ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.

September18, 2012

Mr. Robert Riemer
Houston Fuel Oil Terminal Company
1201 South Sheldon Road
Houston, TX 77015

HAND DELIVERED

Reference: Integrated Contingency Plan - Revision 22

Dear Robert,

Enclosed, please find eight (8) copies of revision pages for incorporation in your Integrated Contingency Plan and one (1) CD copy for Houston Fuel Oil Terminal Company. The September 2012 updates included here as Revision 22 have been made to your Integrated Contingency Plan as a result of the annual review required by USCG.

These updates include:

1. Page 2-2 paragraph (7): Reference has been corrected to Section 4 for notification phone numbers.
2. Page 4-3: Contact information for the Chief of Finance has been added.
3. Page 4-5: The USCG Houston-Galveston MSO telephone number has been corrected.
4. Page 5-20: Section 4: Telephone number for the USCG = 713-671-5100
5. Page 5-20 paragraph 5.3.5.k.(2): reference to the USCG/EPA jurisdictional boundary valve has been clarified.
6. Page 5-21 paragraph 5.3.5.l.(2): reference to the USCG/EPA jurisdictional boundary valve has been clarified.

Should you have any questions regarding this matter, please do not hesitate to contact me at (281) 446-7070.

Sincerely,

Desireé Westcott

Desireé D. Westcott, P. E.
Director, Technical Services

DDW/kkc
0940757.let4.doc

Attachments

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

September 17, 2012

Captain of the Port
Attn: Petty Officer Arnold
United States Coast Guard
Marine Safety Office Houston-Galveston
9640 Clinton Drive
Houston, Texas 77029

UPS GROUND
AIRBILL NUMBER
1Z07479R0397884700

Reference: Tracking No. 16610, Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revision #22

Dear Petty Officer Arnold:

Enclosed, please find a copy of Revision 22 replacement pages for Houston Fuel Oil Terminal Company's (HFOTCO's) Integrated Contingency Plan (ICP), Revision 21 that was submitted to the United States Coast Guard (USCG) on June 28, 2012. These replacement pages address your verbal comments on that plan as we discussed by telephone. Specifically, the following modifications have been made:

1. Page 2-2 paragraph (7): Reference has been corrected to Section 4 for notification phone numbers.
2. Page 4-3: Contact information for the Chief of Finance has been added.
3. Page 4-5: The USCG Houston-Galveston MSO telephone number has been corrected.
4. Page 5-20: Section 4: Telephone number for the USCG = 713-671-5100
5. Page 5-20 paragraph 5.3.5.k.(2): reference to the USCG/EPA jurisdictional boundary valve has been clarified.
6. Page 5-21 paragraph 5.3.5.l.(2): reference to the USCG/EPA jurisdictional boundary valve has been clarified.

You had also commented that the ICP is required to reference a Site Specific Health and Safety Plan as required by 33 CFR 154.1035(e)(5). Please note that the current ICP already addresses this requirement on page 5-30 in Section 5.5.3.

Should you have any questions regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott
Director, Technical Services

DDW/kkc
0940680.let2.doc

Enclosure
cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.

September 18, 2012

U.S. Environmental Protection Agency
Region VI
Superfund Division
1445 Ross Avenue, Ste. 1200
Dallas, Texas 75202-2733

UPS GROUND
AIRBILL NUMBER
1Z07479R0397529737

Reference: Tracking No. FRP-06-TX00312,
Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revision 22

Dear Sir or Madam:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. is hereby submitting two electronic copies of the entire Integrated Contingency Plan (ICP) as last updated in September 2012.

Should you have any questions regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé Westcott, P. E.
Director, Technical Services

DDW/kkc
0940757.let1.doc

Enclosure

cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.

September 18, 2012

Melanie Barber
U.S. DOT, PHMSA (Tracking No. 1215)
Pipeline Hazardous Material Safety Administration
Room E22-210
1200 New Jersey Avenue
Washington, DC 20590

UPS
AIRBILL NUMBER
1Z07479R0196485718

Reference: HFOTCO LLC
Integrated Contingency Plan Revision 22
Sequence Number 1215

Dear Melanie:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. is hereby submitting two electronic copies of the entire Integrated Contingency Plan (ICP) as last updated in September 2012.

Feel free to call me at 281-446-7070 if you have any questions.

Sincerely,

Desireé Westcott

Desireé Westcott, P. E.
Director, Technical Services

DDW/kkc
0940757.let3.doc

Enclosure
cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.

June 29, 2012

Mr. Robert Riemer
Houston Fuel Oil Terminal Company
1201 South Sheldon Road
Houston, TX 77015

UPS GROUND
AIRBILL NUMBER
1Z07479R0397540063

Reference: Integrated Contingency Plan - Revision 21

Dear Robert,

Enclosed, please find eight (8) copies of revision pages for incorporation in your Integrated Contingency Plan and one (1) CD copy for Houston Fuel Oil Terminal Company. The June 2012 updates included here as Revision 21 have been made to your Integrated Contingency Plan as a result of the annual review required by USCG.

These updates include:

- All pages to reflect new header and updated footers;
- Cover Page to reflect last revised date;
- Updated Table of Contents (pgs. i-xi),
- Distribution List to reflect updated titles (pg. viii);
- Updated General Facility Identification Information (pgs. 1-3, 1-5 to 1-9);
- Updated Section 2.0 Core Plan (pgs. 2-2 to 2-4);
- Updated Section 4.0 Annex 2 – Notification (pgs. 4-3 to 4-6);
- Updated Section 5.0 Annex 3 – Response Management System (pgs. 5-1 and 5-25);
- Updated Section 6.0 Annex 4 – Incident Documentation (pgs. 6-5 to 6-9);
- Updated Section 7.0 Annex 5 – Training and Exercises/Drills (pgs. 7-1 to 7-4);
- Updated Section 9.0 Annex 7 – Prevention (pgs. 9-2 and 9-9);
- Updated Site Location Topographic Map (Figure 1);
- Updated Site Plot Plan (Figure 2);
- Updated Site Drainage Map (Figure 3);
- Updated Emergency Evacuation Routes (Figure 4);
- Updated Response Equipment Location Map (Figure 5);
- Updated Pipeline Location Map (Figure 6);

- Site-Specific Potential Oil Discharge Sources (Tables) and Professional Engineer's Certification (Attachment B);
- Updated Record of Changes (Attachment K); and
- Accumulated Stormwater Inspection Forms to Authorize Release (Attachment L).

Should you have any questions regarding this matter, please do not hesitate to contact me at (281) 446-7070.

Sincerely,

Desireé Westcott

Desireé D. Westcott, P. E.
Director, Technical Services

DDW/kkc
0940680.let4.doc

Attachments

cc: P. Roubieu

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

June 28, 2012

Captain of the Port
United States Coast Guard
Marine Safety Office Houston-Galveston
9640 Clinton Drive
Houston, Texas 77029

Federal Express

Reference: Tracking No. 16610, Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revision #21

Dear Captain of the Port:

In accordance with 33 CFR 154.1065, Houston Fuel Oil Terminal Company (HFOTCO) has performed an annual review of the Integrated Contingency Plan (ICP) that was last issued a 5–year approval by your office on June 07, 2007. As a result of that review, two copies of the revised HFOTCO LLC ICP Plan are enclosed.

Should you have any questions regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé Westcott
Director, Technical Services

DDW/kkc
0940680.let2.doc

Enclosure
cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.

June 29, 2012

Melanie Barber
U.S. DOT, PHMSA (Tracking No. 1215)
Pipeline Hazardous Material Safety Administration
Room E22-210
1200 New Jersey Avenue
Washington, DC 20590

UPS
AIRBILL NUMBER
1Z07479R0196764087

Reference: HFOTCO LLC
Integrated Contingency Plan Revision 21
Sequence Number 1215

Dear Melanie:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. is hereby submitting two electronic copies of the entire Integrated Contingency Plan (ICP) as last updated in June 2012.

Feel free to call me at 281-446-7070 if you have any questions.

Sincerely,

Desireé Westcott

Desireé Westcott, P. E.
Director, Technical Services

DDW/kkc
0940680.let3.doc

Enclosure
cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

June 29, 2012

U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue, Ste. 1200
Dallas, Texas 75202-2733

UPS GROUND
AIRBILL NUMBER
1Z07479R0398645074

Reference: Tracking No. FRP-06-TX00312,
Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revision 21

Dear Sir or Madam:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- All pages to reflect new header and updated footers;
- Cover Page to reflect last revised date;
- Updated Table of Contents (pgs. i-xi),
- Distribution List to reflect updated titles (pg. viii);
- Updated General Facility Identification Information (pgs. 1-3, 1-5 to 1-9);
- Updated Section 2.0 Core Plan (pgs. 2-2 to 2-4);
- Updated Section 4.0 Annex 2 – Notification (pgs. 4-3 to 4-6);
- Updated Section 5.0 Annex 3 – Response Management System (pgs. 5-1 and 5-25);
- Updated Section 6.0 Annex 4 – Incident Documentation (pgs. 6-5 to 6-9);
- Updated Section 7.0 Annex 5 – Training and Exercises/Drills (pgs. 7-1 to 7-4);
- Updated Section 9.0 Annex 7 – Prevention (pgs. 9-2 and 9-9);
- Updated Site Location Topographic Map (Figure 1);
- Updated Site Plot Plan (Figure 2);
- Updated Site Drainage Map (Figure 3);
- Updated Emergency Evacuation Routes (Figure 4);
- Updated Response Equipment Location Map (Figure 5);
- Updated Pipeline Location Map (Figure 6);

- Site-Specific Potential Oil Discharge Sources (Tables) and Professional Engineer's Certification (Attachment B);
- Updated Record of Changes (Attachment K); and
- Accumulated Stormwater Inspection Forms to Authorize Release (Attachment L).

One copy of revised pages and one electronic copy are enclosed herein for insertion into your copy of the HFOTCO LLC ICP.

Should you have any questions regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé Westcott, P. E.
Director, Technical Services

DDW/kkc
0940680.let1.doc

Enclosure

cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

May 19, 2010

Mr. Robert Riemer
Houston Fuel Oil Terminal Company
1201 South Sheldon Road
Houston, TX 77015

Reference: Integrated Contingency Plan - Revision 20

Dear Robert,

Enclosed, please find seven (7) copies of revision pages for incorporation in your Integrated Contingency Plan and one (1) CD copy for Houston Fuel Oil Terminal Company. The May 2010 updates included here as Revision 20 have been made to your Integrated Contingency Plan as a result of the annual review required by USCG.

These updates include:

- Cover Page to reflect last revised date;
- RSPA removed or replaced with PHMSA (Required Compliance Actions pg. 1, v, vii, xi, 1-7, 2-1, 4-1, 4-2, 7-6, 7-7, 10-1 through 10-8);
- Updated US DOT PHMSA and USCG addresses (viii);
- Updated Response Management System (pg. 2-5);
- Updated Personnel names, titles, assigned roles, and telephone numbers (pg. 4-3);
- Updated Outside Emergency Response Contractors (pg. 4-4);
- Updated titles (pg. 5-2, 5-3, 5-4, 5-5, 5-24, 5-29);
- Updated Employee Response Personnel Training Positions (pgs. 7-7 and 7-8);
- Updated Site Drainage Maps (Figure 3);
- Replaced revised Accident Report-Hazardous Liquid Pipeline Systems Form and Instructions (Attachment C);
- Updated Record of Changes (Att.K); and
- Replaced 49 CFR 194, DOT PHMSA-Responsible Plans For Onshore Oil Pipelines (Appendix III).

One copy of revised pages is enclosed herein for insertion into your copy of the HFOTCO LLC ICP.

P.O. Box 3247, Humble, TX 77347-3247 Tel (281) 446-7070 Fax (281) 446-3348 110 Bender Ave., Humble, TX 77338

Should you have any questions or require any assistance on this matter, please do not hesitate to call me at (281) 446-7070.

Sincerely,

Desireé D. Westcott
Director, Technical Services

DDW/sg
0940628.let4.doc

Attachments

cc: P. Roubieu

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

May 19, 2010

U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue, Ste. 1200
Dallas, Texas 75202-2733

LONE STAR
AIRBILL NUMBER
44442509

Reference: Tracking No. FRP-06-TX00312,
Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revision 20

Dear Sir or Madam:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Cover Page to reflect last revised date;
- RSPA removed or replaced with PHMSA (Required Compliance Actions pg. 1, v, vii, xi, 1-7, 2-1, 4-1, 4-2, 7-6, 7-7, 10-1 through 10-8);
- Updated US DOT PHMSA and USCG addresses (viii);
- Updated Response Management System (pg. 2-5);
- Updated Personnel names, titles, assigned roles, and telephone numbers (pg. 4-3);
- Updated Outside Emergency Response Contractors (pg. 4-4);
- Updated titles (pg. 5-2, 5-3, 5-4, 5-5, 5-24, 5-29);
- Updated Employee Response Personnel Training Positions (pgs. 7-7 and 7-8);
- Updated Site Drainage Maps (Figure 3);
- Replaced revised Accident Report-Hazardous Liquid Pipeline Systems Form and Instructions (Attachment C);
- Updated Record of Changes (Att.K); and
- Replaced 49 CFR 194, DOT PHMSA-Responsible Plans For Onshore Oil Pipelines (Appendix III).

One copy of revised pages is enclosed herein for insertion into your copy of the HFOTCO LLC ICP.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desiree Westcott

Desireé Westcott
Director, Technical Services

DDW/slg
0940628.let1.doc

Enclosure
cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

May 19, 2010

Captain of the Port
United States Coast Guard
Marine Safety Office Houston-Galveston
9640 Clinton Drive
Houston, Texas 77029

LONE STAR
AIRBILL NUMBER
44442510

Reference: Tracking No. 16610, Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revision #20

Dear Captain of the Port:

In accordance with 33 CFR 154.1065, Houston Fuel Oil Terminal Company (HFOTCO) has performed an annual review of the Integrated Contingency Plan (ICP) that was last issued a 5–year approval by your office on June 7, 2007. As a result of that review, the attached revisions have been made to address the following:

- Cover Page to reflect last revised date;
- RSPA removed or replaced with PHMSA (Required Compliance Actions pg. 1, v, vii, xi, 1-7, 2-1, 4-1, 4-2, 7-6, 7-7, 10-1 through 10-8);
- Updated US DOT PHMSA and USCG addresses (viii);
- Updated Response Management System (pg. 2-5);
- Updated Personnel names, titles, assigned roles, and telephone numbers (pg. 4-3);
- Updated Outside Emergency Response Contractors (pg. 4-4);
- Updated titles (pg. 5-2, 5-3, 5-4, 5-5, 5-24, 5-29);
- Updated Employee Response Personnel Training Positions (pgs. 7-7 and 7-8);
- Updated Site Drainage Maps (Figure 3);
- Replaced revised Accident Report-Hazardous Liquid Pipeline Systems Form and Instructions (Attachment C);
- Updated Record of Changes (Att.K); and
- Replaced 49 CFR 194, DOT PHMSA-Responsible Plans For Onshore Oil Pipelines (Appendix III).

One copy of revised pages is enclosed herein for insertion into your copy of the HFOTCO LLC ICP.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desiree Westcott

Desireé Westcott
Director, Technical Services

DDW/slg
0940628.let2.doc

Enclosure
cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

May 18, 2010

Melanie Barber
U.S. DOT, PHMSA (Tracking No. 1215)
Pipeline Hazardous Material Safety Administration
Room E22-210
1200 New Jersey Avenue
Washington, DC 20590

FEDERAL EXPRESS
AIRBILL NUMBER
8718 0120 7459

Reference: HFOTCO LLC
Integrated Contingency Plan Revision 20
Sequence Number 1215

Dear Melanie:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. is hereby submitting two electronic copies of the entire Integrated Contingency Plan (ICP) as last updated in May 2010. A copy of the associated FRP questionnaire was submitted to you in an email earlier today (copy of message attached).

Feel free to call me at 281-446-7070 if you have any questions.

Sincerely,

Desiree Westcott

Desireé Westcott
Director, Technical Services

DDW/slg
0940628.let3.doc

Enclosure
cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

January 27, 2010

LONE STAR
AIRBILL NUMBER
43650731

U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue, Ste. 1200
Dallas, Texas 75202-2733

Reference: Tracking No. FRP-06-TX00312,
Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revision 19

Dear Sir or Madam:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Cover Page to reflect last revised date;
- Distribution List (pg. viii) to reflect updated titles;
- Add Tanks 220-1, 400-3, 400-4, 400-5, Barge Dock No. 6, Tanks 8-1, 8-2, 10-1, 13-1, 13-2, 13-3, 13-4, 30-11, 30-12, 30-13, 30-14, 30-15, 30-16, 30-17, 95-1, 95-2, 95-3, 95-4 (1-2);
- Updated Personnel titles (1-3);
- Add Barge Dock No. 6 (1-6);
- Updated Personnel titles (2-2, 2-5, 2-6);
- Updated Personnel titles (pg. 4-3);
- Updated page numbers and Contact Information for (4-4 through 4-6);
- Updated Personnel titles (5-1, 5-2, 5-3, 5-4, 5-5, 5-24, 5-25, 5-29, 5-30, 5-31);
- Updated Personnel titles (7-2, 7-3, 7-4, 7-7, 7-8);
- Updated Site Drainage Maps (Figure 3);
- Spill Response Equipment Inventory to reflect title update (Attachment D);
- Spill Management Team Tabletop Exercise Log to reflect title updates (Attachment F);
- Updated Record of Changes (Att.K);
- Accumulated Stormwater Inspection To Authorize Release to reflect update to contact and Valve/Outfall (Attachment L).

One copy of revised pages are enclosed herein for insertion into your copy of the HFOTCO LLC ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé Westcott
Director, Technical Services

DDW/slg
0940607.let1.doc

Enclosure
cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

January 27, 2010

Captain of the Port
United States Coast Guard
Marine Safety Office Houston-Galveston
9640 Clinton Drive
Houston, Texas 77029

LONE STAR
AIRBILL NUMBER
43650732

Reference: Tracking No. 16610, Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revision #19

Dear Captain of the Port:

In accordance with 33 CFR 154.1065, Houston Fuel Oil Terminal Company has performed an annual review of the Integrated Contingency Plan and has made the attached revisions. On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Cover Page to reflect last revised date;
- Distribution List (pg. viii) to reflect updated titles;
- Add Tanks 220-1, 400-3, 400-4, 400-5, Barge Dock No. 6, Tanks 8-1, 8-2, 10-1, 13-1, 13-2, 13-3, 13-4, 30-11, 30-12, 30-13, 30-14, 30-15, 30-16, 30-17, 95-1, 95-2, 95-3, 95-4 (1-2);
- Updated Personnel titles (1-3)
- Add Barge Dock No. 6 (1-6)
- Updated Personnel titles (2-2, 2-5, 2-6);
- Updated Personnel titles (pg. 4-3);
- Updated page numbers and Contact Information for (4-4 through 4-6);
- Updated Personnel titles (5-1, 5-2, 5-3, 5-4, 5-5, 5-24, 5-25, 5-29, 5-30, 5-31);
- Updated Personnel titles (7-2, 7-3, 7-4, 7-7, 7-8);
- Updated Site Drainage Maps (Figure 3);
- Spill Response Equipment Inventory to reflect title update (Attachment D);
- Spill Management Team Tabletop Exercise Log to reflect title updates (Attachment F);
- Updated Record of Changes (Att.K);
- Accumulated Stormwater Inspection To Authorize Release to reflect update to contact and Valve/Outfall (Attachment L).

One copy of revised pages is enclosed herein for insertion into your copy of the HFOTCO LLC ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé Westcott
Director, Technical Services

DDW/slg
0940607.let2.doc

Enclosure

cc: R. Riemer

January 27, 2010

Mr. Robert Riemer
Houston Fuel Oil Terminal Company
1201 South Sheldon Road
Houston, TX 77015

HAND DELIVERED

Reference: Integrated Contingency Plan - Revision 19

Dear Robert,

Enclosed, please find seven (7) copies of revision pages for incorporation in your Integrated Contingency Plan for Houston Fuel Oil Terminal Company, document #4 that is assigned to the Manager of Environmental & Regulatory Affairs has been updated separately. The January 2010 updates included here as Revision 19 have been made to your Integrated Contingency Plan as a result of the addition of Tanks 220-1, 400-3, 400-4, 400-5, Barge Dock No. 6, Tanks 8-1, 8-2, 10-1, 13-1, 13-2, 13-3, 13-4, 30-11, 30-12, 30-13, 30-14, 30-15, 30-16, 30-17, 95-1, 95-2, 95-3, 95-4, and updates to personnel titles.

These updates include:

- Cover Page to reflect last revised date;
- Distribution List (pg. viii) to reflect updated titles;
- Add Tanks 220-1, 400-3, 400-4, 400-5, Barge Dock No. 6, Tanks 8-1, 8-2, 10-1, 13-1, 13-2, 13-3, 13-4, 30-11, 30-12, 30-13, 30-14, 30-15, 30-16, 30-17, 95-1, 95-2, 95-3, 95-4 (1-2);
- Updated Personnel titles (1-3);
- Add Barge Dock No. 6 (1-6);
- Updated Personnel titles (2-2, 2-5, 2-6);
- Updated Personnel titles (pg. 4-3);
- Updated page numbers and Contact Information for (4-4 through 4-6);
- Updated Personnel titles (5-1, 5-2, 5-3, 5-4, 5-5, 5-24, 5-25, 5-29, 5-30, 5-31);
- Updated Personnel titles (7-2, 7-3, 7-4, 7-7, 7-8);
- Updated Site Drainage Maps (Figure 3);
- Spill Response Equipment Inventory to reflect title update (Attachment D);
- Spill Management Team Tabletop Exercise Log to reflect title updates (Attachment F);

- Updated Record of Changes (Att.K); and
- Accumulated Stormwater Inspection To Authorize Release to reflect update to contact and Valve/Outfall (Attachment L).

Should you have any questions or require any assistance on this matter, please do not hesitate to call me at (281) 446-7070.

Sincerely,

Desireé D. Westcott
Director, Technical Services

DDW/sg
0940607.let4.doc

Attachments

cc: P. Roubieu

Sharon Garrett

From: Desiree Westcott
Sent: Thursday, January 29, 2009 11:09 AM
To: Sharon Garrett
Subject: HFOTCO - INTEGRATED CONTINGENCY PLAN 12/31/08 REVISION 18 - USCG APPROVAL

-----Original Message-----
From: Robert Riemer [mailto:robert@hfotco.com]
Sent: Monday, January 26, 2009 3:19 PM
To: Paul Roubieu; James Bailey; John Grider; John Lorren; Billy Dewey
Cc: Desiree Westcott
Subject: FW: HOUSTON FUEL OIL; INTEGRATED CONTINGENCY PLAN AMENDMENT, APPROVAL

FYI

-----Original Message-----
From: Walter.C.Hutchins@uscg.mil [mailto:Walter.C.Hutchins@uscg.mil]
Sent: Monday, January 26, 2009 1:58 PM
To: Robert Riemer
Subject: HOUSTON FUEL OIL; INTEGRATED CONTINGENCY PLAN AMENDMENT, APPROVAL

Houston Fuel Oil Terminal
Attn: Mr. Robert Reemer
16642 Jacintoport Blvd.
Houston, TX 77015

I received a letter, submitted on your behalf by the WCM Group and dated December 31, 2008, containing proposed amendments to your Integrated Contingency Plan. The amendments have been approved and will be incorporated into your approved Integrated Contingency Plan on file with this office.

If you have any questions or concerns regarding this email, please contact the Waterfront Facilities and Security Branch at (713) 671-5105.

v/r

MST1 Walter Hutchins
Sector Houston/Galveston
Waterfront Facilities and Security
9640 Clinton Drive
Houston, TX 77029
(p) 713-671-5137, 713-671-5105
(f) 713-671-5134

Sharon Garrett

From: Sharon Garrett
Sent: Tuesday, January 13, 2009 2:40 PM
To: Desiree Westcott
Subject: HFOTCO-FRP Approval Status

Desireé,

I received a call from Mike Clonts of EPA today, Don Smith asked him to call to see if he could help me regarding the approval letter for Houston Fuel Oil Terminal's Facility Response Plan.

Mike searched his database and found the following:

- In 1998 the FRP was inspected by EPA
- On January 10, 2000 the approval letter was sent via mass mailing but returned (address on file is 16642 Jacintoport Blvd., Channelview, TX) because of the manner the letter was mailed there is no hard copy on file.
- Mike informed me that there are well over 1400 FRP's and only 6 inspectors and since an approval letter was sent HFOTCO is at the bottom of the list.

Mike Clonts direct telephone number at EPA:
469-374-7726

Sharon Garrett

Sharon Garrett
Technical Assistant
The WCM Group, Inc.
PO Box 3247, Humble, TX 77347
110 Bender Ave, Humble, TX 77338
Project: 10585
sgarrett@wcmgroup.com
tel: (281) 446-7070
fax: (281) 446-3348

- Updated Record of Changes (Att.K);
- Updated Accumulated Stormwater Insepection Form (Attachment L);
- Updated Fly Page to reflect TNRCC name change to TCEQ (Appendix V);
- Updated Fly Page to reflect TNRCC name change to TCEQ and updates to Flow Chart (Appendix VII) and;
- Add reference to PHMSA throughout document

One copy of revised pages are enclosed herein for insertion into your copy of the HFOTCO LLC ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desiree' Westcott

Desireé Westcott
Director, Technical Services

DDW/slg
0940354.let2.doc

Enclosure
cc: R. Riemer

- Updated Record of Changes (Att.K);
- Updated Accumulated Stormwater Insepection Form (Attachment L);
- Updated Fly Page to reflect TNRCC name change to TCEQ (Appendix V);
- Updated Fly Page to reflect TNRCC name change to TCEQ and updates to Flow Chart (Appendix VII) and;
- Add reference to PHMSA throughout document

One copy of revised pages are enclosed herein for insertion into your copy of the HFOTCO LLC ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé Westcott
Director, Technical Services

DDW/slg
0940354.let1.doc

Enclosure
cc: R. Riemer

Desiree Westcott

From: James Bailey [jim@hfotco.com]
Sent: Tuesday, July 08, 2008 9:08 AM
To: Desiree Westcott
Subject: FW: HOUSTON FUEL OIL TERMINAL; INTEGRATED CONTINGENCY PLAN AMENDMENT, APPROVAL

-----Original Message-----
From: Matthew.A.Fischer@uscg.mil [mailto:Matthew.A.Fischer@uscg.mil]
Sent: Thursday, July 03, 2008 9:02 AM
To: James Bailey
Subject: HOUSTON FUEL OIL TERMINAL; INTEGRATED CONTINGENCY PLAN AMENDMENT, APPROVAL

Houston Fuel Oil Terminals
Attn: Ms. Desiree Westcott
16642 Jacinto Port Blvd
Houston, TX 77015

I have received your letter, dated June 24, 2008, containing proposed amendments to your Integrated Contingency Plan. The amendments have been approved and will be incorporated into your approved Integrated Contingency Plan on file with this office.

If you have any questions or concerns regarding this email, please contact the Waterfront Facilities and Security Branch at (713) 671-5105.

MST1 Matt Fischer
U.S. Coast Guard
Sector Houston/Galveston
Waterfront Facility Security and Compliance 9640 Clinton Dr.
Houston, TX 77029
(713) 671-5137
(713) 671-5134

ENVIRONMENTAL PROFESSIONALS

WCM

The WCM Group, Inc.

TRANSMITTAL LETTER

TO: Mr. Robert Riemer **PROJECT CODE:** 13812

FROM: Desireé Westcott

RE: Revisions to Integrated Contingency Plan

DATE: 6/24/2008

PLEASE REVIEW	☐
FOR YOUR FILES	☒
CALL ME	☐
PER YOUR REQUEST	☒
FORWARD TO	☐
OTHER	☐

Dear Robert,

Enclosed, please find 7 copies of revisions to be placed in your Integrated Contingency Plan binders.

Please feel free to call me if you have any questions.

Thanks,
Desireé

Enclosure
08-06-24 trnletter r. riemer.doc

Transmittal Approval: DW
Internal CC:

P.O. Box 3247, Humble, TX 77347-3247 Tel (281) 446-7070 Fax (281) 446-3348 110 Bender Ave., Humble, TX 77338

ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.

June 24, 2008

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue, Ste. 1200
Dallas, TX 75202-2733

LONE STAR
AIRBILL NUMBER
41016322

Reference: Tracking No. FRP-06-TX00312,
Houston Fuel Oil Terminal Company, Houston, Texas
Revisions to Integrated Contingency Plan

Dear Sir or Madam:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Cover Page to reflect last revised date;
- Table of Contents to reflect revised page numbers(4-3 through 4-6) and last revised date;
- Updated Facility Emergency Personnel Contact Names and Phone Numbers (pg. 4-3);
- Updated page numbers for (4-4 through 4-6) and;
- Updated Record of Changes (Att. K).

One copy of the revised pages is enclosed herein for insertion into your copy of the HFOTCO LLC ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé D. Westcott
Director, Technical Services

DDW/nb
27051:0940537.let.doc

Enclosure

cc: R. Riemer

ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.

June 24, 2008

Captain of the Port
United State Coast Guard
Marine Safety Office Houston-Galveston
9640 Clinton Drive
Houston, TX 77029

LONE STAR
AIRBILL NUMBER
41016323

Reference: Tracking No. FRP-06-TX00312,
Houston Fuel Oil Terminal Company, Houston, Texas
Revisions to Integrated Contingency Plan

Dear Captain of the Port:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO LLC), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Cover Page to reflect last revised date;
- Table of Contents to reflect revised page numbers(4-3 through 4-6) and last revised date;
- Updated Facility Emergency Personnel Contact Names and Phone Numbers (pg. 4-3);
- Updated page numbers for (4-4 through 4-6); and
- Updated Record of Changes (Att. K).

One copy of the revised pages is enclosed herein for insertion into your copy of the HFOTCO LLC ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desiree' Westcott

Desireé D. Westcott
Director, Technical Services

DDW/nb
27051:0940537.let.doc

Enclosure

cc: R. Riemer

MAR 23 2004

U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

March 18, 2004

Certified Mail – 7003 0500 0003 5666 5534 Return Receipt Requested

Mr. James Bailey
Director of Regulatory Affairs
Houston Fuel Oil Terminal Company
16642 Jacintoport Blvd.
Houston, TX 77015

Re: RSPA Sequence Number 1215 (Houston Fuel Oil Terminal)

Dear Mr. Bailey,

Your Facility Response Plan (FRP) is approved in accordance with 49 CFR Part 194, *Response Plans for Onshore Oil Pipelines.* The Research and Special Programs Administration (RSPA) commends you for developing a plan that reflects the characteristics of your company, the facility it operates, and the environment it strives to protect. In approving your plan, we have determined that your August 2003 revision for the plan has adequately addressed the remaining findings in our 20 May 2003 letter. On the basis of the information we reviewed, your response plan now satisfies the minimum response planning standards established by 49 CFR Part 194.

We accept as true all information in the plan but reserve the right to verify its validity and accuracy. We will advise you of any deficiencies discovered during our ongoing quality control activities and you will have the opportunity to correct such deficiencies.

Response planning is an ongoing process. The preparation, submission, review, and approval of a response plan are only the first steps in the process of developing an effective national response planning program. We will continue to help you refine and improve your plan. We trust that you will continue to improve your plan as you gain new knowledge and discover better practices, whether through responses to actual spills or through evaluations of drills and exercises.

Note that this approval will expire on March 18, 2009 which is five years from the date of this letter. Although we have approved the plan, we expect you to maintain your plan's compliance with 49 CFR 194, including making and submitting any required revisions to the plan as specified in 49 CFR 194.121(a) and (b).

Please refer to the "RSPA Plan Sequence Number" listed above in all plan-related correspondence, including e-mails. E-mail is the preferred method for submitting inquiries, questions and comments to me at le.herrick@rspa.dot.gov. You can also telephone me at (202) 366-5523 or fax me at (202) 366-4566. Thank you for your cooperation.

Sincerely,

L. E. Herrick
Response Plans Officer

cc: EPA Region VI
USCG MSO Houston
Texas General Land Office

Complete Operator Name: Houston Fuel Oil Terminal Company

RSPA Sequence No: 1215 **Facility or Zone Name:** Houston Fuel Oil Terminal

Date of Review: March 18, 2004

Summary: The August 2003 revision for the Facility Response Plan has addressed the deficiencies in RSPA's second review of the plan to determine if it is minimally adequate for complying with 49 CFR 194 (RSPA's 20 May 2003 letter). The table below summarizes the results of RSPA's review of the submitted revision.

Deficient Protocol	Protocol Addressed?	Is Protocol Addressed Adequately?
Protocol 3.3.	Yes.	Yes. Revised Sections 5.1 and 5.2 assign the notification duties to the Safety and Training Coordinator.
Protocol 9.1.	Yes.	Yes. The revised response management team provisions establish the Command Staff as part of the ICS Command and expand the key ICS staff responsibilities to address the main responsibilities for the staff in the ICS (Sections 5.1 to 5.6).
Protocol 9.2, Question 2.	Yes.	Yes. As noted above in Protocol 9.1, revised Sections 5.1 to 5.6 expand the key ICS staff responsibilities to address the main responsibilities for the staff in the ICS.
Protocol 12.1.	Yes.	Yes. Revised Section 5.4.1 establishes procedures that will be used by the response management organization to document response decisions, activities, and costs.
Protocol 16.2.	Yes.	Yes. The revised plan adequately addresses Protocols 9.1, 9.2, and 12.1.

U.S. Department of Transportation
United States Coast Guard

Captain of the Port
U. S. Coast Guard Marine Safety Office
Houston-Galveston

P. O. Box 446
Galena Park, TX 77547-0446
Phone: (713) 671-5100
FAX: (713) 671-5185

RECEIVED
OCT - 7 2002

16610

OCT 0 3 2002

Houston Fuel Oil Terminal Co.
Attn: Mr. James Bailey
16642 Jacintoport Blvd.
Houston, TX 77015

Subj: FACILITY INTEGRATED CONTINGENCY PLAN

Dear Mr. Bailey:

Your facility Integrated Contingency Plan, submitted on SEPT 04, 2002 meets the requirements of the Oil Pollution Act of 1990 and is hereby approved.

I commend your efforts in developing an Integrated Contingency Plan that reflects your company's operating procedures and organizational structure. I remind you that your plan is a vital working document and that implementing the plan will help ensure effective oil spill response and mitigation. Please ensure that all parties with responsibilities under the plan are familiar with the plan's procedures and requirements.

You are reminded that Houston Fuel Oil Terminal Company is prohibited from handling, storing, transporting, transferring, or lightering oil unless it is operating in full compliance with this plan. Compliance includes ensuring the required resources are in place and available through contract or other approved means. In addition, a copy of the plan must be maintained at the marine-transportation related portion of your facility. It is recommended that this copy be placed with your facility's operations manual.

Your plan's approval will remain valid until 5 years from the date of this letter. You must review your plan annually and resubmit the plan to the Coast Guard for reapproval 6 months before the end of the approval period as required by 33 CFR 154.1065.

A copy of this letter shall be maintained together with the approved plan.

Sincerely,

H. KIM
Lieutenant Commander, U. S. Coast Guard
Chief, Compliance Department
By direction

U.S. Department of Homeland Security
United States Coast Guard

Commander
United States Coast Guard
Sector Houston-Galveston

9640 Clinton Drive
Houston, TX 77029
Staff Symbol: sp
Phone: (713) 671-5105
Fax: (713) 671-5174

RECEIVED
JUN 23 2007
By

16610
June 7, 2007

Houston Fuel Oil Terminal Company
Attn: Mr. James Bailey
7600 J.W. Peavy
Houston, Texas 77011

Subj: HOUSTON FUEL OIL TERMINAL COMPANY; INTEGRATED CONTINGENCY PLAN, APPROVAL

I have received a letter, dated March 29, 2007, from The WCM Group, Inc, forwarding your Integrated Contingency Plan (ICP) for approval. After careful review, I have found that your ICP meets the requirements of Title 33, Code of Federal Regulations (CFR), Part 154, Subpart F. This approval will remain valid for five years from the date of this letter, unless rescinded in writing by this office.

You must operate your facility per your ICP, including ensuring that required response resources are readily available through contract or other approved means. You must keep a copy of your FRP at the marine transportation related portion of your facility, along with a copy of this approval letter. You are encouraged to keep a copy of your ICP with your facility's Operations Manual. You must review your ICP at least annually and submit any revisions to this office for review and approval per Title 33, CFR, Part 154.1065.

I applaud your efforts in developing your ICP. Implementation strategies and procedures contained in your FRP serve to improve the response to, and mitigate the consequences of, potential oil spills. Please ensure that all parties with responsibilities under your ICP are familiar with the procedures and requirements contained therein. If you have any questions or concerns regarding this letter, please contact the Waterfront Facilities and Security Branch at (713) 671-5105.

Sincerely,

G. J. PAITL
Commander, U.S. Coast Guard
Chief, Prevention Department
By direction of the Captain of the Port

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

FEB 1 0 2005

31 January 2005

HOUSTON FUEL OIL TERMINAL
CHANNELVIEW TX FACILITY
16642 JACINTOPORT BLVD.
HOUSTON, TX 77015

Re: *FRP-06-TX-00312*
CHANNELVIEW TX FACILITY

Dear *JIM BAILEY:*

This letter is to notify you, pursuant to CWA §311(j)(5) and as amended by the Oil Pollution Act of 1990, EPA is required to review Facility Response Plans (FRPs) periodically and/or on a schedule established by the Regional Administrator [40 CFR Part 112.20(c)(4)].

In accordance with 40 CFR Part 112.20(d)(1), owner or operators of a facility for which a FRP is required, shall revise and resubmit revised portions of the plan within 60 days of each facility change that materially may affect the response to a worst case discharge.

Further, facility owners or operators shall provide a copy of amendments to personnel and of telephone number lists as revisions occur [112.20(d)(2)]. Facility owners or operators of a facility that submit changes to a FRP shall also provide the EPA-issued facility identification number with the changes [112.20(d)(3)].

The EPA will be reviewing FRPs throughout the next year. During the review and approval process, EPA may conduct both a technical review of the content/format of the FRP and an exercise to determine the adequacy of the implementation of the FRP in accordance with the regulations.

If you have not done so, please submit your revised FRP and/or revisions to the EPA within 60 days of receipt of this letter to the following address.

Don Smith
U.S. Environmental Protection Agency
Region 6
Response and Prevention Branch
P.O. Box 303
Dallas, Texas 75313-0303

Revised FRPs may be submitted on a compact disc (CD). If you are no longer the owner or operator of the above-referenced facility, please provide contact information for the current owner or operator.

If EPA determines during this review period that the FRP is inadequate, or if EPA acquires information that indicates your FRP is insufficient to manage potential discharges, EPA will require additional revisions to your FRP. Failure to make such revisions may affect your FRP approval status and could result in potential enforcement actions.

If you have any questions concerning this letter, please contact Donald P. Smith at (469)374-7771.

Sincerely,

Donald P. Smith
EPA Region 6 Senior On-scene Coordinator

The WCM Group, Inc.

March 30, 2007

U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

FEDERAL EXPRESS
AIRBILL NUMBER
8568 1330 9572 0215

Reference: Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revisions

Dear Sir or Madame:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. has revised the following section of the above-referenced Integrated Contingency Plan (ICP) to add the Firewater diesel tank, Tank 220-1 and Portable air compressors 1 and 2:

- Figures 2 through 5;
- Attachment B; and
- Attachment K.

The revised figures and attachments are enclosed herein for insertion into your copy of the HFOTCO ICP.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desiree Westcott

Desiree Westcott
Director, Technical Services

0940394.ltr.doc

cc: J. Bailey
USDOT



The WCM Group, Inc.

March 29, 2007

Lt. Commander William Diehl, Captain of the Port
United States Coast Guard
MSO Houston-Galveston
9640 Clinton Drive
Galena Park, Texas 77029

FEDERAL EXPRESS
AIRBILL NUMBER
8568 1330 9550 0215

Reference: Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan

Dear Lt. Commander Diehl:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. is submitting one copy of the above-referenced Integrated Contingency Plan (ICP) for review and approval by the United States Coast Guard (USCG). The previous IPC was approved by the USCG on October 3, 2002 and, per the terms of the approval letter; this ICP is being submitted to the USCG at least six months prior to the expiration of that approval.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desiree Westcott

Desiree Westcott
Director, Technical Services

DDW/mli
26142:0940492.ltr.doc

cc: J. Bailey

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

December 21, 2005

U.S. Department of Transportation
Ms. L.E. Herrick
RSPA-DPS3
400 7th Street, W.W., Room 7128
Washington D.C. 20590

CERTIFIED MAIL
RECEIPT NUMBER
7002 0460 0001 1617 9749

Reference: Tracking No. 1215, Houston Fuel Oil Terminal Company, Houston, Texas
Annual Review of Integrated Contingency Plan & Revisions

Dear Ms. Herrick:

Houston Fuel Oil Terminal Company (HFOTCO) has performed their annual review of the above-referenced Integrated Contingency Plan (ICP). Based on your letter dated November 1, 2005 and per our recent discussions, The WCM Group, Inc. has revised the above-referenced ICP to address the following on behalf of HFOTCO:

- Updated Table of Contents (pgs. ii-iv);
- Revised the draft restrictions on Ship Docks 1 & 3 (pg. 1-4);
- Updated Regional Response Team Name (pgs. 2-3 and 7-7);
- Clarification of the HFOTCO Response Management System Diagram (pg. 2-5);
- Updated facility emergency personnel contact information (pg. 4-3);
- Added contact information for Genesis Energy Inc. (pg. 4-5);
- Clarification on HFOTCO organizational chart (pg. 5-1);
- Clarification of Chief of Operations Section (pg. 5-5);
- Added language to include multiple spill boat(s) (pg. 7-1);
- Clarified annual review requirement (pg. 8-1); and
- Revised the regulatory compliance and cross-reference matrices to reflect revised RSPA DOT regulations per February 23, 2005 Federal Register (pgs. 10-1 through 10-7).

The revised pages are enclosed herein for insertion into your copy of the HFOTCO ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé D. Westcott
Director, Technical Services

DDW/tv
25297:0940448.lts.doc

Enclosure

cc: J. Bailey

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

December 21, 2005

U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue, Ste. 1200
Dallas, Texas 75202-2733

CERTIFIED MAIL
RECEIPT NUMBER
7002 0460 0001 1617 9763

Reference: Tracking No. FRP-06-TX00312,
Houston Fuel Oil Terminal Company, Houston, Texas
Annual Review of Integrated Contingency Plan & Associated Revisions

Dear Sir or Madam:

Houston Fuel Oil Terminal Company (HFOTCO) has performed their annual review of the above-referenced Integrated Contingency Plan (ICP). Based on this review and on behalf of HFOTCO, The WCM Group, Inc. has revised the ICP to address the following:

- Updated Table of Contents (pgs. ii-iv);
- Revised the draft restrictions on Ship Docks 1 & 3 (pg. 1-4);
- Updated Regional Response Team Name (pgs. 2-3 and 7-7);
- Clarification of the HFOTCO Response Management System Diagram (pg. 2-5);
- Updated facility emergency personnel contact information (pg. 4-3);
- Added contact information for Genesis Energy Inc. (pg. 4-5);
- Clarification on HFOTCO organizational chart (pg. 5-1);
- Clarification of Chief of Operations Section (pg. 5-5);
- Added language to include multiple spill boat(s) (pg. 7-1);
- Clarified annual review requirement (pg. 8-1); and
- Revised the regulatory compliance and cross-reference matrices to reflect revised RSPA DOT regulations per February 23, 2005 Federal Register (pgs. 10-1 through 10-7).

The revised pages are enclosed herein for insertion into your copy of the HFOTCO ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé D. Westcott
Director, Technical Services

DDW/tv
25297:0940448.lts.doc

Enclosure

cc: J. Bailey

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

December 21, 2005

Houston-Galveston Captain of the Port
United States Coast Guard
Marine Safety Office
P.O. Box 446
Galena Park, Texas 77547-0446

CERTIFIED MAIL
RECEIPT NUMBER
7002 0460 0001 1617 9756

Reference: Tracking No. 16610, Houston Fuel Oil Terminal Company, Houston, Texas
Annual Review of Integrated Contingency Plan & Associated Revisions

Dear Captain of the Port:

Houston Fuel Oil Terminal Company (HFOTCO) has performed their annual review of the above-referenced Integrated Contingency Plan (ICP). Based on this review and on behalf of HFOTCO, The WCM Group, Inc. has revised the ICP to address the following:

- Updated Table of Contents (pgs. ii-iv);
- Revised the draft restrictions on Ship Docks 1 & 3 (pg. 1-4);
- Updated Regional Response Team Name (pgs. 2-3 and 7-7);
- Clarification of the HFOTCO Response Management System Diagram (pg. 2-5);
- Updated facility emergency personnel contact information (pg. 4-3);
- Added contact information for Genesis Energy Inc. (pg. 4-5);
- Clarification on HFOTCO organizational chart (pg. 5-1);
- Clarification of Chief of Operations Section (pg. 5-5);
- Added language to include multiple spill boat(s) (pg. 7-1);
- Clarified annual review requirement (pg. 8-1); and
- Revised the regulatory compliance and cross-reference matrices to reflect revised RSPA DOT regulations per February 23, 2005 Federal Register (pgs. 10-1 through 10-7).

The revised pages are enclosed herein for insertion into your copy of the HFOTCO ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Desireé Westcott

Desireé D. Westcott
Director, Technical Services

DDW/tv
25297:0940448.lts.doc

Enclosure

cc: J. Bailey

HOUSTON FUEL OIL TERMINAL COMPANY

16642 Jacintoport Blvd., Houston, Texas 77015
(281) 452-3390 • Admin. Fax: (281) 452-3458 • Oper. Fax: (281) 452-6306

December 8, 2004

Captain Richard M. Kaser
COTP MSO Houston/Galveston
P.O. Box 446
Galena Park, TX 77547-0466

Re: HFOTCO Annual JCP Review

Dear Captain Kaser:

HFOTCO has performed the required annual review of the integrated contingency plan and found it to be up to date with no changes necessary. This is in addition to several revisions that we submitted in September of this year.

Please do not hesitate to contact me at 281-452-3390 if you have any questions.

Sincerely,

Jim Bailey
Director of Regulatory Affairs

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

June 18, 2004

Mr. Jay Veselka
Compliance Officer
Texas Regional Land Office
11811 North D Street
La Porte, TX 77571-9135

CERTIFIED MAIL
RECEIPT NUMBER
7002 0460 0001 1617 8179

Reference: Certificate No. 20337 Houston Fuel Oil Terminal Company, Houston, Texas; Integrated Contingency (Facility Response) Plan Revisions

Dear Mr. Veselka:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Revised response management system organizational flowchart and re-assigned response responsibilities and duties (Section 2.3);
- Revised names, job titles, and 24-hour contact information for on-site response personnel (Section 4.2);
- Added Texas Wildlife Rehab & Education notification phone number (Section 4.3);
- Revised organizational chart (Section 5.1);
- Revised recordkeeping and plan revisions procedures (Sections 8.2 & 8.4);
- Revised spill prevention measures applicable to racks (Section 9.5);
- Revised integrity testing requirements applicable to shop fabricated, less than 30,000-gallon containers (Section 9.6.4);
- Revised procedures for authorization of releases of non-contaminated stormwater (Section 9.6.5 & Attachment L); and
- Updated regulatory cross-reference matrix (Section 10.0).

The revised pages are enclosed herein for insertion into your copy of the HFOTCO ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Oksana A. Howard
Senior Environmental Specialist

OAH/tv
24231:0940420.lts.doc

Enclosure

cc: J. Bailey

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

June 18, 2004

U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue, Ste. 1200
Dallas, Texas 75202-2733

CERTIFIED MAIL
RECEIPT NUMBER
7002 0460 0001 1617 8162

Reference: Tracking No. FRP-06-TX00312, Houston Fuel Oil Terminal Company, Houston, Texas; Integrated Contingency Plan Revisions

Dear Sir or Madame:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Revised response management system organizational flowchart and re-assigned response responsibilities and duties (Section 2.3);
- Revised names, job titles, and 24-hour contact information for on-site response personnel (Section 4.2);
- Added Texas Wildlife Rehab & Education notification phone number (Section 4.3);
- Revised organizational chart (Section 5.1);
- Revised recordkeeping and plan revisions procedures (Sections 8.2 & 8.4);
- Revised spill prevention measures applicable to racks (Section 9.5);
- Revised integrity testing requirements applicable to shop fabricated, less than 30,000-gallon containers (Section 9.6.4);
- Revised procedures for authorization of releases of non-contaminated stormwater (Section 9.6.5 & Attachment L); and
- Updated regulatory cross-reference matrix (Section 10.0).

The revised pages are enclosed herein for insertion into your copy of the HFOTCO ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Oksana A. Howard
Senior Environmental Specialist

OAH/tv
24231:0940420.lts.doc

Enclosure

cc: J. Bailey

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

June 18, 2004

Houston-Galveston Captain of the Port
United States Coast Guard
Marine Safety Office
P.O. Box 446
Galena Park, Texas 77547-0446

HAND-CARRIED

Reference: Tracking No. 16610, Houston Fuel Oil Terminal Company, Houston, Texas; Integrated Contingency Plan Revisions

Dear Captain of the Port:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Revised response management system organizational flowchart and re-assigned response responsibilities and duties (Section 2.3);
- Revised names, job titles, and 24-hour contact information for on-site response personnel (Section 4.2);
- Added Texas Wildlife Rehab & Education notification phone number (Section 4.3);
- Revised organizational chart (Section 5.1);
- Revised recordkeeping and plan revisions procedures (Sections 8.2 & 8.4);
- Revised spill prevention measures applicable to racks (Section 9.5);
- Revised integrity testing requirements applicable to shop fabricated, less than 30,000-gallon containers (Section 9.6.4);
- Revised procedures for authorization of releases of non-contaminated stormwater (Section 9.6.5 & Attachment L); and
- Updated regulatory cross-reference matrix (Section 10.0).

The revised pages are enclosed herein for insertion into your copy of the HFOTCO ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Oksana A. Howard
Senior Environmental Specialist

OAH/tv
24231:0940420.lts.doc

Enclosure

cc: J. Bailey

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

June 18, 2004

U.S. Department of Transportation
RSPA-DPS3
400 7th Street, S.W., Room 7128
Washington D.C. 20590

CERTIFIED MAIL
RECEIPT NUMBER
7002 0460 0001 1617 8186

Reference: Tracking No. 1215, Houston Fuel Oil Terminal Company, Houston, Texas; Integrated Contingency Plan Revisions

Dear Sir or Madame:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Revised response management system organizational flowchart and re-assigned response responsibilities and duties (Section 2.3);
- Revised names, job titles, and 24-hour contact information for on-site response personnel (Section 4.2);
- Added Texas Wildlife Rehab & Education notification phone number (Section 4.3);
- Revised organizational chart (Section 5.1);
- Revised recordkeeping and plan revisions procedures (Sections 8.2 & 8.4);
- Revised spill prevention measures applicable to racks (Section 9.5);
- Revised integrity testing requirements applicable to shop fabricated, less than 30,000-gallon containers (Section 9.6.4);
- Revised procedures for authorization of releases of non-contaminated stormwater (Section 9.6.5 & Attachment L); and
- Updated regulatory cross-reference matrix (Section 10.0).

The revised pages are enclosed herein for insertion into your copy of the HFOTCO ICP. Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Oksana A. Howard
Senior Environmental Specialist

OAH/tv
24231:0940420.lts.doc

Enclosure

cc: J. Bailey

HOUSTON FUEL OIL TERMINAL COMPANY

16642 Jacintoport Blvd., Houston, Texas 77015
(281) 452-3390 • Admin. Fax: (281) 452-3458 • Oper. Fax: (281) 452-6306

August 22, 2003

Ms. Melanie M.C. Barber
Environmental Planning Officer
US DOT Office of Pipeline Safety
P.O. Box 267
Alexandria, VA 22313-0267

FEDERAL EXPRESS
AIRBILL NUMBER
8330 1299 7325

Reference: Response to Comment Letter Dated May 20, 2003
RSPA Sequence Number 1215 (Houston Fuel Oil Terminal)

Dear Ms. Barber:

Enclosed, please find two copies of revised pages from the Houston Fuel Oil Terminal Company (HFOTCO) Integrated Contingency Plan (ICP). These pages have been revised to address the comments specified in your letter dated May 20, 2003.

Since the ICP has already been reviewed and approved by the Captain of the Port of the U.S. Coast Guard Marine Safety Office, Houston-Galveston Branch (October 3, 2002), the current revisions have been prepared with the intent to satisfy your comments while at the same time not impacting those aspects of the plan that have been already approved. The following summary identifies revisions made to the this plan in order to address the deficient protocols as listed in your May 20, 2003 letter:

Deficient Protocol	**Description of how deficiency was addressed**
Protocol 3.3	Annex 3 – *Response Management System*, Section 5.1.2.a, which describes IC/PIC/QI responsibilities was revised to remove the notification duties that have now been assigned to the Safety and Training Coordinator, who is a designated Information/Safety Officer as described in Section 5.2.1.e.
Protocol 9.1	Core Plan, Section 2.0 was revised to include several diagrams and brief descriptions of the essential actions necessary to initiate, conduct, and terminate an emergency response action. Section 2.4 was revised to include a diagram representing the HFOTCO Response Management System (RMS) with a reference made to Annex 3 (Section 5.0) which includes the organizational chart and narrative description of the incident command system including the descriptions of the responsibilities and duties assigned to each member of the Incident Command and Command Staff in accordance with the fundamental principles of NIIMS ICS.

Deficient Protocol	**Description of how deficiency was addressed**
Protocol 9.2, Question 2	In order to follow the *National Response Team's Integrated Contingency Plan Guidance* and the *USCG Field Operations Guide – Incident Command System* (2000), the brief narrative descriptions of the roles and responsibilities for key NIIMS ICS staff were removed from Section 2.1. Instead, Annex 3 (Section 5.0) was revised to provide more descriptive and clearer information pertaining to the responsibilities and duties assigned to the ICS personnel at the facility.
Protocol 12.1	Response documentation procedures were removed from Section 2.1. Instead, a description of the procedures that will be used to document response decisions, activities, and costs is now provided in Section 5.4.1.a. This section addresses the responsibilities for the *Documentation Unit* which is overseen by the Chief of Planning Section as shown on the ICS diagram found in Section 2.4 of the plan.
Protocol 16.2	The current revisions now address Protocols 9.1, 9.2, and 12.1 as described above.

In addition to revising the ICP in response to your comments, various other sections of the plan were revised to address the Environmental Protection Agency (EPA) Spill Prevention Control and Countermeasure (SPCC) requirements of 40 CFR 112 as amended on July 17, 2002 and the Texas General Land Office (TGLO) Oil Spill Prevention and Response requirements of 31 TAC 1.19 as amended on October 30, 2002. The pages affected by these revised regulations are also included herein and are tabbed accordingly.

Should you have any questions or require additional information pertaining to this response, please do not hesitate to contact our environmental consultant, Ms. Desireé Westcott, of The WCM Group, Inc. at 281-446-7070 or me at 281-452-3390.

Sincerely,

Desiree Westcott

for James Bailey
Director of Regulatory Affairs

JB/oah
0940393.ltr.doc

Enclosure

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

August 22, 2003

Mr. Jay Veselka
Compliance Officer
Texas Regional Land Office
11811 North D Street
La Porte, TX 77571-9135

FEDERAL EXPRESS
AIRBILL NUMBER
8330 1299 7358

Reference: Certificate No. 20337 Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency (Facility Response) Plan Revisions

Dear Mr. Veselka:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Comment letter from the United States Department of Transportation (USDOT) Research and Special Programs Administration (RSPA) dated May 20, 2003;
- Environmental Protection Agency (EPA) Spill Prevention Control and Countermeasure (SPCC) requirements of 40 CFR 112 as amended on July 17, 2002; and
- Texas General Land Office (TGLO) Oil Spill Prevention and Response requirements of 31 TAC 1.19 as amended on October 30, 2002.

The revised plan along with the new attachments and appendices is enclosed herein for insertion into your copy of the HFOTCO ICP.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Oksana A. Howard
Environmental Specialist

OAH/

0940394.ltr.doc

cc: J. Bailey

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

August 22, 2003

U.S. Environmental Protection Agency
Region VI
1445 Ross Avenue, Ste. 1200
Dallas, Texas 75202-2733

FEDERAL EXPRESS
AIRBILL NUMBER
8330 1299 7369

Reference: Tracking No. FRP-06-TX00312
Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revisions

Dear Sir or Madame:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Comment letter from the United States Department of Transportation (USDOT) Research and Special Programs Administration (RSPA) dated May 20, 2003;
- Environmental Protection Agency (EPA) Spill Prevention Control and Countermeasure (SPCC) requirements of 40 CFR 112 as amended on July 17, 2002; and
- Texas General Land Office (TGLO) Oil Spill Prevention and Response requirements of 31 TAC 1.19 as amended on October 30, 2002.

The revised plan along with the new attachments and appendices is enclosed herein for insertion into your copy of the HFOTCO ICP.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Oksana A. Howard
Environmental Specialist

OAH/

0940394.ltr.doc

cc: J. Bailey

ENVIRONMENTAL PROFESSIONALS
WCM
The WCM Group, Inc.

August 22, 2003

Lt. H. Kim, Captain of the Port
United States Coast Guard
MSO Houston-Galveston
P.O. Box 446
Galena Park, Texas 77547-0446

CERTIFIED MAIL
RECEIPT NUMBER
7002 0460 0001 1617 7998

Reference: Tracking No. 16610
Houston Fuel Oil Terminal Company, Houston, Texas
Integrated Contingency Plan Revisions

Dear Lt. Kim:

On behalf of Houston Fuel Oil Terminal Company (HFOTCO), The WCM Group, Inc. has revised the above-referenced Integrated Contingency Plan (ICP) to address the following:

- Comment letter from the United States Department of Transportation (USDOT) Research and Special Programs Administration (RSPA) dated May 20, 2003;
- Environmental Protection Agency (EPA) Spill Prevention Control and Countermeasure (SPCC) requirements of 40 CFR 112 as amended on July 17, 2002; and
- Texas General Land Office (TGLO) Oil Spill Prevention and Response requirements of 31 TAC 1.19 as amended on October 30, 2002.

The revised plan along with the new attachments and appendices is enclosed herein for insertion into your copy of the HFOTCO ICP.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at 281-446-7070.

Sincerely,

Oksana A. Howard
Environmental Specialist

OAH/
0940394.ltr.doc

cc: J. Bailey

REQUIRED COMPLIANCE ACTIONS

Action	Required Timeframe / Recommended Frequency	Reference	Date Last Revised
➢ Complete and Certify the Substantial Harm Criteria checklist	Upon plan implementation	Page ix	6/12
➢ Sign Management Approval	Upon plan implementation	Page x	6/12
➢ Professional Engineer's Certification	Upon plan implementation	Section 8.2 & Attachment B	6/12
➢ General facility identification information	Review at least annually; update as needed	Section 1.4	6/12
➢ Facility emergency personnel & Federal, State, and local agencies contact information	Review at least annually; update as needed	Sections 4.2 & 4.3	6/12
➢ Discharge history reports	Update as needed	Section 6.1	6/12
➢ Visual inspection of spill response trailer/boat	Daily	Section 7.1.1	
➢ Verify spill response trailer/boat ready for deployment	Weekly	Section 7.1.1	
➢ Test spill response trailer/boat; verify spill response equipment available inventory	Monthly	Section 7.1.1 & Attachment D	
➢ Test spill response trailer/boat and deploy boom	Quarterly	Section 7.1.1	
➢ Deploy boom and test-run skimmer	Semi-Annually	Sections 7.1.1 & 7.2.3	
➢ Inspect and test all spill response equipment available on-site	Annually	Section 7.1.1	
➢ Conduct PIC/QI notification drill	Monthly	Section 7.2.1	
➢ Conduct facility spill management team tabletop exercise	Annually	Section 7.2.2	
➢ Conduct announced and unannounced PIC/QI and OSRCOs drills	Annually	Section 7.2.4	
➢ Conduct employee spill response personnel training	Annually	Section 7.3 & Attachment G	
➢ Review the entire plan and, if applicable, revise and submit modifications as necessary.	Annually by July 7th*	Section 8.1	
➢ Submit to USCG either revisions or a letter stating that the annual review was completed and there are no changes	Annually following Plan review	Section 8.1	
➢ Amend the plan whenever there is a change if facility design, construction, operation, or maintenance which materially affects the facility's potential for a release of discharge; submit changes to USCG, EPA, and PHMSA DOT.	Within 30 days of such change	Section 8.2 & Attachment K	
➢ Conduct routine in-service inspections of bulk oil storage tanks, transfer operations (valves, piping, and appurtenances), pumping, and process equipment	At least monthly	Sections 9.2, 9.3, 9.4,Attachment D & API Std 653 Sec.4.3	

*USCG 5 year approval: 06/07/2007 to 06/06/2012 (Resubmitted for next 5 years on 06/28/12) (ref. No. 16610) PHMSA DOT 5 year approval: 01/01/2009 to12/31/2013 (Resubmit for next 5 years by 12/31/13) (ref. No. 1215)

Action	Required Timeframe / Recommended Frequency	Reference	Date Last Revised
➢ Conduct a formal visual external inspection of tanks by a "qualified" inspector	At least every 5 years or at the quarter corrosion-rate life of the shell, whichever is less	API Std 653 Sec.4.3.2.1 and Sec. 4.10	
➢ Conduct internal inspection of tanks to ensure that the bottom is not corroded and leaking	Interval is to be determined by the corrosion rates measured during previous inspections, but in no case shall exceed 20 years (if the corrosion rate is unknown, the bottom plate thickness shall be determined within the next 10 years to establish the actual corrosion rate)	API Std 653 Sec.4.4.2	
➢ Conduct additional tank integrity testing, as appropriate	Per API Std 653	Section 9.2	

INTEGRATED CONTINGENCY PLAN

Prepared for
HOUSTON FUEL OIL TERMINAL COMPANY
Houston, Texas

Prepared by
THE WCM GROUP, INC.
Humble, Texas

Issued: June 2002
Last Revised: September 2012

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This ICP has been prepared for responding to releases of oil and non-radiological hazardous substances as required by the following regulations:

- EPA's Oil Pollution Prevention Regulations (SPCC and FRP Requirements) 40 CFR 112.7(d) and 112.20-.21;
- USCG's FRP Regulation – 33 CFR 154, Subpart F;
- PHMSA's Pipeline Response Plan Regulation – 49 CFR 194; and
- TGLO's Discharge Prevention and Response Certification Regulations – 31 TAC 1.19.

The initial June 2002 ICP replaced the following:

	Plan Title	Regulatory Agency	Document Number	Previous Approval Dates
1	SPCC Plan	EPA	094229.chv.doc	07/07/99
2	FRP (OPA-90) for N-MTR Portion of the Facility	EPA	FRP-06-TX00312 094035.rpt.wpd	02/10/00
3	FRP (OPA-90) for Transportation-Related Portion of the Facility	USCG	0940317.rpt	
4	FRP (OPA-90) for Onshore Pipeline Operations	DOT, PHMSA	1215 094156.rpt.doc	03/19/97 – 03/18/02
5	OSPRA-91	TGLO	10261 094017.chv.doc	08/19/98

FIGURES

1 - SITE LOCATION TOPOGRAPHIC MAP

2 - SITE PLOT PLAN

3 - SITE DRAINAGE MAP

4 - EMERGENCY EVACUATION ROUTES

5 - EMERGENCY RESPONSE EQUIPMENT LOCATION MAP

6 - PIPELINE LOCATION MAP

ATTACHMENTS

A - IDENTIFICATION OF AREAS OF ECONOMIC IMPORTANCE AND ENVIRONMENTAL SENSITIVITY

B - SITE-SPECIFIC POTENTIAL OIL DISCHARGE SOURCES (TABLES) AND PROFESSIONAL ENGINEER'S CERTIFICATION

C - DISCHARGE INFORMATION REPORT FORM; AIR UPSET NOTIFICATION FORM FOR REPORTABLE EVENTS; HAZARDOUS LIQUID PIPELINE SYSTEM ACCIDENT REPORT AND PHONE NOTIFICATION LOG SHEET

D - FACILITY INSPECTION FORM AND SPILL RESPONSE EQUIPMENT INVENTORY LIST

E - RESPONSE EQUIPMENT DEPLOYMENT DRILL FORM

F - FACILITY DRILLS/EXERCISES LOG FORMS

G - RESPONSE TEAM TRAINING AND MEETING LOG FORMS

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I - OUTSIDE SPILL REMOVAL CONTRACT ORGANIZATIONS INFORMATION

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I - 40 CFR 110, EPA - DISCHARGE OF OIL AND 40 CFR 112, EPA - OIL POLLUTION PREVENTION

II - 33 CFR 154, USCG - RESPONSE PLANS FOR MTR OIL FACILITIES

III - 49 CFR 194, DOT PHMSA - RESPONSE PLANS FOR ONSHORE OIL PIPELINES

IV - 31 TAC 19, TGLO - OIL SPILL PREVENTION AND RESPONSE

V - 30 TAC 327, TCEQ - SPILL PREVENTION AND CONTROL

VI - 16 TAC 7.80-7.87, RRC OF TEXAS - PIPELINE SAFETY REGULATIONS

VII - TCEQ WASTE CLASSIFICATION REGULATIONS FLOWCHART

DISTRIBUTION LIST

LOCATION	DOCUMENT NUMBER
President/CEO	1
Senior Vice President of Terminal Operations & Customer Service	2
Senior Vice President of Terminal Services and Regulatory Affairs	3
Manager of Environmental & Regulatory Affairs	4
Operations Manager	5
Maintenance Manager	6
Operations Center	7
Guard Shack	8
USCG COTP MSO Houston-Galveston (Tracking No. 16610) 9640 Clinton Drive Houston, TX 77029	9 and 10
U.S. EPA Region VI (Tracking No. FRP-06-TX-00312) (Also send electronic copy) 1445 Ross Avenue, Ste. 1200 Dallas, TX 75202-2733	11
U.S. DOT, PHMSA (Tracking No. 1215) (Also send electronic copy) PHMSA-DPS3 1200 New Jersey Ave., Room E22-210 Washington, D.C. 20590	12 and 13
The WCM Group, Inc.	14

CERTIFICATION OF THE APPLICABILITY OF THE SUBSTANTIAL HARM CRITERIA

Houston Fuel Oil Terminal Company
1201 South Sheldon Road
Houston, Texas

1. ***Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity greater than or equal to 42,000 gallons?***

   Yes __X__ No _____

2. ***Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?***

   Yes __X__ No _____

3. ***Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to Appendix F of 40 CFR 112 or a comparable formula) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments?***

   Yes __X__ No _____

4. ***Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to Appendix F of 40 CFR 112 or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake?***

   Yes _____ No __X__

5. ***Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?***

   Yes _____ No __X__

CERTIFICATION

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

Signature: _____
Paul Roubieu, Manager, Environmental and Regulatory Affairs

Date: 6-27-2012

MANAGEMENT APPROVAL

I certify that this Integrated Management Plan has management approval and will be implemented as herein described in accordance with the applicable federal, state, and local regulations 40 CFR Part 112.7 - *Guidelines for the Preparation and Implementation of a Spill Prevention Control and Countermeasure Plan*.

Robert Riemer, Senior Vice President
Terminal Services and Regulatory Affairs

6-27-12
Date

ACRONYMS

ACP	Area Contingency Plan
API	American Petroleum Institute
bpd	barrels per day
bph	barrels per hour
CCA	Clean Channel Association
CFR	Code of Federal Regulations
CHRIS	Chemical Hazard Response Information System
CIMA	Channel Industries Mutual Aid organizations
COTP	Captain of the Port
CWA	Clean Water Act
DAF	Dissolved Air Flotation
DOT	Department of Transportation
EPA	Environmental Protection Agency
FOSC	Federal On-Scene Coordinator
FRP	Facility Response Plan
GLO	General Land Office
gpm	gallons per minute
HFOTCO	Houston Fuel Oil Terminal Company
ICP	Integrated Contingency Plan
IC	Incident Commander
ICS	Incident Command System
LEPC	Local Emergency Planning Committee
MAWP	Maximum Allowable Working Pressure
MMS	Mineral Management Services
MSDS	Material Safety Data Sheet
MSO	Marine Safety Office
MTR	Marine Transportation-Related
NCP	National Contingency Plan
NIIMS	National Interagency Incident Management System
N-MTR	Non-Marine Transportation-Related
NRC	National Response Center
NRT	National Response Team
NSCC	National Scheduling Coordinating Committee
NVIC	Navigation & Vessel Inspection Circular
OD	Outside Diameter
OPA	Oil Pollution Act
OSHA	Occupational Safety Health Act
OSPR	Oil Spill Prevention and Response
OSPRA	Oil Spill Prevention and Response Act
OSRO	Oil Spill Response Organization
PIC/QI	Person-In-Charge/Qualified Individual
PHMSA	Pipeline and Hazardous Materials Safety Administration
PPE	Personal Protective Equipment
PREP	Preparedness for Response Exercise Program
QI	Qualified Individual
RCRA	Resource Conservation and Recovery Act
RMS	Response Management System
RRC	Railroad Commission of Texas
RTM	Response Team Member

SCADA	Supervisory Control and Data Acquisition
SERC	State Emergency Response Commission
SOSC	State On-Scene Coordinator
SPCC	Spill Prevention, Control and Countermeasure
TAC	Texas Administrative Code
TGLO	Texas General Land Office
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollutant Discharge Elimination System
USCG	United States Coast Guard
VHF	Voice High Frequency

1.0 INTRODUCTION

1.1 ICP PHILOSOPHY AND ORGANIZATIONAL CONCEPT

The ICP will minimize duplication in the preparation and use of emergency response plans at the same facility and will improve economic efficiency for both the regulated and regulating communities. The use of a single emergency response plan per facility will eliminate confusion for facility first responders who often must decide which of their plans is applicable to a particular emergency. ICP is designed to be a highly functional document for use in varied emergency situations while providing a mechanism for complying with multiple agency requirements. Use of a single integrated plan should also improve coordination between facility response personnel and local, state, and federal emergency response personnel. The ICP concept also allows for coordination of facility plans with plans that are maintained by LEPCs, Area Committees, co-operatives, and mutual aid organizations. The scope of ICP is to address facility hazards in a comprehensive and coordinated manner. Facility hazards include both physical and chemical hazards associated with events such as chemical releases, oil discharges, fires, explosions, and natural disasters.

This ICP is organized into three main sections:

- Introduction;
- Core Plan; and
- Supporting Annexes.

The Introduction Section of the plan is designed to provide facility response personnel, outside responders, and regulatory officials with basic information about the plan and the entity it covers.

The Core Plan and Annexes are based on the structure of the NIIMS ICS. NIIMS ICS is a nationally recognized system currently in use by numerous federal, state, and local organizations. NIIMS ICS provides a commonly understood framework that allows for effective interaction among response personnel. Organizing the ICP along the lines of the NIIMS ICS will allow the plan to dovetail with established response management practices, thus facilitating its ease of use during an emergency.

1.2 TABLE OF CONTENTS

Table of Contents (page 1) for the ICP clearly identifies the structure of this document and is designed to facilitate rapid use of the plan in case of an emergency.

1.3 CURRENT REVISION DATE

The document issuance date is indicated at the bottom of each page. More detailed information on plan update history is maintained in Attachment K. All modifications and amendments made to this plan are in accordance with the provisions as outlined in Section 8.0 of the ICP.

1.4 GENERAL FACILITY IDENTIFICATION INFORMATION

GENERAL FACILITY IDENTIFICATION INFORMATION		
Facility Name:		Houston Fuel Oil Terminal Company
Facility Mailing Address:		1201 South Sheldon Road Houston, Texas 77015
Facility Telephone and Fax Numbers:		(281) 452-3390 (281) 452-6306 – operations fax (281) 452-3458 – administration fax
Description of Geographic Location:		40.9 mile marker of the Houston Ship Channel on the north side of the channel approximately seven (7) miles east of downtown Houston and 7.5 miles west of Baytown near Station 558 + 05 and adjacent to Jacintoport Slip and Trinity Steel. The geographic location relative to other facilities is identified on Figure 1.
Directions to the Facility:		Off Interstate-10, take Sheldon Road exit; go south on Sheldon Road two miles, then turn left onto and travel Jacintoport Boulevard for one mile to the site.
Owner/Operator/Agent:		HFOTCO LLC 1201 South Sheldon Road Houston, Texas 77015
Date of Oil Storage Start-up:		June 1, 1979
Current Operation:		Bulk storage and loading/unloading of liquid petroleum products & crude oil
Date(s) and type(s) of substantial expansion(s):		
1.	April 1992	Add Tanks 266-1 & 266-2
2.	October 1992	Add Tanks 200-6, 80-20, 80-21, 80-23, 80-24, 80-26, & 80-27
3.	October 1994	Add Tanks 325-1 & 325-2
4.	February 1996	Add Tanks 37-1 & 37-2
5.	October 1998	Add Tanks 80-22, 80-25, & 80-28
6.	September 2000	Add Tank 200-5
7.	January 2001	Add Area 14, Tanks 80-29 thru 80-38
8.	April 2001	Add Tanks 400-1 & 400-2; Remove No. 1 Barge Dock
9.	July 2001	Add No. 5 Barge Dock
10.	September 2001	Add No. 3 Ship Dock
11.	January 2002	Add Area 15, Tanks 400-1 & 400-2
12.	June 2002	Add Tanks 200-7, 200-8, & 200-9
13.	June 2007	Add Tank 220-1
14.	May 2009	Add Tanks 400-3, 400-4 & 400-5
15.	February 2010	Add Barge Dock No. 6, Tanks 8-1, 8-2, 10-1, 13-1, 13-2, 13-3, 13-4, 30-11, 30-12, 30-13, 30-14, 30-15, 30-16, 30-17, 95-1, 95-2, 95-3, & 95-4

GENERAL FACILITY IDENTIFICATION INFORMATION		
16.	July 2011	Add Tanks 100-6, 400-7, 400-9, and 400-10
17.	July 2011	Add Barge Dock No. 7 and Ship Dock 4
18.	June 2012	Add Area 19 and 20.
Key Contact for plan development and maintenance:		Paul Roubieu, Manager, Environmental and Regulatory Affairs 281-452-3390 - office
(b) (7)(F) [redacted]		
Dun & Bradstreet Number[1]:		N/A – Texas Partnership
Standard Industrial Classification (SIC) Code[1]:		4226
(b) (7)(F) [redacted]		
Number of Aboveground Oil Storage Tanks:		95
(b) (7)(F) [redacted]		
Crude Oil Transfer Pipeline Length:		20” diameter x 0.8 miles 24” diameter x 9.6 miles
(b) (7)(F) [redacted]		
Facility Distance to Navigable Water (mark the appropriate box):		
0-1/4 mile ■	1/4 - 1/2 mile ☐	½ to 1 mile ☐ 1 mile ☐
Wellhead Protection Area:		The facility is not located in a wellhead Protection Area nor does the facility have a potential to discharge into a wellhead Protection Area.

[1]These numbers may be obtained from public library resources.

1.5 FACILITY OPERATIONAL INFORMATION

The detailed descriptions of the transportation-related and non-transportation related portions of the facility are provided below. Figure 2, *Site Plot Plan*, shows the facility mooring areas, transfer locations, control stations, storage tank farms, secondary containment walls, and locations of safety equipment.

1.5.1. MTR Portion Of The Facility

Marine activities including the loading or unloading of marine vessels occur at the facility's ship and barge docks. Marine vessels include barges, seagoing barges, and ships. In the unlikely event of a release, oil from marine activities would flow directly into the Houston Ship Channel, if not isolated in the facility drip and containment systems, as described in the USCG Operations Manual found under separate cover. The breasting and mooring structures are equipped with hooks. A summary of the liquid capacity of each transfer line is located in the Operations Center.

Ship Dock No. 1

One ship can transfer oil or hazardous material to or from the facility at Ship Dock No. 1. Each ship is restricted to a total length of 900 feet with a draft of 45 feet at Ship Dock No. 1. There are no restrictions on the width of the ship.

When ships are not transferring oil or hazardous material, then either one barge, two barges that are on either end of the dock, three barges (i.e., two barges that are manifolded on one end of the dock and one barge on the opposite end) or four barges (i.e., two that are manifolded on either end of the dock) can simultaneously transfer oil or hazardous material to or from the facility at Ship Dock No. 1. Barges are restricted to a maximum of 600 feet long x 55 feet wide and a draft of 12 feet.

Ship Dock No. 2

One ship can transfer oil or hazardous material to or from the facility at Ship Dock No. 2. Each ship is restricted to a total length of 900 feet with a draft of 40 feet at Ship Dock No. 2. There are no restrictions on the width of the ship.

When ships are not transferring oil or hazardous material, then either one barge, two barges that are on either end of the dock, three barges (i.e., two barges that are manifolded on one of the dock and one barge on the opposite end) or four barges (i.e., two that are manifolded on either end of the dock) can simultaneously transfer oil or hazardous material to or from the facility at Ship Dock No. 2. Barges are restricted to a maximum of 600 feet long x 55 feet wide with a draft of 12 feet.

Ship Dock No. 3

One ship can transfer oil or hazardous material to or from the facility at Ship Dock No. 3. Each ship is restricted to a total length of 900 feet with a draft of 45 feet at Ship Dock No. 3. There are no restrictions on the width of the ship.

When ships are not transferring oil or hazardous material, then either one barge, two barges that are on either end of the dock, three barges (i.e., two barges that are manifolded on one of the dock and one barge on the opposite end) or four barges (i.e., two that are manifolded on either end of the dock) can simultaneously transfer oil or hazardous material to or from the facility at Ship Dock No. 3. Barges are restricted to a maximum of 600 feet long x 55 feet wide with a draft of 12 feet.

Ship Dock No. 4

One ship can transfer oil or hazardous material to or from the facility at Ship Dock No. 4. Each ship is restricted to a total length of 900 feet with a draft of 45 feet at Ship Dock No. 4. There are no restrictions on the width of the ship.

When ships are not transferring oil or hazardous material, then either one barge, two barges that are on either end of the dock, three barges (i.e., two barges that are manifolded on one end of the dock and one barge on the opposite end) or four barges (i.e., two that are manifolded on either end of the dock) can simultaneously transfer oil or hazardous material to or from the facility at Ship Dock No. 4. Barges are restricted to a maximum of 600 feet long x 55 feet wide and a draft of 12 feet.

Barge Dock No. 1 (Has been moved to Barge Dock No. 5 location, June 2001)

Barge Dock No. 2

Either one barge or alternatively two barges that are moored on either side of the dock can simultaneously transfer oil or hazardous material to or from the facility at Barge Dock No. 2. Each barge is restricted to a maximum of 300 feet long x 55 feet wide and a draft of 12 feet.

Barge Dock No. 3

Either one barge, two barges that are moored on either side of the dock, three barges (i.e., two that are manifolded on one side and one moored on the other side), or four barges (i.e., two that are manifolded on either side) can simultaneously transfer oil or hazardous material to or from the facility at Barge Dock No. 3. Each barge is restricted to a maximum of 300 feet long x 55 feet wide with a draft of 12 feet.

Barge Dock No. 4

Either one barge or alternatively two barges that are doubled up together can simultaneously transfer oil or hazardous material to or from the facility at Barge Dock No. 4. Each barge is restricted to a maximum of 300 feet long x 55 feet wide with a draft of 12 feet.

Barge Dock No. 5

Either one barge or alternatively two barges that are manifolded together can simultaneously transfer oil or hazardous material to or from the facility at Barge Dock No. 1. Each barge is restricted to a maximum of 300 feet long x 55 feet wide with a draft of 12 feet.

Barge Dock No. 6

Either one barge or alternatively two barges that are moored on either side of the dock can transfer oil or hazardous material to or from simultaneously at Barge Dock No. 6. Each barge is restricted up to 350 feet long x 55 feet wide with a draft of 15 feet.

Barge Dock No. 7

Either one barge or alternatively two barges that are moored on either side of the dock can transfer oil or hazardous material to or from simultaneously at Barge Dock No. 7. Each barge is restricted up to 350 feet long x 55 feet wide with a draft of 15 feet.

Containment

Each dock is curbed so that all oil discharges on the dock area will be pumped to a ballast water tank onshore. Water will be drawn from ballast tank to an underground drainage system, which will deliver the wastewater to an API-approved oil and water separator.

(b) (7)(F)



1.5.2. N-MTR Portion Of The Facility

Each bulk petroleum storage tank is equipped with a "first valve" that separates the transportation-related portion of the facility from the N-MTR portion of the facility. The "first valve", also referred to as the "dock valve" or "Coast Guard valve," is the first valve inside the secondary containment required by 40 CFR 112.

The SPCC planning requirements of 40 CFR 112 apply to any owner or operator of a N-MTR facility engaged in storing and transferring oil and oil products which due to its location could reasonably be expected to discharge oil in quantities that

may be harmful as defined in 40 CFR 110 into or upon the navigable waters of the Unites States or adjoining shorelines.

Any facility that has an aggregate aboveground storage capacity of 1,320 gallons or greater must comply with the provisions as outlined in 40 CFR 112 Subparts A, B, and C which establish requirements for the preparation and implementation of SPCC Plans. SPCC Plans are designed to complement existing laws, regulations, rules, standards, policies, and procedures pertaining to safety standards, fire prevention, and pollution prevention rules.

Tanks and Related Piping Systems

HFOTCO utilizes aboveground welded steel storage tanks to store residual fuel oil and crude oil at atmospheric pressure. Process equipment including pumps, valves and piping is utilized for transferring oil and petroleum products within the facility. These tanks and related piping are equipped with the secondary containment systems that enclose a sufficient volume to contain 100% of the largest tank within the enclosure plus sufficient freeboard to allow for collection of precipitation. In the unlikely event of a release, oil that escapes secondary containment would flow through the facility drainage system toward the Houston Ship Channel, if it is not isolated in the drainage system prior to reaching the Houston Ship Channel.

Tank Truck Activities

Tank truck activities, including the loading and unloading of tank trucks, occur at the tank truck racks A, B and C. In the unlikely event of a release, oil from the tank truck loading and unloading areas would flow through the facility drainage system toward the Houston Ship Channel, if it is not isolated in the self contained tank truck slab prior to flowing through the drainage system. An interlocked warning light or physical barrier system, warning signs, wheel chocks, or vehicle break interlock system is provided in loading/unloading areas to prevent vehicular departure before complete disconnect of flexible or fixed oil transfer lines in accordance with 40 CFR Part 112.7(h)(2).

Tank Car Activities

Tank car activities, including the loading and unloading of rail tank cars, occur at the tank car racks A, B and C. In the unlikely event of a release, oil from tank car activities would flow through the facility drainage system toward the Houston Ship Channel, if it is not isolated in the self-contained tank car slab prior to flowing through the drainage system toward the Houston Ship Channel. An interlocked warning light or physical barrier system, warning signs, wheel chocks, or vehicle break interlock system is provided in loading/unloading areas to prevent vehicular departure before complete disconnect of flexible or fixed oil transfer lines in accordance with 40 CFR Part 112.7(h)(2).

Transport Vessel Inspection

Prior to filling and departure of any transport vessel, the lowermost drain and all outlets of a transport vessel are closely examined for leakage and, if necessary,

tightened, adjusted, or replaced to prevent leakage while in transport in accordance with 40 CFR Part 112.7(h)(3).

1.5.3. Pipeline Information Summary

HFOTCO operates a pipeline network in eastern Harris County. The network consists of pipelines that transfer crude oil from the HFOTCO storage terminal to a nearby refinery. The pipeline started operations in April 1996.

In accordance with 49 CFR 194.101(a), HFOTCO submitted a response plan to DOT- PHMSA (*previously RSPA*) as provided in 49 CFR 194.119. That plan was revised to satisfy regulatory review by US DOT, PHMSA (*previously RSPA*), on July 2, 1996.

The pipeline network can 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, as noted in 49 CFR 194.103(a). Specifically, line sections are located within a one-mile radius of potentially affected environmentally sensitive areas in the vicinity of the Houston Ship Channel and Galveston Bay, and a discharge could reasonably be expected to reach those areas, as noted in 49 CFR 194.103(c)(5).

The response plan is written in English. No other language is applicable.

As required in 49 CFR 194.107(c), the response plan contains certification of consistency with the NCP and ACP. Due to the bulk of the ACPs, only one copy of the ACPs is maintained in the facility administrative office.

HFTCO will not utilize dispersants or burning unless specifically requested to employ these methods by the FOSC. Any usage of dispersants or burning will be performed only in accordance with the ACPs and NCP and with prior approval of the FOSC. Sinking agents that are prohibited by the NCP will not be utilized.

Figure 6 contains the DOT Pipeline Location Map. The entire pipeline system is located in one response zone: Galveston Bay Area.

Table 1-1: HFOTCO Pipeline Segments

Pipeline Segment	Pipeline Designation	Diameter (Inches)	Length (Miles)	Capacity (Barrels)	Liquid Transported
1	HFOTCO to Intermediate 20” Receiver/24” Launcher Site	20	0.6	2,927	Crude Oil
2	From Intermediate 20” Receiver/ 24” Launcher Site	24	9.8	28,368	Crude Oil

1.6 CONSISTENCY WITH OTHER APPLICABLE PLANS AND STATE REQUIREMENTS

1.6.1. National Contingency Plan

The HFOTCO ICP is consistent with the NCP, 40 CFR 300. HFOTCO certifies that the response plan has been reviewed and is consistent with the existing NCP as required in 49 CFR 194.107(c).

1.6.2. Area Contingency Plan

The HFOTCO ICP is consistent with the applicable ACPs, which are the Houston/Galveston Bay ACP and the EPA Region VI ACP. HFOTCO certifies that the response plan has been reviewed and is consistent with the existing ACPs as required in 49 CFR 194.107(c).

1.6.3. Conformance with State Requirements

Since the facility is located within the Coastal Facility Designation Line as defined in the Texas General Land Office (TGLO) regulations (31 TAC 1.19.2, Appendix I) and its total oil storage or daily transfer capacity is greater than 1,320 gallons, the facility is subject to the certification requirements found in 31 TAC 1.19.12. A copy of the applicable regulations is found in Appendix IV of the ICP. The facility has applied for and received a discharge prevention and response certification, a copy of which is found in Attachment H.

2.0 CORE PLAN

2.1 INDIVIDUAL DISCOVERY

HFOTCO conducts regular facility inspections in accordance with the applicable regulations. Additionally, tanks are routinely inspected after cleaning and repairs are made.

The facility gauges tanks, tank cars, and tank trucks prior, during, and after each movement to prevent product loss (discharge). If the transfer results in a discharge, of oil then personnel are responsible to immediately shutdown the process and notify the next in command as shown on the following diagram.

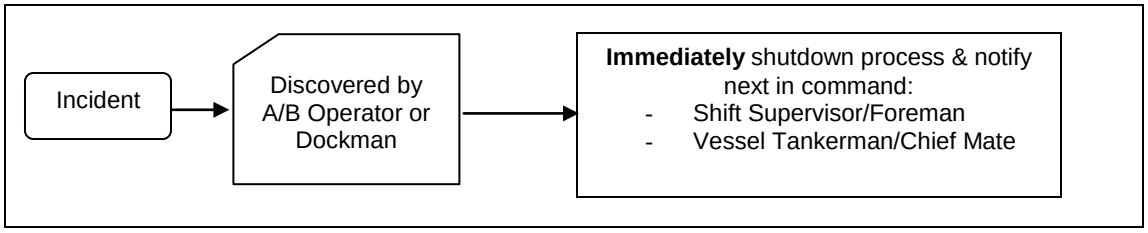


Diagram 2-1: Initial Discovery

2.1.1. Initial Discharge Detection

The methods of initial discharge detection include the following:

- Tank/pipeline inspections;
- Response to other operator reports;
- Monitoring of operating parameters, such as tank gauges, that indicate a discharge (SCADA).

The equipment utilized in initial discharge detection includes the following:

- Tank/pipeline monitoring system (SCADA);
- Automatic tank gauges;
- Radios or telephones to facilitate communication; and
- Spill boats, trucks, helicopters, airplanes, and other response equipment, as necessary.

2.1.2. Discharge Mitigation Procedures

According to PHMSA's interpretation of the "substantial threat" term in 49 CFR 194.115(a) as equivalent to the "abnormal operations" term under 49 CFR 195.402(d), the facility's procedures to identify events that pose a substantial threat of a worst-case discharge are found in the Pipeline Operations Manual, Section 3.0, *Abnormal Operations,* found on-site. Descriptions of the procedures to eliminate or mitigate a substantial threat of a discharge (*abnormal operations*

of the pipeline) that are implemented at the facility are also addressed in the Pipeline Operations Manual.

The multi-agencies definition of a "*discharge*" is found in Section 4.1. The intention of the facility is to monitor its operations in order to be able to detect an oil discharge as promptly as possible. If a discharge occurs, the facility's planned response strategy is to:

(1) Shut down as promptly as possible the operation responsible for the discharge and immediately notify PIC/QI (see Diagram 2-1 above). PIC/QI will initiate the facility response management system (see Diagram 2-4 below) and notify the members of the HFOTCO Spill Response Team as promptly as possible

(2) PIC/QI and the HFOTCO RTMs will take steps necessary to isolate the leak and to stop the spread of product, if it is safe to do so (see Diagram 2-2 below).

(3) Upon initial assessment of the incident, Manager of Environmental and Regulatory Affairs will notify OSROs as promptly as possible but not later than 30 minutes of discovery of discharge or substantial threat of discharge so that response organization(s) may arrive on the scene within their planned response times (see Section 4.0 for notification phone numbers).

(4) Secure area as promptly as possible and evacuate personnel if necessary in the event of a threat of fire, explosion, or hazardous or noxious emissions.

(5) Restrict access at the facility gates to authorized personnel only.

(6) In a secure situation, deploy the appropriate containment boom as promptly as possible in order to conduct sustained action as shown on Diagram 2-3 below. Utilize incident specific information and Figure 3, *Site Drainage Map*, to determine appropriate placement of the boom based upon the potential directions of spill flow.

(7) The Manager of Environmental and Regulatory Affairs will provide spill notification to the federal, state, and local agencies not later that within 24-hours after discovery of the release (see Section 4.0 for notification phone numbers). For reporting purposes utilize Discharge Information Sheet and Phone Notification Log form found in Attachment C.

(8) Provide temporary storage for any recovered product and product-covered debris.

(9) Utilize pre-arranged plans for transporting recovered product and product-covered debris to a disposal site.

(10) Utilize pre-arranged plans with a disposal site to accept any recovered product waste and product-covered debris that may be offered for disposal.

2.2 INITIAL RESPONSE

Under no circumstances should the response actions as shown on Diagram 2-2 be delayed. Collectively, the actions described in this plan represent those, which will be implemented to stop the source of the oil discharge, to notify the appropriate personnel, and to initiate procedures to prevent or minimize the discharge of oil.

Thirteen telephone lines are available at the facility, any of which may be reached on a 24-hour basis by dialing **281-452-3390**. Telephones are located at the Main Gate and Operations Building. The caller should request to speak with the Operations Manager during working hours (Monday through Friday, 08:00 to 17:00, except holidays). At all other times, the caller should request to speak with the Operations Foreman. For a list of telephone numbers and contact names for internal and external notification purposes, see ANNEX 2 – NOTIFICATION.

A VHF (frequency 150.98) two-way radio system is maintained for in-plant communications. The system utilizes a base station at the Operations Office, two-way portables for every individual, a base station with paging system at the Main Gate, and two-way radios at each dock, main pump station, blend slab, and truck rack.

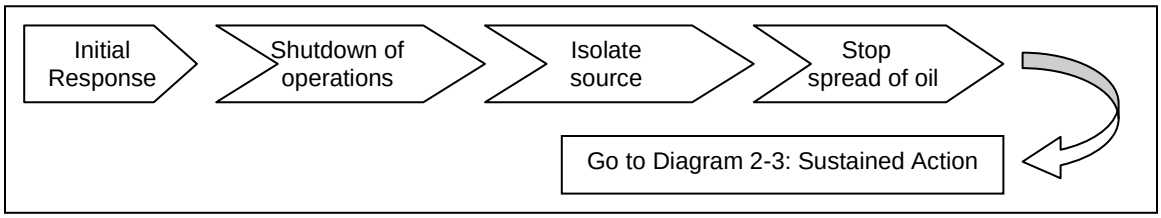


Diagram 2-2: Initial Response

The PIC/IQ is responsible for coordinating the facility response efforts and must activate the facility response management system (RMS) as shown on Diagram 2-4 below. The narrative description of the steps to be taken by each member of the RMS is provided in ANNEX 3 – RESPONSE MANAGEMENT SYSTEM. The same annex includes procedures for preliminary assessment of the situation, including an identification of incident type, hazards involved, magnitude of the problem, and resources threatened.

All facility personnel who might be involved in an oil spill response have been informed that detergents or other surfactants are prohibited from being used on an oil spill in the water, and that dispersants can only be used with the approval of the Regional Response Team (for contact numbers, see Section 1.0), the interagency group composed of federal and state agency representatives that coordinates oil spill responses [31 TAC 19.13(c)(10)].

2.3 SUSTAINED ACTIONS

Prolonged mitigation and recovery actions will be conducted under the response management structure as outlined on Diagram 2-3 below and discussed in a greater detail in ANNEX 3 – RESPONSE MANAGEMENT SYSTEM.

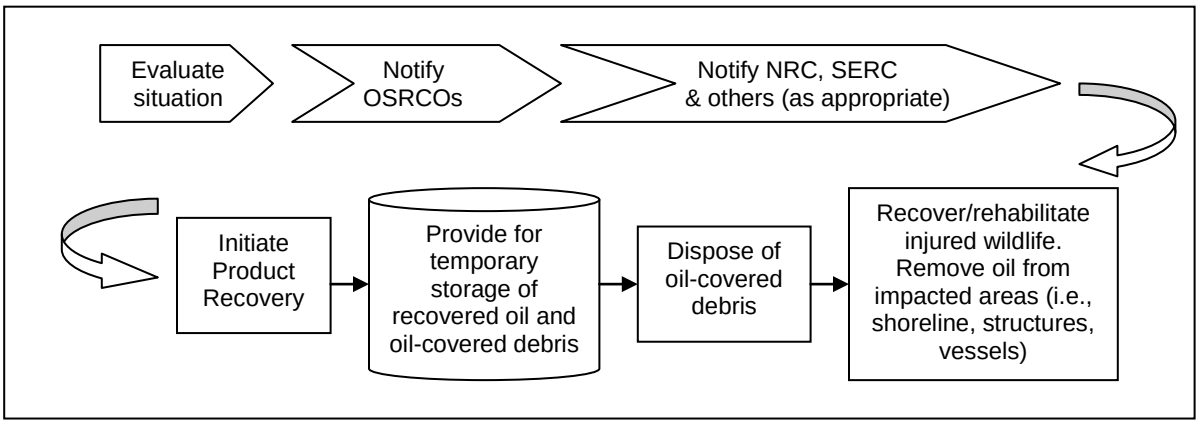


Diagram 2-3: Sustained Action

2.4 TERMINATION AND FOLLOW-UP ACTIONS

The QI/IC, in coordination with the FOSCs and SOSCs, will terminate the response once the "emergency" is declared over. Follow-up actions associated with termination of a response (e.g., accident investigation, response critique, plan review, and written follow-up reports) will be conducted as outlined in ANNEX 4 – INCIDENT DOCUMENTATION and ANNEX 6 – RESPONSE CRITIQUE AND PLAN REVIEW AND MODIFICATIONS. Diagram 2-4 (presented on the following page) provides an outline of the Response Management System (RMS) implemented at HFOTCO in order to respond to a spill promptly and effectively. Narrative description of responsibilities and duties assigned to response personnel under the RMS is provided in ANNEX 3 – RESPONSE MANAGEMENT SYSTEM. The same annex includes procedures for preliminary assessment of the situation, including an identification of incident type, hazards involved, magnitude of the problem, and resources threatened.

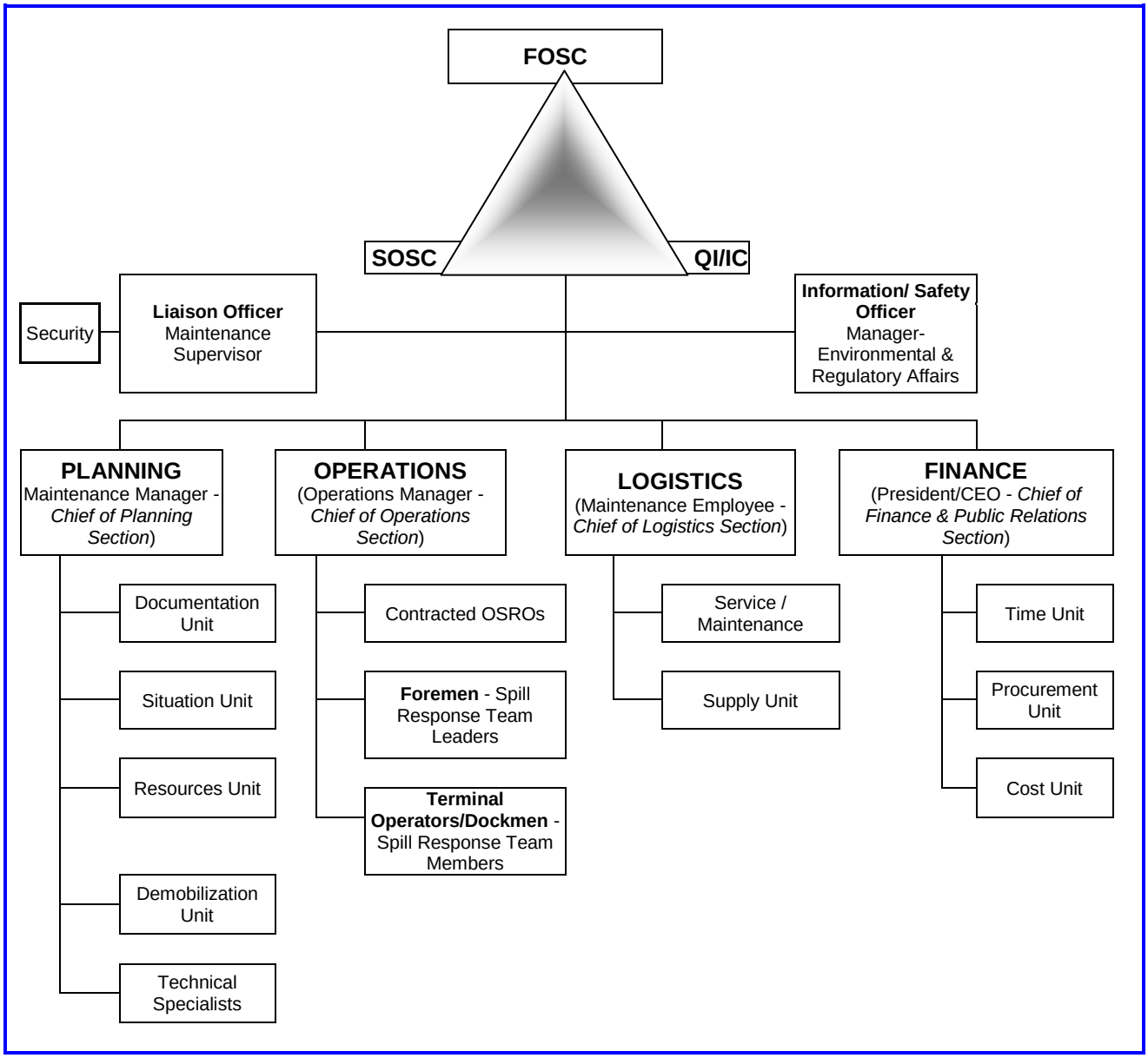


Diagram 2-4: HFOTCO Response Management System (per NIIMS ICS)

2.5 WORST-CASE SCENARIO NARRATIVE

The following is a worst-case scenario involving a pipeline failure that potentially could occur at the facility:

Discharge Information

a. Time of discharge: 1800

b. Date of discharge: September 1, 1996

c. Discharge source: Pipeline Segment No. 2 at channel crossing

d. Quantity discharged: 43,368 barrels

e. Product type: Crude oil

f. Discharge Cause: Pipeline failure during a hurricane

Incident Description

At 1200, Pipeline Segment No. 2 is utilized to transfer crude oil, with Hurricane Georgia approaching Galveston Bay. At 1730, the eye of Hurricane Georgia passes over the area. At 1800, the Pipeline Segment No. 2 fails at the channel crossing.

Pre-Deployment Activities

Emergency Response Action

1800: The control room operator notices a pressure drop and shuts in the pipeline, stopping the transfer.

1805: The Foreman shall contact the facility PIC/QI or alternate (for complete list, see Section 4.1).

1810: The facility PIC/QI or alternate shall activate and implement the ICP. The PIC/QI shall contact the primary and secondary OSROs and make a request for assistance. Finally, the PIC/QI shall contact the local USCG COTP MSO and make requests for restriction of access in the Houston Ship Channel.

Notification and Callout

1830: The Manager of Environmental & Regulatory Affairs or alternate shall notify appropriate agencies (for complete list, see Section 4.2).

Safety Procedures

1900: No attempts to deploy spill boat and boom shall be made until Hurricane Georgia subsides and conditions allow for safe working conditions.

Equipment and Personnel Locations

2200: As conditions allow, the Foreman and Dockman shall deploy boom at the outfalls and any other points of release. The "A" Operator shall monitor the oil movement and release.

