuum	1998	Plant No. 3 Maintenance Building
	1	1.5 hp Wet/Dry Shop Vacuum – Oil Spill Only	-	Warehouse

7a. Communications Equipment - Radios:

Insp. Date/ Status	Qty	Manufacturer	Year	Frequencies, MHz	Location
		Motorola		451.050, 451.150, 456.050	All BPU trucks

7b. Communications Equipment - Cellular Phones:

Insp. Date/ Status	Name	Cell Phone Number
Cell Phone Numbers Not Listed.		

8. Fire Fighting and Personnel Protective Equipment:

Insp. Date/ Status	Qty	Description	Year	Location
	37	ABC Multipurpose Dry Chemical Extinguisher	-	Power Plant No. 2
	43*	ABC Multipurpose Dry Chemical Extinguisher	-	Warehouse
	6	ABC Multipurpose Dry Chemical Extinguisher	1998	Power Plant No. 3
Other: Disposable Coveralls, Boots, Hard Hats, Gloves, Glasses, Goggles, Respirators				

* Fire Extinguishers listed include in fixed (warehouse) and mobile (truck) units.

9a. Other Equipment – Heavy Equipment:

Insp. Date/ Status	Qty	Description	Year	Location
	1	520 JCB LOADALL	1998	Plant No. 2
	1	CAT 416 Series C Backhoe	1998	Plant No. 2
	1	JOHN DEERE 4710 4WD Tractor	2003	Plant No. 2
	1	CAT 420 Series D Backhoe	2002	Warehouse
	1	CAT 420 Series E Backhoe	2008	Warehouse
	1	CASE 660 Trencher/Backhoe	2002	Warehouse
	1	BOBCAT A300	2007	Warehouse
	2	FORD F800 Dump Truck [#954, #943]	-	Warehouse
	1	FORD LN 7000 Line Truck [#931]	1993	Warehouse
	1	GMC 4500 HD [#73]	2007	Warehouse
	1	FORD F750XL Line Truck [#31]	2004	Warehouse
	1	FORD F750 Bucket Truck [#61]	2006	Warehouse
	1	GMC C4500 Bucket Truck [#53]	2005	Warehouse
	1	INTERNATIONAL 4400 [101]	2010	Warehouse
	1	INTERNATIONAL 4400 [102]	2010	Warehouse
	1	GMC C7500 Bucket Truck [#1]	2000	Warehouse
	1	GMC 5500 Call Truck 4WD [#85]	2008	Warehouse
	1	FORD 750 Line Truck [#86]	2008	Warehouse
	1	FORD 450 Super Duty [#96]	2009	Warehouse

9b. Other Equipment – Light Duty Trucks:

Insp. Date/ Status	Qty	Description	Year	Location
	1	FORD F250 ¾TON PU [#112]	2011	Plant No. 2
	1	CHEVROLET ¾ TON PU [#23]	2003	Plant No. 2
	1	FORD F250 ¾ TON PU [#122]	2012	Plant No. 2
	1	FORD F250 ¾ TON PU [#82]	2008	Plant No. 2
	1	FORD F150 ½ TON PU [#964]	1996	Plant No. 2
	1	FORD F150 ½ TON PU [#81]	2008	Plant No. 2
	1	FORD F150 ½ TON PU [#121]	2012	Plant No. 2
	1	FORD F150 ½ TON PU [#91]	2009	Plant No. 2
	1	FORD F150 ½ TON PU [#92]	2009	Plant No. 2
	1	CHEVY IMPALA [#21]	2001	Plant No. 2
	1	CHEVROLET 3500 [#43]	2004	Warehouse
	1	FORD F150 ½ TON PU [#111]	2011	Warehouse
	1	CHEVROLET 3500 [#44]	2004	Warehouse
	1	GMC 5500 Call Truck 4WD [#85]	2008	Warehouse
	1	FORD EXPLORER 4WD [#93]	2009	Warehouse
	1	CHEVROLET 1500 4WD [#41]	2004	Warehouse
	1	FORD EXPLORER 2WD [#51]	2005	Warehouse
	1	FORD F150 ½ TON PU [#52]	2005	Warehouse
	1	FORD F150 ½ TON PU [103]	2010	Warehouse
	1	CHEVROLET ½ TON PU [#42]	2004	Office
	1	FORD EXPLORER 4WD [#62]	2006	Office
	1	FORD EXPLORER [#51]	2005	Office
	1	FORD EXPLORER 4WD [#83]	2008	Office
	1	FORD RANGER [#71]	2007	Office
	1	FORD F150 ½ TON PU [#94]	2009	Office
	1	FORD F150 ½ TON PU [#95]	2009	Office

9c. Other Equipment:

Insp. Date/ Status	Qty	Description	Year	Location
	4	Light Stand	-	Plant No. 2 Maintenance Building
	2	Light Stand	-	Warehouse
	2	Honda 6500 Watt Generators	-	Warehouse

COUNTY / CITY OF McPHERSON RESPONSE EQUIPMENT

5. Sorbents:

Qty	Description	Year	Absorption Capacity, gals	Location
10	Oil off Water booms			
10	18" x 24" Absorbent Pillows			
12	Oil Dry			
7	Sphagsorb 1 CF			
4	Sphagsorb 2 CF			
500	17" x 19" absorbent pads			

7a. Communications Equipment - Radios:

			Frequencies, MHz	
		Number	Mobile	Base
McPherson County EDACS				
		1	806.0750	851.0750
		2	806.9750	851.9750
		3	808.4500	853.4500
		4	808.7875	853.7875
		5	806.3625	851.3625
McPherson City EDACS				
		1	806.8250	851.8250
		2	807.1750	852.1750
		3	807.5750	852.5750
		4	808.0375	853.0375
		5	808.9500	853.9500
Lindsborg EDACS				
		1	806.0875	851.1875
		2	806.6750	851.6750
		3	807.2750	852.2750
		4	807.8750	852.8750
		5	808.5750	853.5750
Conventional Towers				
	1. Roxbury		807.0125	852.0125
	2. Lindsborg		806.7750	851.7750

	3. Inman		808.9875	853.9875
	4. Moundridge		807.4375	852.4375
	5. Windon		807.0125	852.0125
	6. Canton		808.9875	853.9875
	7. McPherson		806.0125	851.0125
Paging			154.400	
Weather Radio - Abilene			162.525	
Weather Radio - Ellsworth			162.400	

8. Fire Fighting and Personnel Protective Equipment:

Qty	Description	Year	Location
1	Central States Fire Truck, Water Tank – 750 gallons, 1500 gpm pump, Fog nozzle w/tri-locks, Akron foam eductor - 2950-95 gpm, 3M ATC foam (5)	1994	Fire Station
1	Central States / Freightliner, water tank - 3,000 gallons, 1250 gpm pump	1998	Fire Station
1	HME Fire Truck, Pumper, Water Tank – 750 gallons, 1500 gpm pump, 1250 gpm deck gun	2002	Fire Station
1	International Fire Truck, Pumper, Water Tank – 750 gallons, 1250 gpm pump, 1250 gpm deck gun	2006	Fire Station
1	Ford, Rescue Truck, Hazmat Response	1990	Fire Station
1	Pierce Arrow Aerial Truck, Water Tank – 300 gallons, 2000 gpm pump, 100’ aerial device	2009	Fire Station

9b. Other Equipment – Light Duty Trucks / Cars:

Qty	Description	Year	Location
1	Ford PU	2005	Fire Station
1	Ford Explorer	2005	Fire Station
1	Chevrolet Impala	2001	Fire Station
1	Chevrolet 3500 PU	2008	Fire Station
1	Chevrolet Impala	2008	Fire Station
1	HAZMAT trailer		Fire Station

3.6 Spill Management Team

BPU has established an Incident Command System (ICS) based spill management team. The organizational structure of the ICS based team is presented in the flowchart on the following page and covers the primary spill response functional areas of command, operations, planning, logistics, and finance.

The McPherson Fire Department (MFD) and BPU are both entities of the City of McPherson municipal government and as such have a seemless working relationship. The MFD is an experienced ICS user and is required to implement ICS per their Standard Operating Guidelines.

The actual response organization will typically grow from the initial response to fit the level of response necessary for a specific incident. The size and focus of the incident specific ICS organization will be dependent upon the magnitude of the incident and can be adjusted as necessary. Only positions that are required for an adequate response will be filled and the organization for each specific incident will be kept as small as possible to accomplish incident objectives and monitor progress.

3.7 Spill Management Responsibilities of Key Staff

Qualified Individuals per 49 CFR 194.5 are presented in Section 1.3. Key management team staff and assigned responsibilities of the spill management team are detailed in Appendix H.

In the event of a release, the senior Qualified Individual on-site will ensure the following tasks are performed:

A. Activate internal alarm and hazard communication systems to notify BPU personnel. The notification system is an intercom system that broadcasts throughout Power Plant No. 2. It is actuated from the Control Room or from intercom phones throughout the plant.

B. Identify any personnel injuries due to fire, explosion, or exposure and notify emergency personnel.

C. Identify the character, source, and extent of the release and direct immediate activities to mitigate the release (i.e., de-energize transfer pumps).

D. Order evacuation of the affected area(s), if warranted. Verify that all personnel are accounted for.

E. Notify BPU response personnel and fire department, as necessary, commensurate with the severity of the release. For releases requiring the fire department, the Fire Chief (or his qualified representative) will assume command upon arrival and will be responsible for subsequent notifications requesting additional support, if necessary.

Response to small spills (<100 gallons) will typically be performed internally by BPU personnel with the senior Qualified Individual on-site fulfilling the role as Incident Commander. The senior Qualified Individual on-site will request assistance from the fire department for releases:

A. Resulting in explosion or fire;

B. More than 100 gallons unless:

1) release is the result of pipeline maintenance activity and is less than 5 barrels (210 gallons);

2) does not threaten navigable waters, adjoining shorelines, or environmentally sensitive areas;

3) is confined to BPU property or pipeline right-of-way; and

4) is cleaned up promptly;

C. Personnel injury necessitating medical evacuation or death to any person; or

D. Where the need for assistance is determined by the Qualified Individual regardless of quantity released.

For releases requiring fire department response, the Fire Chief (or his designated and qualified representative) will assume the duties of Incident Commander upon arrival on-site. If deemed necessary, the Fire Chief has the authority to direct additional assistance form other agencies, as necessary, including the County and NCRA. If required to achieve the proper response, the Fire Chief can adjust from an ICS based response to a Unified Command (UC) response. As responders are demobilized and activities evolve from response towards cleanup, a BPU Qualified Individual may assume Command for remediation, disposal, and final demobilization activities.

SECTION 4.0

RESPONSE ACTIVITIES

4.1 Operating Personnel

Responsibilities and actions to be taken by operating personnel to initiate and supervise response actions pending the arrival of the qualified individual or other response resources identified in this Pipeline Response Plan are addressed in Paragraphs 2.2.1 and 2.3 of this Plan. Paragraph 2.2.1 presents required immediate actions under the checklist of notification requirements and Paragraph 2.3 presents the notification requirements.

4.2 Qualified Individuals

The qualified individuals are presented in Paragraph 1.3 of this Plan and their responsibilities and authority, including notification of the response resources identified in this Plan, are presented in Paragraph 3.6 of this Plan. Procedures for coordinating response procedures with the OSC are addressed in Section 2 of this Plan.