Deployment Activities

1. Procedures to Stop Discharge at the Source

2015: At that point, the facility PIC/QI shall meet with the ship agent, FOSC, and SOSC to determine if the discharge can be stopped. All reasonable methods shall be evaluated.

Methods to Control or Prevent Potential Fire

2030: The PIC/QI shall contact the Fire Chief and fire team to stand by with fire truck in case of fire. The Fire Chief and team shall report to the terminal as soon as the hurricane and flooding subside enough to allow for safe driving conditions.

Surveillance and Tracking of Oil Movement

"A" Operator shall be responsible for tracking the movement of oil and for notifying the Shift Supervisor to coordinate response efforts. Only when conditions change to allow for safe use of the spill equipment shall the "A" Operator deploy spill equipment to track the movement of oil in the Channel.

Protection of Environmentally Sensitive Areas

2200: Spill boom is deployed to protect environmentally sensitive areas that were identified in Attachment A.

Description of Control and Contaminated Actions

2230: OSROs personnel arrive on-site and meet with the facility PIC/QI.

2400: OSROs personnel begin to deploy outer boom enclosing barge dock, terminal spill boom, and affected waterways to serve as protective outer layer during response activities.

September 2, 1996
0200: OSROs personnel complete outer boom deployment. Then the OSRO and "A" Operator inspect environmentally sensitive areas and initiate containment activities (boom, etc.) to protect those areas.

Description of Mechanical Recovery Operations

0400: OSROs personnel deploy recovery boat, skimmers, and absorbent as required to remove oil and clean up the affected area. Cleanup operations are estimated to be complete from 72 to144 hours (estimated date: 09/08/96).

Description of Non-Mechanical Recovery Operations

Not applicable.

Describe the Storage of Recovered Product

As recovered oil and water is accumulated, the OSROs personnel shall transfer the recovered oil and water to the terminal. The facility PIC/QI shall designate storage tanks to serve as influent tanks. Once in the influent tanks, the recovered oil shall be transferred to Tank 80-1, which is a 78,000-barrel equalization tank in the terminal wastewater treatment system. Additional storage for the recovered oil (i.e., after treatment by separation) shall be made available.

Describe the Shoreline Cleanup Strategy

Response personnel shall position booms to prevent oil from impacting the shoreline. The OSROs personnel will use mechanical means to remove oil from any impacted shoreline in accordance with Attachment H.

Describe the Recycling of Recovered Oil and Disposal of All Response Materials

0900 - 9-8-96: Cleanup efforts are complete. Booms are removed. After receiving clearance from FOSC and SOSC, operations will start up at the ship dock.

1. Recovered Oil and Water

   Recovered oil and water are processed in the wastewater treatment system. After equalization in Tank 80-1, the recovered oil and water is transferred to the oil/water separator. Recovered oil is transferred to Tank 11-1 for further shipment off-site for recycling. Wastewater flows from the oil/water separator to the DAF unit for further treatment. Then, the treated wastewater is discharged at Outfall 001 in accordance with a current TPDES wastewater discharge permit.

2. Contaminated Absorbents

   Contaminated absorbents shall be accumulated on-site in a watertight 20 or 30 cubic yard disposal bin. Provisions shall be made for stormwater control and spill containment. Contaminated absorbents shall be disposed of in accordance with applicable regulations.

3. Contaminated Debris (Including Soils)

   Contaminated debris shall be accumulated on-site in a watertight 20 to 30 cubic yard disposal bin. Provisions shall be made for stormwater control and spill containment. Contaminated debris shall be disposed of in accordance with applicable regulations.

4. Contaminated PPE

Contaminated PPE shall be accumulated on-site in a watertight 20 or 30 cubic yard disposal bin. Provisions shall be made for stormwater control KK and spill containment. Contaminated PPE shall be disposed of in accordance with applicable regulations.

3.0 ANNEX 1 – FIGURES

3.1 SITE LOCATION TOPOGRAPHIC MAP

See Figure 1

3.2 SITE PLOT PLAN

See Figure 2

3.3 SITE DRAINAGE MAP

See Figure 3

3.4 EMERGENCY EVACUATION ROUTES

See Figure 4

3.5 EMERGENCY RESPONSE EQUIPMENT LOCATION MAP

See Figure 5

3.6 PIPELINE LOCATION MAP

See Figure 6

4.0 ANNEX 2 – NOTIFICATION

4.1 MULTI-AGENCY DEFINITION OF "DISCHARGE" AND NOTIFICATION REQUIREMENTS

Regulatory Agency	Area of the Facility Covered	Regulated Discharge	RQ		Notification	Reference
			Land	Water		
EPA	N-MTR portion of the facility	Discharge of oil in such quantities as "may be harmful" pursuant to Section 311(b)(4) of the Clean Water Act.	Quantity harmful to the public health or welfare or the environment	Quantity sufficient to cause a visible film or sheen upon or discoloration of the surface of the water or a shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or on a shoreline	Immediately upon discovery	Appendix 0
TCEQ	N-MTR portion of the facility located beyond the 100-yard waterfront line	An act by which oil is spilled, leaked, pumped, poured, emitted, entered, or dumped either directly onto or into waters of the State or it may drain, seep, run, or otherwise enter waters of the State.	210 gallons		As soon as possible but no later than 24 hours after the discovery	Appendix 0
TGLO	N-MTR waterfront portion of the facility located within 100 yards of coastal waters	Unauthorized discharge of a harmful quantity of oil from a vessel or facility located within the coastal zone.	Quantity sufficient to cause at least substantial harm to the environment or cause a threat to enter coastal waters	Quantity sufficient to cause a visible film or sheen upon or discoloration of the surface of the water or a shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or on a shoreline	As soon as possible but no later than ***one hour*** after the discovery	Appendix 0

Regulatory Agency	Area of the Facility Covered	Regulated Discharge	RQ		Notification	Reference
			Land	Water		
USCG	**MTR** – from the facility oil transfer system's connection with the vessel to the first valve inside the secondary containment surround tanks in N-MTR portion of the facility.	Any incident or condition involving a facility that may create a risk of discharge of oil including, but not limited to, from AST or piping failures, aboveground or underground leaks, fires, explosions, flooding, spills contained within the facility, or other similar occurrences.	Quantity sufficient to cause at least substantial harm to the environment or cause a threat to enter coastal waters	Quantity sufficient to cause a visible film or sheen upon or discoloration of the surface of the water or a shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or on a shoreline	Immediately upon discovery	Appendix 0
DOT PHMSA	Onshore crude oil transfer pipeline	Discharge of oil that, because of its location, could cause substantial harm, or significant and substantial harm to the environment if discharged into or on the navigable waters or adjoining shorelines.	Quantity sufficient to cause a significant and substantial harm	Quantity sufficient to cause a visible film or sheen upon or discoloration of the surface of the water or a shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or on a shoreline	Immediately upon discovery	Appendix 0
RRC			210 gallons		As soon as possible but no later than ***two hours*** after discovery of the discharge	Appendix 0

4.2 INTERNAL NOTIFICATIONS

FACILITY EMERGENCY PERSONNEL CONTACT PHONE NUMBERS

Facility Address: 1201 South Sheldon Road, Houston, TX 77015
Facility Main 24-hr Telephone: 281-452-3390
Facility Fax: 281-452-6306

Name, Job Title	Assigned RMS/Security/ Person-In-Charge Role	Response Time	24-hr Contact Numbers
Johnny Alaniz, Health, Safety, and Security Officer	Designated Qualified Individual (**QI**) Person in Charge (**PIC**) Incident Commander (**IC**) Emergency Coordinator Evacuation Warden Alternate Facility Security Officer	20-30 minutes	Work: (281)-452-3390 Mobile: (713)-825-7594
Gary Hanne, Maintenance Supervisor	**Liaison Officer** Chief of Environmental Section Alternate QI/PIC/IC/ Emergency Coordinator	20-30 minutes	Work: (281)-452-3390 Mobile: (281)-802-1961 (b) (6)
Paul Roubieu, Manager, Environmental & Regulatory Affairs	**Information Safety Officer** Chief of Safety & Security Section Facility Security Officer (FSO) Alternate QI/PIC/IC/ Emergency Coordinator	20-30 minutes	Work: (281)-452-3390 Mobile: (713)-594-1083 (b) (6)
Don Elkins, Maintenance Manager	**Chief of Planning Section** Alternate QI/PIC/IC/ Emergency Coordinator	20-30 minutes	Work: (281)-452-3390 Mobile: (832)-317-7971 (b) (6)
John Grider, Operations Manager	**Chief of Operations Section** Alternate QI/PIC/IC/ Emergency Coordinator Evacuation Warden	20-30 minutes	Work: (281)-452-3390 Mobile: (713)-825-9789 (b) (6)
Mike Mangan Vice President of Finance	**Chief of Finance** Alternate QI/PIC/IC/ Emergency Coordinator Corporate Authority to Commit Resources	20-30 minutes	Work: (281)-452-3390
Pat Brennan, Maintenance Supervisor	**Chief of Logistics Section** Alternate QI/PIC/IC/ Emergency Coordinator	20-30 minutes	Work: (281)-452-3390 Mobile: (281)-802-2938 (b) (6) (b) (6)
David DiStefano, Terminal Employee	Spill Response Team	30 minutes	Mobile: (281)-802-1627
Tom Hashagen, Terminal Employee	Spill Response Team Alternate QI/PIC/IC/ Emergency Coordinator	30 minutes	(b) (6) Mobile: (713) 962-4349
Jerry Ribenhour, Operations Supervisor	Alternate FSO/PIC	N/A	Work: (281)-452-3390 Mobile: (281)-299-5510
Ashley Ferrell, Operations Supervisor	Alternate FSO/PIC	N/A	Work: (281)-452-3390 (b) (6) Mobile: (832)-317-7972
Charles Suggs, Operations Supervisor	Alternate FSO/PIC	N/A	Work: (281)-452-3390 (b) (6) Mobile: (281)-846-8024
Martin Coronado, Operations Supervisor	Alternate FSO/PIC	N/A	Work: (281)-452-3390 (b) (6) Mobile: (281)-910-2105

**Any updates to this table must be incorporated into the following documents: "Integrated Contingency Plan"; "USCG Operations Manual"; "Facility Security Plan"; " Hazard Communication, Emergency Prevention/Response and RCRA Compliance Plan", "Emergency and Spill Response Site Specific Health & Safety Plan".*

4.2.1. OUTSIDE EMERGENCY RESPONSE CONTRACTORS

ORGANIZATION	SERVICES PROVIDED	24-HR CONTACT NUMBER
Clean Channel Association PIN: 111-8555	OSRO Oil Spill Removal	**713-534-6195 or 800-880-5885**
Garner Environmental Services	OSRO Oil Spill Removal	**281-930-1200**
Contract Security Services: SECURITAS	Security	**800-641-4259**
The WCM Group, Inc. (Environmental Coordinator)	Environmental Consulting	**281-446-7070 (24 Hours)**
MC's Electric	Electric	**281-452-1701**
AT & T	Phone Repair	**800-247-2020**
Aqua Source Tx.	Water	**888-370-6527**
Lockton Marine & Energy	Insurance Brokers/Providers	**713-458-5410**
Liberty Mutual	Insurance Provider	**800-877-1449**
Alianz Global	Insurance Provider	**800-877-1449**
Zurich American	Insurance Provider	**800-877-1449**

**Any updates to this table must be incorporated into the following documents: "Integrated Contingency Plan"; "USCG Operations Manual"; "Facility Security Plan"; " Hazard Communication, Emergency Prevention/Response and RCRA Compliance Plan", "Emergency and Spill Response Site Specific Health & Safety Plan".*

4.3 FEDERAL, STATE AND LOCAL AUTHORITIES 24-HOUR CONTACT LIST

ORGANIZATION	24-HR CONTACT NUMBER
FEDERAL	
National Response Center (NRC) – report all suspicious activity and security breaches	**800-424-8802**
24 Hour US Coast Guard	**832-256-0467**
USCG Houston-Galveston MSO COTP – report all suspicious activity and transportation security breaches	**713-671-5100**
DOT TSA (24-hour command center) – report transportation security breaches	**866-289-9673** (or direct at 571-227-1881 or 571-227-1882)
Houston JTTF Hot-Line (local FBI office)	**713-693-5000**
Federal Bureau of Investigations (FBI)	**866-372-7745** (or direct at 202-324-3000)
National Homeland Defense	**800-843-5789** (or direct at 202-456-1414)
Immigration & Naturalization Office (INS)	**800-375-5283** (or local at 281-774-4900)
U.S. Customs Service	**202-354-1000** (or local at 713-454-8002)
Federal Aviation Administration (FAA)	**202-324-3000** (or local at 713-693-5000)
EPA Region VI – report environmental emergencies	**866-372-7745**
Bureau of Alcohol, Tobacco and Firearms (ATF) – Bomb Hotline	**888-283-2662**
ATF Arson Hotline	**888-283-3473**
ATF Illegal Firearms Activity	**800-283-4867**
ATF Other Criminal Activity	**888-283-8477**
Poison Control Center	**800-222-1222**
STATE	
Texas Department of Public Safety (DPS), Region 2	**281-517-1300**
Texas Counter Terrorism Intelligence Unit – report suspicious terrorist activity	**800-252-5402** (after hours call local DPS office at 281-517-1300)
Texas Office of Homeland Defense (Governor's Hotline)	**800-843-5789**
Texas State Emergency Response Commission (SERC) – report environmental emergences	**800-832-8224**
Railroad Commission of Texas – report pipeline or railroad incidents	**512-463-6788**
TCEQ Region XII – report environmental emergencies	**713-676-3500**
LOCAL	
Police, Fire, EMS, SWAT Team, Bomb Squad	**911**
Harris County Emergency Management Division	**713-881-3100**
Houston Fire Boat	**713-670-2647 or 713-672-8221**
LEPC-North Channel/Highlands	**281-457-2768**
LEPC-Pasadena	**713-477-1221**
LEPC-Houston	**713-663-6600**
LEPC-Deer Park	**281-479-2394**
CIMA	**713-473-9191**

**Any updates to this table must be incorporated into the following documents: "Integrated Contingency Plan"; "USCG Operations Manual"; "Facility Security Plan"; " Hazard Communication, Emergency Prevention/Response and RCRA Compliance Plan", "Emergency and Spill Response Site Specific Health & Safety Plan".*

4.4 ADJACENT PROPERTY OWNERS

Neighboring Facilities	24-hour Notification Numbers
BTEC Turbines LP	(281) 864-9122
Coflexip Stena Offshore	(281) 249-2900
Johann Haltermann Ltd.	(281) 452-5951
Delcor/T-Rex Engineering & Construction, L.C.	(713) 461-6200
Duco Inc./ Technip	(281) 249-2800
GE Packaged Power LP	(281) 452-3610
Inbesa America, Inc.	(281)452-0063
Inspectorate	(281) 452-4270
Jacintoport International	(713) 673-7000
Maxim Crane Works, LP	(281) 452-0101
Missouri Pacific RR CO.	(713) 864-3686
Oil States Industries	(713) 445-2208
Port Of Houston Authority	(713) 670-3620
Powell Ind. Offshore	(281) 452-4885
Precoat Metals	(281) 452-4521
SGS	(281) 478-8253
Shipside Crating, CO	(281) 457-2647
S I Warehouse	(281) 452-9000
Stolthaven	(281) 860-6800
Techcote Industrial Coating, LTD	(281) 862-9937

**Any updates to this table must be incorporated into the following documents: "Integrated Contingency Plan"; "USCG Operations Manual"; "Facility Security Plan"; " Hazard Communication, Emergency Prevention/Response and RCRA Compliance Plan", "Emergency and Spill Response Site Specific Health & Safety Plan".*

5.0 ANNEX 3 – RESPONSE MANAGEMENT SYSTEM

5.1 GENERAL

HFOTCO uses response management system that follows the fundamental principles of NIIMS ICS. A description of the facility's organizational structure is provided in the following paragraphs of this section of the ICP.

5.1.1. Organizational Chart

The organizational structure of the HFOTCO management is presented in the following diagram. The HFOTCO chart below represents the chain of command organizational structure for daily operations at the facility and does not represent the Response Management System (per NIIMS ICS) organization. The Response Management System is presented in Diagram 2-4 of Section 2.0 of this Plan.

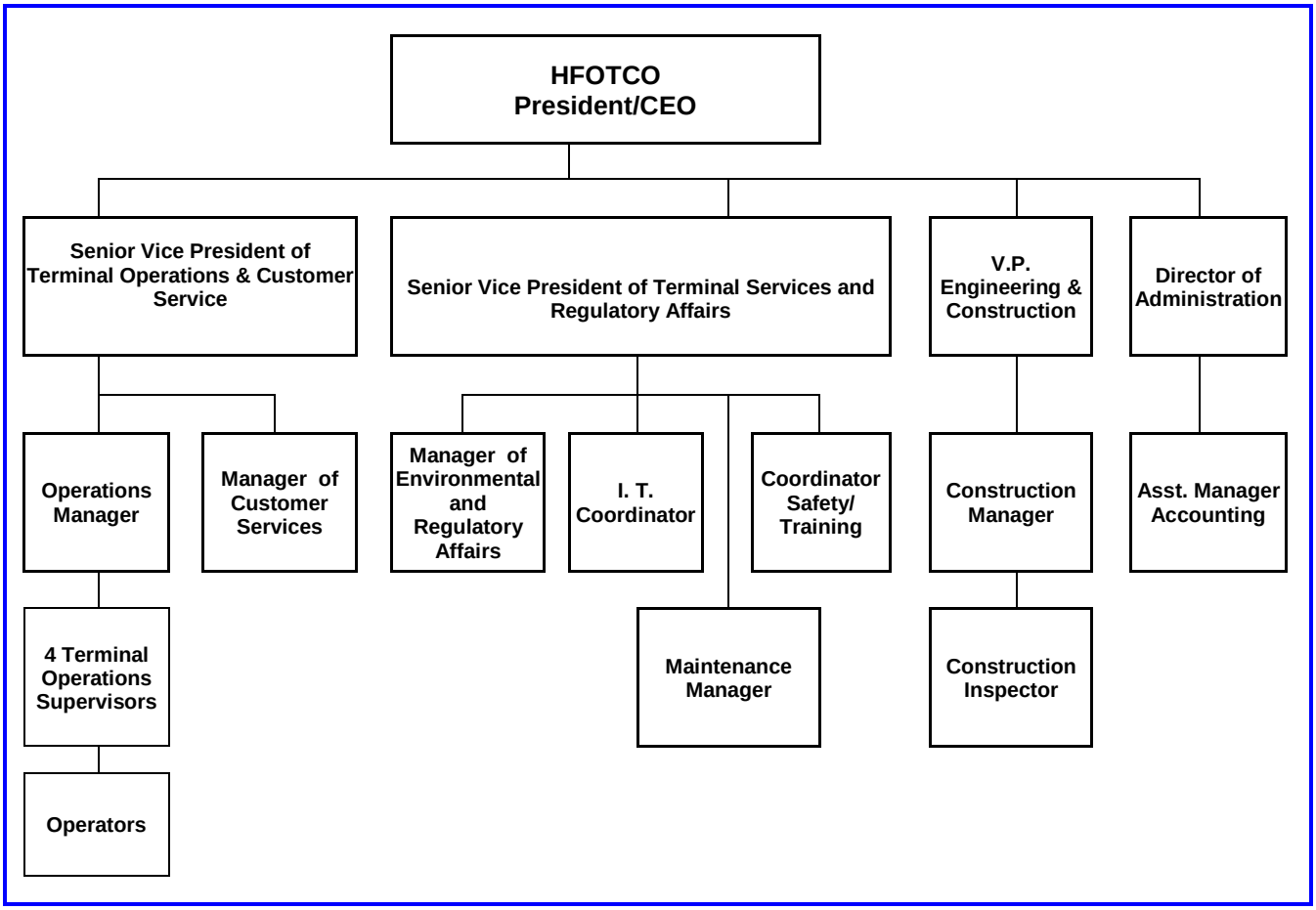


Diagram 5-1: HFOTCO Organizational Chart

5.1.2. Job Descriptions

The HFOTCO personnel responsible for spill response actions include the following:

- The Health Safety & Security Officer is a designated PIC/QI/IC and alternate FSO and is responsible for development and implementation of safety programs at the facility and for ensuring that each employee at the terminal receives adequate training corresponding to his/her position; is also responsible for supervision of security personnel and coordinating efforts in establishing a secure area during a spill.
- The Maintenance Supervisor is an alternate QI/PIC/IC/Emergency Coordinator and Liaison Officer responsible for coordination with response groups regarding coordination of public safety.
- The Manager of Environmental and Regulatory Affairs is designated alternate PIC/QI and is responsible for development and implementation of the applicable environmental compliance programs and is also responsible for supervision of security personnel and coordinating efforts in establishing a secure area during a spill.
- The Maintenance Manager is an alternate QI/PIC/IC/Emergency Coordinator and Chief of Planning Section responsible for coordination with Regulatory Agencies, recovery and disposal of materials, and Health and Safety planning.
- The Operations Manager is a designated alternate PIC/Qualified Individual (QI) and is responsible for providing oversight of the Terminal Foremen and for all marine/pipeline operations matters.
- A Maintenance employee is an alternate QI/PIC/IC/Emergency Coordinator and Chief of Logistics Section responsible for supervision and support of response efforts.
- The Terminal President/CEO is designated alternate PIC/QI and is responsible for ensuring corporate support necessary to carry out the facility response efforts during a spill.
- The Shift Supervisors are designated alternate PIC/FSO and are responsible for providing oversight of the A/B Operators/Dockmen and for shutting down the transfer operations if a discharge is detected.
- The Terminal A/B Operators/Dockmen are responsible for conducting product transfer operations and for monitoring of operating parameters, such as tank gauges, line pressure, flow meter readings, etc.

5.1.2.a. PIC/QI Duties

The duties of a designated PIC/QI include, but are not limited to, the following:

- Activate internal alarms and hazard communication systems to notify all facility personnel;
- Direct incident activities including the development and implementation of strategic decisions and approves the ordering and release of resources;
- Notify all response personnel, as needed (for notification phone numbers, see Section 4.2);

- Identify the character, exact source, amount, and extent of the release, as well as the other items needed for notification (utilize form found in Attachment C);
- Maintain constant line of communication with the FOSC or SOSC, as appropriate;
- Activate and engage in contracting with ORSO's;
- Manage the oil spill response organizations (ORSO's and the HFOTCO spill response team) and coordinate the organization during the oil spill response;
- Assess the interaction of the discharged substance with water and/or other substances stored at the facility, and notify response personnel at the scene of the assessment (consult MSDS);
- Assess the possible hazards to human health and the environment due to the release (consult MSDS). This assessment must consider both the direct and indirect effects of the release (i.e., the effects of any toxic, irritating, or asphyxiating gases that may be generated, or the effects of any hazardous surface water run-offs from water or chemical agents used to control fire and heat-induced explosion);
- Assess and implement prompt removal actions to contain and remove the substance released;
- Coordinate rescue and response actions as previously arranged with all response personnel;
- Obtain authority to immediately access company funding to initiate cleanup activities;
- Direct cleanup activities until properly relieved of this responsibility;
- Oversee proper demobilization of response resources once the emergency is declared over;
- Ensure timely submittals of initial notification and follow-up reports as required by regulatory agencies;
- Conduct accident investigation, response critique, plan review and modifications as required; and
- Ensure prolonged mitigation and recovery actions as circumstances may require.

5.1.2.b. PIC/QI Qualifications

The facility personnel designated as PIC/QI and Alternate QIs possess the following characteristics:

- Speak fluent English;
- Available on a 24-hour basis and should be able to arrive at the facility in a reasonable time;
- Familiar with the implementation of the facility ICP;
- Trained in the responsibilities of the QI under the ICP.

Additionally, HFOTCO will provide each primary and alternate QI identified in the plan with a document designating them as a QI and specifying their full authority to perform the duties as outlined in this section.

5.2 COMMAND

HFOTCO incident command is comprised of the Command Staff and General Staff. The Command Staff includes the Liaison Officer and Information/Safety Officer who report directly to the QI/IC. Persons currently designated to carry out the assigned responsibilities under the RMS (see Diagram 2-4) are identified in Section 4.2 of this ICP.

5.2.1. Unified Command

Unified Command includes the Executive Vice President of Terminal Operations and Customer Service who is an Incident Commander (IC) and/or Federal On-scene Coordinator (FOSC) and State On-scene Coordinator (SOSC).

5.2.1.a. IC

The Executive Vice President of Terminal Operations and Customer Service is a designated HFOTCO Incident Commander (IC). Current contact information for the IC is provided in Section 4.2.

5.2.1.b. FOSC

The FOSC, generally a representative of the COTP from the USCG MSO in Houston-Galveston, enforces federal requirements for the response efforts.

5.2.1.c. SOSC

The SOSC, generally a representative of the TGLO or, alternatively, the TCEQ, enforces the state requirements for the response efforts.

5.2.1.d. Liaison – Staff Mobilization

The Maintenance Supervisor will assume the responsibility of a liaison between the various response groups, especially where safety of the general public is concerned.

5.2.1.e. Information/Safety Officer

The Manager of Environmental and Regulatory Affairs will assume the responsibility of the Information / Safety Officer and as such will be responsible for providing the initial and follow-up notifications of the outside response agencies and for ensuring safety of responders. Also the Manager of Environmental and Regulatory Affairs is responsible for supervision of security personnel and to assist them in establishing a secure area.

5.3 OPERATIONS

Specific operation procedures to respond to an incident are described in this section of the plan. An organizational structure that will be used to manage the response actions is shown on Diagram 2-4: HFOTCO Response Management System.

HFOTCO handles hazardous substances in a liquid form only. Physical and chemical properties of each substance handled on-site can be identified on a corresponding MSDS, current copies of which are found in the on-site files separate to this plan.

5.3.1. Chief of Operations Section

The Operations Manager, an alternate QI, is the designated Chief of Operations Section whose duties include, but are not limited to, the following:

- Initiate and supervise actions of the HFOTCO spill response team;
- Coordinate with the OSROs personnel in the area of the response effort;
- Manage the HFOTCO foremen, dockmen, and other operators during the spill response; and
- Coordinate response actions with the Unified Command.

5.3.1.a. Spill Response Team

Spill Response Team is comprised of the terminal operators and dockmen. The team responds to emergency spills and deploys spill containing equipment to contain materials. Each shift has an assigned Leader of the team who reports to the Chief of Operations Sections.

5.3.1.b. Terminal Foremen

Terminal Foremen supervise terminal operations personnel and are designated Spill Response Team Leaders during the spill response efforts; report to the Chief of Operations Sections.

5.3.1.c. Terminal Operators/Dockmen

Terminal operators/dockmen are response team members (RTM) and act as a primary on-site responder; report to Terminal Foremen.

5.3.1.d. OSROs

Contracted OSROs responsibilities include, but are not limited to, the following:

- Deployment of booms;
- Recovery of oil and water;
- Use of absorbents; and
- Any other response activity as instructed by the IC.

5.3.2. Operational Response Objectives

Potential for an oil discharge exists at the docks, in a tank farm, in a pipeline, at a transfer station, and at other locations. Potential sources of an oil discharge associated with non-transportation related portion of the facility are summarized in Attachment B. History of oil discharges that have previously occurred at the facility is found in Section 6.1.

5.3.2.a. Small/Average Most Probable Discharge

Per 40 CFR 112, a small discharge is defined as any discharge volume less than or equal to 2,100 gallons, but not to exceed the calculated worst-case discharge. Since the HFOTCO facility is a complex, the planning of the response resources needed is based on the greater quantity of the small discharge, which is 2,100 gallons.

Per 33 CFR 154.1035(b)(2)(iii), an average most probable discharge is equal to 50 barrels. The volumes of both persistent and non-persistent oils that would be discharged in an average most probable discharge are summarized in Table 5-1 below. Since the discharges of one percent of the volume of the worst-case discharges exceed 50 barrels, then 50 barrels is the average most-probable discharge for all five groups of petroleum oil in accordance with the definition.

Table 5-1: Volume Of Oil Discharged Average Most Probable Discharge (33 CFR 154.1035(b)(2)(iii)

TYPE	GROUP	VOLUME (barrels)
Non-Persistent	I	50
Persistent	II	50
Persistent	III	50
Persistent	IV	50
Persistent	V	50

5.3.2.b. Medium/Maximum Most Probable Discharge

Per 40 CFR 112, a medium discharge is defined as the discharge of 36,000 gallons of oil or 10% of the worst-case discharge whichever is less. Since 10% of the worst-case discharge equals [redacted], the medium discharge is 36,000 gallons.

Per 33 CFR 154, the maximum most probable discharge is equal to 1,200 barrels (50,400 gallons) or 10% of the worst-case discharge, whichever is less. The volumes of oil both persistent and non-persistent that would be discharged in a maximum most-probable discharge is summarized in Table 5-2 below. Since the discharge of 10% of the volume of the worst-case discharges exceeds 1,200 barrels, then 1,200 barrels is the maximum most-probable discharge for all five groups of petroleum oil in accordance with the definition.

Since the HFOTCO facility is a complex, the planning of the response resources needed is based on the greater quantity of the medium/maximum most probable discharge, which is 1,200 barrels (50,400 gallons).

Table 5-2: Volume Of Oil Discharged Maximum Most Probable Discharge

TYPE	GROUP	VOLUME (barrels)
Non-Persistent	I	1,200
Persistent	II	1,200
Persistent	III	1,200
Persistent	IV	1,200
Persistent	V	1,200

5.3.2.c. Worst-Case Discharge For N-MTR Portion

Since it was determined that the facility could cause substantial harm to the environment (see page ix), a worst-case discharge for N-MTR portion of the facility is calculated for emergency planning purposes in accordance with the EPA Worksheet Part A found in 40 CFR 112.20. The secondary containment capacities available at the facility are taken into consideration in the calculations as presented in Table 5-3 below.

For onshore storage facilities and reduction facilities, permanently manifolded tanks are defined as tanks that are designed, installed and/or operated in such a manner that the multiple tanks function as one storage unit. In a worst-case discharge scenario, a single failure could cause the release of the contents of more than one tank. The owner or operator must provide evidence in the response plan that tanks with common piping or piping systems are not operated as one unit. If such evidence is provided and is acceptable to the EPA Regional Office, the worst-case discharge volume would be based on the capacity of the largest tank within a common secondary containment area or the largest tank within a single secondary containment area, whichever is greater.

For permanently manifolded tanks that function as one storage unit, the worst-case discharge would be based on the combined storage capacity of all manifolded tanks or the capacity of the largest single tank within a secondary containment area, whichever is greater. For purposes of this determination, permanently manifolded tanks that are separated by internal divisions for each tank are considered to be single tanks, and individual manifolded tank volumes are not combined.

Table 5-4: EPA Worksheet A, Worst-Case Discharge Calculation For N-Mtr Portion

A1.	Single-Tank Facilities: For facilities containing only one aboveground storage tank, the worst-case volume equals the capacity of the storage tank.		
(1)	Final Worst-Case Volume	**N/A**	Gallons
(2)	Do not proceed further.		
A2.	Secondary Containment—Multiple Tank Facilities:		

	Are *all* aboveground storage tanks or groups of aboveground storage tanks at the facility *without* adequate secondary containment?	**NO**	(Y/N)
A.2.1	If the answer is yes, the final worst-case volume equals the total aboveground oil storage capacity at the facility.		
(1)	Final Worst-Case Volume:	**N/A**	Gallons
(2)	Do not proceed further.		
A.2.2	If the answer is no, calculate the total aboveground capacity of tanks without adequate secondary containment. If all aboveground storage tanks or groups of aboveground storage tanks at the facility have adequate secondary containment ENTER "0" (zero)	**0**	Gallons
A.2.3	Calculate the capacity of the largest single aboveground storage tank within an adequate secondary containment area or the combined capacity of a group of aboveground storage tanks permanently manifolded together, whichever is greater, PLUS THE VOLUME DETERMINED IN QUESTION A2.2		
	(b) (7)(F) [redacted]	[redacted]	[redacted]

5.3.2.d. Worst-Case Discharge For MTR Portion

The worst-case discharge for the MTR portion of the facility is calculated in accordance with the NVIC No. 7-92 and is presented in Table 5-5 below.

Table 5-5: NVIC NO. 7-92 Worksheet, Worst-Case Discharge Calculation For MTR Portion

A	(b) (7)(F) [redacted]	"The maximum time to discover the release from the pipe in hours,
B		Plus the maximum time to shut down the flow from the pipe in hours [*based on the historic discharge (transfer) data or the best estimate in the absence of historic discharge (transfer) data for the facility*]
C		Multiplied by the maximum flow rate expressed in bph [*based on the maximum relief valve setting or maximum system pressure when relief valves are not provided*]
D		Plus the total line drainage volume in barrels for the pipes between the marine manifold and the N-MTR portion of the facility."

MAXIMUM time to discover release (hours)	**MAXIMUM time to shut down the pipe flow (hours)**	**MAXIMUM flow rate (bph)**	**Total line drainage volume for piping from MTR to N-MTR (barrels)**	**USCG worst-case discharge (barrels)**
(b) (7)(F) [redacted]				

The volumes of oil, both persistent and non-persistent, that would be discharged in a worst-case discharge are summarized in Table 5-6 below. The worst-case discharge for non-persistent, persistent, and Group V oils (b) (7)(F)

Table 5-6: Volume of Oils Discharged Worst-Case Discharge

TYPE	GROUP	VOLUME (barrels)
Non-Persistent	I	(b) (7)(F)
Persistent	II	
Persistent	III	
Persistent	IV	
Persistent	V	

*MTR transfer facilities that contain fixed aboveground onshore structures used for bulk oil storage are jointly regulated by EPA and the USCG and are termed "*complexes*." All complexes must compare both calculations for worst-case discharge derived by EPA and USCG and plan for whichever volume is greater.*

Since HFOTCO is a complex, the planned response resources described in this plan are sufficient to address the worst-case discharge from the N-MTR portion of the facility of (b) (7)(F) the MTR portion of the facility.

5.3.2.e. Worst-Case Discharge From Pipeline Operations

The worst-case discharge from the pipeline operations is characterized as follows:

Type of oil: Crude Oil
Volume: (b) (7)(F)

The method used to determine the worst-case discharge is described in 49 CFR 194.105(b)(1). The calculation is as follows:

(1) The pipeline's maximum release time in hours, plus the maximum shutdown response time in hours, is equal to 1.0 hours;

(2) The maximum flow rate, pipeline Segment No. 2, is 15,000 bph;

(3) The largest line drainage volume, pipeline Segment No. 2, after shutdown of the line section, is (b) (7)(F)

The worst-case discharge is calculated as follows:

(b) (7)(F)

5.3.3. Discharge Control

Figure 2 depicts the site plot plan indicating the locations of the tank farms, secondary containment systems, and the waterfront transloading facilities. The HFOTCO spill response equipment inventory list is found in Attachment D.

Attachment I contains information pertaining to the response equipment inventory available by contract.

5.3.3.a. Response Resources For Small/Average Most Probable Discharge

The HFOTCO employees responsible for mitigating a small/average most probable discharge of 2,100 gallons (50 barrels) or less of petroleum oil are identified in the facility organizational chart found in Section 5.1 of this ICP.

The facility will utilize equipment to respond to a small/average most probable discharge of 2,100 gallons or less as described in Attachment D. In addition to the on-site personnel and equipment mobilized, the facility will utilize the OSROs to respond to the small/average most-probable discharge of oil as identified in Attachment I.

5.3.3.b. Response Resources For Medium/Maximum Most Probable Discharge

The HFOTCO employees responsible for mitigating a medium/ maximum most probable discharge of 36,000 gallons or less of petroleum oil are identified in the facility organizational chart found in Section 5.1.

The facility will utilize equipment to respond to a medium/maximum most probable discharge of 36,000 gallons or less as described in Attachment D. In addition to the on-site personnel and equipment mobilized, the facility will utilize the contracted OSROs to respond to the medium/maximum most probable discharge of 36,000 gallons or less as identified in Attachment I

.

5.3.3.c. Response Resources For Worst-Case Discharge

Worksheet to Plan Volume of Response Resources for Worst-Case Discharge (per 40 CFR 112, Appendix E):

Part I. Background Information

Step (A)	Calculate Worst-Case Discharge (see Section 0)	(b) (7)(F)
Step (B)	Oil Group	Group 4
Step (C)	Geographic Area (choose one):	
	Nearshore/Inland Great Lakes	O
	or River and Canals	G
Step (D)	Percentages of Oil	
	Percent Lost to Natural Dissipation	10 (D1)
	Percent Recovered Floating Oil	50 (D2)
	Percent Oil Onshore	70 (D3)
Step (E1)	On-Water Recovery = Step (D2) x Step (A) x 0.01 =	(b) (7)(F)

Step (E2)	On-Shore Recovery = Step (D3) x Step (a) x 0.01 =	(b) (7)(F)
Step (F)	Emulsification Factor:	1.4
Step (G)	On-Water Oil Recovery, Resource Mobilization Factor:	
	Tier 1	0.15 (G1)
	Tier 2	0.25 (G2)
	Tier 3	0.40 (G3)
Part II	**On-Water Recovery Capacity (bpd):**	
	Tier 1 = Step (E1) x Step (F) x Step (G1) =	(b) (7)(F)
	Tier 2 = Step (E1) x Step (F) x Step (G2) =	
	Tier 3 = Step (E1) x Step (F) x Step (G3) =	
Part III	Shoreline Cleanup Volume (bpd) = Step (E2) x Step (F) =	
Part IV	Response Capacity By Geographic Area (amount needed to be contra as of June 18, 2002):	
	Tier 1	12,500 (J1)
	Tier 2	25,000 (J2)
	Tier 3	50,000 (J3)
Part V	Amount Needed to be Identified, but not Contracted for in Advance (bpd):	
	Tier 1 = Part II Tier 1— Step (J1) =	(b) (7)(F)
	Tier 2 = Part II Tier 2— Step (J2) =	
	Tier 3 = Part II Tier 3— Step (J3) =	

Note: 1 barrel = 42 gallons.

Since the facility is located in a high volume inland port, HFOTCO is required to contract for up to 50,000 bpd of response equipment, as a Tier 3 facility, as well as the other Part V requirements.

The response resources available for response to the worst-case discharge at the facility are summarized in Table 5-7 below:

Table 5-7: Response Resources Available for Worst-Case Discharge

	Tier 1		Tier 2	Tier 3
	6 hours	**12 hours**	**30 hours**	**54 hours**
Containment Boom	112,530 ft	14,000 ft	13,400 ft	16,000 ft
Rated Recovery Capacity	461,146 bpd	23,725 bpd	45,805 bpd	54,857 bpd

	Tier 1		Tier 2	Tier 3
	6 hours	12 hours	30 hours	54 hours
Derated Recovery Capacity[a]	92,228 bpd	4,745 bpd	9,161 bpd	10,971 bpd
Storage Capacity[b]	153,515 barrels			
Boats <18'	54	16	40	40
18'<25'	32	10	30	40
>25'	4	0	1	2
Towboat	6	0	0	0
Personnel	341	86	200	

a - 20% of rated recovery capacity in accordance with NVIC No. 7-92.

b - Additional storage capacity not less than 250,000 barrels will be available at the facility within six (6) hours of the notice of a worst-case discharge (i.e., Tier 1). The storage will be available from tanks in residual or crude oil storage. The possible tanks and capacities are described in Attachment B.

The guidelines in Appendix C of the NVIC No. 7-92 were used to calculate the quantity of response resources to respond at each tier of the worst-case discharge to the maximum extent practicable. The facility is located in a higher volume port area, City of Houston, as designated in the NVIC No. 7-92.

The following table summarizes the calculation of the on-water recovery resources necessary to respond to the worst-case discharge. As noted previously, the facility has contracted for response resources well in excess of these values.

Table 5-8: On-Water Recovery Resources - Worst-Case Discharge

Oil Group	Tier 1	Tier 2	Tier 3
	6 hours	30 hours	54 hours
I	6,540 barrels	8,720 barrels	13,080 barrels
II	11,772 barrels	15,700 barrels	23,550 barrels
III	11,080 barrels	17,440 barrels	26,160 barrels
IV	9,156 barrels	12,210 barrels	18,310 barrels
V	6,540 barrels	8,720 barrels	13,080 barrels

NOTES:

- Emulsification factors are the same as found in the NVIC.
- The percentage of on-water recovery is assumed to be 100%, river and canal.

Unless otherwise noted, all response equipment listed in Attachments D and I is capable of operating in water of six (6) feet or less depth.

	TIER 1	TIER 2	TIER 3
Higher volume port area (except Prince William Sound, which is covered by Appendix B, Section 6)	6 hrs	30 hrs	54 hrs
Great Lakes	12 hrs	36 hrs	60 hrs
All other rivers and canals, inland, near shore, and offshore areas	12 hrs	36 hrs	60 hrs

The facility is located in the Port of Houston, which is a high volume port. Response equipment under contract and on-site resources can be at the facility within the times specified, as previously noted.

Response resources identified for Tier 2 and Tier 3 plan credit are capable of arriving on scene within the time specified for the applicable tier, as specified in Attachment I.

5.3.3.d. Response Resources For Group V Oils

The facility handles Group V oils - persistent petroleum oils that exhibit a specific gravity equal to or greater than 1.0.

The response resource available by contract to respond to discharges of Group V oils is identified in Attachment I. Response resources are available as calculated in the section above. These resources include the following:

- Equipment to locate the oil on the bottom or suspended in the water column;
- Equipment to contain the floating oil or reduce the spreading on the bottom;
- Equipment necessary to recover oil from the bottom and shoreline;
- Equipment necessary to assess the impact of a discharge of Group V oil; and
- Other equipment to respond to a discharge of Group V oil.

All response equipment that is utilized to respond to a discharge of Group V oil is capable of being deployed at HFOTCO within 24 hours of discovery of a discharge at the facility. For additional information, refer to Attachments D and I.

The HFOTCO employees responsible for mitigating a discharge of Group V oil are identified in the facility organizational chart found in Section 5.1 of this ICP.

The facility will utilize equipment to respond to a discharge of Group V oil listed in Attachment D. In addition to the on-site personnel and equipment mobilized, the facility will utilize the contracted OSROs to respond to a discharge of Group V oil as identified in Attachment I.

5.3.4. Response Resources For Pipeline Failure

Catastrophic worst-case discharge scenario - failure of the pipeline Segment No. 2 before, during, or after a Class 5 hurricane - considers the following factors that

affect the response efforts by the facility. Facility response activities to mitigate the worst-case discharge would be performed in accordance with the ACPs and NCP.

5.3.4.a. Size Of The Discharge

(b) (7)(F) [redacted]

5.3.4.b. Proximity To Downgradient Wells, Waterways, And Drinking Water Intakes

Pipeline Segment No. 2 at the Channel crossing is not proximal to any downgradient wells or drinking water intakes; however, a release from the pipeline could potentially enter the Houston Ship Channel (Buffalo Bayou) that is a navigable tidal waterway.

5.3.4.c. Proximity To Fish And Wildlife And Sensitive Environment

Pipeline Segment No. 2 at the Channel crossing is proximal to fish, wildlife and sensitive environments due to the facility location being adjacent to the Houston Ship Channel (Buffalo Bayou). The amount of boom that is required to protect environmentally sensitive areas is estimated to be 7,500-8,000 ft. These fish, wildlife and sensitive environments are identified in Attachment 0, as well as measures to mitigate the potential discharge.

5.3.4.d. Likelihood That The Discharge Will Travel Off-Site

The pipeline location is identified on Figure 6. Due to a minimal topographic relief in the area, a discharge from the pipeline will travel off-site (see topographic map, Figure 1) but in a much-localized manner.

5.3.4.e. Location Of Discharge

Most likely, the potential failure of Pipeline Segment No. 2 during an adverse weather condition at the Channel crossing (see Figure 6) would produce soil and water contamination.

The contaminated soil and crude oil mixture is an industrial solid waste and would be managed as noted in Section 5.4.5. The contaminated water will be treated in the on-site wastewater treatment system and discharged in accordance with a current TPDES wastewater discharge permit. The recovered oil will be shipped off-site for recycling.

5.3.4.f. Material Discharged

The material discharged from a potential pipeline failure is crude oil. Current MSDS and additional information concerning crude oil can be found in on-site files separate from this document.

5.3.4.g. Weather Or Aquatic Conditions

The worst-case discharge of Pipeline Segment No. 2 at the Channel crossing would be prior to, during, or after a Class 5 hurricane, with sustained winds above 150 mph. This type of storm could potentially bring an accompanying tidal rise of 10-15 feet in the Houston Ship Channel. Such a tidal storm surge could transport the released crude oil to areas upstream of the facility, and the subsequent outgoing tide could potentially deliver released crude oil to areas downstream of the facility. All response efforts will be coordinated with the federal, state, and local response agencies in a safe manner as the top priority and will be initiated only after the dangers of the hurricane have subsided in the Houston area.

5.3.4.h. Available Remediation Equipment

Remediation equipment available on-site and by contract is summarized in Attachments D and I. All equipment available by contract meets the criteria as noted in 49 CFR 194.

5.3.4.i. Probability Of A Chain Reaction Of Failures

A failure of Pipeline Segment No. 2 is not likely to cause a chain reaction of failures.

5.3.4.j. Direction Of Discharge Pathway

The discharged crude oil should proceed in all directions from the pipeline but in a localized manner. Remedial efforts will be centered on keeping the released material within the immediate area and recovering as much crude oil as possible.

5.3.5. Assessment/Monitoring

The following procedures provide actions to be taken by facility operations personnel in the event of a discharge, potential discharge, or emergency involving facility equipment and scenarios:

5.3.5.a. Failure Of Manifold

(1) Operator/Dockman shall shut down the oil transfer operation and notify Shift Supervisor/Foreman, Dockman/Operator, and Vessel Tankerman/ Chief Mate by radio to initiate Emergency Shutdown of oil transfer operation as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator/Dockman will close manifold valves and isolate leaking equipment components from oil transfer;

(3) Operator/Dockman will shut down oil transfer operation for outbound oil product movements, or Tankerman will shut down oil transfer operation for inbound oil product movements and notify Shift Supervisor/Foreman;

(4) Shift Supervisor/Foreman will evaluate situation and determine if a discharge occurred and initiate PIC/QI notification and containment

measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(5) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(6) The oil transfer shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.b. Failure Of Mechanical Loading Arm

(1) Operator/Dockman shall shut down the oil transfer operation and notify Shift Supervisor/Foreman, Dockman/Operator, and Vessel Tankerman/ Chief Mate by radio to initiate Emergency Shutdown of oil transfer operation as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator/Dockman will close manifold valves and isolate leaking equipment components from oil transfer;

(3) Operator/Dockman will shut down oil transfer operation for outbound oil product movements, or Tankerman will shut down oil transfer operation for inbound oil product movements and notify Shift Supervisor/Foreman;

(4) Shift Supervisor/Foreman will evaluate situation and determine if a discharge occurred and initiate PIC/QI notification and containment measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(5) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(6) The oil transfer shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.c. Failure Of A Hose Or Other Transfer Equipment

(1) Operator/Dockman shall shut down the oil transfer operation and notify Shift Supervisor/Foreman, Dockman/Operator, and Vessel Tankerman/ Chief Mate by radio to initiate Emergency Shutdown of oil transfer operation as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator/Dockman will close manifold valves and isolate leaking equipment components from oil transfer;

(3) Operator/Dockman will shut down oil transfer operation for outbound oil product movements, or Tankerman will shut down oil transfer operation for inbound oil product movements and notify Shift Supervisor/Foreman;

(4) Shift Supervisor/Foreman will evaluate situation and determine if a discharge occurred and initiate PIC/QI notification and containment

measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(5) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(6) The oil transfer shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.d. Facility Maintenance

(1) Upon discovery of a discharge, maintenance personnel shall notify the Shift Supervisor/Foreman and shut down as promptly as possible the operation responsible for the discharge;

(2) Shift Supervisor/Foreman will evaluate situation and determine if a discharge occurred and initiate PIC/QI notification and containment measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(3) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(4) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.e. Piping Rupture Within Secondary Containment System

(1) Immediately after detecting the piping rupture, the Operator/Dockman will notify the Dockman/Operator, the Shift Supervisor/Foreman, and Vessel Tankerman/Chief Mate by radio to initiate Emergency Shutdown of the oil transfer operation, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator/Dockman will isolate the failed piping from the oil transfer by closing the EPA valve (first valve from dock within the secondary containment system);

(3) Tankerman will shut down oil transfer operation for the inbound oil product movement, or Dockman will shut down the transfer operation for the outbound oil product movement and notify Shift Supervisor/Foreman;

(4) Shift Supervisor/Foreman will evaluate situation and determine if a discharge occurred and initiate PIC/QI notification and containment measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(5) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(6) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.f. Piping Rupture Outside Secondary Containment System

(1) Immediately after detecting the piping rupture, the Dockman/Operator will notify the Shift Supervisor/Foreman, Operator/Dockman, and Vessel Tankerman/Chief Mate by radio to initiate Emergency Shutdown of the oil transfer operation, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Tankerman will shut down oil transfer operation for the inbound oil product movement or the Dockman/Operator will shut down the transfer operation for the outbound oil product movement;

(3) If feasible, the Dockman will relieve system pressure by draining oil into the sump on the marine dock;

(4) Tankerman/Dockman/Operator will notify Shift Supervisor/Foreman;

(5) Shift Supervisor/Foreman will evaluate situation and determine if a discharge occurred and initiate PIC/QI notification and containment measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(6) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(7) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.g. Piping Leak Under Pressure

(1) Dockman/Operator shall notify the Shift Supervisor/Foreman, the Operator/Dockman, and Vessel Tankerman/Chief Mate by radio to initiate Emergency Shutdown of oil transfer operation, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Dockman will isolate leaking piping from the oil transfer. If feasible, the Dockman will relieve system pressure by draining oil into the sump on the main dock;

(3) Dockman/Operator will shut down oil transfer operation for outbound oil product movements, or Tankerman will shut down oil transfer operation for inbound oil product movements and notify Shift Supervisor/Foreman;

(4) Shift Supervisor/Foreman will evaluate situation and determine if a discharge occurred and initiate PIC/QI notification and containment measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(5) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(6) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.h. Piping Leak Not Under Pressure

(1) Dockman/Operator will shut down oil transfer operation for outbound oil product movements, or Tankerman will shut down oil transfer operation for inbound oil product movements and notify Shift Supervisor/Foreman;

(2) Shift Supervisor/Foreman will evaluate situation and determine if a discharge occurred and initiate PIC/QI notification and containment measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(3) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(4) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.i. Pumping System Failure

(1) Operator/Dockman shall notify the Shift Supervisor/Foreman by radio to initiate Emergency Shutdown of oil transfer operation, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator/Dockman shall deactivate the pumping system and isolate the failed pumping system by closing block valves on the pump suction and pump discharge and notify Shit Supervisor/Foreman;

(3) Shift Supervisor/Foreman will evaluate the situation and determine if discharge occurred and initiate PIC/QI notification and mitigation measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(4) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(5) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.j. Relief Valve Failure

(1) Operator/Dockman shall notify the Shift Supervisor/Foreman, Dockman/Operator and Vessel Tankerman/Chief Mate by radio to initiate emergency shutdown of oil transfer operation, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator/Dockman shall isolate the failed relief valve and notify Shift Supervisor/Foreman:

(3) Shift Supervisor/Foreman will evaluate the situation and determine if discharge occurred and initiate PIC/QI notification and mitigation measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(4) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(5) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.k. Tank Overfill

(1) Immediately after detecting the overfill, the Operator will notify Shift Supervisor/Foreman, Dockman, Vessel Tankerman/Chief Mate by radio to initiate Emergency Shutdown, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator will isolate the tank from the oil transfer by closing the USCG/EPA jurisdictional boundary valve (first valve from dock within the secondary containment system);

(3) Tankerman will shut down oil transfer operation for the inbound oil products movement, or Dockman will shut down the transfer operation for the outbound oil product movement;

(4) Shift Supervisor/Foreman will evaluate the situation and determine if discharge occurred and initiate PIC/QI notification and mitigation measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(5) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(6) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.l. Tank Rupture/Failure

(1) Immediately after detecting the tank failure, the Operator will notify Shift Supervisor/Foreman, by radio to initiate containment measures, as required. If the oil is being transferred in or out of the failed tank, then the Operator will notify the Tankerman and Vessel Tankerman/Chief Mate by

radio to initiate Emergency Shutdown, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) If the oil is being transferred in or out of the failed tank, then the Operator will isolate the tank from the oil transfer by closing the USCG/EPA jurisdictional boundary valve (first valve from a dock within the secondary containment system);

(3) Tankerman will shut down oil transfer operation for the inbound oil product movement, or the Dockman will shut down the transfer operation for the outbound oil product movement;

(4) Shift Supervisor/Foreman will evaluate the situation and determine if discharge occurred and initiate PIC/QI notification and mitigation measures as described in the Discharge Mitigation Procedures, Section 2.1.2.

(5) Upon arrival, PIC/QI will assume the Incident Commander responsibility and proceed with the Discharge Mitigation Procedures as outlined in Section 2.1.2.

(6) Normal operations shall not be restarted until all containment measures and response actions, including repair or replacement of the failed components, have been completed and the "emergency" has been declared over.

5.3.5.m. Explosion

(1) Dockman/Operator shall notify the Foreman/Shift Supervisor, Operator/Dockman, and Vessel Tankerman/Chief Mate by radio to initiate Emergency Shutdown of oil transfer operation, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator/Dockman will shut down oil transfer operation for outbound oil product movements, or Tankerman will shut down oil transfer operation for inbound oil product movements.

(3) In case of an explosion, PIC/QI will evaluate situation and activate response actions in accordance with the facility emergency procedures found on-site under separate cover.

5.3.5.n. Fire

(1) Dockman/Operator shall notify the Foreman/Shift Supervisor, Operator/Dockman, and Vessel Tankerman/Chief Mate by radio to initiate Emergency Shutdown of oil transfer operation, as provided in 33 CFR 154.550, *Emergency Shutdown*;

(2) Operator/Dockman will shut down oil transfer operation for outbound oil product movements, or Tankerman will shutdown oil transfer operation for inbound oil product movements.

(3) In case of a fire, PIC/QI will evaluate situation and activate response actions in accordance with the facility emergency procedures found on-site under separate cover.

5.3.6. Containment And Drainage Planning

5.3.6.a. Storage Tanks

The available secondary containment systems are described in Attachment B. If a discharge of oil occurs due to a leak or tank failure, then the facility drainage system is utilized to prevent a discharge by closing the dike valves and initiating the ICP. Once contained in the dike, the spilled product and any other liquid waste (i.e., stormwater) can be removed by manual methods and conveyed to the recovery area wastewater treatment by vacuum truck. Then product recovery operations can be initiated.

5.3.6.b. Tank Truck Areas

The available secondary containment systems are described in Attachment B. If an oil discharge occurs due to a leak or tank truck rupture, then the facility wastewater system is utilized to prevent a discharge to the environment. The spilled product and any water can be pumped to the wastewater system or transferred by vacuum truck to the recovery area, and product recovery operations can be initiated.

5.3.6.c. Tank Car Area

The available secondary containment is described in Attachment B. If an oil discharge occurs due to a leak or tank car failure, then the facility wastewater system can be utilized to prevent a discharge to the environment. The spill product and any water can be pumped to the wastewater system or transferred by vacuum truck to the recovery area. Then product recovery operations can be initiated on-site.

5.3.6.d. Onshore Transfer Manifolds

Transfer manifolds are provided with concrete lined secondary containment. If an oil discharge occurs due to a leak, then the facility wastewater system can be utilized to prevent a discharge to the environment. The spilled product and any water can be pumped to the wastewater system or transferred by vacuum truck to the recovery area. Then product recovery operations can be initiated on-site.

5.3.6.e. Pump Slabs

Pump slabs are provided with concrete lined secondary containment. If an oil discharge occurs due to a leak, then the facility wastewater system can be utilized to prevent a discharge to the environment. The spilled product and any water can be pumped to the wastewater system or transferred by vacuum truck to the recovery area. Then product recovery operations can be initiated on-site.

5.3.7. Recovery and Decontamination

The facility intends to recover as much oil as the situation permits to reduce waste disposal and to use responsible carriers and disposal sites. The facility

will recover, reuse, decontaminate or dispose of materials after a discharge has taken place, as appropriate. Waste materials may include, but are not limited to, the following:

(1) Recovered product;

(2) Contaminated soil;

(3) PPE;

(4) Decontaminated solutions;

(5) Adsorbents;

(6) Spent chemicals; and

(7) Contaminated equipment and materials, including drums, tank parts, valves and shovels.

The facility recovery plans are summarized in Table 5-9 below:

Table 5-9: Product Recovery and Waste Disposal Plans

Material	Disposal Facility	Location	RCRA Permit/Manifest
Recovered Product	Wastewater Treatment	On-Site	N/A
Contaminated Soil	Class 1 non-hazardous landfill	Seabreeze	Class I Manifest
Contaminated Equipment	Class 1 non-hazardous landfill	Seabreeze	Class I Manifest
PPE	Class 1 non-hazardous landfill	Seabreeze	Class I Manifest
Decon Solution	Wastewater treatment	On-site	N/A
Absorbents	Class 1 non-hazardous landfill	Seabreeze	Class I Manifest
Spent Chemicals	Not utilized	N/A	N/A - Not utilized

5.3.8. Non-Responder Medical Needs

Section 4.2 provides information on ambulances and hospitals to be contacted in case of non-responder medical needs.

5.4 PLANNING

Specific operation procedures to respond to an incident are described in this section of the plan. An organizational structure that will be used to manage the response actions is shown on Diagram 2-4: HFOTCO Response Management System.

5.4.1. Chief of Planning Section

The Maintenance Supervisor, an alternate QI, is the designated Chief of Planning Section whose duties include, but are not limited to, the following:

- Notify and provide necessary information to the appropriate federal, state, and local authorities with designated response roles (for notification phone numbers, see Section 1.0). All calls made to the regulatory response agencies must be logged on the form found in Attachment C;
- Coordinate efforts of the documentation unit in maintaining the proper records in accordance with NIIMS format;
- Responsible for execution of the pre-arranged recovered product and debris storage and disposal plans;
- Function as the safety coordinator for the response effort, provide oversight of contractor and company personnel in safety matters;
- Prepare and implement the Health and Safety Plan in accordance with the applicable federal and state regulations; and
- Coordinate response actions with the Unified Command.

5.4.1.a. Documentation Unit

Documentation Unit includes the administrative support personnel, clerks, and secretaries who are a part of the planning section and are responsible for the following duties, but not limited to:

- Report to the Chief of Planning Section
- Manage documentation during the oil spill response;
- Document the response decisions, activities, and costs consistent with the documentation procedures under the Incident Command System;
- Utilizes the National Interagency Incident Management Systems (NIIMS) forms; and
- Provide any other support as requested by the Unified Command.

5.4.2. Hazard Identification

Attachment B includes a summary of the potential spill sources from the MTR portion of the facility where the vessel transloading activities take place and the N-MTR portion of the facility where the onshore loading/unloading and storage activities take place. Section 5.3.2 provides information on the range of incident types that may occur at the facility. The normal daily throughput for the facility is 10,000,000 gallons. Changes in the throughput would not be expected to have any effect on potential release values.

The product information including the chemical name and cargo information for each product that is transferred and stored at the facility can be found on a

MSDS. The MSDSs for each product handled at the facility are maintained on-site in an electronic file "cabinet NG".

The facility has developed a *Standard Operating Procedures Manual* (maintained on-site separate to this document by the Manager of Environmental and Regulatory Affairs) that contains instructions for safe handling of the cargo at the facility. The fire fighting procedures and extinguishing agents effective with fires involving the type of cargos handled at the facility are described in the facility *Emergency Response and Fire Prevention Plan* maintained on-site. Each new employee receives a substantial initial training in the procedures implemented at the facility that are addressed in the referenced manuals. Current employees complete refresher training in the procedures on a regular basis. The Executive Vice President of Terminal Services and Regulatory Affairs is responsible for keeping records for each employee who receives training in the facility operating and emergency response procedures.

5.4.3. Vulnerability Analysis

The vulnerability analysis includes the following items:

- Calculation of the planning distance;
- Identification of all economic and environmentally sensitive areas, including drinking water intakes, that are located within the calculated planning distance; and
- Response actions that the facility will employ to protect those identified areas from the effects of release of non-petroleum oil.

5.4.3.a. Calculation of the Planning Distance

The facility is located on the upper end of the Houston Ship Channel. The flow of the Channel and the original waterway, Buffalo Bayou, is tidally influenced. Therefore, the facility cannot utilize the Chezy-Maning equation to calculate the velocity component of the planning distance equation as found in Appendix C-III of 40 CFR 112. Furthermore, unlike releases calculated by the distance component of the planning distance equation, releases from the facility could go both downstream or upstream dependent upon the currents (tidal movements). The calculation of the planning distance is as follows:

$$d = (v) \times (t) \times (c); \text{ where}$$

d = planning distance both downstream and upstream from a facility which an environmentally sensitive area could be injured or drinking water intake would be shutdown by a non-petroleum oil discharge (in miles)

v = velocity of the Houston Ship Channel
x = time specified in Table 3, Appendix C-III, 40 CFR 112

c = constant conversion factor 0.68 sec. mile per hour-feet

And, the variables are assigned the following numerical values

c = 0.68; therefore

d = (15) x (1.0) x (0.68)

d = 10.2 miles.

However, as noted in the preamble to the final rule, since the facility is located in the tidally-influenced area, the actual facility planning is a total of 30 miles, 15 miles downstream of the facility (outgoing tide) and 15 miles upstream of the facility (incoming tide).

Attachment A includes Texas Coastal Oil Spill Planning and Response maps, which depict the area within a 15-mile radius from the facility center.

5.4.3.b. Identification Of Environmentally Sensitive Areas

The facility has summarized all environmentally sensitive areas within the planning distance of the facility in Attachment A.

5.4.4. Protection

The response actions to protect environmental sensitive areas within the planning distance are as follows:

- Enclose the source of the discharge in two rings of boom; an inner boom for collection and an outer boom for containment;
- Monitor the course of the oil movement;
- If necessary, install booms across Carpenter's Bayou at the point Carpenter's Bayou intersects the Houston Ship Channel, and initiate oil recovery operations to prevent oil from contaminating the tidally influenced marshes and wetlands in Carpenter's Bayou;
- If necessary, install booms across Patrick Bayou at the point Patrick Bayou intersects the Houston Ship Channel, and initiate oil recovery operations to prevent oil from contaminating the exposed tidal flats in Patrick Bayou;
- If necessary, install booms across the partially exposed bay margins in the Houston Ship Channel, and initiate oil recovery operations to prevent oil from contaminating the exposed tidal flats in the Houston Ship Channel;
- If necessary install booms across the Houston Ship Channel at the point Greens Bayou enters the Ship Channel recovery operations to prevent oil from contaminating the environmentally sensitive areas;
- If necessary, install booms across the Houston Ship Channel at the point where the Carpenter's Bayou intersects the Houston Ship Channel, and initiate oil recovery operations to prevent oil from contaminating the environmentally sensitive areas;
- If necessary, install booms to contain the discharge, and initiate oil recovery operations to prevent oil from contaminating the bulkhead and Battleship Texas in the Houston Ship Channel;

- If necessary, install booms across Tucker Bayou at the point Tucker Bayou intersects the Houston Ship Channel, and initiate oil recovery operations to prevent oil from contaminating the Erosion Scarps in Tucker Bayou;
- If necessary, install booms to protect industrial water intakes, and initiate oil recovery operations to prevent oil from contaminating those intakes;
- If necessary, install booms across the Houston Ship Channel at the point Greens Bayou intersects the Houston Ship Channel, and initiate oil recovery operations to prevent oil from contaminating the recreational areas;
- If necessary, install booms across the Houston Ship Channel at the point one-quarter mile upstream of the facility, and initiate oil recovery operations to prevent oil from contaminating downtown Houston;
- If necessary, install booms across the Houston Ship Channel at the point Sims Bayou intersects the Houston Ship Channel, and initiate oil recovery operations to prevent oil from contaminating the other sensitive areas.

5.4.4.a. Response Resources Available to Protect Environmentally Sensitive Areas

This plan identifies the equipment and personnel available, by contract or other approved means, to protect areas of environmental sensitivity and economic importance as follows:

1. For persistent oils discharged into tidal waters, 15 miles from the facility down current during ebb tide and to the point of maximum tidal influence or 15 miles, whichever is less, during flood tide.

Discharges of persistent oils from the facility into tidal waters would be expected to travel 15 miles from the facility during ebb tide without containment actions. The approximate location of this point is Atkinson Island in Upper Galveston Bay. This point is designated on a map found in Attachment A.

Discharges of persistent oils from the facility into tidal waters would be expected to travel 15 miles from the facility during flood tide without containment actions. The approximate location of these points is downtown Houston on Buffalo Bayou and White Oak Bayou. These points are designated on a map found in Attachment A.

However, response actions will block the oil from moving as far as 15 miles from the facility.

Attachment D contains an inventory of the equipment to be utilized to protect all areas of the environment sensitivity and economic importance. Additionally, Attachment I contains additional inventory of equipment and personnel available under contract that may be utilized to protect areas of environmental sensitivity and economic importance.

2. For non-persistent oils discharged into tidal waters, 5 miles from the facility down current during ebb tide and to the point of maximum tidal influence or 5 miles, whichever is less, during flood tide.

Discharges of non-persistent oils from the facility into tidal waters would be expected to travel five miles from the facility during ebb tide without containment actions. The approximate location of this point is Bear Lake and the Old San Jacinto River Basin. This area is designated on a map found in Attachment A.

Discharges of non-persistent oils from the facility into tidal waters would be expected to travel five miles from the facility during the flood tide without containment actions. The approximate location of these points on Buffalo Bayou and Greens Bayou is designated on a map found in Attachment A. However, response actions will block the oil from moving as far as five miles.

Attachment D contains an inventory of the equipment to be utilized to protect all areas of environmental sensitivity and economic importance. Additionally, Attachment I contains additional inventory of equipment and personnel available under contract that may be utilized to protect areas of environmental sensitivity and economic importance.

5.4.4.b. Shoreline Cleanup Resources

Response resources are available by contract to effect shoreline cleanup operations commensurate with the quantity of emulsified oil to be planned for in-shore-line cleanup operations.

A summary of equipment and personnel available for response discharges from the facility is found in Attachment D. This equipment is equal to at least twice the recovery capacity as specified in the applicable regulations. Additional information on the response equipment available from the contracted OSROs is provided in Attachment I.

5.4.5. Waste Management

The facility waste management plan complies with the RCRA administered by the TCEQ as promulgated in 30 TAC Chapter 335 - *Industrial Solid Waste and Municipal Hazardous Waste*.

In particular, the wastes generated in the response activity will be classified in accordance with 30 TAC 335 Subchapter R - *Waste Classification*. If the waste is classified hazardous waste, then waste management activities will be in compliance with the state and federal regulations. If the waste is classified non-hazardous waste including Class 1 or Class 2 waste in accordance with 30 TAC 335 Subchapter R, then the waste management activities will be in compliance with the state-applicable regulations.

Finally, oil discharges shall be managed in accordance with the OSPRA of 1991 administered by the TGLO (for a copy of regulations, see Appendix IV).

In accordance with 30 TAC Chapter 335, Subchapter R, the recovered oil and debris as well as all other solid wastes from the response efforts will be classified and managed as one or more of the four types of solid wastes as indicated on the *TCEQ Waste Classification Procedure* flowchart found in Appendix VII.

5.5 LOGISTICS

Section 4.2 provides information on the emergency response logistics responsible person: his/her name, job title, and contact numbers. Figure 2, *Site Plot Plan*, provides information on the facility layout, locations of tank farms, transfer stations, and vessel mooring areas. The location of the transfer pipeline is identified on Figure 6.

5.5.1. Chief of Logistics Section

A Maintenance Employee, designated as an alternate QI, is the designated Chief of Logistics Section whose duties include, but are not limited to, the following:

- Supervise the terminal maintenance employees and assist in the logistical support of the response efforts;
- Manage the logistics staff including maintenance and other personnel during the spill response;
- Coordinates the moving of personnel and equipment to the designated locations as needed; and
- Coordinate response actions with the Unified Command.

5.5.1.a. Terminal Maintenance Employees

The Terminal Maintenance Employees support the spill response team in responding to emergency spills, report to Maintenance Manager.

5.5.1.b. Supply Unit

Responsible for ensuring that response operations are adequately supplied with necessary equipment and PPE, report to the Maintenance Manager.

5.5.2. Fire Prevention and Fighting Plans

Figure 5, *Emergency Response Equipment Location Map*, depicts the type and location of the firefighting equipment located throughout the facility.

The facility has adequate fire fighting resources through on-site equipment and CIMA membership to respond to an oil (Group I through V) fire. The PIC/QI shall verify that sufficient well-trained fire fighting resources are available within a reasonable response time for a worst-case discharge. On-site fire fighting resources are described in the *Emergency Response and Fire Prevention Plan* found on-site.

Figure 4, *Emergency Evacuation Routes*, shows the primary and secondary evacuation routes, staging areas, muster sites, and response equipment available to the facility personnel. In addition, the emergency evacuation map is located throughout the facility for informative purposes.

Primary
Should an incident occur that requires immediate evacuation of the facility, personnel and site visitors should immediately proceed to the Primary Emergency Evacuation Assembly Area (Employee Parking Lot - main entrance along Jacintoport Boulevard) and wait for escort to Sheldon Road.

Secondary
If access to the Primary Evacuation Assembly Area is blocked or if any of the Primary Routes are blocked due to emergency conditions (i.e. fire, discharged product etc.) or due to any other conditions (i.e. construction equipment detours, etc.), site personnel and visitors should evacuate to the Secondary Evacuation Assembly Area located at Jacintoport Boulevard and Sheldon Road.

All electrical service and equipment is designed to be explosion-proof in accordance with 33 CFR 154.375 - Safety Requirements.

A 2,500-gpm fire water pump is located on the approach to the ship dock with a diesel driven generator located onshore to operate this pump.

To notify TCEQ Region 12 of an upset due to fire, use the form provided in Attachment 0.

All docks are equipped with fireboat connections.

5.5.3. Site Safety and Health Plan

The facility has developed and implemented a site-specific safety and health plan in accordance with the requirements of 29 CFR 1910.120 which is maintained on-site by the Manager of Environmental & Regulatory Affairs separate from to this document. The *Site-Specific Safety and Health Plan* provides detail information on the following logistics:

- Medical needs of responders;
- Site security;
- Communications (internal and external resources);
- Transportation (air, land, water);
- Personnel support (e.g., meals, housing, equipment); and
- Equipment maintenance and support.

(b) (7)(F)

[redacted]

(b) (7)(F)



5.5.5. Equipment Maintenance and Support

5.5.5.a. Tank Inspections

Tank inspections employed at the facility are addressed in Section 9.6.

5.5.5.b. Response Equipment Inspection

The facility conducts regular inspections of the response equipment maintained on-site. These inspections are recorded on a form provided in Attachment D. The completed inspection records are retained at the facility in accordance with usual and customary practices as described in Section 8.4. The contracted OSROs conduct response equipment checks in accordance with the regulations and Prep guidance. HFOTCO has access to these records in accordance with the service agreements.

5.5.5.c. Containment Inspection

The facility conducts regular inspections of the secondary containment systems. These inspections are recorded on a form provided in Attachment D. The completed inspection records are retained at the facility in accordance with usual and customary practices as described in Section 8.4.

5.6 FINANCE/PROCUREMENT/ADMINISTRATION

Attachment D contains the facility response equipment inventory table that lists the equipment available on-site at all time. Certification by the facility PIC/QI stating that personnel and equipment required under this plan are owned, operated, or under the direct control of the facility and are available within stipulated response times in the specified geographic area is found in the same attachment. Attachment I contains documentation ensuring the availability of response resources by contract and other approved means.

All response efforts taken at the facility will be in accordance with organizational structure as shown on the flowchart in Section 2.2 of this plan. The duties, responsibilities, and authorities of qualified and alternate QIs are described in Section 5.1 of this plan.

5.6.1. Chief of Finance Section

Terminal President/CEO, an alternate QI, is the designated Chief of Finance and Public Relations Section whose duties include, but are not limited to, the following:

- Provide corporate and finance support to the IC to ensure that adequate resources are available for the response efforts;
- Manage the financial staff including the controller and staff during the spill response;
- Coordinate with financial institutions as needed during the oil spill response;
- Function as company representative to the media; and
- Function as Alternate Qualified Individual.

The Finance Section includes support staff of the Time Unit, Procurement Unit, and Cost Unit.

6.0 ANNEX 4 – INCIDENT DOCUMENTATION

6.1 DISCHARGE HISTORY REPORTS

Discharge Information Summary

	When the discharge occurred?	Date:	**1/1/91**	Time:	**0300**
	What discharged and how much?	Product:	**Fuel Oil No. 6**	Quantity:	**8-10 gal.**
	Where the discharge occurred?	**Barge Dock No. 2**			
	Cause of the discharge:	**Ruptured gasket on facility hose during air testing**			
	Resources impacted:	**None**			
	Injuries:	**None**			
	Relationship to any other discharges at this or other facilities:	**N/A**			
	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Empty hoses prior to air testing**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**5/18/91**	Time:	**0745**
2.	What discharged and how much?	Product:	**Fuel Oil No. 6**	Quantity:	**5-7 gal.**
3.	Where the discharge occurred?	**Outfall 001**			
4.	Cause of the discharge:	**Oil was trapped in storm sewer from unknown source and not removed prior to discharge**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Verify that storm sewers are free of oil prior to use**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**7/15/91**	Time:	**1010**
2.	What discharged and how much?	Product:	**Virgin Gas Oil**	Quantity:	**630 gal.**
3.	Where the discharge occurred?	**Ship Dock No. 1**			

4.	Cause of the discharge:	**Vibration from ship manifold caused the J-bolt on loading arm to loosen in the transfer and cause the arm to begin leaking**
5.	Resources impacted:	**None**
6.	Injuries:	**None**
7.	Relationship to any other discharges at this or other facilities:	**N/A**
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Purchase and utilize cam locks to mitigate vibration**

Discharge Information Summary

1.	When the discharge occurred?	Date:	**8/23/91**	Time:	**2100**
2.	What discharged and how much?	Product:	**Fuel Oil No. 6**	Quantity:	**2 gal.**
3.	Where the discharge occurred?	**Ship Dock No. 1**			
4.	Cause of the discharge:	**Leaking No. 1 loading arm on Ship Dock No. 1**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Modify maintenance practices to increase frequency of inspection on loading arms**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**1/24/93**	Time:	**1250**
2.	What discharged and how much?	Product:	**Fuel Oil No. 6**	Quantity:	**126 gal.**
3.	Where the discharge occurred?	**Barge Dock**			
4.	Cause of the discharge:	**Ruptured oil transfer hose**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Retested all oil transfer cargo hoses with air pressure**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**3/14/93**	Time:	**1330**
2.	What discharged and how much?	Product:	**Fuel Oil No. 6**	Quantity:	**0.5 gal.**
3.	Where the discharge occurred?	**Barge Dock No. 2**			
4.	Cause of the discharge:	**Oil spraying into channel and onto barge while breaking flange**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Operator to verify that no pressure is on hose, prior to breaking connections**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**2/3/01**	Time:	
2.	What discharged and how much?	Product:	**Fuel Oil No. 6**	Quantity:	**1,200 bbls.**
3.	Where the discharge occurred?	**Area 12**			
4.	Cause of the discharge:	**Ruptured transfer pipeline**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Break in the pipeline was welded; conducted additional training and review of SOP**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**8/8/01**	Time:	
2.	What discharged and how much?	Product:	**Crude Oil**	Quantity:	**10 bbls.**
3.	Where the discharge occurred?	**Area 14**			
4.	Cause of the discharge:	**Transfer pipeline expansion joint failure**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			

8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Equipment was repaired; conducted additional training and review of SOP**

Discharge Information Summary

1.	When the discharge occurred?	Date:	**8/18/02**	Time:	**0615**
2.	What discharged and how much?	Product:	**Fuel Oil No. 6**	Quantity:	**22,680 bbls.**
3.	Where the discharge occurred?	**Area 9**			
4.	Cause of the discharge:	**Expansion joint failed in line south of tank**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Equipment was repaired; conducted additional training and review of SOP**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**4/23/03**	Time:	**1115**
2.	What discharged and how much?	Product:	**Light Crude Oil**	Quantity:	**50 bbls**
3.	Where the discharge occurred?	**Tank 37-2**			
4.	Cause of the discharge:	**Tank overflowed**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Equipment was repaired; conducted additional training and review of SOP**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**06/23/04**	Time:	**1025**
2.	What discharged and how much?	Product:	**6 Oil**	Quantity:	**Cup**
3.	Where the discharge occurred?	**001 Outfall**			
4.	Cause of the discharge:	**Oil was trapped in storm sewer from unknown source and not removed prior to discharge**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Verify that storm sewers are free of oil prior to discharge**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**01/9/05**	Time:	**0600**
2.	What discharged and how much?	Product:	**6 Oil**	Quantity:	**21 bbls**
3.	Where the discharge occurred?	**Area 14**			
4.	Cause of the discharge:	**Expansion joint failed at discharge of pump in pump pad containment area.**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Equipment was repaired; conducted additional training and review SOPs.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**03/11/05**	Time:	**1150**
2.	What discharged and how much?	Product:	**Hydraulic Oil**	Quantity:	**1 Qt**
3.	Where the discharge occurred?	**#1 Ship dock #3 loading arm**			
4.	Cause of the discharge:	**Hydraulic line broke.**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Inspect hydraulic lines for leaks or drips prior to usage. Review SOPs.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**10/4/05**	Time:	**1910**
2.	What discharged and how much?	Product:	**MDO**	Quantity:	**Less than 1 pint**
3.	Where the discharge occurred?	**#3 B/D[5]**			
4.	Cause of the discharge:	**Came out of hose during hook-up.**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Relieve pressure from hose prior to removal of blind. Review SOPs.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**05/30/07**	Time:	**0400**
2.	What discharged and how much?	Product:	**Fuel Oil**	Quantity:	**1 cup**
3.	Where the discharge occurred?	**#3 Barge Dock**			
4.	Cause of the discharge:	**Pin hole in stripping line**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Repaired line with pin hole.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**08/16/07**	Time:	**1400**
2.	What discharged and how much?	Product:	**6 Oil**	Quantity:	**2 to 6 Gal**
3.	Where the discharge occurred?	**#3 S/D**			
4.	Cause of the discharge:	**Dock over ran due to a rainstorm.**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Need to check on all docks during rain to ensure proper drainage.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**5/15/08**	Time:	**0655**
2.	What discharged and how much?	Product:	**Fuel Oil**	Quantity:	**1 gal**
3.	Where the discharge occurred?	**Outfall A-12**			
4.	Cause of the discharge:	**Oil trapped in storm sewer from unknown source.**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Verify that storm sewers are free of oil prior to use**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**07/16/08**	Time:	**0425**
2.	What discharged and how much?	Product:	**Fuel Oil**	Quantity:	**1 pt**
3.	Where the discharge occurred?	**#2 S/D**			
4.	Cause of the discharge:	**Leak from hose while hooking up barge.**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Make sure hose is over drip pan prior to hooking up. Review SOPs.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**08/25/09**	Time:	**1430**
2.	What discharged and how much?	Product:	**6 Oil**	Quantity:	**1 gal**
3.	Where the discharge occurred?	**#2 Barge Dock**			
4.	Cause of the discharge:	**Came from hose during connection.**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Make sure hose is over drip pan prior to connection. Review SOP**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**3/1/2010**	Time:	**1245**
2.	What discharged and how much?	Product:	**Fuel Oil**	Quantity:	**1 gal**
3.	Where the discharge occurred?	**Outfall 001**			
4.	Cause of the discharge:	**Oil was trapped in storm sewer from unknown source and not removed prior to discharge**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Verify that storm sewers are free of oil prior to use.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**6/22/10**	Time:	**0725**
2.	What discharged and how much?	Product:	**Fuel Oil**	Quantity:	**Less than 1 gal**
3.	Where the discharge occurred?	**Outfall 001**			
4.	Cause of the discharge:	**Oil was trapped in storm sewer from unknown source**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Verify that storm sewers are free of oil prior to use.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**08/24/10**	Time:	**0005**
2.	What discharged and how much?	Product:	**Fuel Oil**	Quantity:	**2-5 gal**
3.	Where the discharge occurred?	**#3 Ship dock**			
4.	Cause of the discharge:	**Ship discharged ballast water onto dock. Dock filled and over ran.**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Stop all ships from discharge of ballast water around dock area.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**1/17/11**	Time:	**1400**
2.	What discharged and how much?	Product:	**6 Oil**	Quantity:	**Less than 1 cup**
3.	Where the discharge occurred?	**#3 Barge Dock**			
4.	Cause of the discharge:	**Oil drip from dock hose when moving hose from dock to barge**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Make sure all blind flanges are secure with no leaks prior to moving. Review SOPs.**			

Discharge Information Summary

1.	When the discharge occurred?	Date:	**6/4/11**	Time:	**1900**
2.	What discharged and how much?	Product:	**MDO**	Quantity:	**Less than 5 gallons**
3.	Where the discharge occurred?	**#1 Ship Dock**			
4.	Cause of the discharge:	**Pipeline Leak**			
5.	Resources impacted:	**None**			
6.	Injuries:	**None**			
7.	Relationship to any other discharges at this or other facilities:	**N/A**			
8.	Description of actions that have been taken to prevent or mitigate similar discharges in the future:	**Equipment was repaired; conducted additional training and review of SOP**			

6.2 ADDITIONAL REPORTING REQUIREMENTS

In accordance with 40 CFR 112.4, if the facility experiences a spill of more than 1,000 gallons (or has two (2) 42 gallons each oil spills within a 12-month period) of oil into navigable waters or onto adjoining shorelines in a single incident, the facility will submit the following information to the appropriate EPA Regional Office within 60 days of such spill:

- Facility name and location;
- Facility owner or operator names;

- Facility maximum storage or handling capacity and normal daily oil throughput;
- Adequate facility description, including (as necessary):

    1. Maps;
    2. Flow Diagrams; and
    3. Topographic Maps.

- The cause(s) of the spill, including a failure analysis of system or subsystem in which the failure occurred;
- The corrective actions and/or countermeasures taken, including a description of equipment repairs and/or replacement;
- Any other preventive measures taken or planned to minimize the possibility of recurrence; and
- Other information the EPA Regional Office may require.

A copy of all information provided to the EPA Regional Office under these circumstances is also required to be sent at the same time to the TGLO office. The addresses for the information to be sent to are as follows:

SPCC/FRP Coordinator U.S. EPA Region 6 (6SF-RP) 1445 Ross Avenue Dallas, Texas 75202-2733	TGLO 1700 North Congress Ave. Austin, Texas 78701

7.0 ANNEX 5 – TRAINING AND EXERCISES/DRILLS

7.1 RESPONSE EQUIPMENT TESTING/DEPLOYMENT

The facility maintains adequate equipment on-site (see Attachment D) in a state of readiness to effectively respond to an oil discharge. The response equipment is inspected on a monthly basis and results of these inspections are recorded on a form found in the same attachment. HFOTCO conducts regularly-scheduled response equipment deployment and drills in accordance with PREP and the regulations as promulgated in 33 CFR 154, 49 CFR 194.115, and 40 CFR 112. Additionally, HFOTCO deploys boom for barge or vessel discharges, regardless of fault. Attachment E contains forms used to record the results of the drills. The completed inspection records and deployment forms are maintained in the on-site files.

The facility has secured additional response resources from an USCG-certified OSRO that has a rating of Level E-River Canal and Level C-Inland/Nearshore. A copy of the OSRO's Certification is located in Attachment H. The OSRO conducts drills and tests in accordance with PREP and the regulations as promulgated in 33 CFR 154 and 40 CFR 112.

7.1.1. Equipment Testing Schedule

The equipment is tested according to the following schedule:

Daily

- Visually inspect ready spill boat(s) on ramp near Ship Dock No. 1, Ship Dock No. 3, Ship Dock 4, and Barge Dock No. 6 to verify they are usable;
- Visually inspect spill response trailer/boat to verify trailer/boat is useable;
- Verify radios and phones are operable; and
- Repair as necessary.

Weekly

- Verify ready spill boat(s) on ramp near Ship Dock No. 1, Ship Dock No. 3, Ship Dock 4, and Barge Dock No. 6 are equipped with safety equipment and boom and is useable;
- Verify spill response trailer/boat is useable and ready to deploy on highway (i.e., tires, lights, etc.); and
- Repair as necessary.

Monthly

- Test run the ready spill boat(s) on ramp near Ship Dock No. 1, Ship Dock No. 3 and Barge Dock No. 6 to verify they are operable;
- Hook up spill response trailer/boat(s) and tow around the facility;Verify inventory in spill containers (i.e., pads, boom, etc.); and
- Repair or re-supply as necessary.

Quarterly

- Test run the ready spill boat(s) on ramp near Ship Dock No. 1, Ship Dock No. 3 and Barge Dock No. 6 and deploy spill boom;
- Deploy trailer boat and operate;
- Check inventory in spill containers; and
- Repair as necessary.

Semi Annually

- Deploy boom from the ready spill boat(s);
- Utilize trailer spill boat to test-run the skimmer; and
- Repair as necessary.

Annually

- Inspect and inventory all equipment;
- Tune up motors if necessary; and
- Repair and re-supply as necessary.

The Maintenance Manager is responsible for maintaining the equipment in a state of readiness. The Manager of Environmental and Regulatory Affairs is responsible for evaluating the performance during drills, spills, and/or audits.

7.2 FACILITY DRILLS/EXERCISES

7.2.1. QI Notification Drill Logs

HFOTCO conducts the facility response drills/exercises, including evaluation procedures in accordance with PREP guidelines. In addition, it conducts internal and external drills/exercises including area exercises. The facility maintains records for response to actual discharges to earn credit for exercises. HFOTCO describes the drill/exercise programs and logs to record the training on the forms provided in Attachment F. The completed inspection records are retained at the facility in accordance with usual and customary practices as described in Section 8.4.

Facility and PIC/QI notification drills shall be conducted ***monthly***. Personnel involved in this drill should review the facility notification list provided in Section 4.0 of this plan and should become familiar with it.

Personnel should determine the best procedures to use to implement this notification. Personnel should determine what obstacles may hinder notification.

Personnel may randomly test selected telephone numbers on the notification list found in Section 4.0. Personnel should contact the facility PIC/QI, including the Alternative QIs, and IC, even if they are on the premises.

7.2.2. Spill Management Team Tabletop Exercise Logs

HFOTCO conducts the facility spill management team tabletop exercises, including evaluation procedures in accordance with PREP guidelines. In addition, it conducts internal and external drills/exercises including area exercises. HFOTCO describes the exercise program and logs to record the training on the forms provided in Attachment G. The completed inspection records are retained at the facility in accordance with usual and customary practices as described in Section 8.4.

Spill management team tabletop drills shall be conducted ***annually*** by the PIC/QI. The following persons (by title) should participate in the annual tabletop drill:

- Executive Vice President of Terminal Services and Regulatory Affairs;
- Manager of Environmental and Regulatory Affairs;
- Operations Manager;
- Safety & Training Coordinator;
- Maintenance Manager; and
- Terminal President/CEO.

The following items constitute a common agenda for the drill at the facility (every three years a comprehensive table top drill is conducted):

- Worst-case discharge;
- Evacuation incidents (such as fire, explosion, etc.);
- Maximum most probable discharge;
- Average discharge (transfer discharge);
- Other potential discharge incidents as the management team deems advisable to review;
- Temporary storage requirements;
- Recovery and waste disposal;
- On-site equipment deployment in case of oil discharge during transfer;

- On-site equipment maintenance; and
- OSROs - update and review of status of capability to respond.

The facility tabletop drill may include additional items as they may fit the purpose of the drill.

7.2.3. Equipment Deployment Drills

HFOTCO conducts the semi-annual and annual equipment deployment drills in accordance with PREP guidelines. HFOTCO records the drill on the forms provided in Attachment E. The completed inspection records are retained at the facility in accordance with usual and customary practices as described in Section 8.4.

In conducting this drill, facility personnel participants should practice deployment of any facility spill containment and response equipment that facility personnel would normally deploy in the event of a discharge.

The following persons (by title) should participate in these drills (at least once every six months):

- A and B Operators;
- Members of Response Team;
- Operations Foreman;
- Executive Vice President of Maintenance and Regulatory Affairs;
- Executive Vice President of Terminal Operations and Customer Service;
- Operations Manager;
- Maintenance Manager; and
- Dockmen.

The drill should consist of the following procedures:

(1) Spill boom deployment;

(2) Radio Checkout;

(3) Pump Operation;

(4) Wastewater System Operation;

(5) Utilization of Absorbent Materials;

(6) Fire Extinguisher Checkout;

(7) Fire System Checkout; and

(8) Facility Warning System Checkout.

Facility equipment deployment drills shall be conducted ***semi-annually***. The unannounced annual drill may be credited toward one of the two semi-annual facility equipment deployment drills.

7.2.4. Unannounced And Announced Drills

The facility shall conduct ***annual*** unannounced drills. During these drills, the contracted OSROs shall be activated. The PIC/QI shall conduct the annual unannounced drill in accordance with the format provided on a form found in Attachment F.

Attention terminal personnel:

The USCG COTP may request the facility to participate in an unannounced drill.

However, if the facility has participated in an unannounced drill conducted by a federal or a state agency within the last 24 months, the facility may decline the COTP's invitation. In declining the request to participate, the facility must immediately provide a copy of the documentation to the COTP that it has previously participated in a qualified unannounced drill within the last 24 months.

Preparation for these drills should be achieved by facility personnel through required training and participating in notification, equipment deployment, and tabletop drills discussed above.

The facility shall participate in any announced drill conducted by the COTP of the MSO Houston-Galveston.

The response resources identified in this plan shall participate in the ***annual*** deployment drills.

Drills are designed by the facility to exercise either components of or the entire Response Plan. The facility will conduct a drill that exercises the entire plan at least once every three years.

The facility shall document drills for facility personnel and the RMTs and maintain records of such drills for a period not less than three years following the completion of drills.

The PIC/QI shall document drills utilizing the provided format and maintain these records in the facility operating files.

Drills of the oil spill response organization(s) and response resources that were identified in this plan shall be maintained for a period of at least five (5) years following the completion of drills.

7.2.5. Area Exercises

Applicability:	Area response community.
Frequency:	Triennially for each area.
Initiating Authority:	USCG, EPA and industry.
Participating Elements:	Federal, state and local government, and industry.
Scope:	Area exercises will exercise the Area Response System.
Objective:	Exercise the ACP, along with selected industry response plans. Exercise the unified command with the appropriate participants. Exercise the area and industry spill management teams. Deploy adequate response equipment for the exercise scenario.
Format:	Total annual exercises would consist of the following: > 6 government-led exercises; and > 14 industry-led Total = 20 Area Exercises Per Year. Area exercises should be *approximately* 8 - 12 hours in duration. Exercise scenario to be developed by the exercise design team. To stimulate realism, the exercise should be conducted in the command post that would be utilized for an oil discharge response, whenever possible. Exercise may be in real or limited compressed time and may start at any point during an incident, as determined by the Exercise Design Team. Flexibility should be allowed to ensure the exercise objectives are met. Lessons learned from the exercise should be incorporated into the PREP Lessons Learned System, whenever possible.
Location:	The On-Scene Coordinator will certify completion of the area exercise. In certifying the area exercise, the On-Scene Coordinator will consider the following: The area exercise was conducted. The area exercise met the objectives outlined in the PREP guidelines. The area response community was exercised for oil discharge response preparedness. Industry plan holders should take credit for all of the exercises completed during the area exercise. These exercises shall be self-certified by the plan holder.
Verification:	Verification to be done by the National Scheduling Coordinating Committee.
Records Retention:	5 years
Records Location:	On-Scene Coordinator
Evaluation:	Joint evaluation team to be comprised of the federal government (USCG, EPA, PHMSA or MMS) state and industry.
Scheduling:	Scheduling of area exercises will be done by the NSCC, utilizing input from the On-Scene Coordinator, Area Committee and Regional Response Team, in consultation with the industry. An annual PREP scheduling workshops will be held to provide a national public forum for government and industry input to the scheduling process.

7.2.6. Facility Emergency Procedure

Applicability:	Facility.
Frequency:	Quarterly. At least once per year will be announced.
Initiating Authority:	Facility owner or operator.
Participating Elements:	Facility personnel.
Scope:	Exercise the emergency procedures for the facility to mitigate or prevent any discharge or a substantial threat of such discharge of oil resulting from facility operational activities associated with oil transfers.
Objectives:	Conduct an exercise of the facility's emergency procedures to ensure personnel have knowledge of actions to be taken to mitigate an oil discharge. This exercise may be a walk-through of the emergency procedures. Exercise should involve one or more of the sections of the emergency procedures for oil discharge mitigation. For example, the exercise may involve a simulation of a response to an oil discharge. The facility should ensure that discharge mitigation procedures for all contingencies at the facility are addressed at some time.
Certification:	Self-certification.
Verification:	EPA; PHMSA; and USCG
Records Retention:	5 years
Records Location:	At each facility.
Evaluation:	The facility emergency procedures are not only evaluated after exercises but also on an annual basis to assure that all potential emergencies have been planned for. After any unexpected incident or emergency, appropriate personnel evaluate and rewrite procedures, as appropriate.

7.3 EMPLOYEE RESPONSE PERSONNEL TRAINING

HFOTCO personnel are provided with an adequate training to fulfill their responsibilities under this plan summarized in the table below.

The HFOTCO spill response personnel with key responsibilities designated under this plan, their names and 24-hour contact information, are identified in Section 4.2.

HFOTCO employees who might be involved in an oil spill response are informed that detergents or other surfactants are prohibited from being used on oil spills in the water. Use of any dispersants can only be authorized by the Regional Response Team (see Section 1.0), the interagency group composed of federal and state agency representatives that coordinates oil spill responses [31 TAC 19.13(c)(10)].

HFOTCO Position	Number of HFOTCO Employees	ICP Roles and Responsibilties	Level of Training
Health Safety and Security Officer	**1**	QI/PIC/IC	24-hr Hazmat Training 29 CFR 1910.120(q) command Annual Refresher Training 29 CFR 1910.120(q) Person-In-Charge Training 33 CFR 154.130(a)(21)
Manager of Environmental and Regulatory Affairs	**1**	Alternate QI; PIC; Chief of Safety Section	24-hr Hazmat Training 29 CFR 1910.120(q) command Annual Refresher Training 29 CFR 1910.120(q) Person-In-Charge Training 33 CFR 154.130(a)(21)
Maintenance Manager	**1**	Alternate QI; Chief of Planning Section; Manage Documentation Unit using NIIMS	24-hr Hazmat Training 29 CFR 1910.120(q) command Annual Refresher Training 29 CFR 1910.120(q) Person-In-Charge Training 33 CFR 154.130(a)(21)
Operations Manager	**1**	Alternate QI; PIC; Chief of Operations Section	24-hr Hazmat Training 29 CFR 1910.120(q) command Annual Refresher Training 29 CFR 1910.120(q) Person-In-Charge Training 33 CFR 154.130(a)(21)
Maintenance Supervisor	**1**	Alternate QI; PIC; Chief of Environmental Section; & Liaison Officer	24-hr Hazmat Training 29 CFR 1910.120(q) command Annual Refresher Training 29 CFR 1910.120(q) Person-In-Charge Training 33 CFR 154.130(a)(21)
Maintenance Manager	**1**	Alternate QI; PIC; Chief of Logistics Section	24-hr Hazmat Training 29 CFR 1910.120(q) command Annual Refresher Training 29 CFR 1910.120(q) Person-In-Charge Training 33 CFR 154.130(a)(21)
Terminal President/CEO	**1**	Alternate QI; Chief of Finance and Public Relations Section	24-hr Hazmat Training 29 CFR 1910.120(q) command Annual Refresher Training 29 CFR 1910.120(q) Person-In-Charge Training 33 CFR 154.130(a)(21)
Operations Foremen/Shift Supervisors	**(Varies)**	Spill Response Team Leaders	24-hr First Responder (Operations) Training 29 CFR 1910.120(q) Annual Refresher 29 CFR 1910.120(q) Person-in-Charge Training 33 CFR 154.310(a)21 and the Operations Manual
Maintenance Department	**(Varies)**	Spill Operations	24-hr First Responder (Operations) Training 29 CFR 1910.120 Annual Refresher

HFOTCO Position	Number of HFOTCO Employees	ICP Roles and Responsibilties	Level of Training
A and B Operators / Dockmen	**(Varies)**	Spill Operations	8-hr First Responder (Operations) Training 29 CFR 1910.120(q) Annual Refresher 29 CFR 1910.120(q) Person-in-Charge Training 33 CFR 154.310(a)21 and the Operations Manual
Oil-Handling Employees	**(Varies)**	Spill Prevention Awareness	Annual discharge prevention briefings 40 CFR 112.7(f)(3).

Contractor Personnel

The contractor will provide management and response personnel with appropriate OSHA Hazwoper training, spill management training, and training on equipment used by the contractor. The primary and secondary contractors that furnish laborers will provide the laborers with the adequate spill response training.

Volunteers

Only persons who are members of an oil spill cooperative, neighboring facility, or other group who are known to have the minimum required response training to perform a response task or who can show certificated proof of having received such training will be permitted to assist with response to a discharge.

7.3.1. Personnel Response Training Logs

The Personnel Training Log form is provided in Attachment G. The completed personnel training log records are retained in the facility records separate from this document. The records are retained for a period as long as personnel have duties in the response plan and are made available for inspection as required.

7.3.2. Discharge Prevention Meeting Logs

Discharge Prevention Meeting Log form is provided in Attachment G. The completed inspection records are retained at the facility in accordance with usual and customary practices as described in Section 8.4.

8.0 ANNEX 6 – RESPONSE CRITIQUE AND PLAN REVIEW AND MODIFICATIONS

8.1 ANNUAL REVIEW

This plan will be reviewed annually by the HFOTCO qualified personnel. The review will incorporate any changes in the listings of economically important or environmentally sensitive areas, as noted in the ACP that is in effect six (6) months prior to the plan review.

- The annual review shall be performed within one month of the anniversary date of the approval of the plan by USCG;
- HFOTCO will submit any amendments of the plan in accordance with the Distribution List (page viii) for information or approval. If no changes are required, HFOTCO shall send a letter to the USCG indicating that the ICP remains valid with no changes in accordance with 33 CFR 154.1065(a)(2)(ii). A copy of this letter shall be included in the front of each copy of the plan and indicated in the Record of Changes;
- Any required changes will be entered in the ICP and recorded in the Record of Changes section of this plan.

8.2 REVISIONS AND MODIFICATIONS

Revisions or amendments to either a previously submitted and/or approved ICP shall be submitted within thirty (30) days to the regulatory agencies as indicated on the Distribution List (page viii) for inclusion in the existing plan or for approval, whichever is appropriate, whenever there is:

- A change in the facility's configuration that significantly affects the information included in the ICP;
- A change in the type of oil (oil group) handled, stored, or transported that affects the required resources;
- A change in the name(s) and/or capabilities of the OSROs required by 33 CFR 154.1045 - Response Plan Development and Evaluation Criteria for Facilities that Handle, Store, or Transport Group I through Group IV Petroleum Oils;
- A change in the facility's emergency response procedures;
- A change in the facility's operating area that includes ports or geographic area(s) not covered by the previously approved plan. A facility may not operate in an area not covered in a previously approved plan unless the revised plan is approved or interim operating approval is received under 33 CFR 154.1025 - Operating Restrictions and Interim Operating Authorization;
- Or as a result of inadequacies noted in the ICP during an actual pollution incident at the facility;
- Or whenever there is a change in design, construction, operation or maintenance, which materially affects the facility's potential for an oil discharge into the U.S. navigable waters;

- Or whenever there is change in response personnel, response times, and contact numbers;
- Any other changes that significantly affect the implementation of the plan; or
- Five (5) years from the date of the ICP approval.

The SPCC portion of the Plan (see Attachment B) will be reviewed and evaluated at least once every five (5) years. As a result of this review and evaluation, the facility will amend the Plan, or the appropriate portions of thereof, within six (6) months of that review to incorporate more effective prevention and control technology if [40 CFR 112.5(b)]:

- Such technology will significantly reduce the likelihood of a discharge from the facility; and
- If such technology has been field-proven at the time of the review.

Any technical amendments made to the SPCC-related portion of the Plan must be certified by a Professional Engineer [40 CFR 112.5(c)].

Per requirements of 40 CFR 112.4(a), whenever an oil spill of over 1,000 gallons occurs or if two (2) oil spills of more than 42 gallons each occur in any twelve (12) month period, a written report must be submitted within 60 days to the EPA Regional Office, with a copy sent to the State Authority in charge of oil pollution control activities as outlined in Section 6.2 of this Plan. The Plan must be amended if necessary or if required by the EPA and/or State authority within 30 days from receipt of such proposed amendment [40 CFR 112.4(d) and (e)].

8.3 RECORD OF CHANGES

For record of changes made to this plan, see Attachment K.

8.4 RECORD RETENTION

All records required by this Plan (i.e., reports, inspection forms, test result records, notifications, etc.) are signed by a qualified facility individual and maintained at the facility separately from this Plan. The records are retained for a period of not less than five (5) years and are made available for inspection as required.