4.3 Oil Spill Response Organizations

The City of McPherson has in place a Memorandum of Understanding between NCRA and the City to provide hazardous materials (HAZMAT) release response services. NCRA, along with its subsidiary Jayhawk Pipeline, serve as the response organization to provide the capability to respond to a worst case discharge to the maximum extent practicable. A copy of the agreement is included in Appendix A of this Plan.

4.3.1 Equipment and Supplies Available: National Cooperative Refinery Association (NCRA) and Jayhawk Pipeline (NCRA subsidiary) HAZMAT response equipment:

1. Skimmers / Pumps:

Qty	Description	Year	Capacity Gpm	Date Fuel Changed	Location
1	Wash Pump for clean up				NCRA Spill Response Trailer
1	Skimmer		40 1,370 bbl		NCRA Spill Response Trailer
1	Duck bill skimmer		40 1,370 bbl		Jayhawk Response Trailer
1	Peristaltic Pump		22		Jayhawk Response Trailer

Qty	Description	Year	Capacity Gpm	Date Fuel Changed	Location
1	Wash Down Pump				Jayhawk Response Trailer

2. Booms:

Qty	Description	Year	Length	Contain-memt Area, SF	Location
1	Containment Boom		300		NCRA Spill Response Trailer
	4" & 6" Absorbent Booms				Jayhawk Response Trailer
1	Containment Boom		450		Jayhawk Response Trailer

5. Sorbents:

Qty	Description	Year	Absorption Capacity, gals	Location
8	Sweeps, 3M Type 126			NCRA Alon Bldg, Balcony, West Side
	Absorbents			NCRA Alon Bldg, Balcony, West Side
50-100	Bags of SpagSorb Absorbent			NCRA Spill Response Trailer
	Spag Sorb Absorbent			Jayhawk Response Trailer
	Absorbent Pads			Jayhawk Response Trailer

9a. Other Equipment – Heavy Equipment (NCRA):

Qty	Description	Year	Location
1	Winch Truck with 5th wheel and power take off pump		Heavy Equipment Shed
1	Winch Truck with 5th wheel		Heavy Equipment Shed
1	Dump Truck, 5 CY		Heavy Equipment Shed
1	Fork Lift		Heavy Equipment Shed
1	Pressure vacuum truck, 1,500 gals		East of South Warehouse
1	Bobcat skid loader		Decoker Area

Qty	Description	Year	Location
2	Scissor lift scaffolds		South Warehouse
1	Flatbed Trailer		East of South Warehouse
1	Motor Grader		Heavy Equipment Shed
1	Backhoe / Loader		Heavy Equipment Shed
1	40 Ton Crane		Heavy Equipment Shed
1	25 Ton Crane		Heavy Equipment Shed
1	7.5 Ton Crane		Heavy Equipment Shed
1	Flatbed Truck		Heavy Equipment Shed
1	Wheeled High Loader		Heavy Equipment Shed
1	Aerial Manlift, 40’		
1	Aerial Manlift, 68’		
1	Aerial Manlift, 86’		
1	Spill Response Trailer		
1	Hazmat Rescue Trailer		NCRA No. 1 Fire Station
2	Spill Response Trailer		Jayhawk - Russell, Kansas and Blue Rapids, Kansas.

9c. Other Equipment:

Qty	Description	Year	Location
3	Portable Generators / Light Towers		NCRA
1	Generator. 125 kVA		NCRA
1	Jon Boat, 16’ with 15 HP motor		NCRA Spill Response Trailer
2	Jon Boat, 16’ with 15 HP motor		Jayhawk Response Trailer
1	Generator / Cords / Lights		Jayhawk Response Trailer
1	Pipeline Finder		Jayhawk Response Trailer
	SCBAs / Airline respirators		Jayhawk Response Trailer
	Gas Detectors		Jayhawk Response Trailer
	1 ½” foam eductor / foam concentrate		Jayhawk Response Trailer

4.3.2 Personnel: In the event of a worst case discharge, the joint effort between BPU personnel, City Fire Department personnel, and NCRA/Jayhawk Pipeline personnel would ensure adequate trained personnel necessary to continue operation of the equipment and staffing of the oil spill removal operation for the first seven days of the response. Key response personnel and responsibilities are presented in Paragraphs 3.6 and 3.7 of this Plan.

SECTION 5.0

LIST OF CONTACTS

5.1 Required Contacts

Paragraphs 2.2 and 2.3 of this Plan presents a list of contacts that the operator is required to notify in the event of a release. If the spill reaches or threatens to reach water, the National Response Center (NRC) and Federal On-Scene Coordinator (OSC) are to be notified first. If the spill only threatens soil and not a navigable water, the Kansas Department of Health and Environment (KDHE) is to be notified first.

5.2 Qualified Individuals

A listing of the Qualified Individuals is presented in Paragraph 1.3 of this Plan. The spill management team and their responsibilities are presented in Paragraphs 3.6 and 3.7 of this Plan.

5.3 Insurance Representatives or Surveyors

The Qualified Individual, either directly or through the City of McPherson administration, will make contact with the applicable insurance representative(s) or surveyors.

5.4 Notification of Response Organizations

Paragraph 3.6 of this Plan lists all response personnel, including BPU, City Fire Department, County Emergency Medical Services, and others under contract (NCRA/Jayhawk Pipeline) for emergency response activities, that are to be notified for activation of response resources.

SECTION 6.0

TRAINING AND DRILL PROCEDURES

BPU Power Plant No. 2 has implemented a Facility Response Plan (FRP) dated December 2003 as required by EPA regulations. Section 8.0 of the FRP (Self-Inspection, Drills / Exercises & Response Training) is hereby incorporated in its entirety into this Pipeline Response Plan and included in Appendix F of this Plan. FRP Training and Exercise Checklists (Appendix F of the FRP) are also hereby incorporated into this Pipeline Response Plan and are included as Appendix G of this Plan.

SECTION 7.0

REVIEW AND UPDATE PROCEDURES

In accordance with 49 CFR 194.121, the BPU will review this Pipeline Response Plan at least every five (5) years from the date of its submission to the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) Office of Pipeline Safety (OPS) and modify the plan to address new or different operating conditions and/or changes to the information included in the plan. In the event that a new or different operating condition can substantially affect the implementation of this plan, the BPU will immediately modify this plan to address such change and, within 30 days of making such a change, submit the change to the PHMSA.

Examples of changes in operating conditions that would cause a significant change to this Pipeline Response Plan are:

- Extension of the existing NuStar Energy pipeline or construction by BPU of a new pipeline;
- Relocation or replacement of the NuStar Energy pipeline in a way that substantially affects the information included in this Response Plan, such as location or a change to the worst case discharge volume;
- A change in the type of oil transported by the NuStar Energy pipeline, if the change affects the required response resources;
- Change in the Oil Spill Removal Organization or emergency response procedures;
- Revision to the list of Qualified Individuals;
- A change in the EPA Region 7 Regional Integrated Contingency Plan (NCP/ACP) that has a significant impact on the equipment appropriate for response activities; and
- Changes to any other information relating to circumstances that may affect full implementation of this Plan.

BPU must also resubmit the Response Plan to PHMSA for review every five years from the last five-year submission date. In the event that the Plan is current at the time of the required five-year resubmission, BPU may submit a letter to PHMSA indicating that the Plan on file at PHMSA is current for review.

APPENDIX A

RESPONSE COOPERATIVE AGREEMENT

FIRE DEFENSE MUTUAL AID AGREEMENT

THIS FIRE DEFENSE MUTUAL AID AGREEMENT is made this 13th day of March, 1986,

BY AND BETWEEN THE CITY OF McPHERSON, KANSAS (hereafter called "City")

AND NATIONAL COOPERATIVE REFINERY ASSOCIATION, McPherson, Kansas (hereafter called "NCRA")

Acting under the authority of the City Commissioners of the City and the City Ordinances of the City, and by virtue of K.S.A. 12-111 and K.S.A. Chapter 19, Article 36, the above parties do hereby agree to assist each other in times of emergency to the extent of sending fire fighting personnel and equipment, which, in the opinion of the Fire Chief or person in charge of sending such personnel and equipment, can be spared at the time such Fire Chief or person in charge receives a call for assistance. The parties agree that they will ready their personnel and equipment and serve on a stand-by basis for assistance if so requested.

Any request for assistance shall be made by the Fire Chief or person in charge of a party's Fire Department, by the local Civil Defense Director, or by the local Civil Defense Coordinator.

The party receiving assistance shall furnish to the assisting party all supplies for the equipment, food, and housing for the personnel of such assisting party.

Whenever any personnel, equipment, or both, are sent under the terms of this Agreement by NCRA to assist the City, all such personnel and equipment shall be under the exclusive control, command, and direction of the City's Fire Chief or other person in charge of the City's Fire Department, and such NCRA personnel and equipment shall be under the employ and control of the City at all times during the rendering of such assistance to the City. All requested NCRA personnel and equipment will remain at the location requested until released by the City's Fire Chief or person in charge of the City's Fire Department.

In those instances where NCRA is assisting the City under this Agreement, the City does hereby indemnify, protect, and save harmless NCRA, its personnel, employees, agents, and representatives from and for any and all claims, demands, and liability for any loss, damage, injury, or other casualty caused or incurred by NCRA, its personnel, employees, agents, and representatives by reason of the performance and providing by NCRA of assistance to the City pursuant to this Agreement.

This Agreement shall be a continuing agreement and shall remain in full force and effect until the same is terminated by either party upon such party giving no less than thirty (30) days' written notice of such termination.

This Agreement supersedes any and all other agreements between the City and NCRA relating to the subject matter of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CITY OF McPHERSON, KANSAS

By _____
Mayor

Attest:

_____
City Clerk

"City"

NATIONAL COOPERATIVE REFINERY ASSOCIATION, McPherson, Kansas

By _____
Fred J. Pierce,
Vice President-Refining

Attest:

_____
Robert G. Hull,
Assistant Secretary

"NCRA"

National Cooperative Refinery Association

CRUDE OIL SUPPLY FIRE RESPONSE PLAN

NCRA FIRE BRIGADE/MCPHERSON FIRE DEPT.

1 SCOPE AND PURPOSE

1.1 This plan covers the notification and response of NCRA Fire Brigade and the McPherson Fire Department in the event of a fire which involve the fuel tanks or crude tank #2076 at the NCRA Crude Pipeline property located 1901 East Kansas.

1.2 McPherson Fire Department will be the sole responders to all structure fires at NCRA Crude Pipeline unless mutual aid from NCRA Fire Brigade is requested by McPherson Fire Department.

2 NOTIFICATION

2.1 If a tank fire is discovered by a NCRA Crude Pipeline Employee, he/she shall:

2.1.1 Call NCRA Refinery (241-2340 ext.333) and inform the dispatcher of the situation with the following information;

2.1.1.1 your name.

2.1.1.2 which department you are calling about (Crude Pipeline).

2.1.1.3 describe the emergency.

2.1.2 Call 911 and describe the emergency and repeat the information listed in 2.1.1 and answer all question asked by the 911 dispatcher.

2.2 If a tank fire is reported by the public, McPherson Fire Department will notify NCRA Refinery (241-2340 est.333) and inform us that they are responding and relay the information that is known.

2.3 In any event, NCRA Fire Brigade and McPherson Fire Department shall notify each other when responding to a NCRA Crude Pipeline tank fire.

3 RESPONSE (considering that McPherson Fire Department will arrive first)

3.1 If needed, McPherson Fire Department will protect exposures to the north and west (known as Road Ranger) of the hydrocarbon storage.

3.2 In the event that the exposures north and west do not need protection, McPherson Fire Department will cool the sides of the hydrocarbon tanks.

3.3 Upon arriving, NCRA Fire Brigade will provide additional exposure cooling and extinguish the fire with foam.

PREPARED BY: J. H. Wilson
Safety/Compliance Coord.

APPROVED BY: Jack Hamilton
Fire Chief
McPherson Fire Department

(signature)

F. R.Panzer
Vice President
Crude Oil Supply

(signature)

NATIONAL COOPERATIVE REFINERY ASSOCIATION

INTRA-COMPANY COMMUNICATION

DATE June 24, 1992

FROM E. R. Alexander

TO All Concerned **ATTENTION**

SUBJECT Mutual Aid Fire Protection Procedure-NCRA & McPherson Fire Department

Listed below is our procedure for mutual aid with the city of McPherson:

1. All calls from the city will come directly to our NCRA Dispatcher (emergency number 241-6611).

2. The Dispatcher will call or page the Safety person on call or one from the list below. At the direction of the Safety person, two in-town fire brigade members will be called to make the mutual aid run for the city.

   Eldon Alexander
   Dennis Schroeder
   Jim Wilson
   Larry Decker
   Jim Jones

3. The Shift Supervisor will be notified that a fire truck will be leaving the plant.

4. The truck will not leave the plant unless two men are aboard and have made radio contact with the responding Safety person.

5. A Safety person will be in charge of NCRA truck and fire brigade, and will receive orders form the City Incident Command.

6. In case of a rural fire, NCRA's fire truck will not leave the road.

If anyone has any further questions, please contact me.

/jgk

cc: All Supervisors
Dispatcher

Draft 3 dated January 6, 2003
For Discussion Purposes Only

INTERLOCAL AGREEMENT FOR OPERATION OF HAZARDOUS MATERIALS RESPONSE VEHICLE AND EQUIPMENT

This agreement entered into as of this first day of January, 2001, by and between the City of McPherson, Kansas, a municipal corporation (the "CITY") and the County of McPherson, Kansas, a political subdivision of the State of Kansas (the "COUNTY").

WHEREAS, the COUNTY and the CITY have determined that it is in the best interest of the residents of the County of McPherson and City of McPherson to have available a multipurpose emergency vehicle and equipment capable of delivering physical and personnel resources in order to provide decontamination and containment of hazardous materials incidents within the City of McPherson and County of McPherson; and

WHEREAS, it is necessary for the CITY and COUNTY to cooperate together in the operation of a hazardous materials response vehicle and equipment; and

WHEREAS, the CITY and COUNTY desire to enter into an agreement which will reflect a spirit of cooperation between their respective governing bodies, members and staff; and

WHEREAS, K.S.A. 12-2908 permits cities and counties to contract together in the exercise of governmental functions and responsibilities, within the authority of the respective contracting parties.

THEREFORE, the CITY and COUNTY have agreed as follows:

I. AUTHORITY.

Both the CITY and COUNTY have, prior to the execution of this agreement, enacted an ordinance or resolution, as applicable, approving the form of the agreement and authorizing the execution and delivery of it by the Mayor of the City and the Chairman of the Board of County Commissioners of the County.

II. COUNTY'S RESPONSIBILITIES.

The COUNTY'S responsibilities related to this agreement shall be as follows:

A. *Dispatch.* The COUNTY shall be responsible for dispatching emergency vehicles and equipment for response to hazardous materials incidents occurring within the geographical boundaries of McPherson County.

B. *Response Fee Reimbursement.* The COUNTY shall pay the CITY an annual sum of Five Thousand Dollars ($5,000.00) for hazardous material response anywhere within McPherson County, Kansas. Such sum shall be due and payable April 1 of each year of the term of this agreement.

C. *General Administration.* The COUNTY shall be responsible for the general administration of the joint hazardous materials response team, acting through the Director of Emergency Management, with the assistance of the chief of the CITY'S fire department.

D. *Cost Recovery.* The COUNTY has adopted a Cost Recovery Resolution enabling the CITY and COUNTY to recover expenses incurred in an emergency action in response to a release or threatened release of a hazardous material.

E. *Cost Recovery Billing; Collections.* The Director of Emergency Management will provide cost recovery billing services for expenses incurred by either party in an emergency action in response to a release or threatened release of a hazardous material. The Director of Emergency Management will also diligently pursue collection of such billings.

F. *Additions, Replacements and Improvements.* The COUNTY shall provide funding to the CITY for additional equipment or materials as needed to maintain needed response readiness, and the replacement of specialized commodities, equipment and training in order to improve and enhance response to hazardous materials incidents within the COUNTY as requested by the CITY and recommended by Local Emergency Planning Committee. Final approval of such expenditures must come from the governing body of the COUNTY.

G. *Training and Education.* The COUNTY will pay the CITY $10,000.00 annually to provide access to hazardous materials education consistent with state and local requirements. Such payment shall be due and payable on April 1 of each year during the term of this agreement. The Director of Emergency Management shall approve all training reimbursements for compliance with minimum levels as defined in OSHA Standard 29 CFR Part 1910. This education shall be based upon the minimum levels as defined in the OSHA Standard 29 CFR Part 1910 for the following levels of certification:

1. First Responder Awareness

2. First Responder Operations

3. Hazardous Materials Technician

III. CITY'S RESPONSIBILITIES.

The CITY's responsibilities as related to this agreement are as follows:

A. *Vehicle and Equipment.* The CITY shall provide a multipurpose emergency vehicle and equipment for response to hazardous incidents within the geographical boundaries of the COUNTY. In addition, the CITY shall secure all licenses, certifications and insurance operation of such vehicle and equipment.

B. *Oversight of Operations.* The CITY, through the McPherson Fire Department, shall provide trained personnel to have general oversight of the joint hazardous materials response team and equipment, and shall provide trained personnel to respond to any and all

hazardous materials incidents within McPherson County, Kansas, under guidelines jointly established by the COUNTY, CITY and LOCAL EMERGENCY PLANNING COMMITTEE. The designated COUNTY department shall be the Office of Emergency Management and Communications. The designated CITY department shall be the McPherson Fire Department.

C. *Vehicle Housing.* The CITY shall house the multipurpose emergency vehicle and equipment in a manner reasonably necessary for protection against inclement weather, theft or malicious damage.

D. *Maintenance.* The CITY shall provide such maintenance that will maintain the vehicle for emergency response. Maintenance shall include, but shall not be limited to the care of batteries, tires, appliances, equipment, lubrication, fuel, preventive maintenance, engine, drivetrain, transmission repairs, body repairs and periodic testing of all systems related to the vehicle.

E. *Improvements.* Additions and replacement of commodities and equipment for the provision of rescue, extrication, medical and fire fighting functions shall be funded by the CITY.

IV. MUTUAL INDEMNIFICATION.

A. *County Indemnification.* It is agreed that COUNTY shall defend, hold harmless and indemnify CITY, its officers and employees, from any and all claims for injuries or damage to persons and/or property which arise out of the terms of this agreement and which result from the negligent act or omissions of COUNTY, its officers and/or employees.

B. *City Indemnification.* It is further agreed that CITY shall defend, hold harmless and indemnify COUNTY, its officers and employees from any and all claims for injuries and/or damages to persons and/or property which arise out of the terms of this agreement and which result of the negligent acts or omissions of CITY, its officers and/or employees.

V. TERM OF AGREEMENT.

This agreement shall be for a period of five (5) calendar years commencing January 1, 2001 and shall automatically renew for an additional five (5) calendar years unless terminated by written notice to the other party on or before December 31, 2005.

VI. MISCELLANEOUS PROVISIONS.

A. *Assignment.* This agreement may not be assigned by the COUNTY or CITY for any reason without the prior written consent of the other party.

B. *Financing.* Both CITY and COUNTY represent to the other that each has sufficient funds on hand, or has the lawful ability to generate funds through the normal budget and levy process or the issuance of bonds, to allow it to fully perform this agreement at the time performance is required.

C. *Disposition of Additional Equipment Acquired.* Any equipment acquired for use by the City in its responses to hazardous materials incidents within the County shall be retained by the City at the end of the term of this agreement, and any extensions or renewals thereof.

D. *Prior Discussions Merged.* This agreement constitutes the entire agreement of the parties and may be modified only by written agreement provided by the respective governing bodies of the CITY and COUNTY.

IN WITNESS WHEREOF, the CITY and COUNTY have executed this agreement as of the day and year first above written.

CITY OF MCPHERSON, KANSAS

_____
Mayor

ATTEST:

_____
Gary L. Meagher, City Clerk

BOARD OF COUNTY COMMISSIONERS OF MCPHERSON COUNTY, KANSAS

_____
Don L. Schroeder, Chairman

ATTEST:

_____
Susan R. Meng, County Clerk

APPENDIX B

DRAWINGS

- **Map and Piping Diagram, McPherson BPU Pipeline Response Plan**

- **Possible Boom Locations (Figure 9.5 – BPU Power Plant No. 2 Facility Response Plan)**

(b) (7)(F)

(b) (7)(F)

(b) (7)(F)

APPENDIX C

TYPICAL MATERIAL SAFETY DATA SHEET (MSDS) NO. 2 DIESEL FUEL

Note: Current Typical MSDS available from supplier.

MATERIAL SAFETY DATA SHEET

Section 1 - CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

CHS Inc.
P.O. Box 64089
Mail station 525
St. Paul, MN 55164-0089

Transportation Emergency (CHEMTREC): 1-800-424-9300
Technical Information: 1-651-355-8443
MSDS Information: 1-651-355-8438

PRODUCT NAME: No. 2 Ultra Low Sulfur Diesel Fuel / Distillate

MSDS: 0201-M1A0.3 – Rev. C, 03/08/2011

COMMON NAME: #2 Diesel Fuel, #2 Distillate, Fuel Oil
Fieldmaster XL Diesel Fuel, Roadmaster XL Diesel Fuel

CHEMICAL FORMULA: Mixture

CHEMICAL NAME: Petroleum Distillate

CHEMICAL FAMILY: A mixture of paraffinic, olefinic, naphthenic and aromatic hydrocarbons.