9.0 ANNEX 7 – PREVENTION

This Section of the Plan identifies the potential spill sources for oils, which are summarized in Attachment 0 [40 CFR 112.7(b)], as well as the following information:

- Identification of reasonable potential of equipment failure (such as loading and unloading equipment, tank overflow, rupture, or leakage, etc.); and
- Prediction of the direction, rate of flow, and total quantity of oil that could be discharged from the facility as a result of each type of major equipment failure.

The term "***discharge***" includes, but is not limited to, any unauthorized spilling, leaking, pumping, pouring, releasing, emitting, emptying, or dumping of oil [40 CFR 112.2] and/or hazardous substances in a harmful quantity and for ease of reference are all referred to in this Plan as "***spills***".

The term "***container***" as used in this plan refers to the following potential spill sources that are utilized for storage of oil:

- Aboveground storage tanks or containers;
- Completely buried tanks;
- Containers used for standby, seasonal, temporary, or not otherwise "permanently closed" storage;
- Bunkered tanks or partially buried tanks;
- Mobile or portable tanks or containers; and
- Oil-containing equipment (reservoirs).

The term "**bulk oil storage *containers***" as used in this Plan includes all oil storage except oil-filled electrical, operating, or manufacturing equipment.

9.1 FACILITY DRAINAGE

In general, surface run-off at the facility enters the Houston Ship Channel as shown on the Site Drainage Map, Figure 3 of the ICP, which also depicts the stormwater release valves and discharge points for the facility. A narrative description of the facility drainage is presented in the following paragraphs.

Stormwater Outfall 001:
Non-contact stormwater from Tank Farm Areas 3 through 11 drains into Outfall 001. Each diked area is equipped with a valve that remains closed under normal operating conditions. The contaminated stormwater is diverted to Tank 80-1 for treatment prior to discharge. Only non-contact uncontaminated stormwater is discharged through Outfall 001.

Stormwater Outfall 002:
Stormwater from Tank Farm Area 12 drains into Outfall 002. The diked area is equipped with a valve that remains closed under normal operating conditions. The contaminated

stormwater is diverted to Tanks W30-1 and W30-2 for treatment prior to discharge. Only non-contact uncontaminated stormwater is discharged through Outfall 002.

Stormwater Outfall 003:
Stormwater from the rail spur and uncontained pipe rack located between Tank Farm Areas 10 and 14 drains into Outfall 003. If contamination of stormwater in the ditch is noted, a temporary diversion structure, such as a dam, can be installed in the ditch, thus, allowing to divert the contaminated stormwater to Tanks W30-1 and W30-2 for treatment prior to discharge. Outfall 003 will be equipped with a valve that will remain closed under normal operating conditions.

Stormwater Outfall 004:
Stormwater from Tank Farm Area 14 drains into Outfall 004. The diked area is equipped with a valve that remains closed under normal operating conditions. The contaminated stormwater is diverted to Tanks W30-1 and W30-2 for treatment prior to discharge. Only non-contact uncontaminated stormwater is discharged through Outfall 004.

Stormwater Outfall 005:
Stormwater ditch collects stormwater run-off from the east side of the facility and drains through Outfall 005. If contamination of stormwater in the ditch is noted, a temporary diversion structure, such as a dam, can be installed in the ditch, thus, allowing to divert the contaminated stormwater to Tanks W30-1 and W30-2 for treatment prior to discharge.

Stormwater Outfall 006:
Stormwater run-off from the road and piping at the Ship Channel Ship Dock No. 1 drains through Outfall 006. If contamination of stormwater in the ditch is noted, a temporary diversion structure, such as a dam, can be installed in the ditch, thus, allowing to divert the contaminated stormwater to Tanks W30-1 and W30-2 for treatment prior to discharge.

Stormwater Outfall 007:
Stormwater run-off from the road and piping in between the Ship Channel Ship Docks No. 2 and No. 3 drains through Outfall 007. If contamination of stormwater in the ditch is noted, a temporary diversion structure, such as a dam, can be installed in the ditch, thus, allowing to divert the contaminated stormwater to Tanks W30-1 and W30-2 for treatment prior to discharge.

Stormwater Outfall 008:
Stormwater run-off from the road and uncontained transportation related (V-361) piping northwest of Ship Dock No. 2 drains through a ditch and then to Outfall 008. If contamination of stormwater is noted in the ditch, additional temporary diversion structures, such as a dam, can be installed around the ditch, thus, allowing collection of the contaminated stormwater. Contaminated stormwater will then be moved, via on-site contractor vacuum trucks, to Tanks W30-1 and W30-2 for treatment prior to discharge. This outfall is equipped with a valve that will remain closed under normal operating conditions.

Stormwater Outfall A15:
Non-contact stormwater from Tank Farm Area 15 drains into Outfall A15. The diked area is equipped with a valve that remains closed under normal operating conditions. The

contaminated stormwater is diverted to Tanks W30-1, W6-1, and/or W9-3 for treatment prior to discharge. Only non-contact uncontaminated stormwater or treated stormwater is discharged through Outfall A15.

Stormwater Outfall A16E and A16W:
Non-contact stormwater from Tank Farm Area 16 drains into Outfall A16E and A16W. The diked area is equipped with two valves that remain closed under normal operating conditions. The contaminated stormwater is diverted to Tanks W30-1, W6-1, and/or W9-3 for treatment prior to discharge. Only non-contact uncontaminated stormwater or treated stormwater is discharged through Outfall A16E and Outfall A16W.

Stormwater Outfall 019:
Non-contact stormwater from Tank Farm Area 19 drains into Outfall 019. The diked area is equipped with a valve that remains closed under normal operating conditions. The contaminated stormwater is diverted to Tanks W30-1, W6-1, and/or W9-3 for treatment prior to discharge. Only non-contact uncontaminated stormwater or treated stormwater is discharged through Outfall 019.

Stormwater Outfall A20:
Non-contact stormwater from Tank Farm Area 20 drains into Outfall A20. The diked area is equipped with a valve that remains closed under normal operating conditions. The contaminated stormwater is diverted to Tanks W30-1, W6-1, and/or W9-3 for treatment prior to discharge. Only non-contact uncontaminated stormwater or treated stormwater is discharged through Outfall A20.

Stormwater Outfall 020:
Non-contact stormwater from the Northeast portion of Tank Farm Area 21 drains into Outfall 020. The diked area is equipped with two valves that remain closed under normal operating conditions. The contaminated stormwater is diverted to Tanks W30-1, W6-1, and/or W9-3 for treatment prior to discharge. Only non-contact uncontaminated stormwater or treated stormwater is discharged through Outfall 020.

Stormwater Outfall 022:
Stormwater from Tank Farm Area 22 and portions of Tank Farm Area 21 drains into Outfall 022. The diked area is equipped with a valve that remains closed under normal operating conditions. The contaminated stormwater is diverted to Tanks W30-1, W6-1, and/or W9-3 for treatment prior to discharge. Only non-contact uncontaminated stormwater is discharged through Outfall 022.

9.1.1. Effluent Treatment Facility

The facility operates a permitted effluent wastewater treatment unit on-site for management of contaminated stormwater from within secondary containment areas as shown on Figure 3. Where facility drainage waters are treated in more than one continuous treatment unit and pump transfer is needed, at least two “lift” pumps are provided and at least one pump is installed permanently [40 CFR 112.8(b)(5)].

Drainage from each of the oil storage containment areas is connected through piping to the oil/water separator and subsequent facility drainage systems.

Stormwater drainage piping from each diked area is equipped with a shutoff valve which remains closed under normal operating conditions.

A master flow valve located on the outlet side of the oil/water separator remains closed under normal operating conditions and provides an added measure of containment to the tank farms. Periodic inspections of the accumulated stormwater are discussed in Section 9.6.5 below.

9.2 BULK STORAGE *CONTAINERS*

Site Plot Plan, Figure 2, identifies the locations of the bulk storage tanks/containers utilized at the facility for storage of oil.

9.2.1. Spill Prevention

Bulk Storage *Container* Construction & Design

Bulk storage tanks/containers are designed and constructed in accordance with accepted industry practices. Construction design, as applicable to each bulk storage tank utilized at the facility, is identified in the tables found in Attachment B of the ICP.

In an effort to prevent discharges from bulk oil storage *containers*, each installation is provided with at least one of the following devices:

- High liquid level alarm with an audible or visual signal at a constantly attended operation station; or
- High liquid level pump cutoff devices set to stop flow at a predetermined container content level; or
- Direct audible or code signal communication between the container gauger and the pumping station; or
- A fast response system such as digital computers, telepulse, or direct vision gauges for determining the liquid level of each tank. (If this alternative is used, a person must be present to monitor gauges and the overall filling.)

Product Compatibility

No tank is used for the storage of any oil until the compatibility of the oil and tank materials of construction have been evaluated. Tanks in oil services are compatible with the oil that is being utilized.

Cathodic Protection

The facility does not utilize completely buried, partially buried, or bunkered metallic tanks for the storage of oil; therefore, the cathodic protection against corrosion is not employed at this time.

Internal Heating Coils

The facility operates internal heating coils. Potential leakage through defective internal heating coils is controlled by monitoring all steam return and exhaust lines for contamination prior to discharge in an open water course. All steam return lines flow to a holding tank prior to going through the Mycelex (oil/water separator) Unit. After that, the clean condensate return water is fed into the condensate return tank prior to being fed back into the boilers.

9.2.2. Spill Control

The facility has installed secondary containment systems (i.e., berms, dikes, collection pans, etc.) to control and contain accidental spills in bulk oil storage areas. The containment volume is designed to retain at least 100% of the largest *container* within the contained area and allow for sufficient freeboard to contain precipitation (see Attachment B for details). These containment/diversionary systems, including walls and floors, are capable of containing oil and are constructed so that any discharge from bulk oil storage *containers* will not escape the containment system before cleanup occurs [40 CFR 112.8(c)].

All mobile or portable oil storage containers located on-site are positioned such as to prevent an uncontained spill of oil. A secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container and sufficient freeboard to contain precipitation is also provided [40 CFR 112.8(c)(11)].

Attachment B summarizes the on-site bulk oil storage areas and associated containment capacities including the following:

- Identification of the largest contained *container*;
- Storage capacity of the largest *container*;
- Type of worst case failure;
- Type of containment system;
- Total containment volume available;
- Inches of freeboard available for accumulation of precipitation; and
- Direction and rate of spill flow in case of an uncontained release.

9.3 OIL-CONTAINING EQUIPMENT

Site Plot Plan, Figure 2 identifies the locations of the oil-containing equipment (i.e., electrical transformers) utilized at the facility.

9.3.1. Spill Prevention

Container Construction

Oil-containing reservoirs within the electrical transformers on-site are designed and constructed in accordance with accepted industry practices.

Product Compatibility

No reservoir is used for the storage of oil until the compatibility of the oil and reservoir materials of construction have been evaluated. Reservoirs in oil service are compatible with the oil that is being utilized.

9.3.2. Spill Control

A table summarizing the on-site oil-containing equipment and associated containment capacities including the following, is located in Attachment B of the ICP:

- Identification of the largest reservoir;
- Storage capacity of the largest reservoir;
- Type of worst case failure accounted for;
- Type of containment system;
- Total containment volume available;
- Inches of freeboard available for accumulation of precipitation; and
- Direction and rate of spill flow in the case of an uncontained release.

9.4 TRANSFER OPERATIONS, PUMPING, AND PROCESS

9.4.1. Spill Prevention

Spill prevention measures implemented to address on-site oil transfer operations and pumping related to SPCC regulated operations and processes include the following:

- Any buried oil transfer line that is installed or replaced on or after August 16, 2002, is provided with a protective wrapping and coating. Such buried piping installations are cathodically protected or otherwise satisfy the corrosion protection standards for piping as specified in 40 CFR 280;
- Any buried oil transfer line that becomes exposed for any reason is carefully inspected for deterioration. If any signs of corrosion are noted, additional examination will be conducted, and necessary corrective action will be taken as indicated by the magnitude of the damage [40 CFR 112.8(d)(1)];
- The starter control on each oil pump is locked in the “off” position and is accessible only to authorized personnel when the pump is in a non-operating or standby status [40 CFR 112.7(g)(3)];

- As applicable, all terminal connections at the transfer point are marked as to origin and are capped or blank-flanged when piping is not in service or is in standby service for an extended time;
- All pipe supports have been designed to minimize abrasion and corrosion, to allow for expansion and contraction, and to adequately support thrust loadings at bends;
- *Container* system installations have been fail-safe engineered to avoid spills by incorporating devices such as high liquid level alarms at constantly manned surveillance points, high liquid level pump cutoff devices, direct audible or code communication between the tank gauger and the pumping station, or fast response systems such as a digital computer, telepulse, or direct vision gauges;
- Loading and unloading connects of oil pipelines and facility piping that is not in service or when in standby service for an extended time are securely capped or blank-flanged, as appropriate [40 CFR 112.7(g)(4)]; and
- Implemented an adequate warning system to ensure that no vehicle entering the facility will endanger aboveground piping or other oil transfer operations [40 CFR 112.8(d)(5)].

9.4.2. Spill Control

All aboveground valves, piping, and appurtenances are periodically inspected and tested as discussed in Section 9.6 of this Plan. Routine inspections are designed to ensure that any spills or leaks in the transfer operations, pumping, or process areas are most expeditiously detected and controlled. Diversionary systems in place, including walls and floors, are capable of containing oil and are constructed so that any discharge from the transfer operations, pumping, and process areas conducted on-site will not escape the containment system before cleanup occurs.

9.5 LOADING/UNLOADING ACTIVITIES

As identified in Attachment B, the facility operates tank car and tank truck loading/unloading “racks”. Facility tank car and tank truck loading/unloading “racks” drain into catchment basins and into the treatment facility designed to handle discharges. The secondary containment system in place is capable of holding at least the maximum capacity of any single compartment of an oil containing tank car or tank truck loaded/unloaded at the facility racks [40 CFR 112.7(h)].

9.5.1. Spill Prevention

Spill prevention measures implemented to address on-site loading/unloading activities include the following:

- All loading/unloading activities are constantly supervised by a qualified employee;
- An interlocking warning light, physical barrier system, or warning signs are provided at loading/unloading “racks” to prevent vehicular departure before

complete disconnect of flexible or fixed transfer lines [40 CFR 112.7(h)(2)]; and

- Prior to filling and departure of any oil containing railcar or tank truck at the loading/unloading "rack", the lowermost drain and all outlets of such vehicles are closely examined for leakage and, if necessary, tightened, adjusted, or replaced to prevent liquid leakage while in transit [40 CFR 112.7(h)(3)].

9.5.2. Spill Control

Secondary Containment Systems

Attachment B summarizes the on-site oil loading/unloading activities and associated containment capacities, including the following:

- Identification of the type of vessels loading;
- Storage capacity of the largest compartment of all vessels loaded;
- Type of worst case failure;
- Total containment volume available; and
- Direction and rate of spill flow in the case of an uncontained release.

The facility tank car and tank truck loading/unloading connection areas are provided with appropriate containment and/or diversionary structures/equipment to prevent an oil discharge (see Attachment B for details). The containment/diversionary systems, including walls and floors, provided for loading/unloading activities are capable of containing oil and are constructed so that any discharge from loading/unloading activities will not escape the containment system before cleanup occurs [40 CFR 112.7(c)].

9.6 INSPECTIONS AND TESTING

Written inspection and testing procedures developed for the facility are in accordance with acceptable industry standards and comply with the requirements of 40 CFR 112.7(e), 112.8(c)(6), and 112.8(d).

9.6.1. Transfer Operations, Pumping, and Process Inspections

Qualified facility personnel conduct periodic visual inspections of aboveground valves, piping, and appurtenances for the presence of leaks and signs of deterioration or malfunction. These inspections are conducted to assess the general condition of items such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking valves, and metal surfaces. Leaks and/or equipment malfunction is promptly reported and repaired. Results of such inspections are recorded on a form provided in Attachment D. The completed inspection records are retained at the facility in accordance with usual and customary practices as described in Section 8.4.

9.6.2. Loading/Unloading "Rack" Inspections

As identified in Attachment B, the facility operates tank car and tank truck loading/unloading "racks". Qualified facility personnel conduct visual inspections of the lowermost drain and all outlets of oil transport vehicles (tank cars and tank trucks) at the "rack" for leakage, tightness, needed adjustment, or replacement prior to loading/unloading and/or departure of the vehicle [40 CFR 112.7(h)(3)].

9.6.3. Visual *Container* Inspections

Small and medium shop-built storage *containers* (≤30,000 gallons in capacity), their foundations, supports, and secondary containment systems are visually inspected for leaks and signs of deterioration, discharges, or accumulation of oil at least monthly. These routine in-service visual inspections include an evaluation of associated aboveground valves, piping, and appurtenances to identify any evidence of leaks and signs of deterioration or malfunction. Leaks and/or equipment malfunctions are promptly reported and repaired. Facility personnel also regularly test all liquid level sensing devices to ensure proper operations. Any problems noted and subsequent corrective actions taken will be logged on the inspection form provided in Attachment D.

Per requirements of 40 CFR 112.7(i), if:

- a field-constructed aboveground storage tank undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe; or
- has discharged oil; or
- failed due to brittle fracture failure or other catastrophe;

then facility personnel will evaluate the tank for risk of discharge or failure due to brittle fracture or other catastrophe, and appropriate corrective action will be taken as necessary. At a minimum, such evaluations will be conducted by a technically qualified individual familiar with fracture mechanics and will include visual inspections for flaws and/or defects in the materials of tank construction focusing on, but not limited to, those areas where stresses concentrate. All such evaluations will be documented in the operating records.

9.6.4. Integrity Testing

Integrity and leak testing of all non-transportation related buried piping is conducted at the time of installation, modification, construction, relocation, or replacement.

Standard Operating Procedures implemented at the facility provide for integrity testing of the bulk oil storage *containers* on a regular basis and whenever a material repair, alteration, reconstruction, or change in service is done on a *container*. The frequency and type of testing takes into account size and design of the *container* being tested. As indicated in Attachment B all of the bulk oil storage tanks have been constructed in accordance with API Standard 650; therefore, the facility has established appropriate testing and inspection procedures for these tanks in accordance with API Standard 653. Records

documenting the actual frequency and type of integrity testing conducted are maintained on-site in an electronic HMT Tank Tracker program.

9.6.4.a. Large and Field Fabricated Containers

For all large (>30,000 gallons in capacity) and field fabricated containers on-site, formal visual external *container* inspections are conducted in addition to at least one other method of non-destructive shell testing. *Container* inspections and tests are conducted by a qualified tank inspector at appropriate frequencies as specified in the *Bulk Oil Storage Tank Integrity Testing Program*, which is based on applicable industry standards. Testing techniques include, but are not limited to, hydrostatic, radiographic, ultrasonic, acoustic emissions, or another system of non-destructive shell testing as may be required by applicable industry standards.

The *Bulk Oil Storage Tank Integrity Testing* procedures are included in the HMT Tank Tracker program. Records documenting the actual frequency and type of integrity testing conducted will be maintained in on-site files.

9.6.4.b. Small and Medium Containers

Integrity testing of small and medium sized shop-built oil storage containers (i.e.: drums, totes, and tanks ≤30,000 gallons in capacity) will be met by complying with the monthly inspections outlined in Section 9.6.3. These containers are elevated from the ground surface and are not stored in contact with the soil or standing water, thereby minimizing the potential for corrosion and allowing for inspection from all sides. In addition, a barrier is in place between the container and the soil and is designed to ensure detection of any container failure before it becomes significant. Furthermore, the facility only uses oil storage containers that are in good operational condition and that have been determined to be compatible with the material to be stored. Therefore, internal corrosion poses minimal risk of failure for small and medium sized bulk oil storage containers at this facility and visual inspection alone is sufficient to provide equivalent environmental protection to that which would be observed by implementation of additional integrity testing methods.

9.6.5. Accumulated Stormwater Inspections

Qualified facility personnel conduct visual inspections of the stormwater accumulated inside the secondary containment systems to ensure the releases of un-contaminated stormwater only. Facility personnel will make a record every time an evaluation of the accumulated stormwater is conducted and whether or not its discharge was authorized. Such events will be recorded on a form provided in Attachment L. The same form will record name and title of a person who authorized the discharge. The completed inspection records are retained at the facility in accordance with usual and customary practices as described in Section 8.4.

10.0 ANNEX 8 – REGULATORY COMPLIANCE AND CROSS-REFERENCE MATRICES

ICP Elements per NRT's Guidance	Corresponding Section of this Plan	Cross-Reference			
		EPA FRP & SPCC (40 CFR part 112)	USCG FRP (33 CFR part 154)	DOT/ PHMSA-FRP (49 CFR part 194)	TGLO 31 TAC 19
Section I – Plan Introduction Elements	1.0				
1. Purpose and scope of plan coverage	1.1				
2. Table of contents	1.2	112.20(h) Appendix F	1035(a)(4) 1030(b)	Appendix A	
3. Current revision date	1.3	F1.2	1035(a)(6)		
4. General facility identification information	1.4	F1.2 F1.9		194.107(c)(1)(i) 194.113 194.113(b)(1)	19.14(1)
a. Facility name	1.4	F1.2	1035(a)(1)		19.14(1)
b. Owner/operator/agent	1.4	112.20(h)(2) F1.2 F2.0	1035(a)(3)	194.113(a)(1) A-1	19.14(1)
c. Physical address and directions	1.4	112.20(h)(2) F1.2 F2.0	1035(a)(1) 1035(a)(2) 1035(e)	194.113(a)(2) 194.113(b)(3),(4) A-1	19.14(1)
d. Mailing address	1.4	112.20(h)(2)	1035(a)(1)	194.113(a)(1)	19.14(1)
h. Facility phone number	1.4	F1.2 F2.1	1035(a)(1)		19.14(1)
i. Facility fax number	1.4		1035(a)(1)		19.14(1)
5. Facility Operational Information	1.5 & 1.5.2	112.7(a)(1) 112.7(h) 112.7(h)(1) 112.7(h)(2) 112.7(h)(3)			19.14(2)(D)
a. Contingency Planning	1.6.2	112.7(d)			
b. Conformance with State Requirements	1.6.3	112.7(j)			

ICP Elements per NRT's Guidance	Corresponding Section of this Plan	Cross-Reference			
		EPA FRP & SPCC (40 CFR part 112)	USCG FRP (33 CFR part 154)	DOT/ PHMSA-FRP (49 CFR part 194)	TGLO 31 TAC 19
Section II – Core Plan Elements	2.0	112.7(a)(5)			
1. Discovery	2.1	112.20(h)(6) F1.6.1, F1.6.2 112.7(a)(3)(4)	1035(b)(3)(i)	194.107(c)(1)(iii) A-3	19.16
2. Initial response	2.2	112.20(h)(7)(i) F1.3.6& F1.7 112.7(a)(3)(iv)	1035(b)(2)(ii) 1035(b)(3)(i) 1035(b)(3)(ii)	A-2	19.13(c)(10) 19.33
a. Procedures for internal and external notifications	4.2 & 1.0	112.7(a)(3)(iv) 112.20(h)(1)(iii) 112.20(h)(3)(iii) 112.20(h)(3)(iii) 112.20(h)(3)(iv) F1.2 F1.3.1	1026 1035(a)(3) 1035(b)(1)(i) 1035(e)(2)	194.107(c)(1)(ii) 194.113(b)(2) A-1, A-1(b)(2) A-2 A-5	19.32
b. Establishment of a response management structure	5.0	112.7(a)(3)(iv) 112.20(h)(1)(v) 112.20(h)(3)(v) F1.3.4	1035(b)(3)(iii)	194.107(c)(1)(ii-vi) 194.107(c)(3) A-4 A-9	19.32 19.33
c. Preliminary assessment	2.1.2	112.7(a)(3)(iv) 112.20(h)(3)(ix) 112.20(h)(4) F1.4, F1.4.2	1035(b)(3) 1035(b)(4)(i)	194.107(c)(1)(ii)	19.32 19.33
d. Establishment of objectives and priorities for response, including: (1) Immediate goals/ tactical planning (2) Mitigating actions (3) Response resources	5.3.2	112.7(a)(3)(iv) 112.20(h)(1)(iv) 112.20(h)(1)(vii) 112.20(h)(3)(vi) 112.20(h)(3)(ix) 112.20(h)(7) F1.3.2 F1.7.1, F1.7.3	1035(b)(2) 1035(b)(3)(iv), (v)	194.107(c)(1)(iii) 194.107(c)(1)(v)	19.32 19.33
e. Implementation of tactical plan	5.3.6	112.7(a)(3)(iv) 112.20(h)(3)(ix) 112.20(h)(7)	1035(b)(2)(iii) 1035(b)(3) 1035(b)(4)(iii)	194.107(c)(1)(v) A-3	19.32 19.33

ICP Elements per NRT's Guidance	Corresponding Section of this Plan	Cross-Reference			
		EPA FRP & SPCC (40 CFR part 112)	USCG FRP (33 CFR part 154)	DOT/ PHMSA-FRP (49 CFR part 194)	TGLO 31 TAC 19
f. Mobilization of resources	5.4	112.7(a)(3)(iv) 112.20(h)(7) F1.7.1	1035(b)(2)(iii) 1035(b)(3) 1035(b)(4)(iii)	194.115 194.107(c)(1)(v) A-1 A-3	19.32 19.33
3. Sustained actions	2.3, 5.4, & 5.6	112.7(a)(3)(iv) 112.7(i) 112.20(h)(7)	1035(b)(3)	194.107(c)(1)(v) A-9	19.37
4. Termination and follow-up actions	2.4, 6.1, & 8.0	112.7(a)(3)(iv) 112.20(h)(7)	1035(b)(3)		19.37
III - Annexes					
1. Facility and locality information	3.0	112.20(h)(2) F1.2 F2.0	1035(a) 1035(e)(1)	194.107(c)(1)(i) 194.113 194.113(b)(1)	19.14
a. Facility maps	Figures 1 through 6	112.20(h)(1)(viii) F1.9		194.113(b)(3-4) A-9	19.14(2)(D)
b. Facility drawings	3.0, Figures 1 through 6	112.20(h)(1)(viii) 112.20(h)(9) F1.9	1035(e)	A-9	19.14(2)(D)
c. Facility description/ layout	Figure 2	F1.9 112.7(a)(3)	1035(b)(4)	194.113(b)(3-4) A-9	19.14(2)(D)
2. Notification	4.0	112.7(a)(3)(vi) 112.20(h)(1)(ii)		194.107(c)(1)(ii) A-2	19.14(6)
a. Internal	4.1	112.7(a)(3)(vi) 112.20(h)(3)(iii) F1.3.1	1035(b)(1)(i) 1035(b)(1)(ii) 1035(e)(2)	194.107(c)(1)(iv)	19.14(4)
b. Community	4.1 & 1.0	112.7(a)(3)(vi) 112.20(h)(3)(iii) 112.20(h)(3)(ix) F1.3.1	1035(b)(1)(i) 1035(b)(1)(ii) 1035(e)(2)		
c. Federal and state agency	1.0	112.7(a)(3)(vi) 112.20(h)(3)(iii) 112.20(h)(3)(ix) F1.3.1	1035(b)(1)(i) 1035(b)(1)(ii) 1035(e)(2)	194.107(c)(1)(vi)	19.32

ICP Elements per NRT's Guidance	Corresponding Section of this Plan	Cross-Reference			
		EPA FRP & SPCC (40 CFR part 112)	USCG FRP (33 CFR part 154)	DOT/ PHMSA-FRP (49 CFR part 194)	TGLO 31 TAC 19
3. Response management structure	2.2 & 5.0	112.20(h)(1)(v) 112.20(h)(3)(v) F1.3.4	1035(b)(3)(iii)	194.107(c)(1)(v) A-9	19.14(6) 19.33
a. General	5.1	112.7(f)(2)	1035(b)(3)(iii)		19.14(6)
b. Command	5.2	112.20(h)(3)(iv)			19.14(4)
(1) Facility incident commander and QI	5.2.1.a	112.20(h)(1)(i) F1.2.5	1026	A-4	19.34
(2) Information	5.2.1.e	112.20(h)(3)(iii)	1035(b)(3)(iii) 1035(e)(4)	194.107(c)(1)(v) A-2	19.14
(3) Safety	5.2.1.e	112.7(g)(1) 112.7(g)(2) 112.7(g)(3) 112.7(g)(4) 112.7(g)(5) 112.7(g)(5)(i) 112.7(g)(5)(ii) 112.20(h)(1)(vi) 112.20(h)(3)(vii) 112.20(h)(3)(viii) F1.3.5	1035(b)(3)(iii) 1035(e)(5)		19.14
(4) Liaison	5.2.1.d		1035(b)(3)(iii)		19.34
c. Operations	5.3		1035(b)(3)(iii)	194.107(c)(1)(v)	19.14(6)
(1) Response objectives	5.3.2		1035(b)(2)(iii) 1035(b)(4)(iii)		
(2) Discharge or release control	5.3.3	112.20(h)(3)(i) 112.20(h)(7)(iv) 112.20(h)(1)(vii) 112.8(c)(10)	1035(b)(2) 1035(b)(2)(iii) 1035(b)(4)(iii)	194.107(c)(1)(v) A-3	
(3) Assessment/ monitoring	5.3.5	112.20(h)(3)(ix) F1.7.1	1035(b)(2)(iii) 1035(b)(3) 1035(b)(4)(iii)		

ICP Elements per NRT's Guidance	Corresponding Section of this Plan	Cross-Reference			
		EPA FRP & SPCC (40 CFR part 112)	USCG FRP (33 CFR part 154)	DOT/ PHMSA-FRP (49 CFR part 194)	TGLO 31 TAC 19
(4) Containment	5.3.6	112.20(h)(1)(vii) 112.20(h)(3)(i) 112.20(h)(7)(iv) F1.7.3	1035(b)(2)(iii) 1035(b)(3)(iv) 1035(b)(4)(iii)	194.107(c)(1)(v)	
(5) Recovery	5.3.7	112.20(h)(3)(i) 112.20(h)(7)(iii) F1.7.2	1035(b)(2)(iii) 1035(b)(3)(iv) 1035(b)(4)(iii)	194.107(c)(1)(v)	
(6) Decontamination	5.3.7	112.20(h)(7)(iii) F1.7.2		194.107(c)(1)(v)	
(7) Non-responder medical needs	5.3.8		1035(e)(5)		
(8) Salvage plans	5.3.7			194.107(c)(1)(v)	
d. Planning	5.4 & Attachments A & B			194.107(a) 194.115	19.4(6)
(1) Hazard assessment	5.4.2 & 5.4.3	112.20(h)(3)(ix) 112.20(h)(4) 112.20(h)(5) 112.20(h)(7)(ii) F1.4.1-F1.4.3 F1.5.1, F1.5.2	1029 1035(b)(4)(ii)	194.105 194.113(b)(6)	19.14
(2) Protection	5.4.4 & 5.4.4.a	112.20(h)(7)(i) 112.20(h)(7)(iv) F1.7.1, F1.7.3	1035(b)(4)		
(3) Coordination with natural resource trustees	5.4.4	112.20(g)	1030(f)	194.107(b)	19.51
(4) Waste management	5.4.5 & Appendix VII	112.7(a)(3)(v) 112.20(h)(7)(iv) F1.7.2	1035(b)(5)	194.107(c)(1)(v)	19.36
e. Logistics	5.5		1035(b)(3)(iii)		19.14(6)
(1) Medical needs	5.3.8 & 5.5.3		1035(e)(5)		
(2) Site security	5.5.4	112.20(h)(10) F1.10			
(3) Communications	5.1.1	112.20(h)(1)(iv) 112.20(h)(3)(vi) F1.3.2	1035(e)(3)	194.107(c)(1)(ii) 194.107(c)(1)(v) A-2	

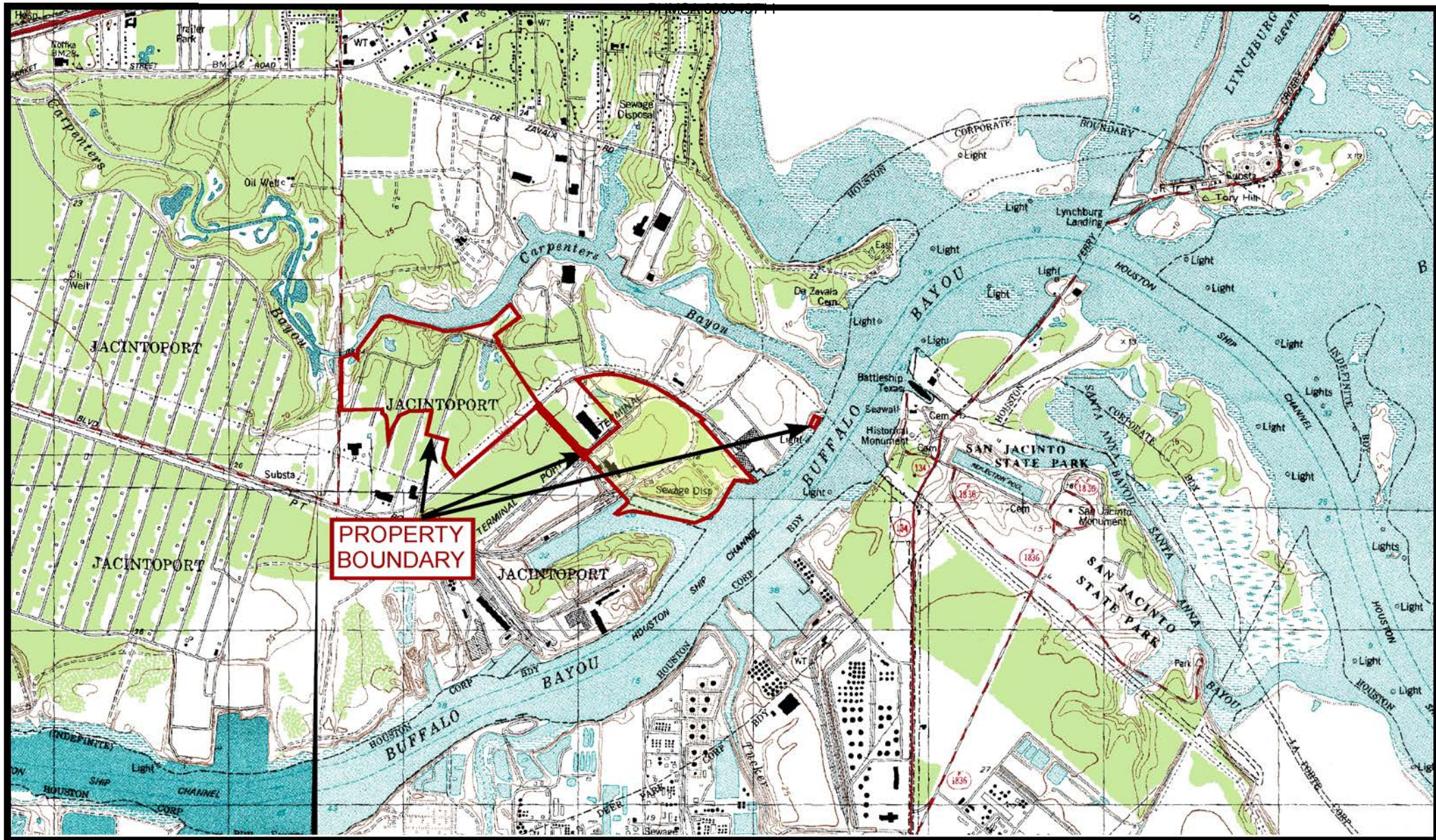
ICP Elements per NRT's Guidance	Corresponding Section of this Plan	Cross-Reference			
		EPA FRP & SPCC (40 CFR part 112)	USCG FRP (33 CFR part 154)	DOT/ PHMSA-FRP (49 CFR part 194)	TGLO 31 TAC 19
(5) Personnel support	5.3.2	112.20(h)(1)(v) 112.20(h)(1)(vi) 112.20(h)(3)(i-ii) 112.20(h)(3)(v) 112.20(h)(3)(vii) F1.3.5			
(6) Equipment maintenance and support	5.5.5	112.7(e) 112.20(h)(1)(iv) 112.20(h)(3)(vi) 112.20(h)(8) F1.3.3 F1.8.1	1035(b)(3)(iv) 1035(e)(3) 1057	194.107(c)(1)(viii)	
f. Finance/procurement/ administration	5.6 & Attachment J	112.20(h)(3)(ix)	1028 1035(b)(3)(iii)		19.14(3)
(1) Resource list	5.6 & Attachments D, J, & I	112.20(h)(1)(iv) 112.20(h)(3)(vi) F1.3.2 F1.7.1	1035(b)(3)(iv) 1035(e)(3)	A-9	
(2) Personnel	5.6 & Attachment D	112.20(h)(1)(v) 112.20(h)(3)(v) F1.3.4	1035(b)(3)(iv)	A-9	
(3) Response equipment	5.6 & Attachments D & I	112.20(h)(1)(iv) 112.20(h)(3)(vi) F1.3.2 F1.7.1	1035(b)(2)(ii) 1035(b)(4)(iii) 1035(e)(3) Appendix C	194.115 A-9	
(4) Support equipment	5.6 & Attachments D & I	F1.3.2 F1.7.1	1035(e)(3)		
(5) Contracting	5.6 & Attachments D & I	112.20(h)(3)(ii)	1028(a)(1) 1035(e)(3)	194.115	19.35
4. Incident documentation	6.0			A-2	
a. Incident history	6.1	112.20(h)(4) F1.4.4			
b. additional reporting	6.2	112.4			

ICP Elements per NRT's Guidance	Corresponding Section of this Plan	Cross-Reference			
		EPA FRP & SPCC (40 CFR part 112)	USCG FRP (33 CFR part 154)	DOT/ PHMSA-FRP (49 CFR part 194)	TGLO 31 TAC 19
5. Training and exercises/drills	7.0 & Attachments E, F & G	112.7(f) 112.7(f)(1) 112.7(f)(3) 112.20(h)(8) 112.21 F1.8.2, F1.8.3	1035(c) 1050 1055 Appendix D	194.107(c)(1)(vii) 194.107(c)(1)(ix) 194.117 A-6 A-7	19.14(5) 19.16 19.18
6. Response critique and plan review and modification process	8.0 & 8.2 Attachment K	112.20(g) 112.4 112.5	1035(a)(6) 1035(d) 1065	194.107(c)(1)(x) 194.111 194.119 194.121 A-8	19.12(g)
Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan	9.0	112.3 112.8(a)			
Facility Drainage	9.1	112.8(b) 112.8(b)(1) 112.8(b)(2) 112.8(b)(3) 112.8(b)(4) 112.8(b)(5) 112.8(c)(3)			
Management Approval	Page x	112.7			
Type of oil and storage capacity and Fault Analysis and Engineer Certificate	Attachment B	112.7(a)(3)(i) 112.7(b) 112.7(c) 112.7(d)			
Bulk Storage Tanks	9.2 and Attachment B	112.8(c) 112.8(c)(1) 112.8(c)(2)			

ICP Elements per NRT's Guidance	Corresponding Section of this Plan	Cross-Reference			
		EPA FRP & SPCC (40 CFR part 112)	USCG FRP (33 CFR part 154)	DOT/ PHMSA-FRP (49 CFR part 194)	TGLO 31 TAC 19
Discharge prevention measures	9.2, 9.3, & 9.6 Attachment D	112.7(a)(3)(ii) 112.8(c)(6) 112.8(c)(8)(i) 112.8(c)(8)(ii) 112.8(c)(8)(iii) 112.8(c)(8)(iv) 112.8(c)(8)(v)			
Discharge Notification Report Form format	Attachment C	112.7(a)(4)			
Facility Transfer Operations, Pumping and Facility Process	9.4 & 9.5	112.8(d) 112.8(d)(1) 112.8(d)(2) 112.8(d)(3) 112.8(d)(4) 112.8(d)(5)	T7T7		

FIGURE 1

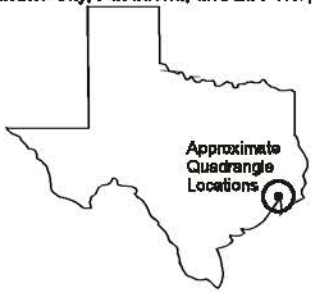
SITE LOCATION TOPOGRAPHIC MAP



ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.
P. O. Box 3247
Humble, TX 77347-3247
(281) 446-7070 Fax (281) 446-3348

Reproduced from 7.5 Minute USGS Topographic Quadrangles: Highlands, Jacinto City, Pasadena, and La Porte, Texas; Zone 15



TOPOGRAPHIC MAP

Houston Fuel Oil Terminal Company
Houston, Harris County, Texas

Attachment 1

ONE (1) INCH = 2,632 FEET

DRAWN BY:	AAC/LWK/IIs
DATE:	04/25/2008
REV. DATE:	07/27/2011
DRAWING ID:	N:\CLIENT\HFO\Maps\Base Map & Related\ICP Plan\HFO All Property on Topo.cvx

N

FIGURE 2

SITE PLOT PLAN

Maps and figures have been redacted in accordance with the FOIA Exemption 7(F).

ATTACHMENT A

IDENTIFICATION OF AREAS OF ECONOMIC IMPORTANCE AND ENVIRONMENTAL SENSITIVITY

AREAS OF ECONOMIC IMPORTANCE AND ENVIRONMENTAL SENSITIVITY AS IDENTIFIED IN THE AREA CONTINGENCY PLAN FOR HOUSTON-GALVESTON

GEOGRAPHIC LOCATION	PROXIMITY TO FACILITY (MILES)	CLASSIFICATION CODE
Bear Lake	3.0 - 4.0	PEXBYM
Bear Lake	3.0 - 4.0	DRGSLD
White Lake	4.0	MRSHES
Burnet Bay	2.5	PEXBYM
White Lake	4.0	PEXBYM
Crystal Bay	2.5	PEXBYM
Scott Bay	3.0	PEXBYM
San Jacinto Park	2.0	STFLAT
Black Duck Bay	4.0	ETFLAT
Black Duck Bay	4.0	SSFLAT
Goose Creek	4.5	SSFLAT
Goose Creek	4.5	MRSHES
Tabbs Bayou	4.0	BRDROK
Patrick Bayou	0.5	WTIIND
Ship Channel	2.0	WTIIND
Ship Channel	3.5	WTIIND
San Jacinto Park	2.0	ECOREC
Milby Park	5.5	ECOREC
Bear Lake	3.0 - 4.0	PEXBYM
Bear Lake	3.0 - 4.0	DRGSLD
White Lake	4.0	MRSHES
Burnet Bay	2.5	PEXBYM
White Lake	4.0	PEXBYM
Crystal Bay	2.5	PEXBYM
Scott Bay	3.0	PEXBYM
San Jacinto Park	2.0	STFLAT
Black Duck Bay	4.0	ETFLAT
Black Duck Bay	4.0	SSFLAT
Goose Creek	4.5	SSFLAT
Goose Creek	4.5	MRSHES
Tabbs Bayou	4.0	BRDROK
Patrick Bayou	0.5	WTIIND
Ship Channel	2.0	WTIIND
Ship Channel	3.5	WTIIND
San Jacinto Park	2.0	ECOREC
Milby Park	5.5	ECOREC
Ship Channel	3.5	WTIIND
Patrick Bayou	0.5	WTIIND
Ship Channel	3.5	WTIIND
Ship Channel	5.0	WTIIND
Morgan's Point	5.0	SNDSHL
Morgan's Point	10.0	JETTYS
Morgan's Point	10.0	PEXBYM

GEOGRAPHIC LOCATION	PROXIMITY TO FACILITY (MILES)	CLASSIFICATION CODE
Morgan's Point	10.0	ERSCRP
Atkinson Island	15.0	FSGFIS
Atkinson Island	15.0	BRDROK
Mesquite Knoll	15.0	STFLAT
Atkinson Island	15.0	DRGSLD
Galveston Bay	12 - 30	OTHERS*

*Galveston Bay contains numerous areas of economic importance and environmental sensitivity as identified on the Coastal Region Spill Response Map Series, October 2001. The appropriate portions of the map are included in this appendix for reference.

CLASSIFICATION CODE LEGEND

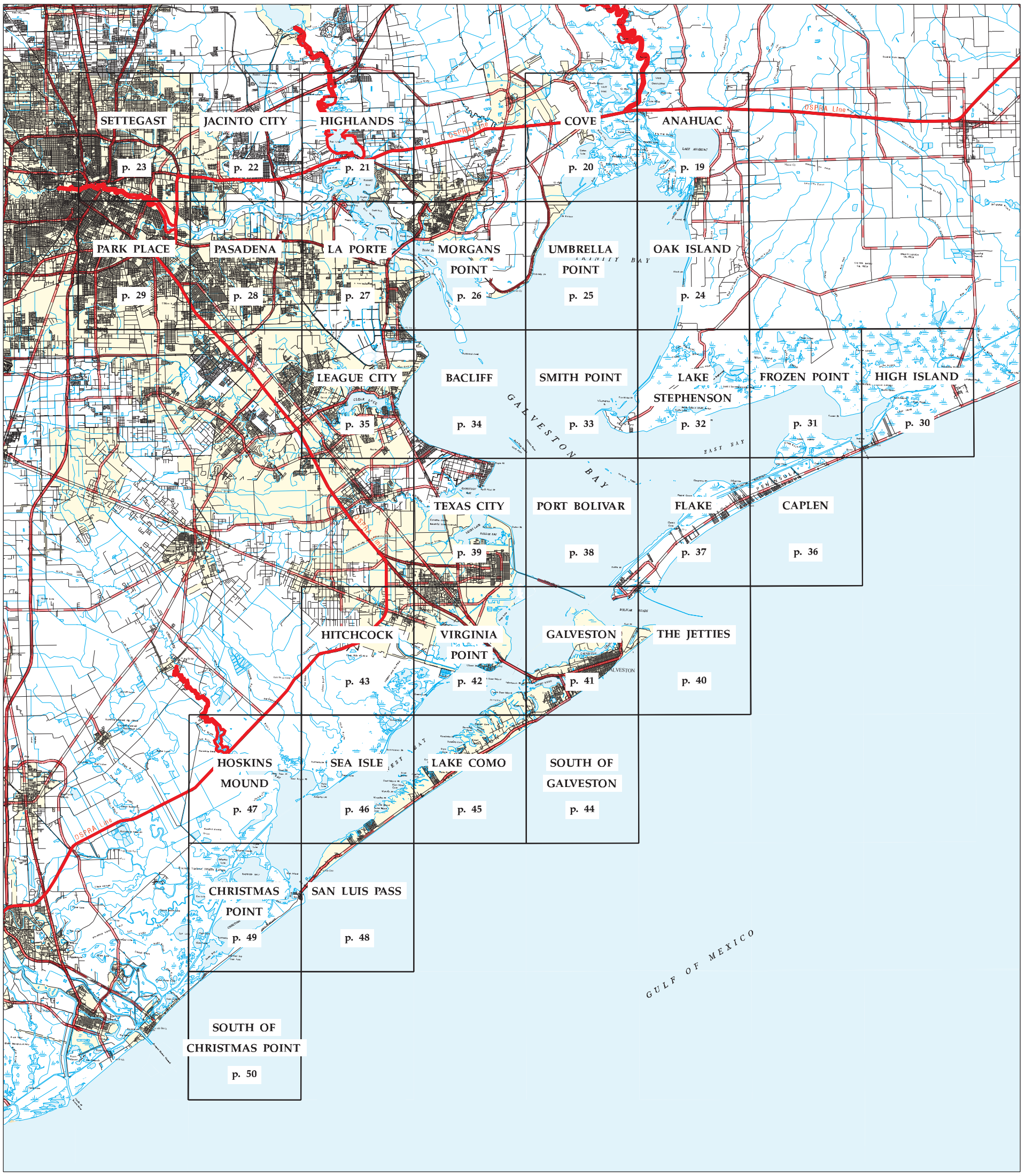
SSFLT	Shallow seagrass flats	WMAPRV	Wildlife management (PRIVATE)
MANGRV	Mangroves	HSTARC	Historical/Archaeological site
MRSHES	Marshes and wetlands-tidally influenced	ECONMAR	Economic Site (MARINAS)
STFLAT	Sheltered tidal flats with vegetation	ECOFSH	Economic Site (FISHING CENTERS)
RIPZON	Riparian zones along freshwater rivers	ECOPRK	Economic Site (MAJOR RECREATIONAL AREAS)
OYSRFS	Oyster reefs	ECOREC	Economic Site (PRIVATE BOAT DOCKS)
ETFLAT	Exposed tidal flats	ECORBD	Water Intake (INDUSTRIAL)
DRGSLD	Dredged soil deposits	WTIIND	Water Intake (MUNICIPAL WATER SUPPLY)
PEXBYM	Partially exposed bay margins	WTIMUN	Water Intake (PRIVATE WATER SUPPLY)
SNDSHL	Sand-shell substrata	WTIPRV	Erosional scarps
FNGRSN	Fine-granted sand	ERSCRP	Other areas protected or managed for natural resource value
JETTYS	Jetties, seawall, bulkheads, revetments	OTHERS	
BRDROK	Bird Rookeries	EHABAM	Endangered, rare species habitat (AMPHIBIAN)
BRNCON	Bird Concentrations	EHABAM	Endangered, rare species habitat (MAMMALS)
EHABBR	Endangered, rare species habitat (BIRDS)	EHAPLA	Endangered, rare species habitat (PLANT)
EHABRP	Endangered, rare species habitat (REPTILES)	FSGFIS	Prime fish and shellfish grounds (FISH)
FSGCRS	Prime fish and shellfish grounds (CRUSTACEAN)	WMASTA	Wildlife management (STATE)
WMAFED	Wildlife management (FEDERAL)	WMALOC	Wildlife manage (LOCAL)

GALVESTON BAY SYSTEM INDEX

Source: Texas Coastal Oil Spill Planning and Response Toolkit, October 2001
Published by the Texas General Land Office (CD enclosed)

1. Bacliff Base Map (Map #34)
2. Cove Base Map (Map #20)
3. Highlands Base Map (Map #21)
4. Jacinto City Base Map (Map #22)
5. La Porte Base Map (Map #27)
6. League City Base Map (Map #35)
7. Morgans Point Base Map (Map #26)
8. Park Place Base Map (Map #29)
9. Pasadena Base Map (Map #28)
10. Settegast Base Map (Map #23)
11. Umbrella Point Base Map (Map #25)

Galveston Bay System Index Map



TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

NOAA
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
U.S. DEPARTMENT OF COMMERCE

N

SCALE 1:436,444

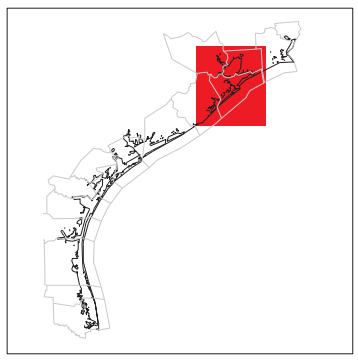
One inch represents 6.89 miles

0 — 20 Miles

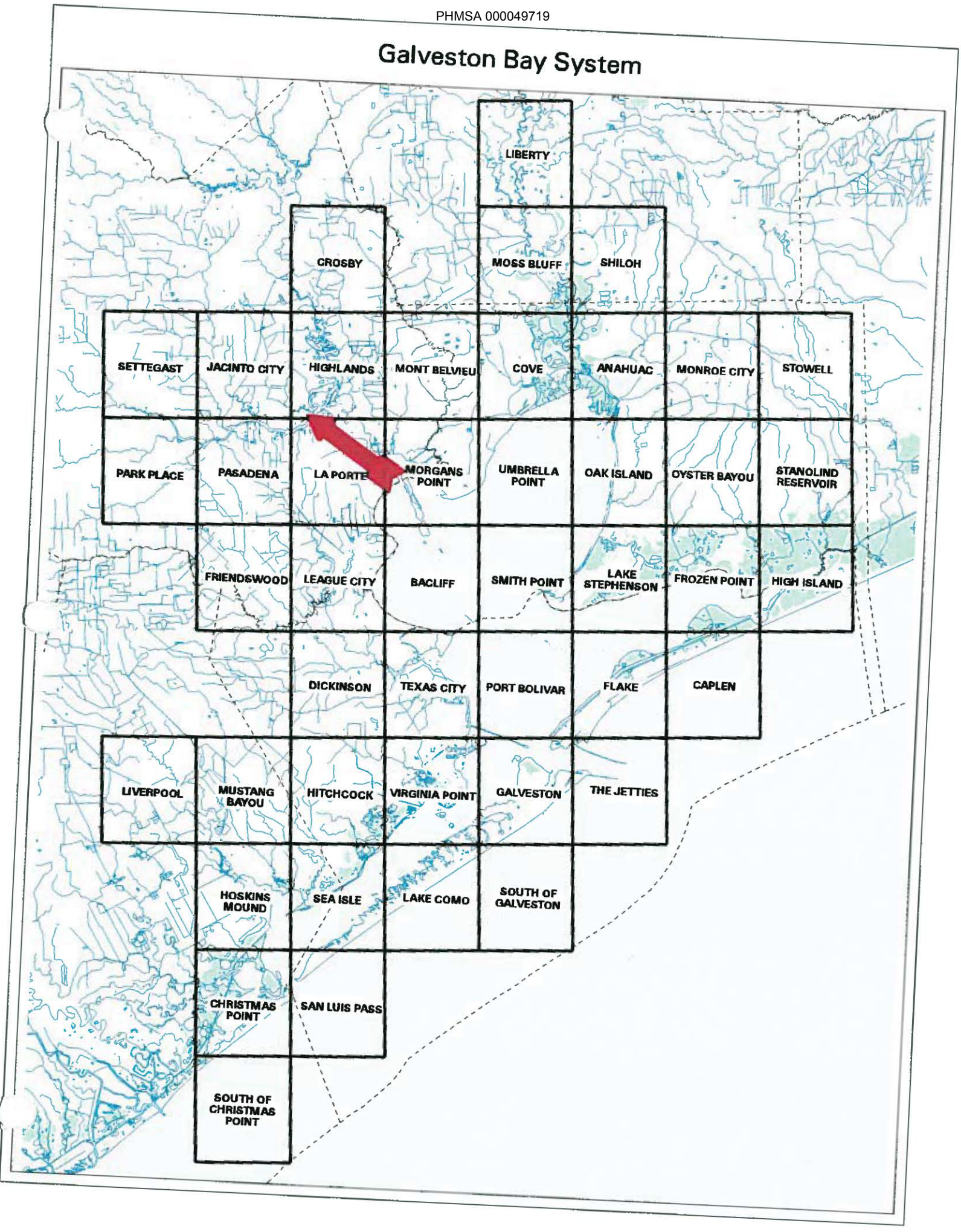
0 — 20 Nautical Miles

0 — 125,000 Feet

0 — 20 — 40 Kilometers



Galveston Bay System



Bacliff Base Map

(MORGANS POINT)

95°00'00" 94°59'00" 94°58'00" 94°57'00" 94°56'00" 94°55'00" 94°54'00" 94°53'00"

29°37'00" 29°36'00" 29°35'00" 29°34'00" 29°33'00" 29°32'00" 29°31'00" 29°30'00"

(LEAGUE CITY) *(SMITH POINT)*

(TEXAS CITY)

Houston Yacht Club

Bayport Ship Channel

Fivemile Pass

El Jardin Del Mar

Red Bluff

Bulkhead Reef

PINE GULLY

BAYWOOD

Pine Gully

SURF OAKS

GALVESTON BAY

Clear Creek Channel

Houston Ship Channel

Clifton Beach

Clifton Channel

Bacliff

146

646

San Leon

Red Fish Island

West Pass

Red Fish Bar

95°00'00" West Longitude

North Latitude

2994-322

0 1 Miles

0 1 Nautical Miles

0 5000 Feet

0 1 2 Kilometers

TEXAS GENERAL LAND OFFICE OIL SPILL PREVENTION & RESPONSE

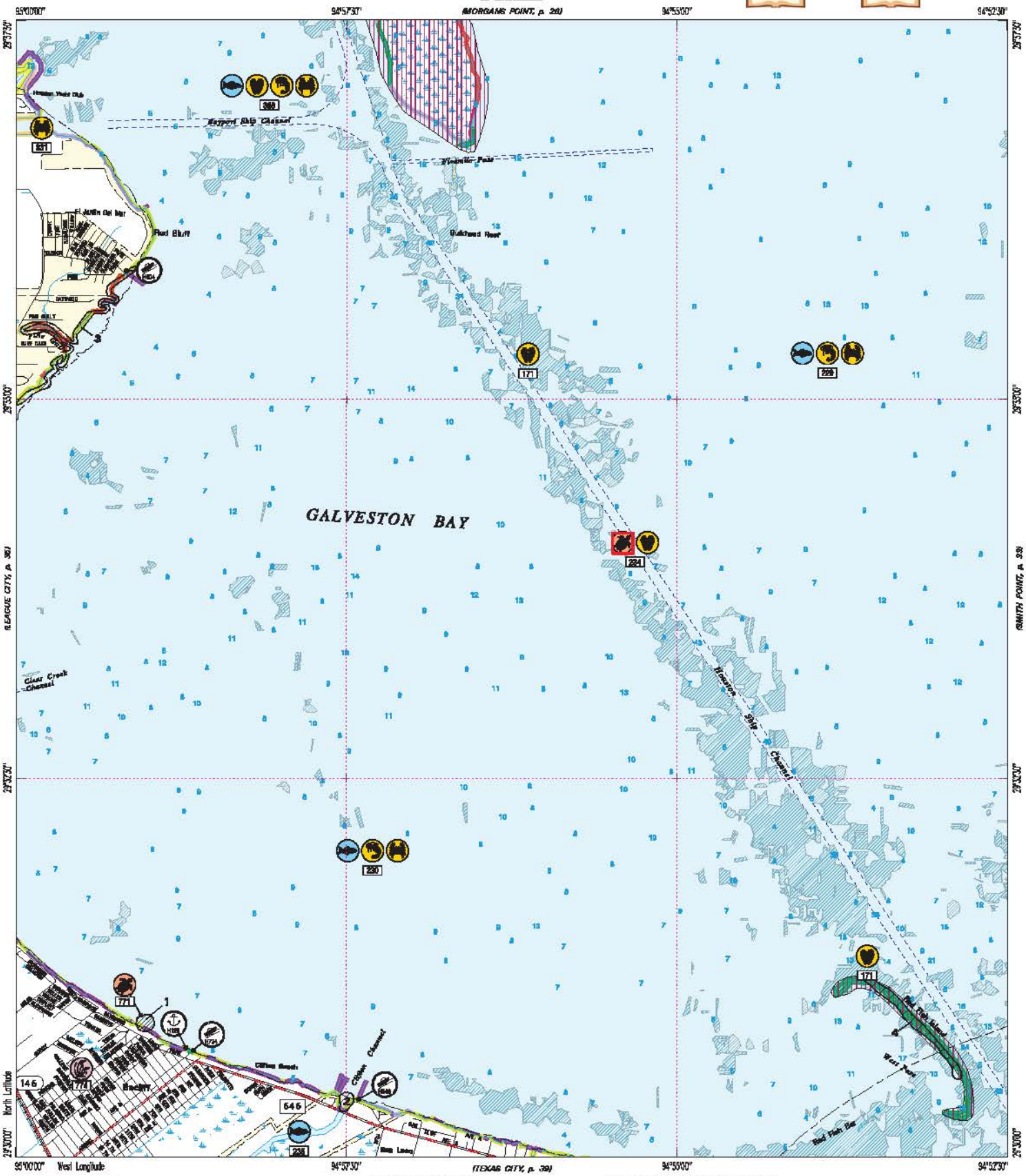
View Bacliff Response Map

Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT

Bacliff

DATA ACP


95°10'00"
94°57'30"
MORGANS POINT, p. 26)
94°55'00"
94°52'30"
29°37'30"
29°35'00"
29°32'30"
29°30'00"
GALVESTON BAY
LEAGUE CITY, p. 35)
SMITH POINT, p. 33)
Red Bluff
Redfish Reef
Clear Creek Channel
Bayport Ship Channel
Houston Yacht Club
El Jardin Del Mar
Galveston Bay Park
Bacliff
Texas City Dike
Texas City
Galveston Bay
Red Fish Bay
Red Fish Island
Moses Lake
Dickinson Bayou
Dickinson
Hitchcock
Santa Fe
League City
Clear Lake Shores
Kemah
Seabrook
Pasadena
Deer Park
La Porte
Baytown
Channelview
Pelly
Galveston
Texas City
Alvin
Pearland
Friendswood
Webster
Clear Lake
Nassau Bay
Houston
Pasadena
Baytown

TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

LEGEND

ENVIRONMENTAL SENSITIVITY INDEX

- MANGROVE MARSH (10D)
- FRESHWATER SWAMPS (10C)
- FRESHWATER MARSHES (10B)
- SALT AND BRACKISH MARSHES (10A)
- SHELTERED TIDAL FLATS (9)
- SHELTERED ROCKY/KARST SHORES (8D)
- SHELTERED SCARPS (8C)
- SHELTERED RIPRAP STRUCTURES (8B)
- SHELTERED SOLID MAN-MADE STRUCTURES (8A)
- EXPOSED TIDAL FLATS (7)
- EXPOSED RIPRAP STRUCTURES (6B)
- GRAVEL OR SHELL BEACHES (6A)
- MIXED SAND AND GRAVEL OR SHELL BEACHES (5)
- COARSE-GRAINED SAND BEACHES (4)
- SCARPS AND STEEP SLOPES IN SAND (3B)
  FINE-GRAINED SAND BEACHES (3A)
- WAVE-CUT CLAY PLATFORMS (2B)
  SCARPS AND STEEP SLOPES IN CLAY (2A)
- EXPOSED WALLS AND OTHER SOLID STRUCTURES (1)

HYDROGRAPHY

- MARSH, WETLAND
- TIDAL, MUD OR SAND FLATS
- BEACH, BAR
- INTERMITTENT WATER BODY
- DUNES
- SUBMERGED AQUATIC VEGETATION
- MANGROVES
- OYSTERS

PRIORITY PROTECTION AREAS

- HIGH MEDIUM
- MEDIUM PRIORITY
- LOW PRIORITY

BIOLOGICAL RESOURCES

- DIVING BIRDS
- GULLS/TERNS
- PASSERINE BIRDS
- PELAGIC BIRDS
- RAPTORS
- SHOREBIRDS
- WADING BIRDS
- WATERFOWL
- FISH
- DOLPHINS
- SMALL MAMMALS
- UPLAND/WETLAND PLANTS
- SUBMERGED AQUATIC VEGETATION
- ALLIGATOR
- TURTLES
- OTHER REPTILES/AMPHIBIANS
- BIVALVES
- CRABS
- GASTROPODS
- SHRIMP
- SQUID
- THREATENED/ENDANGERED SPECIES

POLITICAL BOUNDARIES

- COUNTY BOUNDARY
- MUNICIPAL BOUNDARY

TRANSPORTATION

- DIVIDED HIGHWAY
- STATE/FEDERAL HIGHWAY
- CITY STREET/COUNTY ROAD
- AIRPORT
- RAILROAD
- SHIP CHANNEL/GULF INTRACOASTAL WATERWAY
- SHIPPING SAFETY FAIRWAY

HUMAN USE FEATURES

- AQUACULTURE SITE
- BEACH ACCESS POINT
- BOAT RAMP
- COAST GUARD STATION
- HELIPORT
- LIGHTHOUSE
- MARINA
- WATER INTAKE POINT

OTHER LAYERS

- ANCHORAGE AREA
- AUDUBON SANCTUARY
- BIRD ROOKERY AREA
- CITY OR COUNTY PARK
- COASTAL PRESERVE
- MUNICIPAL AREA
- NATIONAL WILDLIFE REFUGE
- STATE PARK/WILDLIFE MANAGEMENT AREA
- WASHOVER AREA

BACLIFF

Map #34

HUMAN USE RESOURCES

Boat Ramps

RARNUM	NAME
H546	HL&P Galveston County Park
H604	El Jardin
H724	Galveston County Park

Marinas

RARNUM	NAME	ADDRESS	PHONE
H128	Texas Corinthian Yacht Club	104 Park Cr. P.O. Box 577 Kemah 77565-0577	(713) 339-1566

BIOLOGICAL RESOURCES

Reptiles/Amphibians

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	NESTING	HATCHING
234	Kemp's ridley sea turtle	S/F	E/E	LOW	X	X	X	X	X	X	X	X	X	X	X	X	-	-
771	Texas diamondback terrapin	F	C2															

Fish

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV
229	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Gulf menhaden			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Pinfish				X	X	X	X	X	X	X	X	X	X	X	X	MAR-MAY	MAR-MAY
	Atlantic croaker				X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Hardhead catfish				X	X	X	X	X	X	X	X	X	X	X	X	MAY-SEP	JUN-OCT
	Bay anchovy			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
230	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Bay anchovy			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
	Gulf menhaden			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Atlantic croaker			VERY HIGH	X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Hardhead catfish				X	X	X	X	X	X	X	X	X	X	X	X	MAY-SEP	JUN-OCT
	Pinfish				X	X	X	X	X	X	X	X	X	X	X	X	MAR-MAY	MAR-MAY
	Black drum				X	X	X	X	X	X	X	X	X	X	X	X	JAN-APR	JUL-MAR
235	Striped bass				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC
	Sheepshead				X	X	X	X	X	X	X	X	X	X	X	X	MAR-MAY	MAR-AUG
388	Bay anchovy				X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
	Gulf menhaden				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Atlantic croaker				X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT

Shellfish

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV.
171	American oyster (eastern)				X	X	X	X	X	X	X	X	X	X	X	X	MAR-JUL	APR-JUL
229	Blue crab			VERY HIGH	X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	White shrimp			VERY HIGH	X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	Brown shrimp			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
230	Blue crab			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	White shrimp				X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	Brown shrimp			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
231	Stone crab				X	X	X	X	X	X	X	X	X	X	X	X	MAY-SEP	JUN-SEP
234	American oyster (eastern)				X	X	X	X	X	X	X	X	X	X	X	X	MAR-JUL	APR-JUL
388	White shrimp				X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	Blue crab				X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
	American oyster (eastern)				X	X	X	X	X	X	X	X	X	X	X	X	MAR-JUL	APR-JUL

Plants/Communities

RARNUM	NAME	S/F	T/E
774	Texas windmill-grass	F	C2

BAYCLIFF — Map # 34

Polygon #	*Priority*	*Description: what organism(s), habitat(s)?*
1	High	**Bacliff shoreline**. Diamondback terrapin habitat.
2	Low	**Mouth of unnamed cut between Bacliff and San Leon**. Recreational fishing (high).
3	Low	**Seabrook shoreline and lower Pine Gully**. Wetlands (medium).
4	Low	**Red Fish Island**. Rookery (medium), when emergent. Note: Red Fish Island is transient and may or may not be emergent from year to year. It is presently all submerged (1993).

16. BAYCLIFF
W Galveston Bay

CHART(S): Nautical Chart (11326 & 11327)
Upper Coast Atlas Page 34

STAGING AREAS: 1. Spillway Park boat ramp (2)
(b) (7)(F) Note: Swift water, caution is advised.

2. El Jardin Boat Ramp (1)
(b) (7)(F) ote: shallow water ramp

ACCESS ROADS: 1. Hwy 146 South to FM 646, turn left, road will bend right, proceed past HL&P outfall bridge, turn left on first road to ramp.

2. Hwy 146 south exit Port Rd. proceed east road turns into Todville Rd, turn left on El Jardin, road ends at boat ramp.

DESCRIPTION:
16-A Boom to protect Clifton Beach
16-B Boom entrance to Clifton Channel
16-C Boom entrance to Pine Gully (450' wide)
16-D Boom to protect marsh south of El Jardin Rd.
16-E Boom to protect East side of Island north of Five mile Pass
16-F Boom entrance to Bayport Ship Channel (960' wide)
16-G Boom to protect Houston Yacht Club
16-H Boom to protect Red Fish Island

CAUTION:
Numerous submerged pilings have been noted along shoreline. Avoid running aground on Red Fish Island (submerged).

NATURAL COLLECTION AREA:
Debris has been noted north of Red Bluff, product tends to collect near the Five mile Pass area.

Site Specific Information
Site # 16-A TGLO Polygon # 1 Quad Name Baycliff



Site information:
Site Description: Shoreline of Clifton Beach at end of Highway 646.

(b) (7)(F)

Nearest ICW Marker: N/A **Date last visited:** 05 Mar 01

Access:

Closest Boat Ramp:	Clifton Beach
Distance:	1 minute
Boat type recommended:	Shallow aluminum hull
Closest Airport:	William Hobby Airport HOU
Closest Helicopter Landing:	William Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
Take Hwy 610 South, exit onto Hwy 225 east, exit onto Hwy 146 south, turn left onto Grand Ave., following it out to Galveston Bay, and turn left onto Bayshore.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	High
Environmental:	Habitat for turtles
Economic:	N/A

Booming strategy recommendations:

Recommendations:	Boom to protect sensitive marshes.		
Number of personnel:	2-4	**Width of inlet:**	N/A
Current:	Medium	**Water depth at mouth:**	N/A ft

Safety / Cautionary notes: Numerous submerged pilings have been noted along the shoreline.

Site Specific Information
Site # 16-B TGLO Polygon # 2 Quad Name Baycliff



Site information:
Site Description: Entrance to Clifton Channel near Bayshore Park.

(b) (7)(F)

NOAA chart # 11326, 11327 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 05 Mar 01

Access:
Closest Boat Ramp: Clifton Channel
Distance: 1 minute
Boat type recommended: Shallow Aluminum hull
Closest Airport: William Hobby Airport HOU
Closest Helicopter Landing: William Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
Take Hwy 610 south, exit onto Hwy 225 east, exit onto Hwy 146 south, turn left onto Grand Ave., following it out to Galveston Bay, turn right onto Bayshore.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 2-4 **Width of inlet:** N/A
Current: Medium **Water depth at mouth:** N/A

Safety / Cautionary notes: Numerous submerged pilings have been noted along shoreline.

Site Specific Information
Site # 16-C TGLO Polygon # 3 Quad Name: Baycliff



Site information:
Site Description: Seabrook shoreline and lower Pine Gully.

(b) (7)(F)

NOAA chart # 11326, 11327 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 05 Mar 01

Access:
Closest Boat Ramp: Red Bluff
Distance: 5 minutes
Boat type recommended: Shallow Aluminum hull
Closest Airport: William Hobby Airport HOU
Closest Helicopter Landing: William Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
Take Hwy 610 south, exit onto Hwy 225 east, exit onto Hwy 146 south, turn left onto Red Bluff, following it out to Galveston Bay. Pine Gully will be on the left.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 2-4 **Width of inlet:** 450 ft
Current: Medium **Water depth at mouth:** N/A ft

Safety / Cautionary notes: Numerous submerged pilings have been noted along shoreline.

Site Specific Information
Site # 16-H TGLO Polygon # 4 Quad Name Baycliff



Site information:
Site Description: Red Fish Island near the Houston Ship Channel.

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 05 Mar 01

Access:
Closest Boat Ramp: Clifton Channel
Distance: 10-15 minutes
Boat type recommended: Shallow hull
Closest Airport: William Hobby Airport HOU
Closest Helicopter Landing: William Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
Red Fish Island can be reached by boat only.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: Habitat for bivalves.
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 2-6 **Width of inlet:** N/A
Current: Medium **Water depth at mouth:** N/A

Safety / Cautionary notes: Avoid running aground on Red Fish Island, it may be submerged. Red Fish Island is transient and may or may not be emergent from year to year.

Site Specific Information
Site # 16-G TGLO Polygon # 5 Quad Name Baycliff



Site information:
Site Description: Houston Yacht Club

(b) (7)(F)

NOAA chart # 11326, 11327 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 05 Mar 01

Access:
Closest Boat Ramp: Sylvan Beach
Distance: 5 minutes
Boat type recommended: Shallow hull
Closest Airport: William Hobby Airport HOU
Closest Helicopter Landing: William Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
Take Hwy 610 south, exit onto Hwy 225 east, exit onto Hwy 146 south, turn left onto Shoreacres, following it out to Galveston Bay, turn right onto Miramar. Houston Yacht Club will be on the left.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: N/A
Environmental: Habitat for crabs
Economic: Yacht club

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 4-6 **Width of inlet:** 960 ft
Current: Medium **Water depth at mouth:** N/A ft

Safety / Cautionary notes: Watch for recreational vessel traffic.

Site Specific Information
Site # 16-E TGLO Polygon # 6 Quad Name Baycliff



Site information:
Site Description: South end of Atkinson Island

(b) (7)(F)

NOAA chart # 11326, 11327 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 05 Mar 01

Access:
Closest Boat Ramp: Spillway Park and El Jardin
Distance: 5-10 minutes
Boat type recommended: Shallow hull
Closest Airport: William Hobby Airport HOU
Closest Helicopter Landing: William Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
Atkinson Island can be reached by boat only.

Trustees/ Contact Numbers:

U.S.C.G. via NRC	(800) 424-8802
TXGLO via Hotline	(800) 832-8224
TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: N/A
Environmental: Habitat for fish, bivalves, shrimp, crabs
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 2-4 **Width of inlet:** N/A
Current: Medium **Water depth at mouth:** N/A

Safety / Cautionary notes: _____
°

Site Specific Information
Site # 16-F TGLO Polygon # 7 Quad Name Bacliff



Site information:
Site Description: Entrance to Bayport Inner Harbor. 1st view (south end)facing south of entrance to Bayport Inner Harbor. 2nd view (north end) facing southeast of entrance to Bayport Inner Harbor.

(b) (7)(F)

NOAA chart #	11326, 11327	**County:**	Harris
Nearest ICW Marker:	N/A	**Date last visited:**	23 Mar 01

Access:

Closest Boat Ramp:	Spillway Park and El Jardin
Distance:	5-10 minutes
Boat type recommended:	Shallow hull
Closest Airport:	William Hobby Airport HOU
Closest Helicopter Landing:	William Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
Take Hwy 610 south, exit onto Hwy 225 east, exit onto Hwy 146 south, turn left onto Todville Road.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	N/A
Environmental:	Habitat for crabs
Economic:	Petrochemical facilities

Booming strategy recommendations:

Recommendations:	Boom to protect the entrance to the Bayport Ship Channel.		
Number of personnel:	2-4	**Width of inlet:**	960 ft
Current:	Medium	**Water depth at mouth:**	N/A ft

Safety / Cautionary notes: Watch for large vessel traffic. Shallow water ramp at the El Jardin boat ramp. Swift water at the Spillway Park boat ramp, caution is advised.

Cove Base Map

(MOSS BLUFF)

94°52'00" 94°51'00" 94°50'00" 94°49'00" 94°48'00" 94°47'00" 94°46'00" 94°45'00"

29°52'00" 29°51'00" 29°50'00" 29°49'00" 29°48'00" 29°47'00" 29°46'00" 29°45'00"

(MONT BELVIEU) (ANAHUAC)

Cherry Point Gully
Old River-Winfree
THE CUTOFF
OLD RIVER
Devils Elbow
LOST LAKE
Lost Lake Oil Field
LOST RIVER
TRINITY RIVER
3360
565
Mont Belvieu
OSPRA Coastal Facility Line
10
3246
Cove
Bird Island
Mayes Lake
OLD RIVER LAKE
Round Lake
Round Lake Bayou
Pierson Bayou
3180
Hackberry Gully
Barbers Hill Canal
Leat Island
Cotton Bayou
Lawrence Island
Lawrence Lake
COTTON LAKE
Horse Island
North Cotton Lake Oil Field
Mesquite Pond
Cane Pond
Cove Bayou
High Tree Bayou
The Ridge
Dunn Lake
Cove Island
Site 2-A
Site 2-B
Site 2-C
Site 2-D
Site 2-E
Site 2-F
Site 2-G
Site 2-H
2354
HL&P COOLING POND
SOUTH COTTON LAKE OIL FIELD
TRINITY BAY

North Latitude

94°52'00" West Longitude 94°51'00" 94°50'00" 94°49'00" 94°48'00" 94°47'00" 94°46'00" 94°45'00"

(UMBRELLA POINT)

TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE



2994-331

0 1 Miles

0 1 Nautical Miles

0 5000 Feet

0 1 2 Kilometers

View Cove Response Map

View all Cove Site Specific Plans

Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Inundated Area
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT
- OSPRA Coastal Facility Designation Line GLO

Cove

DATA ACP

94°52'30" 94°50'00" (MOSS BLUFF) 94°47'30" 94°45'00"

29°52'30" 29°50'00" 29°47'30" 29°45'00"

(MONT BELVIEU) (ANAHUAC, p. 19)

(UMBRELLA POINT, p. 25)

Cherry Point Gully
3360
565
Mont Belvieu
774
Old River-Winfree
OLD RIVER
Devils Elbow
THE CUTOFF
LOST LAKE
Lost Lake Oil Field
LOST RIVER
TRINITY RIVER
642
10
3246
Cove
3180
Hackberry Gully
Bird Island
Round Lake
Round Bayou
Lawrence Island
Lawrence Harbor
144
146
147
COTTON LAKE
North Cotton Lake Oil Field
HL&P COOLING POND
SOUTH COTTON LAKE OIL FIELD
2354
150
151
152
TRINITY BAY
North Latitude
West Longitude

Not For Navigation

Miles
Nautical Miles
Feet
Kilometers

Depth Soundings in Feet

2884-331

TEXAS GENERAL LAND OFFICE OIL SPILL PREVENTION & RESPONSE

NOAA NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION U.S. DEPARTMENT OF COMMERCE

Hazardous Materials Response and Assessment Division

HUMAN-USE FEATURES

Boat Launch Site

PRIORITY PROTECTION AREAS

- High Priority
- Medium Priority
- Low Priority
- Caution Area

ENVIRONMENTAL SENSITIVITY INDEX

- 10C - Freshwater swamps
- 10B - Freshwater marshes
- 10A - Salt and brackish water marshes
- 9 - Sheltered tidal flats
- 8C - Sheltered scarps
- 8B - Sheltered riprap structures
- 8A - Sheltered solid man-made structures
- 7 - Exposed tidal flats
- 6B - Exposed riprap structures
- 6A - Gravel beaches
- 5 - Mixed sand and gravel beaches
- 4 - Coarse-grained sand beaches
- 3B - Scarps and steep slopes in sand
- 3A - Fine-grained sand beaches
- 2B - Wave-cut clay platforms
- 2A - Scarps and steep slopes in clay
- 1 - Exposed walls and other solid structures

- Municipal Area
- Marsh, Wetland
- Tidal/Mud Flats
- Inundated Area
- Bird Rookery Area
- Oyster Reef
- Oyster Shell on Mud

TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

LEGEND

ENVIRONMENTAL SENSITIVITY INDEX

- MANGROVE MARSH (10D)
- FRESHWATER SWAMPS (10C)
- FRESHWATER MARSHES (10B)
- SALT AND BRACKISH MARSHES (10A)
- SHELTERED TIDAL FLATS (9)
- SHELTERED ROCKY/KARST SHORES (8D)
- SHELTERED SCARPS (8C)
- SHELTERED RIPRAP STRUCTURES (8B)
- SHELTERED SOLID MAN-MADE STRUCTURES (8A)
- EXPOSED TIDAL FLATS (7)
- EXPOSED RIPRAP STRUCTURES (6B)
- GRAVEL OR SHELL BEACHES (6A)
- MIXED SAND AND GRAVEL OR SHELL BEACHES (5)
- COARSE-GRAINED SAND BEACHES (4)
- SCARPS AND STEEP SLOPES IN SAND (3B) FINE-GRAINED SAND BEACHES (3A)
- WAVE-CUT CLAY PLATFORMS (2B) SCARPS AND STEEP SLOPES IN CLAY (2A)
- EXPOSED WALLS AND OTHER SOLID STRUCTURES (1)

HYDROGRAPHY

- MARSH, WETLAND
- TIDAL, MUD OR SAND FLATS
- BEACH, BAR
- INTERMITTENT WATER BODY
- DUNES
- SUBMERGED AQUATIC VEGETATION
- MANGROVES
- OYSTERS

PRIORITY PROTECTION AREAS

- HIGH MEDIUM
- MEDIUM PRIORITY
- LOW PRIORITY

BIOLOGICAL RESOURCES

- DIVING BIRDS
- GULLS/TERNS
- PASSERINE BIRDS
- PELAGIC BIRDS
- RAPTORS
- SHOREBIRDS
- WADING BIRDS
- WATERFOWL
- FISH
- DOLPHINS
- SMALL MAMMALS
- UPLAND/WETLAND PLANTS
- SUBMERGED AQUATIC VEGETATION
- ALLIGATOR
- TURTLES
- OTHER REPTILES/AMPHIBIANS
- BIVALVES
- CRABS
- GASTROPODS
- SHRIMP
- SQUID
- THREATENED/ENDANGERED SPECIES

POLITICAL BOUNDARIES

- COUNTY BOUNDARY
- MUNICIPAL BOUNDARY

TRANSPORTATION

- DIVIDED HIGHWAY
- STATE/FEDERAL HIGHWAY
- CITY STREET/COUNTY ROAD
- AIRPORT
- RAILROAD
- SHIP CHANNEL/GULF INTRACOASTAL WATERWAY
- SHIPPING SAFETY FAIRWAY

HUMAN USE FEATURES

- AQUACULTURE SITE
- BEACH ACCESS POINT
- BOAT RAMP
- COAST GUARD STATION
- HELIPORT
- LIGHTHOUSE
- MARINA
- WATER INTAKE POINT

OTHER LAYERS

- ANCHORAGE AREA
- AUDUBON SANCTUARY
- BIRD ROOKERY AREA
- CITY OR COUNTY PARK
- COASTAL PRESERVE
- MUNICIPAL AREA
- NATIONAL WILDLIFE REFUGE
- STATE PARK/WILDLIFE MANAGEMENT AREA
- WASHOVER AREA

COVE

Map #20

HUMAN USE RESOURCES

Boat Ramps

RARNUM	NAME
H572	Cotton Lake

BIOLOGICAL RESOURCES

Birds

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	NESTING	LAYING	HATCHING	FLEDGING
144	Waterfowl				X	X	X	X				X	X	X	X	X	-	-	-	-
	Geese				X	X	X	X					X	X	X	X	-	-	-	-
	Mottled duck				X	X	X	X	X	X	X	X	X	X	X	X	JAN-AUG	JAN-AUG	JAN-AUG	FEB-SEP
	Wading birds				X	X	X	X	X	X	X	X	X	X	X	X	-	-	-	-
146	Waterfowl				X	X	X	X				X	X	X	X	X	-	-	-	-
	Geese				X	X	X	X					X	X	X	X	-	-	-	-
	Wading birds				X	X	X	X	X	X	X	X	X	X	X	X	-	-	-	-
	White ibis				X	X	X	X	X	X	X	X	X	X	X	X	FEB-JUN	FEB-JUN	FEB-JUN	MAR-JUL
147	Waterfowl				X	X	X	X				X	X	X	X	X	-	-	-	-
150	Waterfowl				X	X	X	X				X	X	X	X	X	-	-	-	-
	Mottled duck				X	X	X	X	X	X	X	X	X	X	X	X	JAN-AUG	JAN-AUG	JAN-AUG	FEB-SEP
151	Waterfowl				X	X	X	X				X	X	X	X	X	-	-	-	-
	Mottled duck				X	X	X	X	X	X	X	X	X	X	X	X	JAN-AUG	JAN-AUG	JAN-AUG	FEB-SEP
642	Little blue heron			40	X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	APR-JUL	APR-JUL	MAY-AUG
	Roseate spoonbill			90	X	X	X	X	X	X	X	X	X	X	X	X	APR-AUG	APR-AUG	APR-AUG	MAY-SEP
	Cattle egret			950	X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	APR-JUL	APR-JUL	APR-AUG
	Snowy egret			100	X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	APR-JUL	APR-JUL	MAY-AUG
	Great egret			25	X	X	X	X	X	X	X	X	X	X	X	X	MAR-JUL	MAR-JUL	MAR-JUL	MAR-AUG
	Olivaceous cormorant			75	X	X	X	X	X	X	X	X	X	X	X	X	JAN-JUL	JAN-JUL	JAN-JUL	FEB-AUG

Reptiles/Amphibians

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	NESTING	HATCHING
144	American alligator				X	X	X	X	X	X	X	X	X	X	X	X	JUN-SEP	JUN-DEC
146	American alligator				X	X	X	X	X	X	X	X	X	X	X	X	JUN-SEP	JUN-DEC
147	American alligator				X	X	X	X	X	X	X	X	X	X	X	X	JUN-SEP	JUN-DEC
150	American alligator				X	X	X	X	X	X	X	X	X	X	X	X	JUN-SEP	JUN-DEC
151	American alligator				X	X	X	X	X	X	X	X	X	X	X	X	JUN-SEP	JUN-DEC

Fish

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV
144	Channel catfish				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Striped bass				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Blue catfish				X	X	X	X	X	X	X	X	X	X	X	X	-	-
146	Gizzard shad				X	X	X	X	X	X	X	X	X	X	X	X	-	-
147	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC
	Blue catfish				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Striped bass				X	X	X	X	X	X	X	X	X	X	X	X	-	-
151	Atlantic croaker				X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
152	Bay anchovy				X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Hardhead catfish				X	X	X	X	X	X	X	X	X	X	X	X	MAY-SEP	JUN-OCT
	Spot				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	NOV-FEB
	Striped mullet				X	X	X	X	X	X	X	X	X	X	X	X	NOV-JAN	DEC-FEB
	Gulf menhaden				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Atlantic croaker				X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Black drum				X	X	X	X	X	X	X	X	X	X	X	X	JAN-APR	JUL-MAR
	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC

Shellfish

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV.
151	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
152	White shrimp				X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	Brackishwater clam				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Blue crab				X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN

Plants/Communities

RARNUM	NAME	S/F	T/E
144	Smooth cordgrass		
146	Common reed		
	Arrowhead		
150	Widgeon grass		
151	Widgeon grass		
774	Texas windmill-grass	C2	N

COVE — Map # 20

Polygon #	*Priority*	*Description: what organism(s), habitat(s)?*
Several pinchpoints along north shore of Trinity Bay can be boomed to protect polygons 1 and 3 from spills in Trinity Bay: Red Bayou, Double Bayou, Cross Bayou, Dunn Bayou, Cove Bayou, and several unnamed inlets and cuts are shown on the Cove quad.		
1	High	**Western lobe of Trinity River Delta (a - c).** Bird habitat (high), nursery (high), wetlands (high). Many sections can be protected separately. Continuous with polygon 2 on Anahuac quad.
2	Medium	**Trinity River meander south of I10**. Nursery (high), wetlands (high).
Pinchpoint at mouth of Cotton Bayou can be boomed to protect Polygon 3 from spills in Old River Lake, or to protect Old River Lake from spills in Cotton Lake or the Cotton Bayou drainage.		
3	Medium	**(a) Old River Lake and (b) Cotton Lake.** Bird habitat (high), nursery (high). Protect sections separately.
4	Medium	**Cotton Bayou above Cotton Lake.** Nursery (high), wetlands (high).
5	SAV	**Seagrass beds of Trinity River Delta.** Bird habitat (high), nursery (high), submerged aquatic vegetation (high). This area should be avoided during response activities to prevent physical damage to vegetation. Note: Seagrass beds may not occur in the same location from year to year. Note: the Trinity River delta is shallow, hazardous, and changes rapidly. Airboats may be necessary in many areas. USGS topo maps show marsh in some areas that are now open water.

2. COVE
N Trinity Bay (Cove Bayou to Baytown HL&P Spillway)

CHART(S): Nautical Chart (11326)
Upper Coast Atlas Page 20

STAGING AREAS: Cotton Lake Boat Ramp (1)
(See Umbrella Point for additional sites)

ACCESS ROADS: I-10 to Farm Road 3246 South to Cotton Lake

DESCRIPTION:
*Note: The upper Trinity Bay area contains a large area of Salt and brackish water marshes from Cove Bayou to HL&P spillway, all effort should be made to prevent product from impacting this area.

2-A Boom entrance to Cove Bayou (340' wide)
2-B Boom east entrance to Dunn Lake (150' wide)
2-C Boom west entrance between Dunn Lake and Bayou (150' wide)
2-D Boom entrance to Dunn Bayou (285')
2-E Boom entrance to Cross Bayou
2-F Boom entrance to Double Bayou
2-G Boom entrance to Red Bayou
2-H Boom entrance to Baytown HL&P Spillway <u>if no flow noted</u> (600'wide)

NOTIFY:

Texas Parks & Wildlife Dept.	(281) 461-4071 Houston
U.S. Fish & Wildlife Service	(281) 286-8282 Houston

CAUTION:
Very shallow water near the shoreline, shallow draft boats, or airboats may be required to respond. American Alligators and Bald Eagles have been sighted in this area.

NATURAL COLLECTION AREA:
Due to the extensive marshland and shallow water located in this area, there are not any good collection sites noted.

Site Specific Information
Site # 2-A TGLO Polygon # 1 Quad Name COVE

Site information:
Site Description: Entrance to Cove Bayou
The entrance to Cove Bayou enters a large area of salt and brackish marshes. All effort should be made to prevent product from impacting this area.

(b) (7)(F)

Date last visited: _____

Access:

Closest Boat Ramp:	Fort Anahuac Park
Distance:	25 minutes
Boat type recommended:	Airboat, too shallow for boats
Closest Airport:	Chambers County Airport (TOO)
Closest Helicopter Landing:	Chambers County Airport , 29-46-12N 094-39-49W

From MSO Houston-Galveston:
East on I-10 from Houston to HWY 61. Exit right on Hwy 563 to Anahuac. In Anahuac travel south on Hwy 61 (Main Street) to Fort Anahuac Park, 1 mi. on right. Boat ramps are at SW corner of park.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**HIGH**
Environmental:	Waterfowl, Mottled duck, Alligator, Widgeon grass.
Economic:	N/A

Booming strategy recommendations:
Recommendations: Boom across entrance to bayou to protect sensitive marshes.

Number of personnel:	2-4	**Width of inlet:**	340 ft
Current:	Slow	**Water depth at mouth:**	____ ft

Safety / Cautionary notes: Very shallow water near the shoreline. American alligators are in this area.

Site Specific Information
Site # 2-B TGLO Polygon # 1 Quad Name COVE

Site information:
Site Description: East entrance to Dunn Lake
The east entrance to Dunn Lake enters a large area of salt and brackish marshes. All effort should be made to prevent product from impacting this area.

(b) (7)(F) [redacted]

NOAA chart # 11326 **County:** Chambers
Date last visited: _____

Access:
Closest Boat Ramp: Fort Anahuac Park
Distance: 25 minutes
Boat type recommended: Airboat, too shallow for boats
Closest Airport: Chambers County Airport (TOO)
Closest Helicopter Landing: Chambers County Airport , 29-46-12N 094-39-49W

From MSO Houston-Galveston:
East on I-10 from Houston to HWY 61. Exit right on Hwy 563 to Anahuac. In Anahuac travel south on Hwy 61 (Main Street) to Fort Anahuac Park, 1 mi. on right. Boat ramps are at SW corner of park.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: **HIGH**
Environmental: Waterfowl, Mottled duck, Alligator, Widgeon grass.
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom across entrance to bayou to protect sensitive marshes.
Number of personnel: 2-4 **Width of inlet:** 150 ft
Current: Slow **Water depth at mouth:** ____ ft

Safety / Cautionary notes: Very shallow water near the shoreline. American alligators are in this area.

Site Specific Information
Site # 2-C TGLO Polygon # 1 Quad Name COVE

Site information:
Site Description: West entrance to Dunn Lake
The west entrance to Dunn Lake enters a large area of salt and brackish marshes. All effort should be made to prevent product from impacting this area.

(b) (7)(F) [redacted]

NOAA chart # 11326 **County:** Chambers
Date last visited: _____

Access:
Closest Boat Ramp: Fort Anahuac Park
Distance: 25 minutes
Boat type recommended: Airboat, too shallow for boats
Closest Airport: Chambers County Airport (TOO)
Closest Helicopter Landing: Chambers County Airport , 29-46-12N 094-39-49W

From MSO Houston-Galveston:
East on I-10 from Houston to HWY 61. Exit right on Hwy 563 to Anahuac. In Anahuac travel south on Hwy 61 (Main Street) to Fort Anahuac Park, 1 mi. on right. Boat ramps are at SW corner of park.

Trustees/ Contact Numbers:

U.S.C.G. via NRC	(800) 424-8802
TXGLO via Hotline	(800) 832-8224
TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: **HIGH**
Environmental: Waterfowl, Mottled duck, Alligator, Widgeon grass.
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom across entrance to bayou to protect sensitive marshes.
Number of personnel: 2-4 **Width of inlet:** 150 ft
Current: Slow **Water depth at mouth:** ____ ft

Safety / Cautionary notes: Very shallow water near the shoreline. American alligators are in this area.

Site Specific Information
Site # 2-D TGLO Polygon # 5 Quad Name COVE

Site information:
Site Description: Entrance to Dunn Bayou
The entrance to Dunn Bayou enters a large area of salt and brackish marshes. All effort should be made to prevent product from impacting this area.

(b) (7)(F) [redacted]

NOAA chart # 11326 **County:** Chambers
Date last visited: _____

Access:
Closest Boat Ramp: Fort Anahuac Park
Distance: _____ minutes
Boat type recommended: Airboat, too shallow for boats
Closest Airport: Chambers County Airport (TOO)
Closest Helicopter Landing: Chambers County Airport , 29-46-12N 094-39-49W

From MSO Houston-Galveston:
East on I-10 from Houston to HWY 61. Exit right on Hwy 563 to Anahuac. In Anahuac travel south on Hwy 61 (Main Street) to Fort Anahuac Park, 1 mi. on right. Boat ramps are at SW corner of park.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: **SAV**
Environmental: Waterfowl, Mottled duck, Alligator, Widgeon grass.
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom across entrance to bayou to protect sensitive marshes.
Number of personnel: 2-4 **Width of inlet:** 285 ft
Current: Slow **Water depth at mouth:** ____ ft

Safety / Cautionary notes: Very shallow water near the shoreline. American alligators are in this area.

Site Specific Information
Site # 2-E TGLO Polygon # 5 Quad Name COVE

Site information:
Site Description: Entrance to Cross Bayou
The entrance to Cross Bayou enters a large area of salt and brackish marshes. All effort should be made to prevent product from impacting this area.

(b) (7)(F) [redacted]

NOAA chart #	11326	**County:**	Chambers
		Date last visited:	_____

Access:

Closest Boat Ramp:	Fort Anahuac Park
Distance:	25 minutes
Boat type recommended:	Airboat, too shallow for boats
Closest Airport:	Chambers County Airport (TOO)
Closest Helicopter Landing:	Chambers County Airport , 29-46-12N 094-39-49W

From MSO Houston-Galveston:
East on I-10 from Houston to HWY 61. Exit right on Hwy 563 to Anahuac. In Anahuac travel south on Hwy 61 (Main Street) to Fort Anahuac Park, 1 mi. on right. Boat ramps are at SW corner of park.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**SAV**
Environmental:	Waterfowl, Mottled duck, Alligator, Widgeon grass.
Economic:	N/A

Booming strategy recommendations:
Recommendations: Boom across entrance to bayou to protect sensitive marshes.

Number of personnel:	2-4	**Width of inlet:**	____ ft
Current:	Slow	**Water depth at mouth:**	____ ft

Safety / Cautionary notes: Very shallow water near the shoreline. American alligators are in this area.

Site Specific Information
Site # 2-F TGLO Polygon # 5 Quad Name COVE

Site information:
Site Description: Entrance to Double Bayou
The entrance to Double Bayou enters a large area of salt and brackish marshes. All effort should be made to prevent product from impacting this area.

(b) (7)(F)

Date last visited: _____

Access:

Closest Boat Ramp:	Fort Anahuac Park
Distance:	25 minutes
Boat type recommended:	Airboat, too shallow for boats
Closest Airport:	Chambers County Airport (TOO)
Closest Helicopter Landing:	Chambers County Airport , 29-46-12N 094-39-49W

From MSO Houston-Galveston:
East on I-10 from Houston to HWY 61. Exit right on Hwy 563 to Anahuac. In Anahuac travel south on Hwy 61 (Main Street) to Fort Anahuac Park, 1 mi. on right. Boat ramps are at SW corner of park.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**SAV**
Environmental:	Waterfowl, Mottled duck, Alligator, Widgeon grass.
Economic:	N/A

Booming strategy recommendations:
Recommendations: Boom across entrance to bayou to protect sensitive marshes.

Number of personnel:	2-4	**Width of inlet:**	____ ft
Current:	Slow	**Water depth at mouth:**	____ ft

Safety / Cautionary notes: Very shallow water near the shoreline. American alligators are in this area.

Site Specific Information
Site # 2-G TGLO Polygon # 5 Quad Name COVE



Site information:
Site Description: Entrance to Red Bayou
The entrance to Red Bayou enters a large area of salt and brackish marshes. All effort should be made to prevent product from impacting this area.

(b) (7)(F) [redacted]

Date last visited: 25 April 2001

Access:

Closest Boat Ramp:	Fort Anahuac Park
Distance:	25 minutes
Boat type recommended:	Airboat, too shallow for boats
Closest Airport:	Chambers County Airport (TOO)
Closest Helicopter Landing:	Chambers County Airport , 29-46-12N 094-39-49W

From MSO Houston-Galveston:
East on I-10 from Houston to HWY 61. Exit right on Hwy 563 to Anahuac. In Anahuac travel south on Hwy 61 (Main Street) to Fort Anahuac Park, 1 mi. on right. Boat ramps are at SW corner of park.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**SAV**
Environmental:	Waterfowl, Mottled duck, Alligator, Atlantic croaker, Brown shrimp, Widgeon grass.
Economic:	N/A

Booming strategy recommendations:
Recommendations: Boom across entrance to bayou to protect sensitive marshes.

Number of personnel:	2-4	**Width of inlet:**	300 ft
Current:	Slow	**Water depth at mouth:**	1 ft

Safety / Cautionary notes: Very shallow water near the shoreline. American alligators are in this area.

Site Specific Information
Site # 2-H TGLO Polygon # Quad Name COVE



Site information:
Site Description: HL&P Spillway
This is the flow through point between the large HL&P Cooling Pond and Trinity Bay.

(b) (7)(F)

NOAA chart #	11326	**County:**	Chambers
		Date last visited:	25 April 2001

Access:

Closest Boat Ramp:	Fort Anahuac Park
Distance:	30 minutes
Boat type recommended:	Shallow, aluminum hull
Closest Airport:	Chambers County Airport (TOO)
Closest Helicopter Landing:	Chambers County Airport , 29-46-12N 094-39-49W

From MSO Houston-Galveston:
East on I-10 from Houston to HWY 61. Exit right on Hwy 563 to Anahuac. In Anahuac travel south on Hwy 61 (Main Street) to Fort Anahuac Park, 1 mi. on right. Boat ramps are at SW corner of park.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

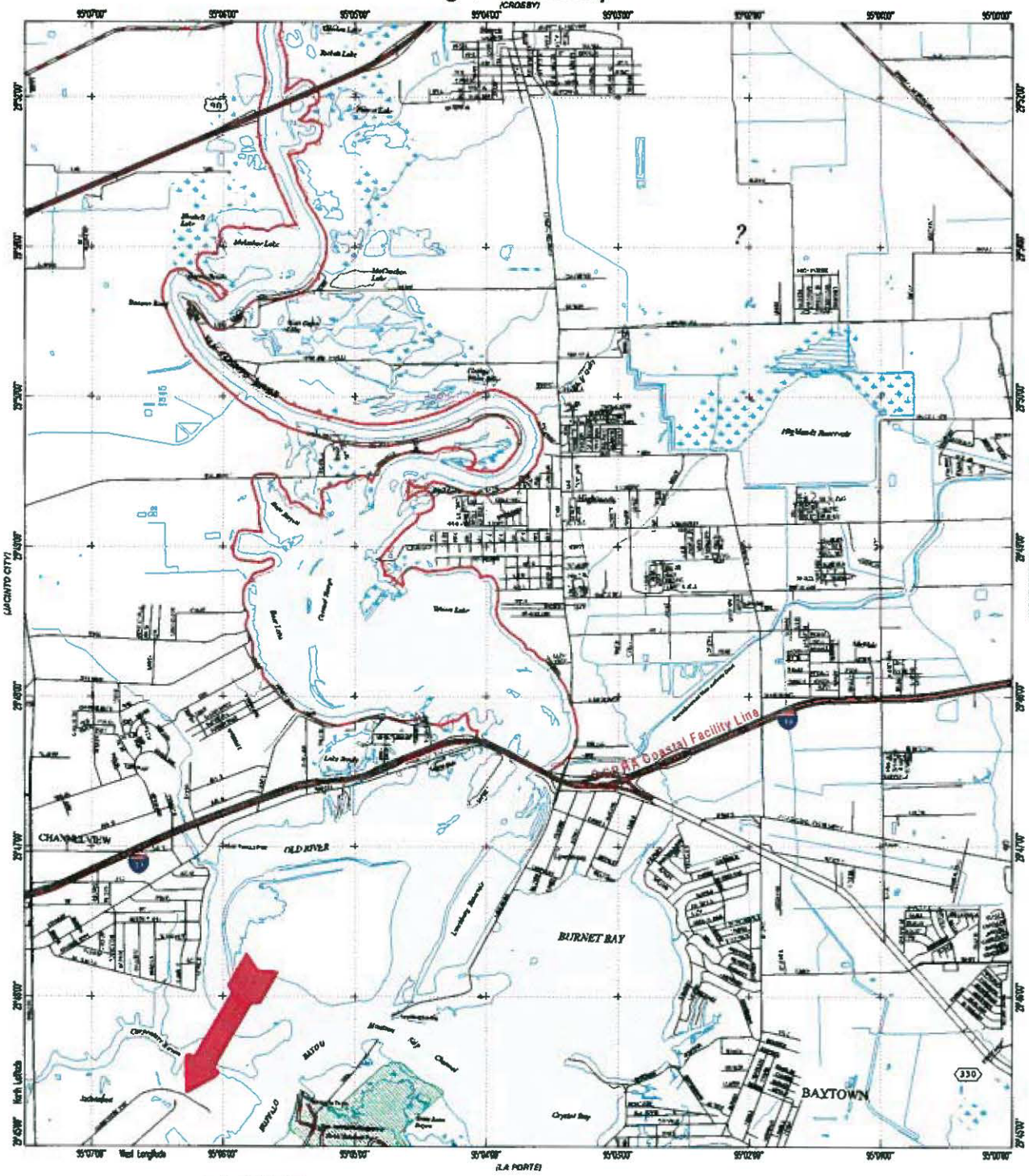
Atlas Priority:	**SAV**
Environmental:	Waterfowl, Mottled duck, Alligator, Atlantic croaker, Brown shrimp, Widgeon grass.
Economic:	N/A

Booming strategy recommendations:
Recommendations: Boom across entrance to bayou to protect sensitive marshes.

Number of personnel:	2-4	**Width of inlet:**	600 ft
Current:	Slow	**Water depth at mouth:**	2 ft

Safety / Cautionary notes:

Highlands Base Map



TEXAS OIL SPILL

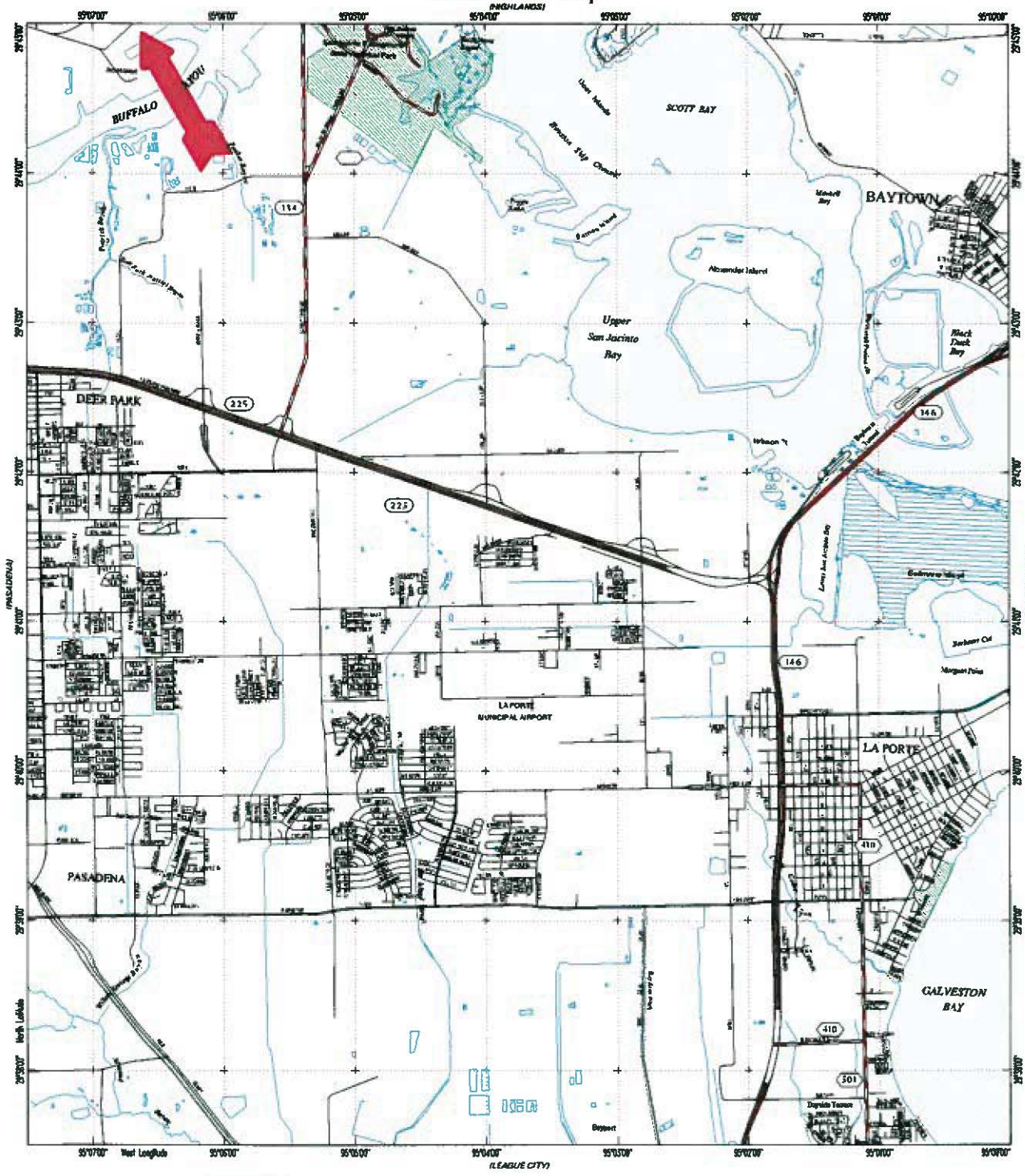
2995-441

View Highlands Response Map

Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Conservation Area
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT
- GSPRA Coastal Facility Designation Line GLO

La Porte Base Map



TEXAS GENERAL LAND OFFICE
OIL SPILL PREVENTION & RESPONSE

2395-414

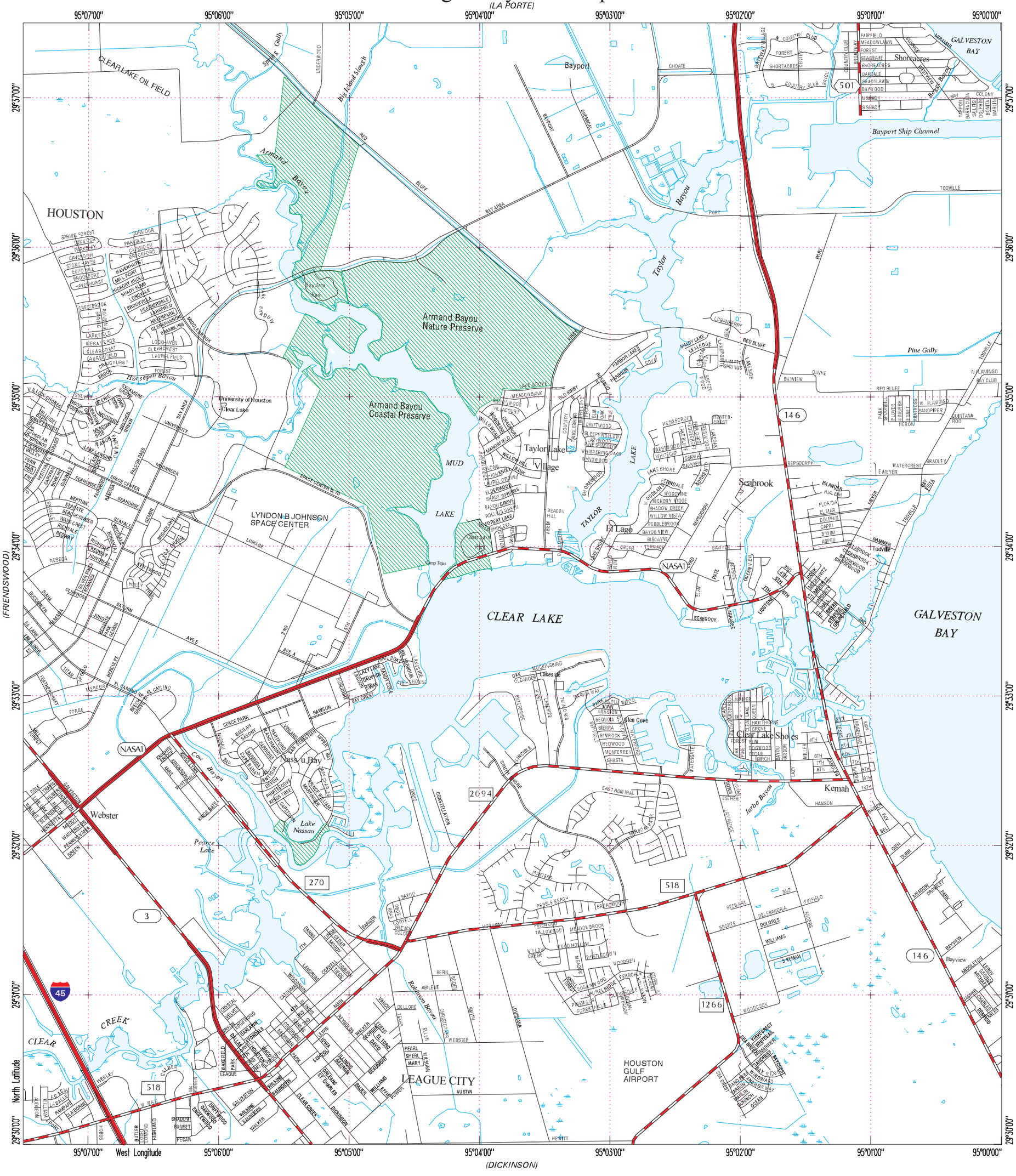
View La Porte Response Map

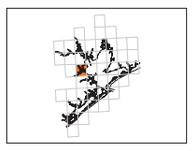
Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Conservation Area
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT

League City Base Map

(LA PORTE)





2995-411

0 1 Miles

0 1 Nautical Miles

0 5000 Feet

0 1 2 Kilometers

View League City Response Map

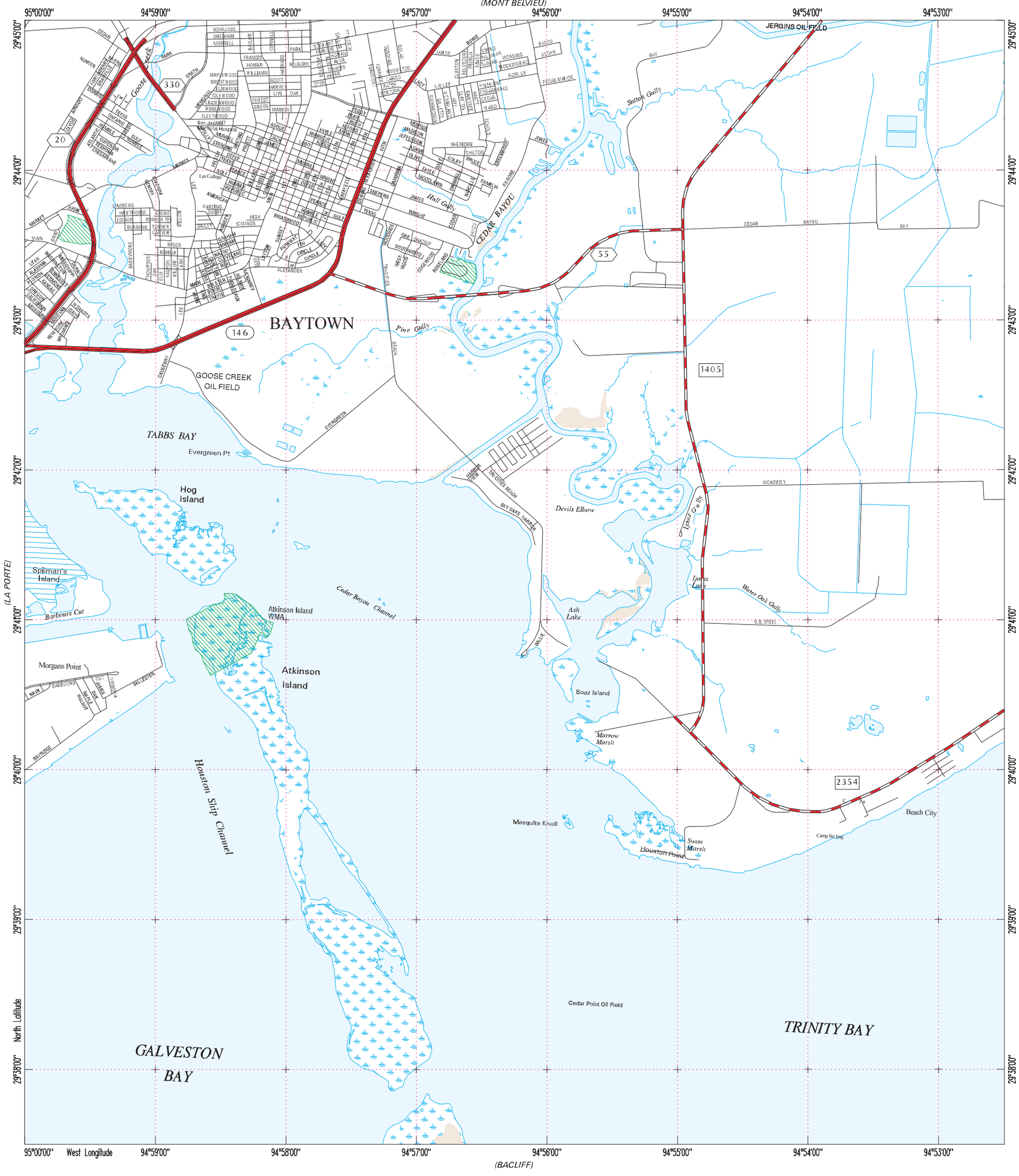
Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Conservation Area
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT

TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

Morgans Point Base Map

(MONT BELVIEU)



2994-323

TEXAS GENERAL LAND OFFICE
OIL SPILL PREVENTION & RESPONSE

0 1 Miles

0 1 Nautical Miles

0 5000 Feet

0 1 2 Kilometers

View Morgans Point Response Map

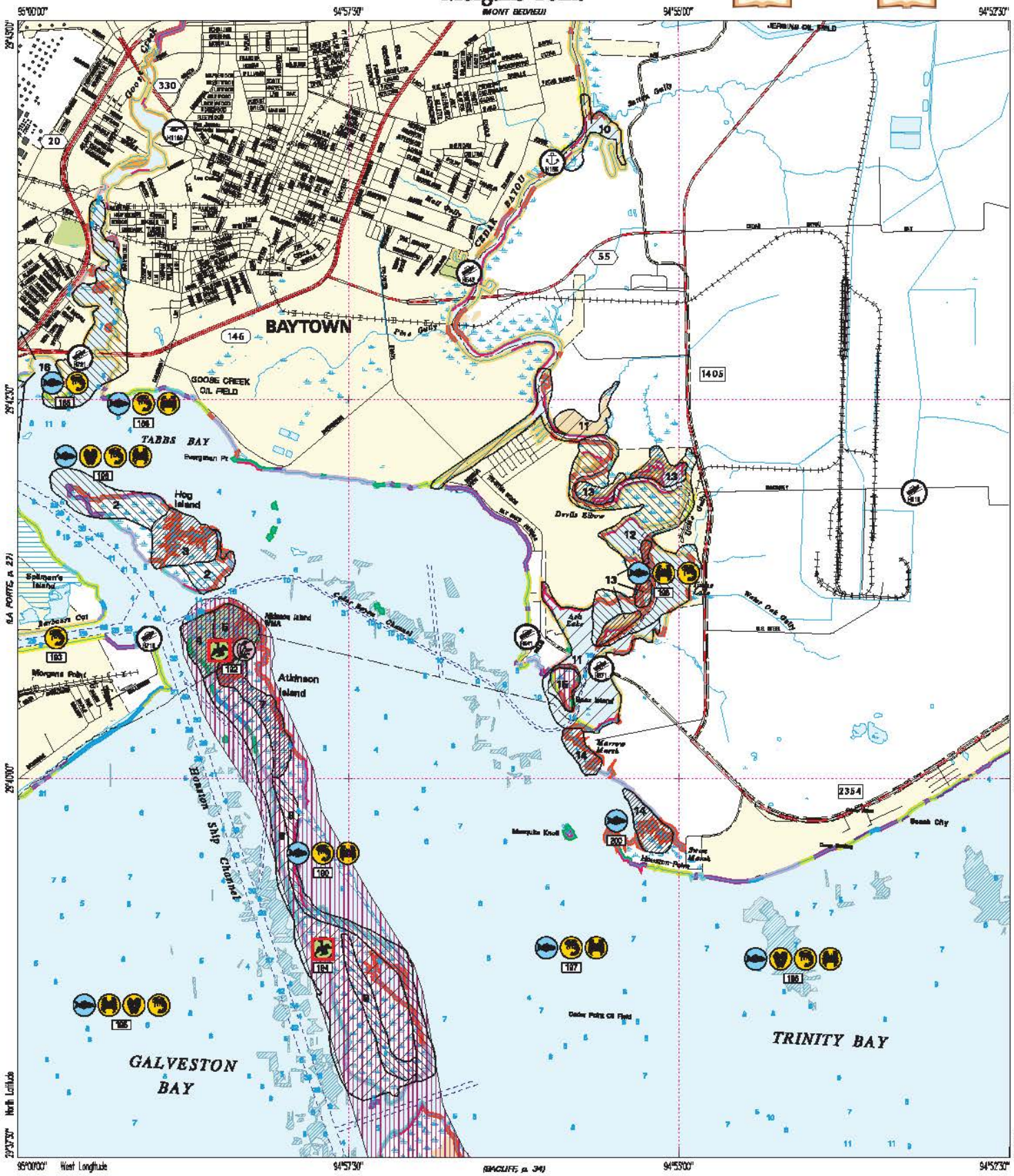
Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Conservation Area
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT

PHMSA 000049751

Morgans Point

DATA ACP



TEXAS GENERAL LAND OFFICE OIL SPILL PREVENTION & RESPONSE

NOAA NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION U.S. DEPARTMENT OF COMMERCE

Hazardous Materials Response and Assessment Division

Not For Navigation

Miles

Nautical Miles

5000

Feet

Kilometers

Depth Soundings in Feet

2994-323

HUMAN-USE FEATURES

- Boat Launch Site
- Heliport
- Marina

PRIORITY PROTECTION AREAS

- High Priority
- Medium Priority
- Low Priority
- Caution Area

ENVIRONMENTAL SENSITIVITY INDEX

- 10C - Freshwater swamps
- 10B - Freshwater marshes
- 10A - Salt and brackish water marshes
- 9 - Sheltered tidal flats
- 8C - Sheltered scarps
- 8B - Sheltered riprap structures
- 8A - Sheltered solid man-made structures
- 7 - Exposed tidal flats
- 6B - Exposed riprap structures
- 6A - Gravel beaches
- 5 - Mixed sand and gravel beaches
- 4 - Coarse-grained sand beaches
- 3B - Scarps and steep slopes in sand
- 3A - Fine-grained sand beaches
- 2B - Wave-cut clay platforms
- 2A - Scarps and steep slopes in clay
- 1 - Exposed walls and other solid structures

- Municipal Area
- Marsh, Wetland
- Tidal Mud Flats
- State Park/Wildlife Management Area
- Park - City or County
- Bird Rookery Area
- Oyster Reef
- Oyster Shell on Mud

TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

LEGEND

ENVIRONMENTAL SENSITIVITY INDEX

- MANGROVE MARSH (10D)
- FRESHWATER SWAMPS (10C)
- FRESHWATER MARSHES (10B)
- SALT AND BRACKISH MARSHES (10A)
- SHELTERED TIDAL FLATS (9)
- SHELTERED ROCKY/KARST SHORES (8D)
- SHELTERED SCARPS (8C)
- SHELTERED RIPRAP STRUCTURES (8B)
- SHELTERED SOLID MAN-MADE STRUCTURES (8A)
- EXPOSED TIDAL FLATS (7)
- EXPOSED RIPRAP STRUCTURES (6B)
- GRAVEL OR SHELL BEACHES (6A)
- MIXED SAND AND GRAVEL OR SHELL BEACHES (5)
- COARSE-GRAINED SAND BEACHES (4)
- SCARPS AND STEEP SLOPES IN SAND (3B)
  FINE-GRAINED SAND BEACHES (3A)
- WAVE-CUT CLAY PLATFORMS (2B)
  SCARPS AND STEEP SLOPES IN CLAY (2A)
- EXPOSED WALLS AND OTHER SOLID STRUCTURES (1)

HYDROGRAPHY

- MARSH, WETLAND
- TIDAL, MUD OR SAND FLATS
- BEACH, BAR
- INTERMITTENT WATER BODY
- DUNES
- SUBMERGED AQUATIC VEGETATION
- MANGROVES
- OYSTERS

PRIORITY PROTECTION AREAS

- HIGH MEDIUM
- MEDIUM PRIORITY
- LOW PRIORITY

BIOLOGICAL RESOURCES

- DIVING BIRDS
- GULLS/TERNS
- PASSERINE BIRDS
- PELAGIC BIRDS
- RAPTORS
- SHOREBIRDS
- WADING BIRDS
- WATERFOWL
- FISH
- DOLPHINS
- SMALL MAMMALS
- UPLAND/WETLAND PLANTS
- SUBMERGED AQUATIC VEGETATION
- ALLIGATOR
- TURTLES
- OTHER REPTILES/AMPHIBIANS
- BIVALVES
- CRABS
- GASTROPODS
- SHRIMP
- SQUID
- THREATENED/ENDANGERED SPECIES

POLITICAL BOUNDARIES

- COUNTY BOUNDARY
- MUNICIPAL BOUNDARY

TRANSPORTATION

- DIVIDED HIGHWAY
- STATE/FEDERAL HIGHWAY
- CITY STREET/COUNTY ROAD
- AIRPORT
- RAILROAD
- SHIP CHANNEL/GULF INTRACOASTAL WATERWAY
- SHIPPING SAFETY FAIRWAY

HUMAN USE FEATURES

- AQUACULTURE SITE
- BEACH ACCESS POINT
- BOAT RAMP
- COAST GUARD STATION
- HELIPORT
- LIGHTHOUSE
- MARINA
- WATER INTAKE POINT

OTHER LAYERS

- ANCHORAGE AREA
- AUDUBON SANCTUARY
- BIRD ROOKERY AREA
- CITY OR COUNTY PARK
- COASTAL PRESERVE
- MUNICIPAL AREA
- NATIONAL WILDLIFE REFUGE
- STATE PARK/WILDLIFE MANAGEMENT AREA
- WASHOVER AREA

MORGANS POINT

Map #26

HUMAN USE RESOURCES

Boat Ramps

RARNUM	NAME
H541	Thompson's
H542	Roseland Park
H571	Crawley's Bait Camp
H618	H221
H719	Mary's Bait Camp
H721	Bayland Park

Heliports

RARNUM	MANAGER	PHONE
H1169	Rod Seidel	(713) 420-8600

Marinas

RARNUM	NAME	ADDRESS	PHONE
H155	Baytown Marina	1512 1/2 Jones Baytown	(713) 427-1997

BIOLOGICAL RESOURCES

Birds

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	NESTING	LAYING	HATCHING	FLEDGING
192	American white pelican				X	X	X	X	X	X	X	X	X	X	X	X	-	-	-	-
	Olivaceous cormorant				X	X	X	X	X	X	X	X	X	X	X	X	JAN-JUL	JAN-JUL	JAN-JUL	FEB-AUG
	Brown pelican	F	E		X	X	X	X	X	X	X	X	X	X	X	X	APR-AUG	APR-AUG	APR-AUG	APR-SEP
194	Brown pelican	F	E		X	X	X	X	X	X	X	X	X	X	X	X	APR-AUG	APR-AUG	APR-AUG	APR-SEP
	American white pelican				X	X	X	X	X	X	X	X	X	X	X	X	-	-	-	-

Fish

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV
185	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Spot				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	NOV-FEB
	Spotted seatrout				X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC
188	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC
	Gulf menhaden				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Spotted seatrout				X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
190	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Gulf menhaden				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Black drum				X	X	X	X	X	X	X	X	X	X	X	X	JAN-APR	JUL-MAR
	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC
	Striped mullet				X	X	X	X	X	X	X	X	X	X	X	X	NOV-JAN	DEC-FEB
	Atlantic croaker			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Sheepshead				X	X	X	X	X	X	X	X	X	X	X	X	MAR-MAY	MAR-AUG
195	Gulf menhaden				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Atlantic croaker				X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Striped mullet				X	X	X	X	X	X	X	X	X	X	X	X	NOV-JAN	DEC-FEB
196	Southern flounder				X	X	X	X	X	X	X	X	X	X	X	X	-	OCT-DEC
	Atlantic croaker				X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
197	Atlantic croaker			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Sheepshead				X	X	X	X	X	X	X	X	X	X	X	X	MAR-MAY	MAR-AUG
	Gulf menhaden				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC
	Striped mullet				X	X	X	X	X	X	X	X	X	X	X	X	NOV-JAN	DEC-FEB
	Southern flounder				X	X	X	X	X	X	X	X	X	X	X	X	-	OCT-DEC
	Spotted seatrout				X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
	Hardhead catfish				X	X	X	X	X	X	X	X	X	X	X	X	MAY-SEP	JUN-OCT
	Spot				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	NOV-FEB
198	Sheepshead minnow				X	X	X	X	X	X	X	X	X	X	X	X	MAR-OCT	MAR-DEC
	Gulf menhaden			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Southern flounder				X	X	X	X	X	X	X	X	X	X	X	X	-	OCT-DEC
	Striped mullet				X	X	X	X	X	X	X	X	X	X	X	X	NOV-JAN	DEC-FEB
	Black drum				X	X	X	X	X	X	X	X	X	X	X	X	JAN-APR	JUL-MAR
	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC
	Atlantic croaker				X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Gizzard shad				X	X	X	X	X	X	X	X	X	X	X	X	-	-
200	Gizzard shad				X	X	X	X	X	X	X	X	X	X	X	X	-	-

Shellfish

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV
185	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
188	Blue crab				X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	Grass shrimp				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
190	Blue crab				X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
	White shrimp				X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT

MORGANS POINT CONTINUED

BIOLOGICAL RESOURCES CONT.

Shellfish Continued

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV.
193	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
195	Brackishwater clam				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
	White shrimp				X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	American oyster (eastern)				X	X	X	X	X	X	X	X	X	X	X	X	MAR-JUL	APR-JUL
	Blue crab				X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
196	American oyster (eastern)				X	X	X	X	X	X	X	X	X	X	X	X	MAR-JUL	APR-JUL
	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
	Blue crab				X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
197	Blue crab			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	White shrimp			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	Brown shrimp			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
198	White shrimp				X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	Blue crab				X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG

Plants/Communities

RARNUM	NAME	S/F	T/E
192	Smooth cordgrass		

MORGANS POINT Map # 26

Polygon #	*Priority*	*Description: what organism(s), habitat(s)?*
1	Medium	**Goose Lake - Upper Tabbs Bay.** Nursery (high), bird habitat (medium).
2	Medium	**(a) Northwestern and (b) southeastern Hog Island.** Bird habitat (high), nursery (high).
3	High	**Central Hog Island.** Wetlands (high), nursery (high), bird habitat (high).
4	High	**Northwestern Atkinson Island.** Bird habitat (high). Atkinson Island WMA.
5	High	**Northeastern Atkinson Island.** Wetlands (high), bird habitat (high), nursery (high). Atkinsons Island WMA.
6	Low	**Western Atkinson Island.** Bird habitat (high).
7	High	**Central eastern Atkinson Island.** Wetlands (high), bird habitat (high), nursery (high).
8	Medium	**Southeastern Atkinson Island.** Bird habitat (high), nursery (high).
9	Medium	**Central southern Atkinson Island.** Wetlands (high), bird habitat (high).
10	Low	**Basin at Sutton Gully and Cedar Bayou.** Nursery (high).
Pinchpoints at (1) mouth of Cedar Bayou Diversion Canal, (2) mouth of Ash Lake, and (3) mouth of Cedar Bayou can be boomed to protect polygons 11, 12, and 13 from spills in Galveston Bay.		
11	Low	**(1) Ash Lake and mouth of Cedar Bayou, (2) Cedar Bayou north of Devils Elbow and Cedar Bayou Diversionary Canal.** Nursery (high).
12	Medium	**Lower Cedar Bayou: Ijams Lake, Negrohead Lake, Devils Elbow.** Nursery (high), bird habitat (high).
13	High	**Cedar Bayou meanders (a - e).** Wetlands (high), nursery (high), bird habitat (high).
14	High	**(a) Marrow Marsh and (b) Swan Marsh.** Wetlands (high), nursery (high), bird habitat (high).
15	Low	**Boaz Island.** Nursery (high), rookery (low).
16	Low	**(a) Northeastern and (b) southeastern Black Duck Bay.** Nursery (high). Continued on La Porte quad.

8. MORGANS POINT
W Trinity Bay, NW Galveston Bay, HSC, Tabbs Bay and Goose Creek

CHART(S): Nautical Chart (11326, 11327 and 11338)
Upper Coast Atlas page 26

STAGING AREA:	1. Crawley's Bait Camp (2)	29-40-44 N 094-55-34 W
	2. Thompson's Fishing Camp(1)	29-40-51 N 094-56-14 W
	3. Baytown Boat Ramp (3)	29-42-45 N 094-59-35 W
	4. Morgan's point boat ramp (1)	29-40-55 N 094-59-01 W

ACCESS ROAD: 1. Crawley Marina (Old location): East on Hwy 225 from Houston to Hwy 146. Turn left on Hwy 146 and proceed north to Hwy 55. Turn right onto Hwy 55 and proceed east on Hwy 55 to FM 1405. Turn right on FM 1405 and proceed south to FM 2354. Turn right on FM 2354 and proceed boat ramp.

2. East on Hwy 225 from Houston to Hwy 146. Turn left on Hwy 146 and proceed north to Hwy 55. Turn right onto Hwy 55 and proceed east on Hwy 55 to Tri-City Beach Rd. Turn right and proceed to boat ramp.

3. East on Hwy 225 from Houston to Hwy 146. Turn left of Hwy 146 and proceed north to boat ramp located at first right after crossing Fred Hartman Bridge.

4. Hwy 146 south to Barbours Cut Blvd. Turn left proceeds to Vinsonia Ave. Turn right proceed to Ballister Rd. Turn left to boat ramp at end of road.

DESCRIPTION:
<u>Trinity Bay</u>
8-A Boom to protect Houston Point (Cedar Point) marsh area
8-B Boom to protect Mesquite Knoll Island.
8-C Boom to protect Swan Marsh west of Houston Point
<u>Cedar Bayou</u>
8-D Boom Bayou close to spill site area.
8-E Boom to protect Marrow Marsh east of Cedar Bayou entrance
8-F Boom entrance to Cedar Bayou (550' wide)
8-G Boom entrance to Cedar Bayou west of Boaz Island (150'wide)
8-H Boom to protect Boaz Island
8-I Boom to protect Cedar Bayou west of Harbor View Rd. (510' wide)
<u>Galveston Bay</u>
8-J Boom to protect Atkinson Island &(WMA)
8-K Boom cut between Atkinson Island near marker"82" (1,800' wide)
<u>Houston Ship Channel</u>
8-L Boom cut between Hog and Atkinson Island (1,150' wide)
8-M Boom to protect Hog Island
8-N Boom entrance to Barbours Cut (800' wide)
8-O Boom entrances to Bayland Park Marina (850' wide)
<u>Goose Creek</u>
8-P Boom Bayou close to spill site area.

8-Q Boom entrance to Goose Creek at Hwy 146 (516' wide)
8-R Boom across Goose Creek at Main Street (546' wide)
8-S Boom across Goose Creek at 1st.R/R Bridge north of Main (595' wide)
8-T Boom across Goose Creek at R/R Bridge south of Market (486' wide)
8-U Boom across Goose Creek at Market Street (192' wide)
8-V Boom across Goose Creek at W. Texas Ave. (153' wide)
8-W Boom across Goose Creek at Hwy 330 (145' wide)
8-X Boom across Goose Creek at Park Street (210' wide)
8-Y Boom across Goose Creek at Hwy 146 (60' wide)

NOTIFY:

Texas Parks & Wildlife Dept.	(281) 461-4071 Houston
U.S. Fish & Wildlife Service	(281) 286-8282 Houston

CAUTION:
Very shallow water near the shoreline of Trinity Bay, Atkinson and Hog Island's east shores. Crews operating along the shoreline of the ship channel should expect wake action as vessels pass.

NATURAL COLLECTION AREA:
The southeast corner of Morgan's Point tends to be impacted during spill events. Also, product accumulates around the cuts of Atkinson Island.

Site Specific Information
Site # 8-G TGLO Polygon # 11 Quad Name - Morgan's Point



Site information:
Site Description: Entrance to Cedar Bayou W. of Boaz Island

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: _____
Distance: _____ minutes
Boat type recommended: Shallow hull type
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40N 095°09'31.50W

From MSO Houston-Galveston:

Trustees/ Contact Numbers:

U.S.C.G. via NRC	(800) 424-8802
TXGLO via Hotline	(800) 832-8224
TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: **Low**
Environmental: Nursery area
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect Boaz Island..
Number of personnel: 4-6 **Width of inlet:** 150 ft
Current: Slow **Water depth at mouth:** 6 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-A TGLO Polygon # 14 Quad Name Morgan's Point



Site information:
Site Description: Houston Point Marsh area

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Chambers
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: _____
Distance: _____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east on I-10, exit south on FM 1405.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: **High**
Environmental: Habitat for fish
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 2-6 **Width of inlet:** N/A ft
Current: Medium **Water depth at mouth:** N/A ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-C TGLO Polygon # 14 Quad Name – Morgan's Point



Site information:
Site Description: Swan Marsh West of Houston Point
(b) (7)(F)

Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: _____
Distance: _____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east on I-10, exit south on FM 1405.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: High
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 2-4 **Width of inlet:** N/A ft
Current: Slow **Water depth at mouth:** N/A ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-E TGLO Polygon # 14 Quad Name – Morgan's Point



Site information:
Site Description: Marrow Marsh

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Chambers
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: _____
Distance: _____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east on I-10, exit south on FM 1405.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: **High**
Environmental: Habitat for fish
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 2-6 **Width of inlet:** N/A ft
Current: Medium **Water depth at mouth:** N/A ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-H TGLO Polygon # 15 Quad Name – Morgan's Point



Site information:
Site Description: Boaz Island

(b) (7)(F) [redacted]

Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: _____
Distance: _____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east on I-10, exit south on FM 1405.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: Nursery and rookery
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect Boaz Island
Number of personnel: 4-6 **Width of inlet:** **N/A** ft
Current: Slow **Water depth at mouth:** 2 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-H-2 TGLO Polygon # 15 Quad Name – Morgan's Point



Site information:
Site Description: Entrance to Cedar Bayou East of Boaz Island

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: _____
Distance: _____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east on I-10, exit south on FM 1405.

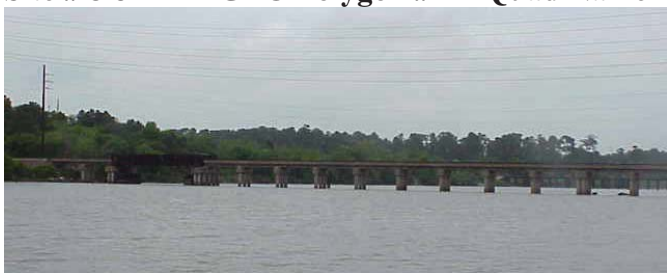
Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: Nursery and rookery
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect Boaz Island
Number of personnel: 4-6 **Width of inlet:** 550 ft
Current: Slow **Water depth at mouth:** 16 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-J TGLO Polygon # 1 Quad Name - Morgan's Point



Site information:
Site Description: Goose Creek @ 1st Railroad Bridge

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park
Distance: 15 minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east on I-10, exit south on FM 146.

Trustees/ Contact Numbers:

U.S.C.G. via NRC	(800) 424-8802
TXGLO via Hotline	(800) 832-8224
TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Medium
Environmental: N/A
Economic: Railroad bridge crossing Goose Creek

Booming strategy recommendations:
Recommendations: Boom across Goose Creek at 1st R/R bridge north of Main Street.
Number of personnel: 4-6 **Width of inlet:** 600 ft
Current: Slow **Water depth at mouth:** 8 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-I TGLO Polygon # 11 Quad Name - Morgan's Point



Site information:
Site Description: Cedar Bayou west of Harbor View Road

(b) (7)(F) [redacted]

Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: _____
Distance: _____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east on I-10, exit south on FM 146.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	Low
Environmental:	Nursery area
Economic:	N/A

Booming strategy recommendations:
Recommendations: Boom to protect Cedar Bayou west of Harbor View Road.
Number of personnel: 4-6 **Width of inlet:** 500 ft
Current: Slow **Water depth at mouth:** 8 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-J TGLO Polygon # 5 Quad Name - Morgan's Point

Site information:
Site Description: Wildlife Management Area of Atkinson

(b) (7)(F) [redacted]

Nearest ICW Marker: N/A **Date last visited:** _____

Access:
Closest Boat Ramp: _____
Distance: _____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east on I-10, exit south on FM 146.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: High
Environmental: Habitat for diving birds, upland/wetland plants
Economic: Along the Houston Ship Channel.

Booming strategy recommendations:

Recommendations:	Boom to protect sensitive marshes.		
Number of personnel:	4-6	**Width of inlet:**	N/A ft
Current:	Medium	**Water depth at mouth:**	N/A ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-K TGLO Polygon # 6 Quad Name Morgan's Point



Site information:
Site Description: Cut between Atkinson Island near Marker 82

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Houston
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Barbors cut
Distance: 5 minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
Access by boat.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: Habitat for fish
Economic: Along the Houston Ship Channel

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 4-6 **Width of inlet:** N/A ft
Current: Medium **Water depth at mouth:** N/A ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-K-2 TGLO Polygon # 6 Quad Name – Morgan's Point



Site information:
Site Description: Atkinson Island North of marker 82

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:

Closest Boat Ramp:	Sylvan Beach
Distance:	5 minutes
Boat type recommended:	Small boat with draft of less than 2 feet.
Closest Airport:	Ellington Field Airport EFD
Closest Helicopter Landing:	Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
Access by boat.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	Low
Environmental:	Habitat for fish
Economic:	Along the Houston Ship Channel

Booming strategy recommendations:

Recommendations:	Boom to protect sensitive marshes.		
Number of personnel:	4-6	**Width of inlet:**	N/A ft
Current:	Medium	**Water depth at mouth:**	N/A ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-L TGLO Polygon # 4 Quad Name - Morgan's Point



Site information:
Site Description: Cut between Hog Island & Atkinson Island

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Sylvan Beach
Distance: 10 minutes
Boat type recommended: Any
Closest Airport: William P Hobby Airport HOU
Closest Helicopter Landing: William P Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
Access by boat.

Trustees/ Contact Numbers:

U.S.C.G. via NRC	(800) 424-8802
TXGLO via Hotline	(800) 832-8224
TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: High
Environmental: Habitat for diving birds
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom cut between Hog Island and Atkinson Island.
Number of personnel: 4-8 **Width of inlet:** 1150 ft
Current: Medium **Water depth at mouth:** 14 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-M TGLO Polygon # 2 Quad Name - Morgan's Point



Site information:
Site Description: South end of Hog Island

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Barbor Cut
Distance: 5 minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:

Trustees/ Contact Numbers:

U.S.C.G. via NRC	(800) 424-8802
TXGLO via Hotline	(800) 832-8224
TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Medium
Environmental: N/A
Economic: Along the Houston Ship Channel.

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 4-6 **Width of inlet:** N/A ft
Current: Medium **Water depth at mouth:** N/A ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-O TGLO Polygon # N/A Quad Name – Morgan's Point

Site information:
Site Description: Bayland Park Marina

(b) (7)(F) [redacted]

Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park
Distance: ___ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: N/A
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 4-6 **Width of inlet:** 1300 ft
Current: _____ **Water depth at mouth:** 8 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-Q TGLO Polygon # 16 Quad Name - Morgan's Point



Site information:
Site Description: Business 146 @ Goose Creek

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-03-01

Access:
Closest Boat Ramp: Bayland Park
Distance: ___ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: Habitat for fish, shrimp, crabs
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom entrance to goose creek at Hwy 146, Boom across Goose Creek at Main Street, Boom across Goose Creek at 1st R/R bridge north of Main Street, Boom across Goose Creek at R/R bridge south of Market street

Number of personnel: 4-6 **Width of inlet:** 500 ft
Current: Slow **Water depth at mouth:** 8 ft

Safety / Cautionary notes: Crews operating along the shoreline of the Houston Ship Channel should expect wake action as vessels pass.

Site Specific Information
Site # 8-R TGLO Polygon # 1 Quad Name – Morgan's Point



Site information:
Site Description: Goose Creek @ Main Street

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park
Distance: 15 minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east onto I-10, exit onto Market Street.

Trustees/ Contact Numbers:

	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Medium
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom across Goose Creek at main Street.
Number of personnel: 4-6 **Width of inlet:** 550 ft
Current: Slow **Water depth at mouth:** 6 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-T TGLO Polygon # 1 Quad Name Morgan's Point



Site information:
Site Description: Goose Creek @ Railroad Bridge South of Market Street

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park
Distance: 10-15 minutes
Boat type recommended: Any
Closest Airport: William P Hobby Airport HOU
Closest Helicopter Landing: William P Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
North on Hwy 610, exit east onto I-10, exit onto Market Street.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Medium
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom across Goose Creek at R/R bridge south of Market Street.
Number of personnel: 4-6 **Width of inlet:** 500 ft
Current: Slow **Water depth at mouth:** 8 ft

Safety / Cautionary notes: Obstructions under water

Site Specific Information
Site # 8-U TGLO Polygon # 1 Quad Name - Morgan's Point



Site information:
Site Description: Goose Creek @ Market Street

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park
Distance: 10-15 minutes
Boat type recommended: Any
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east onto I-10, exit onto Market Street.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Medium
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom across Goose Creek at Market Street.
Number of personnel: 2-6 **Width of inlet:** 200 ft
Current: Slow **Water depth at mouth:** 10 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-V TGLO Polygon # 1 Quad Name - Morgan's Point



Site information:
Site Description:
Goose Creek @ West Texas Avenue

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: _____
Distance: ___ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east onto I-10, exit onto Market Street.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Medium
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom across Goose Creek at West Texas Ave.
Number of personnel: 4-6 **Width of inlet:** 150 ft
Current: Slow **Water depth at mouth:** 7 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-W TGLO Polygon # 16 Quad Name – Morgan's Point

Site information:
Site Description: Goose Creek @ Highway 330

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park
Distance: ___ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east onto I-10, exit onto Market Street.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: Habitat for fish, shrimp
Economic: Along Houston Ship Channel

Booming strategy recommendations:
Recommendations: Boom across Goose Creek at Hwy 330.
Number of personnel: 2-4 **Width of inlet:** 60 ft
Current: Slow **Water depth at mouth:** 6 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-X TGLO Polygon # 1 Quad Name Morgan's Point



Site information:
Site Description: Goose Creek @ Park Street

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park Marina
Distance: 10-15 minutes
Boat type recommended: Any
Closest Airport: William P Hobby Airport HOU
Closest Helicopter Landing: William P Hobby Airport, 29°38'43.50"N 095°16'44.00"W

From MSO Houston-Galveston:
North on Hwy 610, exit east onto I-10, exit onto Market Street.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Medium
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom across Goose Creek at Park Street.
Number of personnel: 4-6 **Width of inlet:** 200 ft
Current: Slow **Water depth at mouth:** 6 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8-Y TGLO Polygon # 16 Quad Name Morgan's Point



Site information:
Site Description: Goose Creek @ Hwy 146

(b) (7)(F)

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park
Distance: ___ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
North on Hwy 610, exit east onto I-10, exit onto Market Street.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: Low
Environmental: Habitat for fish, shrimp
Economic: Along Houston Ship Channel.

Booming strategy recommendations:
Recommendations: Boom across Goose Creek at Hwy 146.
Number of personnel: 2-4 **Width of inlet:** 60 ft
Current: Slow **Water depth at mouth:** 4 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8- TGLO Polygon # N/A Quad Name - Morgan's Point



Site information:
Site Description: Bayland / Baytown Marina Boat Ramp

(b) (7)(F) [redacted]

Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park
Distance: ____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: N/A
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 4-6 **Width of inlet:** 600 ft
Current: _____ **Water depth at mouth:** 8 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8- TGLO Polygon # N/A Quad Name - Morgan's Point



Site information:
Site Description: Example of Marsh in area

(b) (7)(F) [redacted]

Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Bayland Park Boat Ramp
Distance: ____ minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: N/A
Environmental: N/A
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom to protect sensitive marshes.
Number of personnel: 4-6 **Width of inlet:** **150** ft
Current: _____ **Water depth at mouth:** 1 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8- TGLO Polygon # N/A Quad Name – Morgan's Point



Site information:
Site Description: Barbour's Cut Drainage area example

(b) (7)(F) [redacted]

NOAA chart # 11326, 11327, 11338 **County:** Harris
Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Sylvan Beach
Distance: 3 minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
South on Hwy 610, exit east onto Hwy 224, exit south onto Hwy 146, turn left onto Terminal Road.

Trustees/ Contact Numbers:

U.S.C.G. via NRC	(800) 424-8802
TXGLO via Hotline	(800) 832-8224
TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: **N/A**
Environmental: N/A
Economic: Along the Houston Ship Channel.

Booming strategy recommendations:
Recommendations: **Boom to protect sensitive marshes.**
Number of personnel: 4-6 **Width of inlet:** 45 ft
Current: Medium **Water depth at mouth:** 3 ft

Safety / Cautionary notes: _____

Site Specific Information
Site # 8- TGLO Polygon # N/A Quad Name - Morgan's Point



Site information:
Site Description: Barbour's Cut entrance

(b) (7)(F) [redacted]

Nearest ICW Marker: N/A **Date last visited:** 04-05-01

Access:
Closest Boat Ramp: Sylvan Beach
Distance: 3 minutes
Boat type recommended: Small boat with draft of less than 2 feet.
Closest Airport: Ellington Field Airport EFD
Closest Helicopter Landing: Ellington Field Airport, 29°36'26.40"N 095°09'31.50"W

From MSO Houston-Galveston:
South on Hwy 610, exit east onto Hwy 225, exit south on to Hwy 166, turn left onto Terminal Road.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

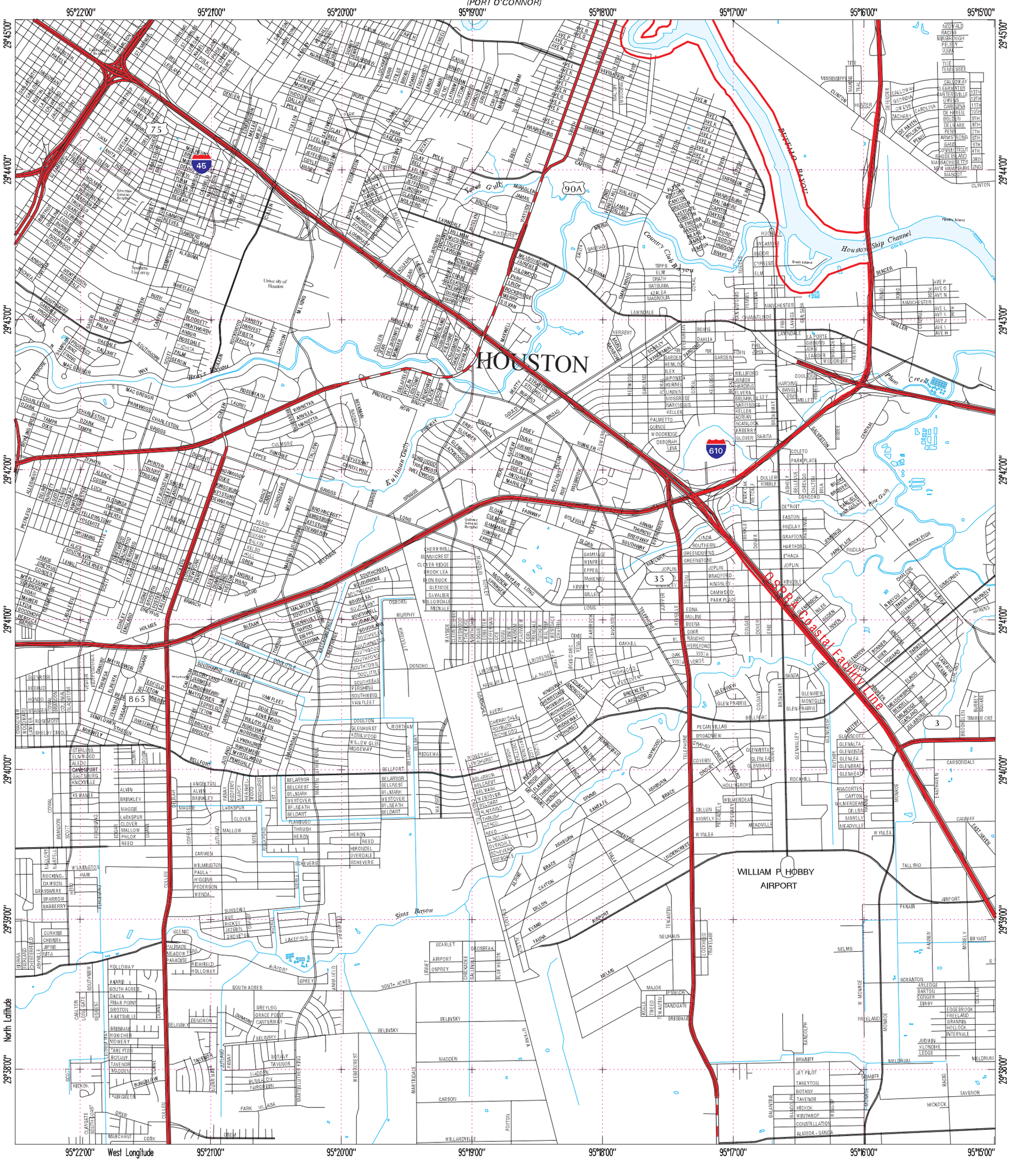
Resources at Risk:
Atlas Priority: **N/A**
Environmental: N/A
Economic: Along the Houston Ship Channel.

Booming strategy recommendations:
Recommendations: **Boom to protect sensitive marshes.**
Number of personnel: 4-6 **Width of inlet:** 45 ft
Current: Medium **Water depth at mouth:** 3 ft

Safety / Cautionary notes: _____

Park Place Base Map

(PORT O'CONNOR)



TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

2995-424

0 1 Miles

0 1 Nautical Miles

0 5000 Feet

0 1 2 Kilometers

View Park Place Response Map

Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT
- OSPRA Coastal Facility Designation Line GLO

Park Place

DATA ACP



TEXAS GENERAL LAND OFFICE OIL SPILL PREVENTION & RESPONSE

NOAA NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION U.S. DEPARTMENT OF COMMERCE

Hazardous Materials Response and Assessment Division

Not For Navigation

Miles

Nautical Miles

Feet 5000

Kilometers

Depth Soundings in Feet

2995-424

HUMAN-USE FEATURES

- Coast Guard Station
- Heliport

PRIORITY PROTECTION AREAS

- High Priority
- Medium Priority
- Low Priority
- Caution Area

ENVIRONMENTAL SENSITIVITY INDEX

- 10C - Freshwater swamps
- 10B - Freshwater marshes
- 10A - Salt and brackish water marshes
- 9 - Sheltered tidal flats
- 8C - Sheltered scarps
- 8B - Sheltered riprap structures
- 8A - Sheltered solid man-made structures
- 7 - Exposed tidal flats
- 6B - Exposed riprap structures
- 6A - Gravel beaches
- 5 - Mixed sand and gravel beaches
- 4 - Coarse-grained sand beaches
- 3B - Scarps and steep slopes in sand
- 3A - Fine-grained sand beaches
- 2B - Wave-cut clay platforms
- 2A - Scarps and steep slopes in clay
- 1 - Exposed walls and other solid structures

- Municipal Area
- Marsh, Wetland
- Tidal Mud Flats
- Oyster Reef
- Oyster Shell on Mud

TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

LEGEND

ENVIRONMENTAL SENSITIVITY INDEX

- MANGROVE MARSH (10D)
- FRESHWATER SWAMPS (10C)
- FRESHWATER MARSHES (10B)
- SALT AND BRACKISH MARSHES (10A)
- SHELTERED TIDAL FLATS (9)
- SHELTERED ROCKY/KARST SHORES (8D)
- SHELTERED SCARPS (8C)
- SHELTERED RIPRAP STRUCTURES (8B)
- SHELTERED SOLID MAN-MADE STRUCTURES (8A)
- EXPOSED TIDAL FLATS (7)
- EXPOSED RIPRAP STRUCTURES (6B)
- GRAVEL OR SHELL BEACHES (6A)
- MIXED SAND AND GRAVEL OR SHELL BEACHES (5)
- COARSE-GRAINED SAND BEACHES (4)
- SCARPS AND STEEP SLOPES IN SAND (3B)
  FINE-GRAINED SAND BEACHES (3A)
- WAVE-CUT CLAY PLATFORMS (2B)
  SCARPS AND STEEP SLOPES IN CLAY (2A)
- EXPOSED WALLS AND OTHER SOLID STRUCTURES (1)

HYDROGRAPHY

- MARSH, WETLAND
- TIDAL, MUD OR SAND FLATS
- BEACH, BAR
- INTERMITTENT WATER BODY
- DUNES
- SUBMERGED AQUATIC VEGETATION
- MANGROVES
- OYSTERS

PRIORITY PROTECTION AREAS

- HIGH MEDIUM
- MEDIUM PRIORITY
- LOW PRIORITY

BIOLOGICAL RESOURCES

- DIVING BIRDS
- GULLS/TERNS
- PASSERINE BIRDS
- PELAGIC BIRDS
- RAPTORS
- SHOREBIRDS
- WADING BIRDS
- WATERFOWL
- FISH
- DOLPHINS
- SMALL MAMMALS
- UPLAND/WETLAND PLANTS
- SUBMERGED AQUATIC VEGETATION
- ALLIGATOR
- TURTLES
- OTHER REPTILES/AMPHIBIANS
- BIVALVES
- CRABS
- GASTROPODS
- SHRIMP
- SQUID
- THREATENED/ENDANGERED SPECIES

POLITICAL BOUNDARIES

- COUNTY BOUNDARY
- MUNICIPAL BOUNDARY

TRANSPORTATION

- DIVIDED HIGHWAY
- STATE/FEDERAL HIGHWAY
- CITY STREET/COUNTY ROAD
- AIRPORT
- RAILROAD
- SHIP CHANNEL/GULF INTRACOASTAL WATERWAY
- SHIPPING SAFETY FAIRWAY

HUMAN USE FEATURES

- AQUACULTURE SITE
- BEACH ACCESS POINT
- BOAT RAMP
- COAST GUARD STATION
- HELIPORT
- LIGHTHOUSE
- MARINA
- WATER INTAKE POINT

OTHER LAYERS

- ANCHORAGE AREA
- AUDUBON SANCTUARY
- BIRD ROOKERY AREA
- CITY OR COUNTY PARK
- COASTAL PRESERVE
- MUNICIPAL AREA
- NATIONAL WILDLIFE REFUGE
- STATE PARK/WILDLIFE MANAGEMENT AREA
- WASHOVER AREA

PARK PLACE

Map #29

HUMAN USE RESOURCES

Coast Guard Facilities

RARNUM	NAME	PHONE
H426	MSO Houston/Houston Station	(713) 672-6639

Heliports

RARNUM	MANAGER	PHONE
H1211	Tom R. Lewis	
H1218	Raleigh Abner	(713) 921-8181
H1234	J.W. Snelson	(713) 641-0281
H1235	Captian Waggett	(713) 672-6639
H1241	William D. Shirley	(713) 991-6300
H1245	Dudley Tarlton	(713) 871-8010
H1276	Houston Police Department	(713) 731-5212

11. PARK PLACE
Buffalo Bayou west of Sims Bayou to Turning Basin

CHART(S): Nautical Chart (11325)
Upper Coast Atlas Page 29

STAGING AREAS: No public ramps in area, however, private ramps due exist at facilities. (See Highlands for additional sites)

ACCESS ROADS: N/A

DESCRIPTION:
11-A Boom south entrance to Harrisburg Bend (250' wide)
11-B Boom north entrance to Harrisburg Bend (250')
11-C Boom entrance to Brays Bayou (260' wide)

CAUTION:
Crews operating along the shoreline of the ship channel should expect wake action as vessels pass.

NATURAL COLLECTION AREAS:
Debris is a common occurrence at the mouth of the Bayou.

Site Specific Information
Site # 11-A TGLO Polygon # N/A Quad Name PARK PLACE



Site information:
Site Description: Southeast entrance into Harrison Bend
Harrisburg Bend extends around Brady Island, on the Houston Ship Channel. The southeast entrance is heavily commercialized..

(b) (7)(F)

NOAA chart #	11325	**County:**	Harris
		Date last visited:	30 MAR 2001

Access:

Closest Boat Ramp:	No public ramps in area.
Distance:	5 minutes
Boat type recommended:	Shallow, aluminum hull.
Closest Airport:	Houston-Hobby
Closest Helicopter Landing:	MSO Houston-Galveston

From MSO Houston-Galveston:
No ramps in area. Minutes by boat from MSO Houston-Galveston.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**N/A**
Environmental:	N/A
Economic:	N/A

Booming strategy recommendations:

Recommendations:	Boom close to the spill site to prevent migration.		
Number of personnel:	2-4	**Width of inlet:**	250 ft
Current:	Slow	**Water depth at mouth:**	17 ft

Safety / Cautionary notes: Crews operating near ship channel should expect wake action as vessels pass. Debris is a common occurrence.

Site Specific Information
Site # 11-B TGLO Polygon # N/A Quad Name PARK PLACE



Site information:
Site Description: Northwest entrance of Harrisburg Bend
Harrisburg Bend extends around Brady Island, on the Houston Ship Channel. It is heavily commercialized.

(b) (7)(F)

NOAA chart #	11325	**County:**	Harris
		Date last visited:	30 MAR 2001

Access:

Closest Boat Ramp:	No public ramps in area.
Distance:	5 minutes
Boat type recommended:	Shallow, aluminum hull.
Closest Airport:	Houston-Hobby
Closest Helicopter Landing:	MSO Houston-Galveston

From MSO Houston-Galveston:
No ramps in area. Minutes by boat from MSO Houston-Galveston.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**N/A**
Environmental:	N/A
Economic:	N/A

Booming strategy recommendations:

Recommendations:	Boom close to the spill site to prevent migration.		
Number of personnel:	2-4	**Width of inlet:**	250 ft
Current:	Slow	**Water depth at mouth:**	23 ft

Safety / Cautionary notes: Crews operating near ship channel should expect wake action as vessels pass. Debris is a common occurrence.

Site Specific Information
Site # 11-C TGLO Polygon # N/A Quad Name PARK PLACE



Site information:
Site Description: Entrance to Bray's Bayou
Bray's Bayou extends from the Houston Ship Channel westward for several miles into Houston. The entrance id dominated by Bloodworth Bond Shipyard, but most of the bayou has grassy banks.

(b) (7)(F) [redacted]

Date last visited: 30 MAR 2001

Access:

Closest Boat Ramp:	No public ramps in area.
Distance:	5 minutes
Boat type recommended:	Shallow, aluminum hull.
Closest Airport:	Houston-Hobby
Closest Helicopter Landing:	MSO Houston-Galveston

From MSO Houston-Galveston:
No ramps in area. Minutes by boat from MSO Houston-Galveston.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**N/A**
Environmental:	N/A
Economic:	N/A

Booming strategy recommendations:

Recommendations:	Boom close to the spill site to prevent migration.		
Number of personnel:	2-4	**Width of inlet:**	150 ft
Current:	Slow	**Water depth at mouth:**	22 ft

Safety / Cautionary notes: Debris is a common occurrence.

Pasadena Base Map

(JACINTO CITY)

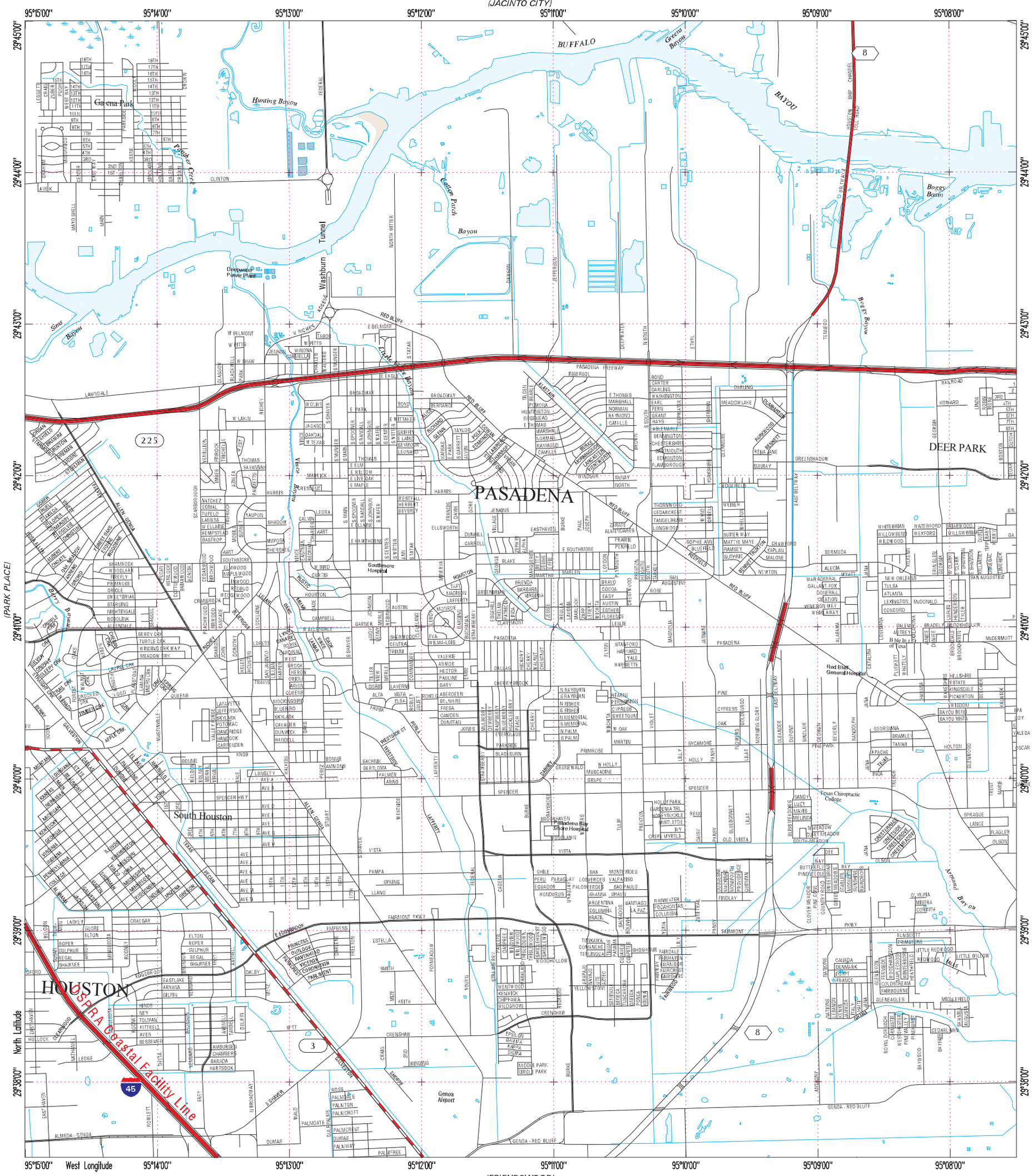
95°15'00" 95°14'00" 95°13'00" 95°12'00" 95°11'00" 95°10'00" 95°09'00" 95°08'00"

29°45'00" 29°44'00" 29°43'00" 29°42'00" 29°41'00" 29°40'00" 29°39'00" 29°38'00"

(PARK PLACE) (LA PORTE)

(FRIENDSWOOD)

North Latitude West Longitude





2995-413

TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

0 1 Miles

0 1 Nautical Miles

0 5000 Feet

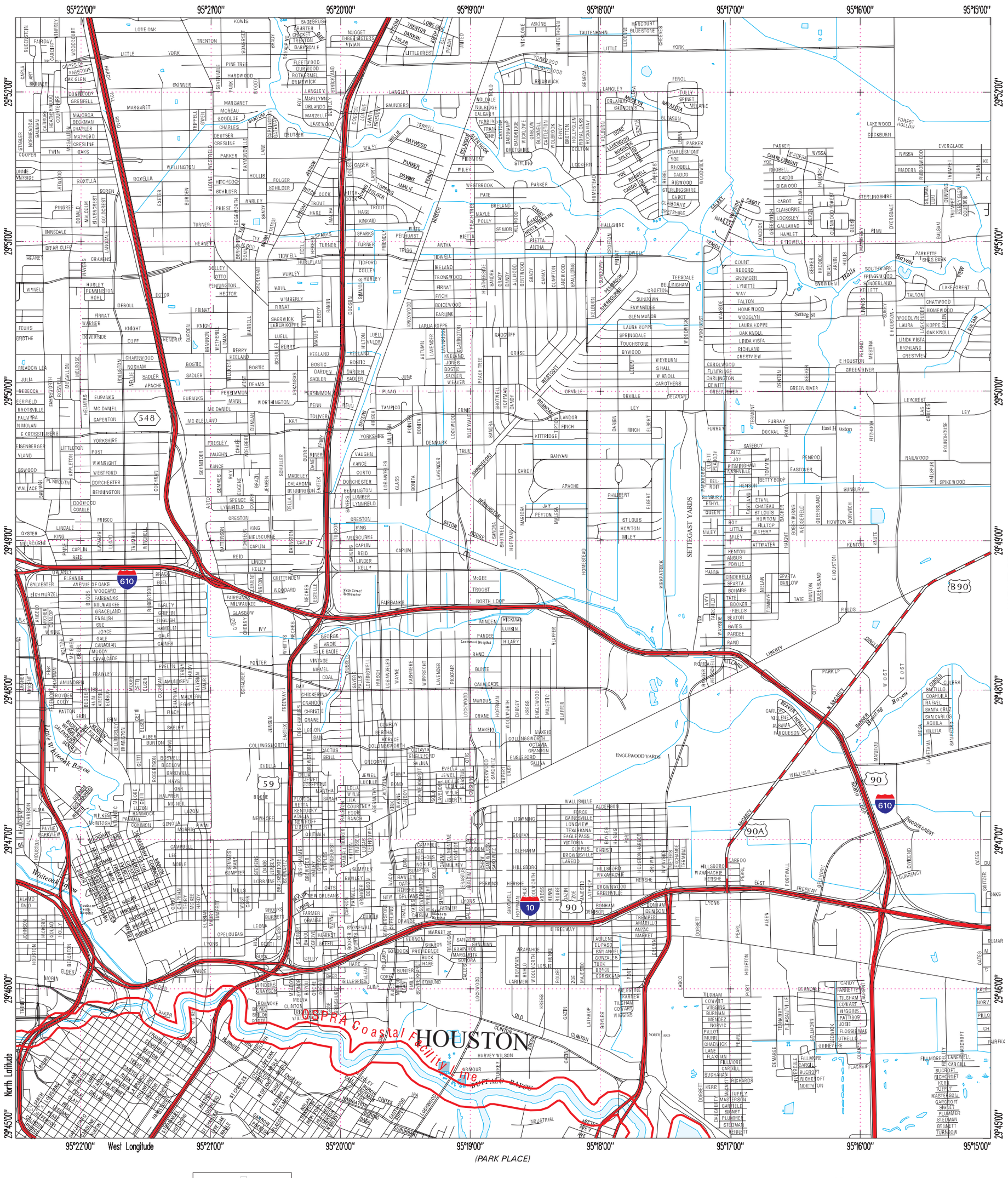
0 1 2 Kilometers

View Pasadena Response Map

Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT

Settegast Base Map



TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE



2995-431

0 1 Miles

0 1 Nautical Miles

0 5000 Feet

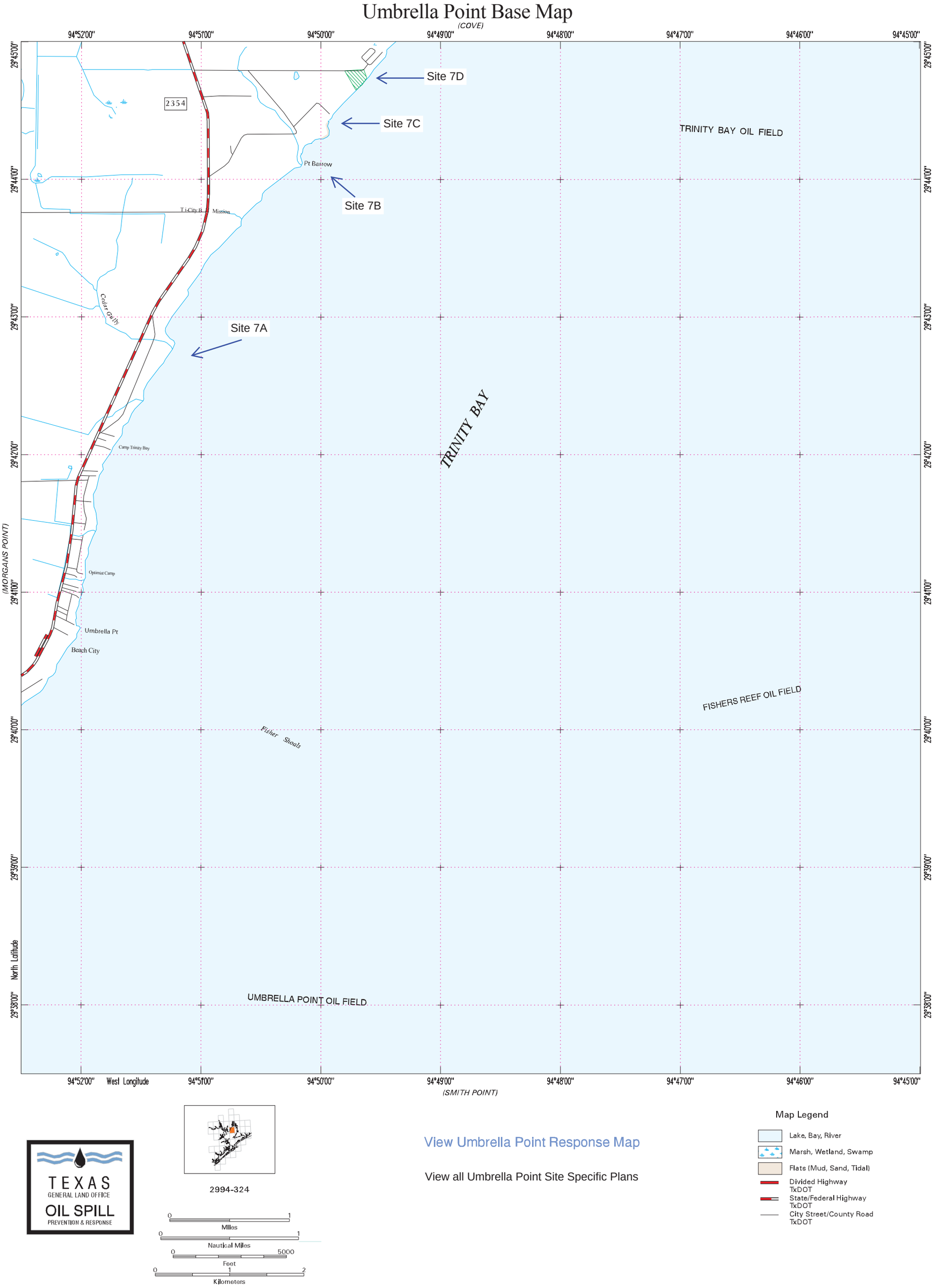
0 1 2 Kilometers

View Settegast Response Map

Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT
- OSPRA Coastal Facility Designation Line GLO

Umbrella Point Base Map



TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

2994-324

0 1 Miles
0 1 Nautical Miles
0 5000 Feet
0 1 2 Kilometers

View Umbrella Point Response Map

View all Umbrella Point Site Specific Plans

Map Legend

- Lake, Bay, River
- Marsh, Wetland, Swamp
- Flats (Mud, Sand, Tidal)
- Divided Highway TxDOT
- State/Federal Highway TxDOT
- City Street/County Road TxDOT

Umbrella Point

DATA ACP

94°52'30" 94°50'00" (COVE, p. 20) 94°47'30" 94°45'00"

29°45'00" 29°42'30" 29°40'00" 29°37'30"

(MORGANS POINT, p. 26) (OAK ISLAND, p. 24)

2354

Pt Barrow

Tri-City Beach Airport

Cedar Gully

Camp Wally Bay

Optimist Camp

R640

Umbrella Pt

Beach City

TRINITY BAY OIL FIELD

TRINITY BAY

201

FISHERS REEF OIL FIELD

Fither Shoals

202

UMBRELLA POINT OIL FIELD

North Latitude

94°52'30" West Longitude 94°50'00" (SMITH POINT, p. 33) 94°47'30" 94°45'00"

TEXAS GENERAL LAND OFFICE OIL SPILL PREVENTION & RESPONSE

NOAA NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION U.S. DEPARTMENT OF COMMERCE

Hazardous Materials Response and Assessment Division

Not For Navigation

Miles 0 1

Nautical Miles 0 1

Feet 0 5000

Kilometers 0 1 2

Depth Soundings in Feet

2994-324

HUMAN-USE FEATURES

Boat Launch Site

PRIORITY PROTECTION AREAS

High Priority

Medium Priority

Low Priority

Caution Area

ENVIRONMENTAL SENSITIVITY INDEX

10C - Freshwater swamps

10B - Freshwater marshes

10A - Salt and brackish water marshes

9 - Sheltered tidal flats

8C - Sheltered scarps

8B - Sheltered riprap structures

8A - Sheltered solid man-made structures

7 - Exposed tidal flats

6B - Exposed riprap structures

6A - Gravel beaches

5 - Mixed sand and gravel beaches

4 - Coarse-grained sand beaches

3B - Scarps and steep slopes in sand

3A - Fine-grained sand beaches

2B - Wave-cut clay platforms

2A - Scarps and steep slopes in clay

1 - Exposed walls and other solid structures

Municipal Area

Marsh, Wetland

Tidal/Mud Flats

Park - City or County

Oyster Reef

Oyster Shell on Mud

TEXAS
GENERAL LAND OFFICE
OIL SPILL
PREVENTION & RESPONSE

LEGEND

ENVIRONMENTAL SENSITIVITY INDEX

- MANGROVE MARSH (10D)
- FRESHWATER SWAMPS (10C)
- FRESHWATER MARSHES (10B)
- SALT AND BRACKISH MARSHES (10A)
- SHELTERED TIDAL FLATS (9)
- SHELTERED ROCKY/KARST SHORES (8D)
- SHELTERED SCARPS (8C)
- SHELTERED RIPRAP STRUCTURES (8B)
- SHELTERED SOLID MAN-MADE STRUCTURES (8A)
- EXPOSED TIDAL FLATS (7)
- EXPOSED RIPRAP STRUCTURES (6B)
- GRAVEL OR SHELL BEACHES (6A)
- MIXED SAND AND GRAVEL OR SHELL BEACHES (5)
- COARSE-GRAINED SAND BEACHES (4)
- SCARPS AND STEEP SLOPES IN SAND (3B) FINE-GRAINED SAND BEACHES (3A)
- WAVE-CUT CLAY PLATFORMS (2B) SCARPS AND STEEP SLOPES IN CLAY (2A)
- EXPOSED WALLS AND OTHER SOLID STRUCTURES (1)

HYDROGRAPHY

- MARSH, WETLAND
- TIDAL, MUD OR SAND FLATS
- BEACH, BAR
- INTERMITTENT WATER BODY
- DUNES
- SUBMERGED AQUATIC VEGETATION
- MANGROVES
- OYSTERS

PRIORITY PROTECTION AREAS

- HIGH MEDIUM
- MEDIUM PRIORITY
- LOW PRIORITY

BIOLOGICAL RESOURCES

- DIVING BIRDS
- GULLS/TERNS
- PASSERINE BIRDS
- PELAGIC BIRDS
- RAPTORS
- SHOREBIRDS
- WADING BIRDS
- WATERFOWL
- FISH
- DOLPHINS
- SMALL MAMMALS
- UPLAND/WETLAND PLANTS
- SUBMERGED AQUATIC VEGETATION
- ALLIGATOR
- TURTLES
- OTHER REPTILES/AMPHIBIANS
- BIVALVES
- CRABS
- GASTROPODS
- SHRIMP
- SQUID
- THREATENED/ENDANGERED SPECIES

POLITICAL BOUNDARIES

- COUNTY BOUNDARY
- MUNICIPAL BOUNDARY

TRANSPORTATION

- DIVIDED HIGHWAY
- STATE/FEDERAL HIGHWAY
- CITY STREET/COUNTY ROAD
- AIRPORT
- RAILROAD
- SHIP CHANNEL/GULF INTRACOASTAL WATERWAY
- SHIPPING SAFETY FAIRWAY

HUMAN USE FEATURES

- AQUACULTURE SITE
- BEACH ACCESS POINT
- BOAT RAMP
- COAST GUARD STATION
- HELIPORT
- LIGHTHOUSE
- MARINA
- WATER INTAKE POINT

OTHER LAYERS

- ANCHORAGE AREA
- AUDUBON SANCTUARY
- BIRD ROOKERY AREA
- CITY OR COUNTY PARK
- COASTAL PRESERVE
- MUNICIPAL AREA
- NATIONAL WILDLIFE REFUGE
- STATE PARK/WILDLIFE MANAGEMENT AREA
- WASHOVER AREA

UMBRELLA POINT

Map #25

HUMAN USE RESOURCES

Boat Ramps

RARNUM	NAME
H540	Crawley's

BIOLOGICAL RESOURCES

Fish

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV
201	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Spot				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	NOV-FEB
	Least puffer				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Bay anchovy				X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
	Gulf menhaden				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Atlantic croaker			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Hardhead catfish				X	X	X	X	X	X	X	X	X	X	X	X	MAY-SEP	JUN-OCT
	Striped mullet				X	X	X	X	X	X	X	X	X	X	X	X	NOV-JAN	DEC-FEB
202	Spot				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	NOV-FEB
	Atlantic croaker			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	-	APR-OCT
	Pinfish				X	X	X	X	X	X	X	X	X	X	X	X	MAR-MAY	MAR-MAY
	Red drum				X	X	X	X	X	X	X	X	X	X	X	X	AUG-NOV	SEP-DEC
	Gulf menhaden				X	X	X	X	X	X	X	X	X	X	X	X	NOV-FEB	DEC-MAR
	Hardhead catfish				X	X	X	X	X	X	X	X	X	X	X	X	MAY-SEP	JUN-OCT
	Bay anchovy				X	X	X	X	X	X	X	X	X	X	X	X	JAN-DEC	JAN-DEC
	Sand seatrout				X	X	X	X	X	X	X	X	X	X	X	X	-	MAR-DEC
	Least puffer				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	Southern flounder				X	X	X	X	X	X	X	X	X	X	X	X	-	OCT-DEC
	Striped mullet				X	X	X	X	X	X	X	X	X	X	X	X	NOV-JAN	DEC-FEB

Shellfish

RARNUM	NAME	S/F	T/E	CONCEN	J	F	M	A	M	J	J	A	S	O	N	D	SPAWNING	LARVAL/JUV.
201	Brackishwater clam				X	X	X	X	X	X	X	X	X	X	X	X	-	-
	White shrimp			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	Blue crab			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	American oyster (eastern)				X	X	X	X	X	X	X	X	X	X	X	X	MAR-JUL	APR-JUL
	Brown shrimp			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
202	Brown shrimp				X	X	X	X	X	X	X	X	X	X	X	X	NOV-MAR	FEB-JUN
	Blue crab			HIGH	X	X	X	X	X	X	X	X	X	X	X	X	APR-JUL	MAY-AUG
	White shrimp				X	X	X	X	X	X	X	X	X	X	X	X	MAY-OCT	MAY-OCT
	American oyster (eastern)				X	X	X	X	X	X	X	X	X	X	X	X	MAR-JUL	APR-JUL

7. UMBRELLA POINT
W Trinity Bay (Umbrella Point to Point Barrow)

CHART(S): Nautical Chart (11326)
Upper Coast Atlas Page 25

STAGING AREAS: Crawley Marina (2)
29-40-45 N 094-52-07 W (See Morgan's Point for additional site)

ACCESS ROADS: Crawley Marina (Old location): East on Hwy 225 from Houston to Hwy 146. Turn left on Hwy 146 and proceed north to Hwy 55. Turn right onto Hwy 55 and proceed east on Hwy 55 to FM 1405. Turn right on FM 1405 and proceed south to FM 2354. Turn left on FM 2354 and proceed east 3.4 miles to dirt road before white tank. Turn Right to ramp (2) Note: Ramp not in good repair, very shallow.

DESCRIPTION:
7-A Boom Cedar Gully Creek (50' wide)
7-B Boom Point Barrow Creek (20' wide)
7-C Boom to protect marsh north of Point Barrow (Est. 300 yards)
7-D Boom to protect McCollum Park

CAUTION:
Numerous submerged pilings were noted along the shoreline.

NATURAL COLLECTION AREA:
Product discharged in lower Trinity Bay tends to collect
Along the shoreline north of Umbrella Point and south of Point
Barrow.

Site Specific Information
Site # 7-A TGLO Polygon # N/A Quad Name UMBRELLA POINT



Site information:
Site Description: Entrance to Cedar Gully Creek
Cedar Gully Creek leads inland for quite a ways.

(b) (7)(F)

Date last visited: 25 April 2001

Access:

Closest Boat Ramp:	Ocean Mobile Home Park ramp
Distance:	20 minutes
Boat type recommended:	Shallow, aluminum hull
Closest Airport:	Baytown Airport, Baytown (HPY)
Closest Helicopter Landing:	Baytown Airport, 29-47-09N 094-57-09W

From MSO Houston-Galveston:
I-610 south to Hwy 225. Hwy 225 east to Hwy 146. Hwy 146 north over bridge to Bus. 146. Stay on Bus. 146 to Spur 55 and turn right. Spur 55 to FM 1405 and turn right. FM 1405 until it ends at FM 2354 and turn left. FM 2354 for 1.4 miles and turn right into Ocean Mobile Home Park. The ramp is at the back of the park and is shallow. CALL 281-573-1588, Mr. Kevin Vargo, before arriving. Alternate ramp is Fort Anahuac Park.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**N/A**
Environmental:	Several species of fish including Seatrout, Brown shrimp, White shrimp, Blue crab, Oyster
Economic:	N/A

Booming strategy recommendations:

Recommendations:	Boom entrance to prevent migration inland.		
Number of personnel:	2-4	**Width of inlet:**	50 ft
Current:	Slow	**Water depth at mouth:**	1 ft

Safety / Cautionary notes: Numerous submerged pilings were noted along shoreline. Product discharged into lower Trinity Bay tends to collect along this shoreline between Umbrella Point and Point Barrow.

Site Specific Information
Site # 7-B TGLO Polygon # N/A Quad Name UMBRELLA POINT



Site information:
Site Description: Entrance to Point Barrow Creek
Point Barrow Creek leads inland for several miles.

(b) (7)(F)

NOAA chart # 11326 **County:** Chambers
Date last visited: 25 April 2001

Access:
Closest Boat Ramp: Ocean Mobile Home Park ramp
Distance: 25 minutes
Boat type recommended: Shallow, aluminum hull
Closest Airport: Baytown Airport, Baytown (HPY)
Closest Helicopter Landing: Baytown Airport, 29-47-09N 094-57-09W

From MSO Houston-Galveston:
I-610 south to Hwy 225. Hwy 225 east to Hwy 146. Hwy 146 north over bridge to Bus. 146. Stay on Bus. 146 to Spur 55 and turn right. Spur 55 to FM 1405 and turn right. FM 1405 until it ends at FM 2354 and turn left. FM 2354 for 1.4 miles and turn right into Ocean Mobile Home Park. The ramp is at the back of the park and is shallow. CALL 281-573-1588, Mr. Kevin Vargo, before arriving. Alternate ramp is Fort Anahuac Park.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:
Atlas Priority: **N/A**
Environmental: Several species of fish including Seatrout, Brown shrimp, White shrimp, Blue crab, Oyster
Economic: N/A

Booming strategy recommendations:
Recommendations: Boom entrance to prevent migration inland.
Number of personnel: 2-4 **Width of inlet:** 50 ft
Current: Slow **Water depth at mouth:** 1 ft

Safety / Cautionary notes: Numerous submerged pilings were noted along shoreline. Product discharged into lower Trinity Bay tends to collect along this shoreline between Umbrella Point and Point Barrow.

Site Specific Information
Site # 7-C TGLO Polygon # N/A Quad Name UMBRELLA POINT



Site information:
Site Description: Marsh north of Point Barrow
This is a shore side marsh that is sensitive and needs protecting.
(b) (7)(F)

NOAA chart #	11326	**County:**	Chambers
		Date last visited:	25 April 2001

Access:

Closest Boat Ramp:	Ocean Mobile Home Park ramp
Distance:	25 minutes
Boat type recommended:	Shallow, aluminum hull
Closest Airport:	Baytown Airport, Baytown (HPY)
Closest Helicopter Landing:	Baytown Airport, 29-47-09N 094-57-09W

From MSO Houston-Galveston:
I-610 south to Hwy 225. Hwy 225 east to Hwy 146. Hwy 146 north over bridge to Bus. 146. Stay on Bus. 146 to Spur 55 and turn right. Spur 55 to FM 1405 and turn right. FM 1405 until it ends at FM 2354 and turn left. FM 2354 for 1.4 miles and turn right into Ocean Mobile Home Park. The ramp is at the back of the park and is shallow. CALL 281-573-1588, Mr. Kevin Vargo, before arriving. Alternate ramp is Fort Anahuac Park.

Trustees/ Contact Numbers:	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**N/A**
Environmental:	Several species of fish including Seatrout, Brown shrimp, White shrimp, Blue crab, Oyster
Economic:	N/A

Booming strategy recommendations:

Recommendations:	Boom with 3000' of boom to protect shoreline marsh..		
Number of personnel:	2-4	**Width of inlet:**	N/A
Current:	Slow	**Water depth at mouth:**	N/A

Safety / Cautionary notes: Numerous submerged pilings were noted along shoreline. Product discharged into lower Trinity Bay tends to collect along this shoreline between Umbrella Point and Point Barrow.

Site Specific Information
Site # 7-D TGLO Polygon # N/A Quad Name UMBRELLA POINT



Site information:
Site Description: McCollum Park
McCollum Park has a bluff shore, but it should be protected.

(b) (7)(F) [redacted]

Date last visited: 25 April 2001

Access:

Closest Boat Ramp:	Ocean Mobile Home Park ramp
Distance:	25 minutes
Boat type recommended:	Shallow, aluminum hull
Closest Airport:	Baytown Airport, Baytown (HPY)
Closest Helicopter Landing:	Baytown Airport, 29-47-09N 094-57-09W

From MSO Houston-Galveston:
I-610 south to Hwy 225. Hwy 225 east to Hwy 146. Hwy 146 north over bridge to Bus. 146. Stay on Bus. 146 to Spur 55 and turn right. Spur 55 to FM 1405 and turn right. FM 1405 until it ends at FM 2354 and turn left. FM 2354 for 1.4 miles and turn right into Ocean Mobile Home Park. The ramp is at the back of the park and is shallow. CALL 281-573-1588, Mr. Kevin Vargo, before arriving. Alternate ramp is Fort Anahuac Park.

Trustees/ Contact Numbers:		
	U.S.C.G. via NRC	(800) 424-8802
	TXGLO via Hotline	(800) 832-8224
	TNRCC	(512) 463-7727

Resources at Risk:

Atlas Priority:	**N/A**
Environmental:	N/A
Economic:	N/A

Booming strategy recommendations:

Recommendations:	Boom with 3000’ of boom to protect shoreline..		
Number of personnel:	2-4	**Width of inlet:**	N/A ft
Current:	N/A	**Water depth at mouth:**	N/A ft

Safety / Cautionary notes:

ATTACHMENT B

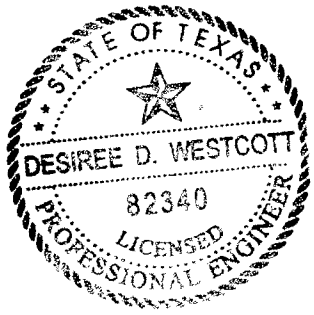
SITE-SPECIFIC POTENTIAL OIL DISCHARGE SOURCES (TABLES) AND PROFESSIONAL ENGINEER'S CERTIFICATION

PROFESSIONAL ENGINEER'S CERTIFICATION

I hereby certify that I have visited and examined Houston Fuel Oil Terminal Company, a bulk petroleum liquid storage and transfer for hire facility, located at 1201 South Sheldon Road, Houston, Harris County, Texas and, being familiar with the provision of the SPCC rule 40 CFR Part 112, attest that this SPCC Plan has been prepared in accordance with Good Engineering Practices, including consideration of applicable industry standards, that procedures for required inspections and testing have been established, and that this Plan is adequate for the facility.

Desiree' Westcott — June 28, 2012

Desireé D. Westcott — Date
Professional Engineer
State of Texas Registration Number 82340
The WCM Group, Inc. – TBPE Registration No. F-109



OIL STORAGE AND CONTAINMENT UNITS

Storage Unit							Secondary Containment		
Area ID	**Oil Storage Vessel ID**	**Tank Standard/ Type**	(b) (7)(F)	**Material Stored**	**Largest Tank or Container ID**	**Type of Worst Case Failure**	**Inches of freeboard llowed for precipitation** (in addition to 100 % of the largest tank)	**Type of Containment**	**Predicted Direction and Rate of Spill Flow if Uncontained**
Aboveground oil storage tanks (for				**ached diagram)**					
1	Oil Samples Tank	NA		uel	Oil Samples Tank	Rupture/leak	2.7	Concrete curb 4" high.	Diversion to W30-1 and/or W30-2 is provided to satisfy 40 CFR 112.
2	**Gasoline Tank**	**NA**		**Gasoline fuel**	Gasoline	Rupture/leak	4.4	Concrete curb 6" high.	Diversion to W30-1 and/or W30-2 is provided to satisfy 40 CFR 112.
	Diesel Tank	NA		Diesel fuel					
	Kerosene Tank	NA		Kerosene					
3	80-7	API 650/FR		uel Oil No. 6	250-5	Rupture/leak	19.3	Earthen dike wall 5.4' high. Three intermediate walls between the areas within the dikes (see HFOTCO layout diagram).	N/A - sufficient containment provided
	80-8	API 650/FR		uel Oil No. 6					
	80-9	API 650/FR		uel Oil No. 6					
	80-10	API 650/FR		uel Oil No. 6					
	100-1	API 650/FR							
	100-2	API 650/FR							
6	80-11	API 650/FR		uel Oil No. 6					
	80-12	API 650/FR		uel Oil No. 6					
	80-13	API 650/FR		uel Oil No. 6					
	80-14	API 650/FR		uel Oil No. 6					
	80-15	API 650/FR		uel Oil No. 6					
	80-16	API 650/FR		uel Oil No. 6					
	80-17	API 650/FR		uel Oil No. 6					
	80-18	API 650/FR		uel Oil No. 6					
	80-19	API 650/FR		uel Oil No. 6					
	3-1	API 650/FR		uel Oil No. 6					
	W30-1	API 650/FR		Wastewater					
	W30-2	API 650/FR		Wastewater					
8	**250-5**	API 650/FR		**uel Oil No. 6**					
	250-6	API 650/FR		uel Oil No. 6					
	250-7	API 650/FR		uel Oil No. 6					
	250-8	API 650/FR		uel Oil No. 6					
	30-3	API 650/FR		uel Oil No. 6					
	30-4	API 650/FR		uel Oil No. 6					
	30-5	API 650/FR		uel Oil No. 6					
	30-6	API 650/FR		uel Oil No. 6					
10	175-1	API 650/IFR		Crude Oil					
	175-2	API 650/IFR		Crude Oil					
	175-3	API 650/IFR		Crude Oil					
	175-4	API 650/IFR		Crude Oil					
	37-1	API 650/IFR		Crude Oil					
	37-2	API 650/IFR		Crude Oil					

(continued on the next page)

OIL STORAGE AND CONTAINMENT UNITS

Storage Unit						Secondary Containment			
Area ID	Oil Storage Vessel ID	Tank Standard/ Type	(b) (7)(F)	Material Stored	Largest Tank or Container ID	Type of Worst Case Failure	(b) (7)(F)	Inches of freeboard allowed for precipitation (in addition to 100 % of the largest tank)	Type of Containment	Predicted Direction and Rate of Spill Flow if Uncontained
4	11-1	API 650/FR	[redacted]		325-1	Rupture/leak	[redacted]	21.7	Earthen dike wall 5.4' high.	N/A - sufficient containment provided
	80-1	API 650/FR		Fuel Oil No. 6						
	80-2	API 650/FR		Fuel Oil No. 6						
5	80-3	API 650/FR		Fuel Oil No. 6						
	80-4	API 650/FR		Fuel Oil No. 6						
	80-5	API 650/FR		Fuel Oil No. 6						
	80-6	API 650/FR		Fuel Oil No. 6						
7	200-1	API 650/FR		Fuel Oil No. 6						
	200-2	API 650/FR		Fuel Oil No. 6						
	200-3	API 650/FR		Fuel Oil No. 6						
	200-4	API 650/FR		Fuel Oil No. 6						
	30-1	API 650/FR		Fuel Oil No. 6						
	30-2	API 650/FR		Fuel Oil No. 6						
	20-1	API 650/FR		Fuel Oil No. 6						
	20-2	API 650/FR		Fuel Oil No. 6						
	20-3	API 650/FR		Fuel Oil No. 6						
	20-4	API 650/FR		Fuel Oil No. 6						
9	250-1	API 650/FR		Fuel Oil No. 6						
	250-2	API 650/FR		Fuel Oil No. 6						
	250-3	API 650/FR		Fuel Oil No. 6						
	250-4	API 650/FR		Fuel Oil No. 6						
11	266-1	API 650/IFR		Crude Oil						
	[illegible]	[illegible]		[illegible]						
	325-1	API 650/IFR		**Fuel Oil No. 6**						
	325-2	API 650/IFR		Crude / Oil No. 6						
12	80-20	API 650/FR		Fuel Oil No. 6	200-5	Rupture/leak		8.4	Earthen dike wall at least 5.4' high	Interconnected with Area 9-7-11 via piping sleeves, pump, and plus additional containment capacity is provided via diversion to W30-1 and/or W30-2 to sa isfy 40 CFR 112.
	80-21	API 650/FR		Fuel Oil No. 6						
	80-22	API 650/FR		Fuel Oil No. 6						
	80-23	API 650/FR		Fuel Oil No. 6						
	80-24	API 650/FR		Fuel Oil No. 6						
	80-25	API 650/FR		Fuel Oil No. 6						
	80-26	API 650/FR		Fuel Oil No. 6						
	80-27	API 650/FR		Fuel Oil No. 6						
	80-28	API 650/FR		Fuel Oil No. 6						
	200-5	API 650/FR		**Fuel Oil No. 6**						
	200-6	API 650/FR		Fuel Oil No. 6						

(continued on the next page)

OIL STORAGE AND CONTAINMENT UNITS

e Unit			(b) (7)(F)				Secondary Containment		
Area ID	**Oil Storage Vessel ID**	**Tank Standard/ Type**		**Material Stored**	**Largest Tank or Container ID**	**Type of Worst Case Failure**	**Inches of freeboard llowed for precipitation** (in addition to 100 % of the largest tank)	**Type of Containment**	**Predicted Direction and Rate of Spill Flow if Uncontained**
14	80-29	API 650/FR		Fuel Oil No. 6	220-1	Rupture/leak	17.1	Earthen dike wall at least 5.5' high	N/A - sufficient containment provided
	80-30	API 650/FR		Fuel Oil No. 6					
	80-31	API 650/FR		Fuel Oil No. 6					
	80-32	API 650/FR		Fuel Oil No. 6					
	80-33	API 650/FR		Fuel Oil No. 6					
	80-34	API 650/FR		Fuel Oil No. 6					
	80-35	API 650/FR		Fuel Oil No. 6					
	80-36	API 650/FR		Fuel Oil No. 6					
	80-37	API 650/FR		Fuel Oil No. 6					
	80-38	API 650/FR		Fuel Oil No. 6					
	200-7	API 650/FR		Fuel Oil No. 6					
	200-8	API 650/FR		Fuel Oil No. 6					
	200-9	API 650/FR		Fuel Oil No. 6					
	220-1	**API 650/FR**		**Fuel Oil No. 6**					
15	**400-1**	API 650/IFR		**Crude Oil**	400-1	Rupture/leak	20.4	Elevation drop creates earthen dike wall from 6' to 8' high (variation due to different floor elevations).	N/A - sufficient containment provided
	400-2	API 650/IFR		Crude Oil					
	400-3	API 650/IFR		Crude Oil					
	400-4	API 650/IFR		Crude Oil					
	400-5	API 650/IFR		Crude Oil					
	9-1	API 650/IFR		Crude Oiil Surge					
16	**400-6**	API 650/IFR		**VGO**	400-6	Rupture/leak	11.5		N/A - sufficient containment provided
	400-7	API 650/IFR		SRFO					
	400-9	API 650/IFR		Crude Oil					
	400-10	API 650/IFR		Crude Oil					
	38-1	API 650/IFR		Fuel Oil No. 6					
	9-2	API 650/IFR		Crude Oiil Surge					
	400-8 (future)	API 650/IFR							
	400-11 (future)	API 650/IFR							
17	Not yet Constructed								
18	Not yet Constructed								

(continued on the next page)

OIL STORAGE AND CONTAINMENT UNITS

Storage Unit							Secondary Containment		
Area ID	**Oil Storage Vessel ID**	**Tank Standard/ Type**	(b) (7)(F)	**Material Stored**	**Largest Tank or Container ID**	**Type of Worst Case Failure**	**Inches of freeboard llowed for precipitation** (in addition to 100 % of the largest tank)	**Type of Containment**	**Predicted Direction and Rate of Spill Flow if Uncontained**
19	90-1	API 650/IFR		uel Oil No. 6	100-6	Rupture/leak	22.4	Earthen dike wall 5.5' high.	N/A - sufficient containment provided
	90-2	API 650/IFR		uel Oil No. 6					
	100-5	API 650/IFR		uel Oil No. 6					
	100-6	**API 650/IFR**		uel Oil No. 6					
	100-7	API 650/IFR		uel Oil No. 6					
	100-8	API 650/IFR		uel Oil No. 6					
	100-9	API 650/IFR		uel Oil No. 6					
	100-10	API 650/IFR		uel Oil No. 6					
	100-11	API 650/IFR		uel Oil No. 6					
	100-12	API 650/IFR		uel Oil No. 6					
20	100-13	API 650/IFR		uel Oil No. 6	100-24	Rupture/leak	22.6	Ea hen dike wall 5.2' high.	N/A - sufficient containment provided
	100-14	API 650/IFR		uel Oil No. 6					
	100-15	API 650/IFR		uel Oil No. 6					
	100-16	API 650/IFR		uel Oil No. 6					
	100-17	API 650/IFR		uel Oil No. 6					
	100-18	API 650/IFR		uel Oil No. 6					
	100-19	API 650/IFR		uel Oil No. 6					
	100-20	API 650/IFR		uel Oil No. 6					
	100-21	API 650/IFR		uel Oil No. 6					
	100-22	API 650/IFR		uel Oil No. 6					
	100-23	API 650/IFR		uel Oil No. 6					
	100-24	**API 650/IFR**		uel Oil No. 6					
21	95-1	API 650/FR		uel Oil No. 6	100-3	Rupture/leak	10.4	Ear hen dike walls with the main containment being 3.9' high, combined west containment at 7.90' high and an east containment 9.90' high that are all interconnected by	N/A sufficient containment provided
	95-2	API 650/FR		Fuel Oil No. 6					
	100-3	**API 650/FR**		uel Oil No. 6					
	100-4	API 650/FR		uel Oil No. 6					
	30-18	API 650/FR		uel Oil No. 6					
	30-19	API 650/FR		uel Oil No. 6					
	8-1 (W6-1)	API 650/FR		Oily wastewater					
	8-2 (W9-3)	API 650/FR		Oily wastewater					
22	**30-11**	**API 650/FR**		**uel Oil No. 6**	30-11	Rupture/leak	18 8	Ear hen dike walls with the main containment being 3.20' high, combined east containment at 4.70' high which are interconnected by concrete diversion.	
	30-12	API 650/FR		uel Oil No. 6					
	30-13	API 650/FR		uel Oil No. 6					
	30-14	API 650/FR		uel Oil No. 6					
	30-15	API 650/FR		uel Oil No. 6					
	30-16	API 650/FR		uel Oil No. 6					
	30-17	API 650/FR		uel Oil No. 6					
	13-1	API 650/FR		uel Oil No. 6					
	13-2	API 650/FR		uel Oil No. 6					
	10-1	API 650/FR		uel Oil No. 6					

(continued on the next page)

OIL STORAGE AND CONTAINMENT UNITS

Storage Unit						Secondary Containment		
Area ID	**Oil Storage Vessel ID**	**Tank Standard/ Type**	**Material Stored**	**Largest Tank or Container ID**	**Type of Worst Case Failure**	**Inches of freeboard allowed for precipitation** (in addition to 100 % of the largest tank)	**Type of Containment**	**Predicted Direction and Rate of Spill Flow if Uncontained**
GEN1 (Near Area 14)	Emergency Generator Reservoir	NA	Diesel Fuel	Emergency Generator Reservoir	Rupture/leak	3.4	4" Concrete Curb	*On-site drainage ditch with spill response equipment to block drain pipe under Area 14
	Emergency Generator Diesel Tank		Diesel Fuel					
GEN2 (Near Main Office)	Emergency Generator	NA	Diesel Fuel	Emergency Generator Reservoir	Rupture/leak	1.0	5" Concrete Curb	*Area drains to manually controlled Outfall 020 which is kept in the closed position and inspected prior to discharge.
	Emergency Generator Diesel Tank		Diesel Fuel					
GEN3 (Near 138KV Substa ion)	Emergency Generator	NA	Diesel Fuel	Emergency Generator Reservoir	Rupture/leak	N/A	Double Wall Insulated Tank	N/A - sufficient containment provided
FWDT1 (Near Area 15)	Fire Water Diesel Tank	NA	Diesel Fuel	Fire Water Diesel Tank	Rupture/leak	10 8	Concrete curb, 1.5' high	N/A - sufficient containment provided
FWDT2 (Near SD1 & BD2)	Fire Water Diesel Tank	NA	Diesel Fuel	Fire Water Diesel Tank 1	Rupture/leak	2.3	Concrete Curb 5" high	Also has a 2x2 16 inch Deep Sump which routes to Tank(s) W30-1 and/or W30-2 in worst case scenario
	Fire Water Diesel Generator	NA	Diesel Fuel					
FWP (Near Barge Dock 6)	Fire Water Diesel Tank 1	NA	Diesel Fuel	Fire Water Diesel Tank 2	Rupture/leak	4.6	Concrete Containment 16" high & Coverage	N/A Sufficient Containment as bo h tanks have Overhead Coverage to deter from additional Rainfall
	Fire Water Diesel Tank 2	NA	Diesel Fuel					
PAC1 (Southeast of Area 12)	Portable Air Compressor #1	NA	Diesel fuel	Compressor	Rupture/leak	0 8	Containment structure, 0.25' high	Containment Area is to be covered
PAC2 (North of R/C Rack C)	Portable Air Compressor #2	NA	Diesel fuel	Compressor	Rupture/leak	0.6	Containment structure, 0.25' high	Containment Area is to be covered or drained to C-Rack
Maintenance Shop (Near Area 8)	Shop Oil (5 drums)	Drums	Shop Oil	Shop Oil	Rupture/leak	3.9	Plastic Containment Structure 6" high & Covered	N/A sufficient containment provided; covered area.