Section 2 - COMPOSITION AND INFORMATION ON INGREDIENTS

INGREDIENTS	PERCENTAGES (by weight)	PEL (OSHA)	TLV (ACGIH)	CAS #
Diesel Fuel	99-100%	N/D	N/D	68476-34-6
Sulfur	(15 ppm)	N/D	N/D	7704-34-9

Other components: 1,2,4- Trimethylbenzene (95-63-6, <0.6%), Biphenyl (92-52-4, <0.6%), Xylene (1330-20-7, <0.2%)
Naphthalene (91-20-3, <0.2%)

(TWA) - Time Weighted Average is the employee's average airborne exposure in any 8-hour work shift of a 40-hour work week which shall not be exceeded
(STEL) - Short Term Exposure Limit is the employee's 15-minute time weighted average exposure which shall not be exceeded at any time during a work day unless another time limit is specified

Section 3 - HAZARDS IDENTIFICATION

EMERGENCY OVERVIEW

A clear, to yellow or red liquid with a hydrocarbon odor. **Danger! Harmful or Fatal If Swallowed**

OSHA Hazard Classes

Based on OSHA definitions, the following ingredients in this product are hazardous. The OSHA physical and health Hazard categories are shown below. **Note: CHS has not conducted specific toxicity tests on this product. Our hazard evaluation is based on information from similar ingredients, technical literature, and/or professional experience.**

Diesel Fuel - Combustible, toxic (moderate), target organ (Skin, Central Nervous System)

POTENTIAL HEALTH EFFECTS

ROUTES OF ENTRY: (Eye Contact, Dermal, Inhalation, Ingestion.)

ACUTE EFFECTS OF OVER EXPOSURE:

Eyes - Contact with eyes may cause irritation.

Skin - Contact with skin may cause irritation.

Inhalation - May cause respiratory tract irritation. High levels may cause headache, dizziness, nausea, vomiting in-coordination and unconsciousness.

Ingestion - May cause nausea, vomiting, cramping, diarrhea, and central nervous system depression. Pulmonary irritation form exhaling solvent and delayed signs of liver and kidney damage may also occur.

CHRONIC EFFECTS OF OVER EXPOSURE: Dermatitis from chronic exposure. Projects of similar composition (boiling ranges of 100-700; naphtha, jet fuel, diesel fuel, etc.) were tested on laboratory animals by repeatedly applying and never washing from the animal's skin. Weak to moderately positive results were found in mouse skin cancer studies, mixed and inconsistent results were found in mutagenicity studies, and negative results were found in rate teratology studies. A few studies have shown that washing the animal's skin with soap and water between treatment greatly reduces the carcinogenic skin cancer in humans. This material is not listed as a carcinogen by International Association for Research on Cancer, or Occupational Safety and Health Administration.

Prolonged exposure from inhalation of vapors may cause dizziness, weakness, weight loss, anemia, nervousness, pains in the limbs, peripheral numbness, and paresthesia. Degenerative changes in the liver and kidneys may occur after prolonged exposure to high concentrations.

The National Institute for Occupational Safety and Health (NIOSH), based on findings or carcinogenic and tumorigenic responses of mice and rats exposed to whole diesel exhaust, recommends that diesel exhaust be regarded as a "potential occupational carcinogen".
Medical Conditions Aggravated By Exposure: Conditions which have the same symptoms or effects as stated above.
Carcinogenic Potential: this material may contain ethylbenzene and naphthalene at concentrations above 0.1%. IARC has identified ethylbenzene and naphthalene as possibly carcinogenic to humans (group 2) based on laboratory animal studies. NTP has determined that exposure to diesel exhaust particulates, a complex mixture of combustion products of diesel fuel, is reasonably anticipated to be a human carcinogen.

Section 4 - FIRST AID MEASURES

EMERGENCY AND FIRST AID PROCEDURES:

Eye Contact - If material comes in contact with the eyes, immediately wash the eyes with large amounts of water for fifteen minutes, occasionally lifting the lower and upper lids. Get medical attention.

Skin Contact - If the material comes in contact with the skin, wash the contaminated skin with soap and water promptly. If the material penetrates through clothing, remove the clothing and wash the skin with soap and water promptly. If irritation persists after washing, get medical attention immediately.

Inhalation - If person breathes in large amounts of material, move the exposed person to fresh air at once. If breathing has stopped, perform artificial respiration. Keep the person warm and at rest. Get medical attention as soon as possible.

Ingestion - If material has been swallowed, do not induce vomiting. Get medical attention immediately.

Section 5 - FIRE - FIGHTING MEASURES

FLASH POINT: >125°F (>52°C) (PMCC) **AUTO IGNITION TEMP:** >494°F

FLAMMABLE LIMITS IN AIR	**LOWER**	**UPPER**
% BY VOLUME	0.6	7.5

EXTINGUISHING MEDIA: Use water spray to cool fire exposed surfaces and to protect personnel. Use foam, dry chemical or water spray (fog) to extinguish fire.

SPECIAL FIRE FIGHTING PROCEDURES: Water may be ineffective on flames, but should be used to keep fire-exposed containers cool. Water or foam sprayed into container or hot burning product could cause frothing and endanger fire fighters. Large fires, such as tank fires, should be fought with caution. If possible, pump the contents from the tank and keep adjoining structures cool with water. Avoid spreading burning liquid with water used for cooling purposes. Do not flush down public sewers. Avoid inhalation of vapors. Fire fighters should wear self-contained breathing apparatus. Combustion may produce CO, CO2, oxides of nitrogen, oxides of sulfur, and reactive hydrocarbons.

UNUSUAL FIRE AND EXPLOSION HAZARDS: Vapors are heavier than air and may travel along the ground to a source of ignition (pilot light, heater, electric motor) some distance away. Containers, drums (even empty) can explode when heat (welding, cutting, etc.) is applied.

HAZARD RATINGS:	**NFPA 704:**	Health- 0	Fire- 2	Reactivity- 0
	HMIS:	Health- 1	Fire- 2	Reactivity- 0

Section 6 - ACCIDENTAL RELEASE MEASURES

STEPS TO TAKE IF MATERIAL IS RELEASED OR SPILLED: Remove all sources of ignition. Notify emergency response personnel as appropriate. If facility or operations has an "Oil or Hazardous Substance Contingency Plan", "Spill Prevention Control & Countermeasures (SPCC) Plan" or equivalent, activate its procedures. Prohibit persons not wearing protective equipment from entering the area. Stop leak at source, contain spill to prevent spreading. Small spills can be removed with inert absorbent. Dike area of large spill to prevent runoff to sewers, streams, etc. Ventilate area. Avoid breathing vapors.

Section 7 - HANDLING AND STORAGE

HANDLING AND STORING: Transport, handle and store in accordance with OSHA Regulations 29 CFR 1910.106, and applicable D.O.T. regulation. Caution: Misuse of empty containers can be hazardous. Empty containers can be hazardous since emptied containers retain product residue (vapor, liquid, and/or solid). Cutting or welding empty containers might cause fire, explosion or toxic fumes from residues.

Section 8 - EXPOSURE CONTROL - PERSONAL PROTECTION

ENGINEERING CONTROLS: Ventilation requirements: Provide adequate local or dilution ventilation to keep vapors below permissible concentrations.

RESPIRATORY EQUIPMENT: Personnel should never enter areas of high concentrations without proper respiratory protection. If exposure limits for product or components are exceeded, NIOSH-approved resiratory protection equipment should be worn. Proper selection of respirators should be determined by adequately trained personnel, based on the contaminates, the degree of potential exposure and published respiratory protection factors. Self-contained breathing apparatus or supplied air respiratory protection required for entry into tanks, vessels, or other confined spaces containing #2 Distillate Fuel.

EYE PROTECTION: Chemical goggles or face shield where contact with liquid or mist may occur.

PROTECTIVE CLOTHING: Impervious clothing and gloves when contact with skin may occur.

OTHER (SAFETY SHOWERS, EYE WASH STATIONS, ETC.): Water should be available for flushing and washing when exposure exists. Launder soiled clothes. Discard shoes or other leather articles saturated with the material.

Section 9 - PHYSICAL AND CHEMICAL PROPERTIES

APPEARANCE: clear, yellow to red liquid

ODOR: Mild hydrocarbon odor

BOILING POINT: 309°F - 700°F

SPECIFIC GRAVITY (water=1): 0.8400 - 0.9000

VAPOR PRESSURE: <2.6 mm Hg @ 122° F

VAPOR DENSITY (air=1): >4

SOLUBLE IN WATER: Insoluble

EVAPORATION RATE (ether=1): slower

pH: N/D

Section 10 - STABILITY AND REACTIVITY

STABILITY:

STABLE **X** (At room temperature and pressure. See handling and storage section)
UNSTABLE ___

INCOMPATIBILITY -

CONDITIONS TO AVOID: Heat, flame, static electricity and other ignition sources.

MATERIALS TO AVOID: Strong oxidizing agents.

HAZARDOUS DECOMPOSITION PRODUCTS: Thermal decomposition products may include carbon monoxide, carbon dioxide, ant other petroleum decomposition products (hydrocarbons).

HAZARDOUS POLYMERIZATION: Has not been reported to occur under normal temperatures and pressures.

Section 11 - TOXICOLOGY INFORMATION

Note: CHS has not conducted specific toxicity tests on this product.

Section 12 - ECOLOGICAL INFORMATION

Note: CHS has not conducted specific ecological tests on this product.

Section 13 - DISPOSAL CONSIDERATION

WASTE DISPOSAL PROCEDURES: Place contaminated materials in a disposable container and dispose of in accordance with Local, State and Federal environmental regulations. Recycle as much of the recovered product as possible. Do not flush to drain or storm sewer or otherwise release to the environment.

Section 14 - TRANSPORTATION

DOT PROPER SHIPPING NAME: Fuel Oil #2

DOT HAZARD CLASS: Combustible Liquid

DOT IDENTIFICATION NUMBER: NA 1993

DOT EMER. RESPONSE GUIDE NO.: 128
(formerly # 27)

Proper Shipping Name-**Fuel Oil #2**; Hazard Class-**3**; UN/NA Identification #-**NA1993**; **Packing Group-III**; Placard-**Combustible Liquid**

Section 15 - REGULATORY INFORMATION

This product does not contain toxic chemicals subject to the reporting requirements of SARA Section 313 of the Emergency Planning and Community Right-To-Know Act of 1986 and of 40 CFR 372.

CAS Number	Chemical Name	Percent by Weight

SARA SECTION 311-312 HAZARD CATEGORIES (40 CFR 370.2):

FIRE: Yes **SUDDEN RELEASE OF PRESSURE:** No **REACTIVE:** No **ACUTE:** Yes **CHRONIC:** Yes

Section 16 - OTHER INFORMATION

Date: March 08, 2011 Supersedes: February 16, 2007

Reason for Issue: CAS # correction, Section 2

THE INFORMATION CONTAINED IN THIS MSDS RELATES ONLY TO THE SPECIFIC MATERIAL IDENTIFIED. IT DOES NOT COVER USE OF THAT MATERIAL IN COMBINATION WITH ANY OTHER MATERIAL OR IN ANY PARTICULAR PROCESS. IN COMPLIANCE WITH 29 C.F.R. 1910.1200(g), CHS HAS PREPARED THIS MSDS IN SEGMENTS, WITH THE INTENT THAT THOSE SEGMENTS BE READ TOGETHER AS A WHOLE WITHOUT TEXTUAL OMISSIONS OR ALTERATIONS. CHS BELIEVES THE INFORMATION CONTAINED HEREIN TO BE ACCURATE, BUT MAKES NO REPRESENTATION, GUARANTEE, OR WARRANTY, EXPRESS OR IMPLIED, ABOUT THE ACCURACY, RELIABILITY, OR COMPLETENESS OF THE INFORMATION OR ABOUT THE FITNESS OF CONTENTS HEREIN FOR EITHER GENERAL OR PARTICULAR PURPOSES. PERSONS REVIEWING THIS MSDS SHOULD MAKE THEIR OWN DETERMINATION AS TO THE MATERIAL'S SUITABILITY AND COMPLETENESS FOR USE IN THEIR PARTICULAR APPLICATIONS.