OIL STORAGE AND CONTAINMENT UNITS

Unit						Secondary Containment			
Area ID	**Oil Storage Vessel ID**	**Tank Standard/ Type**	(b) (7)(F) [redacted]	**Material Stored**	**Largest Tank or Container ID**	**Type of Worst Case Failure**	(b) (7)(F) [redacted]	**Inches of freeboard llowed for precipitation** (in addition to 100 % of the largest tank)	**Type of Containment**	**Predicted Direction and Rate of Spill Flow if Uncontained**
West Terminal 1st Stage Separator (Near Area 23)	Oil Recovery Tank	NA		Oil	Oil Tank	Rupture/leak		13 0	4' High Concrete Containment	N/A sufficient containment provided due to sump which will pump the excess 1.7" before overflow of containment into he associated West Terminal equalization Tanks W6-1 & W9-3

(continued on the next page)

OIL STORAGE AND CONTAINMENT UNITS

Storage Unit							Secondary Containment			
Area ID	**Oil Storage Vessel ID**	**Tank Standard/ Type**	**Design Storage Capacity (gallons)**	**Material Stored**	**Largest Tank or Container ID**	**Type of Worst Case Failure**	**Net Containment Volume Available (gallons)**	**Inches of freeboard allowed for precipitation** (in addition to 100 % of the largest tank)	**Type of Containment**	**Predicted Direction and Rate of Spill Flow if Uncontained**
2nd Stage Separator (Near Barge Dock 6)	Oil Recovery Tank	NA	(b) (7)(F)	Oil	Oil Tank	Rupture/leak	(b) (7)(F)	3.9	7" High Concrete Containment	N/A sufficient containment provided due to gravity drains to BD#6 sump (10'W x 15'L x 8'D) which will pump the excess before overflow of containment into the associated West Terminal equalization Tanks W6-1 & W9-3
Oil-containing Electrical Transform										
6	A	NA		ransformer oil	250-5	Rupture/leak		19.3	Earthen dike wall at least 5.4' high	N/A - sufficient containment provided
3	B	NA		ransformer oil	250-5	Rupture/leak		19.3	Earthen dike wall at least 5.4' high	N/A - sufficient containment provided
NA	C	NA		ransformer oil	C	Rupture/leak		NA	Diversionary drainage ditches and spill response equipment in place	Toward Ship Dock No.3
NA	D	NA		ransformer oil	D	Rupture/leak		NA		Toward Barge Dock No. 4
NA	E	NA		ransformer oil	E	Rupture/leak		NA		Toward Barge Dock No. 4
10	F	NA		ransformer oil	250-5	Rupture/leak		19.3	Earthen dike wall at least 5.4' high	N/A - sufficient containment provided
11	G	NA		ransformer oil	325-1	Rupture/leak		21.7	Earthen dike wall at least 5.4' high	N/A - sufficient containment provided
8	H	NA		ransformer oil	250-5	Rupture/leak		19.3	Earthen dike wall at least 5.4' high	N/A - sufficient containment provided
11	I	NA		ransformer oil	325-1	Rupture/leak		21.7	Earthen dike wall at least 5.4' high	N/A - sufficient containment provided
14	J	NA		ransformer oil	200-7	Rupture/leak		17.1	Earthen dike wall at least 5.4' high	N/A - sufficient containment provided
15	K	NA		ransformer oil	400-1	Rupture/leak		20.4	Earthen dike wall at least 5.4' high	N/A - sufficient containment provided
Substation	37 and 38	N/A		ransformer oil	37 and 38	Rupture/leak		8.5	Concrete containment 1.75ft high with 6" thick walls	
Tank Truck and Tank Rail Car Load										
T/T No. 1	Tank truck	NA		Various oils	Tank truck	Rupture		11.26	Concrete curbed containment and diversion to the wastewater system (W30-1 & W30-2 is provided to satisfy 40 CFR 112.	N/A - sufficient containment provided
	Sample tank	NA		uel Oil						
T/T No. 2	Tank truck	NA		Various oils	Tank truck	Rupture		11.26		
R/C No. A/B	Rail Car	NA		Various oils	Tank car	Rupture		10.72		
R/C No. C	Rail Car	NA		Various oils	Tank car	Rupture		9.68		
	Diesel	NA		Diesel Fuel						

OIL STORAGE AND CONTAINMENT UNITS

Storage Unit							Secondary Containment			
Area ID	**Oil Storage Vessel ID**	**Tank Standard/ Type**	**Design Storage Capacity (gallons)**	**Material Stored**	**Largest Tank or Container ID**	**Type of Worst Case Failure**	**Net Containment Volume Available (gallons)**	**Inches of freeboard allowed for precipitation** (in addition to 100 % of the largest tank)	**Type of Containment**	**Predicted Direction and Rate of Spill Flow if Uncontained**
Non-Transportation Related Piping Outside of Tank Farm Areas										
V-361 Crude (S. Area 9)	V-361 Crude Line	NA	(b) (7)(F)	Crude	36" Crude Pipe Line	Rupture	(b) (7)(F)	9.53	Earthen ditch	N/A - sufficient containment provided reference calculation page for opera ions procedure.
36" Crude Line SW of Area 12	36" Crude Line	NA		Crude	36" Crude Pipe Line	Rupture		10.70	Concrete curbed containment and diversion to the wastewater system (W30-1 & W30-2 is provided to satisfy 40 CFR 112.	N/A - sufficient containment provided
24" Piping (between Area11-14)	24" line between Area 11 & 14	NA		Various oils	24" Pipe Line	Rupture		98.27	Earthen ditch	N/A - sufficient containment provided reference calculation page for opera ions procedure.

NOTE: FR = Fixed Roof
IFR - Internal Floa ing Roof
Outside Dimensions for 80-1: Height = 56'; OD = 100'

ATTACHMENT C

DISCHARGE INFORMATION REPORT FORM; AIR UPSET NOTIFICATION FORM FOR REPORTABLE EVENTS; HAZARDOUS LIQUID PIPELINE SYSTEM ACCIDENT REPORT AND PHONE NOTIFICATION LOG SHEET

DISCHARGE INFORMATION SHEET

INVOLVED PARTIES

A. Reporting Party	B. Suspected Responsible Party
Name:_____	Name:_____
Phone:_____	Phone:_____
Company:_____	Company:_____
Position:_____	Organization Type (check appropriate line):
Address:_____	☐ Private Citizen ☐ Private Enterprise
City:_____	☐ Public Utility ☐ Other
State:_____ Zip:_____	☐ Government: Local ☐ State ☐ Federal ☐
Person Discovering Discharge:	Address:_____
Name:_____	_____
Company/Org.:_____	City, State, Zip:_____

Were materials released? ☐ Yes ☐ No Explosion? ☐ Yes ☐ No
Is responsible party aware of the incident? ☐ Yes ☐ No Fire? ☐ Yes ☐ No

INCIDENT DESCRIPTION: (fill in or indicate source, cause, and on-site location of incident)

Date: Time:

Incident Address/Location:

If in remote locale, indicate distance from the nearest town/city:

Source of Release (if known):

Storage Tank Total Capacity:

Lat:___Degrees_____Minutes _____Seconds Long:_____Degrees_____Minutes _____ Seconds

MATERIAL(S) RELEASED:	Is MSDS Included? Yes/No	Qty Released on Land	Qty Released in Water

REMEDIAL ACTION: (Actions taken to correct or mitigate incident, if any)

Indicate here if information provided on additional sheets: ☐

IMPACT:

Were there Injuries? ☐ YES ☐ NO ☐ Unknown Number of injuries:_____
Were there Fatalities? ☐ YES ☐ NO ☐ Unknown Number of fatalities:_____
Were there Evacuations? ☐ YES ☐ NO ☐ Unknown Number evacuated:_____
Was there any Damage? ☐ YES ☐ NO ☐ Unknown Damage in Dollars: $_____

WEATHER INFORMATION

Weather Conditions:_____ Wind Speed:_____
Air Temperature:_____ Wind Directions:_____

ADDITIONAL INFORMATION (Anything pertinent not reported elsewhere in the report):

Indicate here if information provided on additional sheets: ☐

CALLER NOTIFICATIONS (Remember**: It Is Not Necessary To Wait For All Information Before Calling The National Response Center):**

☐ NRC: **800-424-8802** ☐ TGLO: **800-832-8224** ☐ EPA Region VI: **866-372-7745**
☐ LEPC:**281-457-2768** ☐ USCG: **713-671-5100** ☐ Fire/Police Department: **911**
☐ RRC: **512-463-6788** ☐ TCEQ Region 12: **713-767-1500** ☐ Harris Co.: **713-920-2831**

When making phone notifications, keep a log of all calls made.
Copy this form as needed. Retain completed records on-site.

PHONE NOTIFICATION LOG SHEET

DATE: _____ TIME: _____

AGENCY: _____ PHONE NUMBER:(___) _____

AGENCY PERSON CONTACTED: _____

SIGNATURE OF PERSON MAKING CONTACT: _____

NOTES/COMMENTS (IF ANY): _____

_____

DATE: _____ TIME: _____

AGENCY: _____ PHONE NUMBER:(___) _____

AGENCY PERSON CONTACTED: _____

SIGNATURE OF PERSON MAKING CONTACT: _____

NOTES/COMMENTS (IF ANY): _____

_____

DATE: _____ TIME: _____

AGENCY: _____ PHONE NUMBER:(___) _____

AGENCY PERSON CONTACTED: _____

SIGNATURE OF PERSON MAKING CONTACT: _____

NOTES/COMMENTS (IF ANY): _____

_____

DATE: _____ TIME: _____

AGENCY: _____ PHONE NUMBER:(___) _____

AGENCY PERSON CONTACTED: _____

SIGNATURE OF PERSON MAKING CONTACT: _____

NOTES/COMMENTS (IF ANY): _____

_____

NOTICE: This report is required by 49 CFR Part 195. Failure to report can result in a civil penalty not to exceed $100,000 for each violation for each day that such violation persists except that the maximum civil penalty shall not exceed $1,000,000 as provided in 49 USC 60122.

OMB NO: 2137-0047

EXPIRATION DATE: 01/31/2013

U.S. Department of Transportation
Pipeline and Hazardous Materials
Safety Administration

ACCIDENT REPORT – HAZARDOUS LIQUID PIPELINE SYSTEMS

Report Date _____

No. _____
(DOT Use Only)

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2137-0047. Public reporting for this collection of information is estimated to be approximately 10 hours per response (5 hours for a small release), including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, PHMSA, Office of Pipeline Safety (PHP-30) 1200 New Jersey Avenue, SE, Washington, D.C. 20590.

INSTRUCTIONS

Important: *Please read the separate instructions for completing this form before you begin. They clarify the information requested and provide specific examples. If you do not have a copy of the instructions, you can obtain one from the PHMSA Pipeline Safety Community Web Page at http://www.phmsa.dot.gov/pipeline. Note: Certain low consequence accidents only require the information indicated in the shaded fields.*

PART A – KEY REPORT INFORMATION

*Report Type: *(select all that apply)* ☐ Original ☐ Supplemental ☐ Final

*1. Operator's OPS-issued Operator Identification Number (OPID): /___/___/___/___/___/___/

*2. Name of Operator: _____

*3. Address of Operator:

*3.a _____
(Street Address)

*3.b _____
(City)

*3.c State: /___/___/

*3.d Zip Code: /___/___/___/___/___/ - /___/___/___/___/

*4. Local time *(24-hr clock)* and date of the Accident:

/___/___/___/___/ Hour /___/___/ Month /___/___/ Day /___/___/ Year

*5. Location of Accident:

Latitude: /___/___/ . /___/___/___/___/___/

Longitude: - /___/___/___/ . /___/___/___/___/___/

6. National Response Center Report Number (if applicable):

/___/___/___/___/___/___/___/

7. Local time *(24-hr clock)* and date of initial telephonic report to the National Response Center (if applicable):

/___/___/___/___/ Hour /___/___/ Month /___/___/ Day /___/___/ Year

*8. Commodity released: *(select only one, based on predominant volume released)*

☐ Crude Oil

☐ Refined and/or Petroleum Product (non-HVL) which is a Liquid at Ambient Conditions

- ○ Gasoline (non-Ethanol)
- ○ Diesel, Fuel Oil, Kerosene, Jet Fuel
- ○ Mixture of Refined Products (transmix or other mixture)
- ○ Other ⇨ Name: _____

☐ HVL or Other Flammable or Toxic Fluid which is a Gas at Ambient Conditions

- ○ Anhydrous Ammonia
- ○ LPG (Liquefied Petroleum Gas) / NGL (Natural Gas Liquid)
- ○ Other HVL ⇨ Name: _____

☐ CO_2 (Carbon Dioxide)

☐ Biofuel / Alternative Fuel (including ethanol blends)

- ○ Fuel Grade Ethanol
- ○ Ethanol Blend ⇨ % Ethanol: /___/___/
- ○ Biodiesel ⇨ Blend (e.g. B2, B20, B100): B/___/___/___/
- ○ Other ⇨ Name: _____

*9. Estimated volume of commodity released unintentionally: /___/___/___/,/___/___/___/./___/___/ Barrels

10. Estimated volume of intentional and/or controlled release/blowdown: /___/___/___/,/___/___/___/./___/___/ Barrels

*11. Estimated volume of commodity recovered: /___/___/___/,/___/___/___/./___/___/ Barrels

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*12. Were there fatalities? ○ Yes ○ No

If Yes, specify the number in each category:

*12.a Operator employees /___/___/___/___/

*12.b Contractor employees working for the Operator /___/___/___/___/

*12.c Non-Operator emergency responders /___/___/___/___/

*12.d Workers working on the right-of-way, but NOT associated with this Operator /___/___/___/___/

*12.e General public /___/___/___/___/

12.f Total fatalities (sum of above) /___/___/___/___/

*13. Were there injuries requiring inpatient hospitalization? ○ Yes ○ No

If Yes, specify the number in each category:

*13.a Operator employees /___/___/___/___/

*13.b Contractor employees working for the Operator /___/___/___/___/

*13.c Non-Operator emergency responders /___/___/___/___/

*13.d Workers working on the right-of-way, but NOT associated with this Operator /___/___/___/___/

*13.e General public /___/___/___/___/

13.f Total injuries (sum of above) /___/___/___/___/

14. Was the pipeline/facility shut down due to the Accident?

○ Yes ○ No ⇨ Explain: _____

If Yes, complete Questions 14.a and 14.b: *(use local time, 24-hr clock)*

14.a Local time and date of shutdown /___/___/___/___/ (Hour) /___/___/ (Month) /___/___/ (Day) /___/___/ (Year)

14.b Local time pipeline/facility restarted /___/___/___/___/ (Hour) /___/___/ (Month) /___/___/ (Day) /___/___/ (Year) ○ Still shut down* *(*Supplemental Report required)*

*15. Did the commodity ignite? ○ Yes ○ No

*16. Did the commodity explode? ○ Yes ○ No

17. Number of general public evacuated: /___/___/___/,/___/___/___/

18. Time sequence: *(use local time, 24-hour clock)*

18.a Local time Operator identified Accident /___/___/___/___/ (Hour) /___/___/ (Month) /___/___/ (Day) /___/___/ (Year)

18.b Local time Operator resources arrived on site /___/___/___/___/ (Hour) /___/___/ (Month) /___/___/ (Day) /___/___/ (Year)

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PART B – ADDITIONAL LOCATION INFORMATION

*1. Was the origin of the Accident onshore?
○ Yes *(Complete Questions 2-12)* ○ No *(Complete Questions 13-15)*

If **Onshore**:

*2. State: /___/___/

*3. Zip Code: /___/___/___/___/___/ - /___/___/___/___/

4._____ 5_____
City County or Parish

6. Operator-designated location: *(select only one)*
☐ Milepost/Valve Station *(specify in shaded area below)*
☐ Survey Station No. *(specify in shaded area below)*

/ / / / / / / / / / / / / /

7. Pipeline/Facility name:

8. Segment name/ID:

*9. Was Accident on Federal land, other than the Outer Continental Shelf (OCS)? ○ Yes ○ No

*10. Location of Accident: *(select only one)*
☐ Totally contained on Operator-controlled property
☐ Originated on Operator-controlled property, but then flowed or migrated off the property
☐ Pipeline right-of-way

*11. Area of Accident (as found): *(select only one)*
☐ Tank, including attached appurtenances
☐ Underground ⇨ Specify: ○ Under soil
○ Under a building ○ Under pavement
○ Exposed due to excavation
○ In underground enclosed space (e.g., vault)
○ Other _____
Depth-of-Cover (in): /___/,/___/___/___/
☐ Aboveground ⇨ Specify:
○ Typical aboveground facility piping or appurtenance
○ Overhead crossing
○ In or spanning an open ditch
○ Inside a building ○ Inside other enclosed space
○ Other _____
☐ Transition Area ⇨ Specify: ○ Soil/air interface ○ Wall sleeve ○ Pipe support or other close contact area
○ Other _____

*12. Did Accident occur in a crossing?: ○ Yes ○ No
If Yes, specify type below:
☐ Bridge crossing ⇨ Specify: ○ Cased ○ Uncased
☐ Railroad crossing ⇨ *(select all that apply)*
○ Cased ○ Uncased ○ Bored/drilled
☐ Road crossing ⇨ *(select all that apply)*
○ Cased ○ Uncased ○ Bored/drilled
☐ Water crossing
⇨ Specify: ○ Cased ○ Uncased
Name of body of water, if commonly known:
_____
Approx. water depth (ft) at the point of the Accident:
/___/,/___/___/___/
(select only one of the following)
○ Shoreline/Bank crossing
○ Below water, pipe in bored/drilled crossing
○ Below water, pipe buried below bottom (NOT in bored/drilled crossing)
○ Below water, pipe on or above bottom

If **Offshore**:

*13. Approximate water depth (ft.) at the point of the Accident:
/___/___/,/___/___/___/

*14. Origin of Accident:
☐ In State waters
⇨ Specify: State: /___/___/
Area: _____
Block/Tract #: /___/___/___/___/
Nearest County/Parish: _____
☐ On the Outer Continental Shelf (OCS)
⇨ Specify: Area: _____
Block #: /___/___/___/___/

*15. Area of Accident: *(select only one)*
☐ Shoreline/Bank crossing or shore approach
☐ Below water, pipe buried or jetted below seabed
☐ Below water, pipe on or above seabed
☐ Splash Zone of riser
☐ Portion of riser outside of Splash Zone, including riser bend
☐ Platform

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PART C – ADDITIONAL FACILITY INFORMATION

*1. Is the pipeline or facility:
- ☐ Interstate
- ☐ Intrastate

*2. Part of system involved in Accident: *(select only one)*
- ☐ Onshore Breakout Tank or Storage Vessel, Including Attached Appurtenances ⇨ ○ Atmospheric or Low Pressure ○ Pressurized
- ☐ Onshore Terminal/Tank Farm Equipment and Piping
- ☐ Onshore Equipment and Piping Associated with Belowground Storage
- ☐ Onshore Pump/Meter Station Equipment and Piping
- ☐ Onshore Pipeline, Including Valve Sites
- ☐ Offshore Platform/Deepwater Port, Including Platform-mounted Equipment and Piping
- ☐ Offshore Pipeline, Including Riser and Riser Bend

*3. Item involved in Accident: *(select only one)*

☐ Pipe ⇨ Specify: ○ Pipe Body ○ Pipe Seam

3.a Nominal diameter of pipe (in): /__/__/./__/__/__/

3.b Wall thickness (in): /__/./__/__/__/

3.c SMYS (Specified Minimum Yield Strength) of pipe (psi): /__/__/__/,/__/__/__/

3.d Pipe specification: _____

3.e Pipe Seam ⇨ Specify:
○ Longitudinal ERW - High Frequency ○ Single SAW ○ Flash Welded
○ Longitudinal ERW - Low Frequency ○ DSAW ○ Continuous Welded
○ Longitudinal ERW – Unknown Frequency ○ Furnace Butt Welded
○ Spiral Welded ERW ○ Spiral Welded SAW ○ Spiral Welded DSAW
○ Lap Welded ○ Seamless ○ Other _____

3.f Pipe manufacturer: _____

3.g Year of manufacture: /__/__/__/__/

3.h Pipeline coating type at point of Accident
⇨ Specify:
○ Fusion Bonded Epoxy ○ Coal Tar ○ Asphalt ○ Polyolefin
○ Extruded Polyethylene ○ Field Applied Epoxy ○ Cold Applied Tape ○ Paint
○ Composite ○ None ○ Other _____

☐ Weld, including heat-affected zone ⇨ Specify: ○ Pipe Girth Weld ○ Other Butt Weld ○ Fillet Weld ○ Other_____

☐ Valve ○ Mainline ⇨ Specify: ○ Butterfly ○ Check ○ Gate ○ Plug ○ Ball ○ Globe
○ Other _____

3.i Mainline valve manufacturer: _____

3.j Year of manufacture: /__/__/__/__/

○ Relief Valve
○ Auxiliary or Other Valve

- ☐ Pump
- ☐ Meter/Prover
- ☐ Scraper/Pig Trap
- ☐ Sump/Separator
- ☐ Repair Sleeve or Clamp
- ☐ Hot Tap Equipment
- ☐ Stopple Fitting
- ☐ Flange
- ☐ Relief Line
- ☐ Auxiliary Piping (e.g. drain lines)
- ☐ Tubing
- ☐ Instrumentation

☐ Tank/Vessel ⇨ Specify: ○ Single Bottom System ○ Double Bottom System ○ Tank Shell ○ Chime
○ Roof/Roof Seal ○ Roof Drain System ○ Mixer ○ Pressure Vessel Head or Wall
○ Appurtenance ○ Other

☐ Other _____

4. Year item involved in Accident was installed: /__/__/__/__/

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*5. Material involved in Accident: (*select only one)*

☐ Carbon Steel

☐ Material other than Carbon Steel ⇨ Specify: _____

*6. Type of Accident involved: *(select only one)*

☐ Mechanical Puncture ⇨ Approx. size: /__/__/__/__/./__/in. (axial) by /__/__/__/__/./__/in. (circumferential)

☐ Leak ⇨ Select Type: ○ Pinhole ○ Crack ○ Connection Failure ○ Seal or Packing ○ Other

☐ Rupture ⇨ Select Orientation: ○ Circumferential ○ Longitudinal ○ Other _____

Approx. size: /__/__/__/__/./__/ in. (widest opening) by /__/__/__/__/__/./__/in. (length circumferentially or axially)

☐ Overfill or Overflow

☐ Other ⇨ Describe: _____

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PART D – ADDITIONAL CONSEQUENCE INFORMATION

1. Wildlife impact: ○ Yes ○ No

1.a If Yes, specify all that apply:

☐ Fish/aquatic
☐ Birds
☐ Terrestrial

*2. Soil contamination: ○ Yes ○ No

3. Long term impact assessment performed or planned: ○ Yes ○ No

4. Anticipated remediation: ○ Yes ○ No (not needed)

4.a If Yes, specify all that apply:

☐ Surface water ☐ Groundwater ☐ Soil ☐ Vegetation ☐ Wildlife

*5. Water contamination: ○ Yes ⇨ *(Complete 5.a – 5.c below)* ○ No

*5.a Specify all that apply:

☐ Ocean/Seawater
☐ Surface
☐ Groundwater
☐ Drinking water ⇨ *(Select one or both)* ○ Private Well ○ Public Water Intake

*5.b Estimated amount released in or reaching water: /___/___/___/,/___/___/___/./___/___/ Barrels

*5.c Name of body of water, if commonly known: _____

*6. At the location of this Accident, had the pipeline segment or facility been identified as one that "could affect" a High Consequence Area (HCA) as determined in the Operator's Integrity Management Program? ○ Yes ○ No

*7. Did the released commodity reach or occur in one or more High Consequence Area (HCA)? ○ Yes ○ No

7.a If Yes, specify HCA type(s): *(select all that apply)*

☐ Commercially Navigable Waterway
Was this HCA identified in the "could affect" determination for this Accident site in the Operator's Integrity Management Program?
○ Yes ○ No

☐ High Population Area
Was this HCA identified in the "could affect" determination for this Accident site in the Operator's Integrity Management Program?
○ Yes ○ No

☐ Other Populated Area
Was this HCA identified in the "could affect" determination for this Accident site in the Operator's Integrity Management Program?
○ Yes ○ No

☐ Unusually Sensitive Area (USA) – Drinking Water
Was this HCA identified in the "could affect" determination for this Accident site in the Operator's Integrity Management Program?
○ Yes ○ No

☐ Unusually Sensitive Area (USA) – Ecological
Was this HCA identified in the "could affect" determination for this Accident site in the Operator's Integrity Management Program?
○ Yes ○ No

*8. Estimated cost to Operator:

8.a Estimated cost of public and non-Operator private property damage paid/reimbursed by the Operator $ /___/___/___/,/___/___/___/,/___/___/___/

8.b Estimated cost of commodity lost $ /___/___/___/,/___/___/___/,/___/___/___/

8.c Estimated cost of Operator's property damage & repairs $ /___/___/___/,/___/___/___/,/___/___/___/

8.d Estimated cost of Operator's emergency response $ /___/___/___/,/___/___/___/,/___/___/___/

8.e Estimated cost of Operator's environmental remediation $ /___/___/___/,/___/___/___/,/___/___/___/

8.f Estimated other costs $ /___/___/___/,/___/___/___/,/___/___/___/

Describe

8.g Estimated total costs (sum of above) $ /___/___/___/,/___/___/___/,/___/___/___/

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PART E – ADDITIONAL OPERATING INFORMATION

*1. Estimated pressure at the point and time of the Accident (psig): /___/___/,/___/___/___/

*2. Maximum Operating Pressure (MOP) at the point and time of the Accident (psig) : /___/___/,/___/___/___/

*3. Describe the pressure on the system or facility relating to the Accident: *(select only one)*

- ☐ Pressure did not exceed MOP
- ☐ Pressure exceeded MOP, but did not exceed 110% of MOP
- ☐ Pressure exceeded 110% of MOP

*4. Not including pressure reductions required by PHMSA regulations (such as for repairs and pipe movement), was the system or facility relating to the Accident operating under an established pressure restriction with pressure limits below those normally allowed by the MOP?

- ☐ No
- ☐ Yes ⇨ (*Complete 4.a and 4.b below)*

*4.a Did the pressure exceed this established pressure restriction? ○ Yes ○ No

*4.b Was this pressure restriction mandated by PHMSA or the State? ○ PHMSA ○ State ○ Not mandated

*5. Was "Onshore Pipeline, Including Valve Sites" OR "Offshore Pipeline, Including Riser and Riser Bend" selected in PART C, Question 2?

- ☐ No
- ☐ Yes ⇨ (*Complete 5.a – 5.f below)*

5.a Type of upstream valve used to initially isolate release source: ○ Manual ○ Automatic ○ Remotely Controlled

5.b Type of downstream valve used to initially isolate release source: ○ Manual ○ Automatic ○ Remotely Controlled ○ Check Valve

5.c Length of segment initially isolated between valves (ft): /___/___/___/,/___/___/___/

5.d Is the pipeline configured to accommodate internal inspection tools?

- ☐ Yes
- ☐ No ⇨ Which physical features limit tool accommodation? *(select all that apply)*
  - ○ Changes in line pipe diameter
  - ○ Presence of unsuitable mainline valves
  - ○ Tight or mitered pipe bends
  - ○ Other passage restrictions (i.e. unbarred tee's, projecting instrumentation, etc.)
  - ○ Extra thick pipe wall (applicable only for magnetic flux leakage internal inspection tools)
  - ○ Other ⇨ Describe:_____

5.e For this pipeline, are there operational factors which significantly complicate the execution of an internal inspection tool run?

- ☐ No
- ☐ Yes ⇨ Which operational factors complicate execution? *(select all that apply)*
  - ○ Excessive debris or scale, wax, or other wall build-up
  - ○ Low operating pressure(s)
  - ○ Low flow or absence of flow
  - ○ Incompatible commodity
  - ○ Other ⇨ Describe:_____

5.f Function of pipeline system: *(select only one)*

- ☐ > 20% SMYS Regulated Trunkline/Transmission
- ☐ ≤ 20% SMYS Regulated Trunkline/Transmission
- ☐ ≤ 20% SMYS "Unregulated" Trunkline/Transmission
- ☐ > 20% SMYS Regulated Gathering
- ☐ ≤ 20% SMYS Regulated Gathering
- ☐ ≤ 20% SMYS "Unregulated" Gathering

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*6. Was a Supervisory Control and Data Acquisition (SCADA)-based system in place on the pipeline or facility involved in the Accident?

☐ No

☐ Yes ⇨ 6.a Was it operating at the time of the Accident? ○ Yes ○ No

6.b Was it fully functional at the time of the Accident? ○ Yes ○ No

6.c Did SCADA-based information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the detection of the Accident? ○ Yes ○ No

6.d Did SCADA-based information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the confirmation of the Accident? ○ Yes ○ No

*7. Was a CPM leak detection system in place on the pipeline or facility involved in the Accident?

☐ No

☐ Yes ⇨ 7.a Was it operating at the time of the Accident? ○ Yes ○ No

7.b Was it fully functional at the time of the Accident? ○ Yes ○ No

7.c Did CPM leak detection system information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the detection of the Accident? ○ Yes ○ No

7.d Did CPM leak detection system information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the confirmation of the Accident? ○ Yes ○ No

*8. How was the Accident initially identified for the Operator? *(select only one)*

☐ CPM leak detection system or SCADA-based information (such as alarm(s), alert(s), event(s), and/or volume calculations)
☐ Static Shut-in Test or Other Pressure or Leak Test
☐ Controller
☐ Air Patrol
☐ Notification from Public
☐ Notification from Third Party that caused the Accident
☐ Local Operating Personnel, including contractors
☐ Ground Patrol by Operator or its contractor
☐ Notification from Emergency Responder
☐ Other _____

*8.a If “Controller”, “Local Operating Personnel, including contractors”, “Air Patrol”, or “Ground Patrol by Operator or its contractor” is selected in Question 8, specify the following: *(select only one)*

○ Operator employee ○ Contractor working for the Operator

*9. Was an investigation initiated into whether or not the controller(s) or control room issues were the cause of or a contr buting factor to the Accident? *(select only one)*

☐ Yes, but the investigation of the control room and/or controller actions has not yet been completed by the Operator *(Supplemental Report required)*

☐ No, the facility was not monitored by a controller(s) at the time of the Accident

☐ No, the Operator did not find that an investigation of the controller(s) actions or control room issues was necessary due to: *(provide an explanation for why the Operator did not investigate)*

_____
_____
_____

☐ Yes, specify investigation result(s): *(select all that apply)*

○ Investigation reviewed work schedule rotations, continuous hours of service (while working for the Operator) and other factors associated with fatigue

○ Investigation did NOT review work schedule rotations, continuous hours of service (while working for the Operator) and other factors associated with fatigue *(provide an explanation for why not)*

_____
_____
_____

○ Investigation identified no control room issues
○ Investigation identified no controller issues
○ Investigation identified incorrect controller action or controller error
○ Investigation identified that fatigue may have affected the controller(s) involved or impacted the involved controller(s) response
○ Investigation identified incorrect procedures
○ Investigation identified incorrect control room equipment operation
○ Investigation identified maintenance activities that affected control room operations, procedures, and/or controller response
○ Investigation identified areas other than those above ⇨ Descr be: _____

_____
_____
_____

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PART F – DRUG & ALCOHOL TESTING INFORMATION

*1. As a result of this Accident, were any Operator employees tested under the post-accident drug and alcohol testing requirements of DOT's Drug & Alcohol Testing regulations?

○ No

○ Yes ⇨ *1.a Specify how many were tested: /___/___/

*1.b Specify how many failed: /___/___/

*2. As a result of this Accident, were any Operator contractor employees tested under the post-accident drug and alcohol testing requirements of DOT's Drug & Alcohol Testing regulations?

○ No

○ Yes ⇨ *2.a Specify how many were tested: /___/___/

*2.b Specify how many failed: /___/___/

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PART G – APPARENT CAUSE	***Select only one box from PART G in the shaded column on the left representing the APPARENT Cause of the Accident, and answer the questions on the right. Describe secondary, contributing, or root causes of the Accident in the narrative (PART H).***

G1 - Corrosion Failure – *only one **sub-cause** can be picked from shaded left-hand column

☐ **External Corrosion**

*1. Results of visual examination:
- ○ Localized Pitting ○ General Corrosion
- ○ Other _____

*2. Type of corrosion: *(select all that apply)*
- ○ Galvanic ○ Atmospheric ○ Stray Current ○ Microbiological ○ Selective Seam
- ○ Other _____

*3. The type(s) of corrosion selected in Question 2 is based on the following: *(select all that apply)*
- ○ Field examination ○ Determined by metallurgical analysis
- ○ Other _____

*4. Was the failed item buried under the ground?
- ○ Yes ⇨ *4.a Was failed item considered to be under cathodic protection at the time of the Accident?
  - ○ Yes ⇨ Year protection started: /__/__/__/__/
  - ○ No

  *4.b Was shielding, tenting, or disbonding of coating evident at the point of the Accident?
  - ○ Yes ○ No

  *4.c Has one or more Cathodic Protection Survey been conducted at the point of the Accident?
  - ○ Yes, CP Annual Survey ⇨ Most recent year conducted: /__/__/__/__/
  - ○ Yes, Close Interval Survey ⇨ Most recent year conducted: /__/__/__/__/
  - ○ Yes, Other CP Survey ⇨ Most recent year conducted: /__/__/__/__/
  - ○ No
- ○ No ⇨ 4.d Was the failed item externally coated or painted? ○ Yes ○ No

*5. Was there observable damage to the coating or paint in the vicinity of the corrosion?
- ○ Yes ○ No

☐ **Internal Corrosion**

*6. Results of visual examination:
- ○ Localized Pitting ○ General Corrosion ○ Not cut open
- ○ Other _____

*7. Cause of corrosion: *(select all that apply)*
- ○ Corrosive Commodity ○ Water drop-out/Acid ○ Microbiological ○ Erosion
- ○ Other _____

*8. The cause(s) of corrosion selected in Question 7 is based on the following: *(select all that apply)*
- ○ Field examination ○ Determined by metallurgical analysis
- ○ Other _____

*9. Location of corrosion: *(select all that apply)*
- ○ Low point in pipe ○ E bow ○ Other_____

*10. Was the commodity treated with corrosion inhibitors or biocides? ○ Yes ○ No

11. Was the interior coated or lined with protective coating? ○ Yes ○ No

12. Were cleaning/dewatering pigs (or other operations) routinely utilized?
- ○ Not applicable - Not mainline pipe ○ Yes ○ No

13. Were corrosion coupons routinely utilized?
- ○ Not applicable - Not mainline pipe ○ Yes ○ No

Complete the following if any Corrosion Failure sub-cause is selected AND the "Item Involved in Accident" (from PART C, Question 3) is Tank/Vessel.

14. List the year of the most recent inspections:
- 14.a API Std 653 Out-of-Service Inspection /__/__/__/__/__/ ○ No Out-of-Service Inspection completed
- 14.b API Std 653 In-Service Inspection /__/__/__/__/__/ ○ No In-Service Inspection completed

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Complete the following if any Corrosion Failure sub-cause is selected AND the "Item Involved in Accident" (from PART C, Question 3) is Pipe or Weld.

15. Has one or more internal inspection tool collected data at the point of the Accident?
O Yes O No

15.a. If Yes, for each tool used, select type of internal inspection tool and indicate most recent year run:

O Magnetic Flux Leakage Tool /__/__/__/__/
O Ultrasonic /__/__/__/__/
O Geometry /__/__/__/__/
O Caliper /__/__/__/__/
O Crack /__/__/__/__/
O Hard Spot /__/__/__/__/
O Combination Tool /__/__/__/__/
O Transverse Field/Triaxial /__/__/__/__/
O Other _____ /__/__/__/__/

16. Has one or more hydrotest or other pressure test been conducted since original construction at the point of the Accident?
O Yes ⇨ Most recent year tested: /__/__/__/__/ Test pressure (psig): /__/__/__/__/__/
O No

17. Has one or more Direct Assessment been conducted on this segment?
O Yes, and an investigative dig was conducted at the point of the Accident ⇨ Most recent year conducted: /__/__/__/__/
O Yes, but the point of the Accident was not identified as a dig site ⇨ Most recent year conducted: /__/__/__/__/
O No

18. Has one or more non-destructive examination been conducted at the point of the Accident since January 1, 2002?
O Yes O No

18.a If Yes, for each examination conducted since January 1, 2002, select type of non-destructive examination and indicate most recent year the examination was conducted:

O Radiography /__/__/__/__/
O Guided Wave Ultrasonic /__/__/__/__/
O Handheld Ultrasonic Tool /__/__/__/__/
O Wet Magnetic Particle Test /__/__/__/__/
O Dry Magnetic Particle Test /__/__/__/__/
O Other _____ /__/__/__/__/

G2 - Natural Force Damage - *only one **sub-cause** can be picked from shaded left-hand column

☐ **Earth Movement, NOT due to Heavy Rains/Floods**	1. Specify: O Earthquake O Subsidence O Landslide O Other _____
☐ **Heavy Rains/Floods**	2. Specify: O Washout/Scouring O Flotation O Mudslide O Other _____
☐ **Lightning**	3. Specify: O Direct hit O Secondary impact such as resulting nearby fires
☐ **Temperature**	4. Specify: O Thermal Stress O Frost Heave O Frozen Components O Other _____
☐ **High Winds**	
☐ **Other Natural Force Damage**	*5. Describe: _____

Complete the following if any Natural Force Damage sub-cause is selected.

*6. Were the natural forces causing the Accident generated in conjunction with an extreme weather event? O Yes O No

*6.a If Yes, specify: (*select all that apply*) O Hurricane O Tropical Storm O Tornado O Other _____

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G3 – Excavation Damage - *only one **sub-cause** can be picked from shaded left-hand column

☐ **Excavation Damage by Operator (First Party)**	
☐ **Excavation Damage by Operator's Contractor (Second Party)**	
☐ **Excavation Damage by Third Party**	
☐ **Previous Damage due to Excavation Activity**	**Complete Questions 1-5 ONLY IF the "Item Involved in Accident" (from PART C, Question 3) is Pipe or Weld.**

1. Has one or more internal inspection tool collected data at the point of the Accident?
   ○ Yes ○ No

   1.a If Yes, for each tool used, select type of internal inspection tool and indicate most recent year run:

   - ○ Magnetic Flux Leakage / / / / /
   - ○ Ultrasonic / / / / /
   - ○ Geometry / / / / /
   - ○ Caliper / / / / /
   - ○ Crack / / / / /
   - ○ Hard Spot / / / / /
   - ○ Combination Tool / / / / /
   - ○ Transverse Field/Triaxial / / / / /
   - ○ Other _____ / / / / /

2. Do you have reason to believe that the internal inspection was completed BEFORE the damage was sustained? ○ Yes ○ No

3. Has one or more hydrotest or other pressure test been conducted since original construction at the point of the Accident?

   ○ Yes ⇨ Most recent year tested: / / / / /
   Test pressure (psig): / / /, / / / /

   ○ No

4. Has one or more Direct Assessment been conducted on the pipeline segment?

   ○ Yes, and an investigative dig was conducted at the point of the Accident
   ⇨ Most recent year conducted: / / / / /

   ○ Yes, but the point of the Accident was not identified as a dig site
   ⇨ Most recent year conducted: / / / / /

   ○ No

5. Has one or more non-destructive examination been conducted at the point of the Accident since January 1, 2002?
   ○ Yes ○ No

   5.a If Yes, for each examination conducted since January 1, 2002, select type of non-destructive examination and indicate most recent year the examination was conducted:

   - ○ Radiography / / / / /
   - ○ Guided Wave Ultrasonic / / / / /
   - ○ Handheld Ultrasonic Tool / / / / /
   - ○ Wet Magnetic Particle Test / / / / /
   - ○ Dry Magnetic Particle Test / / / / /
   - ○ Other _____ / / / / /

Complete the following if Excavation Damage by Third Party is selected as the sub-cause.

6. Did the Operator get prior notification of the excavation activity? ○ Yes ○ No

*6.a If Yes, Notification received from: *(select all that apply)* ○ One-Call System ○ Excavator ○ Contractor ○ Landowner

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Complete the following mandatory CGA-DIRT Program questions if any Excavation Damage sub-cause is selected.

7. Do you want PHMSA to upload the following information to CGA-DIRT (www.cga-dirt.com)? ○Yes ○ No

*8. Right-of-Way where event occurred: *(select all that apply)*

☐ Public ⇨ Specify: ○ City Street ○ State Highway ○ County Road ○ Interstate Highway ○ Other

☐ Private ⇨ Specify: ○ Private Landowner ○ Private Business ○ Private Easement

☐ Pipeline Property/Easement
☐ Power/Transmission Line
☐ Railroad
☐ Dedicated Public Utility Easement
☐ Federal Land
☐ Data not collected
☐ Unknown/Other

*9. Type of excavator: *(select only one)*

○ Contractor ○ County ○ Developer ○ Farmer ○ Municipality ○ Occupant
○ Railroad ○ State ○ Utility ○ Data not collected ○ Unknown/Other

*10. Type of excavation equipment: *(select only one)*

○ Auger ○ Backhoe/Trackhoe ○ Boring ○ Drilling ○ Directional Drilling
○ Explosives ○ Farm Equipment ○ Grader/Scraper ○ Hand Tools ○ Milling Equipment
○ Probing Device ○ Trencher ○ Vacuum Equipment ○ Data not collected ○ Unknown/Other

*11. Type of work performed: *(select only one)*

○ Agriculture ○ Cable TV ○ Curb/Sidewalk ○ Building Construction ○ Building Demolition
○ Drainage ○ Driveway ○ Electric ○ Engineering/Surveying ○ Fencing
○ Grading ○ Irrigation ○ Landscaping ○ Liquid Pipeline ○ Milling
○ Natural Gas ○ Pole ○ Public Transit Authority ○ Railroad Maintenance ○ Road Work
○ Sewer (Sanitary/Storm) ○ Site Development ○ Steam ○ Storm Drain/Culvert ○ Street Light
○ Telecommunications ○ Traffic Signal ○ Traffic Sign ○ Water ○ Waterway Improvement
○ Data not collected ○ Unknown/Other

*12. Was the One-Call Center notified? ○ Yes ○ No

*12.a If Yes, specify ticket number: / / / / / / / / / / / / / / / / / / /

*12.b If this is a State where more than a single One-Call Center exists, list the name of the One-Call Center notified: _____

*13. Type of Locator: ○ Utility Owner ○ Contract Locator ○ Data not collected ○ Unknown/Other

*14. Were facility locate marks vis ble in the area of excavation? ○ No ○ Yes ○ Data not collected ○ Unknown/Other

*15. Were facilities marked correctly? ○ No ○ Yes ○ Data not collected ○ Unknown/Other

*16. Did the damage cause an interruption in service? ○ No ○ Yes ○ Data not collected ○ Unknown/Other

*16.a If Yes, specify duration of the interruption: / / / / / hours

(This CGA-DIRT section continued on next page with Question 17.)

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*17. Description of the CGA-DIRT Root Cause *(select only the one predominant first level CGA-DIRT Root Cause and then, where available as a choice, the one predominant second level CGA-DIRT Root Cause as well)*:

☐ One-Call Notification Practices Not Sufficient: *(select only one)*

- ○ No notification made to the One-Call Center
- ○ Notification to One-Call Center made, but not sufficient
- ○ Wrong information provided

☐ Locating Practices Not Sufficient: *(select only one)*

- ○ Facility could not be found/located
- ○ Facility marking or location not sufficient
- ○ Facility was not located or marked
- ○ Incorrect facility records/maps

☐ Excavation Practices Not Sufficient: *(select only one)*

- ○ Excavation practices not sufficient (other)
- ○ Failure to maintain clearance
- ○ Failure to maintain the marks
- ○ Failure to support exposed facilities
- ○ Failure to use hand tools where required
- ○ Failure to verify location by test-hole (pot-holing)
- ○ Improper backfilling

☐ One-Call Notification Center Error

☐ Abandoned Facility

☐ Deteriorated Facility

☐ Previous Damage

☐ Data Not Collected

☐ Other / None of the Above *(explain)*_____

_____

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G4 - Other Outside Force Damage - *only one **sub-cause** can be picked from shaded left-hand column

☐ **Nearby Industrial, Man-made, or Other Fire/Explosion as Primary Cause of Accident**	
☐ **Damage by Car, Truck, or Other Motorized Vehicle/Equipment NOT Engaged in Excavation**	1. Vehicle/Equipment operated by: *(select only one)* ○ Operator ○ Operator's Contractor ○ Third Party
☐ **Damage by Boats, Barges, Drilling Rigs, or Other Maritime Equipment or Vessels Set Adrift or Which Have Otherwise Lost Their Mooring**	2. Select one or more of the following IF an extreme weather event was a factor: ○ Hurricane ○ Tropical Storm ○ Tornado ○ Heavy Rains/Flood ○ Other _____
☐ **Routine or Normal Fishing or Other Maritime Activity NOT Engaged in Excavation**	
☐ **Electrical Arcing from Other Equipment or Facility**	
☐ **Previous Mechanical Damage NOT Related to Excavation**	**Complete Questions 3-7 ONLY IF the "Item Involved in Accident" (from PART C, Question 3) is Pipe or Weld.** 3. Has one or more internal inspection tool collected data at the point of the Accident? ○ Yes ○ No 3.a If Yes, for each tool used, select type of internal inspection tool and indicate most recent year run: ○ Magnetic Flux Leakage /__/__/__/__/ ○ Ultrasonic /__/__/__/__/ ○ Geometry /__/__/__/__/ ○ Caliper /__/__/__/__/ ○ Crack /__/__/__/__/ ○ Hard Spot /__/__/__/__/ ○ Combination Tool /__/__/__/__/ ○ Transverse Field/Triaxial /__/__/__/__/ ○ Other _____ /__/__/__/__/ 4. Do you have reason to believe that the internal inspection was completed BEFORE the damage was sustained? ○ Yes ○ No 5. Has one or more hydrotest or other pressure test been conducted since original construction at the point of the Accident? ○ Yes ⇨ Most recent year tested: /__/__/__/__/ Test pressure (psig): /__/__/,/__/__/__/ ○ No 6. Has one or more Direct Assessment been conducted on the pipeline segment? ○ Yes, and an investigative dig was conducted at the point of the Accident ⇨ Most recent year conducted: /__/__/__/__/ ○ Yes, but the point of the Accident was not identified as a dig site ⇨ Most recent year conducted: /__/__/__/__/ ○ No *(This section continued on next page with Question 7.)*

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	7. Has one or more non-destructive examination been conducted at the point of the Accident since January 1, 2002? O Yes O No 7.a If Yes, for each examination conducted since January 1, 2002, select type of non-destructive examination and indicate most recent year the examination was conducted: O Radiography / / / / / O Guided Wave Ultrasonic / / / / / O Handheld Ultrasonic Tool / / / / / O Wet Magnetic Particle Test / / / / / O Dry Magnetic Particle Test / / / / / O Other _____ / / / / /
☐ **Intentional Damage**	8. Specify: O Vandalism O Terrorism O Theft of transported commodity O Theft of equipment O Other _____
☐ **Other Outside Force Damage**	*9. Descr be: _____

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G5 - Material Failure of Pipe or Weld

Use this section to report material failures ONLY IF the "Item Involved in Accident" (from PART C, Question 3) is "Pipe" or "Weld."

*Only one **sub-cause** can be picked from shaded left-hand column

1. The sub-cause selected below is based on the following: *(select all that apply)*

☐ Field Examination ☐ Determined by Metallurgical Analysis ☐ Other Analysis_____

☐ Sub-cause is Tentative or Suspected; Still Under Investigation *(Supplemental Report required)*

☐ **Construction-, Installation-, or Fabrication-related**

☐ **Original Manufacturing-related (NOT girth weld or other welds formed in the field)**

2. List contributing factors: *(select all that apply)*

☐ Fatigue- or Vibration-related:
- ○ Mechanically-induced prior to installation (such as during transport of pipe)
- ○ Mechanical Vibration
- ○ Pressure-related
- ○ Thermal
- ○ Other _____

☐ Mechanical Stress

☐ Other _____

☐ **Environmental Cracking-related**

3. Specify: ○ Stress Corrosion Cracking ○ Sulfide Stress Cracking ○ Hydrogen Stress Cracking ○ Other _____

Complete the following if any Material Failure of Pipe or Weld sub-cause is selected.

*4. Additional factors: *(select all that apply)* ○ Dent ○ Gouge ○ Pipe Bend ○ Arc Burn ○ Crack ○ Lack of Fusion ○ Lamination ○ Buckle ○ Wrinkle ○ Misalignment ○ Burnt Steel ○ Other _____

*5. Has one or more internal inspection tool collected data at the point of the Accident? ○ Yes ○ No

*5.a If Yes, for each tool used, select type of internal inspection tool and indicate most recent year run:

○ Magnetic Flux Leakage Tool	/__/__/__/__/
○ Ultrasonic	/__/__/__/__/
○ Geometry	/__/__/__/__/
○ Caliper	/__/__/__/__/
○ Crack	/__/__/__/__/
○ Hard Spot	/__/__/__/__/
○ Combination Tool	/__/__/__/__/
○ Transverse Field/Triaxial	/__/__/__/__/
○ Other _____	/__/__/__/__/

*6. Has one or more hydrotest or other pressure test been conducted since original construction at the point of the Accident?

○ Yes ⇨ Most recent year tested: /__/__/__/__/ Test pressure (psig): /__/__/,/__/__/__/

○ No

*7. Has one or more Direct Assessment been conducted on the pipeline segment?

○ Yes, and an investigative dig was conducted at the point of the Accident ⇨ Most recent year conducted: /__/__/__/__/

○ Yes, but the point of the Accident was not identified as a dig site ⇨ Most recent year conducted: /__/__/__/__/

○ No

*8. Has one or more non-destructive examination(s) been conducted at the point of the Accident since January 1, 2002?

○ Yes ○ No

*8.a If Yes, for each examination conducted since January 1, 2002, select type of non-destructive examination and indicate most recent year the examination was conducted:

○ Radiography	/__/__/__/__/
○ Guided Wave Ultrasonic	/__/__/__/__/
○ Handheld Ultrasonic Tool	/__/__/__/__/
○ Wet Magnetic Particle Test	/__/__/__/__/
○ Dry Magnetic Particle Test	/__/__/__/__/
○ Other _____	/__/__/__/__/

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G6 - Equipment Failure - *only one **sub-cause** can be picked from shaded left-hand column

☐ **Malfunction of Control/Relief Equipment**	1. Specify: *(select all that apply)* ○ Control Valve ○ Instrumentation ○ SCADA ○ Communications ○ Block Valve ○ Check Valve ○ Relief Valve ○ Power Failure ○ Stopple/Control Fitting ○ ESD System Failure ○ Other _____
☐ **Pump or Pump-related Equipment**	2. Specify: ○ Seal/Packing Failure ○ Body Failure ○ Crack in Body ○ Appurtenance Failure ○ Other _____
☐ **Threaded Connection/Coupling Failure**	3. Specify: ○ Pipe Nipple ○ Valve Threads ○ Mechanical Coupling ○ Threaded Pipe Collar ○ Threaded Fitting ○ Other _____
☐ **Non-threaded Connection Failure**	4. Specify: ○ O-Ring ○ Gasket ○ Seal (NOT pump seal) or Packing ○ Other _____
☐ **Defective or Loose Tubing or Fitting**	
☐ **Failure of Equipment Body (except Pump), Tank Plate, or other Material**	
☐ **Other Equipment Failure**	*5. Describe: _____ _____

Complete the following if any Equipment Failure sub-cause is selected.

*6. Additional factors that contributed to the equipment failure: *(select all that apply)*

- ○ Excessive v bration
- ○ Overpressurization
- ○ No support or loss of support
- ○ Manufacturing defect
- ○ Loss of electricity
- ○ Improper installation
- ○ Mismatched items (different manufacturer for tubing and tubing fittings)
- ○ Dissimilar metals
- ○ Breakdown of soft goods due to compatibility issues with transported commodity
- ○ Valve vault or valve can contributed to the release
- ○ Alarm/status failure
- ○ Misalignment
- ○ Thermal stress
- ○ Other _____

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G7 - Incorrect Operation - *only one **sub-cause** can be picked from shaded left-hand column

☐ **Damage by Operator or Operator's Contractor NOT Related to Excavation and NOT due to Motorized Vehicle/Equipment Damage**	
☐ **Tank, Vessel, or Sump/Separator Allowed or Caused to Overfill or Overflow**	1. Specify: ○ Valve misalignment ○ Incorrect reference data/calculation ○ Miscommunication ○ Inadequate monitoring ○ Other _____
☐ **Valve Left or Placed in Wrong Position, but NOT Resulting in a Tank, Vessel, or Sump/Separator Overflow or Facility Overpressure**	
☐ **Pipeline or Equipment Overpressured**	
☐ **Equipment Not Installed Properly**	
☐ **Wrong Equipment Specified or Installed**	
☐ **Other Incorrect Operation**	*2. Describe: _____

Complete the following if any Incorrect Operation sub-cause is selected.

*3. Was this Accident related to: *(select all that apply)*
- ○ Inadequate procedure
- ○ No procedure established
- ○ Failure to follow procedure
- ○ Other: _____

*4. What category type was the activity that caused the Accident:
- ○ Construction
- ○ Commissioning
- ○ Decommissioning
- ○ Right-of-Way activities
- ○ Routine maintenance
- ○ Other maintenance
- ○ Normal operating conditions
- ○ Non-routine operating conditions (abnormal operations or emergencies)

*5. Was the task(s) that led to the Accident identified as a covered task in your Operator Qualification Program? ○ Yes ○ No

*5.a If Yes, were the individuals performing the task(s) qualified for the task(s)?
- ○ Yes, they were qualified for the task(s)
- ○ No, but they were performing the task(s) under the direction and observation of a qualified individual
- ○ No, they were not qualified for the task(s) nor were they performing the task(s) under the direction and observation of a qualified individual

G8 – Other Accident Cause - *only one **sub-cause** can be picked from shaded left-hand column

☐ **Miscellaneous**	*1. Describe: _____ _____
☐ **Unknown**	*2. Specify: ○ Investigation complete, cause of Accident unknown ○ Still under investigation, cause of Accident to be determined* *(*Supplemental Report required)*

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PART H – NARRATIVE DESCRIPTION OF THE ACCIDENT *(Attach additional sheets as necessary)*

***PART I – PREPARER AND AUTHORIZED SIGNATURE**

*Preparer's Name (type or print)

Preparer's Telephone Number

Preparer's Title (type or print)

Preparer's E-mail Address

Preparer's Facsimile Number

Authorized Signature

*Date

Au horized Signature Telephone Number

*Authorized Signature's Name (type or print)

Authorized Signature's Title (type or print)

Au horized Signature's E-mail Address

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DISCHARGE INFORMATION SHEET

INVOLVED PARTIES

A. Reporting Party	B. Suspected Responsible Party
Name:	Name:
Phone:	Phone:
Company:	Company:
Position:	Organization Type (check appropriate line):
Address:	☐ Private Citizen ☐ Private Enterprise
City:	☐ Public Utility ☐ Other
State: Zip:	☐ Government: Local ☐ State ☐ Federal ☐
Person Discovering Discharge:	Address:
Name:	
Company/Org.:	City, State, Zip:

Were materials released? ☐ Yes ☐ No Explosion? ☐ Yes ☐ No

Is responsible party aware of the incident? ☐ Yes ☐ No Fire? ☐ Yes ☐ No

INCIDENT DESCRIPTION: (fill in or indicate source, cause, and on-site location of incident)

Date: Time:

Incident Address/Location:

If in remote locale, indicate distance from the nearest town/city:

Source of Release (if known):

Storage Tank Total Capacity:

Lat: Degrees Minutes Seconds Long: Degrees Minutes Seconds

MATERIAL(S) RELEASED:	Is MSDS Included? Yes/No	Qty Released on Land	Qty Released in Water

REMEDIAL ACTION: (Actions taken to correct or mitigate incident, if any)

Indicate here if information provided on additional sheets: ☐

IMPACT:

Were there Injuries? ☐ YES ☐ NO ☐ Unknown Number of injuries:

Were there Fatalities? ☐ YES ☐ NO ☐ Unknown Number of fatalities:

Were there Evacuations? ☐ YES ☐ NO ☐ Unknown Number evacuated:

Was there any Damage? ☐ YES ☐ NO ☐ Unknown Damage in Dollars: $

WEATHER INFORMATION

Weather Conditions: Wind Speed:

Air Temperature: Wind Directions:

ADDITIONAL INFORMATION (Anything pertinent not reported elsewhere in the report):

Indicate here if information provided on additional sheets: ☐

CALLER NOTIFICATIONS (Remember**: It Is Not Necessary To Wait For All Information Before Calling The National Response Center):**

☐ NRC: **800-424-8802** ☐ TGLO: **800-832-8224** ☐ EPA Region VI: **866-372-7745**

☐ LEPC:**281-457-2768** ☐ USCG: **713-671-5100** ☐ Fire/Police Department: **911**

☐ RRC: **512-463-6788** ☐ TCEQ Region 12: **713-767-1500** ☐ Harris Co.: **713-920-2831**

When making phone notifications, keep a log of all calls made.

Copy this form as needed. Retain completed records on-site.

Texas Natural Resource Conservation Commission Air Program
5425 Polk Ave., Ste. H
Houston, Tx 77023-1486 Phone: (713) 767-3500

Submit Completed Report via :	Fax *(preferred)*	(713) 767-3799
	Email	upset12@tnrcc.state.tx.us

Upset or Maintenance (U/M) Notification Form for Reportable Events

Company Name		**TNRCC Account No.**	
Site Name *(if different)*			
Person Making this Notification		**Phone**	
Contact for this Event *(if different)*		**Phone**	
Does this notification constitute the final record for this event? *(x)*		Yes	No
Common Name of Facility/Process Unit involved in the Event		**Emission Point Number (EPN) or Facility Identification Number (FIN)** *(from Site Emissions Inventory or Permit, if any)*	

This Event is attributed to *(Indicate one)*		**Upset**	**The Event Was Initially Discovered (or is anticipated to begin) on**				**at**			*military time: e.g. 13:00 rather than 1:00 pm*		*AGENCY USE ONLY*	
		Maintenance		*mm*	*dd*	*yyyy*		*hh*	*mm*			*E#*	
		Startup	**The Event was ongoing (or is anticipated to be ongoing) for an** *(Indicate one)*		**Actual**		**time of**			**a n d**		*U#*	
		Shutdown			**Estimated**			*hh*			*mm*	*AGENCY USE ONLY*	

Name (s) of Air Contaminant Compound(s) actually or expected to be released as a result of the Event *See instructions for reporting air contaminant compounds.*	**Estimated Quantity Released** *(report in pounds or percentage only)*

Cause of the Event	
Actions taken to minimize emissions related to the Event	
For upsets only: **Actions taken to correct**	

INSTRUCTIONS FOR FORM RSPA F 7000-1 (1-2001)
ACCIDENT REPORT - HAZARDOUS LIQUID PIPE SYSTEMS

GENERAL INSTRUCTIONS

Each hazardous liquid pipeline operator shall file Form RSPA F 7000-1 for an accident that meets the criteria in 49 CFR §195.50 as soon as practicable but not more than 30 days after the accident. Hazardous liquid releases during maintenance or other routine activities need not be reported if the spill was less than 5 barrels, not otherwise reportable under 49 CFR §195.50, and did not result in water pollution as described by 49 CFR §195.52(a)(4). Any spill of 5 gallons or more to water shall be reported.

Consult 49 CFR §195.50 for reporting requirements. If you have questions about this report or these instructions or need copies of Form RSPA F 7000-1, please write to the Information Resources Manager, or call (202)366-4569. All forms and instructions are on the OPS home page, http://ops.dot.gov.

SPECIAL INSTRUCTIONS

1. An entry should be made in each space.
2. Please try to obtain the information necessary to accurately and completely answer each question.
3. If the data is unavailable, enter "unknown"
4. If possible, provide an estimate in lieu of answering a question with "Unknown".
5. For unknown or estimated data entries, the operator should file a supplemental report when additional information becomes available.
6. If the block is not applicable, please enter N/A.

In blocks requiring numbers, all blocks should be filled in using zeroes when appropriate. When decimal points are required, the decimal point should be placed in a separate block.

Examples: (Part D, item 1) Nominal Pipe Size /0/0/2/4/ inches
/1/./5/0/ inches

(Part D, item 1) Wall Thickness /./5/O/O/ inches
/1/./2/5/ inches

If OTHER is checked, include an explanation or description on the line next to the item checked.

SPECIFIC INSTRUCTIONS

PART A - GENERAL REPORT INFORMATION

Initial, Supplemental, Final Report Section

Check the appropriate box:
□ Original Report □ Supplemental Report □ Final Report.

If this is the initial report filed for this accident, check the box for "Original Report". If all of the information requested is known and provided at the time the initial report is filed, including final property damages and failure cause information, check the box for Final Report as well as the box for Original Report, indicating that no further information will be forthcoming.

If this is an update or revision to an Original Report but all information requested is still not known, check "Supplemental Report".

If all requested relevant information has been provided, and there will be no further updates to reported property damages or accident cause information, check the box for "Final Report".

If you are filing a supplemental or final report, please check the Supplemental Report or Final Report box and complete Part A(1)and Part B. Please do not enter previously submitted information.

A 1. The Research and Special Programs Administration (RSPA) assigns the operator's five-digit identification number. If you do not know the operator identification number, please leave that item blank. The operator address entry in 1.d and 1.e is the office filing the accident report. If the operator does not own the pipeline, enter the Owner's five digit identification number in 1.b. You may contact us at (202)366-8075 during our business hours of 7:30 AM to 5:00 PM Easter time if you need assistance with an identification number for 1.a or 1.b.

SMALL SPILLS (5 GALLONS TO 5 BARRELS)

IMPORTANT: For small spills not otherwise reportable under CFR 195.50 nor resulting in water pollution as described by 49 CFR 195.52, complete only page one. If spill is less than one barrel, enter loss in gallons. Estimate amount spilled and recovered as closely as possible. Do not include amount of water recovered as part of commodity recovered amount. Estimate the total property damage for sections under property damage reporting if exact amounts aren't known. Complete preparer's name and contact information section. Check the box for FINAL REPORT and submit the report.

ALL OTHER REPORTABLE SPILLS
For spills: of 5 or more gallons resulting in water pollution as described in 49 CFR §195.52(A)(4); of 5 or more barrels; or reportable by other criteria as per 49 CFR §195.50, complete as much of the form as possible within the 30 day filing period. If total property damage, cause information or other information is not known within 30 days, submit the original report and provide supplemental updates every 6 months until such time as a final report can be submitted. We plan to remind operators every six months about reports needing updates.

A 2. The time of the accident should be shown by 24-hour clock notation.

Examples:

1. (0000) = midnight = /0/0/0/0/
2. (0800) = 8:00 a.m. = /0/8/0/0/
3. (1200) = Noon = /1/2/0/0/

4. (1715) = 5:15 p.m. = /1/7/1/5/
5. (2200) = 10:00 p.m.= /2/2/0/0/

A 3. Accident location information should be as complete as possible, including the nearest City, Town, Township, County or Parish, Borough, Section, and Range. Offshore accident identification should be located by State or Outer Continental Shelf (OCS) identification and block identification. In addition to the general location information, provide latitude and longitude, if available, including projection and datum used in collecting the data.

If latitude and longitude of the accident are unknown, RSPA provides a tool located at www.npms.rspa.dot.gov, for locating accidents. The filer can use the online tool to identify the geographic location of the accident, print a map of the area, identify the accident location on the map, and then attach the map to the accident report. Providing a map generated with this tool will meet the requirements for providing specific location information in lieu of having latitude and longitude information. If a filer does not have Internet access, please contact the OPS Mapping Department Manager at 202-366-4595. RSPA will provide the filer with a base map that can be used in identifying the accident location.
Federal Land other than Outer Continental Shelf means all lands the United States owns, including military reservations, except lands in National Parks and lands held in trust for Native Americans. Accidents at Federal buildings, such as Federal Court Houses, Custom Houses, and other Federal office buildings and warehouses, are not to be reported as being on Federal Lands.

A 5. Estimate costs/losses for the items provided in this section. Do not report costs incurred for facility repair, replacement, or change that is not related to the accident done solely for convenience. An example of doing work solely for convenience is working on facilities unearthed because of the accident. Litigation and other legal expenses related to the accident are not reportable.

PART B - PREPARER AND AUTHORIZED SIGNATURE

Preparer is the name of the person who prepared the responses to the form and who is to be contacted for more information (preferably the person most knowledgeable about the information in the report).

Authorized Signature may be the preparer, an officer, or other person whom the operator has designated to review and sign reports. Please enter the preparer's e-mail address if the preparer has one.

PART C - ORIGIN OF Accident

C 2. Location of System Involved:

High consequence area means:
1. A commercially navigable waterway, which means a waterway where a substantial likelihood of commercial navigation exists;
2. A high population area, which means an urbanized area as defined and delineated by the Census Bureau that contains 50,000 or more people and has a population density of at least 1,000 people per square mile;
3. Any other populated area, which means a place as defined and delineated by the Census Bureau that contains a concentrated population, such as an incorporated or unincorporated city, town, village, or other designated residential or commercial area;
4. An unusually sensitive area, as defined in 195.6

C 3. Part of System Involved in Accident

If the failure occurred on an item not provided in this section, check the "OTHER" box and specify in the space provided the part of the structure that failed. If failure occurred on **onshore or offshore pipeline**, complete C a through g.

Leak - an unintentional release of product from a pipeline requiring repair to the pipeline. The source of the leak may be holes, cracks (including propagating and non-propagating, longitudinal and circumferential cracks), separation or pull-out, and loose connections.

Rupture - a complete failure of a portion of the pipeline.

Propagation - the extension of the original opening in the pipeline in an area of nominal wall thickness resulting from the internal forces on the pipeline.

Tear - an extension of the original opening in the pipeline resulting from an externally applied force, such as a bulldozer, backhoe, or grader.

Note: for C 3 a - {Type of Leak or Rupture}, *Connection Failure* refers only to accidents where failure occurred on a connection that joined two segments of pipe.

"Year the pipe/component which failed was installed" means the year installed at the accident location.

PART D - MATERIAL SPECIFICATION

Complete section D (1 through 6), if pipe or valve failed.

ITEM 1. Nominal pipe size is the diameter in inches used to describe the pipe size; for example, 2-inch, 4-inch, 8-inch, 12-inch, 30-inch.

ITEM 2. Enter pipe wall thickness in inches. Use decimals as necessary.

ITEM 3. Specification is the specification to which the pipe or component was manufactured, such as API 5L or ASTM A106. When more than one item has failed, and the origin of the failure is not clear, complete Part C ITEM 2 to explain the additional item(s).

ITEM 4. *Common seam types: (Acronyms used in Part H5, item 19:*
LF ERW : low frequency electro-resistance weld
HF ERW : high frequency electro-resistance weld
DSAW : double-submerged arc weld
SAW : submerged arc weld

ITEM 5. Some valve types are: flange-welded, bell-plug, etc.

PART E - ENVIRONMENT

"Under pavement" includes under streets, sidewalks, paved roads, driveways and parking lots.

Provide depth of cover in inches where accident involved buried pipe or component.

PART F - CONSEQUENCES

F 1 a. - injuries are those that require in-patient hospitalization, meaning hospital admission and at least one overnight stay.

For F 2 a, because of the difficulty in estimating number of individual animals or species affected, we do not ask quantity, rather, we only provide a

check box to indicate if any species were impacted.

If product ignited, but there was no explosion, check box F1c. If an explosion occurred, check box F1d.

For F 1 f, "Elapsed time until the area was made safe" means the amount of time starting from the accident occurrence until the time that the accident is brought under control and does not significantly threaten public safety. This does not necessarily mean that the flow of product has been stopped. If the time of occurrence is unknown, the time when the operator was first notified or made aware of the accident should be used to calculate elapsed time.

PART G - LEAK DETECTION INFORMATION

Enter the requested information about leak detection systems.

PART H - APPARENT CAUSE

There are 25 numbered causes in Part H. The 25 causes are divided into 8 categories in sections H1 through H8. Check the box indicating the general cause of the accident and check the circle indicating the specific cause.

PART H1 - CORROSION

Corrosion includes a leak or failure caused by galvanic, bacterial, chemical, stray current, or other corrosive action. Examples: A corrosion leak is not limited to a hole in the pipe. If the bonnet or packing gland on a valve or flange on piping becomes loose and leaks due to corrosion and failure of bolts, it is classified as Corrosion. If the bonnet, packing, or other gasket has deteriorated before the end of its expected life and caused a leak or failure and a new gasket is required, it is classified as a Material Defect. Leaks resulting from materials deteriorating after the expected life of the materials are classified as "Other". Leaks due to deterioration from corrosion, however, are classified as "Corrosion".

Complete H1 parts a - e where applicable.
If the cause was Stress Corrosion Cracking, check the block for Stress Corrosion Cracking under H1 (c).

Subpart a - Pipe Coating
Galvanized pipe with no dielectric coating is considered bare.

Subpart d - Cathodic Protection
"Under cathodic protection" means cathodic protection in accordance with Part 195.242, 195.414, and 195.416. Recognizing that older pipelines may have had cathodic protection added over a number of years, provide an estimate if exact year cathodic protection started is unknown.

PART H2 - NATURAL FORCES

ITEMS 3 - 7: Natural Forces.

This includes all outside forces attributable to causes not involving humans. "Earth Movement" refers to failures caused by land shifts such as earthquakes, landslides, or subsidence.

"Heavy rains and floods" refer to all water related failure causes such as washouts, flotation, mudslides, or water scouring. While mudslides involve earth movement, report them here since typically they are an effect of heavy rains or floods.

"Temperature" refers to those causes that are related to temperature effects, or where temperature was the initial cause; for example, thermal stress, frost heave, or frozen component failures.

PART H3 - EXCAVATION DAMAGE

This section covers excavator damage by operator, operator's contractor, utilities, or others.

Complete subparts a - g if any cause was checked in Part H3(9).

ITEMS 8 - 9: Excavation.

Item 8: check this item if the operator or the operator's contractor or agent caused the failure, or if caused by another party working for the operator as a result of excavation.

Item 9: Third Party Damage- check this item if failure cause was from excavation damages resulting from action by a third party, that is, by a party other than the operator or the operator's agent.

Subpart 9e- "Prior notification" means that the operator had been notified that excavation or construction work was to be done near the pipeline before the accident occurred. If the operator was notified, but the operator believes the notice was inadequate, improper, or incomplete, check NO and explain in Part G, Narrative Description Of Factors Contributing to the Event, how the notice was inadequate, improper or incomplete.

Subpart 9f- "Was pipeline marked as a result of location request for excavation?": Indicate whether the pipeline was marked. If the pipeline was marked, complete all items i through iv that apply.

PART H4 - OTHER OUTSIDE FORCE DAMAGE

This section covers damages to pipelines or facilities caused by external forces other than excavation damage.

ITEMS 10- 13 Cover other failures caused by damages to pipelines by external forces other than excavation or natural forces. Fire/explosion as primary cause of failure implies that fire/explosion occurred prior to failure and not as a result of failure. If a fire/explosion occurred as a result of the failure not as primary cause of the failure, do not check item 10, but check Part F item 1c or 1d. If the primary failure cause was damage by a vehicle other than a vehicle involved in excavation, check item 11. If a vehicle involved in excavation caused the damage, check the appropriate item under the Excavation Damage section (items 8 and 9).

PART H5 - MATERIAL AND/OR WELD FAILURES

"Fitting" means a device, usually metal, for joining lengths of pipe into various piping systems. It includes couplings, ells, tees, crosses, reducers, unions, caps and plugs.

ITEMS l4 - 16, Material.

This section includes leaks or failures from a defect within the material of the pipe, component or joint due to faulty manufacturing procedures. Leaks or failures resulting from material deterioration and not resulting from an original defect or corrosion are reported under "Other". Complete subparts a - g if any cause was checked in Part H5.

ITEMS l7 - 19, Welds.

Acronyms used in this section:
LF ERW : low frequency electro-resistance weld
HF ERW : high frequency electro-resistance weld
DSAW : double-submerged arc weld
SAW : submerged arc weld

"Weld-related material defects" includes leaks or failures from a defect within the material of the pipe, component or longitudinal weld or seam due to faulty welding or weld-related manufacturing procedures.

Sub-Elements a - g
"Construction defect" includes leaks in or failures of originally sound material due to force being applied during field construction that caused a dent, gouge, excessive stress, or some other defect that eventually resulted in failure. Included are leaks in or failures of wrinkle bends, field welds, and damage sustained in transportation to the construction or fabrication site.

PART H6 - EQUIPMENT

This section includes malfunctions of control and relief equipment (typically the result of failed and leaking valves), failures of threaded components and broken pipe couplings, including thread failures, and failures in seal/pump packings. Accidents resulting from incorrect operations or inadequate procedures are also included in this category. Report gasket or o-ring failures under Part H5, item 16, Joints, by checking the appropriate circle for gasket or o-ring.

Item 20- Malfunction of Control/Relief Equipment

Examples of this type of failure cause include: overpressurizations resulting from malfunction of control or alarm device; relief valve malfunction: and valves failing to open or close on command; or which opened or closed when not commanded to do so.

Item 21 - Threads stripped, broken pipe coupling

Examples of this type of failure include failures on compressors, meters, or regulator stations where the failure resulted from a crack in a component or threads of a component such as nipples, flanges, valve connections, line pipe collars, etc.

Item 22 - Ruptured or Leaking Seal/Pump Packing

Examples of this type of failure generally include failures of compressor pump packing or other pump seals.

PART H7 - INCORRECT OPERATION

Incorrect operation failures typically result from faulty or inadequate procedures. These types of failures most often occur during maintenance activities. Some examples of this type of failure are unintentional product ignition during a welding or maintenance activity; other reportable accidents causing a fire, or failures where human error, employee fatigue, and/or lack of experience may have played a role.

PART H8 - OTHER

This section is provided for failure causes that do not fit in any category in Sections H1 through H7. If the failure cause is unknown at time of filing this report, check item 25. If the failure cause is known but doesn't fit in any category in sections H1 through H7, check item 24 and describe the cause. Continue in Part I, narrative description, if more space is needed.

PART I - NARRATIVE DESCRIPTION OF FACTORS CONTRIBUTING TO THE ACCIDENT

Concisely describe the accident, including the facts, circumstances, and conditions that may have contributed directly or indirectly to causing the accident. You may explain any estimated data in the narrative. If you checked the OTHER block in Part H8 item 24 or 25, the narrative should describe the

accident in detail, including the timeline, sequence of events, and all known or suspected causes. Use this section to clarify or explain unusual conditions.

ATTACHMENT D

FACILITY INSPECTION FORM AND

SPILL RESPONSE EQUIPMENT

INVENTORY LIST

MONTHLY SPCC INSPECTION FORM

Inspector Name/Title: _____

Inspection Date: _____

Subject of the inspection:

Oil-containing Storage and Transfer Systems (e.g., tanks, containers, drums, reservoirs; pumps, valves, piping, tank truck transfer equipment; secondary containment systems)

		YES	NO	NA
1.	Has any leakage from the secondary containment systems been detected?			
2.	Has any damage of the secondary containment systems been detected?			
3.	Are containment valves leaking?			
4.	Has any leakage been detected at the tank's seams, connections, or gaskets?			
5.	Has any leakage been detected at joints, connections, or valves in the aboveground transfer lines?			
6.	Has any damage to transfer equipment supports been detected?			
7.	Is the secondary containment free of standing liquids?			
8.	Is the sump system in good operating condition?			
9.	Are the drain valves closed and locked?			
10.	Are all the systems in good operating condition?			
11.	Is the necessary response equipment available and is it in good operating condition?			
12.	Did any discharges of oil occur at the facility since the last inspection?			
13.	If yes, did the discharge reach waters of the state and caused a film or sheen upon or discoloration of the surface of the water or adjoining shoreline?			
14.	Or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shoreline of the surface water flowing from the facility?			
15.	Was the incident properly reported, responded to, and adequately remediated and the records maintained on-site?			

Describe any deficiencies highlighted above and remedial actions taken (i.e., repair work orders) here (attach additional sheets if necessary):

MAINTAIN COMPLETED FORMS ON-SITE FOR 5 YEARS.

MONTHLY SPCC INSPECTION CHECKLISTS

Tank Inspection Checklist*

Check tanks for leaks, specifically looking for:
(1) Drip marks;
(2) Discoloration of tanks;
(3) Puddles containing stored material;
(4) Corrosion;
(5) Cracks; and
(6) Localized dead vegetation.

Check foundation for:
(1) Cracks;
(2) Discoloration;
(3) Puddles containing stored material;
(4) Settling;
(5) Gaps between tank and foundation; and
(6) Damage caused by vegetation roots.

Check piping for:
(1) Droplets of stored material;
(2) Discoloration;
(3) Corrosion;
(4) Bowing of pipe between supports;
(5) Evidence of stored material seepage on valves or seals; and
(6) Localized dead vegetation.

**Note: For complete list of tanks used at the facility, see Attachment 0.*

Secondary Containment Checklist**

Dike or berm system:
(1) Level of precipitation in dike/available capacity
(2) Operational status of drainage valves
(3) Dike or berm permeability
(4) Debris
(5) Erosion
(6) Permeability of the earthen floor of diked area
(7) Location/status of pipes, inlets, drainage beneath tanks, etc.

Secondary containment:
(1) Cracks
(2) Discoloration
(3) Presence of stored material (standing liquid)
(4) Corrosion
(5) Valve conditions

***Note: For complete list of secondary containment areas utilized at the facility, see Attachment 0.*

Response Equipment Checklist

Using the HFOTCO Spill Response Equipment Inventory list provided on the following page, describe each type of equipment, checking for the following:

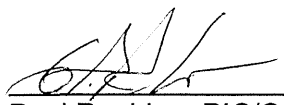
(1) Inventory (item and quantity);
(2) Storage location;
(3) Accessibility (time to access and respond);
(4) Operational status/condition;
(5) Actual use/testing (last test date and frequency of testing); and
(6) Shelf life (present age, expected replacement date).

Please note any discrepancies between the attached list and the actual equipment available.

HFOTCO SPILL RESPONSE EQUIPMENT INVENTORY

Equipment Information	Qty	Description	Time to Deploy (hrs)	Storage Location
Boom - Beta IB	1	Fence-type; 7,500 ft long, 18" skirt; universal end connector.	0.5	See Figure 5
John boats	4	Equipped with 25-40 hp motors	0.5	See Figure 5
Absorbent pads	> 20 bundles	24" X 24" oil absorbent pads	Available immediately	See Figure 5
Oil/water separator	1	1,428 bph nameplate capacity; 6,854 bpd effective daily recovery rate.	0.5	See Figure 5
Liquid recovery storage equipment	2	Aboveground storage tanks W30-1, W30-2, 3-1 and 11-1; design type API 650; 64,100 bbls total storage capacity.	Available immediately	See Figure 5
Portable CIMA radios	8 portable & 3 base	Used by firefighters	Available immediately	See Figure 5
Portable operations radios	32+	Hand held radios used by operations staff	Available immediately	See Figure 5
Fire fighting apparatus	1	Water truck with 1,000 gallons of water; 3,500 gallons of foam	0.5	Inside fire house
Fire extinguishers	100+	20# dry chemicals; 30# purple K hand-held; 150# purple K wheeled; ABC hand-held.	Available immediately	See Figure 5
Fire pumps, hoses, and connectors	5	350 hp pumps capable to pump 2,500 gpm at 180 psi	Available immediately	See Figure 5
Fire fighting PPE	25	Hats, boots, jackets, pants, face masks, gloves, etc.	Available immediately	Inside fire house

I, hereby certify that the HFOTCO personnel and equipment, outlined in Section 4.2 of this plan and in the Table above, are owned, operated, or under the direct control of the HFOTCO facility and are available within the identified response times.



6-27-2012

Paul Roubieu, PIC/QI, Manager, Environmental & Regulatory Affairs — Date

ATTACHMENT E

RESPONSE EQUIPMENT DEPLOYMENT DRILL FORM

(RECORDS RETAINED IN PREP FILE UNDER SEPARATE COVER)

SEMI-ANNUAL EQUIPMENT DEPLOYMENT DRILL LOG

Name, Title of Person Conducting the Drill: _____

Date drill was conducted: _____

The following persons (by title) participated in the drill (**mark all that apply**):		The drill consisted of the following procedures (**mark all that apply**):	
	Operator A	Spill boom deployment	
	Operator B	Radio Checkout	
	Operations Foreman	Pump Operation	
	Terminal Manager	Wastewater System Operation	
	Operations Manager	Utilization of Absorbent Materials	
	Dockman	Fire Extinguisher Checkout	
	RTMs	Fire System Checkout	
		Facility Warning System Checkout	

Evaluation: _____

Changes to Be Implemented: _____

Time Table for Implementation: _____

Management Reviewer Signature:		Date:	
Reviewer's Name:		Reviewer's Title:	

ATTACHMENT F

FACILITY DRILLS/EXERCISES LOG FORMS

PIC/QI NOTIFICATION DRILL LOG

Name, Title of Person Conducting the Drill:_____

Date drill was conducted: _____

Company:_____

Response Coordinator:_____

Emergency Scenario:_____

Local Response Team's Response Time:_____

Contracted Personnel Response Time:_____

Facility Personnel Response Time:_____

Notes:_____

_____

_____

Changes to be Implemented:_____

_____

_____

_____

Time Table for Implementation:_____

_____

_____

Management Reviewer Signature:		Date:	
Reviewer's Name:		Reviewer's Title:	

SPILL MANAGEMENT TEAM TABLETOP EXERCISE LOG

Name, Title of Person Conducting the Exercise:_____

Date exercise was conducted*: _____
**Comprehensive tabletop drill is conducted every three years.*

The following persons (by title) participated in the drill (**mark all that apply**):		The items checked below constitute the drill agenda (**mark all that apply**):	
	A Operator	Worst-case discharge	
	B Operator	Evacuation incidents (i.e., fires, explosions, etc.)	
	RTMs	Maximum most probable discharge	
	Operations Foreman	Average most probable discharge	
	Terminal President	Other potential discharge incidents as the management team deems advisable to review	
	Executive Vice President of Terminal Operations and Customer Service	Temporary storage requirements	
	Manager of Environmental & Regulatory Affairs	Recovery and waste disposal	
	Executive Vice President of Maintenance and Regulatory Affairs	On-site equipment deployment for transfer spills	
		On-site equipment maintenance	
		OSROs – update and review of status of capability to respond	

Evaluation:_____

_____

_____

Changes to Be Implemented:_____

_____

_____

_____

Time Table for Implementation: _____

_____

Management Reviewer Signature:		Date:	
Reviewer's Name:		Reviewer's Title:	

CAPTAIN OF THE PORT AND OTHER "UNANNOUNCED" AND "ANNOUNCED" DRILLS

Attention terminal personnel: The USCG COTP may request the facility to participate in an unannounced drill.

DATE OF DRILL:		**DATE OF LAST DRILL:**	
TYPE OF DRILL: (Announced or Unannounced)		**TYPE OF LAST DRILL:** (Announced or Unannounced)	
Agency Conducting the Drill:			
Agency Person to Contact:			
Telephone/fax/email:			
Name/Title of Person Making This Entry:			
Date of this entry:			

DATE OF DRILL:		**DATE OF LAST DRILL:**	
TYPE OF DRILL: (Announced or Unannounced)		**TYPE OF LAST DRILL:** (Announced or Unannounced)	
Agency Conducting the Drill:			
Agency Person to Contact:			
Telephone/fax/email:			
Name/Title of Person Making This Entry:			
Date of this entry:			

DRILL LOG FORM

DATE OF DRILL:		
TYPE OF DRILL:		
Agency or Agencies Involved, if any:	Agency Contact Person Name/Title	Contact Person Phone Number
Spill Contractor(s)/ Cooperatives Involved, if any:	Contact Person Name/Title	Contact Person Phone Number
Name/Title of Facility Personnel Participating:	Agency Contact Person Name/Title	Contact Person Phone Number
Comments (attach additional sheets if necessary:		
Name/Title of Person Making This Entry:		
Signature and Date:		

ATTACHMENT G

RESPONSE TEAM TRAINING AND MEETING LOG FORMS

(RECORDS RETAINED IN PERSONNEL TRAINING FILE UNDER SEPARATE COVER)

HOUSTON FUEL OIL TERMINAL COMPANY
HOUSTON, TEXAS

YEAR: **TRAINED BY:**

EMPLOYEE NAME	RESPONSE TRAINING/DATE AND NUMBER OF HOURS	PREVENTION TRAINING/DATE AND NUMBER OF HOURS

ATTACHMENT H

FACILITY DISCHARGE PREVENTION AND RESPONSE CERTIFICATION FROM TGLO

HFOTCO SPILL RECOVERY EQUIPMENT INVENTORY

TABLE 1 – BOOM EQUIPMENT

TABLE 2 - VACUUM SYSTEM EQUIPMENT (OIL RECOVERY DEVICE)

TABLE 3 – PUMP EQUIPMENT

TABLE 4 – OIL WATER SEPARATOR EQUIPMENT

TABLE 5 – LIQUID RECOVERY STORAGE EQUIPMENT

TABLE 6 – SORBENTS

TABLE 7 – ADDITIVES AND CONTROL AGENTS

TABLE 1
BOOM EQUIPMENT

Manufacturer Information	Model No.	Year of Mfg.	Equipment Ownership	Spill Scenario	Boom Type	Length (ft)	Skirt Size (in)	Float Size (in)	End Connector	Time to Deploy (hrs)	Storage Location	Inspection	Test Method
Beta IB			HFOTCO	A, B, C	Fence	4,500	18		Universal	0.5			

SPILL SCENARIO CODES:

A - AVERAGE MOST-PROBABLE DISCHARGE
B - MAXIMUM MOST-PROBABLE DISCHARGE
C - WORST-CASE DISCHARGE

TABLE 2
VACUUM SYSTEM EQUIPMENT (OIL RECOVERY DEVICE)

Manufacturer Information	Model No.	Year of Mfg.	Equipment Ownership	Spill Scenario	System Type	Drive Type	No. of Units	Nameplate Capacity (bph)	Effective Daily Recovery Rate (bpd)	Total Daily Recovery Rate (bpd)	Hose Length (in)	Storage Capacity (barrels)	Time to Deploy (hrs)	Storage Location	Inspection	Test Method

SPILL SCENARIO CODES:

A - AVERAGE MOST-PROBABLE DISCHARGE
B - MAXIMUM MOST-PROBABLE DISCHARGE
C - WORST-CASE DISCHARGE

TABLE 3
PUMP EQUIPMENT

Manufacturer Information	Model No.	Year of Mfg.	Equipment Ownership	Spill Scenario	Pump Type	Drive Type	No. of Units	Nameplate Capacity (bph)	Effective Daily Pump Rate* (bpd)	Total Daily Recovery Rate (bpd)	Time to Deploy (hrs)	Storage Location	Inspection	Test Method

* Designated Derated Capacity

SPILL SCENARIO CODES:
A - AVERAGE MOST-PROBABLE DISCHARGE
B - MAXIMUM MOST-PROBABLE DISCHARGE
C - WORST-CASE DISCHARGE

TABLE 4
OIL WATER SEPARATOR EQUIPMENT

Manufacturer Information	Model No.	Year of Mfg.	Equipment Ownership	Spill Scenario	Design Type	Drive Type	No. of Units	Nameplate Capacity (bph)	Effective Daily Recovery Rate* (bpd)	Total Daily Recovery Rate (bpd)	Time to Deploy (hrs)	Storage Location	Inspection	Test Method
			HFOTCO	A, B, C			1	1,428	6,854	6,854	0.5	Onsite		

* Designated Derated Capacity

SPILL SCENARIO CODES:
A - AVERAGE MOST-PROBABLE DISCHARGE
B - MAXIMUM MOST-PROBABLE DISCHARGE
C - WORST-CASE DISCHARGE

TABLE 5
LIQUID RECOVERY STORAGE EQUIPMENT

Manufacturer Information	Model No.	Year of Mfg.	Equipment Ownership	Spill Scenario	Design Type	Number of Units	Capacity (barrels)	Storage Location	Inspection	Test Method
HFOTCO	80-1		HFOTCO	A, B, C	API 650	1	80,000			
HFOTCO	11-1		HFOTCO	A, B, C	API 650	1	1,100			

SPILL SCENARIO CODES:

A - AVERAGE MOST-PROBABLE DISCHARGE
B - MAXIMUM MOST-PROBABLE DISCHARGE
C - WORST-CASE DISCHARGE

TABLE 6
SORBENTS

Manufacturer Information	Model No.	Sorbent Type	Composition Type	Inventory	Additional Application Equipment Required		Additional Recovery Equipment Required		Storage Location	Inspection	Test Method
					Yes	No	Yes	No			

SPILL SCENARIO CODES:

A - AVERAGE MOST-PROBABLE DISCHARGE
B - MAXIMUM MOST-PROBABLE DISCHARGE
C - WORST-CASE DISCHARGE

TABLE 7
ADDITIVES AND CONTROL AGENTS

Products Name	Manufacturer	Inventory	Treatment Type	Storage Location	Test Method

SPILL SCENARIO CODES:

A - AVERAGE MOST-PROBABLE DISCHARGE
B - MAXIMUM MOST-PROBABLE DISCHARGE
C - WORST-CASE DISCHARGE

Desireé Westcott hand delivered a copy of the attached updates to the TGLO Online Facility Database related to the Facility Discharge Prevention Response Certificate to Robert Riemer at HFOTCO on April 29, 2010.

Coastal Issues

Texas General Land Office • Jerry Patterson, Commissioner

Oil Spill | Online Facility Database

Coastal Issues

Adopt-A-Beach
Beaches and Dunes
Coastal Coordination Council
Coastal Erosion
Coastal Management Program
Coastal Wetlands
Contacts & Publications
Oil Spill Prevention and Response
WetNet

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Natural Resources
News & Information
State Lands
Veterans Land Board

Houston Fuel Oil Terminal Company

Facility Edit Form

* - required

Password 47073 | Mailing Address Preference* ○ Owner ○ Operator ● Facility

Date Issued **08/19/2008** | Expiration Date **08/19/2013** | Entity Type **Large** | Region **2**

Status Code **15** | SMPP **No** | Certificate Number **20337**

Facility Location

Physical Address* (50 characters max.) 16642 Jacintoport Boulevard | Address Line 2

City * Houston | State **TX** | Zip * 77015

Directions to facility from nearest highway * (255 characters max.) Off Interstate-10, take Sheldon Road exit; go south on Sheldon Road two miles, then turn left onto Jacintoport

Phone * 281-452-3390 | Fax 281-452-6306 | 24 hour phone 281-452-3390

(b) (7)(F) [redacted]

Owner (if different from Facility)

Name **HFOTCO LLC**

Address 1201 S. Sheldon Road | Address Line 2

City Houston | State TX | Zip 77015

Phone 281-452-3390 | Fax 281-452-6306 | Email jim@hfotco.com

Operator (if different from Facility)

Name **Houston Fuel Oil Terminal Company**

Address 1201 S. Sheldon Road | Address Line 2

City Houston | State TX | Zip 77015

Phone 281-452-3390 | Fax 281-452-6306 | Email jim@hfotco.com

Contact

Name of **Person in Charge** (PIC - As defined in 31 TAC 19.16 a-c)

First * John | Last * Grider

Phone * 281-452-3390 | Fax 281-452-6306 | Email johngrider@hfotco.com

Name of **Local Contact Person** (if different from PIC)

First Robert | Last Riemer

Phone 281-452-3390 | Fax 281-452-6306 | Email robert@hfotco.com

Facility Information

Petroleum Products Handled*	Crude oil, #6 fuel oil, and marine diesel
Primary Business Activity *	Bulk storage facility

(b) (7)(F) [redacted]

Storage Detail

Pipeline Detail

(numbers only - no commas or other text)

If the facility has contracted with a Discharge Cleanup Organization, please provide the following information

Primary DCO	Garner Environmental	**Phone**	281-930-1200
Secondary DCO (optional)	Clean Channel Association	**Phone**	713-534-6195

Response

*** In general terms, describe the facility plan for responding to a spill (255 characters max.)**

If oil is spilled, the oil will be contained and recovered to prevent the oil spill from entering Upper Galveston Bay or downtown Houston. The recovered oil/water mixture will be treated in the onsite wastewater treatment unit.

*** List the sensitive areas in the immediate vicinity of the facility (255 characters max.)**

The priority concerns include the mechanical containment of any spilled oil to prevent environmental effects to Upper Galveston Bay.

*** Provide special instructions for GLO access (255 characters max.)**

The facility is accessible by road and water. The facility is located at mile 40.9 of the Houston Ship Channnel

*** List spill response equipment stored at facility (255 characters max.)**

The spill response equipment includes spill boats, boom, adsorbents, and mechanical logistical support equipment. The spilled oil/water mixture will be recovered and treated in the onsite wastewater treatment unit.

Submit

By my signature below, I certify that I have approved the facility's discharge prevention and response plan and have the authority to commit resources necessary to implement the plan.

X_____

[Log out] [Instructions]

Send comments to Oil Spill Prevention & Response.

Coastal Issues
Texas General Land Office • Jerry Patterson, Commissioner

Oil Spill | Online Facilities Database

Coastal Issues
Adopt-A-Beach
Beaches and Dunes
Coastal Coordination Council
Coastal Erosion
Coastal Management Program
Coastal Wetlands
Contacts & Publications
Oil Spill Prevention and Response
WetNet

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State Lands
Veterans Land Board

Houston Fuel Oil Terminal Company

Storage Detail

Tank Name/Number	Capacity In Gallons (Numbers only, no text)		
10-1	(b) (7)(F)	Update	Delete
11-1		Update	Delete
13-1		Update	Delete
13-2		Update	Delete
13-3		Update	Delete
13-4		Update	Delete
175-1		Update	Delete
175-2		Update	Delete
175-3		Update	Delete
175-4		Update	Delete
20-1		Update	Delete
20-2		Update	Delete
20-3		Update	Delete
20-4		Update	Delete
200-1		Update	Delete
200-2		Update	Delete
200-3		Update	Delete
200-4		Update	Delete
200-5		Update	Delete
200-6		Update	Delete

(b) (7)(F)

200-7	Update	Delete
200-8	Update	Delete
200-9	Update	Delete
250-1	Update	Delete
250-2	Update	Delete
250-3	Update	Delete
250-4	Update	Delete
250-5	Update	Delete
250-6	Update	Delete
250-7	Update	Delete
250-8	Update	Delete
266-1	Update	Delete
266-2	Update	Delete
3-1	Update	Delete
30-1	Update	Delete
30-11	Update	Delete
30-12	Update	Delete
30-13	Update	Delete
30-14	Update	Delete
30-15	Update	Delete
30-16	Update	Delete
30-17	Update	Delete
30-2	Update	Delete
30-3	Update	Delete
30-4	Update	Delete
30-5	Update	Delete
30-6	Update	Delete
325-1	Update	Delete
325-2	Update	Delete
37-1	Update	Delete

	(b) (7)(F)		
37-2	[redacted]	Update	Delete
38-1		Update	Delete
400-1		Update	Delete
400-2		Update	Delete
400-3		Update	Delete
400-4		Update	Delete
400-5		Update	Delete
400-6		Update	Delete
400-7		Update	Delete
400-8		Update	Delete
400-9		Update	Delete
80-1		Update	Delete
80-10		Update	Delete
80-11		Update	Delete
80-12		Update	Delete
80-13		Update	Delete
80-14		Update	Delete
80-15		Update	Delete
80-16		Update	Delete
80-17		Update	Delete
80-18		Update	Delete
80-19		Update	Delete
80-2		Update	Delete
80-20		Update	Delete
80-21		Update	Delete
80-22		Update	Delete
80-23		Update	Delete
80-24		Update	Delete
80-25		Update	Delete
80-26		Update	Delete

	(b) (7)(F)		
80-27	[redacted]	Update	Delete
80-28		Update	Delete
80-29		Update	Delete
80-3		Update	Delete
80-30		Update	Delete
80-31		Update	Delete
80-32		Update	Delete
80-33		Update	Delete
80-34		Update	Delete
80-35		Update	Delete
80-36		Update	Delete
80-37		Update	Delete
80-38		Update	Delete
80-4		Update	Delete
80-5		Update	Delete
80-6		Update	Delete
80-7		Update	Delete
80-8		Update	Delete
80-9		Update	Delete
95-1		Update	Delete
95-2		Update	Delete
DAF Tank		Update	Delete
Diesel Tank		Update	Delete
East O/W Separator		Update	Delete
Gasoline Tank		Update	Delete
Kerosene Tank		Update	Delete
Waste Oil Tank		Update	Delete
West O/W Separator		Update	Delete

Add New Tank **Capacity in**

Tank Name/Number	Gallons (Numbers only - no commas or other text)

Submit

[Log out] [Main Page] [Instructions]

Send comments to Oil Spill Prevention & Response.

TEXAS GENERAL LAND OFFICE

JERRY PATTERSON, COMMISSIONER

July 24, 2008

Mr. James Bailey
Houston Fuel Oil Terminal Company
16642 Jacintoport Blvd.
Houston, TX 77015

Dear Mr. Bailey:

Having satisfied regulatory requirements pursuant to the Oil Spill Prevention and Response Act 1991 (OSPRA), please find enclosed a Discharge Prevention and Response Certificate, numbered 20337, for your Jacintoport Boulevard facility. The certificate should be displayed in an accessible location to allow verification by Texas General Land Office personnel. The certificate will be valid for 5 years as long as all required preparedness elements are maintained. Your on-line database password is 47073.

Compliance with this certificate requires your facility to maintain a high level of oil pollution prevention and response awareness. Please feel free to contact our Compliance Coordinator, Craig Kartye, at (281) 470-6597 with any questions you may have regarding facility certification or any other oil spill prevention and response matter.

Sincerely,

Richard A. Arnhart
Director
Oil Spill Prevention and Response Program

RAA:dfw
Enc.

Stephen F. Austin Building • 1700 North Congress Avenue • Austin, Texas 78701-1495
Post Office Box 12873 • Austin, Texas 78711-2873
512-463-5001 • 800-998-4GLO
www.glo.state.tx.us

Date August 19, 2008

Number 20337

Oil Spill Prevention and Response
Discharge Prevention and Response Certificate

Houston Fuel Oil Terminal Company	Houston, Texas
Facility Name	Location
HFOTCO LLC Houston Fuel Oil Terminal Company	August 19, 2013
Owner/Operator	Expiration Date

This certificate carries with it the need to maintain a high level of prevention awareness at your facility, and the need to respond in a "planned" manner to an unauthorized discharge, should it occur.