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APPENDIX D

RESPONSE ZONE APPENDIX
AND
WORST CASE DISCHARGE VOLUME DETERMINATION

D.1 General

In addition to the core plan, 49 CFR 194.107(d)(2) requires that each pipeline response plan include an appendix for each response zone listing the required information that is specific for each response zone and the worst case discharge calculations.

The NuStar Energy pipeline consists of one (1) line section that is located in one (1) response zone. Thus, the core plan for the NuStar Energy pipeline only addresses information that is specific to the response zone in which the NuStar Energy pipeline is located. Thus, the following paragraphs will provide a cross reference to the respective paragraph in the core plan that presents the required information.

D.2 Qualified Individuals

The names and respective telephone numbers of the Qualified Individuals are presented in Paragraph 1.3 of the core plan.

D.3 Notification Procedures

Notifications in the event of a release from the NuStar Energy pipeline are presented in Section 2.0 of the core plan.

D.4 Spill Detection and Mitigation Procedures

Spill detection and mitigation procedures for the NuStar Energy pipeline are presented in Section 3.0 of the core plan.

D.5 Oil Spill Response Organization

The Name and contact information for the oil spill response organization are presented in Paragraphs 4.3 and 2.3 of the core plan.

D.6 Response Activities and Resources

The trained personnel, equipment, and supplies necessary per 49 CFR 194.115 to sustain operation of the equipment and staff the oil spill removal organization and spill management team for the first seven days of the response, as well as the names and

contact information for federal, state, and local agencies are presented in Sections 2.0, 3.0, and 4.0 of the core plan.

D.7 Worst Case Discharge Volume

The method used to determine the worst case discharge volume as presented in 49 CFR 194.105(b)(1) is based on the NuStar Energy pipeline's maximum release time in hours, plus the maximum shutdown response time in hours (based on best estimate as there has not been a release incident so historic data is unavailable), multiplied by the maximum flowrate expressed in barrels per hour (based on maximum daily capacity of the pipeline), plus the largest line drainage volume after shutdown of the line section expressed in barrels.

(b) (7)(F)

[redacted]

D.8 Map

Paragraph 1.2.1 of the core plan addresses a drawing that clearly shows locations that could be impacted by a potential worst case discharge from the NuStar Energy pipeline, including potentially affected waterways and environmentally sensitive areas. The plan-

profile of the NuStar Energy pipeline is also addressed in Paragraph 1.2.1 of the core plan.

D.9 Characteristics of the Material Transported

Paragraph 1.2.2 of the core plan addresses material specific characteristics for the No. 2 diesel fuel transported by the NuStar Energy pipeline. This information includes description, physical and chemical characteristics, health and safety hazards, and initial spill handling and firefighting methods required per 29 CFR 1910.1200 and 49 CFR 172.602.

APPENDIX E

SPILL OR RELEASE INCIDENT REPORT FORM

SPILL OR RELEASE INCIDENT REPORT FORM

Spill Report Form Version 1.2.11/05/2012		DATE OF REPORT _____/_____/_____	TIME OF REPORT _____ AM / PM
NAME OF PERSON REPORTING INCIDENT		POSITION	DUN & BRADSTREET # 030616759
NAME OF BUSINESS BOARD OF PUBLIC UTILITIES		NATIONAL RESPONSE CENTER REPORT #	
		KANSAS EMERGENCY MANAGEMENT CONFIRMATION #	
TYPE OF BUSINESS MUNICIPAL UTILITY		RELEASE LOCATION (Provide address if different than business. Give directions to the spill location. Include nearest highway, road intersection, etc). _____ _____	
STREET ADDRESS PO BOX 1008, 400 EAST KANSAS AVENUE			
CITY MCPHERSON	STATE KANSAS	ZIP CODE 67460	
TELEPHONE NUMBER 620-245-2524	FAX NUMBER 620-245-2529	LATITUDE	LONGITUDE
EPA IDENTIFICATION #	STATE IDENTIFICATION #	COUNTY MCPHERSON	SECTION / TOWNSHIP / RANGE

RELEASE DATA. Complete all applicable categories. Check all boxes that apply. Provide the best available information regarding the release and its impacts. Attach any additional information necessary.

SPILL MEETING FEDERAL REPORTING REQUIREMENTS? ☐ YES ☐ NO		FACILITY STORAGE CAPACITY (See below) EQUIPMENT NO. / PRODUCT / CAPACITY
REPORT INFORMATION CONSIDERED CONFIDENTIAL? ☐ YES ☐ NO		
DATE & TIME OF RELEASE ____/____/____ _____ AM / PM	DATE & TIME OF DISCOVERY ____/____/____ _____ AM / PM	DURATION OF RELEASE (If known) _____ _____
TYPE OF INCIDENT ☐ EXPLOSION ☐ SPILL ☐ FIRE ☐ VEHICLE ACCIDENT ☐ LEAKING CONTAINER ☐ DETENTION POND RELEASE ☐ PIPE/VALVE LEAK or RUPTURE		

MATERIAL(S) RELEASED ☐ Check here if additional materials are listed on an attached page	CAS NUMBER(S) or HAZARDOUS WASTE CODE(S)	ESTIMATED QUANTITY RELEASED (Include units of measure)	PHYSICAL STATE OF RELEASE (Indicate if solid, liquid or gas)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

CHEMICAL HAZARDS RESPONSE INFORMATION SYSTEM (CHRIS Codes – Check all that apply)

☐ CLX – CHLORINE ☐ EGL – ETHYLENE GLYCOL ANTIFREEZE ☐ HCL – HYDROCHLORIC ACID

☐ MNS – MINERAL SPIRITS ☐ NSV – NAPTHA ☐ ODW – NO. 2 FUEL OIL ☐ OTB – TURBINE OIL

☐ OTF – TRANSFORMER OIL ☐ XLM – XYLENE

IMMEDIATE ACTION TAKEN (Check all that apply)

☐ CONTAINMENT ☐ DILUTION ☐ DIVERSION OF SPILL OR RELEASE TO TREATMENT

☐ DECONTAMINATION OF EQUIPMENT & PERSONNEL ☐ EVACUATION ☐ HAZARD REMOVAL

☐ MONITORING ☐ NEUTRALIZATION ☐ SYSTEM SHUTDOWN / LOCKED & TAGGED OUT-OF-SERVICE

☐ OTHER _____

☐ OTHER _____

SOURCE OF SPILL OR RELEASE (Check all that apply)

☐ CONTAINER ☐ OTHER _____

☐ PIPE OR PIPELINE

☐ SEAL

☐ TANK

☐ VALVE

FACTORS CONTRIBUTING TO SPILL OR RELEASE (Check all that apply)

☐ EQUIPMENT FAILURE

☐ OPERATOR ERROR

☐ TRAINING DEFICIENCIES

☐ OTHER _____

EXTENT SPILL OR RELEASE REACHED (Check all that apply)

HYDROLOGIC UNIT CODE AFFECTED 1130012

☐ SURFACE WATERS (List affected waters) _____

☐ DRAIN CONNECTED TO SANITARY SEWER (List affected) _____

☐ DRAIN CONNECTED TO STORM SEWER (List affected) _____

☐ DRINKING WATER SUPPLY (Include name of aquifer) _____

☐ GROUNDWATER (Include name of aquifer) _____

☐ SOILS (List affected soil types) _____

☐ AMBIENT AIR

EXTENT SPILL OR RELEASE REACHED – CONTINUED

☐ DISTANCE OF SURFACE WATER AFFECTED (Estimate length affected) _____

☐ OTHER _____

DESCRIBE THE INCIDENT – THE TYPE OF EQUIPMENT THAT WAS INVOLVED IN THE SPILL OR RELEASE, HOW THE VOLUME OF LOSS WAS DETERMINED, ALONG WITH ANY RESULTING ENVIRONMENTAL DAMAGE CAUSED BY THE SPILL OR RELEASE. IDENTIFY PERSONNEL RESPONDING TO INCIDENT.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

DESCRIBE PROCEDURES USED TO CLEANUP SPILL OR RELEASE

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

MATERIALS USED IN CLEANUP OF SPILL OR RELEASE

☐ ABSORBMENT (granular) _____ QUANTITY

☐ ABSORBMENT MAT (roll) _____ QUANTITY

☐ ABSORBENT SOCKS _____ QUANTITY

☐ ABSORBENT TOWEL (16"x 24") _____ QUANTITY

☐ SAND _____ QUANTITY

☐ SOIL _____ QUANTITY

☐ OTHER _____ QUANTITY

☐ OTHER _____ QUANTITY

TYPE OF PRODUCT OR WASTE FOR DISPOSAL (Check all that apply)

☐ SOIL ☐ MIXED

☐ LIQUID ☐ HAZARDOUS WASTE

☐ SOLID ☐ OTHER _____

QUANTITY OF PRODUCT OR WASTE FOR DISPOSAL (Check all that apply)

☐ _____ GALLONS

☐ _____ POUNDS

☐ _____ CU YARDS

☐ _____ TONS

SPECIAL WASTE DISPOSAL AUTHORIZATION SUBMISSION

☐ YES

☐ NO

☐ AUTHORIZATION #_____

☐ ATTACHED

IMPACT TO LOCALITY

☐ DEATHS: _____ (Number)

☐ INJURIES: _____ (Number)

☐ EVACUATIONS: _____ (Number)

☐ OTHER (Describe): _____

_____

_____

WAS THERE ANY DAMAGE?

☐ YES ☐ NO

DAMAGE IN DOLLARS (Approximate)

_____

ADDITIONAL INFORMATION

☐ CHECK BOX IF PICTURES OF SPILL OR RELEASE / CLEANUP ARE ATTACHED

CALLER NOTIFICATION INFORMATION					
NAME OF ENTITY	ENTITY NOTIFIED	NAME OF CONTACT PERSON	DATE	TIME	PHONE NUMBER
NATIONAL RESPONSE CENTER	☐ YES ☐ NO				800-424-8802
EPA REGION VII	☐ YES ☐ NO				913-281-0991
DOT PHMSA (Pipeline)	☐ YES ☐ NO				816-329-3800
KDHE – TOPEKA (24 hour)	☐ YES ☐ NO				785-296-1679
KDHE – SALINA	☐ YES ☐ NO				785-827-9639
KS EMERGENCY MANAGEMENT	☐ YES ☐ NO				785-296-3176
911 – FIRE	☐ YES ☐ NO				911
911 – POLICE	☐ YES ☐ NO				911
911 – EMS	☐ YES ☐ NO				911
NCRA	☐ YES ☐ NO				911
MP COUNTY EMERGENCY MANAGEMENT	☐ YES ☐ NO				620-245-1260
LEPC	☐ YES ☐ NO				620-245-1260
MEMORIAL HOSPITAL	☐ YES ☐ NO				620-241-2250

COMMENTS FROM GENERATED CALLS

_____

_____

_____

_____

_____

REPORT COMPLETED BY

_____

NAME TITLE DATE

APPENDIX F

SELF-INSPECTION, DRILLS / EXERCISES & RESPONSE TRAINING

(Section 8.0 – BPU Power Plant No. 2 Facility Response Plan)

8.0 SELF-INSPECTION, DRILLS / EXERCISES & RESPONSE TRAINING

This section describes the plans for inspections, drills and training for all response activities. It also provides checklists, report forms and log forms for each activity. The frequency of inspections is indicated in each following sections. Records of these activities must be maintained for 5 years.