Commissioner
Texas General Land Office

Deputy Commissioner
Oil Spill Prevention and Response

Discharge Prevention & Response (DPRF) Facility Certificate Application

Texas General Land Office OSPR-002 (2-92)
Oil Spill Prevention and Response Program

FOR OFFICIAL USE ONLY
Certificate #

- Please type or print legibly.
- Attach additional sheets as necessary

SECTION I GENERAL INFORMATION

Facility name: Houston Fuel Oil Terminal	Business phone: 713-452-3390	Fax phone: 713-452-6306

Mailing address: P.O. Box 969	Physical address: 16642 Jacintoport Blvd.
City: Channelview State: Tx. Zip Code: 77530-0969	City: Channelview State: Tx. Zip code: 77530-0969
Name of owner: Houston Fuel Oil Terminal Company	Direction from nearest highway: South on Sheldon Road - 2 miles from Interstate 10-Then left & 1 mile on Jacintoport Blvd.
Physical address: 16642 Jacintoport Blvd.	
City: Channelview State: Tx. Zip Code: 77530-0969	Name of operator: Houston Fuel Oil Terminal Company
Mailing address: P.O. Box 969	Physical address: 16642 Jacintoport Blvd.
City: Channelview State: Tx. Zip Code: 77530-0969	City: Channelview State: Tx. Zip Code: 77530-0969
Business phone: 713-452-3390 Fax phone: 713-452-6306	Mailing address: P.O. Box 969
Name of person in charge (as defined in 31 TAC 19.16 a-c): N.C. Titsworth	City: Channelview State: Tx. Zip Code: 77530-0969
Job title of person in charge: Terminal Superintendent	Business phone: 713-452-3390 Fax phone: 713-452-6306

SECTION II FACILITY SIZE AND APPLICATION FEE

Please check one and attach application fee.

Storage/Daily Transfer Capacity	Fee
☐ less than 10,000 gallons	$100
☐ 10,000—250,000 gallons	$1,000
☒ more than 250,000 gallons	$2,500

SIC #	County Code	Tax Payer ID #
4226	101	3-01150-7469-9

State of Texas
County of _____

This instrument was acknowledged before me on August 6, 1992 (Date)

by _____
(Name or names of person or persons acknowledging.)

Dolores A. Griffin
Notary Public

My commission expires: DOLORES A. GRIFFIN Notary Public, State of Texas My Commission Expires Feb. 27, 1993

I certify all statements herein are true. I know that intentionally providing false information is a class A misdemeanor. Oil Spill Prevention and Response Act of 1991 Tex. Nat. Res. Code §40.251 (Vernon 1991).

Brian K. Ry. 8/6/92
Signature of CEO or Managing Partner Date

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

Company :	Phone # :
Houston Fuel Oil	713-452-3390

- Please type or print legibly.
- Attach additional sheets as necessary.
- SECTION IV. Attach proof of financial responsibility and supporting documentation.
- SECTION V. Attach (if applicable) a copy of the EPA review and acceptance letter and include entire plan as a portion of the discharge prevention and response plan.
- SECTION VI. If Applicable attach a copy of the acceptance letter from the Captain of Port and include entire plan as a portion of the discharge prevention and response plan.

SECTION III FACILITY DESCRIPTION

Date operations commenced under current owner/operator
June 1, 1979

Products handled
Crude Oil
#6 Fuel Oil
Marine Diesel

(b) (7)(F) [redacted]

Total throughput capacity average	Avg. daily throughput
6,500,000BBLS/Month	225,000 BBLS

State Plane Coordinates

(b) (7)(F) [redacted]

Universal Transverse Mercator Coordinates
NA

North American Datum 27	North American Datum 83
NA	NA

SECTION IV FINANCIAL RESPONSIBILITY

Certification number	Expiration Date
NA	NA

SECTION V SPCC PLAN

Applicable [X] Yes [ ] No

SECTION VI COAST GUARD OPERATIONS MANUAL

Applicable [X] Yes [ ] No

SECTION VII OIL RELEASES

Attach a list of all oil releases occurring at your facility within the last twelve months. The list should include the following information:

- Date the spill occurred.
- What spilled.
- How many gallons.
- Where the spill occurred.
- Cause of spill (overfill, valve failure, tank failure, collision, etc.).
- Analysis of the relationship, if any, to similar spills at this or other facilities. This analysis is intended to identify patterns of spills that will aid in prescribing corrective actions.
- Describe what actions have been taken to prevent or mitigate similar discharges in the future (training, relocating buried piping above-ground, more frequent inspections, warning signals, notices, etc.)

SECTION VIII HAZARDOUS SUBSTANCE RELEASES

Attach a list of all hazardous substance releases occurring at your facility within the last twelve months. The list should include the following information:

- Date the spill occurred.
- What spilled.
- How many gallons.
- Where the spill occurred.
- Cause of spill (overfill, valve failure, tank failure, collision, etc.).
- Analysis of the relationship, if any, to similar spills at this or other facilities. This analysis is intended to identify patterns of spills that will aid in prescribing corrective actions.
- Describe what actions have been taken to prevent or mitigate similar discharges in the future (training, relocating buried piping above-ground, more frequent inspections, warning signals, notices, etc.)

SECTION IX ENVIRONMENTAL PERMITS

List of all environmental permits and registration or identification numbers that have been applied for or obtained for your facility, e.g., waste-water discharge permits, air emissions permits, solid waste permits, hazardous waste permits, injection well permits, water rights and water uses permits, groundwater extraction permits, and mineral leases.

NPDES Permit #TX0031534
TWC Permit #02277
TACB Permit #R-5783
TWC Solid Waste Registration # 31774

SECTION X EQUIPMENT INVENTORY FORM

Does your facility have Basic Ordering Agreement with a certified discharge cleanup contractor(s)?

[XX] Yes [ ] No

If yes, attach a copy of the Basic Ordering Agreement.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR-002 (2-92)
Oil Spill Prevention and Response Program

Company :	Phone # :
Houston Fuel Oil	713-452-3390

- Please type or print legibly.
- Attach additional sheets as necessary.
- Provide a list of all environmentally sensitive areas that could potentially be impacted by a spill from your facility.
- Environmental classification codes are found in the table provided below.

CLASSIFICATION CODE LEGEND

SSFLAT	Shallow seagrass flats
MANGRV	Mangroves
MRSHES	Marshes & wetlands - tidally influenced
STFLAT	Sheltered tidal flats with vegetation
RIPZON	Riparian zones along freshwater rivers
OYSRFS	Oyster reefs
ETFLAT	Exposed tidal flats
DRGSLD	Dredged soil deposits
PEXBYM	Partially exposed bay margins
SNDSHL	Sand-shell substrate
FNGRSN	Fine-granted sand
JETTYS	Jetties, seawall, bulkheads, revetments
ERSCRP	Erosional scarps
BRDROK	Bird rookeries
BRNCON	Bird concentrations
EHABAM	Endangered, rare species habitat (AMPHIBIAN)
EHABMM	Endangered, rare species habitat (MAMMALS)
EHABBR	Endangered, rare species habitat (BIRDS)
EHABRP	Endangered, rare species habitat (REPTILES)
EHAPLA	Endangered, rare species habitat (PLANT)
FSGFIS	Prime fish and shellfish grounds (FISH)
FSGCRS	Prime fish and shellfish grounds (CRUSTACEAN)
WMAFED	Wildlife management (FEDERAL)
WMASTA	Wildlife management (STATE)
WMALOC	Wildlife management (LOCAL)
WMAPRV	Wildlife management (PRIVATE)
HSTARC	Historical/Archaelogical site
ECOMAR	Economic Site (MARINAS)
ECOFSH	Economic Site (FISHING CENTERS)
ECOPPK	Economic Site (PRIVATE PARKS)
ECOREC	Economic Site (MAJOR RECREATIONAL AREAS)
ECORBD	Economic site (PRIVATE BOAT DOCKS)
WTIIND	Water intake (INDUSTRIAL)
WTIMUN	Water intake (MUNICIPAL WATER SUPPLY)
WTIPRV	Water intake (PRIVATE WATER SUPPLY)
OTHERS	Other areas protected/managed for natural resource value

SECTION XI ENVIRONMENTALLY SENSITIVE AREAS

Classification Code	Geographic Location	Proximity to Facility (Miles)	Comments
MRSHES	Carpenter Bayou	0.5	
ETFLAT	Patrick Bayou	0.5	
ETFLAT	Boggy Bayou	0.5	
PEXBYM	Carpenter Bayou	0.5	
STFLAT	San Jacinto River	1.0 - 3.0	
MRSHES	Green's Bayou	3.0	
RIPZON	Green's Bayou	3.5	
PEXBYM	Old San Jacinto River	1.0 - 2.0	
JETTYS	Battleship Texas	0.5	
ERSCRP	Tucker Bayou	0.5	
ETFLAT	Hunting Bayou	5.0	
RIPZON	Hunting Bayou	5.0	
ETFLAT	Sims Bayou	7.0	
RIPZON	Sims Bayou	7.0	
ETFLAT	Cotton Patch Bayou	5.0	
ETFLAT	Vince Bayou	6.0	
RIPZON	Buffalo Bayou	8.0	
MRSHES	Bear Lake	3.0 - 5.0	

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR-002 (2-92)
Oil Spill Prevention and Response Program

Company :	Phone # :
Houston Fuel Oil	713-452-3390

- **Please type or print legibly.**
- **Attach additional sheets as necessary.**
- **Provide a list of all environmentally sensitive areas that could potentially be impacted by a spill from your facility.**
- **Environmental classification codes are found in the table provided below.**

CLASSIFICATION CODE LEGEND

SSFLAT	Shallow seagrass flats
MANGRV	Mangroves
MRSHES	Marshes & wetlands - tidally influenced
STFLAT	Sheltered tidal flats with vegetation
RIPZON	Riparian zones along freshwater rivers
OYSRFS	Oyster reefs
ETFLAT	Exposed tidal flats
DRGSLD	Dredged soil deposits
PEXBYM	Partially exposed bay margins
SNDSHL	Sand-shell substrate
FNGRSN	Fine-granted sand
JETTYS	Jetties, seawall, bulkheads, revetments
ERSCRP	Erosional scarps
BRDROK	Bird rookeries
BRNCON	Bird concentrations
EHABAM	Endangered, rare species habitat (AMPHIBIAN)
EHABMM	Endangered, rare species habitat (MAMMALS)
EHABBR	Endangered, rare species habitat (BIRDS)
EHABRP	Endangered, rare species habitat (REPTILES)
EHAPLA	Endangered, rare species habitat (PLANT)
FSGFIS	Prime fish and shellfish grounds (FISH)
FSGCRS	Prime fish and shellfish grounds (CRUSTACEAN)
WMAFED	Wildlife management (FEDERAL)
WMASTA	Wildlife management (STATE)
WMALOC	Wildlife management (LOCAL)
WMAPRV	Wildlife management (PRIVATE)
HSTARC	Historical/Archaelogical site
ECOMAR	Economic Site (MARINAS)
ECOFSH	Economic Site (FISHING CENTERS)
ECOPPK	Economic Site (PRIVATE PARKS)
ECOREC	Economic Site (MAJOR RECREATIONAL AREAS)
ECORBD	Economic site (PRIVATE BOAT DOCKS)
WTIIND	Water intake (INDUSTRIAL)
WTIMUN	Water intake (MUNICIPAL WATER SUPPLY)
WTIPRV	Water intake (PRIVATE WATER SUPPLY)
OTHERS	Other areas protected/managed for natural resource value

SECTION XI ENVIRONMENTALLY SENSITIVE AREAS

Classification Code	Geographic Location	Proximity to Facility	Comments
PEXBYM	Bear Lake	3.0 - 4.0	
DRGSLD	Bear Lake	3.0 - 4.0	
MRSHES	White Lake	4.0	
PEXBYM	Burnet Bay	2.5	
PEXBYM	White Lake	4.0	
PEXBYM	Crystal Bay	2.5	
PEXBYM	Scott Bay	3.0	
STFLAT	San Jacinto Park	2.0	
ETFLAT	Black Duck Bay	4.0	
SSFLAT	Black Duck Bay	4.0	
SSFLAT	Goose Creek	4.5	
MRSHES	Goose Creek	4.5	
BRDROK	Tabbs Bayou	4.0	
WTIIND	Patrick Bayou	0.5	
WTIIND	Ship Channel	2.0	
WTIIND	Ship Channel	3.5	
ECOREC	San Jacinto Park	2.0	
ECOREC	Milby Park	5.5	

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.

Company :	Phone # :
Houston Fuel Oil	713-452-3390

CODE LEGEND

BOOM TYPE CODES		END CONNECTOR CODES		OWNER CODES	
F	Fence	ASTM	ASTM STD (D962-86)	A	Applicant
FR	Fire	BOLT	Bolt Connect	C	Contractors
PI	Inflatable (Press)	HP	Hinge & Pin	OT	Other
SI	Inflatable (Self)	Z	Quick Connect Z		
MR	Marsh (Upper air chamber with lower water chamber)	RC	Raised Channel		
		SNAV	Slide (US Navy)		
R	Round	SLOT	Slotted Tube		
WB	Weir Boom	US1	Universal Slide Type 1		
OT	Other	US2	Universal Slide Type 2		
		OT	Other		

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

BOOM EQUIPMENT

Name of manufacturer	Model number	Boom type code	Inventory length (feet)	Skirt size (inches)	Float size (inches)	End connector type code	Time to deploy	Storage location	Owner code
Beta IB		F	1000	18		US1	0.5	Terminal Boom Building	A
ACME	O K CORRAL	R	13000	12	6	Z	6.0	Garner - Houston	C
ACME	SUPER MINT	R	1000	4	2.5	BOLT	2.0	Garner - Houston	C
ACME	O K CORRAL	R	8000	12	6	Z	4.0	Garner - LA Marque	C
ACME	O K CORRAL	R	1500	28	8	Z	4.0	Garner - LA Marque	C
ACME	SUPER MINT	R	500	4	2.5	BOLT	3.0	Garner - LA Marque	C
ACME	O K CORRAL	R	3000	12	6	Z	5.0	Garner - Port Arthur	C
ACME	O K CORRAL	R	300	4	2.5	BOLT	5.0	Garner - Port Arthur	C
AMERICAN BOOM/BARRIER	MARK II-CLU	F	2500	24	12	ASTM	2.0	Clean Channel Barge -MorganPT.	OT
AMERICAN BOOM/BARRIER	MARK II - XR5	F	5000	12	6	ASTM	2.0	Clean Channel Barge-Morgan PT.	OT

USAGE & OPERATIONAL RESTRICTIONS

Boom type code	Describe conditions that would affect realistic usage of each boom type.
	Throughout the application, OT will disignate Clean Channel Association.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

Company :	Phone # :
Houston Fuel Oil	713-452-3390

- Please type or print legibly.
- Attach additional sheets as necessary.
- If miscellaneous boom equipment is stored in a separate location from the boom, please note this in the "Usage & operational restrictions" section.

CODE LEGEND

OWNER CODE

A	Applicant
C	Contractors
OT	Other

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

MISCELLANEOUS BOOM EQUIPMENT

Name of manufacturer	Model number	Equipment type *Example: Line (include composition and size) — Nylon Braided 5/8"*	Quantity	Owner code
POLY CORD	0.025	LINE, POLYPROLYLENE, 1/4" X 600'	20	C
POLY CORD	0.050	LINE, POLYPROPYLENE, 1/2" X 600'	20	C
POLY CORD	0.075	LINE, POLYPROPYLENE, 3/4" X 600'	2	C
DANFORTH	# 18	ANCHOR GALVANIZED, 18#	20	C
DANFORTH	# 20	ANCHOR GALVANIZED, 20#	11	C
DANFORTH	# 40	ANCHOR GALVANIZED, 40#	11	C
DANFORTH	# 55	ANCHOR,GALVANIZED, 55#	4	C
DANFORTH	# 75	ANCHOR,GALVANIZED, 75#	2	C
NOR FLOAT	A2	INFLATABLE ANCHOR BUOY, 18 Dia., Orange Color	30	C

USAGE & OPERATIONAL RESTRICTIONS

Misc. Boom type code	Describe conditions that would affect realistic usage of each miscellaneous boom equipment type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.

Company :	Phone # :
Houston Fuel Oil	713- 452-3390

CODE LEGEND

SKIMMER TYPE CODES

FS	Floating Suction	OR	Oleophilic Rope
HIP	Hydrodynamic Inclined Plane	PW	Paddle-Wheel
IV	Induced Vortex	SK	Sock
OB	Oleophilic Belt	W	Weir
OD	Oleophilic Disk	OT	Other

OWNER CODES

A	Applicant
C	Contractors
OT	Other

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

SKIMMER EQUIPMENT

Name of manufacturer	Model number	Skimmer type code	Number of units	Mfg. recovery rate (gpm)	Hose size Suction/Disch (inches)	Time to deploy Hours	Storage location	Owner code
TEEL		W	1	180	2	2	Warehouse-on-site	A
ACME	FS400ASK-39T	W	3	275	3	2,5	Garner - Houston	C
ACME	FS400ASK-39T	W	3	275	3	2.5	Garner -LA Marque	C
Barge Skimmer	24' Self.Prop.	W	1	10	3	2.5	Garner - LA Marque	C
ACME	FS400 ASK-39T	W	1	275	3	3.5	Garner - Port Arthur	C
DOUGLAS SKIM PAK	2500 Series	W	1	33.33	1 1/2	2.0	Exxon Co.- Baytown	OT
OIL MARK		OT	1	14		2.0	Exxon Pipeline-LaPorte	OT
SKIM PACK		W	2	33.33	1 1/2	2.0	Lyondell - Houston	OT
ACME		W	1	300	2	2.0	Shell - Deer Park	OT
WATER MASTER		FS	1	150		2.0	Tefco - Baytown	OT
ACME		FS	1	280		2.0	Phibra - Houston	OT

USAGE & OPERATIONAL RESTRICTIONS

Skimmer type code	Describe conditions that would affect realistic usage of each skimmer type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.

Company: Houston Fuel Oil	Phone 713-452-3390

CODE LEGEND

PUMP CODES		DRIVE CODES		OWNER CODES	
A	Auger/Screw	D	Diesel	A	Applicant
C	Centrifugal	E	Electric	C	Contractors
P	Parastolic	G	Gasoline	OT	Other
R	Reciprocating	H	Hydraulic		
G	Rotary Gear	P	Pneumatic		
I	Rotary/Flexible Impeller	OT	Other		
L	Rotary Lobe				
V	Rotary Vane				
OT	Other				

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

PUMP EQUIPMENT

Name of manufacturer	Model number	Pump type code	Drive type code	Suction/Disch size (inches)	Mfg. pump rate (gpm)	Storage location	Owner code
TEEL			G	2/2	180	Warehouse - On-Site	A
HONDA	WXT- 20	C	G	2/2	180	Garner - Houston (2)	C
HONDA	WXT -30	C	G	3/3	200	Garner - Houston (1	C
YANMAR	LD- 40	C	D	2/2	180	Garner - Houston (6)	C
YANMAR	LD- 40	C	D	3/3	200	Garner - Houston (1)	C
WILDEN	Model M	OT	P	3/3	240	Garner - Houston (2)	C
ACME	FS-150 A	I	G	1.5/1.5	275	Garner - Houston (5)	C
WILDEN	Model M	OT	P	3/3	240	Garner - LA Marque (5)	C
HONDA	WXT - 20	C	G	2/2	180	Garner - LA Marque (3)	C
HONDA	WXT - 20	C	G	2/2	180	Garner - Port Arthur (2)	C
YANMAR	LD - 40	C	D	3/3	200	Garner - Port Arthur (1)	C
ACME	FS - 150 A	C	G	1.5/3	200	Garner - Port Arthur (1)	C
YANMAR	L-40	C	D	2/2	300	Shell-Deer Park	OT
Homelite	DTP 3-1	C	D	3/3	500	Exxon - Baytown	OT
Wilden	M 8	R	P	2/1.5	280	Phibro - Houston	OT

USAGE & OPERATIONAL RESTRICTIONS

Pump type code	Describe conditions that would affect realistic usage of each pump type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.

Company : Houston Fuel Oil	Phone # : 713-452-3390

CODE LEGEND

SYSTEM TYPE CODE	DRIVE CODES	OWNER CODES
PU Portable Vacuum Pump Units	D Diesel	A Applicant
SS Super Sucker	E Electric	C Contractors
VT Vac Truck	G Gasoline	OT Other
OT Other	H Hydraulic	
	P Pneumatic	*NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.*
	OT Other	

VACUUM SYSTEM EQUIPMENT

Name of manufacturer	Model number	System type code	Drive type code	Suction (inches)	Number of units	Mfg. recovery rate (gpm)	Hose inventory (feet)	Storage capacity (gallons)	Storage location	Owner code
HUBER	T -400	VT	D	27.0	4	80	400	3200	Garner - Houston	C
SUPER PRODUCTS	W6-64	SS	D	16.0	1	100	3000	3200	Garner - Houston	C
SUPER PRODUCTS	6017	SS	D	16.0	2	450	1000	3200	Garner - LA Marque	C
HUBER	LN 8000	VT	D	27.0	6	80	600	3200	Garner - LA Marque	C
SUPER PRODUCTS	6017	SS	D	16.0	2	450	1000	3200	Orangefield	C
HUBER	LN 8000	VT	D	3.0	2	80	200	2520	Orangefield	C
HUBER	LN 8000	VT	D	3.0	2	130	200	5460	Orangefield	C
HUBER	LN 8000	VT	D	3.0	3	130	300	5460	Liberty	C

USAGE & OPERATIONAL RESTRICTIONS

Vacuum type code	Describe conditions that would affect realistic usage of each vacuum system type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

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- Attach additional sheets as necessary.

Company:	Phone:
Houston Fuel Oil	713-452-3390

CODE LEGEND

DESIGN TYPE CODE	DRIVE CODES	OWNER CODES
BF Baffle Systems	D Diesel	A Applicant
B Barge	E Electric	C Contractors
CF Coalescing Filter System	G Gasoline	OT Other
A Emulsifier Additive	H Hydraulic	
FT Frac Tank	P Pneumatic	
OT Other	OT Other	

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

OIL AND WATER SEPARATOR EQUIPMENT

Name of manufacturer	Model number	Design type code	Drive type code	Number of units	Production rate (gpm)	Storage location	Owner code
			OT	2	1000	Wastewater Treatment Unit	A
FRAC TANK	500	FT	OT	6	80	Houston	C
FRAC TANK	500	FT	OT	6	80	Pearland	C
FRAC TANK	500	FT	OT	4	80	Orangefield	C

USAGE & OPERATIONAL RESTRICTIONS

Separator type code	Describe conditions that would affect realistic usage of each separator type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.

Company :	Phone # :
Houston Fuel Oil	713-452-3390

CODE LEGEND

DESIGN TYPE CODE

CB	Compartment Barge	SV	Skimmer Vessel
D	Dracone (Bladder)	TT	Tank Truck
F	Fast Tank	OT	Other
HB	Hopper Barge		
OF	Oil Field Tank		
PL	Plastic Swimming Pools		

OWNER CODES

A	Applicant
C	Contractors
OT	Other

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

LIQUID RECOVERY STORAGE EQUIPMENT

Name of manufacturer	Model number	Design type code	Number of units	Capacity (gallons)	Storage location	Owner code
NATIONAL BRIDGE	NA	CB/SV	1	546,000	Barbous Cut	OT
T8T MARINE	NA	CB/SV	1	84,000	Galveston *	OT
UNKNOWN	NA	OT-Tank Barge	1	420,000	Hollywood-Greens Bayou	OT
UNKNOWN	NA	OT-Tank Barge	1	420,000	Dixie/Western-San Jac River	OT
UNKNOWN	NA	OT-Tank Barge	1	1,050,000	Barge Transport	OT
FRAC TANK	500	OT	6	22,000	Houston	C
FRAC TANK	500	OT	6	22,000	Pearland	C
FRAC TANK	500	OT	4	22,000	Orangefield	C

USAGE & OPERATIONAL RESTRICTIONS

Storage type code	Describe conditions that would affect realistic usage of each liquid storage device.
	* 2000 bbl Skimmer barge is under construction at T/T Marine, Galveston, to be operated under a retainer agreement for CCA, est. completion July, 1992.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

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Company :	Phone # :
Houston Fuel Oil	713-452-3390

CODE LEGEND

SORBENT TYPE CODE		COMPOSITION CODES		OWNER CODES	
B	Boom	M	Mineral	A	Applicant
PAD	Pad	NO	Natural Organic	C	Contractors
PT	Particulate	S	Synthetic	OT	Other
ST	Sheet	OT	Other		
SW	Sweep				
OT	Other				

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

SORBENTS

Name of manufacturer	Model number	Sorbent type code	Composition code	Normal inventory	Special application equipment needed?		Special recovery equipment needed?		Storage location	Owner code
					Yes	No	Yes	No		
SORBERT PRODUCTS CO.	SPC100	PAD	S	1000		x		x	Houston - Garner	C
SORBERT PRODUCTS CO.	SPC200	PAD	S	250		x		x	Houston - Garner	C
SORBERT PRODUCTS CO.	SPC300	PAD	S	500		x		x	Houston - Garner	C
SORBERT PRODUCTS CO.	SPC50	PAD	S	150		x		x	Houston - Garner	C
SORBERT PRODUCTS CO.	SPC510	B	S	300		x		x	Houston - Garner	C
SORBERT PRODUCTS CO.	SPC810	B	S	450		x		x	Houston - Garner	C
SORBERT PRODUCTS CO.	SPC150	ST	S	150		x		x	Houston - Garner	C
SORBERT PRODUCTS CO.	SPC1900	SW	S	300		x		x	Houston - Garner	C
INT'L PERMALITE CORP.	SPC418	PT	S	1500		x		x	Houston - Garner	C
SORBERT PRODUCTS CO.	SPC100	PAD	S	250		x		x	LA Marque - Garner	C
SORBERT PRODUCTS CO.	SPC200	PAD	S	100		x		x	LA Marque - Garner	C
SORBERT PRODUCTS CO.	SPC510	B	S	100		x		x	LA Marque - Garner	C
SORBERT PRODUCTS CO.	SPC810	B	S	125		x		x	LA Marque - Garner	C
SORBERT PRODUCTS CO.	SPC150	ST	S	125		x		x	LA Marque - Garner	C
SORBERT PRODUCTS CO.	SPC1900	SW	S	150		x		x	LA Marque - Garner	C

USAGE & OPERATIONAL RESTRICTIONS

Sorbent type code	Describe conditions that would affect realistic usage of each sorbent type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.

Company : Houston Fuel Oil	Phone # : 713-452-3390

CODE LEGEND

SORBENT TYPE CODE		COMPOSITION CODES		OWNER CODES	
B	Boom	M	Mineral	A	Applicant
PAD	Pad	NO	Natural Organic	C	Contractors
PT	Particulate	S	Synthetic	OT	Other
ST	Sheet	OT	Other		
SW	Sweep				
OT	Other				

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

SORBENTS

Name of manufacturer	Model number	Sorbent type code	Composition code	Normal inventory	Special application equipment needed?		Special recovery equipment needed?		Storage location	Owner code
					Yes	No	Yes	No		
SORBENT PRODUCTS	SPC50	PAD	S	100		x		x	LA Marque - Garner	C
SORBENT PRODUCTS	SPC27	PT	S	10		x		x	LA Marque - Garner	C
INT'L PERMALITE CORP.	SPC418	PT	S	550		x		x	LA Marque - Garner	C
OIL MOP INC.	OS15	OT	S	65		x		x	LA Marque - Garner	C
SORBENT PRODUCTS CO.	SPC810	B	S	50		x		x	Port Arthur - Garner	C
SORBENT PRODUCTS CO.	SPC510	B	S	50		x		x	Port Arthur - Garner	C
SORBENT PRODUCTS CO.	SPC100	PAD	S	100		x		x	Port Arthur - Garner	C
SORBENT PRODUCTS CO.	SPC200	PAD	S	75		x		x	Port Arthur - Garner	C
SORBENT PRODUCTS CO.	SPC150	ST	S	25		x		x	Port Arthur - Garner	C
SORBENT PRODUCTS CO.	SPC1900	SW	S	50		x		x	Port Arthur - Garner	C
INT'L PERMALITE CORP.	SPC418	PT	S	500		x		x	Port Arthur - Garner	C

USAGE & OPERATIONAL RESTRICTIONS

Sorbent type code	Describe conditions that would affect realistic usage of each sorbent type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

Company :	Phone # :
Houston Fuel Oil	713-452-3390

- Please type or print legibly.
- Attach additional sheets as necessary.

CAUTION : All products on this page require Federal On Scene Coordinator (FOSC) approval prior to use!
All products must be listed on the National Contingency Plan (NCP) product schedule to be considered by the FOSC for use.

CODE LEGEND

TREATMENT TYPE CODE

BA	Bio Additive
D	Dispersant
H	Herder
MOC	Misc. Oil Control
OT	Other

APPLICANT/OWNER CODES

A	Applicant
C	Contractors
OT	Other

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

CHEMICALS / BIOLOGICAL ADDITIVES / MISCELLANEOUS OIL CONTROL AGENTS

Name of Manufacturer	Products name	Treatment type code	Average quantity (gallons)	App equipment code	N C P product schedule		Storage location	Owner code
					Yes	No		
NONE								

USAGE & OPERATIONAL RESTRICTIONS

Treatment type code	Describe conditions that would affect realistic usage of each treatment type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.
- Do not include a list of every piece of rolling stock in your inventory. Include what may be used in a spill event.

Company :	Phone # :
Houston Fuel Oil	713-452-3390

CODE LEGEND

OWNER CODES

A	Applicant
C	Contractors
OT	Other

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

HEAVY EQUIPMENT/RESPONSE VEHICLES

Name of manufacturer	Heavy Equipment/Response Vehicle *Example: backhoe, dozer, boom storage trailer, etc.*	Number of units	Wide load permit needed? Yes	Wide load permit needed? No	Storage location	Owner code
	Boom Truck	1		x	Terminal Warehouse	A
	20 Ton Cherry Picker	1		x	Crown Central - Pasadena	OT
	Boom Truck	1		x	Crown Central - Pasadena	OT
	Stevedone (60-Devil)s	1		x	Crown Central - Pasadena	OT
	JHG Manlift	1		x	Crown Central - Pasadena	OT
	966 F Front End Loader	1		x	Crown Central - Pasadena	OT
Caterpillar	Backhoe	1		x	Crown Central - Pasadena	OT
	8' X 16' Boom Trailer	1		x	Texaco Pipeline - Houston	OT
	8' X 18' Goose Neck	1		x	Texaco Pipeline - Houston	OT
	Trailer, Discharge Hose	1		x	Texaco Pipeline - Houston	OT
	8' X 20' Trailer	1		x	Lyondell - Houston	OT
	15 Ton Cherry Picker	1		x	Tetco - Baytown	OT
	Trackhoe 1/2 cv	1		x	Tetco - Baytown	OT
	Freight Liner Tractor	1		x	Tetco - Baytown	OT
	Lowboy Trailer	1		x	Tetco - Baytown	OT

USAGE & OPERATIONAL RESTRICTIONS

Equipment type code	Describe conditions that would affect realistic usage of equipment.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.

Company : Houston Fuel Oil	Phone # : 713 452-3390

CODE LEGEND

RESPONSE BOAT TYPE CODES		TRANSPORTATION METHOD CODES		OWNER CODES	
BAY	Bay Waters	NT	Normal Trailer	A	Applicant
JB	Johnboat	WO	Water Only	C	Contractors
LFB	Large Flat Bottom	WL	Wideload Trailer	OT	Other
OFF	Offshore	OT	Other		
PRO	Protected Waters				
TC	Towing Capable				
OT	Other				

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

Response Boats

Name of manufacturer	Model number	Boat type code	Horse power	Normal crew size	Length / Beam	Draft limitations	Transportation method code	Storage location	Owner code
Lowe		JB	35	2	18'	12"	WO	Terminal	A
Monark		TC	148	2	27'	3'	WO	Morgan Point	OT
American Bridge	Tank Barge	BAY			155"	2'	WO	Morgan Point	OT
Monark		TC	148	2	27	3'	WO	Morgan Point	OT
Allweld	1650	JB	30	3	16'/6'	1'	NT	Houston (9)	C
Allweld	21	LFB	90	3	21'/6'	2'	NT	Houston (1)	C
Duracraft	21	LFB	40	3	21'/6'	2'	NT	Houston (1)	C
Seahawg	21	BAY	90	3	21'/6'	3'	NT	Houston (3)	C
Pontoon	21	BAY	115	3	21'/8'	2'	NT	Houston (1)	C
Monarch	21	BAY	300	2	21'/6'	2'	NT	LA Marque (1)	C
Duracraft	21	BAY	40	2	21'/6'	2'	NT	LA Marque (1)	C
Alumaweld	1650	JB	25	2	16'/6'	1'	NT	LA Marque (3)	C
Alumaweld	1250	JB	25	2	12'/6'	1'	NT	LA Marque (1)	C
Alumaweld	1650	JB	30	2	16'/6'	1'	NT	LA Marque (3)	C

USAGE & OPERATIONAL RESTRICTIONS

Boat type code	Describe conditions that would affect realistic usage of each boat type.

Discharge Prevention & Response (DPRF) Facility Certification Application

Texas General Land Office OSPR 002 (2-92)
Oil Spill Prevention and Response Program

- Please type or print legibly.
- Attach additional sheets as necessary.

Company :	Phone :
Houston Fuel Oil	713-452-3390

CODE LEGEND

COMMUNICATION TYPE CODES

AF	Aviation Frequency	MF	Marine Frequency
CP	Cellular Phone	PAG	Pagers
COM	Command Post	PHH	Portable Hand held
MOD	Computer w/modem	SSB	Single Side Band
FAX	Facsimile	TP	Telephone
FBS	Fixed Base Station	OT	Other

OWNER CODES

A	Applicant
C	Contractors
OT	Other

NOTE: If equipment owner is other than the applicant describe the equipment use arrangement in the "Usage & Operational Restrictions" section.

COMMUNICATIONS EQUIPMENT

Name of manufacturer	Model number	Communication type	# of units	Frequency	Band	Range (miles)	Field tunable		Storage location	Owner code
							Yes	No		
		TP	5						Operations Bldg.	A
		TP	9						Dock Phones	A
		MF	6	150.98	VHF		X			A
		FAX	1						Admin. Bldg.	A
		MF	1						Oper. Bldg.	A
		OT							O. Ward House-CIMA	A

USAGE & OPERATIONAL RESTRICTIONS

Equipment type code	Describe conditions that would affect realistic usage of each communication equipment type.
	* Clean Chanel Association is in the process of purchasing 11 UHF handheld intrinsically safe radios, 5 UHF base Stations and UHF repeater to operate on the UHF spill response frequency of 454,000/459,000 MHZ. Five VHF base stations are being purchased for vessel to vessel/CG communications.

Texas General Land Office
Oil Spill Prevention and Response Program
Application for Facility Discharge Prevention and Response Certificate

This form is to be used by facility operators to apply to the Texas General Land Office for a Discharge Prevention and Response Certificate. The completed form should be mailed or faxed to the regional Oil Spill Prevention and Response Program office. Applicants can contact the Land Office at (512) 475-1575 for the appropriate Regional Office address or telephone number. Completed applications must be submitted and approved prior to handling, storing or transferring oil. Applicants with questions regarding certification program applicability or use of this form should contact the appropriate regional office prior to submitting this form. Data entries may be printed or typed. All official correspondence will be mailed to the operator at the main correspondence address indicated.

Facility Name: Houston Fuel Oil Terminal Company

Account Password: 87329 Mailing Address (select one): ☐ Owner ☐ Operator ☒ Facility

Official Use ONLY						
	Date Issued		Expiration Date		Cert Number	
	Status Code		Status Date		Date of next action	
	FacilityType		EntityType		SMPP	

1. Location of actual facility site - this information is required (use additional sheets to list specific well locations if appropriate)

Facility Physical Address (FP): 16642 Jacintoport Blvd.

FP City:	FP State:	FP Zip:
Houston	TX	77015

Directions to facility from nearest highway: South on Sheldon Road - 2 miles from Interstate 10-then left and one mile down on Jacintoport

Facility Phone:	Facility Fax:	Facility 24 hr Phone:
(281) 452-3390	(281) 452-6306	(281) 452-3390

(b) (7)(F) [redacted]

2. Owner – this information is required

Owner Name: Houston Fuel Oil Terminal Company

Owner Address: 16642 Jacintoport Blvd.

Owner City:	Owner State:	Owner Zip:
Houston	TX	77015

Owner Phone#:	Owner Fax#:	Owner Email:
(281) 452-3390	(281) 452-6306	jim@hfotco.com

3. Operator – required only if different from owner information

Operator Name: Houston Fuel Oil Terminal

Operator Address: 16642 Jacintoport Blvd.

Operator City:	Operator State:	Operator Zip:
Houston	TX	77015

Operator Phone:	Operator Fax:	Operator Email:
(281) 452-3390	(281)452-6306	

4. Contact - required

Name of Person in Charge (PIC - As defined in 31 TAC 19.16 a-c): James Bailey

PIC Phone Number:	PIC Fax Number:	PIC Email:
(281) 452-3390	(281) 452-6306	jim@hfotco.com

e of Local Contact Person (if different from PIC):

Contact Phone Number:	Contact Fax Number:	Contact Email:
(713) 582-7253	(281) 452- 6306	

5. Facility Information - required

Oil products stored/handled at facility: Crude Oil, #6 Fuel Oil, and Marine Diesel

Primary Business Activity: Bulk Storage Facility

Name/number of each tank that stores oil and its capacity (use additional sheets as necessary):	Name/number and diameter of any lines that transport oil (use additional sheets as necessary):
Attachment B includes the name and tank number that stores oil. The information is also available in the ICP.	20 inch diameter by 1.4 miles 24 inch diameter by 9.6 miles

Oil capacity in gallons (fuel, lube, and cargo) of largest vessel served by this facility. (enter n/a if not applicable):

If the facility has contracted with a Discharge Cleanup Organization, please provide the following information:

Primary DCO:	Phone Number:
Garner Environmental	(281) 930-1200
Secondary DCO: (optional)	Phone Number:
Clean Channel Association	~~(800) 880-5885~~ 713-534-6195

6. Response - required

In general terms, what is the facility plan for responding to an oil spill:	List the sensitive areas in the immediate vicinity of the facility:
If oil is spilled, the oil will be contained and recovered to prevent the spill from entering the Upper Galveston Bay or downtown Houston. The recovered oil and water mixture will be treated in the onsite wastewater treatment facility.	The sensitive areas in the vicinity of the facility can be located in Attachment H. The information is also located in the ICP manual maintained onsite.
List special instructions, if any, for GLO access:	**List the spill response equipment stored at the facility:**
Entrants, including the GLOmust show a picture ID and may be subject to search of their person or vehicle. An escort will immediately be notified to escort the GLO to the area of concern.	Figure 5 is an attached map indicating the location of all spill response equipment. This map is also located in the ICP Manual maintained onsite.

By my signature below, I certify that I have approved the facility's discharge prevention and response plan and have the authority to commit resources necessary to implement the plan.

J Bailey

Signature Date

HFO-CHV-REG

ENVIRONMENTAL PROFESSIONALS

The WCM Group, Inc.

May 28, 2003

CERTIFIED MAIL
RECEIPT NUMBER
7001 1940 0003 1606 3267

Mr. Richard A. Arnhart
Regional Director
Oil Spill Prevention and Response Program
Texas General Land Office
La Porte Field Office
11811 North D Street
La Porte, TX 77571-9135

Reference: Facility Recertification
Houston Fuel Oil Terminal Company – Certificate No. 20337

Dear Mr. Arnhart:

On behalf of Houston Fuel Oil Terminal Company, located at 16642 Jacintoport Blvd., Harris County Texas, The WCM Group, Inc. has enclosed with this package a recertification application for a Facility Discharge Prevention and Response Certification pursuant to the Oil Spill Prevention and Response Act 1991 (OSPRA). A check in the amount of $25 is also attached to cover the required fee.

Should you have any questions or comments please contact me at (281) 446-7070.

Sincerely,

Desiree' Westcott

Desireé D. Westcott, P.E.
Director, Technical Services

DDW/tv
23395:0940382.let.doc

Attachments

cc: J. Bailey

P.O. Box 3247, Humble, TX 77347-3247 Tel (281) 446-7070 Fax (281) 446-3348 110 N. Bender Ave., Humble, TX 77338

THE WCM GROUP INC.
PETTY CASH ACCOUNT
P.O. BOX 3247
HUMBLE, TX 77347-3247

Comerica Bank - Texas
Houston, Texas
www.comerica.com

1074

DATE 05/14/03

32-75/1110
787

PAY Twenty-five & 00/100---------- DOLLARS $ 25.00

TO THE ORDER OF
GLO Oil Spill Prevention and Response
11811 North D Street
La Porte, TX 77571-9135

TWO SIGNATURES REQUIRED
NO CHECKS ALLOWED OVER $5,000.00

Gary L Carroll
Adrienne K. Perkins

(b) (4) [redacted]

THE WCM GROUP INC.
PETTY CASH ACCOUNT
HUMBLE, TX 77347-3247

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED

DATE	DESCRIPTION	AMOUNT
05/14/03	Houston Fuel Oil Facility Recertification Certification No. 20337	$25.00
	HFO - CHV - REG	





Oil Spill | Online Facility Database

Coastal Issues
Adopt-A-Beach
Beaches and Dunes
Coastal Coordination Council
Coastal Erosion
Coastal Management Program
Coastal Wetlands
Contacts & Publications
Oil Spill Prevention and Response
NetNet

About the Land Office
Archives & Records

Energy Resources
Events & Programs
Maps, Research, & Data
Natural Resources
News & Information
State Lands
Veterans Land Board

Houston Fuel Oil Terminal Company

Facility Edit Form

* - required

Password	87329	Mailing Address Preference*	○ Owner ○ Operator ◉ Facility				
Date Issued	08/19/1998	Expiration Date	08/19/2003	Entity Type	L	Region	2
Status Code	88	SMPP	No	Certificate Number	20337		

Facility Location

Physical Address*	16642 Jacintoport Boulevard	Address Line 2	
City *	Houston	State TX	Zip * 77015

Directions to facility from nearest highway (255 characters max.) * Off Interstate-10, take Sheldon Road exit; go south on Sheldon Road two miles, then turn left onto and travel Jacintoport Boulevard for one mile to

Phone *	281-452-3390	Fax	281-452-630	24 hour phone *	281-452-3390

(b) (7)(F) [redacted]

Owner (if different from Facility)

Name	Houston Fuel Oil Terminal Company & Pipeline Op				
Address	16642 Jacinto Port Blvd.	Address Line 2			
City	Houston	State	TX	Zip	77015
Phone	281-452-3390	Fax	281-452-6	Email	

Operator (if different from Facility)

Name	Houston Fuel Oil Terminal Company & Pipeline Op				
Address	16642 Jacinto Port Blvd.	Address Line 2			
City	Houston	State	TX	Zip	77015
Phone	281-452-3390	Fax	281-452-6	Email	jim@hfotco.com

Contact

Name of **Person in Charge** (PIC - As defined in 31 TAC 19.16 a-c)

First * **Last ***

	Jim		Bailey		
Phone *	281-452-3390	Fax	281-452-6	Email	jim@hfotco.com

Name of **Local Contact Person** (If different from PIC)

First	Jim	Last	Bailey		
Phone	281-452-3390	Fax	281-452-6	Email	jim@hftoco.com

Facility Information

Petroleum Products Handled*	Crude oils and residual pertroleum products
Primary Business Activity *	Bulk storage and handling of crude oil and residual

(b) (7)(F) [redacted]

Storage Detail

Pipeline Detail

(Numbers only - no commas or other text)

If the facility has contracted with a Discharge Cleanup Organization, please the following information

Primary DCO	Garner Environmental	**Phone**	281-930-1200
Secondary DCO (optional)	Clean Channel Association	**Phone**	713-534-6195

Response

*** In general terms, describe the facility plan for responding to a spill (255 characters max.)**

If oil is spilled, the oil will be contained and recovered to prevent the oil spill from entering Upper Galveston Bay or downtown Houston. The recovered oil/water mixture will be treated in the onsite wastewater treatment unit.

*** Priority Concerns (255 characters max.)**

The priority concerns include the mechanical containment of any spilled oil to prevent environmental effects to Upper Galveston Bay.

*** Provide special instructions for GLO access (255 characters max.)**

The facility is accessible by road and water. The facility is located at mile 40.9 of the Houston Ship Channnel

*** List spill response equipment stored at facility (255 characters max.)**

The spill response equipment includes spill boats, boom, adsorbents, and mechanical logistical support equipment. The spilled oil/water mixture will be recovered and treated in the onsite wastewater treatment unit.

Submit

necessary to implement the plan.

X J Bailey

[Log out] [Instructions]

Last updated 7 October, 2002.
Send comments to
stephanie.crenshaw@glo.state.tx.us

ATTACHMENT I

OUTSIDE SPILL RESPONSE CONTRACT

ORGANIZATIONS INFORMATION

MASTER SERVICE AGREEMENT

THIS AGREEMENT is made and entered into this 30 day of July, 2002, by and between **HOUSTON FUEL OIL TERMINAL COMPANY**, a corporation duly incorporated in the State of Texas, and with a place of business located at 16642 Jacintoport Boulevard, Houston, Texas 77015 (hereinafter "COMPANY"), and **GARNER ENVIRONMENTAL SERVICES, INC.**, a Texas corporation, whose principal office and mailing address is 1717 W. 13th Street, Deer Park, Texas 77536 (hereinafter "CONTRACTOR"). COMPANY and CONTRACTOR shall collectively be referred to herein as the "Parties".

WHEREAS, CONTRACTOR is engaged in the business of providing emergency environmental and/or disaster and/or logistical response services and is capable of rendering emergency response services up to and including "worse case" scenario as defined by the Oil Pollution Act of 1990 (hereinafter "OPA") to any COMPANY facility as identified by COMPANY as requiring the immediate services of CONTRACTOR;

WHEREAS, COMPANY owns and operates or has owned or operated or has otherwise assumed responsibility for facilities, functions, and activities that require compliance with federal, state, and local environmental and regulatory requirements; and

WHEREAS, CONTRACTOR can provide response services relating to such environmental and regulatory obligations and is willing to perform such services for COMPANY and its affiliates at all locations. "Affiliates" shall mean any corporation, partnership, joint venture, division or other legal entity, directly or indirectly, through one or more intermediaries, controlling, controlled by, or under common control with Company, whether foreign or domestic. "COMPANY" as referred to herein shall include COMPANY'S affiliates.

NOW THEREFORE, in consideration of these premises and the mutual covenants contained herein, the Parties agree as follows:

ARTICLE 1. SCOPE OF SERVICE

CONTRACTOR shall use its best efforts to provide to COMPANY, upon COMPANY'S request, emergency same-day environmental and/or disaster and/or logistical response services that may include but are not limited to containment, removal, neutralization, decontamination, recovery, cleanup, repackaging, transportation, confined space rescue, remediation and, in certain instances, disposal services relating to hazardous and/or non-hazardous materials and/or substances and/or wastes. "Waste" or "wastes" as used herein shall include hazardous materials and non-hazardous materials or substances. As used herein, the "services", the "Work" or the "subject of the Work" shall mean and/or include any substance and/or material and/or waste, whether hazardous or not, of whatever nature, to be removed or handled by CONTRACTOR as part of the services or Work for COMPANY and/or existing on COMPANY'S premises, property or the Worksite prior to or at the time of request for Work and/or at the time of performance of Work by CONTRACTOR.

1.1. CONTRACTOR operates a (24) hour-per-day, (7) seven-days-per-week emergency response service telephone line at 1.800.424.1716. Branch office numbers closest to particular COMPANY locations will be furnished to COMPANY as part and parcel of this agreement or COMPANY may call 281.930.1200 to obtain specific or local branch office numbers. The COMPANY'S representative making the call shall furnish to CONTRACTOR the name and title of the caller, the location of the site needing emergency response services (hereinafter referred to as the "Site" and/or "Worksite"), the hazardous and/or non-hazardous materials involved and other relevant facts relating to the situation in order that CONTRACTOR may use due diligence to mobilize the

necessary personnel and equipment subject to the conditions of availability and necessity.

1.2. The Parties recognize that, at the commencement of the Work in accordance with this Agreement, the scope thereof may not be well defined. The Parties agree that, at the commencement of the Work and at frequent intervals, their respective representatives shall consult with each other to review and define the scope of the work to be performed and outline strategies and approaches to such Work. COMPANY and CONTRACTOR shall each designate a representative who will be authorized to act with respect to the Work. Regarding the Work:

a. The Parties hereby acknowledge that, on occasion, COMPANY personnel may authorize services and/or Work to be performed by CONTRACTOR based on an oral order, which may or may not be confirmed with a written purchase order, service order or work authorization. The Parties hereby agree that on those occasions it is the Parties' intent that CONTRACTOR respond based upon such oral order and that COMPANY be bound by the terms and conditions of this Agreement, which shall apply in all respects to the services or Work performed by CONTRACTOR;

b. To the extent practicable, COMPANY shall promptly issue to CONTRACTOR a purchase order describing the scope of the Work to be performed and the names of the designated representatives for COMPANY and CONTRACTOR. In the event of a conflict between the terms of such purchase order and the terms of this Agreement, the terms of this Agreement shall prevail; and

c. If the Parties later agree to modify materially the scope of the Work or the strategies or approaches thereto, they shall, within (7) seven calendar days of such modification, sign a written amendment to the purchase order issued.

1.3. CONTRACTOR undertakes to obtain and maintain any authorizations, classification and/or certification required by applicable federal, state, and/or local laws, regulations and ordinances and to give notice to COMPANY should such authorization, classification and/or certification terminate.

1.4. The following exhibits, regardless of whether they are physically attached hereto, are part of this Agreement and are hereby incorporated herein in the form that is current at the time Work is actually performed: **A**. CONTRACTOR'S current Domestic Response Rate Schedule; **B**. Insurance Requirements; **C**. If Company is subject to OPA, CONTRACTOR'S "OPA" Packet (tier level response sheet / letter of intent / Discharge Cleanup Organization Certificate/ Oil Spill Removal Organizations classification / equipment and personnel list); **D**. If applicable by reason of Company request for international response services, CONTRACTOR'S current International Response Rate Schedule; and **E**. If applicable by reason of Company request for disaster, including natural disaster, response services, CONTRACTOR'S current Disaster Response Rate Schedule.

ARTICLE 2. RESPONSIBILITIES OF CONTRACTOR

2.1. CONTRACTOR shall provide trained and competent personnel, and the appropriate skilled supervision, labor, materials, tools, equipment, personal protective equipment (hereinafter "PPE"), and subcontracted items where necessary and/or as requested for the performance and completion of the Work. CONTRACTOR recognizes that time is of the essence in the performance of the Work and shall proceed with its best efforts under the circumstances then existing.

2.2. CONTRACTOR shall take necessary precautions for safety of its employees and shall comply with all applicable provisions of federal, state, and local safety and health laws, rules, and regulations and, while on COMPANY premises, shall abide by all of COMPANY'S rules that are provided by COMPANY and further shall erect and properly maintain, as required by the conditions and progress of the Work, necessary safeguards for the protection of its employees and shall require all subcontractors hired or supervised by it to implement such safeguards and to comply in the same manner.

2.3. If requested by COMPANY, CONTRACTOR will endeavor to assist COMPANY in obtaining the proper and necessary permits for the Work, subject to on-site conditions and/or applicable rules and regulations; however, CONTRACTOR shall in no way be obligated to satisfy any local, state or federal regulatory reporting requirements that may apply. All required environmental clean-up permits shall be issued in COMPANY'S name.

ARTICLE 3. RESPONSIBILITIES OF COMPANY

3.1. COMPANY shall furnish to CONTRACTOR information on the Worksite concerning physical characteristics, soil reports, subsurface investigations, utility and easement locations, and other similar reports or documents reasonably needed by CONTRACTOR to perform the Work. Where necessary, COMPANY shall furnish information on any body of water or shoreline affected, including charts and maps.

3.2. COMPANY shall ensure that it is in possession of CONTRACTOR'S current applicable Response Rate Schedule in effect at the time COMPANY requests CONTRACTOR'S services.

3.3. Whether or not COMPANY owns or operates the Worksite, COMPANY shall, prior to commencement of the Work, arrange for, provide for and ensure lawful access to the Worksite by CONTRACTOR, its employees and subcontractors and their vehicles and equipment.

3.4. COMPANY shall furnish to CONTRACTOR copies of Material Safety Data Sheets (MSDSs) for all known hazardous and/or non-hazardous materials to be cleaned up at the Worksite.

ARTICLE 4. COMPENSATION

4.1. Compensation which shall be payable by COMPANY to CONTRACTOR shall cover and include all overhead, superintendents, labor, use of equipment furnished, and all other cost and expense incurred by CONTRACTOR in the performance of said Work whether or not specifically enumerated in CONTRACTOR'S then current rate schedule(s). COMPANY shall compensate CONTRACTOR for the Work performed for COMPANY pursuant to this Agreement on a time and materials basis as follows:

a. For work performed domestically, in accordance with CONTRACTOR'S then current Response Rate Schedule at the time the Work is performed (Exhibit "A");
b. For work performed outside the United States, in accordance with CONTRACTOR'S then current International Rate Schedule at the time the Work is performed (Exhibit "D"); and
c. For work performed in connection with disasters including natural disasters, in accordance with CONTRACTOR'S then current Disaster Response Rate Schedule (Exhibit "E").

4.2. It is expressly acknowledged and agreed upon by and between the Parties that the rates, terms and conditions set forth within CONTRACTOR'S applicable response rate

schedule, in their current form at the time Work is actually performed, are incorporated herein for all purposes as if fully copied at length, are part and parcel of this Agreement, and may not be modified except in writing signed by both parties.

4.3. CONTRACTOR shall submit weekly invoices to COMPANY for the Work performed pursuant to the oral request and/or purchase order issued in accordance with Article 1 herein setting forth the total amounts due in accordance with the applicable, then current Response Rate Schedule at the time Work is performed for labor, materials, equipment, subcontract services and other services utilized or incurred in performance of the Work, less such previous payments as have been received for such Work.

4.4. COMPANY agrees to pay all amounts due under this Agreement within (30) thirty days of the date of each invoice. Any invoice not paid within (30) thirty days of the invoice date shall accrue a finance charge at the rate of one and one-half percent (1½%) per month, or eighteen percent (18%) per annum. In addition to the accrued finance charges on invoices not timely paid, COMPANY agrees to pay 15% of the unpaid principle balance due as a handling fee for collection efforts as well as all attorneys' fees and costs incurred by CONTRACTOR if COMPANY'S account is referred to any attorney for collection or suit.

4.5. All services provided to date by CONTRACTOR to COMPANY and/or its affiliates are subject to the terms of this Agreement and are to be ratified in accordance with this Agreement. COMPANY agrees to make timely payment without regard to whether COMPANY or COMPANY'S affiliates may be entitled to reimbursement from an entity or person not a party to this agreement including but not limited to COMPANY'S insurance carrier.

4.6. Should COMPANY request by telephone or in writing CONTRACTOR'S services and, acting on this request, CONTRACTOR mobilizes its equipment and personnel yet COMPANY subsequently terminates this request before services are performed, then COMPANY is obligated to, shall be responsible for, and shall pay for those equipment and personnel charges on a portal-to-portal basis in accordance with CONTRACTOR'S applicable then current Response Rate Schedule at that time.

4.7. All payments shall be made by COMPANY to Garner Environmental Services, Inc. at 1717 W. 13th Street, Deer Park, Texas 77536.

4.8. CONTRACTOR reserves the right to require a retainer in an amount to be determined during the initial response, or at any time subsequent to commencement of operations and, in its discretion, may suspend operations until such retainer has been provided.

ARTICLE 5. INDEPENDENT CONTRACTOR

CONTRACTOR is and shall be, in the performance of all Work, services, and activities under this Agreement, an independent contractor and not an employee, agent, or servant of COMPANY. All persons engaged by CONTRACTOR to perform the Work, services, or activities described herein shall, at all times and in all places, be subject to the sole direction, supervision, and control of CONTRACTOR. The relationship between COMPANY and CONTRACTOR (including CONTRACTOR'S employees) shall be in all respects an independent contractor relationship and not an employer/employee or principal/agent relationship.

ARTICLE 6. FORCE MAJEURE

If due to Force Majeure either Party hereto is rendered unable, in whole or in part, to carry out its obligations under this Agreement, save and except for COMPANY'S obligation to make timely payments for services or Work performed, upon such Party giving written notice including full

particulars of such force majeure to the other Party immediately after the occurrence of the cause relied on, then the obligation of that party giving such notice, so far as it is affected by such Force Majeure, shall be suspended during the continuance of any inability so caused, but for no longer period and such cause shall, as far as possible, be remedied with all reasonable dispatch. The term "Force Majeure" as employed herein, shall mean acts of God, strikes, lockouts, or other industrial disturbances, acts of the public enemies, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests and restraints of rulers and people, civil disturbances, explosions, inability with reasonable diligence to obtain materials and any other causes not within the reasonable control of the Party claiming a suspension which by the exercise of due diligence such Party shall not have been able to avoid or overcome. In no event, however, shall the foregoing limit the rights of the COMPANY or CONTRACTOR to terminate this Agreement or the Work as otherwise provided herein.

ARTICLE 7. INDEMNIFICATION

7.1. CONTRACTOR shall indemnify, hold harmless and defend COMPANY, its officers, directors, employees, agents and representatives from and against any and all damages, losses, claims, demands, causes of action, liens, judgments, penalties, and expenses of every kind and character (including attorneys' fees and investigation expenses and court and settlement costs), and other liabilities in any manner arising out of or in connection and to the extent of any sole negligent act , or willful misconduct of CONTRACTOR or its Subcontractors pursuant to the Work. CONTRACTOR shall defend claims asserted against COMPANY hereunder and shall bear all costs and judgments related thereto at its sole expense. COMPANY shall have the right, at its option, to participate in the defense of each such claim without relieving CONTRACTOR of any obligations hereunder.

7.2. COMPANY shall indemnify, hold harmless and defend CONTRACTOR, its officers, directors, employees, agents and representatives from and against any and all damages, losses, claims, demands, causes of action, liens, third-party claims, judgments, penalties, and expenses of every kind and character, whether sounding in contract, tort or otherwise including but not limited to asserted claims of trespass or damage to property, (including attorneys' fees and investigation expenses and court and settlement costs), and other liabilities in any manner arising out of or in connection and to the extent of any negligent act, omission or willful misconduct of COMPANY in connection with COMPANY'S ownership of or activities on the Worksite or COMPANY'S or COMPANY'S employees presence at the Worksite or COMPANY'S participation in the services or Work performed by CONTRACTOR pursuant to this Agreement; the generation by COMPANY of the subject matter of the Work and/or the existence at the Worksite of the subject matter of the Work; the discharge, dispersal, release or escape of smoke, vapors, soot, fumes, acids, alkalis, chemicals, liquids or gases, waste materials or other irritants, contaminants or pollutants into or upon land, the atmosphere or watercourse or body of water that is/are the subject matter of the Work; COMPANY'S strict liability; and violations by the COMPANY of: the Resource Conservation and Recovery Act, as amended; the Comprehensive Environmental Response, Compensation and Liability Act, as amended; the Toxic Substances Control Act, as amended; and other environmental laws, rules and regulations relating to the existence, generation and/or current or future ownership of hazardous and/or non-hazardous substances and wastes which are the subject matter of the services or Work by CONTRACTOR for COMPANY. COMPANY shall defend claims asserted against CONTRACTOR hereunder and shall bear all attorneys' fees, costs and judgments related thereto at its sole expense. CONTRACTOR shall have the right, at its option, to participate in the defense of each such claim without relieving COMPANY of any obligations hereunder.

7.3. Both COMPANY and CONTRACTOR each agree to carry insurance in sufficient amounts and types to satisfy their respective indemnity obligations to one another as set forth

above. COMPANY and CONTRACTOR hereby agree to exchange Certificates of Insurance upon request.

ARTICLE 8. TITLE

8.1. COMPANY agrees that title to contaminated waste materials resulting from the cleanup and/or services provided in connection with the subject of the Work will not be transferred to CONTRACTOR.

8.2. COMPANY understands that COMPANY may arrange for another entity to provide transportation and/or disposal services. In the event COMPANY requests and authorizes CONTRACTOR to assist with transportation and/or disposal of waste, COMPANY acknowledges and agrees that COMPANY is the responsible party for the generation and existence of all hazardous and/or non-hazardous material and/or waste.

8.3. In the event that COMPANY requests CONTRACTOR'S assistance in meeting COMPANY'S obligations as set forth herein, CONTRACTOR as requested by COMPANY may (i) collect samples and perform analytical testing to assist COMPANY in the characterization of waste for the purpose of COMPANY'S manifest; (ii) identify a number of potential transporters and disposal facilities from which COMPANY may select in accomplishing the transportation and disposal of collected waste; and (iii) draft the technical provisions of contracts or purchase orders and prepare manifests implementing COMPANY'S selection of a transporter and/or disposal facility for review and execution solely by COMPANY.

8.4. Notwithstanding CONTRACTOR'S assistance which may be rendered to COMPANY as set forth above, COMPANY acknowledges and agrees that COMPANY shall be solely responsible for the storage handling, transportation, treatment, processing, and disposal of any wastes, pollutants, or contaminants that are the subject of this Agreement and for full compliance with provisions of the Resource Conservation and Recovery Act, as amended, the Comprehensive Environmental Response, Compensation and Liability Act, as amended, the Toxic Substances Control Act, as amended and all other applicable federal, state, or local laws, statutes, or regulations governing the treatment, transportation, storage, or disposal of waste material.

8.5. COMPANY and CONTRACTOR agree that CONTRACTOR is not and shall not be considered (i) the owner of material, substances, or wastes noted in the Scope of Work; (ii) the operator of a waste management facility; (iii) the generator, storer, or disposer of hazardous or solid waste; and (iv) to have arranged for the transportation, disposal of any wastes, pollutants, or contaminants by virtue of the performance of this Contract or anything contained herein, as those terms are used in the Resource Conservation and Recovery Act, as amended; the Comprehensive Environmental Response, Compensation and Liability Act, as amended; the Toxic Substances Control Act, as amended, or any other federal or state statute or regulation governing the treatment, transportation, storage, or disposal of materials or wastes.

ARTICLE 9. TERM OF AGREEMENT

The initial term of this Agreement shall expire (12) twelve months after the date of execution by all parties. Thereafter, this Agreement shall be renewed for successive (1) one year terms unless either Party hereto provides written notice to the other Party at least (30) thirty days prior to the expiration date of the Agreement that they do not wish to have the Agreement renewed. Otherwise, either Party hereto may terminate this Agreement only for cause and after a failure to cure such cause within (10) ten calendar days after written notice. "Cause" if asserted by CONTRACTOR means a failure of COMPANY to make payment of an invoice within (30) thirty days of the invoice date or actions or demands of COMPANY that impair CONTRACTOR'S professional obligations. "Cause" if asserted by COMPANY means a failure of the

CONTRACTOR to perform timely services or any other material breach of this Agreement. COMPANY shall pay CONTRACTOR any unpaid expenses or fees incurred prior to notification of termination in accordance with Article 4. All rights and obligations of the parties arising pursuant to this agreement prior to termination shall remain enforceable.

ARTICLE 10. MISCELLANEOUS PROVISIONS

10.1. All headings herein are for convenience only and are in no way to be construed as part of this Agreement or as a limitation of the scope of the particular paragraphs to which they refer. The use of pronouns shall not affect the substance herein.

10.2. The covenants and agreements contained herein shall apply to, inure to the benefit of, and be binding upon the Parties hereto and upon their respective subsidiaries, affiliates, successors, and assigns. This Agreement shall not be interpreted or deemed to confer rights or benefits on persons not a party hereto.

10.3. If any provision of this Agreement is determined or declared by a court of competent jurisdiction to be invalid or otherwise unenforceable, all remaining provisions of the Agreement shall remain in full force and effect.

10.4. All parties acknowledge that the parties are entering into this agreement in Harris County, Texas and that, because this agreement has been procured in Harris County, Texas and is being managed and administered from CONTRACTOR'S central office in Harris County, Texas, this agreement is being performed in Harris County, Texas. All parties agree that the validity, interpretation and performance of this Agreement and the contents herein are to be interpreted and enforced pursuant to the laws of the State of Texas and that any suit in connection herewith shall be filed in Harris County, Texas.

10.5. No waiver by either Party of any default by the other Party in the performance of any provision of this Agreement shall operate as or be construed or deemed to be a waiver of any future default, whether alike or different in character.

10.6. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one (1) and the same instrument.

10.7. This instrument together with all documents described herein constitutes and expresses the entire agreement and understanding between COMPANY and CONTRACTOR, and any modification hereto must be made in writing and agreed to by both Parties; provided, however, that the scope of a particular job and the designation of representatives may be defined, amended, and modified as set forth herein.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first above written.

GARNER ENVIRONMENTALSERVICES, INC.

By: Otis Chambers

OTIS CHAMBERS

Title: EXECUTIVE VICE-PRESIDENT

Date: 7-30-02

HOUSTON FUEL OIL TERMINAL COMPANY

By: J. Bailey

Jim Bailey

(Typed/Printed Name)

Title: Director of Regulatory Affairs

Date: 7/30/02

GARNER ENVIRONMENTAL SERVICES, INC.

1717 West 13th Street
Deer Park, Texas 77536
(800) 424-1716
(281) 930-1200

RESPONSE RATE SCHEDULE
DOMESTIC

Corporate	Response Rate Schedule Domestic	Schedule
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SPILL PERSONNEL PHONE LIST

	PAGER	MOBILE	HOME
DEER PARK – Office / Phone: (281) 930-1200 / (800) 424-1716 Fax: (281) 478-0296			
Spill Response			(b) (6)
John Pavlicek	(281) 930-0521	(888) 278-8146	
Clyde McKissack	(281) 931-7919	(281) 322-5527	
Seddrick Taylor	(281) 481-4474	(281) 322-0295	
David Asher	(281) 890-0227	(281) 322-5506	
Haz-Mat Incidents			
John Temperilli	(281) 370-2812	(877) 295-0440	
Mike Carpenter	(832) 467-2764	(281) 322-0089	
Mikie Sopczak	(281) 476-0337	(281) 322-1660	
Dispatcher			
Bruce Dumesnil	(281) 470-2270	(281) 322-5623	
PORT ARTHUR – Office / Phone: (409) 983-5646 / (800) 983-7634 Fax: (409) 983-5851			
Elbert Sirmons	(409) 296-2608	(409) 723-7772	(b) (6)
Tony Waldrop	(409) 960-6737	(409) 723-7774	
Curtis Galloway		(409) 933-7101	
LA MARQUE – Office / Phone: (409) 935-0308 / (800) 935-0308 Fax: (409) 935-0678			
Kim Albright	(409) 948-0465	(888) 509-2929	(b) (6)
Ricky Ybarra	(409) 762-5216	(409) 933-7172	
FORT WORTH – Office / Phone: (817) 535-7222 / (888) 654-0111 Fax: (817) 535-8187			
J. Salzer	(817) 735-4718	(888) 983-0512	(b) (6)
Kevin Brant	(817) 577-2125	(888) 856-8397	
NEW ORLEANS – Office / Phone: (504) 254-2444 / (800) 975-2444 Fax: (504) 254-3004			
Kenny Sconza	(228) 467-3931	(504) 423-9940	(b) (6)
Larry Fonte	(504) 436-2500	(504) 423-9941	
Sammy Jones	(504) 649-8377	(504) 423-9942	
Walter Diamond	(504) 394-9762	(504) 423-9944	
SAN ANTONIO – Office / Phone: (210) 496-5310 / (888) 818-5310 Fax: (210) 496-5312			
Todd Johnson		(888) 702-1453	(b) (6)
Brent Camfield	(210) 805-0433	(888) 278-3197	

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Automotive Equipment

Automotive Equipment Hourly Rates charges are portal to portal. A four (4) hour minimum time will be charged on all call-outs. A mileage charge of $0.50 per mile after the first 50 miles will be added for all automotive equipment, except for automobiles and pick-up trucks, which will have a mileage charge of $0.35 per mile added.

Equipment Decontamination / Washout

Time and Material charges are portal to portal and will continue through decontamination and/or washout of any and all equipment used on the job.

Haz-Mat Rates

Haz-Mat rates will be charged when the material being dealt with has a hazard rating of two or greater on the NFPA 704 labeling system or hazardous material identifying system, or if a job requires the use of respiratory protection.

Insurance

The rates in this RATE SCHEDULE include insurance coverage for Worker's Compensation, General Liability, Pollution and Automobile Liability. A Certificate of Insurance will be forwarded upon request. These rates do not include work performed under the U.S. Longshoremen's and Harbor Workers Act (33 USC ss 901-950). For work performed under this statute, an additional 69% surcharge per $100.00 of wages will be assessed on labor **only**.

Personnel

Experienced consulting, supervisory, technical instructor and equipment operating personnel are available for complete emergency spill response and spill cleanup operations and vacuum service, 24 hours a day, 7 days a week. Normal hours of operation are from 0730 (7:30 a.m.) through 1600 (4:00 p.m.) daily, Monday through Friday.

All labor charges will be in accordance with Garner Environmental Services, Inc. service receipts. Charges for personnel are portal-to-portal. Garner Environmental Services, Inc. will invoice for personnel and the time required to mobilize, service, repair, and restock all vehicles and equipment used in the performance of the services for customer. Overtime for personnel will be charged at time and a half between 1600 (4:00 pm) through 0730 (7:30 am) Monday through Thursday; weekends from 1600 (4:00 p.m.) Friday through 0730 (7:30 am) Monday. **DOUBLE TIME RATES** will be charged for all National Holidays. **4-Hour Minimum Service Charge On All Labor Call-Outs.**

In the event Garner Environmental Services, Inc. responds to a request from Customer and/or on behalf of Customer for record gathering and/or litigation support services, Customer will pay for personnel provided and/or requested in the amount corresponding to the personnel designation in the rate sheet.

Replacement of Damaged or Contaminated Equipment

If, during performance of a service and/or services for a customer, equipment and/or material sustain damage which renders the equipment and/or material beyond repair or renders decontamination impossible, said equipment and/or material will be subject to a replacement charge at Garner Environmental Services, Inc.'s cost plus 15% unless said damage was sustained as a result of misuse by Garner Environmental Services, Inc. personnel.

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Roll-Off Boxes

Roll-Off Box delivery and pickup charges vary according to the distance from the site location. The cost for roll-off box liners is $50.00 each. Box Liners are not mandatory, but if the Roll-Off Box requires cleaning at the end of the rental period, the customer will incur the cleaning charges.

Stand-By Rates

Stand-By Rates will be equal to the daily rates in this schedule unless otherwise agreed to in writing on a case-by-case basis. Full rates will apply for personnel and per diem.

Subcontract Services / Third-Party Services

When Garner Environmental Services, Inc.'s equipment is available, Garner Environmental Services, Inc. will use and bill Customer for said equipment at rates published in the rate schedule. For any item that is identified on Garner Environmental Services, Inc.'s rate sheet and which Garner acquires through or from a third party vendor or supplier, Customer will pay to Garner Environmental Services, Inc. the higher of Garner Environmental Services, Inc.'s rate or Garner Environmental Services, Inc.'s cost plus a 20% handling charge.

A 20% handling charge will apply and be invoiced for all shipping and transportation of equipment, materials and goods regardless of whether such equipment, materials and goods appear on Garner Environmental Services, Inc.'s rate schedule. In addition, for all items not listed on Garner Environmental Services, Inc.'s rate schedule, including but not limited to personnel, equipment, materials and goods, laboratory services, testing services, damage waivers and/or other services, said items will be billed at Garner Environmental Services, Inc.'s cost plus a 20% handling charge.

Cost, as used herein, is defined as the amount invoiced to Garner Environmental Services, Inc. by a third-party supplier of material and/or goods and/or material and/or labor and/or equipment and/or services.

Taxes

All domestic federal, state and municipal taxes, except income taxes and ad-valorem taxes, now and hereinafter imposed with respect to services rendered, to rental equipment, to the processing, manufacture, repair, and to the delivery and transportation of equipment and supplies will be added to and become part of the total price payable by the Customer. If a Customer claims an exemption from payment of Texas Sales and Use Tax, the Customer will be required to render an Exemption Certificate or a Resale Certificate to Garner Environmental Services, Inc. for said exemption to apply to the services rendered. If for any reason the services rendered result in the assessment of foreign income taxes, excise taxes, or other fees alleged as owing to a foreign state or government, the Customer will pay directly the amount of any assessment or fee. In the event Company pays any such foreign tax or fee directly, Customer will promptly reimburse Company for same.

Terms

The term of payment for all invoices is *Net 30 Days* from the date of invoice. The balance of any invoice not timely paid will accrue a finance charge computed at the periodic rate of one and one-half percent (1.5%) per month (18% per annum) beginning on the thirty-first (31st) day from the date of the invoice. Customer is obligated to make payment to Garner Environmental Services, Inc. at its principal office at 1717 West 13th Street, Deer Park, TX 77536 in Harris County, Texas.

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Place of Performance

The procurement of Garner Environmental Services, Inc.'s services may not be in the same county as the work site area. Customer is obligated to make payment to Garner Environmental Services, Inc. in Harris County, Texas for services provided. Because this agreement has been procured in Harris County, Texas and is being managed and administered from Garner Environmental Services, Inc.'s central office in Harris County, Texas, this agreement is being performed in Harris County, Texas. The validity, interpretation and performance of the services and payment and the contents herein are to be interpreted and enforced pursuant to the laws of the State of Texas and any suit in connection herewith will be filed in Harris County, Texas.

Travel, Lodging and Per Diem

For all employees who do not reside in the local commuting area for the work site, Garner Environmental Services, Inc. will be reimbursed for costs incurred for employee travel to and from the work site on the basis of Garner Environmental Services, Inc.'s incurred costs plus 20% for all commercial transportation. A minimum Per Diem charge of $90.00 per day for all employees who do not reside in the local commuting area of the work site will be due for each day that such employee is present in the locale of the work site.

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HOUSTON - FORT WORTH - LaMARQUE - PORT ARTHUR - SAN ANTONIO - NEW ORLEANS

PERSONNEL

		Hourly Rate Regular	Overtime
PERS-1001	Project/Operations Manager	125.00	187.50
PERS-1002	Health & Safety Manager	100.00	150.00
PERS-1003	Site Manager/Superintendent	70.00	105.00
PERS-1004	Site Safety Officer	55.00	82.50
PERS-1005	Supervisor	50.00	75.00
PERS-1005-HM	Supervisor, Haz-Mat	75.00	112.50
PERS-1006	EMT / Paramedics	45.00	67.50
PERS-1007	Foreman	40.00	60.00
PERS-1007-HM	Foreman, Haz-Mat	55.00	82.50
PERS-1008	Industrial Hygiene Supervisor	55.00	82.50
PERS-1009	Industrial Hygiene Technician	45.00	67.50
PERS-1010	Mechanic	40.00	60.00
PERS-1011	Rescue Supervisor	55.00	82.50
PERS-1012	Rescue Technician	50.00	75.00
PERS-1018	Rescue Attendant	45.00	67.50
PERS-1013	Resource Coordinator	40.00	60.00
PERS-1014	Operator, Heavy Equipment	40.00	60.00
PERS-1014-HM	Operator, Heavy Equipment, Haz-Mat	55.00	82.50
PERS-1015	Operator, Response Equipment	35.00	52.50
PERS-1015-HM	Operator, Response Equipment, Haz-Mat	50.00	75.00
PERS-1016	Technician	27.00	40.50
PERS-1016-HM	Technician, Haz-Mat	45.00	67.50
PERS-1016-TO	Technician/Operator	35.00	52.50
PERS-1016-TS	Technician, Sampling	45.00	67.50
PERS-1017	Field Clerk	30.00	45.00

EQUIPMENT

Automotive Equipment

		Hourly Rate
AUTO-1001	Super Sucker, 80 bbl Capacity (See Note)	125.00
AUTO-1002	Cyclone Unit	50.00
AUTO-1003	Vacuum Truck, 80 bbl Capacity, Stainless Steel Unit (See Note)	95.00
AUTO-1004	Vacuum Truck, 80 bbl Capacity (See Note)	70.00
AUTO-1005	Vacuum Truck, 130 bbl Capacity (See Note)	85.00
AUTO-1006	Vacuum Truck, Liquid Ring (See Note)	150.00
AUTO-1007	Roll-Off Truck (See Note)	75.00
AUTO-1008	Meyers Unit, Truck Mounted (See Note)	60.00
AUTO-1009	Mini Roll-Off Unit (See Note) (**Note**: Operator Included)	60.00
		Daily Rate
AUTO-1017	Meyers Unit, Trailer Mounted	350.00
AUTO-1010	ATV, 4-Wheel	225.00
AUTO-1011	ATV Utility Trailer	75.00

All rates listed in this schedule are subject to change without notice.

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Automotive Equipment (cont.)

		Daily Rate
AUTO-1012	Automobile	75.00
AUTO-1013	Backhoe	425.00
AUTO-1018	Pick-Up Truck, 1 ton or smaller	115.00
AUTO-1019	Pick-Up Truck, 1 ton, Haz-Mat Quick-Response Unit	200.00
AUTO-1020	Pick-Up Truck, 1 ton, w/liftgate	130.00
AUTO-1023	Pick-Up Truck, 1 ton, 4x4	220.00
AUTO-1024	Skid-Steer Loader	350.00
AUTO-1028	Tractor/Trailer, Haz-Mat Response Unit, 32'	750.00
AUTO-1025	Trailer, Boom, 20 foot	75.00
AUTO-1026	Trailer, Equipment Hauler, Gooseneck, 24 foot	75.00
AUTO-1029	Trailer, Haz-Mat Response, 24'	350.00
AUTO-1033	Trailer, Haz-Mat Transfer	500.00
AUTO-1035	Trailer, Rescue/Emergency Response	150.00
AUTO-1030	Trailer, Response, Gooseneck, 32' Oil Response	300.00
AUTO-1021	Trailer, Response, 18'	200.00
AUTO-1031	Trailer, Transfer, Ship to Shore	125.00
AUTO-1032	Trailer, Utility	75.00
AUTO-1034	Truck, Bobtail	300.00

Communications Equipment

		Daily Rate
COMM-1001	Cellular Telephone (Each)	25.00
COMM-1002	Computer, Laptop/Desktop w/Printer	125.00
COMM-1003	Fax Machine	25.00
COMM-1004	GPS, Hand Held	25.00
COMM-1005	ICOM Aircraft Radio, Hand Held	25.00
COMM-1006	MCC #1 Mobile Command & Control Trailer + Fuel	1,700.00
	(NOTE: Any items not returned to the Command Unit upon completion of work will be charged back to the customer at cost plus 20%.)	
COMM-1007	Radio Portable	25.00
COMM-1008	VHF Marine Radio, Hand Held	25.00
COMM-1009	VHF Mobile Radio Marine Radio w/8' Antenna	30.00

Containment Boom

		Daily Rate
CBM-1001	Containment Boom, 48" Offshore	6.00 ft/day
CBM-1002	Containment Boom, 42" Offshore	6.00 ft/day
CBM-1003	Containment Boom, 36"	3.00 ft/day
CBM-1004	Containment Boom, 18"	1.40 ft/day
CBM-1005	Mini-Boom	.75 ft/day
CBM-1006	Containment Boom, 12"	1.00 ft/day
CBMA-100	Boom Anchor, 100 lb.	100.00/day
CBMA-18	Boom Anchor, 18 lb.	18.00/day
CBMA-22	Boom Anchor, 22 lb.	22.00/day
CBMA-40	Boom Anchor, 40 lb.	40.00/day
CBMA-75	Boom Anchor, 75 lb.	75.00/day

All rates listed in this schedule are subject to change without notice.

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Haz-Mat Equipment

		Unit Rate
MSE-1005	Betz Emergency Off-Loading Valve	500.00
HMS-1001	Cylinder Refill, Nitrogen	50.00
HMS-1002	Chlorine Emergency Kit "A"	500.00
HMS-1004	Chlorine Emergency Kit "B"	750.00
HMS-1005	Chlorine Emergency Kit "C"	1000.00
MSE-1010	Compressor, Corken, 2"	1,500.00
MSE-1018	Decontamination Kit (Personnel,Pool, Brush, Bucket, Soap)	50.00
MSE-1025	Railcar Transfer Equipment	500.00
HME-1005	Vacuum Cleaner, Stainless Steel, Mercury, HEPA	250.00

Marine Equipment

		Daily Rate
MAR-1001	Airboat	500.00
MAR-1002	Deck Barge, 30', w/twin 150hp engines, radar	800.00
MAR-1003	Fast Response Boat, 30', w/twin 200hp engines, radar, 14 bbl store cap	800.00
MAR-1004	Flat Boat, w/o motor	115.00
MAR-1005	Flat Boat, 14' to 16' w/motor	225.00
MAR-1006	Piroque	30.00
MAR-1007	Fast Response Boat, 17' to 23'	250.00
MAR-1008	Work Boat, 24', 150 hp Twin Engine	500.00

Miscellaneous Equipment

		Daily Rate
MSE-1004	Back-Pack Blower	30.00
MSE-1006	Camera, Digital	50.00
MSE-1006-1	Photo-Processing, Digital Camera, Each Frame	2.50
MSE-1007	Camera, Video, Event Recording	250.00
MSE-1008	Cargo Lights	12.50
MSE-1009	Chain Saw	75.00
MSE-1049	Compressor, Air, 11.8 cfm, 90 psi output	185.00
MSE-1011	Compressor, Hydraulic, 2"	200.00
MSE-1012	Confined Space Rescue Kit	50.00
MSE-1045	Coppus Blower	50.00
MSE-1048	Drum Crusher	250.00
MSE-1013	Drum Dolly	25.00
MSE-1014	Drum Grabber	25.00
MSE-1015	Drum Gripper, Forklift	100.00
MSE-1016	Drum Pump, Poly	25.00
MSE-1017	Drum Sling	25.00
MSE-1019	Generator w/work lights	110.00
MSE-1020	Generator, 4 kw	100.00
MSE-1046	Hand Tool (Pitch Fork, Rake, Shovel, Squeegee, etc)	17.00
MSE-1023	Power Pack, Hydraulic, 50 hp or less	500.00
MSE-1024	Pressure Washer, 3,000 psi or less	250.00
MSE-1026	Saw, Air Powered	75.00
MSE-1027	Saw, Portable	75.00
MSE-1028	Scare Cannon plus Fuel	60.00

All rates listed in this schedule are subject to change without notice.

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Miscellaneous Equipment (cont.)

		Daily Rate
MSE-1029	Sewer Plug	100.00
MSE-1030	Sprayer, Pump, Hand-Held	30.00
MSE-1001	Stainless Steel Stinger, 2"	50.00
MSE-1031	Steam Cleaner (3,000 psi or less)	250.00
MSE-1032	Vacuum Cleaner, Wet/Dry	50.00
MSE-1033	Vapor Lights, High Intensity	65.00
MSE-1034	Weed Eater	75.00
MSE-1035	Wheelbarrow	25.00
MSE-1047	Hose, ADS, 6" (Foot)	1.75

Monitoring Equipment

		Daily Rate
MTE-1014	3M 3500 Passive VOC Monitoring Badges	35.00
MTE-1021	25mm Particulate Sampling Cassette	4.00
MTE-1022	37mm Three Piece HEPA Particulate Sampling Cassette	5.00
MTE-1001	4-Gas Meters	95.00
MTE-1004	Anemometer / Mass Air Sensor	75.00
MTE-1005	Audio Dosimeter	75.00
MTE-1006	Black Light, Mercury Detection	40.00
MTE-1023	Chemsticks / Chemstrips	10.00
MSE-1024	Coconut Charcoal VOC Sampling Tubes	5.00
MTE-1007	Crowcon Monitor, 5 gas	150.00
MTE-1008	Drager CMS Unit	300.00
MTE-1015	Drager Pump	30.00
MTE-1034	FID Detector, Handheld	200.00
ST-1005	Head Space Analyzer for GC / MS	300.00
ST-1012	Gas Chromatograph / Mass Spectrometer w/computer, Portable	1,500.00
MTE-1026	Gas Chromatograph / Mass Spectrometer Carrier Gas	147.45
MTE-1035	Gas Chromatograph / Mass Spectrometer Internal Gas Standard	140.00
MTE-1009	Infrared Sensor	25.00
MTE-1003	Jerome Mercury Vapor Analyzer	175.00
MTE-1011	ph Meter	30.00
MTE-1012	Photoionization Detector (PID), MiniRae	75.00
MTE-1036	Photoionization Detector, Ultra (PID), Ultra MiniRae	100.00
MTE-1010	Radiation Monitor	75.00
MTE-1013	Wibget % Portable Heat Stress Monitor	100.00

		Unit Rate
MTE-1037	FID Detector Hydrogen Refill	35.00
MTE-1029	Head Space 40ml Teflon Septa Vials	4.00
MTE-1020	Intrinsically Safe Thermometer	15.00
MTE-1030	Pentane Calibration Gas – One (1) Calibration	20.00
MTE-1018	Sensodyne Pump	30.00
MTE-1031	Quad Gas Calibration Gas – One (1) Calibration	25.00
MTE-1032	Tedlar Bag w/Stainless Fittings – 1 Liter	26.00
MTE-1033	Tedlar Bag w/Stainless Fittings – 5 Liter	40.00

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Personal Protective Equipment

		Daily Rate
PPE-1005	Bunker Gear (Pants, Coat, Gloves, Helmet, Boots)	150.00
PPE-1006	Chest Waders	35.00
PPE-1007	Cool Vest	50.00
PPE-1020	Harness, Safety, w/lanyard	25.00
PPE-1030	Safety Lifeline	15.00

		Unit Rate
PPE-1001	Apron, Tyvek	1.50
PPE-1008	Coveralls, Poly-Coated Tyvek Hood and Boots	16.00
PPE-1009	Coveralls, Saranex	18.00
PPE-1010	Coveralls, Tyvek	10.00
PPE-1021	Level A, Responder, Each	900.00
PPE-1022	Level B, Fully Encapsulated (CPF 4), Each	225.00
PPE-1023	Level B, Encapsulated (CPF 3), Each	90.00
PPE-1024	Level C, Hood, Boot, Splash Guard (CPF 3), Each	75.00
PPE-1025	Level C, Hood, Boot (CPF 3), Each	60.00
PPE-1026	Level C, Hood, Boot (CPF 2), Each	45.00
PPE-1027	Level C, Hood, Boot (CPF 1), Each	20.00
PPE-1034	Level D, PPE	35.00
PPE-1033	Slicker Suit, Rain	25.00

Boots

		Unit Rate
PPE-1002	Boot, Chemical, NFPA Approved, Pair	90.00
PPE-1003	Boot, Rubber, Steel-toe, Pair	45.00
PPE-1004	Booties, Latex, Pair	7.00

Gloves

		Unit Rate
PPE-1011	Glove, Latex, Sample, Pair	1.00
PPE-1012	Glove, Leather, Pair	5.95
PPE-1013	Glove, Neoprene, Pair	5.95
PPE-1014	Glove, NEOX, Pair	3.75
PPE-1029	Glove, Nitrile, Inner, Pair	1.00
PPE-1015	Glove, Nitrile, Outer, Pair	3.75
PPE-1016	Glove, Petroflex, Pair	3.50
PPE-1017	Glove, "*Black Knight*", Pair	3.25
PPE-1018	Glove, "*Silver Shield*", Pair	8.00
PPE-1019	Glove Liner, Cotton, Pair	1.00

Respiratory Protection

		Unit Rate
HME-1001	Air Regulator	50.00
HME-1002	Breathing Air Cylinder	10.00
HME-1011	Breathing Air Compressor	500.00

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Respiratory Protection (cont.)

		Unit Rate
HME-1012	Breathing Air Compressor Cool Pack	50.00
HME-1011	Breathing Air Hose, 50' Section	12.00
PPE-1028	Respirator Cartridge, HEPA	7.50
PPE-1031	Respirator Cartridge, HEPA/OV/AG, Pair	24.00
PPE-1032	Respirator Cartridge, Mercury Vapor	30.00
HME-1003	Escape Mask	25.00
HME-1004	Escape Pack	125.00
HME-1007	Full-Face Respirator	25.00
HME-1008	Half-Face Respirator (Organic Mask, Disposable)	25.00
HME-1010	Half-Face Respirator w/o cartridges	12.50
HME-1009	Self-Contained Breathing Apparatus (SCBA)	125.00

Pumps and Hoses

		Daily Rate
PUMP-1001	Pump, 1"	100.00
PUMP-1002	Pump, 2" Blackmere Vane, (Hydraulic)	200.00
PUMP-1003	Pump, 2" Diaphragm	90.00
PUMP-1004	Pump, 2"	90.00
PUMP-1006	Pump, 2" Stainless Steel Diaphragm	250.00
PUMP-1007	Pump, 2" Acme Mdl 39-G4 Floating Wash Pump	150.00
PUMP-1009	Pump, 3" Diaphragm	100.00
PUMP-1010	Pump, 3"	100.00
PUMP-1011	Rebuild Kit, Diaphragm Pump	350.00

		Unit Rate
MSE-1038	Hose, Chemical Resistant, 3" x 20'	20.00
MSE-1039	Hose, Chemical Resistant, Hard Gum Rubber, 6" x 25'	28.00
MSE-1040	Hose, Fire, 50' section	50.00
MSE-1041	Hose, Metal, Flex, 6" x 25'	25.00
MSE-1042	Hose, Solid Metal, Joint Pipe, 6" x 12'	22.00
MSE-1043	Hose, Suction/Discharge, 2" x 25'	8.00
MSE-1044	Hose, Suction/Discharge, 3" x 20'	8.00

Sampling and Testing Equipment and Supplies

		Unit Rate
ST-1003	Drum Thief Sampling Tubes	16.00
ST-1004	Haz-Cat Sampling Kit, per test	35.00
ST-1007	Mercury Test Kit	225.00
ST-1008	PCB Wipe Test Kit	30.00
ST-1009	Personnel Sampling Pump	50.00
ST-1010	Pipettes, Glass	2.00
ST-1011	pH Paper (Roll or Box)	20.00
ST-1013	Sample Bomb	120.00
ST-1014	Sample Jars	5.00
ST-1015	Sample Storage	15.00
ST-1016	Soil Sampling Kit	35.00

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Sampling and Testing Equipment and Supplies (cont.)

		Unit Rate
ST-1017	Hydrocarbon Test Kit	47.65

Skimmers

		Daily Rate
SKIM-1001	DiscOil Skimmer, w/Power Pack	2,250.00
SKIM-1002-70	Drum Skimmer, 70 gpm	600.00
SKIM-NO-1003-20	Drum Skimmer, 20 gpm	450.00
SKIM-1005	Skimmer, Acme Mdl 39-TG4, Gasoline Powered	200.00
SKIM-1006	Skimmer, Acme Mdl 39-T, Vacuum / or Douglas Engineering Skim Pak	150.00
SKIM-1007	Skimmer, Desmi	5,000.00
SKIM-1008	Skimmer, Marco, "*Harbor 28*"	5,000.00
SKIM-1009	Skimmer, Marco, "*Sidewinder 14*"	4,200.00

Storage

		Daily Rate
STR-1008	Frac Tank, 10,000 gl (Company Owned)	25.00
STR-1003	Roll-Off Box, Open Top	15.00
STR-1004	Roll-Off Box, Roll Top	30.00
STR-1005	Roll-Off Box, Vacuum Box	50.00
STR-1006	Storage Tank, Poly, 500 gl capacity	30.00
STR-1007	Tarp, Roll-Off Box	8.00
STR-1009	Tote, Poly, 250 gl	15.00

MATERIAL

Chemicals

		Unit Rate
GES-ACETIC-5	Acetic Acid, Glacial, 5 gl pail	87.35
GES-BA50	Boric Acid, 5%, 50 lb bag	96.55
GES-CAUSOD55DRY	Caustic Soda, Pearls, 50 lb bag	50.15
GES-COREXIT-9500-55	Corexit EC9500A Oil Spill Dispersant, 55 gl drum	1,121.45
GES-COREXIT-9527-55	Corexit EC9527A Oil Spill Dispersant, 55 gl drum	1,070.85
GES-COREXIT-9580-55	Corexit EC9580A Oil Spill Beach Cleaner, 55 gl drum	683.65
GES-CITRIC50B	Citric Acid, 50%, Grade B, 575 lb drum	1,048.40
GES-FW-MRED	Degreaser, "*Mighty Red*"	9.20
GES-DGR1	Degreaser/Solvent, 1 gl container	46.35
GES-MAGOXI-50	Magnesium Oxide (50 lb bag)	45.00
GES-MBELSC1	Micro-Blaze, Emergency Liquid Spill Control, 1 gl	26.50
GES-MBOL5	Micro-Blaze Out, Firefighting Agent, 5 gl pail	215.15
GES-SA50D	Soda Ash, Dense, 50 lb bag	22.80
GES-SB50	Sodium Bicarbonate, 50 lb bag	36.20
GES-FW-SODHCH	Sodium Hypochlorite, Liquid	2.10

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Miscellaneous Material

		Unit Rate
MSM-1001	Diesel Fuel	Current Price
MSM-1002	Gasoline	Current Price
MSS-1001	Duct Tape, 2" x 60 yd	7.60
MSS-1002	Barricade Tape	23.10
MSS-1003	Rags/Wipes, Colored, 50 lb box	52.50
MSS-1005	Visquine Sheeting, 20' x 100' x 6 ml	65.00
MSS-1006	Rope, Polypro, 1/2" x 600'	75.00
MSS-1007	Rope, Polypro, 1/4" x 600'	26.25
MSS-1008	Box Liner, Roll-Off Box	50.00
MSS-1009	Epoxy Stick, Sealant	9.45
GES-DLPB55-6	Drum Liner, Plastic Bag, 55 gl x 6 ml, 50 per roll	53.50
GES-DLPB55-6-ea	Drum Liner, Plastic Bag, 55 gl x 6 ml, ea	1.05
GES-LP5	Drum, Poly, 5 gl, w/lid	16.10
GES-PD30	Drum, Poly, 30 gl, w/lid	45.00
GES-PDOH25	Drum, Poly, O/H, R/C, Nestable, 25 gl	58.30
GES-PDOH55	Drum, Poly, O/H, R/C, Nestable, 55 gl	55.00
GES-PDTH55	Drum, Poly, T/H, w/bungs, 55 gl	55.00
GES-OP110	Drum, Poly, Overpack, 110 gl	350.00
GES-OP95	Drum, Poly, Overpack, 95 gl	200.00
GES-OP95M	Drum, Poly, Overpack, Metric, 95 gl	327.50
GES-CTSD55	Drum, Steel, T/H, 55 gl	59.00
GES-OTSD55	Drum, Steel, O/H, R/C, 55 gl	55.00
GES-SOP110	Drum, Steel, Overpack, 110 gl	670.30
GES-SOP85	Drum, Steel, Overpack, 85 gl	175.00
GES-PC1	Pollution Can, 20 gl, Each	20.10

Sorbent Material

		Unit Rate
GES-BMC	BMC Absorb-N-Dry Absorbent	8.00
GES-B510	Boom, Sorbent, 5" x 10', 4 boom bale	102.05
GES-B810	Boom, Sorbent, 8" x 10', 4 boom bale	180.50
GES-UB510	Boom, Sorbent, Universal, 5" x 10', 4 boom bale	134.05
GES-UB810	Boom, Sorbent, Universal, 8" x 10', 4 boom bale	201.10
GES-GS-22	Floor Gator, Granular, 50 lb bag	26.95
GES-GS-25	Cell-U-Sorb, 20 lb bag	31.00
GES-IM0077	Imbiber Bead Packet, 36 per case	231.65
GES-IM1421	Imbiber Bead Pillow, 3 per case	217.20
GES-IM2142	Imbiber Bead Blanket, 2 per case	235.30
GES-GATOR030	Oil Gator, 30 lb bag	45.05
GES-OSGP30	Oil Sponge GP, General Purpose, 30 lb bag	28.75
GES-P100	Pad, Sorbent, 17" x 19" x 3/8", 100 pad bale	72.00
GES-P200	Pad, Sorbent, 17" x 19" x 3/16", 200 pad bale	76.00
GES-UQ100	Pad, Sorbent, Universal, Gray, 17" x 19" x 3/8", 100 pad bale	104.60
GES-HAZPIL10	Pillow, Haz-Mat, Universal, 3" x 18" x 24", 10 pillow bale	120.65
GES-HAZPIL17	Pillow, Haz-Mat, Universal, 3" x 11" x 17", 17 pillow bale	134.05
GES-PIL10	Pillow, Sorbent, 14" x 25", 10 pillow bale	101.90
GES-R144	Roll, Sorbent, 38" x 144' x 3/8", 1 roll bale	144.30
GES-OS15	Snare, Viscous Oil, 30 count	60.00

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Sorbent Material (cont.)

		Unit Rate
GES-OSB50	Snare Boom, Viscous Oil, 50'	73.75
GES-OSB100	Snare Boom, Viscous Oil, 100'	186.50
GES-OD40	Sorbent, All-Purpose, Oil-Dry	12.90
GES-SPHAGSORB2	Sphag Sorb, 2 cf x 24 lb bag	42.25
GES-SW100	Sweep, Sorbent, 17" x 100', 1 sweep bale	110.60
GES-2950	Zorbent, Absorbent Material	62.50

EQUIPMENT, MATERIAL AND SUPPLIES AT COST PLUS

		Unit Rate
MTE-1002	5-Gas Meters	Cost +20%
MSE-1002	Air Compressor, 375 cfm, + fuel	Cost +20%
MSE-1003	Air Compressor, 185 cfm, + fuel	Cost +20%
AUTO-1015	Breathing Air Trailer	Cost +20%
HME-1002-RF	Breathing Air Cylinder Refill, 4500 psi	Cost +20%
ST-1002	Concrete Coring Device	Cost +20%
AUTO-1014	Crane (Rental, Mobilization & Demobilization)	Cost +20%
MTE-1025	Drager PID Chips, Test Specific	Cost +20%
MTE-1016	Drager Colorimetric Tubes	Cost +20%
MTE-1017	Drager Haz-Cat Identification Kit	Cost +20%
HME-1006	Filters and Decontamination, HEPA Mercury Vacuum Cleaner	Cost +20%
STR-1001	Frac Tank	Cost +20%
STR-1002	Frac Tank Mobilization, Decontamination and Demobilization	Cost +20%
ST-1001	Gas Detection Tubes	Cost + 20%
MTE-1028	Glassware, Additional	Cost +20%
ST-1006	Lab Analysis, Accredited Third Party	Cost +20%
SKIM-1010	Oleophilic Pad Replacement, *Marco Skimmer*	Cost +20%
MTE-1017	Passive Badges, Other	Cost +20%
GES-REAGENT	Reagent, Miscellaneous	Cost +20%
MTE-1019	Sensodyne Tubes	Cost +20%

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GARNER ENVIRONMENTAL SERVICES, INC.