8.1 Facility Self-Inspection.

The FRP regulations required that tanks, secondary containment, piping, oil-containing equipment and response equipment be inspected routinely to identify leaks and other problems and ensure that all response equipment is operational.

8.1.1 Operator Walk Through Inspections

At least once per shift, the plant maintenance operator tours the entire facility to verify there are no leaks or other problems with the systems in the plant. A checklist of tanks to be inspected and the list of items to be evaluated is included in Appendix E.

8.1.2 Tank Inspection

Once monthly, all of the fuel storage tanks, foundations and above-ground piping are inspected by the Safety Director and Environmental Compliance Officer for obvious leaks, foundation failures, and other problems. The tanks are also inspected weekly by maintenance personnel. The checklists of tanks to be inspected and the list of items to be evaluated are included in Appendix E.

8.1.3 Secondary Containment / Detention Pond Inspection

Once monthly, the tank secondary containment berms and detention ponds are inspected to verify drain valve condition, permeability, debris, available capacity and collected product or precipitation. Checklists for containment and berm inspection are located in Appendix E.

8.1.4 Response Equipment Inspection

Much of the equipment available for a spill response effort is used routinely in the course of normal operations. This equipment is maintained on a regular schedule and any problems are repaired as soon as possible.

Equipment which is not used routinely is exercised on a regular schedule to verify operational status. Equipment which is stored outdoors is exercised quarterly and equipment stored inside is exercised semi-annually. Engine-powered equipment is fueled, and operated until at operating temperature, then drained of fuel and returned to storage. Electric equipment is started to verify operation.

Spill response supplies and hand tools are inventoried annually to verify quantities on hand and location. None of the equipment or supplies has a limited shelf life. Given proper care and storage conditions, all equipment and supplies are expected to last indefinitely and periodic replacement is not necessary.

A Response Equipment Inspection and Operational Status Checklist is provided in Appendix E to record periodic readiness inspections.

8.2 Facility Drills / Exercises

The FRP regulations require that periodic readiness exercises and deployment drills be conducted to test the response plan effectiveness. It is recommended that the drills follow the guidelines stated in the National Preparedness for Response Exercise Program (PREP) Guidelines. This section outlines the PREP recommendations for the types and frequency of drills required for this facility. The BPU training program is organized to follow these guidelines.

In addition to drills for BPU, NCRA will conduct similar exercises, including some joint exercises, to comply with the FRP regulations. In addition, BPU is subject to announced or unannounced Area Exercises involving private, local, State and Federal response teams.

There are two general types of exercises recommended, internal and external exercises. Internal exercises are conducted wholly within BPU's organization. Internal exercises do not involve other members of the response community. Internal exercises include four types of exercises:

- Qualified Individual Notification exercises
- Emergency Procedures Exercises (Optional for facilities)
- Spill Management Team tabletop exercises
- Equipment deployment exercises

Qualified Individual Notification Exercise is intended to ensure that the qualified individual, or designee, can be reached in a spill response emergency to carry out the required duties. These exercises are conducted quarterly. Once per year an exercise is conducted during non-business hours.

Emergency Procedures Exercises are conducted to ensure that personnel are capable of conducting initial actions necessary to mitigate the effects of a spill. These exercises are optional for facilities. These exercises are intended to verify response procedures to a spill resulting emergency resulting from fuel or oil transfer operations.

Spill Management Team Tabletop Exercises are conducted to ensure that the response team is familiar with the FRP and is able to effectively conduct a spill response. These exercises are conducted annually. At least one exercise in the triennial cycle involves a

worst-case discharge scenario. Tabletop exercise scheduling takes into account shift changes to ensure that all personnel have participated in an exercise.

This FRP involves different types of spill management teams for different types of spills. Small spills are mitigated by BPU personnel and larger spills will involve the NCRA HAZMAT Response Team. Each team identified would be required to conduct an annual tabletop exercise.

The equipment deployment exercises are intended to verify that the equipment listed in the FRP is available and in operating conditions, and the equipment operators are familiar with its deployment and operation. The personnel that would normally operate the equipment participate in the exercise and be part of a training program on the operation of the response equipment. All response equipment is included in a maintenance program. The deployment drills are conducted annually.

Triennial Exercise of the Entire Response Plan

Every three years all components of the FRP must be exercised. The guidelines allow the individual components of the plan to be included in the various exercises staged throughout the three year period. It is not necessary to exercise all of the components of the plan in one exercise. The plan holder is responsible for ensuring that each component of the plan is exercised in the three year cycle. A Triennial Plan Core Component Checklist is included in Appendix F to maintain a record of which core components of the plan have been exercised. After the checklist is a summary describing the scope and intent of each of the core component areas. The core components of the plan include:

Organizational Design

1. Notifications
2. Staff Mobilization
3. Ability to operate within the response management system described in the plan

Operational Response

4. Discharge control
5. Assessment of discharge
6. Containment of discharge
7. Recovery of spilled material
8. Protection of sensitive areas
9. Disposal of recovered material and contaminated debris.

Response Support

10. Communications
11. Transportation

12. Personnel support
13. Equipment and maintenance support
14. Procurement
15. Documentation

In the course of the three year cycle, the following exercises would be completed:

12 Qualified Individual notifications

3 Spill Management Team tabletop exercises

3 Equipment deployment exercises

3 Unannounced exercises for any of the above exercises except QI notification.

Note that any response to an actual spill can qualify as an exercise if it is properly evaluated and documented

Documentation

The various exercises are required to be self-evaluated and self-certified. As a minimum the certification should include:

- The type of exercise
- Date and time of the exercise
- A description of the exercise
- The objectives met in the exercise
- The components of the plan exercised
- Lessons learned
- Personnel involved in each exercise

The documentation must be in writing and signed by the individual empowered by BPU to certify the exercise. Sample Internal Exercise Documentation Forms for each type of exercise are included in Appendix F. The triennial checklist will serve as a log of the exercises.

Area Exercises

The purpose of the area exercise is to evaluate the response of the entire response community in a particular area. The exercise may be planned by a government agency or by industry plan holders. An industry plan holder will not be required to participate in an area exercise more often than once in six years. There are similar exercise documentation forms for area exercises included in the PREP Guidelines. These forms would be completed by the agency or industry initiating the Area Exercise.

8.3 Response Training

FRP regulations require that Owners and operators develop a program for facility response training. The training program can be based on the USCG's Training Elements for Oil Spill Response or other approved programs.

The USCG manual is primarily directed at oil spills from vessels, but Chapters 1, 2, 3, 4, 6, and 8 relate directly to inland spills. The manual is not intended to be a "canned" training program, but rather a framework to organize and develop a training program that suits the needs of the BPU at Power Plant No. 2. The manual includes several lesson plans for training sessions that provide a framework for the training sessions provided to BPU personnel.

Another EPA document entitled, "Understanding Oil Spills and Oil Spill Response," is used to provide an overview of spill response training. Qualified Individuals also receive training in the Incident Command System / Unified Command approach to managing large spills that involve multi-agency response efforts. This training is based on a technical assistance document entitled, "Managing Responses to Oil Discharges and Hazardous Substance Releases Under the NCP," prepared by the National Response Team.

The emphasis of the BPU training program is on spill prevention and the immediate response actions required of Plant Personnel and the Spill Response Team. BPU's response approach requires facility personnel to address small spills of less than 100 gallons. For larger spills, BPU will call on the HAZMAT Response Teams from NCRA and Jayhawk Pipeline, who will direct the response effort. Once these response teams are called in, BPU personnel will assume a supporting role in the response effort.

Training logs are maintained for all training sessions and discharge prevention meetings attended by BPU personnel. Blank log forms are located in Appendix F.

The BPU response training program includes the applicable training elements for the following areas that apply to inland facilities. Each will be reviewed in detail:

- Qualified Individuals
- Spill Management Team
- Facility Personnel
- Worker Health and Safety

8.3.1 Qualified Individual Training

The Qualified Individuals are the point of contact between the Federal government and the Owner and the person that has full authority to implement response actions. The Qualified Individuals are trained to be knowledgeable in all facets of spill prevention and response.

The Qualified Individual Training will be carried out through workshops and through the periodic drills and exercises required under this Plan. The training plan will insure that the Qualified Individuals have knowledge of the following:

- EPA Region in which the facility is located
- Notification procedures in the event of a spill
- Communication systems used for notifications
- Familiarity with the materials which could be spilled at the facility, including personnel hazards, fire hazards, etc.
- Procedures to be used by facility personnel to prevent or minimize any spill reaching a waterway
- Facility personnel responsibilities and procedures to use facility equipment to mitigate a spill.
- Capabilities of the NCRA and Jayhawk Pipeline to respond to small, medium or worst-case discharge scenarios.
- The organizational structure used to manage response actions, including
    - Command and Control
    - Public Information
    - Safety
    - Liaison with government agencies
    - Planning
    - Logistics
    - Finance
- Responsibilities and duties of each response team member
- Drill and exercise program
- Post-discharge review requirements to evaluate the plan's effectiveness
- National Contingency Plan
- Available response resources identified in the FRP
- Contract and call out procedures for additional resources identified in the FRP
- OSHA requirements for worker safety
- Unified Command System
- Public Affairs
- Crisis management
- Sensitive biological areas

8.3.2 Spill Management Team Training

The spill management team staffs the organizational structure that BPU has identified to manage the response plan implementation. The team will also provide operational oversight to field response personnel. The spill management team will work directly under the Qualified Individual, or the Federal On-Scene Coordinator, if present, to carry out the response effort.

The training elements provided to the spill management team are essentially the same as the elements described above for qualified individuals with the addition of specific

knowledge of the procedures for directing the deployment and use of spill response equipment. The spill management team includes persons who are also trained as Qualified Individuals.

The training for the individual team members is tailored to the specific responsibilities assigned to the team member. Training in all areas is not required of all team members. The scope of training is narrowed for team members who will always perform the same function in the spill response management organization.

8.3.3 Facility Personnel Training

Facility personnel are trained in both spill prevention and spill response activities. The primary emphasis is on spill prevention. All employees working in areas subject to oil spills are trained annually and new employees receive spill prevention training within one week of hiring.

The spill prevention training covers all aspects of the Spill Prevention, Control and Countermeasures (SPCC) Plan for the facility. In addition, personnel assigned to facility inspections are trained in the use of the inspection checklists. Personnel responsible for oil transfer operations are trained in the procedures in place to prevent spills and leaks during these operations and the precautionary measures in place to prevent a spill from reaching the storm drain system or waterway.

The spill response training for facility personnel is primarily directed at containing discharges, notification of supervisory personnel and clean up of minor spills of less than 100 gallons. Facility supervisory personnel are trained in the notification procedures to be followed in the event of a spill, hazard evaluation, and direction of immediate response activities.