1717 West 13th Street
Deer Park, Texas 77536
(280) 930-1200
(800) 424-1716

RESPONSE EQUIPMENT SCHEDULE

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BOOM EQUIPMENT

Name of Manufacturer	Model Number	Boom Type Code	Invent Length (feet)	Skirt Size (in.)	Float Size (in.)	End Connector Type Code	Time to Deploy	Storage Location	Owner
Acme Products Co., Inc.	"OK CORRAL"	R	32,000	12	6	Z	6.0	Deer Park	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	750	12	12	Z	6.0	Deer Park	Garner
Acme Products Co., Inc.	"SUPER-MINI"	R	200	4	2.5	BOLT	2.0	Deer Park	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	8,700	12	6	Z	6.0	La Marque	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	1,000	28	8	Z	2.0	La Marque	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	1,400	34	8	Z	2.0	La Marque	Garner
Acme Products Co., Inc.	"SUPER-MINI"	R	50	4	2.5	BOLT	1.0	La Marque	Garner
Expandi	"EXPANDI"	SI	200	34	8	OT	2.0	La Marque	Garner
Petro Boom	"PETRO-BOOM"	R	1,400	34	8	Z	3.0	La Marque	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	4,000	12	6	Z	2.5	Port Arthur	Garner
Acme Products Co., Inc.	"SUPER-MINI"	R	100	4	2.5	BOLT	0.5	Port Arthur	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	7,000	12	6	Z	6.0	N. Orleans	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	2,000	12	6	Z	2.0	Freeport	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	3,000	12	6	Z	2.0	Fort Worth	Garner
Acme Products Co., Inc.	"SUPER-MINI"	R	450	4	2.5	BOLT	2.0	Fort Worth	Garner
Acme Products Co., Inc.	"OK CORRAL"	R	1,000	18	6	Z	2.0	San Antonio	Garner
Acme Products Co., Inc.	"SUPER-MINI"	R	300	4	2.5	BOLT	2.0	San Antonio	Garner

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COMMUNICATIONS TYPE CODES			
AF	Aviation Frequency	MF	Marine Frequency
CP	Cellular Phone	PAG	Pager
COM	Command Post	PHH	Portable Hand Held
MOD	Computer w/modem	SSB	Single Side Band
FAX	Facsimile	TP	Telephone
FBS	Fixed Base Station	OT	Other

COMMUNICATIONS EQUIPMENT

Name of Manufacturer	Model Number	Comm Type	Nr. of Units	Frequency	Band	Range (miles)	Field Tunable		Storage Location	Owner
							Yes	No		
Motorola	A05J	PAG	40	931.462	FM	150		✓	Deer Park	Garner
Motorola	F09LF	CP	30	152.840	FM	200		✓	Deer Park	Garner
Motorola	MTX900	PHH	10	896.901	FM	30		✓	Deer Park	Garner
26' Communications Trailer		COM	1				✓		Deer Park	Garner
Motorola	A05J	PAG	13	931.462	FM	150		✓	La Marque	Garner
NEXTEL		PHH	22					✓	La Marque	Garner
Motorola	A05J	PAG	19	931.462	FM	150		✓	Port Arthur	Garner
Motorola	F09LF	CP	8	152.840	FM	200		✓	Port Arthur	Garner
NEXTEL		PHH	12	896.901	FM	30		✓	Port Arthur	Garner
Motorola	MTX8000	PHH	6	896.901	FM	100		✓	N. Orleans	Garner
Nextel		CP	12					✓	Fort Worth	Garner

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HEAVY EQUIPMENT RESPONSE VEHICLES						
Name of Manufacturer	Heavy Equipment / Response Vehicle	Number of Units	Wide Load Permit Needed		Storage Location	Owner
			Yes	No		
Ford	Pick-up Truck, 1 ton, w/mobile phone	24		✓	Deer Park	Garner
Sooner	Emergency Response Trailer, 28'	1		✓	Deer Park	Garner
Sooner	Emergency Response Trailer, 32'	2		✓	Deer Park	Garner
Modern Mfg.	Spill Trailer, 16' Lo-Boy	3		✓	Deer Park	Garner
Unknown	Emergency Haz-Mat Response Van, 20'	1		✓	Deer Park	Garner
Mercedes-Benz	Automobile, Superintendent, w/mobile phone	1		✓	Deer Park	Garner
Falcon	Trailer, Drum Skimmer, 20', Stand-by/Rescue	1		✓	Deer Park	Garner
Ford	Pick-up Truck, 1 ton, w/mobile phone	10		✓	La Marque	Garner
Garner	Roll-Off Box, 20 yd^3	6		✓	La Marque	Garner
Sooner	Emergency Respons Trailer, 32'	1		✓	La Marque	Garner
Sooner	Boom Trailer, 28' Gooseneck	4		✓	La Marque	Garner
Modern Mfg.	Spill Trailer, 16' Lo-Boy	2		✓	La Marque	Garner
Ford	Pick-up Truck, 1 ton, w/mobile phone	7		✓	Port Arthur	Garner
Sooner	Emergency Response Trailer, 28'	1		✓	Port Arthur	Garner
Modern Mfg.	Trailer, Spoill Response, 16' Lo-Boy	1		✓	Port Arthur	Garner
Modern Mfg.	Trailer, Boom, Gooseneck, 24'	2		✓	Port Arthur	Garner
Gemini Cargo	Trailer, Ham-Mat, 19'	1		✓	Port Arthur	Garner
Garner	Trailer Cage, Ship to Shore, 8'	1		✓	Port Arthur	Garner
Garmer	Roll-Off Box, 20 yd^3	7		✓	Port Arthur	Garner
Ford	Pick-up Truck, 1 ton, w/mobile phone	6		✓	N. Orleans	Garner
Modern Mfg.	Spill Trailer, 20' Lo-Boy	2		✓	N. Orleans	Garner

Corporate	Response Equipment Schedule	Schedule
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HEAVY EQUIPMENT RESPONSE VEHICLES						
Name of Manufacturer	Heavy Equipment / Response Vehicle	Number of Units	Wide Load Permit Needed		Storage Location	Owner
			Yes	No		
Ford	Pick-up Truck, 1 ton, w/mobile phone	3		✓	Freeport	Garner
Modern Mfg.	Boom Trailer, 20' Lo-Boy	1		✓	Freeport	Garner
Modern Mfg.	Boom Trailer, 20' Lo-Boy	1		✓	Freeport	Garner
Ford	Pick-up Truck, 1 ton w/mobile phone	7		✓	Fort Worth	Garner
Freightliner	Truck, Bobtail	1		✓	Fort Worth	Garner
Kenworth	Truck, Tractor	1		✓	Fort Worth	Garner
ESP	Roll-Off Trailer, Double Hauler	1		✓	Fort Worth	Garner
Breco	Roll-Off Box, 20 yd³	32		✓	Fort Worth	Garner
Breco	Roll-Off Box, 40 yd³	1		✓	Fort Worth	Garner
Modern Mfg.	Trailer, Boat, Gooseneck, 3 deck	1		✓	Fort Worth	Garner
C&S Trailer	Trailer, 16', Flatbed	2		✓	Fort Worth	Garner
Wells Cargo	Emergency Response Trailer, 14'	1		✓	Fort Worth	Garner
Wells Cargo	Emergency Response Trailer, 16'	1		✓	Fort Worth	Garner
Sooner	Emergency RersponseTrailer, 28' Gooseneck	1		✓	Fort Worth	Garner
Kenworth	Emergency Response Trailer, 22', 4 door	1		✓	Fort Worth	Garner
Sooner	Flatbed Trailer, 24' Gooseneck	1		✓	Fort Worth	Garner
JCB	Backhoe, 4-Wheel Drive	1		✓	Fort Worth	Garner
Ford	Pick-up Truck, 1 ton w/mobile phone	2		✓	San Antonio	Garner
Breco	Roll-Off Box, 20 yd³	7		✓	San Antonio	Garner
Wells Cargo	Emergency ResponseTrailer, 18'	1		✓	San Antonio	Garner
Modern Mfg.	Trailer, Roll-Off	1		✓	San Antonio	Garner
Modern Mfg.	Trailer, Boat, 3 deck	1		✓	San Antonio	Garner
C&S Trailer	Trailer, 16', Flatbed	1		✓	San Antonio	Garner

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MISCELLANEOUS BOOM EQUIPMENT					
Name of Manufacturer	Model Number	Equipment Type	Quantity	Storage Location	Owner
Norfloat	A2	Buoy, Anchor Marker, Inflatable, 18" dia.	30	Deer Park	Garner
Polycord	600x¼	Rope, Polypropylene, ¼" x 600'	20	Deer Park	Garner
Polycord	600x½	Rope, Polypropylene, ½" x 600'	20	Deer Park	Garner
Polycord	600x¾	Rope, Polypropylene, ¾" x 600'	2	Deer Park	Garner
U.S. Anchor Mfg., Inc.	18#	Anchor, Galvanized Steel, 18 lb., Danforth Style	50	Deer Park	Garner
U.S. Anchor Mfg., Inc.	22#	Anchor, Galvanized Steel, 22 lb., Danforth Style	11	Deer Park	Garner
U.S. Anchor Mfg., Inc.	40#	Anchor, Galvanized Steel, 40 lb., Danforth Style	11	Deer Park	Garner
U.S. Anchor Mfg., Inc.	55#	Anchor, Galvanized Steel, 55 lb., Danforth Style	4	Deer Park	Garner
U.S. Anchor Mfg., Inc.	75#	Anchor, Galvanized Steel, 75 lb., Danforth Style	2	Deer Park	Garner
U.S. Anchor Mfg., Inc.	18#	Anchor, Galvanized Steel, 18 lb., Danforth Style	1	La Marque	Garner
U.S. Anchor Mfg., Inc.	22#	Anchor, Galvanized Steel, 22 lb., Danforth Style	14	La Marque	Garner
U.S. Anchor Mfg., Inc.	40#	Anchor, Galvanized Steel, 40 lb., Danforth Style	5	La Marque	Garner
U.S. Anchor Mfg., Inc.	75#	Anchor, Galvanized Steel, 75 lb., Danforth Style	39	La Marque	Garner
U.S. Anchor Mfg., Inc.	100#	Anchor, Galvanized Steel, 75 lb., Danforth Style	4	La Marque	Garner
U.S. Anchor Mfg., Inc.	18#	Anchor, Galvanized Steel, 18 lb., Danforth Style	5	N. Orleans	Garner
U.S. Anchor Mfg., Inc.	22#	Anchor, Galvanized Steel, 22 lb., Danforth Style	20	N. Orleans	Garner

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MISCELLANEOUS EQUIPMENT						
Name of Manufacturer	Heavy Equipment / Response Vehicles	Number of Units	Wide Load Permit Needed		Storage Location	Owner
			Yes	No		
Drager	Pump & Large Variety of Tubes	4		✓	Deer Park	Garner
Inficon	Portable Gas Chromatograph/Mass Spectrometer	1		✓	Deer Park	Garner
Isuzu	Diesel Steam Cleaner, 20 hp	1		✓	Deer Park	Garner
MSA	4-Gas Monitor, LEL, H_2S, O^2, CO	6		✓	Deer Park	Garner
MSA	Personnel Sampling Pump	5		✓	Deer Park	Garner
Rae	5-Gas Photo-Ionization Detector	4		✓	Deer Park	Garner
Rae	Multi-Rae Photo-Ionization Detector	4		✓	Deer Park	Garner
Rae	Personnel/Area Photo-Ionization Detector	7		✓	Deer Park	Garner
Scott & MSA	Self-Contained Breathing Apparatus	12		✓	Deer Park	Garner
Honda	Generator / Light Plant	2		✓	Deer Park	Garner
Honda	Generator	1		✓	Deer Park	Garner
Drager	Accuro Pump	1		✓	Deer Park	Garner
Unknown	Weed Eater	6		✓	Deer Park	Garner
Unknown	Chain Saw	2		✓	Deer Park	Garner
Unknown	Scare Gun, Bird	1		✓	Deer Park	Garner
MSA	4-Gas Meter	3		✓	La Marque	Garner
Honda	Generator / Light Plant	2		✓	La Marque	Garner
Drager	Accuro Pump	1		✓	La Marque	Garner
Rae	Photo-Ionization Detector	1		✓	La Marque	Garner
MSA	4-Gas Meter	1		✓	Port Arthur	Garner
Drager	Accuro Pump	1		✓	Port Arthur	Garner
Rae	Photo-Ionization Detector	1		✓	Port Arthur	Garner
Ingersol-Rand / Power Profile	Air Compressor, 3.5 hp	2		✓	Port Arthur	Garner

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MISCELLANEOUS EQUIPMENT						
AIM	4-Gas Monitor	2		✓	N. Orleans	Garner
Draeger	Accuro Pump	2		✓	N. Orleans	Garner
Draeger	CMS Meter	1		✓	N. Orleans	Garner
Various	Weedeater	5		✓	N. Orleans	Garner
Various	Generator, 4 kw	3		✓	N. Orleans	Garner
Rae	Mini-Rae 2000 Portable VOC Meter	2		✓	N. Orleans	Garner
Quest	Single Gas Personal Meter	1		✓	N. Orleans	Garner
MSA	Escort Particulate Air Monitor	1		✓	N. Orleans	Garner
Sper Scientific	ph Meter	1		✓	N. Orleans	Garner
Dexsil	PetroFlag Hydrocarbon Test Kit	1		✓	N. Orleans	Garner
Various	Steam Cleaner	3		✓	N. Orleans	Garner
Campbell/Hausfeld	Air Compressor, 10.3 cfm	2		✓	N. Orleans	Garner
Various	Light Stand, Portable	2		✓	N. Orleans	Garner
Coppus	Coppus Blower	1		✓	N. Orleans	Garner
Casio	Digital Camera	1		✓	N. Orleans	Garner
Paulan	Chain Saw	1		✓	N. Orleans	Garner
Chlorine Institute	"C" Kit	1		✓	N. Orleans	Garner
Various	Self-Contained Breathing Apparatus)SCBA)	9		✓	N. Orleans	Garner
Betz	Tank Truck Emergency Transfer Valve	1		✓	N. Orleans	Garner
Toftejorg	Tank/Railcar Wash Head Systeme	1		✓	N. Orleans	Garner
	Tank/Railcar Injector Vessel	1		✓	N. Orleans	Garner
	Tank/Railcar Manifold	1		✓	N. Orleans	Garner
	Air Horn, 6"	1		✓	N. Orleans	Garner
	Decontamination Pool, 16' x 55'	1		✓	N. Orleans	Garner
	Fan, Ventilation, 48"	1		✓	N. Orleans	Garner
	Fan, Ventilation, 16" Port-A-Cool with water mister	1		✓	N. Orleans	Garner
	Drop Light, Explosion Proof, 100w	2		✓	N. Orleans	Garner
Homelite	Blower, Hand	6		✓	Fort Worth	Garner
Ryobi	Weedeater	6		✓	Fort Worth	Garner

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MISCELLANEOUS EQUIPMENT						
Honda	Pressure Washer, 2500 psi	2		✓	Fort Worth	Garner
Minuteman	Hepa Vacuum	3		✓	Fort Worth	Garner
ARO	M2 Poly Pump	3		✓	Fort Worth	Garner
Craftsman	Drum Head Vacuum	2		✓	Fort Worth	Garner
MSA	Self-Contained Breathing Apparatus	8		✓	Fort Worth	Garner
MSA	4-Gas Meter	4		✓	Fort Worth	Garner
Orion	pH Meter	1		✓	Fort Worth	Garner
Rae	Photo-Ionization Detector	3		✓	Fort Worth	Garner
Drager	CMS Unit	2		✓	Fort Worth	Garner
Drager	CMS Chip Meter	1		✓	Fort Worth	Garner
Environmental Instruments	Photo Ionization Detector	1		✓	Fort Worth	Garner
Multiquip	Generator, 3600	2		✓	Fort Worth	Garner
Honda	Generator, 6500	2		✓	Fort Worth	Garner
MSA	Escape Pack	4		✓	Fort Worth	Garner
Coppus	Ventilation Fan	3		✓	Fort Worth	Garner
Drager	Accuro Pump	2		✓	Fort Worth	Garner
DBI/SALA	Tripod w/retrieval device	3		✓	Fort Worth	Garner
AMS	Subsurface Sampline Equipment	2		✓	Fort Worth	Garner
Kidde	Fire Extinguisher, ABC	12		✓	Fort Worth	Garner
Allis Chalmers	Forklift	1		✓	Fort Worth	Garner
Kappler	Personal Protective Equipment, Level A Suit	10		✓	Fort Worth	Garner
Gage Equipment	Pressure Washer, 3,500 psi, heated	1		✓	Fort Worth	Garner
MSA	4-Gas Meter	2		✓	San Antonio	Garner
Minuteman	HEPA Vacuum	1		✓	San Antonio	Garner
MSA	Self-Contained Breathing Apparatus	4		✓	San Antonio	Garner
Orion	ph Meter	1		✓	San Antonio	Garner
Rae	Photo-Ionization Detector	1		✓	San Antonio	Garner

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MISCELLANEOUS EQUIPMENT						
Multiquip	Generator, 3,600W	1		✓	San Antonio	Garner
Coppus	Ventilation Fan	1		✓	San Antonio	Garner
DBI/Sala	Tripod w/retrieval device	1		✓	San Antonio	Garner
Kidde	Fire Extinguisher	6		✓	San Antonio	Garner
Kappler	Personal Protective Equipment, Level A Suit	6		✓	San Antonio	Garner
Grief Bros.	Drum, Overpack, 85 gal Steel	20		✓	San Antonio	Garner
Drager	CMS Unit	1		✓	San Antonio	Garner

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PUMP CODES		DRIVE CODES	
A	Auger/Screw	D	Diesel
C	Fire	E	Electric
P	Parastolic	G	Gasoline
R	Reciprocating	H	Hydraulic
I	Rotary/Flexible Impeller	P	Pneumatic
OT	Other	OT	Other

PUMP EQUIPMENT

Name of Manufacturer	Model Number	Pump Type Code	Drive Type Code	Suction/ Disch Size (inches)	Mfg. Pump Rate (gpm)	Quantity	Storage Location	Owner
Acme Products Co., Inc.	FS-150A	I	G	1.5	275	3	Deer Park	Garner
Honda	WXT-20	C	G	2.0	180	3	Deer Park	Garner
Wilden	Model M	OT	P	3.0	240	2	Deer Park	Garner
Yanmar	LD-40/2	C	D	2.0	180	9	Deer Park	Garner
Honda	WXT-20	C	G	2.0	180	7	La Marque	Garner
Wilden	Model M	OT	P	3.0	240	7	La Marque	Garner
Acme Products Co., Inc.	FS-150A	I	G	1.5	275	1	Port Arthur	Garner
Honda	WXT-20	C	G	2.0	180	2	Port Arthur	Garner
Yanmar	LD-40/3	C	D	2.0	200	1	Port Arthur	Garner
Versa-Matic		OT	p	2.0		1	Port Arthur	Garner
Versa-Matic		OT	p	1.5		1	Port Arthur	Garner
Honda	EPT2	C	G	3.0		1	New Orleans	Garner
Honda	FLOTO	C	G	2.0		2	New Orleans	Garner
Wisconsin/Multi Quip		C	D	3.0	85	1	New Orleans	Garner
Yamada	POLY	C	P	3.0		1	New Orleans	Garner
Various		C	D	2.0	200	5	New Orleans	Garner
Various		C	G	2.0	190	2	New Orleans	Garner

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PUMP EQUIPMENT								
Versamatic	STAINLESS	C	P	2.0	140	2	New Orleans	Garner
Various		C	P	1.0	35	2	New Orleans	Garner
Jabsco		C	E	1.0	3.8	2	New Orleans	Garner
Yamada	Various	C	D	2.0	200	1	Houma, LA	Garner
Multiquip	QP-205	OT	G	1.5	170	1	Fort Worth	Garner
Wilden	M8SS	OT	P	2.0	180	2	Fort Worth	Garner
Multiquip	QP-204	OT	G	2.0	142	1	Fort Worth	Garner
Multiquip	QP-202	OT	G	2.0	200	1	Fort Worth	Garner
Wilden	Model M8SS	OT	P	2.0	180	1	San Antonio	Garner

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RESPONSE BOAT TYPE CODES		TRANPORTATION METHOD CODES	
BAY	Bay Waters	NT	Normal Trailer
JB	Jon Boat	WO	Water Only
LFB	Large Flat Bottom	WL	Wideload Trailer
OFF	Offshore	OT	Other
PRO	Protected Waters		
TC	Towing Capable		
OT	Other		

RESPONSE BOATS

Name of Manufacturer	Model Number	Boat Type Code	Horse Power	Normal Crew Size	Length/ Beam	Draft Limit	Number of Boats	Transport MethodCode	Storage Location	Owner
Alumaweld	1650	JB	30	3	16'/6'	1'	4	NT	Deer Park	Garner
Alumaweld	21	LFB	90	3	21'/6'	2'	1	NT	Deer Park	Garner
Bayhawg	21	BAY	90	3	21'/6'	3'	3	NT	Deer Park	Garner
Deck Barge Boat		OT	2-200		30'/10'		1	WL	Deer Park	Garner
Alumaweld	1650	JB	30	3	16'/6'	1'	4	NT	La Marque	Garner
Custom Boat Mfg.	1649R	JB	25	2	16'/6'	2'	1	NT	La Marque	Garner
Monarch	21	BAY	300	2	21'/6'	2'	1	NT	La Marque	Garner
Alumaweld	1650	JB	30	2	16'/6'	1'	5	NT	Port Arthur	Garner
Alumaweld	20	BAY	4	3	20'/0'	4'	1	NT	Port Arthur	Garner
Alumaweld	1650	JB	25	2	14'/0"	2"	1	NT	Port Arthur	Garner
Air Boat/Trail Boss	20	LFB	500	2	20'/0'	6"	1	NT	Port Arthur	Garner
Custom Boat Mfg.	1650	JB	25	3	16'/6'	1'	4	NT	New Orleans	Garner
Deck Barge Boat		OT	150		30'/10'		1	WL	New Orleans	Garner
Duracraft	21	LFB	40	3	21'/6'	2'	1	NT	New Orleans	Garner
Pirogue		OT	0	1	12'/2"	3"	1	NT	New Orleans	Garner
Various		JB	25	1	12'/3"	1'	2	NT	New Orleans	Garner

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RESPONSE BOATS										
Alumaweld	1650	JB	25	2	16'/6"	1	1	NT	Houma, LA	Garner
Alumaweld	1650	JB	30	3	16'/6'	1'	2	NT	Freeport	Garner
Alumaweld	1650	JB	30	2	16'/6'	1'	2	NT	Fort Worth	Garner
Alumaweld	21	LFB	30	2	21'/6'	2'	1	NT	Fort Worth	Garner
Alumaweld	1650	JB	30	2	16'/6'	1'	1	NT	San Antonio	Garner

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SKIMMER TYPE CODES			
FS	Floating Suction	HIP	Hydrodynamic Inclined Plane
IV	Induced Vortex	OB	Oleophilic Belt
OD	Oleophilic Disk	OR	Oleophilic Rod
PW	Paddle-Wheel	SK	Sock
W	Weir	OT	Other

SKIMMER EQUIPMENT

Name of Manufacturer	Model Number	Skimmer Type Code	Number of Units	Mfg. Recovery Rate (gpm)	Hose Size Suction/ Discharge (inches)	Time to Deploy	Storage Location	Owner
Acme Products Co., Inc.	FS400ASK-39T	W	3	275	3.0	1.5	Deer Park	Garner
Containment Systems, Inc.	MW-41	OT	1	35			Deer Park	Garner
DiscOil Company	DISCOIL	OD	1	70	2.0	.5	Deer Park	Garner
Crucial Inc.	1D18P-23	OT	2	25	2.0	.5	Deer Park	Garner
Crucial Inc.	1D18P-36	OT	1	36	2.0	.5	Deer Park	Garner
Marco	Sidewinder 14	OB	1	70		.5	Deer Park	Garner
Acme Products Co., Inc.	FS400ASK-39T	W	4	275	3.0	1.0	La Marque	Garner
DiscOil Company	DISCOIL	OD	1	70	2.0	.5	La Marque	Garner
Crucial Inc.	1D18P-23	OT	2	25	2.0	.5	La Marque	Garner
Acme Products Co., Inc.	FS400ASK-39T	W	1	275	3.0	.5	Port Arthur	Garner
Crucial Inc.	1D18P-23	OT	1	25	2.0	.5	Port Arthur	Garner
De Smithske (DESMI)	D-2	FS	2	500	6.0	1.5	Port Arthur	Garmer
DiscOil Company	DISCOIL	OD	1	70	2.0	.5	New Orleans	Garner
Douglas Engineering	4200SH Skim-Pak	FS	1	5 - 68	2.0	.5	New Orleans	Garner
Marco	Harbor 28	OB	1	70		.5	New Orleans	Garner
Elastec	Mini Max	OT	1	20			New Orleans	Garner
De Smithske (DESMI)	D-2	FS	1	500	6.0	1.5	New Orleans	Garner/DEMS
Acme Products Co., Inc.	FS400ASK-39T	W	1	275	3.0	1.0	Fort Worth	Garner

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SKIMMER EQUIPMENT								
Acme Products Co., Inc.	FS400ASK–39T	W	1	275	3.0	1.0	San Antonio	Garner

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SYSTEM TYPE CODES		DRIVE CODES	
PU	Portable Vacuum Pump Units	D	Diesel
SS	Super Sucker	E	Electric
VT	Vacuum Truck	G	Gasoline
OT	Other	H	Hydraulic
		P	Pneumatic
		OT	Other

VACUUM SYSTEM EQUIPMENT

Name of Manufacturer	Model Number	System Type Code	Drive Type Code	Suction (inches)	Number of Units	Mfg. Recovery Rate (gpm)	Storage Capacity (gallon)	Hose Invent (feet)	Storage Location	Owner
Keith/Huber	LN8000	VT	D	27.0	9	80	600	3200	La Marque	Garner
Super Products	6017	SS	D	16.0	3	450	1000	3200	La Marque	Garner
Ford	Meyers	OT	D		2	80			La Marque	Garner
Super Products	5027	SS	D		1				La Marque	Garner
Keith/Huber	LN8000	VT	D	27.0	2	80	400	500	Port Arthur	Garner
Volvo		SS	D	18.0	1	450	1000	500	Port Arthur	Garner
NorTech	522-B	OT	P	2.0	2		55		New Orleans	Garner

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SORBENT TYPE CODE		COMPOSITION CODE	
B	Boom	M	Mineral
PAD	Pad	NO	Natural Organic
PT	Particulate	S	Synthetic
ST	Sheet	OT	Other
SW	Sweep		
OT	Other		

SORBENTS

Name of Manufacturer	Model Number	Sorbent Type Code	Composition Type Code	Normal Inventory	Special Appl. Equip. Needed		Special Rcvg. Equip. Needed		Storage Location	Owner
					Yes	No	Yes	No		
Int'l Permalite Corp.	GES-DICA18	PT	MS	1500		✓		✓	Deer Park	Garner
Oil Mop, Inc.	OS-15	OT	S	1000		✓		✓	Deer Park	Garner
Complete Environmental	GES-P100	PAD	S	1000		✓		✓	Deer Park	Garner
Complete Environmental	GES-P200	PAD	S	250		✓		✓	Deer Park	Garner
Complete Environmental	GES-EP100	PAD	S	500		✓		✓	Deer Park	Garner
Complete Environmental	GES-P500	PAD	S	150		✓		✓	Deer Park	Garner
Complete Environmental	GES-B510	B	S	300		✓		✓	Deer Park	Garner
Complete Environmental	GES-B810	B	S	500		✓		✓	Deer Park	Garner
Complete Environmental	GES-R144	ST	S	150		✓		✓	Deer Park	Garner
Complete Environmental	GES-SW100	SW	S	300		✓		✓	Deer Park	Garner
Complete Environmental	GES-PART25	PT	S	10		✓		✓	Deer Park	Garner
Int'l Permalite Corp.	GES-DICA18	PT	MS	550		✓		✓	La Marque	Garner
Oil Mop, Inc.	OS-15	OT	S	150		✓		✓	La Marque	Garner
Complete Environmental	GES-P100	PAD	S	250		✓		✓	La Marque	Garner
Complete Environmental	GES-P200	PAD	S	100		✓		✓	La Marque	Garner
Complete Environmental	GES-P50	PAD	S	100		✓		✓	La Marque	Garner
Complete Environmental	GES-B510	B	S	100		✓		✓	La Marque	Garner

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SORBENTS										
Complete Environmental	GES-B810	B	S	125		✓		✓	La Marque	Garner
Name of Manufacturer	Model Number	Sorbent Type Code	Composition Type Code	Normal Inventory	Special Appl. Equip. Needed		Special Rcvg. Equip. Needed		Storage Location	Owner
					Yes	No	Yes	No		
Complete Environmental	GES-R144	ST	S	125		✓		✓	La Marque	Garner
Complete Environmental	GES-SW100	SW	S	150		✓		✓	La Marque	Garner
Complete Environmental	GES-PART25	P	S	10		✓		✓	La Marque	Garner
Int'l Permalite Corp.	GES-DICA18	PT	MS	500		✓		✓	Port Arthur	Garner
Oil Mop, Inc.	OS-15	OT	S	150		✓		✓	Port Arthur	Garner
Complete Environmental	GES-P100	PAD	S	100		✓		✓	Port Arthur	Garner
Complete Environmental	GES-P200	PAD	S	75		✓		✓	Port Arthur	Garner
Complete Environmental	GES-B510	B	S	50		✓		✓	Port Arthur	Garner
Complete Environmental	GES-B810	B	S	50		✓		✓	Port Arthur	Garner
Complete Environmental	GES-R144	ST	S	25		✓		✓	Port Arthur	Garner
Complete Environmental	GES-SW100	SW	S	50		✓		✓	Port Arthur	Garner
Int'l Permalite Corp.	GES-DICA18	PT	MS	600		✓		✓	New Orleans	Garner
Oil Mop, Inc.	OS-15	OT	S	250		✓		✓	New Orleans	Garner
Complete Environmental	GES-P100	PAD	S	325		✓		✓	New Orleans	Garner
Complete Environmental	GES-P200	PAD	S	200		✓		✓	New Orleans	Garner
Complete Environmental	GES-EP100	PAD	S	500		✓		✓	New Orleans	Garner
Complete Environmental	GES-B510	B	S	100		✓		✓	New Orleans	Garner
Complete Environmental	GES-B810	B	S	150		✓		✓	New Orleans	Garner
Complete Environmental	GES-R144	ST	S	50		✓		✓	New Orleans	Garner
Complete Environmental	GES-SW100	SW	S	100		✓		✓	New Orleans	Garner

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SORBENTS

Name of Manufacturer	Model Number	Sorbent Type Code	Composition Type Code	Normal Inventory	Special Appl. Equip. Needed		Special Rcvg. Equip. Needed		Storage Location	Owner
					Yes	No	Yes	No		
Int'l Permalite Corp.	GES-DICA18	PT	MS	150		✓		✓	Fort Worth	Garner
Complete Environmental	GES-P100	PAD	S	75		✓		✓	Fort Worth	Garner
Complete Environmental	GES-P200	PAD	S	20		✓		✓	Fort Worth	Garner
Complete Environmental	GES-B810	B	S	30		✓		✓	Fort Worth	Garner
Complete Environmental	GES-B510	B	S	20		✓		✓	Fort Worth	Garner
Complete Environmental	GES-SW100	SW	S	10		✓		✓	Fort Worth	Garner
Int'l Permalite Corp.	GES-DICA18	PT	MS	50		✓		✓	San Antonio	Garner
Complete Environmental	GES-P100	PAD	S	50		✓		✓	San Antonio	Garner
Complete Env.	GES-P200	PAD	S	10		✓		✓	San Antonio	Garner
Complete Environmental	GES-B810	B	S	25		✓		✓	San Antonio	Garner
Complete Environmental	GES-B510	B	S	10		✓		✓	San Antonio	Garner
Complete Environmental	GES-SW100	SW	S	5		✓		✓	San Antonio	Garner

ACORD CERTIFICATE OF INSURANCE

DATE (MM/DD/YY) 02/01/2002

PRODUCER

JOHN L. WORTHAM & SON, L.L.P.
P.O. BOX 1388
HOUSTON, TEXAS 77251-1388

068271-00001-2002B-000143 LAW/BRW 1/1

INSURED

GARNER ENVIRONMENTAL SERVICES, INC.
1717 W. 13TH STREET
DEER PARK, TX 77536

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY A (800) 727-1080 ZURICH AMERICAN INSURANCE COMPANY

COMPANY B (800) 727-1080 AMERICAN GUARANTEE & LIABILITY

COMPANY C (800) 727-1080 STEADFAST INSURANCE COMPANY

COMPANY D (800) 727-1080 AMERICAN ZURICH INSURANCE COMPANY

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY	GL0289312703	04/21/2001	04/21/2002	GENERAL AGGREGATE	$ 2,000,000
	X COMMERCIAL GENERAL LIABILITY				PRODUCTS - COMP/OP AGG	$ 2,000,000
	CLAIMS MADE X OCCUR				PERSONAL & ADV INJURY	$ 1,000,000
	OWNER'S & CONTRACTOR'S PROT				EACH OCCURRENCE	$ 1,000,000
					FIRE DAMAGE (Any one fire)	$ 50,000
					MED EXP (Any one person)	$ 5,000
B	AUTOMOBILE LIABILITY	TAP289312503 (TX)	04/21/2001	04/21/2002	COMBINED SINGLE LIMIT	$ 1,000,000
C	ANY AUTO	BAP289312603 (O/S)	04/21/2001	04/21/2002		
	X ALL OWNED AUTOS				BODILY INJURY (Per person)	$
	SCHEDULED AUTOS	AUTOMOBILE PHYSICAL DAMAGE				
	X HIRED AUTOS	AS DESCRIBED SPECIFICALLY			BODILY INJURY (Per accident)	$
	X NON-OWNED AUTOS	PER VEHICLE - $1000 DED				
		COMPREHENSIVE - $1000 DED			PROPERTY DAMAGE	$
		COLLISION COVERAGE.				
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
	ANY AUTO				OTHER THAN AUTO ONLY:	
					EACH ACCIDENT	$
					AGGREGATE	$
	EXCESS LIABILITY OCCURRENCE				EACH OCCURRENCE	$ 5,000,000
C	X UMBRELLA FORM	SU0289312903	04/21/2001	04/21/2002	AGGREGATE	$ 5,000,000
	OTHER THAN UMBRELLA FORM					$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	WC289312803	04/21/2001	04/21/2002	X STATUTORY LIMITS	
	THE PROPRIETOR/ PARTNERS/EXECUTIVE OFFICERS ARE: X INCL / EXCL	(USL&H, OCS LANDS ACT COVERAGE & MARITIME COVERAGE INCLUDED.)			EACH ACCIDENT	$ 1,000,000
					DISEASE - POLICY LIMIT	$ 1,000,000
					DISEASE - EACH EMPLOYEE	$ 1,000,000
C	OTHER	PEC289322403	04/21/2001	04/21/2002	$1,000,000 EACH LOSS	
	POLLUTION LEGAL LIABILITY	(RETRO DATE: 4-21-94)			$1,000,000 TOTAL ALL LOSSES	
	(CLAIMS-MADE)					
C		PLC289322503	04/21/2001	04/21/2002		

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

-MASTER-

CANCELLATION

[redacted]

AUTHORIZED REPRESENTATIVE

John L. Wortham & Son, L.L.P.

© ACORD CORPORATION 1993

Date: **September 1, 2000**

DCO # 509

Discharge Cleanup Organization Certificate

Garner Environmental Services

Deer Park, Texas

This certificate carries with it the need to maintain a high level of response preparedness, to respond in a timely, professional manner, and to notify the Texas General Land Office of any change in the Holder's ability to accomplish this mission. Certification is for three years from the above date.

David Dewhurst
Commissioner
Texas General Land Office

Greg Pollow
Deputy Commissioner
Oil Spill Prevention and Response

U.S. Department of Transportation
United States Coast Guard

Commanding Officer
National Strike Force
Coordination Center

1461 N. Road St. (US 17N)
Elizabeth City, NC 27909
Staff Symbol:
Phone: (252) 331-6000

16452
00-0027

JAN 18 2000

Garner Environmental Services
Attn: Mr. Nelson Fetgatter
314 Allen Genoa Road
Houston, TX 77017

Dear Mr. Fetgatter:

The January 6, 2000 Federal Register announced an increase in the requirements for oil spill response capabilities listed in facility and tank vessel response plans (outlined in 33 CFR parts 154 and 155) effective on April 5, 2000. This amendment to the regulations increases by 25% the effective daily recovery capacity (EDRC) and the temporary storage capacity (TSC) requirement for worst case discharge tier 1, 2, and 3.

All Coast Guard classified Oil Spill Removal Organizations (OSROs) have been re-evaluated using the increased EDRC and TSC requirements. Your company currently has enough EDRC and TSC capability to comply with these increases and has not been affected.

If you have any concerns or questions regarding this or any other OSRO related issue, please feel free to contact Lieutenant Bob Rinelli, my OSRO Section Chief, at (252) 331-6000 ext. 3034.

Sincerely,

G. A. WILTSHIRE
Captain, U.S. Coast Guard
Commanding Officer

U.S. Department of Transportation

United States Coast Guard

Commanding Officer
National Strike Force
Coordination Center

1461 North Road Street
Elizabeth City, NC 27909
Staff Symbol: (ops)
Phone: (919) 331-6000

RHMSA 00049950

16471/1
96-027
APR - 3 1997

Mr. L. D. Garner
Garner Environmental Services, Inc.
314 Allen Genoa Road
Houston, TX 77017

Dear Mr. Garner:

Your Oil Spill Removal Organization (OSRO) Classification upgrade request has been reviewed and processed as outlined in the Coast Guard OSRO Classification Guidelines dated December 28, 1995. In addition, we recently received a letter from LARCO Environmental Services stating that they have sold all of their oil spill response equipment. Since LARCO was listed as a contractor in your OSRO application, we removed all of their equipment and re-ran your classifications. Based on these changes, your classifications have been affected as follows:

-Added, Inland Facility "C" & "D" and Inland Vessel "C" in Corpus Christi COTP zone.

-Removed, River/Canal Facility & Vessel "A" and Inland Facility & Vessel "A" in Mobile COTP zone.

-Added, River/Canal Facility "C" in Port Arthur COTP zone.

-Added, Inland Facility "D" and Inland Vessel "C" & "D" in Tampa COTP zone.

These changes will be reflected on the OSRO Classification Matrix available on the internet at www.dot.gov/dotinfo/uscg/hq/g-m/gmhome.htm. If you have any questions or would like more information regarding your classifications, please contact SKC Mike Jakway of my staff at (919) 331-6000, ext 3029.

Sincerely,

Christine Burk

Christine Burk
OSRO Project Manager
By direction of the Commanding Officer

of Transportation
United States
Coast Guard

PHMSA-000049951
Coordination Center
Elizabeth City, NC 27909
Staff Symbol: (ops)
Phone: (919) 331-6000

16471/1
96-027

NOV 26 1996

Mr. L. D. Garner
Garner Environmental Services, Inc.
314 Allen Genoa Road
Houston, TX 77017

Dear Mr. Garner:

Your application for classification as an Oil Spill Removal Organization (OSRO) has been reviewed and processed as outlined in the Coast Guard OSRO Classification Guidelines dated 28 December 1995.

Enclosures (1) and (2) to this letter provide a summary of your interim classifications by environment and COTP zone, and a summary of the resource totals for Temporary Storage Capacity (TSC), Effective Daily Recovery Capacity (EDRC) and boom used to determine these classifications. A copy of this letter with enclosures (1) and (2) should be provided to your current and potential clients. A complete listing of all of your resources can be downloaded from the RRI Bulletin Board System at (919) 331-6039/6042 or, if you prefer, we can mail a printout to you upon request.

You will be contacted in the near future to schedule a resource verification visit. Final classification will be issued following completion of resource verification. If you have any questions regarding your classification, please contact LTJG George Ganoung of my staff at (919) 331-6000, ext 3041.

Sincerely,

B. B. PASCOE
Captain, U. S. Coast Guard
Commanding Officer

Encl: (1) OSRO Classification Information
(2) Classifications by COTP Zone

Copy: COMDT (G-MOR)

OSRO CLASSIFICATION INFORMATION

The purpose of the Coast Guard OSRO Classification Program it to provide a tool for vessel and facility response plan holders to aid them in meeting their requirements for response planning under 33 CFR 154 and 155. It is a voluntary program that provides a general indicator of an OSRO's capabilitie based on the amount, type and geographic location of response resources they control. OSRO Classifications are only intended to be a general planning to and do not relieve vessel and facility planholders of their responsibility t determine whether an OSRO meets their specific response planning needs under 33 CFR 154 and 155. Planholders desiring to use Coast Guard Classified OSRO should contact the individual OSROs they wish to use to insure that they wil be able to meet their specific needs.

OSROs receive classifications (A, B, C, D and E) in four different operating environments (Rivers/Canals, Inland, Great Lakes and Oceans) in up to 47 COT zones based on minimum equipment standards (outlined in the Coast Guard OSRO Classification Guidelines, dated 28 December 1995) for:

(1) Boom totals in feet;
(2) Effective Daily Recovery Capacity (EDRC) in barrels per day;
(3) Temporary Storage Capacity (ISC) in barrels;

and AMPD, MMPD and WCD Tier 1, 2 and 3 response times as outlined in 33 CFR 154 and 155.

Response times for Rivers/Canals, Inland and Great Lakes environments are calculated by measuring the straight line (great circle distance on a globe) between the Latitude and Longitude of an OSRO's individual resource sites and the Latitude and Longitude of a designated city within each COTP zone (the Latitude and Longitude of the CG MSO within each COTP is used as a default). The time it would take to cover that distance in then calculated using 35 mph over land and 5 kts via water.

Response times in the Oceans environment are calculated to a point 12 nautica miles seaward of the COTP city (or alternate city) for AMPD response times, and 50 nautical miles seaward of the COTP city (or alternate city) for MMPD and WCD response times.

The A-E letter classifications are not inclusive. Each classification stands alone and indicates that the OSRO was able to meet the planning criteria outlined in the Coast Guard OSRO Classification Guidelines for a Specific classification, environment and COTP zone. In general, "A" classifications indicate the fastest response times, but the least amount of total equipment. "E" classifications indicate the slowest response times, but the greatest amount of total equipment. B-D classifications fall in the middle. Planholders desiring to use Coast Guard Classified OSROs are highly encourage to review their own resource requirements and the specifics of OSRO Classifications before determining the level(s) of capability they specifically need.

Detailed information on an OSRO's equipment is available by dialing into the Coast Guard's Response Resources Inventory (RRI) Database at (919) 331-6039/6042. For more information on the OSRO Classification Program and the RRI Database, contact the NSFCC at (919) 331-6000 or email: OSRO/NSFCC@cgsmtp.uscg.mil.

ENCL (1)

Printed:November 22, 1996 at 13:24:45

OSRO 0027 - (1)Garner Environmental Servic
Classification Summary Sheet

COTP Zone:CORPUS CHRISTI High Volume Port: Yes

Classifications are based on response times to CG MSO CORPUS CHRISTI

(b) (7)(F) [redacted]

If High Volume Port = Yes, classifications will be calculated using response times for High Volume Ports as outlined in the OSRO Classification Guidelines and 33 CFR 154 and 155.

Interim Classification

	Facility Classification Levels					Vessel Classification Levels				
Environments	A	B	C	D	E	A	B	C	D	E
River/Canal	X	X	X	X	X	X	X	X	X	X
Inland	X	X			X	X	X		X	X
Ocean										
Great Lakes										

X - an indicator that you have received a classification(s) for a specific environment

Classifications are not inclusive

A = Average Most Probable Discharge (AMPD)
B = Maximum Most Probable Discharge (MMPD)
C = Worst Case Discharge Tier 1 (WCD Tier 1)
D = Worst Case Discharge Tier 2 (WCD Tier 2)
E = Worst Case Discharge Tier 3 (WCD Tier 3)

ENCL (2)

Printed:November 22, 96 at 13:24:50

OSRO 0027 - (1)Garner Environmental Servic
Classification Detailed Amounts Per Rating Category

COTP Name: CORPUS CHRISTI

Environment: River/Canal

	Facility					Vessel				
	A	B	C	D	E	A	B	C	D	E
Boom (ft)	10300	47500	47500	116250	116250	10300	87750	87750	116250	116250
EDRC (bbls)	24685	53746	53746	104799	105828	24685	78055	78055	105828	105828
TSC (bbls)	6997	7511	7511	24321	90603	6997	14915	14915	68530	90603

Environment: Inland

	A	B	C	D	E	A	B	C	D	E
Boom (ft)	7200	46900	46900	128700	128700	7200	87500	87500	128700	128700
EDRC (bbls)	24685	53746	53746	104799	105828	24685	78055	78055	105828	105828
TSC (bbls)	6997	7511	7511	24321	90603	6997	14915	14915	68530	90603

Environment: Ocean

	A	B	C	D	E	A	B	C	D	E
Boom (ft)				3100	3100		3100	3100	3100	3100
EDRC (bbls)				47534	58853		22628	22628	57824	58853
TSC (bbls)				19608	24732		6997	6997	24321	24732
On Scene Boom (ft)				3100	3100				3100	3100

Environment: Great Lakes

	A	B	C	D	E	A	B	C	D	E
Boom (ft)										
EDRC (bbls)										
TSC (bbls)										

Note: The amounts listed under each alphabetic rating are totals that you received under each environment per rating time requirements. If the minimum amounts needed for a rating was met for all three categories, than you received a rating in that environment. For an Ocean's environment, the minimum amounts in four catergories must be met.

The amounts under EDRC and TSC are a combination of your dedicated and non-dedicated resources. If the resource is not checked as dedicated equipment, you will only receive 1/2 of the actual calculation.

For an A classification in the Ocean's environment, 2000 ft of boom must be able to reach a point 12 miles from the COTP City. For classifications B - E, specific amounts of containment boom must be able to be on scene 50 miles seaward of the COTP City. These amounts of

Printed:November 22, 1996 at 13:24:46

OSRO 0027 - (1)Garner Environmental Servic
Classification Summary Sheet

COTP Zone:HOUSTON High Volume Port: Yes

Classifications are based on response times to CG MSO HOUSTON

(b) (7)(F) [redacted]

If High Volume Port = Yes, classifications will be calculated using response times for High Volume Ports as outlined in the OSRO Classification Guidelines and 33 CFR 154 and 155.

Interim Classification

	Facility Classification Levels					Vessel Classification Levels				
Environments	A	B	C	D	E	A	B	C	D	E
River/Canal	X	X	X	X	X	X	X	X	X	X
Inland	X	X	X	X	X	X	X	X	X	X
Ocean										
Great Lakes										

X - an indicator that you have received a classification(s) for a specific environment

Classifications are not inclusive

A = Average Most Probable Discharge (AMPD)
B = Maximum Most Probable Discharge (MMPD)
C = Worst Case Discharge Tier 1 (WCD Tier 1)
D = Worst Case Discharge Tier 2 (WCD Tier 2)
E = Worst Case Discharge Tier 3 (WCD Tier 3)

Printed:November 22, 96 at 13:24:52

OSRO 0027 - (1)Garner Environmental Servic
Classification.Detailed Amounts Per Rating Category

COTP Name: HOUSTON

Environment: River/Canal

	Facility					Vessel				
	A	B	C	D	E	A	B	C	D	E
Boom (ft)	34700	80850	80850	116250	116250	34700	101650	101650	116250	116250
EDRC (bbls)	30947	73667	73667	105828	105828	30947	82927	82927	105828	105828
TSC (bbls)	44377	56639	56639	90603	132136	44377	60350	60350	90603	132136

Environment: Inland

	A	B	C	D	E	A	B	C	D	E
Boom (ft)	37200	81600	81600	128700	128700	37200	99100	99100	128700	128700
EDRC (bbls)	30947	73667	73667	105828	105828	30947	82927	82927	105828	105828
TSC (bbls)	44377	56639	56639	90603	132136	44377	60350	60350	90603	132136

Environment: Ocean

	A	B	C	D	E	A	B	C	D	E
Boom (ft)		3100	3100	3100	3100		3100	3100	3100	3100
EDRC (bbls)				57824	58853		5828	5828	57824	58853
TSC (bbls)				24321	24732		579	579	24321	24732
On Scene Boom (ft)				3100	3100				3100	3100

Environment: Great Lakes

	A	B	C	D	E	A	B	C	D	E
Boom (ft)										
EDRC (bbls)										
TSC (bbls)										

Note: The amounts listed under each alphabetic rating are totals that you received under each environment per rating time requirements. If the minimum amounts needed for a rating was met for all three categories, then you received a rating in that environment. For an Ocean's environment, the minimum amounts in four catergories must be met.

The amounts under EDRC and TSC are a combination of your dedicated and non-dedicated resources. If the resource is not checked as dedicated equipment, you will only receive 1/2 of the actual calculation.

For an A classification in the Ocean's environment, 2000 ft of boom must be able to reach a point 12 miles from the COTP City. For classifications B - E, specific amounts of containment boom must be able to be on scene 72 miles [illegible] COTP City.

ATTACHMENT J

PROOF OF FINANCIAL RESPONSIBILITY

ATTACHMENT J

PROOF OF FINANCIAL RESPONSIBILITY

JOHN L. WORTHAM & SON, L.L.P.

WORTHAM TOWER • AMERICAN GENERAL CENTER • 2727 ALLEN PARKWAY
TELEPHONE 713/526-3366 • FAX 713/526-7018 • TELEX 76-2850 • CABLE WORTHAMSON HOU
MEMBER: ASSUREX INTERNATIONAL

POST OFFICE BOX 1388 ~ HOUSTON, TEXAS 77251-1388

July 22, 1992

To: Texas General Land Office
Oil Spill Prevention and Response Program
1700 North Congress Avenue
Austin, Texas 78701-1495

We certify that we have ~~effected~~ in effect insurance as follows:

Insured: HOUSTON FUEL OIL TERMINAL COMPANY
P. O. Box 969
Channelview, Texas 77530-0969

Loss, if any, payable to: Assured, or order

From: March 1, 1992 12:01 A.M. C.S.T. To: March 1, 1993 12:01 A.M. C.S.T.

On: Terminal Operators/Stevedores Liabilities including General Liability

Amount: $5,000,000 any one accident or occurrence Rate: N/A

Conditions:

All as per terms and conditions contained in JLW Certificate No. 1508.

Security: Underwriters at Lloyd's and Certain Insurance Companies (100%)

Deductible(s): $15,000, each occurrence as respects all coverage combined except
$25,000, each occurrence as respects pollution liability.

Pollution Coverage as attached.

This document is a memorandum only and is subject to all terms and conditions of Underwriters' policy/policies issued or to be issued. Please advise us immediately of any discrepancies, inaccuracies or necessary changes.

cc: Mr. Phil Dunn

Yours very truly,

JOHN L. WORTHAM & SON, L.L.P.

By Philip A. Dunn
John L. Wortham & Son, L.L.P.

JLW-124 Rev 6/92

PHMSA 00049960

JOHN L. WORTHAM & SON, L.L.P.

WORTHAM TOWER • AMERICAN GENERAL CENTER • 2727 ALLEN PARKWAY
TELEPHONE 713/526-3366 • FAX 713/526-7018 • TELEX 76-2850 • CABLE WORTHAMSON HOU
MEMBER: ASSUREX INTERNATIONAL

POST OFFICE BOX 1388 — HOUSTON, TEXAS 77251-1388

July 28, 1992

To: Texas General Land Office
Oil Spill Prevention and Response Program
1700 North Congress Avenue
Austin, Texas 78701-1495

We certify that we have ~~effected~~ in effect insurance as follows:

Insured: HOUSTON FUEL OIL TERMINAL COMPANY
P. O. Box 969
Channelview, Texas 77530-0969

Loss, if any, payable to: Assured or Order

From: March 1, 1992, 12:01 A.M., C.S.T. To: March 1, 1993, 12:01 A.M., C.S.T.

On: Terminal Operators/Stevedores Liabilities including General Liability

Amount: $30,000,000 excess of
$20,000,000 any one accident or occurrence

Conditions: Following Form of Primary.

All as per terms and conditions contained in Combined Policy JLW-M-2404.

Security: Underwriters through Somerset Insurance Services of Texas, Inc. - 50.00%
American Home Assurance Company through AIMA - 16.67%
Houston Casualty Company - 16.67%
Continental Insurance Company through MOAC - 16.66%
100.00%

This document is a memorandum only and is subject to all terms and conditions of Underwriters' policy/policies issued or to be issued. Please advise us immediately of any discrepancies, inaccuracies or necessary changes.

PAD/lm
cc: Mr. Steve Douglas
HFOTCO

Yours very truly,

JOHN L. WORTHAM & SON, L.L.P.

By Philip A. Dunn

JLW-124 Rev 6/92

PHMSA 000049961

JOHN L. WORTHAM & SON, L.L.P.

WORTHAM TOWER • AMERICAN GENERAL CENTER • 2727 ALLEN PARKWAY
TELEPHONE 713/526-3366 • FAX 713/526-7018 • TELEX 76-2850 • CABLE WORTHAMSON HOU
MEMBER: ASSUREX INTERNATIONAL

POST OFFICE BOX 1388 ~ HOUSTON, TEXAS 77251-1388

July 28, 1992

To: Texas General Land Office
Oil Spill Prevention and Response Program
1700 North Congress Avenue
Austin, Texas 78701-1495

We certify that we have ~~effected~~ in effect insurance as follows:

Insured: HOUSTON FUEL OIL TERMINAL COMPANY
P. O. Box 969
Channelview, Texas 77530-0969

Loss, if any, payable to: Assured, or order

From: March 1, 1992, 12:01 A.M., C.S.T. To: March 1, 1993, 12:01 A.M., C.S.T.

On: Terminal Operators/Stevedores Liabilities including General Liability

Amount: $15,000,000 excess of
$ 5,000,000 any one accident or occurrence

Conditions: Following Form or Primary.

All as per terms and conditions contained in American International Marine Agency Policy No. 99632.

Security: American Home Assurance Company (100%)

This document is a memorandum only and is subject to all terms and conditions of Underwriters' policy/policies issued or to be issued. Please advise us immediately of any discrepancies, inaccuracies or necessary changes.

PAD/lm
cc: Mr. Steve Douglas/HFOTCO

Yours very truly,

JOHN L. WORTHAM & SON, L.L.P.

By Philip A. Dunn

JLW-124 Rev 6/92

HOUSTON FUEL OIL TERMINAL COMPANY
TERMINAL OPERATORS LEGAL LIABILITY PACKAGE
MARCH 1, 1992 TO MARCH 1, 1993

Pollution Coverage as follows (excerpts from policy):

3. To cover 100% interest in the legal and/or assumed liability of the Assureds arising out of the premises and/or operations, including products hazard or completed operations hazard and independent contractors, of scheduled U. S. locations only, but including all owned pipelines whether on premises or not, and also including worldwide any operations, including products and completed operations, incidental to the above which occur away from the above locations.

(b) For all sums which the Assureds shall become obligated to pay (a) as damages because of bodily injury, personal injury or death sustained by any person; (b) as damages for the loss of use of the property of others as well as damages because of injury to, loss of, or destruction of, the property of others; and (c) as expenses for removal of the spill of a pollutant caused by accident.

4. Notwithstanding the foregoing, it is hereby understood and agreed that this insurance does not cover against, nor shall any liability attach hereunder for loss, damage, injury or expense caused by or resulting from:

(I) Bodily injury or property damage including clean-up and containment costs arising out of the discharge, dispersal, release or escape of smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids or gases, waster materials or other irritants, contaminants or pollutants into or upon land, the atmosphere or any watercourse of body of water; but this exclusion does not apply: (1) if such discharge, dispersal, release or escape is sudden and accidental, or (2) to the strict liabilities of the Assured under the Federal Waste Pollution Control Act, as amended.

Also subject to attached Oil Pollution Act Endorsement and Limited U. S. Oil Pollution Insurance Policy.

OIL POLLUTION ACT ENDORSEMENT

It is hereby noted and agreed with effect from inception this insurance does not apply to liabilities for which the Assured is obligated solely by reason of the Oil Pollution Act 1990.

This exclusion does not apply to liabilities for which the Assured would be obligated in absence of the Oil Pollution Act of 1990 and which would have been covered hereunder in absence of the Oil Pollution Act of 1990.

Notwithstanding the above exclusion liabilities for which the Assured is obligated solely by reason of the Oil Pollution Act of 1990 are covered hereunder subject to limited U.S. Oil Pollution Insurance Policy (London Nov. 1990) amended to 60 days discovery/30 days reporting with Joint Venture Clause deleted.

Notwithstanding the above this policy of insurance is not evidence of financial responsibility under the Oil Pollution Act of 1990 or any similar federal or state laws and may not be shown or tendered to the U.S. Coast Guard or any federal or state agency as evidence of financial responsibility or evidence of insurance. The insurers do not consent to be guarantors.

LIMITED U.S. OIL POLLUTION INSURANCE POLICY

This insurance does not constitute evidence of financial responsibility under the Oil Pollution Act of 1990 or any similar federal or state law and it is a condition of this insurance that it shall not be submitted to the United States Coast Guard or any other federal or state agency as evidence of financial responsibility. The Underwriters do not consent to be guarantors.

I. INSURING AGREEMENT

In consideration of the premium stated herein and subject to all of the terms, conditions and limitations contained herein, the Underwriters do hereby agree to indemnify the Assured for such amounts in excess of the Underlying Limits shown on Item 3 of the Declarations as the Assured shall, as owner or operator of the Vessel(s) or Facility(s) named on the Declaration Page 1 have become liable to pay and shall pay, by reason of or with respect to:

FIRST: Liability under Section 1002 of the Act for a discharge of oil as defined in Section 1001(23) of the Act, or the substantial threat of a discharge of oil, (from a covered Vessel or Facility), into or upon the navigable waters or adjoining shorelines or the exclusive economic zone of the United States for the following specified removal costs or damages:

1. Removal Costs:

   (a) removal costs incurred by the United States, a State, or an Indian tribe under subsection (c), (d), (e), or (1) of Section III of the Federal Water Pollution Control Act (33 U.S. 1331), as amended by the Act, under the Intervention on the High Seas Act (13 U.S.C. 1472 et sec.) or under State law insofar as such removal costs are recoverable under the Act; and

   (b) removal costs incurred by any person for acts taken by the person which are considered with the National Contingency Plan.

   Damages as specified in Section 1002 (b) (3) of the Act;

SECOND: Liability under Section 1005(a) of the Act to a claimant for interests on an amount paid in satisfaction of a claim under Section 1002 of the Act;

THIRD: Liability under any State statute, regulation or common law action, consistent with the equivalent in nature or scope to liabilities imposed under the Act, for removal costs or damages resulting from a discharge or substantial threat of discharge of oil (from a covered Vessel or Facility) into or upon the navigable waters or adjoining shorelines or the exclusive economic zone of the United States, but only if such removal costs or damages would be recoverable under the Act for the same incident. In no event shall the coverage afforded under this Section THIRD be broader in nature or scope than coverage provided under Section FIRST or Section SECOND above;

FOURTH: Costs, charges and expenses incurred, with the written consent of Underwriters, in defending against or investigating or adjusting any liabilities insured against under Sections FIRST, SECOND, or THIRD above, subject to all of the terms, conditions and limitations of this Policy.

PROVIDED ALWAYS THAT the Assured establishes that the discharge or substantial threat of discharge of oil giving rise to liability under Sections FIRST, SECOND, THIRD or FOURTH above meets all of the following conditions:

1. it was sudden and was unintended and unexpected by the Assured;

2. it first commenced at a specific time and date during the Policy Period;

3. it became known to the Assured within seventy-two (72) hours of its commencement; and

4. it was reported in accordance with the notice requirement of this Policy within thirty (30) days after having become known to the Assured.

PROVIDED FURTHER ALWAYS THAT the insurance provided herein and the stated Limits of Liability herein shall be excess over the Underlying Limits shown on Item 3 of the Declarations and Underwriters' obligations hereunder shall not be affected by whether the Assured has obtained or no insurance for all or part of the exposure of the Underlying Limits or whether any such insurance obtained is collectible or uncollectible for any reason, and the risk of uncollectibility of any insurance is expressly retained by the Assured and is not in any way or under any circumstances insured or assumed by Underwriters.

Limit of Liability: The limit of liability of the Underwriters under this Policy with respect to each incident shall, in no event, exceed the amount shown on Item 3a of the Declarations, and the aggregate limit of liability of the Underwriters under this Policy shall, in no event, exceed the amount shown on Item 2b of the Declarations.

II. EXCLUSIONS

THIS INSURANCE DOES NOT APPLY:

1. To any liability which would otherwise be covered under Sections FIRST, SECOND, THIRD or FOURTH above, if the incident giving rise to the liability is the result of the Assure's willful misconduct.

2. To any liability which would otherwise be covered under Sections FIRST, SECOND, THIRD and FOURTH above if the Assured fails or refuses:

   (a) to report the incident as required by law if the responsible party knows or has reason to know of the incident;

   (b) to provide all reasonable cooperation and assistance requested by responsible official in connection with removal activities; or

   (c) without sufficient cause, to comply with an order issued under subsection (c) or (e) of section 311 of the Federal Water Pollution Control Act, (33 U.S.C. 1321), as amended by the Act, or the Intervention on the High Seas Act (33 U.S.C. 1471 et seq.).

3. To any fine or penalty of any kind or nature whatsoever, or any punitive damages, exemplary damages or any additional damages resulting from the multiplication of compensatory damages.

4. To any liability arising out of nuclear incident in accordance with the exclusions attached to this Policy.

5. To any liability assumed by the Assured under any contract or agreement unless:

   (a) prior agreement has been given by the Underwriters and the premium hereon adjusted as may be required by them, or

   (b) such liability would have attached to the Assured even in the absence of such contract or agreement.

6. To any liability or obligation for which the Assured may be held liable under any Workmen's Compensation or Disability Benefits Act, employers liability law or any similar law.

7. To any liability for loss of or damage to property belonging to the Assured or in the Assured's care, custody or control.

III. CONDITIONS

This Policy is subject to the following conditions:

1. Appeals

In the event the Assured elects not to appeal a judgment in excess of the Underlying Limits, Underwriters may elect to make such appeal at their own cost and expense and shall be liable for the taxable costs and disbursements or any additional interest incidental to such appeal; but in no event shall the liability of Underwriters exceed the relevant Limits of Liability set out in Item 2a. of the Declarations plus the cost and expense of such Appeal and only that additional interest on Appeal and only that additional interest on Underwriters' portion of the judgment.

2. Application of Recoveries

All recoveries or payments recovered or received subsequent to a loss settlement under this Policy, after deduction of all recovery expenses, shall be applied as if recovered or received prior to such settlement and all necessary adjustments shall then be made between the Assured and Underwriters.

3. Assignment

Assignment of interest under this Policy shall not bind Underwriters unless and until their consent is endorsed hereon.

4. Attachment of Liability

Liability to pay under this Policy shall not attach unless and until the Assured has paid or has paid on its behalf any sum set forth in Sections FIRST, SECOND, THIRD or FOURTH above in an amount which exceeds the Assured's Underlying Limits as set out in Item 3 of the Declarations.

5. Cancellation

This Policy may be cancelled by the Assured or by the Underwriters or their representatives by sending by registered mail, notice to the other party stating when, not less than thirty days thereafter, cancellation shall be effective. The mailing of notice as aforesaid by Underwriters or their representatives to the Assured at the address shown in Item 1 of the Declarations shall be sufficient proof of notice and the coverage

under this Policy with respect to the Assured shall end on the effective date and hour of cancellation stated in the notice. Delivery of such written notice either by the Assured or by the Underwriters or their representatives shall be equivalent to sending by registered mail.

If this Policy shall be cancelled by the Assured the Underwriters shall retain the customary short rate proportion of the premium for the period this Policy has been in force. If this Policy shall be cancelled by the Underwriters they shall retain the pro rata proportion of the premium for the period this Policy has been in force. Notice of cancellation by the Underwriters shall be effective whether or not the Underwriters have returned or tendered the return of any premium with such notice.

6. Defense

Underwriters shall not be called upon to assume the handling or control of the defense or settlement of any Claim made against the Assured, but Underwriters shall have the right, but not the duty, to participate with the Assured in the defense and control of any Claim which may be indemnifiable in whole or in part by the Policy.

7. Insolvency

The insolvency, bankruptcy, receivership or any refusal or inability to pay of the Assured and/or any Insurer shall not operate to increase Underwriters' liability under this Policy.

In no event shall the Underwriters of this Policy assume the responsibilities and/or obligations of the Assured and/or any other Insurer.

8. Inspection and Investigation

Underwriters shall be permitted but not obliged to inspect the Assured's property and operations at any time.

Neither Underwriters' right to make inspections nor the making thereof nor any report thereon shall constitute an undertaking on behalf of or for the benefit of the Assured or others, to determine or warrant that such property or operations are adequate or safe.

Underwriters shall be permitted to investigate any discharge or threat of discharge reported to Underwriters or claim made against the Assured. The Assured must advise the Underwriters or Underwriters' representatives stated in Item 8 of the Declarations prior to incurring any sum set forth in Section 14 below.

Underwriters may examine and audit the Assured's books and records at any time as far as they relate to the subject matter of this Policy.

9. Joint Venture

It is understood and agreed by the Assured and Underwriters that, as regards any liability of the Assured which is insured under this Policy and arises in any manner whatsoever out of the operations or existence of any joint venture or partnership (hereinafter called "Joint Venture") in which the Assured has an interest, the Limits of Liability stated in Item 2 of the Declarations shall be reduced to the amounts which are produced by multiplying such Limits of Liability by the percentage interest of the Assured in the said Joint Venture. Where the percentage interest of the

Assured in said Joint Venture is not set forth in writing, the percentage to be applied shall be that which would be imposed by law at the inception of the Joint Venture. Such percentage shall not be increased by the insolvency of others interested in the said Joint Venture.

10. Loss Payable

Any amount for which Underwriters are liable under this Policy shall be due and payable to the Assured set out in Item 1 of the Declarations. Such amounts shall be paid within ninety days after it is agreed by Underwriters.

11. Notice to Underwriters

In the event of any incident which may result in a claim under this Policy the Assured shall give immediate notice to Underwriters and shall forward all information, communications, prices, pleadings or legal papers relating to such incident. All such notices, and all reports of discharge or substantial threat of discharge made to Underwriters, shall be by Registered Mail to Underwriters' representatives stated in Item 8 of the Declarations and shall state the date of receipt by the Assured. A discharge or threat of discharge is deemed to be reported and a Claim is deemed to be reported as of the date of receipt of such report or notice by said representatives.

12. Other Insurance

In the event there is other insurance which inures to the benefit of the Assured covering any loss, liability, cost or expense set forth in Sections FIRST, SECOND, THIRD or FOURTH, this Policy shall not respond until such other insurance is exhausted and then only subject to the provisions of the Joint Venture Section contained in this Policy.

Nothing contained in this Policy shall be construed to make this Policy subject to the terms, conditions and limitations of any other insurance.

13. Premium

The premiums and losses under this Policy are payable in the currency stated in Item 5 of the Declarations. Payment of premium shall be made as stated in Item 6 of the Declarations.

14. Prevention of Claims

As soon as the Assured becomes aware of a discharge or substantial threat of discharge or receives a Claim, the Assured shall promptly take all reasonable steps to prevent liability for any sum set forth in Section FIRST, SECOND, THIRD or FOURTH but such expenses shall not be recoverable under this Policy unless otherwise provided.

15. Service of Suit (USA)

It is agreed that in the event of the failure of the Underwriters hereto to pay any amount claimed to be due hereunder, the Underwriters, at the request of the Assured, will submit to the jurisdiction of a court of competent jurisdiction within the United States of America.

Notwithstanding any provision elsewhere in this insurance relating to jurisdiction, it is agreed that the Underwriters have the right to commence an action in any court of competent jurisdiction in the United

States of America, and nothing in this clause constitutes or should be understood to constitute a waiver of Underwriters' rights to seek removal remend or transfer of any suit to any other court of competent jurisdiction as permitted by the laws of the United States of America or any stated therein.

It is further agreed that the Assured may serve process upon Per General Conditions Clause 38.

that in any suit instituted against any one of them and upon this contract the Underwriters will abide by the final decision of the Court or of any Appellate Court in the event of an appeal.

The right of the Assured to bring suit as provided herein shall be limited to a suit brought in its own name and for its own account. For the purpose of suit as herein provided, the word "Assured" includes any mortgagee under a ship mortgage and any person succeeding to the rights of any such mortgagee.

The above-named are authorized and directed to accept service of process on behalf of Underwriters in any such suit and/or upon the request of the Assured to give a written undertaking to the Assured that subject to the right to seek removal remand or transfer of such suit to any other court of competent jurisdiction, they will enter a general appearance upon Underwriters' behalf in the event such a suit shall be instituted.

Further, pursuant to any statute of any state, territory or district of the United States which makes provision therefor, Underwriters hereon hereby designate the Superintendent, Commissioner or Director of Insurance or other officer specified for that purpose in the statute, or his successor or successors in office (the Officer), as their true and lawful attorney upon whom may be served any lawful process in any action, suit or proceeding instituted by or on behalf of the Assured or any beneficiary hereunder arising out of this contract of insurance, and hereby designate the above-named as the person to whom the said Officer is authorized to mail such process or a true copy thereof.

16. Subrogation

Where an amount is paid under this Policy, the Assured's rights of recovery against any other person or entity in respect of such amounts, including but not limited to the Assured's rights under Sections 1008 and 1013 of the Act to recover from the Fund, shall be exclusively subrogated to Underwriters. At Underwriters' request the Assured will assist and cooperate in the exercise of Underwriters' rights for subrogation. Expenses necessary to the recovery of such amounts shall be apportioned between the interests (including the Assured) concerned, in the ratio of their respective recoveries as finally settled.

IV DEFINITIONS

1. Where the words "the Act" are used in this Policy it shall mean the Oil Pollution Act of 1990, Pub. Law No. 101-380. and all other terms and phrases used herein shall, unless otherwise stated, have the meaning given to them in the Act.

2. The words "owner" and "operator" shall have the meaning attributed to them in the Act.

3. Each of the following is an Assured under this insurance to the extent set forth below:

   (a) If the named Assured is designated in the Declarations as an individual, the person so designated;

   (b) If the named Assured is designated in the Declarations as a partnership or joint venture, the partnership or joint venture so designated and any partner or member thereof but only with respect to his liability as such;

   (c) If the named Assured is designated in the Declarations as other than an individual, partnership or joint venture, the organization so designated and any executive officer, director or stockholder thereof while acting within the scope of his duties as such.

4. The word "Claim(s)" shall mean that part of any written demand received by the Assured for sums set forth in Sections FIRST, SECOND, THIRD and FOURTH above.

ENDORSEMENT NO. 1 to the Limited U.S. Oil Pollution Insurance Policy (In Respect of Vessels Only)

1. Notwithstanding any other provision of this Policy and specifically the disclaimer set forth in the first paragraph of the Policy, the Underwriters will, at the request of the Assured, furnish a Certificate of Insurance Form CG-5358-9 for filing with the United States Coast Guard with respect to the Vessels named on the Declarations page of the Policy and in the amount of $125 per gross ton or $125,000 whichever is greater, in the case of an inland oil barge (as defined in the FWPCA); in the case of any other vessel, $150 per gross ton unless it is carrying oil or hazardous substances as cargo in which case the limit of liability is the greater of $150 per gross ton or $250,000; provided, however, that the aggregate liability of the Underwriters under all insurances afforded by this Policy and under any Certificate of Insurance issued to the United States Coast Guard, with respect to any one incident shall in no event exceed the Limit of Liability set forth in Item 2a of the Declarations page hereof including the cost of any investigation and defense (including taxable disbursements) incurred with the prior consent of the Underwriters. NO OTHER CERTIFICATE OR EVIDENCE OF FINANCIAL RESPONSIBILITY SHALL BE PROVIDED BY THE UNDERWRITERS OR ON THEIR BEHALF WITHOUT FURTHER EXPRESS AND SPECIFIC ENDORSEMENT OF THIS POLICY BY THE UNDERWRITERS.

2. In the event that a judgment is obtained against the Assured, which is otherwise insured against under this Policy, the Underwriters shall not be required to indemnify the Assured (or to satisfy a judgment against the Underwriters obtained under any so-called direct action statute or rights otherwise insured against under this Policy) until such time as the Underwriters, in their sole and absolute discretion, are satisfied that they will not be required to respond for the Limit of Liability with respect to any judgment obtained pursuant to the Certificate of Insurance described in Paragraph 1 of this Endorsement.

3. Notwithstanding the terms and conditions of Certificate of Insurance Form CG-5358-9 and of this Endorsement, all terms, conditions and limitations in the Policy remain in full force and effect as binding between the Assured and the Underwriters, and the Assured agrees to reimburse the Underwriters for any payment made by the Underwriters on account of any incident, claim or suit involving a breach of the terms of the Policy, and for any payment that the Underwriters would not have been obligated to make under the Policy except for the agreement contained in this Endorsement, including any payment made which would not have exceeded the Underlying Limits set forth in Item 3 of the Declarations.

ATTACHMENT K

RECORD OF CHANGES

No.	Date of Change	Change Affected…	Nature of Change	Change Authorized By
RECORD OF CHANGES MADE TO THE FACILITY RESPONSE PLAN				
1.	7/93	Section 2.2-7 to 2.2-19	Correct Discrepancy Reference	COTP-MSO - Houston
2.	7/93	Section 6	Add Text	COTP-MSO Houston
3.	6/94	Section 7.0	N-MTR Onshore Facility	EPA Region VI, RA
4.	6/95	Section 1.0 Section 2.1-3 Section 5.2 Section 7.1, 7.6, 7.7 Appendix A2	Facility Personnel and QI	QI
5.	1/98	Section 1.0, 2.1, 2.3, 7.3, 7.7	Update Facility Personnel and Phone Numbers	QI
6.	1/98	Section 2.2, 2.3, 7.7	Delete Gas Pump from Equipment	QI
7.	1/98	Section 7.2, Attachments E & G	Add Tanks 37-1 & 37-2	QI
8.	1/98	Section 7.3	Additions to Communications Equipment	QI
9.	9/01	Section 1.0	Update facility location description	QI
10.	9/01	Section 2.1	Updates to Notification Call List and Facility Personnel Information	QI
11.	9/01	Section 2.2	Update Director of Regulatory Affairs' Responsibilities	QI
12.	9/01	Section 2.3	Update QI's Information, Management Response Information, and reflect new construction at barge docks, ship docks, and storage tanks	QI
13.	9/01	Section 2.5	Update name change from TWC to TNRCC	QI
14.	9/01	Section 5.1	Update Training Requirements	QI
15.	9/01	Section 5.2	Update Drill Documentation Records Form	QI
16.	9/01	Section 7.2	Add new construction at barge docks, ship docks, and storage tanks	QI
17.	9/01	Section 7.3	Update Emergency Notification Phone List and Facility Personnel Information, and add new construction at barge docks, ship docks, and storage tanks	QI
18.	9/01	Section 7.4	Add new construction at barge docks, ship docks, and storage tanks	QI
19.	9/01	Section 7.6	Update text for Automated Discharge Detection	QI
20.	9/01	Section 7.7	Update Equipment List and Disposal Facilities	QI
21.	9/01	Appendix I	Add new construction at barge docks, ship docks, and storage tanks	QI

No.	Date of Change	Change Affected…	Nature of Change	Change Authorized By
22.	9/01	Appendix II	Update Facility Personnel Information	QI
23.	9/01	Appendix IV	Update Facility Communications Systems	QI
24.	6/02	Entire plan	Combined within the Integrated Contingency Play	J. Bailey
RECORD OF CHANGES MADE TO THE FACILITY SPCC PLAN				
1.	8/82	All	Amendment	HFOTCO
2.	5/87	All	Amendment	HFOTCO
3.	5/90	All	Amendment	HFOTCO
4.	6/92	All	Amendment	HFOTCO
5.	2/95	All	Amendment	HFOTCO
6.	6/96	All	Amendment	HFOTCO
7.	1/98	OPA – Emergency Response Plan Section	Administrative changes only	HFOTCO
8.	6/99	Selected Sections and Pages	Amendments	HFOTCO
9.	6/02	Entire plan	Combined within the Integrated Contingency Play	J. Bailey
RECORD OF CHANGES MADE TO THE FACILITY PIPELINE OPA-90 FRP				
1.	8/96	Several	DOT Review (See Attached)	RSPA
2.	3/00	Sec. 1.0 pg. 1-2	Address and Phone Revisions	J. Bailey
3.	3/00	Sec. 2.0 pg. 2-10	Address and Phone Revisions	J. Bailey
4.	3/00	Sec. 3.0 pg. 19	Address and Phone Revisions	J. Bailey
5.	3/00	Sec. 5.0 pg. 1-4	Address and Phone Revisions	J. Bailey
6.	3/00	Sec. 7.0 pg. 3-19	Evaluation Sections Updated	J. Bailey
7.	3/00	Sec. 8.0 pg. 2	Change of Ownership Added	J. Bailey
8.	3/00	Sec. 9.0 pg. 1-4 & 18-23	Address and Phone Revisions	J. Bailey
9.	3/00	Attachment A	Revised Site Plans	J. Bailey
10.	3/00	Attachment F	Revised Health & Safety Plan	J. Bailey
11.	3/00	Attachment G	New Disposal Facility	J. Bailey
12.	3/00	Appendix I	Revisions/Additions CFR National Response Plans Regulations	J. Bailey
13.	3/00	Appendix V	Revisions/Additions CFR NCP Regulations	J. Bailey
14.	6/02	Entire plan	Combined within the Integrated Contingency Play	J. Bailey
RECORD OF CHANGES MADE TO OSPRA 91 PLAN				
1.	3/93	Several	Change person-in-charge update	J. Bailey
2.	4/93	Several	Revise manual. Add new equipment	J. Bailey
3.	6/02	Entire plan	Combined within the ICP	J. Bailey

No.	Date of Change	Change Affected…	Nature of Change	Change Authorized By
RECORD OF CHANGES MADE TO THE ICP				
(1)	08/02	3-1	Make Reference to Attachment A	USCG/J. Bailey
(2)	09-02	4-4, 6-4, Attachment C, Appendix I, Figure 3		J. Bailey
(3)	12/02	Table of Contents, ii	2.1 Incident Command System	RSPA/J. Bailey
(4)	12/02	2-1	Modify Flow Chart	RSPA/J. Bailey
(5)	12/02	2-2 to 2-5	Incident Command System	RSPA/J. Bailey
(6)	12/02	4-4	Update Garner Information	RSPA/J. Bailey
(7)	12/02	5-3	QI Duties	RSPA/J. Bailey
(8)	12/02	5-4	Safety Duties	RSPA/J. Bailey
(9)	12/02	7-8	Training Record Retention	RSPA/J. Bailey
(10)	12/02	Attachment C	DIS – Weather Information	RSPA/J. Bailey
(11)	08/03	TOC; 1-7; Sections 2.0, 4.0 through 7.0, and 9.0 through 10.0; Attachments B, C, D, and H; Figure 2; Appendices I, IV, VII, and VIII.	Update per revised 40 CFR 112.7, 31 TAC 1.19, and per RSPA DOT Comment letter dated 05/20/03	J. Bailey
(12)	06/04	TOC, Distribution List, pp. 2-3, 2-5, 4-3, 4-4, 5-1 thru 5-5, 5-29 thru 5-32, 6-5, 7-3 thru 7-8, 8-2, Sections 9.0, 10.0, & Attachment L	Update facility personnel titles and RMS; revise response roles; include new SPCC provisions; update regulatory cross-reference; add Attachment L to record inspections & authorization of non-contaminated stormwater discharges.	J. Bailey
(13)	09/04	Distribution List, pp. 2-3, 4-4, 7-7, 7-8, 7-9	Update per TGLO inspection	J. Bailey
(14)	12/05	ii, iii, iv, 1-4, 2-3, 2-5, 4-3, 4-5, 5-1, 5-5, 8-1, 10-1 through 10-7	Ship Dock 1&3 draft update; Response Team name change; NIIMS ICS diagram & text clarification per 11/05 RSPA DOT letter; update pipeline company and personnel information; update organizational chart; update boat inspection text; update annual review text; update RSPA DOT citations in cross-reference.	RSPA/J. Bailey
(15)	1/06	TOC, 4-5, 5-1, 7-1, 7-2, 7-7	Include neighboring facility contacts & new Genesis number; adjust pagination; include multiple ready spill boats; remove ‘TGLO’ from Response Team ref.	J. Bailey
(16)	03/07	Attachment B, Figures 2-5	Add Fire Water Diesel Tank, Tank 220-1, and portable air compressors 1 and 2	J. Bailey

RECORD OF CHANGES MADE TO THE ICP				
(17)	06/08	Cover Page; Table of Contents; 4-3 through 4-6; Attachment K	Revision date; Updates to page numbers; Updates to Facility Emergency Personnel Contact List and page numbers; Updates to Record of Changes	J. Bailey
(18)	12/08	Cover Page; Table of Contents; Pg viii; Pg 1-3; Pg 2-2, 2-5 & 2-6; Pgs 4-3 through 4-6; Pgs 5-1, 5-2, 5-4,5-23,5-24,5-25,5-29 & 5-30; Pgs 7-2,7-3,7-4, 7-7 & 7-8; Figures 1,2,4,5,6; Att. D; Att. E; Att. F; Att. G; Att. H; Att. K; Att. L; App. V; App. VII	Revision to date; Update TOC; Updates and addition to titles; Revise title ;Revise title and Revise Response Management System Flow Chart; Revise Contact Lists; Revision to Organizational Chart; Revise titles; Include TGLO DP & FR Certificate; Updates to Record of Changes; Revise Topographic Map; Revise Site Drainage Map; Revise Pipeline Locations Map; Revise Tables and PE Certification; Revise signature page; Revise Fly Page; Revise Inspection Form; Revise Fly Page; Add reference to PHMSA throughout document	J. Bailey
(19)	01/10	Cover Page; Pg viii; Pg 1-2, 1-3, 1-5, 1-7 & 1-8; Pg 2-2 through 2-6, 4-3, 5-1 through 5-5, 5-24, 5-25, 5-29, 5-30, 5-31, 7-2, 7-3, 7-4, 7-7 & 7-8; Figure 3; Att. D; Att. F; Att. K; Att. L	Revision to date; Updates to titles; Add Tanks 220-1, 400-3, 400-4, 400-5, Add Barge Dock No. 6, Tanks 8-1, 8-2, 10-1, 13-1, 13-2, 13-3, 13-4, 30-11, 30-12, 30-13, 30-14, 30-15, 30-16, 30-17, 95-1, 95-2, 95-3, & 95-4; Update Site Drainage Maps; Update to Titles; Update title on signature line of Spill Response Equipment Inventory; Update title on Spill Management Team Tabletop Exercise Log; Update Record of Changes; Update title on Accumulated Stormwater Inspection To Authorize Release North and South Terminals and update title, valve, and outfalls on Accumulated Stormwater Inspection To Authorize Release for West Terminal	J. Bailey
(20)	5/10	Cover Page; Required Compliance Actions; Pg. v, vii, viii, xi, 1-7,2-1, 2-5, 4-1, 4-2, 4-3, 5-2 thru 5-5, 5-24, 5-25, 7-6, 7-7, 7-8, 10-1 through 10-8; Figure 3; Att.C; Att. K; App. III	Revision to date; Remove RSPA and replace with PHMSA throughout document; update DOT address; Update Response Management System; Update Facility Emergency Personnel Contact List; Update Outside Emergency Response Contractors; Update Titles; Update Employee Response Personnel Training Positions; Update Site Drainage Maps; Replace revised Accident Report-Hazardous Liquid Pipeline Systems; Update Record of Changes; Replace revised 49 CFR 194, DOT PHMSA	J. Bailey

RECORD OF CHANGES MADE TO THE ICP				
(21)	6/12	All Pages; Cover Page; Pg. i-iv; v; viii; ix; x; 1-3; 1-5 to 1-9; 2-2 to 2-4; 4-3 to 4-6; 5-1; 5-25; 6-5 to 6-9; 7-1 to 7-4; 9-2; 9-9; Figures 1-6; Att. B; Att. K; and Att. L;	Add Headers and Footers, Revision to date; update page numbers; Add Area 19 and 20; Revise personnel names and titles. add Ship Dock No. 4 and page numbers changed; add Barge Dock No. 7; Update Incident Documentation; update Outfall details; Update Emergency Equipment Inventory; Revise containment calculations and tankage; Revise Topographic Map; Revise Plot Plan; Revise Site Drainage Map; Revise Emergency Equipment Location Map; Revise Pipeline Locations Map ; Site Specific Discharge Tables and PE Certificate; Record of Changes; and Accumulated Stormwater Inspection forms- West Terminal	P. Roubieu
(22)	9/12	Cover Page; 2-2, 4-3 & 4-5; 5-20 & 5-21; Att. K	Revision to date; Correct Notification Section to Section 4.0; Updated Internal Notification list and Federal, State, and Local Authorities Contact List; Updated EPA Valve to USCG Valve; Record of Changes	P. Roubieu
(23)				

ATTACHMENT L

ACCUMULATED STORMWATER INSPECTION FORM TO AUTHORIZE RELEASE

ACCUMULATED STORMWATER INSPECTION TO AUTHORIZE RELEASE SOUTH TERMINAL

Use this form to document visual evaluation of accumulated stormwater prior to opening the containment system release valves. Visually evaluate **EACH** containment area for presence of the following characteristics. If any are present, release is **not authorized**; contact the Manager of Environmental and Regulatory Affairs immediately. Documentation of these inspections is required by the SPCC regulations.

Date & Time Evaluation Performed:	
Evaluation Performed By (name & title):	

Visual Characteristics	Valve 001	Valve 002	Valves 003 & 004	Valve 008
	Outfall 001 (Areas 3-11)	Outfall 002 (Area 12)	Outfall 003& 004 (Area 14)	Outfall 008 (Near #2SD)
	√ if Not Present	√ if Not Present	√ if Not Present	√ if Not Present
Abnormal color	☐	☐	☐	☐
Noticeable abnormal odor	☐	☐	☐	☐
Abnormal opacity *(not clear)*	☐	☐	☐	☐
Abnormal quantity of floating, suspended, or settled solids	☐	☐	☐	☐
Foam	☐	☐	☐	☐
Oil sheen	☐	☐	☐	☐
Any other obvious pollutant indicators (describe below)	☐	☐	☐	☐

Use check boxes above to indicate those characteristics that are <u>not</u> present in the accumulated stormwater. If any of the boxes are not checked, then explain below and release of the accumulated stormwater is NOT AUTHORIZED.

Write any comments/explanations here:

Return Original to Paul Roubieu
Copy to Robert Riemer

ACCUMULATED STORMWATER INSPECTION TO AUTHORIZE RELEASE NORTH AND WEST TERMINALS

Use this form to document visual evaluation of accumulated stormwater prior to opening the containment system release valves. Visually evaluate **EACH** containment area for presence of the following characteristics. If any are present, release is **not authorized**; contact the Manager of Environmental and Regulatory Affairs immediately. Documentation of these inspections is required by the SPCC regulations.

Date & Time Evaluation Performed:	
Evaluation Performed By (name & title):	

Visual Characteristics	Valve A15	Valves A16E & A16W	Valve 019	Valve A20	Valve 020	Valve 022
	Outfall A15 (Area 15)	Outfall A16E & A16W (Area 16)	Outfall 019 (Area 19)	Outfall A20 (Area 20)	Outfall 020 (Area 21)	Outfall 022 (Area 21 & 22)
	√ if Not Present	√ if Not Present	√ if Not Present	√ if Not Present	√ if Not Present	√ if Not Present
Abnormal color	☐	☐	☐	☐	☐	☐
Noticeable abnormal odor	☐	☐	☐	☐	☐	☐
Abnormal opacity *(not clear)*	☐	☐	☐	☐	☐	☐
Abnormal quantity of floating, suspended, or settled solids	☐	☐	☐	☐	☐	☐
Foam	☐	☐	☐	☐	☐	☐
Oil sheen	☐	☐	☐	☐	☐	☐
Any other obvious pollutant indicators (describe below)	☐	☐	☐	☐	☐	☐

Use check boxes above to indicate those characteristics that are <u>not</u> present in the accumulated stormwater. If any of the boxes are not checked, then explain below and release of the accumulated stormwater is NOT AUTHORIZED.

Write any comments/explanations here:

Return Original to Paul Roubieu
Copy to Robert Riemer

APPENDIX I

40 CFR 110, EPA - DISCHARGE OF OIL AND

40 CFR 112, EPA - OIL POLLUTION PREVENTION

(1) The identification and inventory of applicable equipment, materials and supplies which are available locally and regionally.

(2) An estimate of the equipment, materials and supplies which would be required to remove the maximum oil discharge to be anticipated.

(3) Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in responding to such a discharge.

(d) Provisions for well defined and specific actions to be taken after discovery and notification of an oil discharge including:

(1) Specification of an oil discharge response operating team consisting of trained, prepared and available operating personnel.

(2) Predesignation of a properly qualified oil discharge response coordinator who is charged with the responsibility and delegated commensurate authority for directing and coordinating response operations and who knows how to request assistance from Federal authorities operating under existing national and regional contingency plans.

(3) A preplanned location for an oil discharge response operations center and a reliable communications system for directing the coordinated overall response operations.

(4) Provisions for varying degrees of response effort depending on the severity of the oil discharge.

(5) Specification of the order of priority in which the various water uses are to be protected where more than one water use may be adversely affected as a result of an oil discharge and where response operations may not be adequate to protect all uses.

(e) Specific and well defined procedures to facilitate recovery of damages and enforcement measures as provided for by State and local statutes and ordinances.

§ 109.6 Coordination.

For the purposes of coordination, the contingency plans of State and local governments should be developed and implemented in consultation with private interests. A copy of any oil removal contingency plan developed by State and local governments should be forwarded to the Council on Environmental Quality upon request to facilitate the coordination of these contingency plans with the National Oil and Hazardous Materials Pollution Contingency Plan.

PART 110—DISCHARGE OF OIL

Sec.

110.1 Definitions.
110.2 Applicability.
110.3 Discharge of oil in such quantities as ''may be harmful'' pursuant to section 311(b)(4) of the Act.
110.4 Dispersants.
110.5 Discharges of oil not determined ''as may be harmful'' pursuant to section 311(b)(3) of the Act.
110.6 Notice.

AUTHORITY: 33 U.S.C. 1321(b)(3) and (b)(4) and 1361(a); E.O. 11735, 38 FR 21243, 3 CFR Parts 1971–1975 Comp., p. 793.

SOURCE: 52 FR 10719, Apr. 2, 1987, unless otherwise noted.

§ 110.1 Definitions.

Terms not defined in this section have the same meaning given by the Section 311 of the Act. As used in this part, the following terms shall have the meaning indicated below:

Act means the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 *et seq.*, also known as the Clean Water Act;

Administrator means the Administrator of the Environmental Protection Agency (EPA);

Applicable water quality standards means State water quality standards adopted by the State pursuant to section 303 of the Act or promulgated by EPA pursuant to that section;

MARPOL 73/78 means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, Annex I, which regulates pollution from oil and which entered into force on October 2, 1983;

Navigable waters means the waters of the United States, including the territorial seas. The term includes:

(a) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters

that are subject to the ebb and flow of the tide;

(b) Interstate waters, including interstate wetlands;

(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, and wetlands, the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) That are or could be used by interstate or foreign travelers for recreational or other purposes;

(2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce;

(3) That are used or could be used for industrial purposes by industries in interstate commerce;

(d) All impoundments of waters otherwise defined as navigable waters under this section;

(e) Tributaries of waters identified in paragraphs (a) through (d) of this section, including adjacent wetlands; and

(f) Wetlands adjacent to waters identified in paragraphs (a) through (e) of this section: Provided, That waste treatment systems (other than cooling ponds meeting the criteria of this paragraph) are not waters of the United States;

Navigable waters do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

NPDES means National Pollutant Discharge Elimination System;

Sheen means an iridescent appearance on the surface of water;

Sludge means an aggregate of oil or oil and other matter of any kind in any form other than dredged spoil having a combined specific gravity equivalent to or greater than water;

United States means the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

Wetlands means those areas that are inundated or saturated by surface or ground water at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds.

[52 FR 10719, Apr. 2, 1987, as amended at 58 FR 45039, Aug. 25, 1993; 61 FR 7421, Feb. 28, 1996]

§ 110.2 Applicability.

The regulations of this part apply to the discharge of oil prohibited by section 311(b)(3) of the Act.

[61 FR 7421, Feb. 28, 1996]

§ 110.3 Discharge of oil in such quantities as "may be harmful" pursuant to section 311(b)(4) of the Act.

For purposes of section 311(b)(4) of the Act, discharges of oil in such quantities that the Administrator has determined may be harmful to the public health or welfare or the environment of the United States include discharges of oil that:

(a) Violate applicable water quality standards; or

(b) Cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

[61 FR 7421, Feb. 28, 1996]

§ 110.4 Dispersants.

Addition of dispersants or emulsifiers to oil to be discharged that would circumvent the provisions of this part is prohibited.

[52 FR 10719, Apr. 2, 1987. Redesignated at 61 FR 7421, Feb. 28, 1996]

§ 110.5 Discharges of oil not determined "as may be harmful" pursuant to Section 311(b)(3) of the Act.

Notwithstanding any other provisions of this part, the Administrator has not determined the following discharges of oil ''as may be harmful'' for purposes of section 311(b) of the Act:

(a) Discharges of oil from a properly functioning vessel engine (including an

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engine on a public vessel) and any discharges of such oil accumulated in the bilges of a vessel discharged in compliance with MARPOL 73/78, Annex I, as provided in 33 CFR part 151, subpart A;

(b) Other discharges of oil permitted under MARPOL 73/78, Annex I, as provided in 33 CFR part 151, subpart A; and

(c) Any discharge of oil explicitly permitted by the Administrator in connection with research, demonstration projects, or studies relating to the prevention, control, or abatement of oil pollution.

[61 FR 7421, Feb. 28, 1996]

§ 110.6 Notice.

Any person in charge of a vessel or of an onshore or offshore facility shall, as soon as he or she has knowledge of any discharge of oil from such vessel or facility in violation of section 311(b)(3) of the Act, immediately notify the National Response Center (NRC) (800–424–8802; in the Washington, DC metropolitan area, 202–426–2675). If direct reporting to the NRC is not practicable, reports may be made to the Coast Guard or EPA predesignated On-Scene Coordinator (OSC) for the geographic area where the discharge occurs. All such reports shall be promptly relayed to the NRC. If it is not possible to notify the NRC or the predesignated OCS immediately, reports may be made immediately to the nearest Coast Guard unit, provided that the person in charge of the vessel or onshore or offshore facility notifies the NRC as soon as possible. The reports shall be made in accordance with such procedures as the Secretary of Transportation may prescribe. The procedures for such notice are set forth in U.S. Coast Guard regulations, 33 CFR part 153, subpart B and in the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR part 300, subpart E.

(Approved by the Office of Management and Budget under control number 2050–0046)

[52 FR 10719, Apr. 2, 1987. Redesignated and amended at 61 FR 7421, Feb. 28, 1996; 61 FR 14032, Mar. 29, 1996]

PART 112—OIL POLLUTION PREVENTION

Sec.

Subpart A—Applicability, Definitions, and General Requirements For All Facilities and All Types of Oils

112.1 General applicability.
112.2 Definitions.
112.3 Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.
112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.
112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.
112.6 [Reserved]
112.7 General requirements for Spill Prevention, Control, and Countermeasure Plans.

Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)

112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).
112.9 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.
112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.
112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, Including Oils from Seeds, Nuts, Fruits and Kernels

112.12 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).
112.13 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.
112.14 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.

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engine on a public vessel) and any discharges of such oil accumulated in the bilges of a vessel discharged in compliance with MARPOL 73/78, Annex I, as provided in 33 CFR part 151, subpart A;

(b) Other discharges of oil permitted under MARPOL 73/78, Annex I, as provided in 33 CFR part 151, subpart A; and

(c) Any discharge of oil explicitly permitted by the Administrator in connection with research, demonstration projects, or studies relating to the prevention, control, or abatement of oil pollution.

[61 FR 7421, Feb. 28, 1996]

§ 110.6 Notice.

Any person in charge of a vessel or of an onshore or offshore facility shall, as soon as he or she has knowledge of any discharge of oil from such vessel or facility in violation of section 311(b)(3) of the Act, immediately notify the National Response Center (NRC) (800–424–8802; in the Washington, DC metropolitan area, 202–426–2675). If direct reporting to the NRC is not practicable, reports may be made to the Coast Guard or EPA predesignated On-Scene Coordinator (OSC) for the geographic area where the discharge occurs. All such reports shall be promptly relayed to the NRC. If it is not possible to notify the NRC or the predesignated OCS immediately, reports may be made immediately to the nearest Coast Guard unit, provided that the person in charge of the vessel or onshore or offshore facility notifies the NRC as soon as possible. The reports shall be made in accordance with such procedures as the Secretary of Transportation may prescribe. The procedures for such notice are set forth in U.S. Coast Guard regulations, 33 CFR part 153, subpart B and in the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR part 300, subpart E.

(Approved by the Office of Management and Budget under control number 2050–0046)

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PART 112—OIL POLLUTION PREVENTION

Sec.

Subpart A—Applicability, Definitions, and General Requirements For All Facilities and All Types of Oils

112.1 General applicability.
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112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.
112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.
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112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, Including Oils from Seeds, Nuts, Fruits and Kernels

112.12 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).
112.13 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.
112.14 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.

112.15 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

Subpart D—Response Requirements

112.20 Facility response plans.
112.21 Facility response training and drills/exercises.

APPENDIX A TO PART 112—MEMORANDUM OF UNDERSTANDING BETWEEN THE SECRETARY OF TRANSPORTATION AND THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY
APPENDIX B TO PART 112—MEMORANDUM OF UNDERSTANDING AMONG THE SECRETARY OF THE INTERIOR, SECRETARY OF TRANSPORTATION, AND ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY
APPENDIX C TO PART 112—SUBSTANTIAL HARM CRITERIA
APPENDIX D TO PART 112—DETERMINATION OF A WORST CASE DISCHARGE PLANNING VOLUME
APPENDIX E TO PART 112—DETERMINATION AND EVALUATION OF REQUIRED RESPONSE RESOURCES FOR FACILITY RESPONSE PLANS
APPENDIX F TO PART 112—FACILITY-SPECIFIC RESPONSE PLAN

AUTHORITY: 33 U.S.C. 1251 *et seq.*; 33 U.S.C. 2720; E.O. 12777 (October 18, 1991), 3 CFR, 1991 Comp., p. 351.

SOURCE: 38 FR 34165, Dec. 11, 1973, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 112 appear at 65 FR 40798, June 30, 2000.

Subpart A—Applicability, Definitions, and General Requirements for All Facilities and All Types of Oils

SOURCE: 67 FR 47140, July 17, 2002, unless otherwise noted.

§ 112.1 General applicability.

(a)(1) This part establishes procedures, methods, equipment, and other requirements to prevent the discharge of oil from non-transportation-related onshore and offshore facilities into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act).

(2) As used in this part, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa, as the case may require.

(b) Except as provided in paragraph (d) of this section, this part applies to any owner or operator of a non-transportation-related onshore or offshore facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location, could reasonably be expected to discharge oil in quantities that may be harmful, as described in part 110 of this chapter, into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act) that has oil in:

(1) Any aboveground container;

(2) Any completely buried tank as defined in §112.2;

(3) Any container that is used for standby storage, for seasonal storage, or for temporary storage, or not otherwise ''permanently closed'' as defined in §112.2;

(4) Any ''bunkered tank'' or ''partially buried tank'' as defined in §112.2, or any container in a vault, each of which is considered an aboveground storage container for purposes of this part.

(c) As provided in section 313 of the Clean Water Act (CWA), departments, agencies, and instrumentalities of the Federal government are subject to this part to the same extent as any person.

(d) Except as provided in paragraph (f) of this section, this part does not apply to:

(1) The owner or operator of any facility, equipment, or operation that is

not subject to the jurisdiction of the Environmental Protection Agency (EPA) under section 311(j)(1)(C) of the CWA, as follows:

(i) Any onshore or offshore facility, that due to its location, could not reasonably be expected to have a discharge as described in paragraph (b) of this section. This determination must be based solely upon consideration of the geographical and location aspects of the facility (such as proximity to navigable waters or adjoining shorelines, land contour, drainage, etc.) and must exclude consideration of man-made features such as dikes, equipment or other structures, which may serve to restrain, hinder, contain, or otherwise prevent a discharge as described in paragraph (b) of this section.

(ii) Any equipment, or operation of a vessel or transportation-related onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation, as defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of EPA, dated November 24, 1971 (Appendix A of this part).

(iii) Any equipment, or operation of a vessel or onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation or the U.S. Department of the Interior, as defined in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (Appendix B of this part).

(2) Any facility which, although otherwise subject to the jurisdiction of EPA, meets both of the following requirements:

(i) The completely buried storage capacity of the facility is 42,000 gallons or less of oil. For purposes of this exemption, the completely buried storage capacity of a facility excludes the capacity of a completely buried tank, as defined in §112.2, and connected underground piping, underground ancillary equipment, and containment systems, that is currently subject to all of the technical requirements of part 280 of this chapter or all of the technical requirements of a State program approved under part 281 of this chapter. The completely buried storage capacity of a facility also excludes the capacity of a container that is ''permanently closed,'' as defined in §112.2.

(ii) The aggregate aboveground storage capacity of the facility is 1,320 gallons or less of oil. For purposes of this exemption, only containers of oil with a capacity of 55 gallons or greater are counted. The aggregate aboveground storage capacity of a facility excludes the capacity of a container that is ''permanently closed,'' as defined in §112.2.

(3) Any offshore oil drilling, production, or workover facility that is subject to the notices and regulations of the Minerals Management Service, as specified in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (Appendix B of this part).

(4) Any completely buried storage tank, as defined in §112.2, and connected underground piping, underground ancillary equipment, and containment systems, at any facility, that is subject to all of the technical requirements of part 280 of this chapter or a State program approved under part 281 of this chapter, except that such a tank must be marked on the facility diagram as provided in §112.7(a)(3), if the facility is otherwise subject to this part.

(5) Any container with a storage capacity of less than 55 gallons of oil.

(6) Any facility or part thereof used exclusively for wastewater treatment and not used to satisfy any requirement of this part. The production, recovery, or recycling of oil is not wastewater treatment for purposes of this paragraph.

(e) This part establishes requirements for the preparation and implementation of Spill Prevention, Control, and Countermeasure (SPCC) Plans. SPCC Plans are designed to complement existing laws, regulations, rules, standards, policies, and procedures pertaining to safety standards, fire prevention, and pollution prevention rules. The purpose of an SPCC Plan is to form a comprehensive Federal/State spill prevention program

that minimizes the potential for discharges. The SPCC Plan must address all relevant spill prevention, control, and countermeasures necessary at the specific facility. Compliance with this part does not in any way relieve the owner or operator of an onshore or an offshore facility from compliance with other Federal, State, or local laws.

(f) Notwithstanding paragraph (d) of this section, the Regional Administrator may require that the owner or operator of any facility subject to the jurisdiction of EPA under section 311(j) of the CWA prepare and implement an SPCC Plan, or any applicable part, to carry out the purposes of the CWA.

(1) Following a preliminary determination, the Regional Administrator must provide a written notice to the owner or operator stating the reasons why he must prepare an SPCC Plan, or applicable part. The Regional Administrator must send such notice to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of such notice to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(2) Within 30 days of receipt of such written notice, the owner or operator may provide information and data and may consult with the Agency about the need to prepare an SPCC Plan, or applicable part.

(3) Within 30 days following the time under paragraph (b)(2) of this section within which the owner or operator may provide information and data and consult with the Agency about the need to prepare an SPCC Plan, or applicable part, the Regional Administrator must make a final determination regarding whether the owner or operator is required to prepare and implement an SPCC Plan, or applicable part. The Regional Administrator must send the final determination to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of the final determination to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(4) If the Regional Administrator makes a final determination that an SPCC Plan, or applicable part, is necessary, the owner or operator must prepare the Plan, or applicable part, within six months of that final determination and implement the Plan, or applicable part, as soon as possible, but not later than one year after the Regional Administrator has made a final determination.