8.3.4 Worker Health and Safety Training

OSHA's Hazardous Waste Operations (HAZWOPER) Standard (29CFR1910.120) sets the basic requirements for training personnel working in facilities which handle hazardous material. This standard takes into consideration the materials handled and the potential exposure to hazardous materials. At Power Plant No. 2, worker safety issues are a more significant concern than exposure to toxic chemicals. The dangers of falling on slippery materials or accidents in the water are more likely during response operations than exposures to hazardous materials.

Generally, the field maintenance personnel who are expected to prevent spills from spreading receive Level 2 – First Responder training. The field personnel who are charged with aggressively stopping a release also receive Level 3 – Hazardous Material Technician training in those areas that apply to oil and fuel spills.

Any major cleanup operations will be under control of the HAZMAT Response Team from NCRA. These personnel will generally have Level 4 HAZMAT Specialist

training. The on-site personnel who direct the recovery effort, whether BPU personnel or NCRA personnel, will have Level 5 On-Scene Incident Commander training. All plant maintenance and maintenance operators have Level 3 Technician training. Plant operators are also trained as First Responders, Awareness Level training.

APPENDIX G

TRAINING AND EXERCISE CHECKLISTS

(Appendix F – BPU Power Plant No. 2 Facility Response Plan)

TRIENNIAL PLAN CORE COMPONENT CHECKLIST

Plan Years: 20___ to 20___

Core Component	Exercise Dates											
1. Notifications												
1.1 During Business Hours												
1.2 After Business Hours												
2. Staff Mobilization												
3. Ability to operate within the Response Management System												
3a. Unified Command												
(1) Federal Representation												
(2) State Representation												
(3) Local Representation												
(4) Responsible Party Representation												
3b. Response Management System												
(1) Operations												
(2) Planning												
(3) Logistics												
(4) Finance												
(5) Public Affairs												
(6) Legal Affairs												
4. Discharge Control												
5. Assessment												
6. Containment												
7. Recovery Operations												
7.1 Water Recovery												
7.2 Shore Based Recovery												
8. Protection												
8.1 Protective Booming												
8.2 Water Intake Protection												
8.4 Population Protection												
8.5 Bioremediation												
9. Disposal												
10. Communications												
10.1 Internal Communications												

Core Component	Exercise Dates											
10.2 External Communications												
11. Transportation												
11.1 Land Transportation												
11.2 Waterborne Transportation												
12. Personnel Support												
12.1 Management												
12.2 Berthing												
12.3 Messing												
12.4 Operational & Administrative Spaces												
12.5 Emergency Procedures												
13. Equipment Maintenance & Support												
13.1 Response Equipment												
13.2 Support Equipment												
14. Procurement												
14.1 Personnel												
14.2 Response Equipment												
14.3 Support Equipment												
15. Documentation												

Enter the date of the exercise and check all core components that were included in each exercise. All 15 Core Components must be exercised within the three-year period. See the following discussion for detailed description of each plan core component.

Retain this document for 5 years after last entry.

Facility Response Plan Core Components

The 15 core components listed below are the core components of the Facility Response Plan that must be exercised every three years. This discussion describes each of the core components in more detail.

1. Notifications: Test the notifications procedures identified in the Area Contingency Plan and the associated Responsible Party Response Plan.

2. Staff Mobilization: Demonstrate the ability to assemble the spill response organization identified in the Area Contingency Plan and associated Responsible Party Response Plan.

3. Ability to Operate Within the Response Management System Described in the Plan:

    a. **Unified Command:** Demonstrate the ability of the spill response organization to work within a unified command.

        (1) Federal Representation: Demonstrate the ability to consolidate the concerns and interests of the other members of the unified command into a unified strategic plan with tactical operations.
        (2) State Representation: Demonstrate the ability to function within the unified command structure.
        (3) Local Representation: Demonstrate the ability to function within the unified command structure.
        (4) Responsible Party Representation: Demonstrated to function within the unified command structure.

    b. **Response Management system:** Demonstrate the ability of the response organization to operate within the framework of the response management system identified in their respective plans.
        (1) Operations: Demonstrate the ability to coordinate or direct operations related to the implementation of action plans contained in the respective response and contingency plans developed by the unified command.
        (2) Planning: Demonstrate the ability to consolidate the various concerns of the members of the members of the unified command into joint planning recommendations and specific long-range strategic plans. Demonstrate the ability to develop short-range tactical plans for the operations division.
        (3) Logistics: Demonstrate the ability to provide the necessary support of both the short–term and long-term action plans.
        (4) Finance: Demonstrate the ability to document the daily expenditures of the organization and provide cost estimates for continuing operations.

(5) Public Affairs: Demonstrate the ability to form a joint information center and provide the necessary interface between the unified command and the media.
(6) Safety affairs: Demonstrate the ability to monitor all field operations and ensure compliance with safety standards.
(7) Legal Affairs: Demonstrate the ability to provide the unified command with suitable legal advice and assistance.

4. Discharge Control: Demonstrate the ability of the spill response organization to control and stop the discharge at the source.

5. Assessment: Demonstrate the ability of the spill response organization to provide an initial assessment of the discharge and provide continuing assessments of the effectiveness of the tactical operations.

6. Containment: Demonstrate the ability of the spill response organization to contain the discharge at the source or in various locations for recovery operations.

7. Recovery: Demonstrate the ability of the spill response organization to recover the discharged product.
   7.1 On-Water Recovery: Demonstrate the ability to assemble and deploy the on-water recovery resources identified in the response plans.
   7.2 Shore-Based Recovery: Demonstrate the ability to assemble and deploy the shore side cleanup resources identified in the response plans.

8. Protection: Demonstrate the ability of the spill response organization to protect the environmentally and economically sensitive areas identified in the Area Contingency Plan and the respective industry response plan.
   8.1 Protective Booming: Demonstrate the ability to assemble and deploy sufficient resources to implement the protection strategies contained in the Area Contingency Plan and the respective industry response plan.
   8.2 Dispersant Use: Demonstrate the ability to quickly evaluate the applicability of dispersant use for this incident and implement the protection strategies contained in the Area Contingency Plan and the respective industry response plan.
   8.3 In-Situ Burning: Demonstrate the ability to quickly evaluate the applicability of in-situ burning for this incident and implement a pre-approved plan from the Area Contingency Plan or develop a plan for use.
   8.4 Water Intake Protection: Demonstrate the ability to quickly identify water intakes and implement the proper protection procedures from Area Contingency Plan or develop a plan for use.
   8.5 Wildlife Recovery and Rehabilitation: Demonstrate the ability to quickly identify these resources at risk and implement the proper protection procedures from the Area Contingency Plan to develop a plan for use.
   8.6 Population Protection: Demonstrate the ability to quickly identify health hazards associated with the discharged product and the population at risk

from these hazards, and to implement the proper protection procedures from the Area Contingency Plan or develop a plan for use.

8.7 Bioremediation: Demonstrate the ability to quickly evaluate the applicability of bioremediation use for this incident, and implement a plan from the Area Contingency Plan or develop a plan for use.

9. Disposal: Demonstrate the ability of the spill response organization to dispose of the recovered material and contaminated debris.

10. Communications: Demonstrate the ability to establish an effective communications system for the spill response organization.
    - 10.1 Internal Communications: Demonstrate the ability to establish an intra-organization communication system. This encompasses communications both within the administrative elements and the field units.
    - 10.2 External Communications: Demonstrate the ability to establish communications both within the administrative elements and the field units.

11. Transportation: Demonstrate the ability to provide effective multi—mode transportation both for execution of the discharge and support functions.
    - 11.1 Transportation: Demonstrate the ability to provide effective land transportation for all elements of the response.
    - 11.2 Waterborne Transportation: Demonstrate the ability to provide effective waterborne transportation for all elements of the response.
    - 11.3 Airborne Transportation: Demonstrate the ability to provide the necessary support of all personnel associated with the response.

12. Personnel Support: Demonstrate the ability to provide the necessary support of all personnel associated with the response.
    - 12.1 Management: Demonstrate the ability to provide administrative management of all personnel involved in the response. This requirement includes the ability to move personnel into or out of the response organization with established procedures.
    - 12.2 Berthing: Demonstrate the ability to provide overnight accommodations on a continuing basis for a sustained response.
    - 12.3 Messing: Demonstrate the ability to provide suitable feeding arrangements for personnel involved with the management of the response.
    - 12.4 Operational and Administrative Spaces: Demonstrate the ability to provide suitable operational and administrative spaces for personnel involved with the management of the response.
    - 12.5 Emergency Procedures: Demonstrate the ability to provide emergency services for personnel involved in the response.

13. Equipment Maintenance and Support: Demonstrate the ability to maintain and support all equipment associated with the response.

13.1 Response Equipment: Demonstrate the ability to provide effective maintenance and support for all response equipment.

13.2 Support Equipment: Demonstrate the ability to provide effective maintenance and support for all equipment that supports the response. This requirement includes communications equipment, transportation equipment, administrative equipment, etc.

14. Procurement: Demonstrate the ability to establish an effective procurement system.

14.1 Personnel: Demonstrate the ability to procure sufficient personnel to mount and sustain an organized response. This requirement includes ensuring that all personnel have qualifications and training required for their position within the response organization.

14.2 Response Equipment: Demonstrate the ability to procure sufficient response equipment to mount and sustain an organized response.

14.3 Support Equipment: Demonstrate the ability to procure sufficient support equipment to support and sustain an organized response.

15. Documentation: Demonstrate the ability of the spill response organization to document all operational and support aspects of the response and provide detailed records of decisions and actions taken.

INTERNAL EXERCISE DOCUMENTATION FORM

Notification Exercise (Page 1/1)

1. Date Performed : _____

2. Exercise or Actual Response? _____

3. Name of facility initiating the exercise: _____

4. Name of person notified: _____

Is this person identified in the Facility Response Plan as the Qualified Individual or designee? (Yes/No) _____

5. Time initiated: _____ During or After Business Hours: _____

Time at which the Qualified Individual responded: _____

6. Method used to contact: _____

(Telephone, Pager, Radio, Other)

7. Description of the notification procedure: _____

_____

_____

_____

8. Identify which of the 15 core components of your response plan were exercised during this particular exercise: _____

_____

_____

Certifying Signature and Date: _____

Retain this form for a minimum of 5 years.

INTERNAL EXERCISE DOCUMENTATION FORM

Emergency Procedures Exercise (Optional*) (Page 1/2)

*** This exercise is offered as an optional exercise for facilities to provide an exercise that may be conducted unannounced to fulfill the internal unannounced exercise requirement.**

1. Date Performed : _____

2. Exercise or Actual Response? _____

   If an exercise, announced or unannounced? _____

3. Location of exercise: _____

4. Facility Name: _____

5. Time Started: _____

   Time Completed: _____

6. Section of the facility emergency procedures exercised (i.e., pipeline break, transfer spill, tank leak, etc.): _____

_____

_____

7. Description of exercise: _____

_____

_____

_____

_____

Emergency Procedures Exercise (continued, Page 2/2)

8. Identify which of the 15 core components of your response plan were exercised during this particular exercise: _____

_____

_____

9.

Lessons learned / Corrective Measures	Responsible Party

10. Personnel Involved in Exercise:

Certifying Signature and Date: _____

Retain this form for a minimum of 5 years.

INTERNAL EXERCISE DOCUMENTATION FORM

Spill Management Team Tabletop Exercise (Page 1/3)

1. Date Performed : _____

2. Exercise or Actual Response? _____

   If an exercise, announced or unannounced? _____

3. Location of exercise: _____

_____

4. Time Started: _____

   Time Completed: _____

5. Response Plan scenario used (check one):

   _____Average most probable discharge

   _____Maximum most probable discharge

   _____Worst-case discharge

   Size of simulated spill _____ gallons

6. Describe how the following objectives were exercised:

   a) Spill management team's knowledge of the oil-spill response plan: _____

_____

_____

_____

   b) Proper notifications: _____

_____

_____

Spill Management Team Tabletop Exercise (continued, Page 2/3)

c) Communications 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 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: _____

_____

_____

_____

7. Identify which of the 15 core components of your response plan were exercised during this particular exercise: _____

_____

_____

Spill Management Team Tabletop Exercise (continued, Page 3/3)

8. Lessons learned / Corrective Measures — Responsible Party

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

9. Personnel Involved in Exercise:

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

Certifying Signature and Date: _____

Retain this form for a minimum of 5 years.

INTERNAL EXERCISE DOCUMENTATION FORM

Equipment Deployment Exercise (Page 1/4)

1. Date Performed : _____

2. Exercise or Actual Response? _____

   If an exercise, announced or unannounced? _____

3. Location of deployment: _____

_____

4. Time Started: _____

   Time Completed: _____

5. Equipment deployed was:

   _____ BPU-Owned

   _____ Oil Spill Removal Organization-Owned

   If so, OSRO Name(s): _____

   _____ Both

6. List type and amount of all equipment (e.g., booms, skimmers, pumps, etc.) deployed and the number of support personnel employed: _____

_____

_____

_____

_____

_____

Equipment Deployment Exercise (continued, Page 2/4)

7. Describe the goals of the equipment deployment and list any Area Contingency Plan strategies tested: (Attach a sketch of the equipment deployments and booming strategies): _____

_____

_____

_____

_____

8. For deployment of facility-owned equipment, was the amount of equipment deployed at least the amount necessary to respond to the facility's average most probable spill (Small Discharge)?_____ Was the equipment deployed in its intended operating environment? _____

9. For deployment of OSRO-owned equipment, was a representative sample (at least 1000 feet of each boom type and at least one of each skimmer type) deployed? _____ 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? _____ Are all pollution response equipment involved in a comprehensive maintenance program? _____ If so, describe the program:

_____

_____

_____

Date of last equipment inspection: _____

Equipment Deployment Exercise (continued, Page 3/4)

11. Was the equipment deployed by personnel responsible for its deployment in the event of an actual spill? _____

12. Was the equipment deployed operational? If not, why not?_____

_____

_____

_____

_____

_____

13. Identify which of the 15 core components of your response plan were exercised during this particular exercise: _____

_____

_____

_____

_____

14. Lessons learned / Corrective Measures — Responsible Party

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

Equipment Deployment Exercise (continued, Page 4/4)

15. Personnel Involved in Exercise:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Certifying Signature and Date: _____

Retain this form for a minimum of 5 years.

APPENDIX H

INCIDENT COMMAND SYSTEM

ASSIGNMENTS & RESPONSIBILITIES

INCIDENT COMMAND SYSTEM (ICS) BASED SPILL MANAGEMENT TEAM

KEY MANAGEMENT TEAM STAFF AND ASSIGNED RESPONSIBILTIES

Incident Commander

- Primary: Fire Chief, City of McPherson Fire Department.
- Alternate: Asst. Fire Chief, City of McPherson Fire Department.
  - Responsible for all aspects of the response, including developing incident objectives and managing all incident operations.
  - Establish immediate priorities, especially the safety of responders, other emergency workers, bystanders, and people involved in the incident.
  - Stabilize the incident by ensuring life safety and managing resources efficiently and cost effectively.
  - Determine incident objectives and strategy to achieve the objectives.
  - Establish and monitor incident organization.
  - Approve the implementation of the written or oral Incident Action Plan.
  - Ensure adequate health and safety measures are in place.
  - Coordinate effective communication.
  - Coordinate with Environmental and Safety Officer and Liaison Officer to establish the transition point between spill response and remediation.
  - Order spill responders to demobilize upon completion of spill response activities and transfer program control to BPU personnel for completion of long-term remediation and/or repair activities.
  - Adjust the make-up of the team as necessary to fit the response needs of the specific incident. The ICS eTool located at www.osha.gov/SLTC/etools/ics may be used to assist with management and assignments.

Unified Command

- In the event that major organizations in addition to the City of McPherson entities (Fire Dept., BPU, etc.) are involved, the ICS organization may be expanded by the City's Incident Commander into a Unified Command (UC).
- The UC brings together the "Incident Commanders" of all major organizations involved in order to coordinate an effective response.
- The UC links the organizations responding to the incident and provides a forum for the organizations to make consensus decisions.
- The UC is responsible for the overall management of the incident and:
  - Directs incident activities, including development and implementation of overall objectives and strategies.
  - Shares information, maximizes the use of available resources, and enhances the efficiency of the individual organizations.
- The actual UC makeup for a specific incident will be determined on a case-by-case basis by the City's Incident Commander taking into account the specifics of the incident, determinations outlined in the existing response plan, and/or decisions reached during the initial meeting of the UC.

- Typical UC may include McPherson Fire Department, Board of Public Utilities, McPherson County Rural Fire Departments and other County resources, National Cooperative Refinery Association (NCRA) / Jayhawk Pipeline Fire Brigade and HAZMAT response, hazardous materials response contractors, and other government agencies.

Information Officer

- Primary: General Manager, City of McPherson Board of Public Utilities.
- Alternate: Asst. General Manager, City of McPherson Board of Public Utilities.
  - Develops and releases information about the incident to the news media, incident personnel, and other appropriate agencies and organizations.
  - Only one Information Officer is assigned for each incident, including incidents operating under Unified Command.

Environmental and Safety Officer

- Primary: Safety Director and Environmental Compliance Officer, City of McPherson Board of Public Utilities.
- Alternate for Safety: Fire Department Personnel as Designated by the Incident Commander.
- Alternate for Environmental: Asst. General Manager, City of McPherson Board of Public Utilities.
  - Develop and recommend measures to the Incident Commander / Unified Command for assuring personnel health and safety and to assess and/or anticipate hazardous and unsafe conditions.
  - Develops the Site Safety Plan, reviews the Incident Action Plan for safety implications, and provides timely, complete, specific, and accurate assessment of hazards and required controls.
  - Monitor workers for exposure to safety and health hazards.
  - Alter, suspend, evacuate, or terminate activities that may pose imminent safety or health danger to the workers.
  - Take appropriate action to mitigate or eliminate unsafe conditions, operations, or hazards.
  - Exercise authority to stop and prevent unsafe acts and assign safety assistants as needed.
  - Provides recommendations to establish incident priorities to protect the environment.
  - Coordinate with agencies as necessary to determine the level of remediation necessary and assume operational control of remediation activities after the IC/UC has achieved all response objectives.

Liaison Officer

- Primary: Safety Director and Environmental Compliance Officer, City of McPherson Board of Public Utilities.
- Alternate: General Manager, City of McPherson Board of Public Utilities.
  - Serves as the point of contact for assisting and coordinating activities between the Incident Commander / Unified Command and various agencies and groups.
  - Coordinate response resource needs for environmental damage assessment, restoration, and remediation with the Operations Section Chief.
  - Ensure that all required agency forms, reports and documents are completed.
  - Conduct debriefing with the Incident Commander.

Planning Chief

- Primary: Safety Director and Environmental Compliance Officer, City of McPherson Board of Public Utilities.
- Deputy: Fire Chief, City of McPherson Fire Department.
- Deputy: Superintendent of Electric Production, City of McPherson Board of Public Utilities.
  - Responsible for the collection, dissemination and use of information about the development of the incident and the status of resources.
  - Information is required to understand the current situation, predict the probable course of incident events, and prepare alternative strategies for the incident.
  - The planning section:
    - Reviews common responsibilities,
    - Collects and processes information about the incident,
    - Supervises preparation of the Incident Action Plan,
    - Reassigns out-of-service personnel already onsite to the Incident Command System positions as appropriate, and
    - Determines the need for any specialized resources.

Operations Chief

- Primary: City of McPherson Fire Department Captains:
- Assistant Operations Chiefs: City of McPherson Fire Department Lieutenants.
- City of McPherson Board of Public Utilities Supervisory Personnel:
  - Maintenance Supervisor
  - Asst. Maintenance Supervisor

- Key responsibilities of the Operations Section Chief include:
  - Activates and supervises organization elements in accordance with the Incident Action Plan and directs its execution.
  - Requests or releases resources.
  - Makes expedient changes to the Incident Action Plan, as necessary, and reports such to the Incident Commander.
  - Assemble and disassemble teams assigned to the Operations Section.

Logistics and Finance Chief

- Primary: General Manager, City of McPherson Board of Public Utilities.
- Alternate: Asst. General Manager, City of McPherson Board of Public Utilities.
  - Logistically responsible for providing facilities, services, and materials in support of the incident response.
  - Plans the organization of the logistics section based on the requirements of the specific incident.
  - Identify and supervise service and support requirements for planned and expected operations.
  - Logistically support the communications plan.
  - Coordinate and process requests for additional resources.
  - Responsible for financial and cost analysis aspects of the incident.

Admin Chief

- Primary: Asst. General Manager, City of McPherson Board of Public Utilities.
- Alternate: Safety Director and Environmental Compliance Officer, City of McPherson Board of Public Utilities.
- Responsible for administrative aspects of an incident including:
  - Gather pertinent information from briefings with agencies.
  - Maintain incident logs and reports.
  - Ensure all post-incident reports and notices are submitted.

APPENDIX I

PLAN AMENDMENT LOG AND DOCUMENTATION

BPU PIPELINE RESPONSE PLAN

PLAN REVIEW AND AMENDMENT LOG

All amendments to the BPU NuStar Energy Pipeline (formerly Valero Pipeline) Response Plan shall be tracked on this log and the revisions shall be clearly described and may be attached following this page as necessary. BPU may line out, date and initial changes in the original certified copies of the Plan or make electronic revisions and insert the updated pages. In accordance with §194.121(b), amendments made due to new or different operating conditions or information that would substantially affect the implementation of the Response Plan must be submitted to OPS within 30 days of making such a change.

Amend. No.	Reason for Amendment	Qualified Individual (signature)	Date
1	Incorporate / address comments from OPS Review Report dated 13 June 2006, copy included following this page.		05Mar07
2	Replace references to "Kaneb" with "Valero" due to acquisition of Kaneb Pipeline Partners, L.P., by Velero L.P. in July 2005		05Mar07
3	Update Appendix F to reflect drill/exercise frequency required by regulation.		05Mar07
4	Update to reflect T. Maier's new cell no.		05Mar07
5	Added review and amendment provisions		05Mar07
6	Complete Plan Review and Revisions. References to "Valero" were changed to NuStar Energy		28Dec12