(5) The owner or operator may appeal a final determination made by the Regional Administrator requiring preparation and implementation of an SPCC Plan, or applicable part, under this paragraph. The owner or operator must make the appeal to the Administrator of EPA within 30 days of receipt of the final determination under paragraph (b)(3) of this section from the Regional Administrator requiring preparation and/or implementation of an SPCC Plan, or applicable part. The owner or operator must send a complete copy of the appeal to the Regional Administrator at the time he makes the appeal to the Administrator. The appeal must contain a clear and concise statement of the issues and points of fact in the case. In the appeal, the owner or operator may also provide additional information. The additional information may be from any person. The Administrator may request additional information from the owner or operator. The Administrator must render a decision within 60 days of receiving the appeal or additional information submitted by the owner or operator and must serve the owner or operator with the decision made in the appeal in the manner described in paragraph (f)(1) of this section.

§ 112.2 Definitions.

For the purposes of this part:

Adverse weather means weather conditions that make it difficult for response equipment and personnel to clean up or remove spilled oil, and that must be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include significant wave height as specified in Appendix E to this part (as appropriate), ice conditions, temperatures, weather-related visibility, and

currents within the area in which the systems or equipment is intended to function.

Alteration means any work on a container involving cutting, burning, welding, or heating operations that changes the physical dimensions or configuration of the container.

Animal fat means a non-petroleum oil, fat, or grease of animal, fish, or marine mammal origin.

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

Bulk storage container means any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container.

Bunkered tank means a container constructed or placed in the ground by cutting the earth and re-covering the container in a manner that breaks the surrounding natural grade, or that lies above grade, and is covered with earth, sand, gravel, asphalt, or other material. A bunkered tank is considered an aboveground storage container for purposes of this part.

Completely buried tank means any container completely below grade and covered with earth, sand, gravel, asphalt, or other material. Containers in vaults, bunkered tanks, or partially buried tanks are considered aboveground storage containers for purposes of this part.

Complex means a facility possessing a combination of transportation-related and non-transportation-related components that is subject to the jurisdiction of more than one Federal agency under section 311(j) of the CWA.

Contiguous zone means the zone established by the United States under Article 24 of the Convention of the Territorial Sea and Contiguous Zone, that is contiguous to the territorial sea and that extends nine miles seaward from the outer limit of the territorial area.

Contract or other approved means means:

(1) A written contractual agreement with an oil spill removal organization that identifies and ensures the availability of the necessary personnel and equipment within appropriate response times; and/or

(2) A written certification by the owner or operator that the necessary personnel and equipment resources, owned or operated by the facility owner or operator, are available to respond to a discharge within appropriate response times; and/or

(3) Active membership in a local or regional oil spill removal organization that has identified and ensures adequate access through such membership to necessary personnel and equipment to respond to a discharge within appropriate response times in the specified geographic area; and/or

(4) Any other specific arrangement approved by the Regional Administrator upon request of the owner or operator.

Discharge includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil, but excludes discharges in compliance with a permit under section 402 of the CWA; discharges resulting from circumstances identified, reviewed, and made a part of the public record with respect to a permit issued or modified under section 402 of the CWA, and subject to a condition in such permit; or continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 of the CWA, that are caused by events occurring within the scope of relevant operating or treatment systems. For purposes of this part, the term discharge shall not include any discharge of oil that is authorized by a permit issued under section 13 of the River and Harbor Act of 1899 (33 U.S.C. 407).

Facility means any mobile or fixed, onshore or offshore building, structure, installation, equipment, pipe, or pipeline (other than a vessel or a public vessel) used in oil well drilling operations, oil production, oil refining, oil storage, oil gathering, oil processing, oil transfer, oil distribution, and waste treatment, or in which oil is used, as described in Appendix A to this part. The boundaries of a facility depend on

several site-specific factors, including, but not limited to, the ownership or operation of buildings, structures, and equipment on the same site and the types of activity at the site.

Fish and wildlife and sensitive environments means areas that may be identified by their legal designation or by evaluations of Area Committees (for planning) or members of the Federal On-Scene Coordinator's spill response structure (during responses). These areas may include wetlands, National and State parks, critical habitats for endangered or threatened species, wilderness and natural resource areas, marine sanctuaries and estuarine reserves, conservation areas, preserves, wildlife areas, wildlife refuges, wild and scenic rivers, recreational areas, national forests, Federal and State lands that are research national areas, heritage program areas, land trust areas, and historical and archaeological sites and parks. These areas may also include unique habitats such as aquaculture sites and agricultural surface water intakes, bird nesting areas, critical biological resource areas, designated migratory routes, and designated seasonal habitats.

Injury means a measurable adverse change, either long- or short-term, in the chemical or physical quality or the viability of a natural resource resulting either directly or indirectly from exposure to a discharge, or exposure to a product of reactions resulting from a discharge.

Maximum extent practicable means within the limitations used to determine oil spill planning resources and response times for on-water recovery, shoreline protection, and cleanup for worst case discharges from onshore non-transportation-related facilities in adverse weather. It includes the planned capability to respond to a worst case discharge in adverse weather, as contained in a response plan that meets the requirements in §112.20 or in a specific plan approved by the Regional Administrator.

Navigable waters means the waters of the United States, including the territorial seas.

(1) The term includes:

(i) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters subject to the ebb and flow of the tide;

(ii) All interstate waters, including interstate wetlands;

(iii) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce including any such waters:

(A) That are or could be used by interstate or foreign travelers for recreational or other purposes; or

(B) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or,

(C) That are or could be used for industrial purposes by industries in interstate commerce;

(iv) All impoundments of waters otherwise defined as waters of the United States under this section;

(v) Tributaries of waters identified in paragraphs (1)(i) through (iv) of this definition;

(vi) The territorial sea; and

(vii) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraph (1) of this definition.

(2) Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA (other than cooling ponds which also meet the criteria of this definition) are not waters of the United States. Navigable waters do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with EPA.

Non-petroleum oil means oil of any kind that is not petroleum-based, including but not limited to: Fats, oils, and greases of animal, fish, or marine mammal origin; and vegetable oils, including oils from seeds, nuts, fruits, and kernels.

Offshore facility means any facility of any kind (other than a vessel or public vessel) located in, on, or under any of the navigable waters of the United

States, and any facility of any kind that is subject to the jurisdiction of the United States and is located in, on, or under any other waters.

Oil means oil of any kind or in any form, including, but not limited to: fats, oils, or greases of animal, fish, or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits, or kernels; and, other oils and greases, including petroleum, fuel oil, sludge, synthetic oils, mineral oils, oil refuse, or oil mixed with wastes other than dredged spoil.

Oil Spill Removal Organization means an entity that provides oil spill response resources, and includes any for-profit or not-for-profit contractor, cooperative, or in-house response resources that have been established in a geographic area to provide required response resources.

Onshore facility means any facility of any kind located in, on, or under any land within the United States, other than submerged lands.

Owner or operator means any person owning or operating an onshore facility or an offshore facility, and in the case of any abandoned offshore facility, the person who owned or operated or maintained the facility immediately prior to such abandonment.

Partially buried tank means a storage container that is partially inserted or constructed in the ground, but not entirely below grade, and not completely covered with earth, sand, gravel, asphalt, or other material. A partially buried tank is considered an aboveground storage container for purposes of this part.

Permanently closed means any container or facility for which:

(1) All liquid and sludge has been removed from each container and connecting line; and

(2) All connecting lines and piping have been disconnected from the container and blanked off, all valves (except for ventilation valves) have been closed and locked, and conspicuous signs have been posted on each container stating that it is a permanently closed container and noting the date of closure.

Person includes an individual, firm, corporation, association, or partnership.

Petroleum oil means petroleum in any form, including but not limited to crude oil, fuel oil, mineral oil, sludge, oil refuse, and refined products.

Production facility means all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation-related equipment) used in the production, extraction, recovery, lifting, stabilization, separation or treating of oil, or associated storage or measurement, and located in a single geographical oil or gas field operated by a single operator.

Regional Administrator means the Regional Administrator of the Environmental Protection Agency, in and for the Region in which the facility is located.

Repair means any work necessary to maintain or restore a container to a condition suitable for safe operation, other than that necessary for ordinary, day-to-day maintenance to maintain the functional integrity of the container and that does not weaken the container.

Spill Prevention, Control, and Countermeasure Plan; SPCC Plan, or Plan means the document required by §112.3 that details the equipment, workforce, procedures, and steps to prevent, control, and provide adequate countermeasures to a discharge.

Storage capacity of a container means the shell capacity of the container.

Transportation-related and non-transportation-related, as applied to an onshore or offshore facility, are defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the Environmental Protection Agency, dated November 24, 1971, (Appendix A of this part).

United States means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, the U.S. Virgin Islands, and the Pacific Island Governments.

Vegetable oil means a non-petroleum oil or fat of vegetable origin, including

but not limited to oils and fats derived from plant seeds, nuts, fruits, and kernels.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel.

Wetlands means those areas that are inundated or saturated by surface or groundwater at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs, and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds.

Worst case discharge for an onshore non-transportation-related facility means the largest foreseeable discharge in adverse weather conditions as determined using the worksheets in Appendix D to this part.

§ 112.3 Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.

The owner or operator of an onshore or offshore facility subject to this section must prepare a Spill Prevention, Control, and Countermeasure Plan (hereafter ''SPCC Plan'' or ''Plan),'' in writing, and in accordance with §112.7, and any other applicable section of this part.

(a) If your onshore or offshore facility was in operation on or before August 16, 2002, you must maintain your Plan, but must amend it, if necessary to ensure compliance with this part, on or before February 17, 2006, and must implement the amended Plan as soon as possible, but not later than August 18, 2006. If your onshore or offshore facility becomes operational after August 16, 2002, through August 18, 2006, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare a Plan on or before August 18, 2006, and fully implement it as soon as possible, but not later than August 18, 2006.

(b) If you are the owner or operator of an onshore or offshore facility that becomes operational after August 18, 2006, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan before you begin operations.

(c) If you are the owner or operator of an onshore or offshore mobile facility, such as an onshore drilling or workover rig, barge mounted offshore drilling or workover rig, or portable fueling facility, you must prepare, implement, and maintain a facility Plan as required by this section. You must maintain your Plan, but must amend and implement it, if necessary to ensure compliance with this part, on or before August 18, 2006. If your onshore or offshore mobile facility becomes operational after August 18, 2006, and could reasonably be expected to have a discharge as described in §112.1(b), you must prepare and implement a Plan before you begin operations. This provision does not require that you prepare a new Plan each time you move the facility to a new site. The Plan may be a general Plan. When you move the mobile or portable facility, you must locate and install it using the discharge prevention practices outlined in the Plan for the facility. The Plan is applicable only while the facility is in a fixed (non-transportation) operating mode.

(d) A licensed Professional Engineer must review and certify a Plan for it to be effective to satisfy the requirements of this part.

(1) By means of this certification the Professional Engineer attests:

(i) That he is familiar with the requirements of this part ;

(ii) That he or his agent has visited and examined the facility;

(iii) That the Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards, and with the requirements of this part;

(iv) That procedures for required inspections and testing have been established; and

(v) That the Plan is adequate for the facility.

(2) Such certification shall in no way relieve the owner or operator of a facility of his duty to prepare and fully implement such Plan in accordance with the requirements of this part.

(e) If you are the owner or operator of a facility for which a Plan is required under this section, you must:

(1) Maintain a complete copy of the Plan at the facility if the facility is normally attended at least four hours per day, or at the nearest field office if the facility is not so attended, and

(2) Have the Plan available to the Regional Administrator for on-site review during normal working hours.

(f) *Extension of time.* (1) The Regional Administrator may authorize an extension of time for the preparation and full implementation of a Plan, or any amendment thereto, beyond the time permitted for the preparation, implementation, or amendment of a Plan under this part, when he finds that the owner or operator of a facility subject to this section, cannot fully comply with the requirements as a result of either nonavailability of qualified personnel, or delays in construction or equipment delivery beyond the control and without the fault of such owner or operator or his agents or employees.

(2) If you are an owner or operator seeking an extension of time under paragraph (f)(1) of this section, you may submit a written extension request to the Regional Administrator. Your request must include:

(i) A full explanation of the cause for any such delay and the specific aspects of the Plan affected by the delay;

(ii) A full discussion of actions being taken or contemplated to minimize or mitigate such delay; and

(iii) A proposed time schedule for the implementation of any corrective actions being taken or contemplated, including interim dates for completion of tests or studies, installation and operation of any necessary equipment, or other preventive measures. In addition you may present additional oral or written statements in support of your extension request.

(3) The submission of a written extension request under paragraph (f)(2) of this section does not relieve you of your obligation to comply with the requirements of this part. The Regional Administrator may request a copy of your Plan to evaluate the extension request. When the Regional Administrator authorizes an extension of time for particular equipment or other specific aspects of the Plan, such extension does not affect your obligation to comply with the requirements related to other equipment or other specific aspects of the Plan for which the Regional Administrator has not expressly authorized an extension.

[67 FR 47140, July 17, 2002, as amended at 68 FR 1351, Jan. 9, 2003; 68 FR 18894, Apr. 17, 2003; 69 FR 48798, Aug. 11, 2004]

§ 112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.

If you are the owner or operator of a facility subject to this part, you must:

(a) Notwithstanding compliance with § 112.3, whenever your facility has discharged more than 1,000 U.S. gallons of oil in a single discharge as described in § 112.1(b), or discharged more than 42 U.S. gallons of oil in each of two discharges as described in § 112.1(b), occurring within any twelve month period, submit the following information to the Regional Administrator within 60 days from the time the facility becomes subject to this section:

(1) Name of the facility;

(2) Your name;

(3) Location of the facility;

(4) Maximum storage or handling capacity of the facility and normal daily throughput;

(5) Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;

(6) An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;

(7) The cause of such discharge as described in § 112.1(b), including a failure analysis of the system or subsystem in which the failure occurred;

(8) Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence; and

(9) Such other information as the Regional Administrator may reasonably require pertinent to the Plan or discharge.

(b) Take no action under this section until it applies to your facility. This section does not apply until the expiration of the time permitted for the initial preparation and implementation of

the Plan under §112.3, but not including any amendments to the Plan.

(c) Send to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located a complete copy of all information you provided to the Regional Administrator under paragraph (a) of this section. Upon receipt of the information such State agency or agencies may conduct a review and make recommendations to the Regional Administrator as to further procedures, methods, equipment, and other requirements necessary to prevent and to contain discharges from your facility.

(d) Amend your Plan, if after review by the Regional Administrator of the information you submit under paragraph (a) of this section, or submission of information to EPA by the State agency under paragraph (c) of this section, or after on-site review of your Plan, the Regional Administrator requires that you do so. The Regional Administrator may require you to amend your Plan if he finds that it does not meet the requirements of this part or that amendment is necessary to prevent and contain discharges from your facility.

(e) Act in accordance with this paragraph when the Regional Administrator proposes by certified mail or by personal delivery that you amend your SPCC Plan. If the owner or operator is a corporation, he must also notify by mail the registered agent of such corporation, if any and if known, in the State in which the facility is located. The Regional Administrator must specify the terms of such proposed amendment. Within 30 days from receipt of such notice, you may submit written information, views, and arguments on the proposed amendment. After considering all relevant material presented, the Regional Administrator must either notify you of any amendment required or rescind the notice. You must amend your Plan as required within 30 days after such notice, unless the Regional Administrator, for good cause, specifies another effective date. You must implement the amended Plan as soon as possible, but not later than six months after you amend your Plan, unless the Regional Administrator specifies another date.

(f) If you appeal a decision made by the Regional Administrator requiring an amendment to an SPCC Plan, send the appeal to the EPA Administrator in writing within 30 days of receipt of the notice from the Regional Administrator requiring the amendment under paragraph (e) of this section. You must send a complete copy of the appeal to the Regional Administrator at the time you make the appeal. The appeal must contain a clear and concise statement of the issues and points of fact in the case. It may also contain additional information from you, or from any other person. The EPA Administrator may request additional information from you, or from any other person. The EPA Administrator must render a decision within 60 days of receiving the appeal and must notify you of his decision.

§112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.

If you are the owner or operator of a facility subject to this part, you must:

(a) Amend the SPCC Plan for your facility in accordance with the general requirements in §112.7, and with any specific section of this part applicable to your facility, when there is a change in the facility design, construction, operation, or maintenance that materially affects its potential for a discharge as described in §112.1(b). Examples of changes that may require amendment of the Plan include, but are not limited to: commissioning or decommissioning containers; replacement, reconstruction, or movement of containers; reconstruction, replacement, or installation of piping systems; construction or demolition that might alter secondary containment structures; changes of product or service; or revision of standard operation or maintenance procedures at a facility. An amendment made under this section must be prepared within six months, and implemented as soon as possible, but not later than six months following preparation of the amendment.

(b) Notwithstanding compliance with paragraph (a) of this section, complete a review and evaluation of the SPCC Plan at least once every five years from the date your facility becomes

subject to this part; or, if your facility was in operation on or before August 16, 2002, five years from the date your last review was required under this part. As a result of this review and evaluation, you must amend your SPCC Plan within six months of the review to include more effective prevention and control technology if the technology has been field-proven at the time of the review and will significantly reduce the likelihood of a discharge as described in §112.1(b) from the facility. You must implement any amendment as soon as possible, but not later than six months following preparation of any amendment. You must document your completion of the review and evaluation, and must sign a statement as to whether you will amend the Plan, either at the beginning or end of the Plan or in a log or an appendix to the Plan. The following words will suffice, ''I have completed review and evaluation of the SPCC Plan for (name of facility) on (date), and will (will not) amend the Plan as a result.''

(c) Have a Professional Engineer certify any technical amendment to your Plan in accordance with §112.3(d).

§112.6 [Reserved]

§112.7 General requirements for Spill Prevention, Control, and Countermeasure Plans.

If you are the owner or operator of a facility subject to this part you must prepare a Plan in accordance with good engineering practices. The Plan must have the full approval of management at a level of authority to commit the necessary resources to fully implement the Plan. You must prepare the Plan in writing. If you do not follow the sequence specified in this section for the Plan, you must prepare an equivalent Plan acceptable to the Regional Administrator that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan. If the Plan calls for additional facilities or procedures, methods, or equipment not yet fully operational, you must discuss these items in separate paragraphs, and must explain separately the details of installation and operational start-up. As detailed elsewhere in this section, you must also:

(a)(1) Include a discussion of your facility's conformance with the requirements listed in this part.

(2) Comply with all applicable requirements listed in this part. Your Plan may deviate from the requirements in paragraphs (g), (h)(2) and (3), and (i) of this section and the requirements in subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2),112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11),112.13(c)(2), and 112.14(c), where applicable to a specific facility, if you provide equivalent environmental protection by some other means of spill prevention, control, or countermeasure. Where your Plan does not conform to the applicable requirements in paragraphs (g), (h)(2) and (3), and (i) of this section, or the requirements of subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11), 112.13(c)(2), and 112.14(c), you must state the reasons for nonconformance in your Plan and describe in detail alternate methods and how you will achieve equivalent environmental protection. If the Regional Administrator determines that the measures described in your Plan do not provide equivalent environmental protection, he may require that you amend your Plan, following the procedures in §112.4(d) and (e).

(3) Describe in your Plan the physical layout of the facility and include a facility diagram, which must mark the location and contents of each container. The facility diagram must include completely buried tanks that are otherwise exempted from the requirements of this part under §112.1(d)(4). The facility diagram must also include all transfer stations and connecting pipes. You must also address in your Plan:

(i) The type of oil in each container and its storage capacity;

(ii) Discharge prevention measures including procedures for routine handling of products (loading, unloading, and facility transfers, *etc.*);

(iii) Discharge or drainage controls such as secondary containment around containers and other structures, equipment, and procedures for the control of a discharge;

(iv) Countermeasures for discharge discovery, response, and cleanup (both the facility's capability and those that might be required of a contractor);

(v) Methods of disposal of recovered materials in accordance with applicable legal requirements; and

(vi) Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with whom you have an agreement for response, and all appropriate Federal, State, and local agencies who must be contacted in case of a discharge as described in §112.1(b).

(4) Unless you have submitted a response plan under §112.20, provide information and procedures in your Plan to enable a person reporting a discharge as described in §112.1(b) to relate information on the exact address or location and phone number of the facility; the date and time of the discharge, the type of material discharged; estimates of the total quantity discharged; estimates of the quantity discharged as described in §112.1(b); the source of the discharge; a description of all affected media; the cause of the discharge; any damages or injuries caused by the discharge; actions being used to stop, remove, and mitigate the effects of the discharge; whether an evacuation may be needed; and, the names of individuals and/or organizations who have also been contacted.

(5) Unless you have submitted a response plan under §112.20, organize portions of the Plan describing procedures you will use when a discharge occurs in a way that will make them readily usable in an emergency, and include appropriate supporting material as appendices.

(b) Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of a discharge), include in your Plan a prediction of the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure.

(c) Provide appropriate containment and/or diversionary structures or equipment to prevent a discharge as described in §112.1(b). The entire containment system, including walls and floor, must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank or pipe, will not escape the containment system before cleanup occurs. At a minimum, you must use one of the following prevention systems or its equivalent:

(1) For onshore facilities:

(i) Dikes, berms, or retaining walls sufficiently impervious to contain oil;

(ii) Curbing;

(iii) Culverting, gutters, or other drainage systems;

(iv) Weirs, booms, or other barriers;

(v) Spill diversion ponds;

(vi) Retention ponds; or

(vii) Sorbent materials.

(2) For offshore facilities:

(i) Curbing or drip pans; or

(ii) Sumps and collection systems.

(d) If you determine that the installation of any of the structures or pieces of equipment listed in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), 112.12(c)(11), 112.13(c)(2), and 112.14(c) to prevent a discharge as described in §112.1(b) from any onshore or offshore facility is not practicable, you must clearly explain in your Plan why such measures are not practicable; for bulk storage containers, conduct both periodic integrity testing of the containers and periodic integrity and leak testing of the valves and piping; and, unless you have submitted a response plan under §112.20, provide in your Plan the following:

(1) An oil spill contingency plan following the provisions of part 109 of this chapter.

(2) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.

(e) *Inspections, tests, and records.* Conduct inspections and tests required by this part in accordance with written procedures that you or the certifying engineer develop for the facility. You must keep these written procedures and a record of the inspections and tests, signed by the appropriate supervisor or inspector, with the SPCC Plan for a period of three years. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(f) *Personnel, training, and discharge prevention procedures.* (1) At a minimum, train your oil-handling personnel in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC Plan.

(2) Designate a person at each applicable facility who is accountable for discharge prevention and who reports to facility management.

(3) Schedule and conduct discharge prevention briefings for your oil-handling personnel at least once a year to assure adequate understanding of the SPCC Plan for that facility. Such briefings must highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures.

(g) *Security (excluding oil production facilities).* (1) Fully fence each facility handling, processing, or storing oil, and lock and/or guard entrance gates when the facility is not in production or is unattended.

(2) Ensure that the master flow and drain valves and any other valves permitting direct outward flow of the container's contents to the surface have adequate security measures so that they remain in the closed position when in non-operating or non-standby status.

(3) Lock the starter control on each oil pump in the ''off'' position and locate it at a site accessible only to authorized personnel when the pump is in a non-operating or non-standby status.

(4) Securely cap or blank-flange the loading/unloading connections of oil pipelines or facility piping when not in service or when in standby service for an extended time. This security practice also applies to piping that is emptied of liquid content either by draining or by inert gas pressure.

(5) Provide facility lighting commensurate with the type and location of the facility that will assist in the:

(i) Discovery of discharges occurring during hours of darkness, both by operating personnel, if present, and by non-operating personnel (the general public, local police, etc.); and

(ii) Prevention of discharges occurring through acts of vandalism.

(h) *Facility tank car and tank truck loading/unloading rack (excluding offshore facilities).* (1) Where loading/unloading area drainage does not flow into a catchment basin or treatment facility designed to handle discharges, use a quick drainage system for tank car or tank truck loading and unloading areas. You must design any containment system to hold at least the maximum capacity of any single compartment of a tank car or tank truck loaded or unloaded at the facility.

(2) Provide an interlocked warning light or physical barrier system, warning signs, wheel chocks, or vehicle break interlock system in loading/unloading areas to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines.

(3) Prior to filling and departure of any tank car or tank truck, closely inspect for discharges the lowermost drain and all outlets of such vehicles, and if necessary, ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit.

(i) If a field-constructed aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, evaluate the container for risk of discharge or failure due to brittle fracture or other catastrophe, and as necessary, take appropriate action.

(j) In addition to the minimal prevention standards listed under this section, include in your Plan a complete

discussion of conformance with the applicable requirements and other effective discharge prevention and containment procedures listed in this part or any applicable more stringent State rules, regulations, and guidelines.

Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)

SOURCE: 67 FR 47146, July 17, 2002, unless otherwise noted.

§ 112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).

If you are the owner or operator of an onshore facility (excluding a production facility), you must:

(a) Meet the general requirements for the Plan listed under §112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, as provided in paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

(4) If facility drainage is not engineered as in paragraph (b)(3) of this section, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

(5) Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two ''lift'' pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in §112.1(b) in case there is an equipment failure or human error at the facility.

(c) *Bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

(2) Construct all bulk storage container installations so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

(3) Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in §112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with §§ 122.41(j)(2) and 122.41(m)(3) of this chapter.

(4) Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

(5) Not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

(6) Test each aboveground container for integrity on a regular schedule, and whenever you make material repairs. The frequency of and type of testing must take into account container size and design (such as floating roof, skid-mounted, elevated, or partially buried). You must combine visual inspection with another testing technique such as hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or another system of non-destructive shell testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(7) Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

(8) Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct audible or code signal communication between the container gauger and the pumping station.

(iv) A fast response system for determining the liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

(9) Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in § 112.1(b).

(10) Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

(11) Position or locate mobile or portable oil storage containers to prevent a discharge as described in § 112.1(b). You must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

(d) *Facility transfer operations, pumping, and facility process.* (1) Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage,

you must undertake additional examination and corrective action as indicated by the magnitude of the damage.

(2) Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

(3) Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

(4) Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

§ 112.9 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil production facilities.

If you are the owner or operator of an onshore production facility, you must:

(a) Meet the general requirements for the Plan listed under §112.7, and the specific discharge prevention and containment procedures listed under this section.

(b) *Oil production facility drainage.* (1) At tank batteries and separation and treating areas where there is a reasonable possibility of a discharge as described in §112.1(b), close and seal at all times drains of dikes or drains of equivalent measures required under §112.7(c)(1), except when draining uncontaminated rainwater. Prior to drainage, you must inspect the diked area and take action as provided in §112.8(c)(3)(ii), (iii), and (iv). You must remove accumulated oil on the rainwater and return it to storage or dispose of it in accordance with legally approved methods.

(2) Inspect at regularly scheduled intervals field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers, for an accumulation of oil that may have resulted from any small discharge. You must promptly remove any accumulations of oil.

(c) *Oil production facility bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and the conditions of storage.

(2) Provide all tank battery, separation, and treating facility installations with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must safely confine drainage from undiked areas in a catchment basin or holding pond.

(3) Periodically and upon a regular schedule visually inspect each container of oil for deterioration and maintenance needs, including the foundation and support of each container that is on or above the surface of the ground.

(4) Engineer or update new and old tank battery installations in accordance with good engineering practice to prevent discharges. You must provide at least one of the following:

(i) Container capacity adequate to assure that a container will not overfill if a pumper/gauger is delayed in making regularly scheduled rounds.

(ii) Overflow equalizing lines between containers so that a full container can overflow to an adjacent container.

(iii) Vacuum protection adequate to prevent container collapse during a pipeline run or other transfer of oil from the container.

(iv) High level sensors to generate and transmit an alarm signal to the computer where the facility is subject to a computer production control system.

(d) *Facility transfer operations, oil production facility.* (1) Periodically and upon a regular schedule inspect all aboveground valves and piping associated with transfer operations for the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items.

(2) Inspect saltwater (oil field brine) disposal facilities often, particularly

following a sudden change in atmospheric temperature, to detect possible system upsets capable of causing a discharge.

(3) Have a program of flowline maintenance to prevent discharges from each flowline.

§ 112.10 Spill Prevention, Control, and Countermeasure Plan requirements for onshore oil drilling and workover facilities.

If you are the owner or operator of an onshore oil drilling and workover facility, you must:

(a) Meet the general requirements listed under § 112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Position or locate mobile drilling or workover equipment so as to prevent a discharge as described in § 112.1(b).

(c) Provide catchment basins or diversion structures to intercept and contain discharges of fuel, crude oil, or oily drilling fluids.

(d) Install a blowout prevention (BOP) assembly and well control system before drilling below any casing string or during workover operations. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while that BOP assembly and well control system are on the well.

§ 112.11 Spill Prevention, Control, and Countermeasure Plan requirements for offshore oil drilling, production, or workover facilities.

If you are the owner or operator of an offshore oil drilling, production, or workover facility, you must:

(a) Meet the general requirements listed under § 112.7, and also meet the specific discharge prevention and containment procedures listed under this section.

(b) Use oil drainage collection equipment to prevent and control small oil discharges around pumps, glands, valves, flanges, expansion joints, hoses, drain lines, separators, treaters, tanks, and associated equipment. You must control and direct facility drains toward a central collection sump to prevent the facility from having a discharge as described in § 112.1(b). Where drains and sumps are not practicable, you must remove oil contained in collection equipment as often as necessary to prevent overflow.

(c) For facilities employing a sump system, provide adequately sized sump and drains and make available a spare pump to remove liquid from the sump and assure that oil does not escape. You must employ a regularly scheduled preventive maintenance inspection and testing program to assure reliable operation of the liquid removal system and pump start-up device. Redundant automatic sump pumps and control devices may be required on some installations.

(d) At facilities with areas where separators and treaters are equipped with dump valves which predominantly fail in the closed position and where pollution risk is high, specially equip the facility to prevent the discharge of oil. You must prevent the discharge of oil by:

(1) Extending the flare line to a diked area if the separator is near shore;

(2) Equipping the separator with a high liquid level sensor that will automatically shut in wells producing to the separator; or

(3) Installing parallel redundant dump valves.

(e) Equip atmospheric storage or surge containers with high liquid level sensing devices that activate an alarm or control the flow, or otherwise prevent discharges.

(f) Equip pressure containers with high and low pressure sensing devices that activate an alarm or control the flow.

(g) Equip containers with suitable corrosion protection.

(h) Prepare and maintain at the facility a written procedure within the Plan for inspecting and testing pollution prevention equipment and systems.

(i) Conduct testing and inspection of the pollution prevention equipment and systems at the facility on a scheduled periodic basis, commensurate with the complexity, conditions, and circumstances of the facility and any other appropriate regulations. You

must use simulated discharges for testing and inspecting human and equipment pollution control and countermeasure systems.

(j) Describe in detailed records surface and subsurface well shut-in valves and devices in use at the facility for each well sufficiently to determine their method of activation or control, such as pressure differential, change in fluid or flow conditions, combination of pressure and flow, manual or remote control mechanisms.

(k) Install a BOP assembly and well control system during workover operations and before drilling below any casing string. The BOP assembly and well control system must be capable of controlling any well-head pressure that may be encountered while the BOP assembly and well control system are on the well.

(l) Equip all manifolds (headers) with check valves on individual flowlines.

(m) Equip the flowline with a high pressure sensing device and shut-in valve at the wellhead if the shut-in well pressure is greater than the working pressure of the flowline and manifold valves up to and including the header valves. Alternatively you may provide a pressure relief system for flowlines.

(n) Protect all piping appurtenant to the facility from corrosion, such as with protective coatings or cathodic protection.

(o) Adequately protect sub-marine piping appurtenant to the facility against environmental stresses and other activities such as fishing operations.

(p) Maintain sub-marine piping appurtenant to the facility in good operating condition at all times. You must periodically and according to a schedule inspect or test such piping for failures. You must document and keep a record of such inspections or tests at the facility.

Subpart C—Requirements for Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and for Vegetable Oils, including Oils from Seeds, Nuts, Fruits, and Kernels.

SOURCE: 67 FR 57149, July 17, 2002, unless otherwise noted.

§ 112.12 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities)

If you are the owner or operator of an onshore facility (excluding a production facility), you must:

(a) Meet the general requirements for the Plan listed under §112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, subject to the requirements of paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate

APPENDIX II

33 CFR 154, USCG - RESPONSE PLANS FOR MTR OIL FACILITIES

Subpart F—Response Plans for Oil Facilities

SOURCE: CGD 91–036, 61 FR 7917, Feb. 29, 1996, unless otherwise noted.

§ 154.1010 Purpose.

This subpart establishes oil spill response plan requirements for all marine transportation-related (MTR) facilities (hereafter also referred to as facilities) that could reasonably be expected to cause substantial harm or

significant and substantial harm to the environment by discharing oil into or on the navigable waters, adjoining shorelines, or exclusive economic zone. The development of a response plan prepares the facility owner or operator to respond to an oil spill. These requirements specify criteria to be used during the planning process to determine the appropriate response resources. The specific criteria for response resources and their arrival times are not performance standards. The criteria are based on a set of assumptions that may not exist during an actual oil spill incident.

§ 154.1015 Applicability.

(a) This subpart applies to all MTR facilities that because of their location could reasonably be expected to cause at least substantial harm to the environment by discharging oil into or on the navigable waters, adjoining shorelines, or exclusive economic zone.

(b) The following MTR facilities that handle, store, or transport oil, in bulk, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters or adjoining shorelines and are classified as substantial harm MTR facilities:

(1) Fixed MTR onshore facilities capable of transferring oil to or from a vessel with a capacity of 250 barrels or more and deepwater ports;

(2) Mobile MTR facilities used or intended to be used to transfer oil to or from a vessel with a capacity of 250 barrels or more; and

(3) Those MTR facilities specifically designated as substantial harm facilities by the COTP under § 154.1016.

(c) The following MTR facilities that handle, store, or transport oil in bulk could not only reasonably be expected to cause substantial harm, but also significant and substantial harm, to the environment by discharging oil into or on the navigable waters, adjoining shorelines, or exclusive economic zone and are classified as significant and substantial harm MTR facilities:

(1) Deepwater ports, and fixed MTR onshore facilities capable of transferring oil to or from a vessel with a capacity of 250 barrels or more except for facilities that are part of a non-transportation-related fixed onshore facility with a storage capacity of less than 42,000 gallons; and

(2) Those MTR facilities specifically designated as significant and substantial harm facilities by the COTP under § 154.1016.

(d) An MTR facility owner or operator who believes the facility is improperly classified may request review and reclassification in accordance with § 154.1075.

§ 154.1016 Facility classification by COTP.

(a) The COTP may upgrade the classification of:

(1) An MTR facility not specified in § 154.1015 (b) or (c) to a facility that could reasonably be expected to cause substantial harm to the environment; or

(2) An MTR facility specified in § 154.1015(b) to a facility that could reasonably be expected to cause significant and substantial harm to the environment.

(b) The COTP may downgrade, the classification of:

(1) An MTR facility specified in § 154.1015(c) to a facility that could reasonably be expected to cause substantial harm to the environment; or

(2) An MTR facility specified in § 154.1015(b) to a facility that could not reasonably be expected to cause substantial, or significant and substantial harm to the environment.

(3) The COTP will consider downgrading an MTR facility's classification only upon receiving a written request for a downgrade of classification from the facility's owner or operator.

(c) When changing a facility classification the COTP may, as appropriate, consider all relevant factors including, but not limited to: Type and quantity of oils handled in bulk; facility spill history; age of facility; proximity to public and commercial water supply intakes; proximity to navigable waters based on the definition of navigable waters in 33 CFR 2.05–25; and proximity to fish and wildlife and sensitive environments.

154.1017 Response plan submission requirements.

(a) The owner or operator of an MTR facility identified only in §154.1015(b), or designated by the COTP as a substantial harm facility, shall prepare and submit to the cognizant COTP a response plan that meets the requirements of §§154.1030, 154.1040, 154.1045, or §154.1047, as appropriate. This applies to:

(1) A mobile MTR facility used or intended to be used to transfer oil to or from a vessel with a capacity of 250 barrels or more; and

(2) A fixed MTR facility specifically designated as a substantial harm facility by the COTP under §154.1016.

(b) The owner or operator of an MTR facility identified in §154.1015(c) or designated by the COTP as a significant and substantial harm facility shall prepare and submit for review and approval of the cognizant COTP a response plan that meets the requirements of §§154.1030, 154.1035, 154.1045, or 154.1047, as appropriate. This applies to:

(1) A fixed MTR facility capable of transferring oil, in bulk, to or from a vessel with a capacity of 250 barrels or more; and

(2) An MTR facility specifically designated as a significant and substantial harm facility by the COTP under §154.1016.

(c) In addition to the requirements in paragraphs (a) and (b) of this section, the response plan for a mobile MTR facility must meet the requirements of §154.1041 subpart F.

§154.1020 Definitions.

Except as otherwise defined in this section, the definition in 33 CFR 154.105 apply to this subpart and subparts H and I.

Adverse weather means the weather conditions that will be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include, but are not limited to, significant wave height as specified in §§154.1045, 154.1047, 154.1225, or 154.1325, as appropriate; ice conditions, temperatures, weather-related visibility, and currents within the COTP zone in which the systems or equipment are intended to function.

Animal fat means a non-petroleum oil, fat, or grease derived from animals, and not specifically identified elsewhere in this part.

Average most probable discharge means a discharge of the lesser of 50 barrels or 1 percent of the volume of the worst case discharge.

Captain of the Port (COTP) Zone means a zone specified in 33 CFR part 3 and, where applicable, the seaward extension of that zone to the outer boundary of the exclusive economic zone (EEZ).

Complex means a facility possessing a combination of marine-transportation related and non-transportation-related components that is subject to the jurisdiction of more than one Federal agency under section 311(j) of the Clean Water Act.

Exclusive economic zone (EEZ) means the zone contiguous to the territorial sea of the United States extending to a distance up to 200 nautical miles from the baseline from which the breadth of the territorial sea is measured.

Facility that could reasonably be expected to cause significant and substantial harm means any MTR facility (including piping and any structures that are used for the transfer of oil between a vessel and a facility) classified as a ''significant and substantial harm'' facility under §154.1015(c) including a facility specifically designated by the COTP under §154.1016(a).

Facility that could reasonably be expected to cause substantial harm means any MTR facility classified as a ''substantial harm'' facility under §154.1015(b) including a facility specifically designated by the COTP under §154.1016(a).

Fish and Wildlife and Sensitive Environment means areas that may be identified by either their legal designation or by Area Committees in the applicable Area Contingency Plan (ACP) (for planning) or by members of the Federal On-Scene Coordinator's spill response structure (during responses). These areas may include: Wetlands, national and state parks, critical habitats for endangered or threatened species, wilderness and natural resource areas, marine sanctuaries and estuarine reserves, conservation areas, preserves, wildlife areas, wildlife refuges, wild

and scenic rivers, areas of economic importance, recreational areas, national forests, Federal and state lands that are research areas, heritage program areas, land trust areas, and historical and archaeological sites and parks. These areas may also include unique habitats such as: aquaculture sites and agricultural surface water intakes, bird nesting areas, critical biological resource areas, designated migratory routes, and designated seasonal habitats.

Great Lakes means Lakes Superior, Michigan, Huron, Erie, and Ontario, their connecting and tributary waters, the Saint Lawrence River as far as Saint Regis, and adjacent port areas.

Higher volume port area means the following ports:

(1) Boston, MA.

(2) New York, NY.

(3) Delaware Bay and River to Philadelphia, PA.

(4) St. Croix, VI.

(5) Pascagoula, MS.

(6) Mississippi River from Southwest Pass, LA. to Baton Rouge, LA.

(7) Louisiana Offshore Oil Port (LOOP), LA.

(8) Lake Charles, LA.

(9) Sabine-Neches River, TX.

(10) Galveston Bay and Houston Ship Channel, TX.

(11) Corpus Christi, TX.

(12) Los Angeles/Long Beach harbor, CA.

(13) San Francisco Bay, San Pablo Bay, Carquinez Strait, and Suisun Bay to Antioch, CA.

(14) Straits of Juan De Fuca from Port Angeles, WA, to and including Puget Sound, WA.

(15) Prince William Sound, AK.

Inland area means the area shoreward of the boundary lines defined in 46 CFR part 7, except in the Gulf of Mexico. In the Gulf of Mexico, it means the area shoreward of the lines of demarcation (COLREG lines) defined in §§80.740 through 80.850 of this chapter. The inland area does not include the Great Lakes.

Marine transportation-related facility (MTR facility) means any onshore facility or segment of a complex regulated under section 311(j) of the Federal Water Pollution Control Act (FWPCA) by two or more Federal agencies, including piping and any structure used or intended to be used to transfer oil to or from a vessel, subject to regulation under this part and any deepwater port subject to regulation under part 150 of this chapter. For a facility or segment of a complex regulated by two or more Federal agencies under section 311(j) of the FWPCA, the MTR portion of the complex extends from the facility oil transfer system's connection with the vessel to the first valve inside the secondary containment surrounding tanks in the non-transportation-related portion of the facility or, in the absence of secondary containment, to the valve or manifold adjacent to the tanks comprising the non-transportation-related portion of the facility, unless another location has otherwise been agreed to by the COTP and the appropriate Federal official.

Maximum extent practicable means the planned capability to respond to a worst case discharge in adverse weather, as contained in a response plan that meets the criteria in this subpart or in a specific plan approved by the cognizant COTP.

Maximum most probable discharge means a discharge of the lesser of 1,200 barrels or 10 percent of the volume of a worst case discharge.

Nearshore area means the area extending seaward 12 miles from the boundary lines defined in 46 CFR part 7, except in the Gulf of Mexico. In the Gulf of Mexico, it means the area extending seaward 12 miles from the line of demarcation (COLREG lines) defined in §§80.740–80.850 of this chapter.

Non-persistent or Group I oil means a petroleum-based oil that, at the time of shipment, consists of hydrocarbon fractions—

(1) At least 50 percent of which by volume, distill at a temperature of 340 degrees C (645 degrees F); and

(2) At least 95 percent of which by volume, distill at a temperature of 370 degrees C (700 degrees F).

Ocean means the offshore area and nearshore area as defined in this subpart.

Offshore area means the area beyond 12 nautical miles measured from the boundary lines defined in 46 CFR part 7 extending seaward to 50 nautical miles, except in the Gulf of Mexico. In the

Gulf of Mexico, it is the area beyond 12 nautical miles of the line of demarcation (COLREG lines) defined in §§80.740–80.850 of this chapter extending seaward to 50 nautical miles.

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

Oil spill removal organization (OSRO) means an entity that provides response resources.

On-Scene Coordinator (OSC) means the definition in the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300).

Operating area means Rivers and Canals, Inland, Nearshore, Great Lakes, or Offshore geographic location(s) in which a facility is handling, storing, or transporting oil.

Operating environment means Rivers and Canals, Inland, Great Lakes, or Ocean. These terms are used to define the conditions in which response equipment is designed to function.

Operating in compliance with the plan means operating in compliance with the provisions of this subpart including, ensuring the availability of the response resources by contract or other approved means, and conducting the necessary training and drills.

Other non-petroleum oil means a non-petroleum oil of any kind that is not generally an animal fat or vegetable oil.

Persistent oil means a petroleum-based oil that does not meet the distillation criteria for a non-persistent oil. For the purposes of this subpart, persistent oils are further classified based on specific gravity as follows:

(1) Group II—specific gravity of less than .85.

(2) Group III—specific gravity equal to or greater than .85 and less than .95.

(3) Group IV—specific gravity equal to or greater than .95 and less than or equal to 1.0.

(4) Group V—specific gravity greater than 1.0.

Qualified individual and alternate qualified individual means a person located in the United States who meets the requirements of §154.1026.

Response activities means the containment and removal of oil from the land, 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 public health or welfare or the environment.

Response resources means the personnel, equipment, supplies, and other capability necessary to perform the response activities identified in a response plan.

Rivers and canals means a body of water confined within the inland area, including the Intracoastal Waterways and other waterways artificially created for navigation, that has a project depth of 12 feet or less.

Specific gravity means the ratio of the mass of a given volume of liquid at 15 °C (60 °F) to the mass of an equal volume of pure water at the same temperature.

Spill management team means the personnel identified to staff the organizational structure identified in a response plan to manage response plan implementation.

Substantial threat of a discharge means any incident or condition involving a facility that may create a risk of discharge of oil. Such incidents include, but are not limited to storage tank or piping failures, above ground or underground leaks, fires, explosions, flooding, spills contained within the facility, or other similar occurrences.

Tier means the combination of required response resources and the times within which the resources must arrive on scene.

[NOTE: Tiers are applied in three categories:

(1) Higher Volume Port Areas,

(2) Great Lakes, and

(3) All other operating environments, including rivers and canals, inland, nearshore, and offshore areas.

Appendix C, Table 4 of this part, provides specific guidance on calculating response resources. Sections 154.1045(f) and 154.1135, set forth the required times within which the response resources must arrive on-scene.]

Vegetable oil means a non-petroleum oil or fat derived from plant seeds, nuts, kernels or fruits, and not specifically identified elsewhere in this part.

Worst case discharge means in the case of an onshore facility and deepwater port, the largest foreseeable discharge in adverse weather conditions meeting the requirements of §154.1029.

§ 154.1025 Operating restrictions and interim operating authorization.

(a) The owner or operator of an MTR facility who submitted a response plan prior to May 29, 1996, may elect to comply with any of the provisions of this final rule by revising the appropriate section of the previously submitted plan in accordance with § 154.1065. An owner or operator of an MTR facility who elects to comply with all sections of this final rule must resubmit the plan in accordance with § 154.1060 of this part.

(b) No facility subject to this subpart may handle, store, or transport oil unless it is operating in full compliance with a submitted response plan. No facility categorized under § 154.1015(c) as a significant and substantial harm facility may handle, store, or transport oil unless the submitted response plan has been approved by the COTP. The owner or operator of each new facility to which this subpart applies must submit a response plan meeting the requirements listed in § 154.1017 not less than 60 days prior to handling, storing, or transporting oil. Where applicable, the response plan shall be submitted along with the letter of intent required under § 154.110.

(c) Notwithstanding the requirements of paragraph (b) of this section, a facility categorized under § 154.1015(c) as a significant and substantial harm facility may continue to handle, store, or transport oil for 2 years after the date of submission of a response plan, pending approval of that plan. To continue to handle, store, or transport oil without a plan approved by the COTP, the facility owner or operator shall certify in writing to the COTP that the owner or operator has ensured, by contract or other approved means as described in § 154.1028(a), the availability of the necessary private personnel and equipment to respond, to the maximum extend practicable to a worst case discharge or substantial threat of such a discharge from the facility. Provided that the COTP is satisfied with the certification of response resources provided by the owner or operator of the facility, the COTP will provide written authorization for the facility to handle, store, or transport oil while the submitted response plan is being reviewed. Pending approval of the submitted response plan, deficiencies noted by the COTP must be corrected in accordance with § 154.1070.

(d) A facility may not continue to handle, store, or transport oil if—

(1) The COTP determines that the response resources identified in the facility certification statement or reference response plan do not substantially meet the requirements of this subpart;

(2) The contracts or agreements cited in the facility's certification statement or referenced response plans are no longer valid;

(3) The facility is not operating in compliance with the submitted plan;

(4) The response plan has not been resubmitted or approved within the last 5 years; or

(5) The period of the authorization under paragraph (c) of this section has expired.

§ 154.1026 Qualified individual and alternate qualified individual.

(a) The response plan must identify a qualified individual and at least one alternate who meet the requirements of this section. The qualified individual or alternate must be available on a 24-hour basis and be able to arrive at the facility in a reasonable time.

(b) The qualified individual and alternate must:

(1) Be located in the United States;

(2) Speak fluent English;

(3) Be familiar with the implementation of the facility response plan; and

(4) Be trained in the responsibilities of the qualified individual under the response plan.

(c) The owner or operator shall provide each qualified individual and alternate qualified individual identified in the plan with a document designating them as a qualified individual and specifying their full authority to:

(1) Activate and engage in contracting with oil spill removal organization(s);

(2) Act as a liaison with the predesignated Federal On-Scene Coordinator (OSC); and

(3) Obligate funds required to carry out response activities.

(d) The owner or operator of a facility may designate an organization to

fulfill the role of the qualified individual and the alternate qualified individual. The organization must then identify a qualified individual and at least one alternate qualified individual who meet the requirements of this section. The facility owner or operator is required to list in the response plan the organization, the person identified as the qualified individual, and the person or person(s) identified as the alternate qualified individual(s).

(e) The qualified individual is not responsible for—

(1) The adequacy of response plans prepared by the owner or operator; or

(2) Contracting or obligating funds for response resources beyond the authority contained in their designation from the owner or operator of the facility.

(f) The liability of a qualified individual is considered to be in accordance with the provisions of 33 USC 1321(c)(4).

§ 154.1028 Methods of ensuring the availability of response resources by contract or other approved means.

(a) When required in this subpart, the availability of response resources must be ensured by the following methods:

(1) A written contractual agreement with an oil spill removal organization. The agreement must identify and ensure the availability of specified personnel and equipment required under this subpart within stipulated response times in the specified geographic areas;

(2) Certification by the facility owner or operator that specified personnel and equipment required under this subpart are owned, operated, or under the direct control of the facility owner or operator, and are available within stipulated response times in the specified geographic areas;

(3) Active membership in a local or regional oil spill removal organization that has identified specified personnel and equipment required under this subpart that are available to respond to a discharge within stipulated response times in the specified geographic areas;

(4) A document which—

(i) Identifies the personnel, equipment, and services capable of being provided by the oil spill removal organization within stipulated response times in the specified geographic areas;

(ii) Sets out the parties' acknowledgment that the oil spill removal organization intends to commit the resources in the event of a response;

(iii) Permits the Coast Guard to verify the availability of the identified response resources through tests, inspections, and drills; and

(iv) Is referenced in the response plan; or

(5) The identification of an oil spill removal organization with specified equipment and personnel available within stipulated response times in specified geographic areas. The organization must provide written consent to being identified in the plan.

(b) The contracts and documents required in paragraph (a) of this section must be retained at the facility and must be produced for review upon request by the COTP.

§ 154.1029 Worst case discharge.

(a) The response plan must use the appropriate criteria in this section to develop the worst case discharge.

(b) For the MTR segment of a facility, not less than—

(1) Where applicable, the loss of the entire capacity of all in-line and break out tank(s) needed for the continuous operation of the pipelines used for the purposes of handling or transporting oil, in bulk, to or from a vessel regardless of the presence of secondary containment; plus

(2) The discharge from all piping carrying oil between the marine transfer manifold and the non-transportation-related portion of the facility. The discharge from each pipe is calculated as follows: The maximum time to discover the release from the pipe in hours, plus the maximum time to shut down flow from the pipe in hours (based on historic discharge data or the best estimate in the absence of historic discharge data for the facility) multiplied by the maximum flow rate expressed in barrels per hour (based on the maximum relief valve setting or maximum system pressure when relief valves are not provided) plus the total line drainage volume expressed in barrels for the pipe between the marine

manifold and the non-transportation-related portion of the facility; and

(c) For a mobile facility it means the loss of the entire contents of the container in which the oil is stored or transported.

§ 154.1030 General response plan contents.

(a) The plan must be written in English.

(b) A response plan must be divided into the sections listed in this paragraph and formatted in the order specified herein unless noted otherwise. It must also have some easily found marker identifying each section listed below. The following are the sections and subsections of a facility response plan:

(1) Introduction and plan contents.

(2) Emergency response action plan:

(i) Notification procedures.

(ii) Facility's spill mitigation procedures.

(iii) Facility's response activities.

(iv) Fish and wildlife and sensitive environments.

(v) Disposal plan.

(3) Training and Exercises:

(i) Training procedures.

(ii) Exercise procedures.

(4) Plan review and update procedures.

(5) Appendices.

(i) Facility-specific information.

(ii) List of contacts.

(iii) Equipment lists and records.

(iv) Communications plan.

(v) Site-specific safety and health plan.

(vi) List of acronyms and definitions.

(vii) A geographic-specific appendix for each zone in which a mobile facility operates.

(c) The required contents for each section and subsection of the plan are contained in §§ 154.1035, 154.1040, and 154.1041, as appropriate.

(d) The sections and subsections of response plans submitted to the COTP must contain at a minimum all the information required in §§ 154.1035, 154.1040, and 154.1041, as appropriate. It may contain other appropriate sections, subsections, or information that are required by other Federal, State, and local agencies.

(e) For initial and subsequent submission, a plan that does not follow the format specified in paragraph (b) of this section must be supplemented with a detailed cross-reference section to identify the location of the applicable sections required by this subpart.

(f) The information contained in a response plan must be consistent with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR part 300) and the Area Contingency Plan(s) (ACP) covering the area in which the facility operates. Facility owners or operators shall ensure that their response plans are in accordance with the ACP in effect 6 months prior to initial plan submission or the annual plan review required under § 154.1065(a). Facility owners or operators are not required to, but may at their option, conform to an ACP which is less than 6 months old at the time of plan submission.

§ 154.1035 Specific requirements for facilities that could reasonably be expected to cause significant and substantial harm to the environment.

(a) *Introduction and plan content.* This section of the plan must include facility and plan information as follows:

(1) The facility's name, street address, city, county, state, ZIP code, facility telephone number, and telefacsimile number, if so equipped. Include mailing address if different from street address.

(2) The facility's location described in a manner that could aid both a reviewer and a responder in locating the specific facility covered by the plan, such as, river mile or location from a known landmark that would appear on a map or chart.

(3) The name, address, and procedures for contacting the facility's owner or operator on a 24-hour basis.

(4) A table of contents.

(5) During the period that the submitted plan does not have to conform to the format contained in this subpart, a cross index, if appropriate.

(6) A record of change(s) to record information on plan updates.

(b) *Emergency Response Action Plan.* This section of the plan must be organized in the subsections described in this paragraph:

(1) *Notification procedures.* (i) This subsection must contain a prioritized list identifying the person(s), including name, telephone number, and their role in the plan, to be notified of a discharge or substantial threat of a discharge of oil. The telephone number need not be provided if it is listed separately in the list of contacts required in the plan. This Notification Procedures listing must include—

(A) Facility response personnel, the spill management team, oil spill removal organizations, and the qualified individual(s) and the designated alternate(s); and

(B) Federal, State, or local agencies, as required.

(ii) This subsection must include a form, such as that depicted in Figure 1, which contains information to be provided in the initial and follow-up notifications to Federal, State, and local agencies. The form shall include notification of the National Response Center as required in part 153 of this chapter. Copies of the form also must be placed at the location(s) from which notification may be made. The initial notification form must include space for the information contained in Figure 1. The form must contain a prominent statement that initial notification must not be delayed pending collection of all information.

FIGURE 1.—INFORMATION ON DISCHARGE*

[Involved Parties]

(A) Reporting party	(B) Suspected responsible party
Name Phones ( ) – Company Position Address Address City State Zip	Name Phones ( ) – Company Organization Type: Private citizen Private enterprise Public utility Local government State government Federal government City State Zip

*It is not necessary to wait for all information before calling NRC. National Response Center—1–800–424–8802.

Were materials Discharged (Y/N)?
Calling for Responsible Party (Y/N)

Incident Description

Source and/or Cause of Incident

Date - - Time:
Cause

Incident Address/Location Nearest City
Distance from City
Storage Tank Container Type—Above ground (Y/N) Below ground (Y/N) Unknown

Facility Capacity

Tank Capacity
Latitude Degrees
Longitude Degrees
Mile Post or River Mile

Materials

Discharge Unit of Quantity Measure Discharged Material Quantity in Water

Response Action
Actions Taken to Correct or Mitigate Incident

Impact	
Number of Injuries	Number of Fatalities
Were there Evacuations (Y/N/U)?	Number Evacuated
Was there any Damage (Y/N/U)?	Damage in Dollars

Additional Information
Any information about the Incident not recorded elsewhere in the report

Caller Notifications			
USCG	EPA	State	Other

(2) *Facility's spill mitigation procedures.* (i) This subsection must describe the volume(s) and oil groups that would be involved in the—

(A) Average most probable discharge from the MTR facility;

(B) Maximum most probable discharge from the MTR facility;

(C) Worst case discharge from the MTR facility; and

(D) Where applicable, the worst case discharge from the non-transportation-related facility. This must be the same volume provided in the response plan for the non-transportation-related facility.

(ii) This subsection must contain prioritized procedures for facility personnel to mitigate or prevent any discharge or substantial threat of a discharge of oil resulting from operational activities associated with internal or external facility transfers including specific procedures to shut down affected operations. Facility personnel responsible for performing specified procedures to mitigate or prevent any discharge or potential discharge shall be identified by job title. A copy of these procedures shall be maintained at the facility operations center. These procedures must address actions to be taken by facility personnel in the event of a discharge, potential discharge, or emergency involving the following equipment and scenarios:

(A) Failure of manifold, mechanical loading arm, other transfer equipment, or hoses, as appropriate;

(B) Tank overfill;

(C) Tank failure;

(D) Piping rupture;

(E) Piping leak, both under pressure and not under pressure, if applicable;

(F) Explosion or fire; and

(G) Equipment failure (e.g. pumping system failure, relief valve failure, or other general equipment relevant to operational activities associated with internal or external facility transfers.)

(iii) This subsection must contain a listing of equipment and the responsibilities of facility personnel to mitigate an average most probable discharge.

(3) *Facility's response activities.* (i) This subsection must contain a description of the facility personnel's responsibilities to initiate a response and supervise response resources pending the arrival of the qualified individual.

(ii) This subsection must contain a description of the responsibilities and authority of the qualified individual and alternate as required in §154.1026.

(iii) This subsection must describe the organizational structure that will be used to manage the response actions. This structure must include the following functional areas.

(A) Command and control;

(B) Public information;

(C) Safety;

(D) Liaison with government agencies;

(E) Spill Operations;

(F) Planning;

(G) Logistics support; and

(H) Finance.

(iv) This subsection must identify the oil spill removal organizations and the spill management team to:

(A) Be capable of providing the following response resources:

(*1*) Equipment and supplies to meet the requirements of §§154.1045, 154.1047 or subparts H or I of this part, as appropriate; and

(*2*) Trained personnel necessary to continue operation of the equipment and staff of the oil spill removal organization and spill management team for the first 7 days of the response.

(B) This section must include job descriptions for each spill management team member within the organizational structure described in paragraph (b)(3)(iii) of this section. These job descriptions should include the responsibilities and duties of each spill management team member in a response action.

(v) For mobile facilities that operate in more than one COTP zone, the plan must identify the oil spill removal organization and the spill management team in the applicable geographic-specific appendix. The oil spill removal organization(s) and the spill management team discussed in paragraph (b)(3)(iv)(A) of this section must be included for each COTP zone in which the facility will handle, store, or transport oil in bulk.

(4) *Fish and wildlife and sensitive environments.* (i) This section of the plan must identify areas of economic importance and environmental sensitivity, as identified in the ACP, which are potentially impacted by a worst case discharge. ACPs are required under section 311(j)(4) of the FWPCA to identify fish and wildlife and sensitive environments. The applicable ACP shall be used to designate fish and wildlife and sensitive environments in the plan. Changes to the ACP regarding fish and wildlife and sensitive environments shall be included in the annual update of the response plan, when available.

(ii) For a worst case discharge from the facility, this section of the plan must—

(A) List all fish and wildlife and sensitive environments identified in the ACP which are potentially impacted by a discharge of persistent oils, non-persistent oils, or non-petroleum oils.

(B) Describe all the response actions that the facility anticipates taking to protest these fish and wildlife and sensitive environments.

(C) Contain a map or chart showing the location of those fish and wildlife and sensitive environments which are potentially impacted. The map or chart shall also depict each response action that the facility anticipates taking to protect these areas. A legend of activities must be included on the map page.

(iii) For a worst case discharge, this section must identify appropriate equipment and required personnel, available by contract or other approved means as described in §154.1028, to protect fish and wildlife and sensitive environments which fall within the distances calculated using the methods outlined in this paragraph as follows:

(A) Identify the appropriate equipment and required personnel to protect all fish and wildlife and sensitive environments in the ACP for the distances, as calculated in paragraph (b)(4)(iii)(B) of this section, that the persistent oils, non-persistent oils, or non-petroleum oils are likely to travel in the noted geographic area(s) and number of days listed in Table 2 of appendix C of this part;

(B) Calculate the distances required by paragraph (b)(4)(iii)(A) of this section by selecting one of the methods described in this paragraph;

(*1*) Distances may be calculated as follows:

(*i*) For persistent oils and non-petroleum oils discharged into non-tidal waters, the distance from the facility reached in 48 hours at maximum current.

(*ii*) For persistent and non-petroleum oils discharged into tidal waters, 15 miles from the facility down current during ebb tide and to the point of maximum tidal influence or 15 miles, whichever is less, during flood tide.

(*iii*) For non-persistent oils discharged into non-tidal waters, the distance from the facility reached in 24 hours at maximum current.

(*iv*) For non-persistent oils discharged into tidal waters, 5 miles from the facility down current during ebb tide and to the point of maximum tidal influence or 5 miles, whichever is less, during flood tide.

(*2*) A spill trajectory or model may be substituted for the distances calculated under paragraph (b)(4)(iii)(B)(*l*) *of this section*. The spill trajectory or model must be acceptable to the COTP.

(*3*) The procedures contained in the Environmental Protection's Agency's regulations on oil pollution prevention for non-transportation-related onshore facilities at 40 CFR part 112, appendix C, Attachment C–III may be substituted for the distances listed in nontidal and tidal waters; and

(C) Based on historical information or a spill trajectory or model, the COTP may require the additional fish and wildlife and sensitive environments also be protected.

(5) *Disposal Plan*. This subsection must describe any actions to be taken or procedures to be used to ensure that all recovered oil and oil contaminated debris produced as a result of any discharge are disposed according to Federal, state, or local requirements.

(c) *Training and exercises.* This section must be divided into the following two subsections:

(1) *Training procedures.* This subsection must describe the training procedures and programs of the facility owner or operator to meet the requirements in §154.1050.

(2) *Exercise procedures.* This subsection must describe the exercise program to be carried out by the facility owner or operator to meet the requirements in §154.1055.

(d) *Plan review and update procedures.* This section must address the procedures to be followed by the facility owner or operator to meet the requirements of §154.1065 and the procedures to be followed for any post-discharge review of the plan to evaluate and validate its effectiveness.

(e) *Appendices.* This section of the response plan must include the appendices described in this paragraph.

(1) *Facility-specific information.* This appendix must contain a description of the facility's principal characteristics.

(i) There must be a physical description of the facility including a plan of the facility showing the mooring areas, transfer locations, control stations, locations of safety equipment, and the location and capacities of all piping and storage tanks.

(ii) The appendix must identify the sizes, types, and number of vessels that the facility can transfer oil to or from simultaneously.

(iii) The appendix must identify the first valve(s) on facility piping separating the transportation-related portion of the facility from the non-transportation-related portion of the facility, if any. For piping leading to a manifold located on a dock serving tank vessels, this valve is the first valve inside the secondary containment required by 40 CFR part 112.

(iv) The appendix must contain information on the oil(s) and hazardous material handled, stored, or transported at the facility in bulk. A material safety data sheet meeting the requirements of 29 CFR 1910.1200, 33 CFR 154.310(a)(5) or an equivalent will meet this requirement. This information can be maintained separately providing it is readily available and the appendix identifies its location. This information must include—

(A) The generic or chemical name;

(B) A description of the appearance and odor;

(C) The physical and chemical characteristics;

(D) The hazards involved in handling the oil(s) and hazardous materials. This shall include hazards likely to be encountered if the oil(s) and hazardous materials come in contact as a result of a discharge; and

(E) A list of firefighting procedures and extinguishing agents effective with fires involving the oil(s) and hazardous materials.

(v) The appendix may contain any other information which the facility owner or operator determines to be pertinent to an oil spill response.

(2) *List of contacts.* This appendix must include information on 24-hour contact of key individuals and organizations. If more appropriate, this information may be specified in a geographic-specific appendix. The list must include—

(i) The primary and alternate qualified individual(s) for the facility;

(ii) The contact(s) identified under paragraph (b)(3)(iv) of this section for activation of the response resources; and

(iii) Appropriate Federal, State, and local officials.

(3) *Equipment list and records.* This appendix must include the information specified in this paragraph.

(i) The appendix must contain a list of equipment and facility personnel required to respond to an average most probable discharge, as defined in §154.1020. The appendix must also list the location of the equipment.

(ii) The appendix must contain a detailed listing of all the major equipment identified in the plan as belonging to an oil spill removal organization(s) that is available, by contract or other approved means as described in §154.1028(a), to respond to a maximum most probable or worst case discharge, as defined in §154.1020. The detailed listing of all major equipment may be located in a separate document referenced by the plan. Either the appendix or the separate document referenced in the plan must provide the location of the major response equipment.

(iii) It is not necessary to list response equipment from oil spill removal organization(s) when the organization has been classified by the Coast Guard and their capacity has been determined to equal or exceed the response capability needed by the facility. For oil spill removal organization(s) classification by the Coast Guard, the classified must be noted in this section of the plan. When it is necessary for the appendix to contain a listing of response equipment, it shall include all of the following items that are identified in the response plan: Skimmers; booms; dispersant application, in-situ burning, bioremediation equipment and supplies, and other equipment used to apply other chemical agents on the NCP Product Schedule (if applicable); communications, firefighting, and beach cleaning equipment; boats and motors; disposal and storage equipment; and heavy equipment. The list must include for each piece of equipment—

(A) The type, make, model, and year of manufacture listed on the nameplate of the equipment;

(B) For oil recovery devices, the effective daily recovery rate, as determined using section 6 of Appendix C of this part;

(C) For containment boom, the overall boom height (draft and freeboard) and type of end connectors;

(D) The spill scenario in which the equipment will be used for or which it is contracted;

(E) The total daily capacity for storage and disposal of recovered oil;

(F) For communication equipment, the type and amount of equipment intended for use during response activities. Where applicable, the primary and secondary radio frequencies must be specified.

(G) Location of the equipment; and

(H) The date of the last inspection by the oil spill removal organization(s).

(4) *Communications plan.* This appendix must describe the primary and alternate method of communication during discharges, including communications at the facility and at remote locations within the areas covered by the response plan. The appendix may refer to additional communications packages provided by the oil spill removal organization. This may reference another existing plan or document.

(5) *Site-specific safety and health plan.* This appendix must describe the safety and health plan to be implemented for any response location(s). It must provide as much detailed information as is practicable in advance of an actual discharge. This appendix may reference another existing plan requiring under 29 CFR 1910.120.

(6) *List of acronyms and definitions.* This appendix must list all acronyms used in the response plan including any terms or acronyms used by Federal, State, or local governments and any operational terms commonly used at the facility. This appendix must include all definitions that are critical to understanding the response plan.

§154.1040 Specific requirements for facilities that could reasonably be expected to cause substantial harm to the environment.

(a) The owner or operator of a facility that, under §154.1015, could reasonably be expected to cause substantial harm to the environment, shall submit

a response plan that meets the requirements of §154.1035, except as modified by this section.

(b) The facility's response activities section of the response plan need not list the facility or corporate organizational structure that will be used to manage the response, as required by §154.1035(b)(3)(iii).

(c) The owner or operator of a facility must ensure the availability of response resources required to be identified in §154.1035(b)(3)(iv) by contract or other approved means described in §154.1028.

(d) A facility owner or operator must have at least 200 feet of containment boom and the means of deploying and anchoring the boom available at the spill site within 1 hour of the detection of a spill to respond to the average most probable discharge in lieu of the quantity of containment boom specified in §154.1045(c)(1). Based on site-specific or facility-specific information, the COTP may specify that additional quantities of containment boom are available within one hour. In addition, there must be adequate sorbent material for initial response to an average most probable discharge. If the facility is a fixed facility, the containment boom and sorbent material must be located at the facility. If the facility is a mobile facility, the containment boom and sorbent must be available locally and be at the site of the discharge within 1 hour of its discovery.

§154.1041 Specific response information to be maintained on mobile MTR facilities.

(a) Each mobile MTR facility must carry the following information as contained in the response plan when performing transfer operations:

(1) A description of response activities for a discharge which may occur during transfer operations. This may be a narrative description or a list of procedures to be followed in the event of a discharge.

(2) Identity of response resources to respond to a discharge from the mobile MTR facility.

(3) List of the appropriate persons and agencies (including the telephone numbers) to be contacted in regard to a discharge and its handling, including the National Response Center.

(b) The owner or operator of the mobile facility must also retain the information in this paragraph at the principal place of business.

§154.1045 Response plan development and evaluation criteria for facilities that handle, store, or transport Group I through Group IV petroleum oils.

(a) The owner or operator of a facility that handles, stores, or transports Group I through Group IV petroleum oils shall use the criteria in this section to evaluate response resources identified in the response plan for the specified operating environment.

(1) The criteria in Table 1 of appendix C of this part are to be used solely for identification of appropriate equipment in a response plan. These criteria reflect conditions used for planning purposes to select mechanical response equipment and are not conditions that would limit response actions or affect normal facility operations.

(2) The response resources must be evaluated considering limitations for the COTP zones in which the facility operates, including but not limited to—

(i) Ice conditions;

(ii) Debris;

(iii) Temperature ranges;

(iv) Weather-related visibility; and

(v) Other appropriate environmental conditions as determined by the COTP.

(3) The COTP may reclassify a specific body of water or location within the COTP zone. Any reclassifications will be identified by the COTP in the applicable ACP. Reclassifications may be to—

(i) A more stringent operating environment if the prevailing wave conditions exceed the significant wave height criteria during more than 35 percent of the year; or

(ii) A less stringent operating environment if the prevailing wave conditions do not exceed the significant wave height criteria for the less stringent operating environment during more than 35 percent of the year.

(b) Response equipment must—

(1) Meet or exceed the operating criteria listed in Table 1 of appendix C of this part;

(2) Function in the applicable operating environment; and

(3) Be appropriate for the petroleum oil carried.

(c) The response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must identify response resources that are available, by contract or other approved means as described in §154.1028(a)(1)(4), to respond to the facility's average most probable discharge. The response resources must include, at a minimum—

(1) 1,000 feet of containment boom or two times the length of the largest vessel that regularly conducts petroleum oil transfers to or from the facility, whichever is greater, and the means of deploying and anchoring the boom available at the spill site within 1 hour of the detection of a spill; and

(2) Oil recovery devices and recovered oil storage capacity capable of being at the spill site within 2 hours of the discovery of a petroleum oil discharge from a facility.

(d) The response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must identify response resources that are available, by contract or other approved means as described in §154.1028(a)(1)(4), to respond to a discharge up to the facility's maximum most probable discharge volume.

(1) The response resources must include sufficient containment boom, oil recovery devices, and storage capacity for any recovery of up to the maximum most probable discharge planning volume, as contained in appendix C.

(2) The response resources must be appropriate for each group of petroleum oil identified in §154.1020 that is handled, stored, or transported by the facility.

(3) These response resources must be positioned such that they can arrive at the scene of a discharge within the following specified times:

(i) The equipment identified in paragraphs (c)(1) and (c)(2) of this section or in §154.1040(d) must arrive within the times specified in those paragraphs or that section, as appropriate.

(ii) In higher volume port areas and the Great Lakes, response resources must be capable of arriving on scene within 6 hours of the discovery of an petroleum oil discharge from a facility.

(iii) In all other locations, response resources must be capable of arriving on scene within 12 hours of the discovery of a petroleum oil discharge from a facility.

(4) The COTP may determine that mobilizing response resources to an area beyond the response times indicated in this paragraph invalidates the response plan. In this event, the COTP may impose additional operational restrictions (e.g., limitations on the number of transfers at a facility), or, at the COTP's discretion, the facility may operate with temporarily modified response plan development and evaluation criteria (e.g., modified response times, alternate response resources, etc.).

(e) The response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must identify the response resources that are available, by contract or other approved means as described in §154.1028(a)(1)(4), to respond to the worst case discharge volume of petroleum oil to the maximum extent practicable.

(1) The location of these response resources must be suitable to meet the response times identified in paragraph (f) of this section for the applicable geographic area(s) of operation and response tier.

(2) The response resources must be appropriate for—

(i) The volume of the facility's worst case discharge;

(ii) Group(s) of petroleum oil as identified in §154.1020 that are handled, stored, or transported by the facility; and

(iii) The geographic area(s) in which the facility operates.

(3) The response resources must include sufficient boom, oil recovery devices, and storage capacity to recover the worst case discharge planning volumes.

(4) The guidelines in appendix C of this part must be used for calculating the quantity of response resources required to respond at each tier to the worst case discharge to the maximum extent practicable.

(5) When determining response resources necessary to meet the requirements of this section, a portion of those resources must be capable of use in close-to-shore response activities in shallow water. The following percentages of the response equipment identified for the applicable geographic area must be capable of operating in waters of 6 feet or less depth.

(i) Offshore—10 percent.

(ii) Nearshore/inland/Great Lakes/rivers and canals—20 percent.

(6) The COTP may determine that mobilizing response resources to an area beyond the response times indicated in this paragraph invalidates the response plan. In this event, the COTP may impose additional operational restrictions (e.g., limitations on the number of transfers at a facility), or, at the COTP's discretion, the facility may be permitted to operate with temporarily modified response plan development and evaluation criteria (e.g., modified response times, alternate response resources, etc.).

(f) Response equipment identified in a response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must be capable of arriving on scene within the times specified in this paragraph for the applicable response tier in a higher volume port area, Great Lakes, and in other areas. Response times for these tiers from the time of discovery of a discharge are—

	Tier 1 (hrs.)	Tier 2 (hrs.)	Tier 3 (hrs.)
Higher volume port area (except for a TAPAA facility located in Prince William Sound, see § 154.1135)	6	30	54
Great Lakes	12	36	60
All other river and canal, inland, nearshore, and offshore areas	12	36	60

(g) For the purposes of arranging for response resources for a facility that handles, stores, or transports Group I through Group IV petroleum oils, by contract or other approved means as described in § 154.1028(a)(1)–(4), response equipment identified for Tier 1 plan credit must be capable of being mobilized and en route to the scene of a discharge within 2 hours of notification. The notification procedures identified in the plan must provide for notification and authorization of mobilization of identified Tier 1 response resources—

(1) Either directly or through the qualified individual; and

(2) Within 30 minutes of a discovery of a discharge or substantial threat of discharge.

(h) Response resources identified for Tier 2 and Tier 3 plan credit must be capable of arriving on scene within the time specified for the applicable tier.

(i) The response plan for a facility that is located in any environment with year-round preapproval for use of dispersants and that handles, stores, or transports Group II or III persistent petroleum oils may request a credit for up to 25 percent of the on-water recovery capability set forth by this part. To receive this credit, the facility owner or operator must identify in the plan and ensure, by contract or other approved means as described in § 154.1028(a)(1)–(4), the availability of specified resources to apply the dispersants and to monitor their effectiveness. The extent of the credit will be based on the volumes of the dispersant available to sustain operations at the manufacturers' recommend dosage rates. Resources identified for plan credit should be capable of being on scene within 12 hours of a discovery of a discharge. Identification of these resources does not imply that they will be authorized for use. Actual authorization for use during a spill response will be governed by the provisions of the NCP and the applicable ACP.

(j) A response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must identify response resources with firefighting capability. The owner or operator of a facility that does not have adequate firefighting resources located at the facility or that can not rely on sufficient local firefighting resources must identify and ensure, by contract or other approved means as described in § 154.1028(a)(1)–(4), the availability of adequate firefighting resources. The response plan must also identify an individual located at the facility to work with the fire department for petroleum oil fires. This individual shall also verify that sufficient well-trained firefighting resources are available within

a reasonable time to respond to a worst case discharge. The individual may be the qualified individual as defined in §154.1020 and identified in the response plan or another appropriate individual located at the facility.

(k) The response plan for a facility that handles, stores, or transports Groups I through IV petroleum oils must identify equipment and required personnel available, by contract or other approved means as described in §154.1028(a) (1)–(4), to protect fish and wildlife and sensitive environments.

(1) Except as set out in paragraph (k)(2) of this section, the identified response resources must include the quantities of boom sufficient to protect fish and wildlife and sensitive environments as required by §154.1035(b)(4).

(2) The resources and response methods identified in a facility response plan must be consistent with the required resources and response methods to be used in fish and wildlife and sensitive environments, contained in the appropriate ACP. Facility owners or operators shall ensure that their response plans are in accordance with the ACP in effect 6 months prior to initial plan submission or the annual plan review required under §154.1065(a). Facility owners or operators are not required to, but may at their option, conform to an ACP which is less than 6 months old at the time of plan submission.

(l) The response plan for a facility that handles, stores, or transports Groups I through IV petroleum oils must identify an oil spill removal organization(s) with response resources that are available, by contract or other approved means as described in §154.1028(a) (1)–(4), to effect a shoreline cleanup operation commensurate with the quantity of emulsified petroleum oil to be planned for in shoreline cleanup operations.

(1) Except as required in paragraph (l)(2) of this section, the shoreline cleanup response resources required must be determined as described in appendix C of this part.

(2) The resources and response methods identified in a facility response plan must be consistent with the required shoreline cleanup resources and methods contained in the appropriate ACP. Facility owners or operators shall ensure that their response plans are in accordance with the ACP in effect 6 months prior to initial plan submission or the annual plan review required under §154.1065(a). Facility owners or operators are not required to, but may at their option, conform to an ACP which is less than 6 months old at the time of plan submission.

(m) Appendix C of this part describes the procedures to determine the maximum extent practicable quantity of response resources that must be identified and available, by contract or other approved means as described in §154.1028(a) (1)–(4), for the maximum most probable discharge volume, and for each worst case discharge response tier.

(1) Included in appendix C of this part is a cap that recognizes the practical and technical limits of response capabilities that an individual facility owner or operator can be expected to contract for in advance.

(2) Table 5 in appendix C of this part lists the caps that apply in February 18, 1993, and February 18, 1998. Depending on the quantity and type of petroleum oil handled by the facility and the facility's geographic area of operations, the resource capability caps in this table may be reached. The owner or operator of a facility whose estimated recovery capacity exceeds the applicable contracting caps in Table 5 shall identify sources of additional equipment equal to twice the cap listed in Tiers 1, 2, and 3 or the amount necessary to reach the calculated planning volume, whichever is lower. The identified resources must be capable of arriving on scene not later than the Tier 1, 2, and 3 response times in this section. No contract is required. While general listings of available response equipment may be used to identify additional sources, a response plan must identify the specific sources, locations, and quantities of equipment that a facility owner or operator has considered in his or her planning. When listing Coast Guard classified oil spill removal organization(s) which have sufficient removal capacity to recover the volume above the response capability cap for the specific facility, as specified in Table 5 in appendix C of this part, it is

not necessary to list specific quantities of equipment.

(n) The Coast Guard will initiate a review of cap increases and other requirements contained within this subpart that are scheduled to be phased in over time. Any changes in the requirements of this section will occur through a public notice and comment process.

(1) During this review, the Coast Guard will determine if the scheduled increase for February 1998 remains practicable, and will also establish a specific cap for 2003. The review will include but is not limited to—

(i) Increase in skimming efficiencies and design technology;

(ii) Oil tracking technology;

(iii) High rate response techniques;

(iv) Other applicable response technologies; and

(v) Increases in the availability of private response resources.

(2) All scheduled future requirements will take effect unless the Coast Guard determines that they are not practicable. Scheduled changes will be effective in February 1998 and 2003 unless the review of the additional requirements has not been completed by the Coast Guard. If this occurs, the additional requirements will not be effective until 90 days after publication of a FEDERAL REGISTER notice with the results of the review.

§ 154.1047 Response plan development and evaluation criteria for facilities that handle, store, or transport Group V petroleum oils.

(a) An owner or operator of a facility that handles, stores, or transports Group V petroleum oils must provide information in his or her response plan that identifies—

(1) Procedures and strategies for responding to a worst case discharge of Group V petroleum oils to the maximum extent practicable; and

(2) Sources of the equipment and supplies necessary to locate, recover, and mitigate such a discharge.

(b) An owner or operator of a facility that handles, stores, or transports Group V petroleum oil must ensure that any equipment identified in a response plan is capable of operating in the conditions expected in the geographic area(s) in which the facility operates using the criteria in Table 1 of appendix C of this part. When evaluating the operability of equipment, the facility owner or operator must consider limitations that are identified in the ACPs for the COTP zones in which the facility operates, including—

(1) Ice conditions;

(2) Debris;

(3) Temperature ranges; and

(4) Weather-related visibility.

(c) The owner or operator of a facility that handles, stores, or transports Group V petroleum oil must identify the response resources that are available by contract or other approved means as described in § 154.1028. The equipment identified in a response plan must include—

(1) Sonar, sampling equipment, or other methods for locating the petroleum oil on the bottom or suspended in the water column;

(2) Containment boom, sorbent boom, silt curtains, or other methods for containing the petroleum oil that may remain floating on the surface or to reduce spreading on the bottom;

(3) Dredges, pumps, or other equipment necessary to recover petroleum oil from the bottom and shoreline;

(4) Equipment necessary to assess the impact of such discharges; and

(5) Other appropriate equipment necessary to respond to a discharge involving the type of petroleum oil handled, stored, or transported.

(d) Response resources identified in a response plan for a facility that handles, stores, or transports Group V petroleum oils under paragraph (c) of this section must be capable of being at the spill site within 24 hours of discovery of a discharge.

(e) A response plan for a facility that handles, stores, or transports Group V petroleum oils must identify response resources with firefighting capability. The owner or operator of a facility that does not have adequate firefighting resources located at the facility or that can not rely on sufficient local firefighting resources must identity and ensure, by contract or other approved means as described in § 154.1028, the availability of adequate firefighting resources. The response plan must also identify an individual located at the facility to work with the fire department

for petroleum oil fires. This individual shall also verify that sufficient well-trained firefighting resources are available within a reasonable response time to a worst case scenario. The individual may be the qualified individual as defined in §154.1020 and identified in the response plan or another appropriate individual located at the facility.

§154.1050 Training.

(a) A response plan submitted to meet the requirements of §§154.1035 or 154.1040, as appropriate, must identify the training to be provided to each individual with responsibilities under the plan. A facility owner or operator must identify the method to be used for training any volunteers or casual laborers used during a response to comply with the requirements of 29 CFR 1910.120.

(b) A facility owner or operator shall ensure the maintenance of records sufficient to document training of facility personnel; and shall make them available for inspection upon request by the U.S. Coast Guard. Records for facility personnel must be maintained at the facility for 3 years.

(c) Where applicable, a facility owner or operator shall ensure that an oil spill removal organization identified in a response plan to meet the requirements of this subpart maintains records sufficient to document training for the organization's personnel and shall make them available for inspection upon request by the facility's management personnel, the qualified individual, and U.S. Coast Guard. Records must be maintained for 3 years following completion of training.

(d) The facility owner or operator remains responsible for ensuring that all private response personnel are trained to meet the Occupational Safety and Health Administration (OSHA) standards for emergency response operations in 29 CFR 1910.120.

§154.1055 Exercises.

(a) A response plan submitted by an owner or operator of an MTR facility must include an exercise program containing both announced and unannounced exercises. The following are the minimum exercise requirements for facilities covered by this subpart:

(1) Qualified individual notification exercises (quarterly).

(2) Spill management team tabletop exercises (annually). In a 3-year period, at least one of these exercises must include a worst case discharge scenario.

(3) Equipment deployment exercises:

(i) Semiannually for facility owned and operated equipment.

(ii) Annually for oil spill removal organization equipment.

(4) Emergency procedures exercises (optional).

(5) Annually, at least one of the exercises listed in §154.1055(a)(2) through (4) must be unannounced. Unannounced means the personnel participating in the exercise must not be advised in advance, of the exact date, time and scenario of the exercise.

(6) The facility owner or operator shall design the exercise program so that all components of the response plan are exercised at least once every 3 years. All of the components do not have to be exercised at one time; they may be exercised over the 3-year period through the required exercises or through an Area exercise.

(b) A facility owner or operator shall participate in unannounced exercises, as directed by the COTP. The objectives of the unannounced exercises will be to test notifications and equipment deployment for response to the average most probable discharge. After participating in an unannounced exercise directed by a COTP, the owner or operator will not be required to participate in another COTP initiated unannounced exercise for at least 3 years from the date of the exercise.

(c) A facility owner or operator shall participate in Area exercises as directed by the applicable On-Scene Coordinator. The Area exercises will involve equipment deployment to respond to the spill scenario developed by the Exercise Design Team, of which the facility owner or operator will be a member. After participating in an Area exercise, a facility owner or operator will not be required to participate in another Area exercise for at least 6 years.

(d) The facility owner or operator shall ensure that adequate records of

all required exercises are maintained at the facility for 3 years. Records shall be made available to the Coast Guard upon request.

(e) The response plan submitted to meet the requirements of this subpart must specify the planned exercise program. The plan must detail the exercise program, including the types of exercises, frequency, scope, objectives and the scheme for exercising the entire response plan every 3 years.

(f) Compliance with the National Preparedness for Response Exercise Program (PREP) Guidelines will satisfy the facility response plan exercise requirements.

§ 154.1057 Inspection and maintenance of response resources.

(a) A facility owner or operator required to submit a response plan under this part must ensure that—

(1) Containment booms, skimmers, vessels, and other major equipment listed or referenced in the plan are periodically inspected and maintained in good operating condition, in accordance with manufacturer's recommendations, and best commercial practices; and

(2) All inspection and maintenance is documented and that these records are maintained for 3 years.

(b) For equipment which must be inspected and maintained under this section the Coast Guard may—

(1) Verify that the equipment inventories exist as represented;

(2) Verify the existences of records required under this section;

(3) Verify that the records of inspection and maintenance reflect the actual condition of any equipment listed or referenced; and

(4) Inspect and require operational tests of equipment.

(c) This section does not apply to containment booms, skimmers, vessels, and other major equipment listed or referenced in the plan and ensured available from an oil spill removal organization through the written consent required under § 154.1028(a)(5).

§ 154.1060 Submission and approval procedures.

(a) The owner or operator of a facility to which this subpart applies shall submit one copy of a facility response plan meeting the requirements of this subpart to the COTP for initial review and, if appropriate, approval.

(b) The owner or operator of a facility to which this subpart applies shall include a statement certifying that the plan meets the applicable requirements of subparts F, G, H, and I of this part, as appropriate.

(c) For an MTR facility that is located in the inland response zone where the EPA Regional Administrator is the predesignated Federal On-Scene Coordinator, the COTP may consult with the EPA Federal On-Scene Coordinator prior to any final approval.

(d) For an MTR facility identified in § 154.1015(c) of this subpart that is also required to prepare a response plan under 40 CFR part 112, if the COTP determines that the plan meets all applicable requirements and the EPA Regional Administrator raises no objection to the response plan contents, the COTP will notify the facility owner or operator in writing that the plan is approved.

(e) The plan will be valid for a period of up to 5 years. The facility owner or operator must resubmit an updated plan every 5 years as follows:

(1) For facilities identified in only § 154.1015(b) of this subpart, the 5-year period will commence on the date the plan is submitted to the COTP.

(2) For facilities identified in § 154.1015(c) of this subpart, the 5-year period will commence on the date the COTP approves the plan.

(3) All resubmitted response plans shall be accompanied by a cover letter containing a detailed listing of all revisions to the response plan.

(f) For an MTR facility identified in § 154.1015(c)(2) the COTP will notify the facility owner or operator in writing that the plan is approved.

(g) If a COTP determines that a plan does not meet the requirements of this subpart either upon initial submission or upon 5-year resubmission, the COTP will return the plan to the facility owner or operator along with an explanation of the response plan's deficiencies. The owner or operator must correct any deficiencies in accordance with § 154.1070 and return the plan to the COTP within the time specified by

the COTP in the letter describing the deficiencies.

(h) The facility owner or operator and the qualified individual and the alternative qualified individual shall each maintain a copy of the most current response plan submitted to the COTP. One copy must be maintained at the facility in a position where the plan is readily available to persons in charge of conducting transfer operations.

§ 154.1065 Plan review and revision procedures.

(a) A facility owner or operator must review his or her response plan(s) annually. This review shall incorporate any revisions to the plan, including listings of fish and wildlife and sensitive environments identified in the ACP in effect 6 months prior to plan review.

(1) For an MTR facility identified in § 154.1015(c) of this subpart as a ''significant and substantial harm facility,'' this review must occur within 1 month of the anniversary date of COTP approval of the plan. For an MTR facility identified in § 154.1015(b) of this subpart, as a ''substantial harm facility'' this review must occur within 1 month of the anniversary date of submission of the plan to the COTP.

(2) The facility owner or operator shall submit any revision(s) to the response plan to the COTP and all other holders of the response plan for information or approval, as appropriate.

(i) Along with the revisions, the facility owner or operator shall submit a cover letter containing a detailed listing of all revisions to the response plan.

(ii) If no revisions are required, the facility owner or operator shall indicate the completion of the annual review on the record of changes page.

(iii) The COTP will review the revision(s) submitted by the owner or operator and will give written notice to the owner or operator of any COTP objection(s) to the proposed revisions within 30 days of the date the revision(s) were submitted to the COTP. The revisions shall become effective not later than 30 days from their submission to the COTP unless the COTP indicates otherwise in writing as provided in this paragraph. If the COTP indicates that the revision(s) need to be modified before implementation, the owner or operator will modify the revision(s) within the time period set by the COTP.

(3) Any required revisions must be entered in the plan and noted on the record of changes page.

(b) The facility owner or operator shall submit revisions to a previously submitted or approved plan to the COTP and all other holders of the response plan for information or approval within 30 days, whenever there is—

(1) A change in the facility's configuration that significantly affects the information included in the response plan;

(2) A change in the type of oil (petroleum oil group) handled, stored, or transported that affects the required response resources;

(3) A change in the name(s) or capabilities of the oil spill removal organization required by § 154.1045;

(4) A change in the facility's emergency response procedures;

(5) A change in the facility's operating area that includes ports or geographic area(s) not covered by the previously approved plan. A facility may not operate in an area not covered in a plan previously submitted or approved, as appropriate, unless the revised plan is approved or interim operating approval is received under § 154.1025; or

(6) Any other changes that significantly affect the implementation of the plan.

(c) Except as required in paragraph (b) of this section, revisions to personnel and telephone number lists included in the response plan do not require COTP approval. The COTP and all other holders of the response plan shall be advised of these revisions and provided a copy of the revisions as they occur.

(d) The COTP may require a facility owner or operator to revise a response plan at any time as a result of a compliance inspection if the COTP determines that the response plan does not meet the requirements of this subpart or as a result of inadequacies noted in the response plan during an actual pollution incident at the facility.

§ 154.1070 Deficiencies.

(a) The cognizant COTP will notify the facility owner or operator in writing of any deficiencies noted during review of a response plan, drills observed by the Coast Guard, or inspection of equipment or records maintained in connection with this subpart.

(b) Deficiencies shall be corrected within the time period specified in the written notice provided by the COTP. The facility owner or operator who disagrees with a deficiency issued by the COTP may appeal the deficiency to the cognizant COTP within 7 days or the time specified by the COTP to correct the deficiency, whichever is less. This time commences from the date of receipt of the COTP notice. The owner or operator may request a stay from the COTP decision pending appeal in accordance with § 154.1075.

(c) If the facility owner or operator fails to correct any deficiencies or submit a written appeal, the COTP may invoke the provisions of § 154.1025 prohibiting the facility from storing, handling, or transporting oil.

§ 154.1075 Appeal process.

(a) Any owner or operator of a facility who desires to appeal the classification that a facility could reasonably be expected to cause substantial harm or significant and substantial harm to the environment, shall submit a written request to the cognizant COTP requesting review and reclassification by the COTP. The facility owner or operator shall identify those factors to be considered by the COTP. The factors to be considered by the COTP regarding reclassification of a facility include, but are not limited to, those listed in § 154.1016(b). After considering all relevant material presented by the facility owner or operator and any additional material available to the COTP, the COTP will notify the facility owner or operator of the decision on the reclassification of the facility.

(b) Any facility owner or operator directly affected by an initial determination or action of the COTP may submit a written request to the cognizant COTP requesting review and reconsideration of the COTP's decision or action. The facility owner or operator shall identify those factors to be considered by the COTP in making his or her decision on reconsideration.

(c) Within 10 days of the COTP's decision under paragraph (b) of this section, the facility owner or operator may appeal the decision of the COTP to the District Commander. This appeal shall be made in writing via the cognizant COTP to the District Commander of the district in which the office of the COTP is located.

(d) Within 30 days of the District Commander's decision, the facility owner or operator may formally appeal the decision of the District Commander. This appeal shall be submitted in writing to Commandant (G-MOR) via the District Commander.

(e) When considering an appeal, the COTP, District Commander, or Commandant may stay the effect of the decision or action being appealed pending the determination of the appeal.

[CGD 91–036, 61 FR 7930, Feb. 29, 1996, as amended by CGD 96–026, 61 FR 33666, June 28, 1996]

APPENDIX III

49 CFR 194, DOT PHMSA - RESPONSE PLANS

FOR ONSHORE OIL PIPELINES

PART 194 – RESPONSE PLANS FOR ONSHORE OIL PIPELINES

NEW FORMAT

For future versions of this manual, changes to the regulations will show highlights for deletions and underline for additions.

AMENDMENT TABLE OF SECTION REVISIONS FOR THIS VERSION OF PART 194

PART 191 AMENDMENT NUMBER	EFFECTIVE DATE OF AMENDMENT	PARAGRAPH IMPACT	IN REFERENCE TO:
[6]*	04/28/08	194.119	ADMINISTRATIVE PROCEDURES, UPDATES AND TECHNICAL AMENDMENTS

*PHMSA quit numbering their new amendments. For the purposes of tracking, T&Q is maintaining a numbering system.

PART 194 – RESPONSE PLANS FOR ONSHORE OIL PIPELINES

Subpart A–General

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Appendix A - Guidelines for the Preparation of Response Plans.

Appendix B - High Volume Areas.

Authority: 33 U.S.C. 1231, 1321(j)(1)(C), (j)(5) and (j)(6); §2, E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.53.

PART 194 – RESPONSE PLANS FOR ONSHORE OIL PIPELINES

Subpart A–General

§194.1 Purpose.

This part contains requirements for oil spill response plans to reduce the environmental impact of oil discharged from onshore oil pipelines.

[Part 194 - Org., 58 FR 253, Jan. 5, 1993]

§194.3 Applicability.

This part applies to an operator of an onshore oil pipeline that, because of its 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.

[Part 194 - Org., 58 FR 253, Jan. 5, 1993]

§194.5 Definitions.

Adverse weather means the weather conditions that the operator will consider when identifying response systems and equipment to be deployed in accordance with a response plan. Factors to consider include ice conditions, temperature ranges, weather-related visibility, significant wave height as specified in 33 CFR Part 154, Appendix C, Table 1, and currents within the areas in which those systems or equipment are intended to function.

Barrel means 42 United States gallons (159 liters) at 60° Fahrenheit (15.6º Celsius).

Breakout tank means a tank used to:

(1) relieve surges in an oil pipeline system or

(2) receive and store oil transported by a pipeline for reinjection and continued transportation by pipeline.

Contract or other approved means:

(1) A 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 the specified personnel and equipment within stipulated response times for a specified geographic area;

(2) Certification that specified equipment is owned or operated by the pipeline operator, and operator personnel and equipment are available within stipulated response times for a specified geographic area; or

(3) Active membership in a local or regional oil spill removal organization that has identified specified personnel and equipment to be available within stipulated response times for a specified geographic area.

Environmentally sensitive **area** means an area of environmental importance which is in or adjacent to navigable waters.

High volume area means an area which an oil pipeline having a nominal outside diameter of 20 inches (508 millimeters) or more crosses a major river or other navigable waters, which, because of the velocity of the river flow and vessel traffic on the river, would require a more rapid response in case of a worst case discharge or substantial threat of such a discharge. Appendix B to this part contains a list of some of the high volume areas in the United States.

Line section means a 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 a block valve, or between adjacent block valves.

Major river means a river that, because of its velocity and vessel traffic, would require a more rapid response in case of a worst case discharge. For a list of rivers see "Rolling Rivers, An Encyclopedia of America's Rivers," Richard A. Barlett, Editor, McGrawHill Book Company, 1984.

Maximum extent practicable means the limits of available technology and the practical and technical limits on a pipeline operator in planning the response resources required to provide the onwater 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 means the 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 means 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 means an entity that provides response resources.

On Scene Coordinator (OSC) means the 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 National Contingency Plan (40 CFR part 300).

Onshore oil pipeline facilities means 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 means a person who owns or operates onshore oil pipeline facilities.

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 means an English-speaking representative of an operator, located in the United States, 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.

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

Response resources means the personnel, equipment, supplies, and other re-

sources necessary to conduct response activities.

Response zone means a 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 the 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.

Specified minimum yield strength means the minimum yield strength, expressed in pounds per square inch, prescribed by the specification under which the material is purchased from the manufacturer.

Stress level means the level of tangential or hoop stress, usually expressed as a percentage of specified minimum yield strength.

Worst case discharge means the largest foreseeable discharge of oil, including a discharge from fire or explosion, in adverse weather conditions. This volume will be determined by each pipeline operator for each response zone and is calculated according to §194.105.

[Part 194 - Org., 58 FR 253, Jan. 5, 1993, as amended by Amdt. 194-3, 63 FR 37500, July 13, 1998; Amdt. 194-4, 70 FR 8734, Feb. 23, 2005]

§194.7 Operating restrictions and interim operating authorization.

(a) An operator of a pipeline for which a response plan is required under §194.101, may not handle, store, or transport oil in that pipeline unless the operator has submitted a response plan meeting the requirements of this part.

(b) An operator must operate its onshore pipeline facilities in accordance with the applicable response plan.

(c) The operator of a pipeline line section described in §194.103(c), may continue to operate the pipeline for two years after the date of submission of a response plan, pending approval or disapproval of that plan, only if the operator has submitted the certification required by §194.119(e).

[Part 194 - Org., 58 FR 253, Jan. 5, 1993 as amended by Amdt. 194-4, 70 FR 8734, Feb. 23, 2005]

PART 194 – RESPONSE PLANS FOR ONSHORE OIL PIPELINES

Subpart B–Response Plans

§194.101 Operators required to submit plans.

(a) Except as provided in paragraph (b) of this section, unless OPS grants a request from an Federal On-Scene Coordinator (FOSC) to require an operator of a pipeline in paragraph (b) to submit a response plan, each operator of an onshore pipeline facility shall prepare and submit a response plan to PHMSA as provided in §194.119. A pipeline which does not meet the criteria for significant and substantial harm as defined in §194.103(c) and is not eligible for an exception under §194.101(b), can be expected to cause substantial harm. Operators of substantial harm pipeline facilities must prepare and submit plans to PHMSA for review.

(b) Exception. An operator need not submit a response plan for:

(1) A pipeline that is 6 5/8 inches (168 millimeters) or less in outside nominal diameter, is 10 miles (16 kilometers) or less in length, and all of the following conditions apply to the pipeline:

(i) The pipeline has not experienced a release greater than 1,000 barrels (159 cubic meters) within the previous 5 years,

(ii) The pipeline has not experienced at least two reportable releases, as defined in §195.50, within the previous 5 years,

(iii) A pipeline containing any electric resistance welded pipe, manufactured prior to 1970, does not operate at a maximum operating pressure established under §195.406 that corresponds to a stress level greater than 50 percent of the specified minimum yield strength of the pipe, and

(iv) The pipeline is not in proximity to navigable waters, public drinking water intakes, or environmentally sensitive areas.

(2)(i) A line section that is greater than 6 5/8 inches (168 millimeters) in outside nominal diameter and is greater than 10 miles (16 kilometers) in length, where 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 after the initiation of the discharge, any navigable waters, public drinking water intake, or environmentally sensitive areas.

(ii) A line section that is 6 5/8 inches (168 millimeters) or less in outside nominal diameter and is 10 miles (16 kilometers) or less in length, where 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 the initiation of the discharge, any navigable waters, public drinking water intake, or environmentally sensitive areas.

[Part 194 - Org., 58 FR 253, Jan. 5, 1993, as amended by Amdt. 194-3, 63 FR 37500, July 13, 1998; Amdt. 194-4, 70 FR 8734, Feb. 23, 2005]

§194.103 Significant and substantial harm; operator's statement.

(a) Each operator shall submit a statement with its response plan, as required by §§ 194.107 and 194.113, identifying which line sections in a response zone can 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.

(b) If an operator expects a line section in a response zone to cause significant and substantial harm, then the entire response zone must, for the purpose of response plan review and approval, be treated as if it is expected to cause significant and substantial harm. However, an operator will not have to submit separate plans for each line section.

PART 194 – RESPONSE PLANS FOR ONSHORE OIL PIPELINES

(c) A line section can 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 if; the pipeline is greater than 6 5/8 inches (168 millimeters) in outside nominal diameter, greater than 10 miles (16 kilometers) in length, and the section

(1) Has experienced a release greater than 1,000 barrels (159 cubic meters) within the previous 5 years.

(2) Has experienced two or more reportable releases, as defined in §195.50, within the previous 5 years,

(3) Containing any electric resistance welded pipe, manufactured prior to 1970, operates at a maximum operating pressure established under §195.406 that corresponds to a stress level greater than 50 percent of the specified minimum yield strength of the pipe.

(4) Is located within a 5-mile (8 kilometers) radius of potentially affected public drinking water intakes and could reasonably be expected to reach public drinking water intakes, or

(5) Is located within a 1-mile (1.6 kilometers) radius of potentially affected environmentally sensitive areas, and could reasonable by expected to reach these areas.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993, as amended by Amdt. 194-3, 63 FR 37500, July 13, 1998]

§194.105 Worst case discharge.

(a) Each operator shall determine the worst case discharge for each of its response zones and provide the methodology, including calculations, used to arrive at the volume.

(b) The worst case discharge is the largest volume, in barrels (cubic meters), of the following:

(1) 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 flow rate expressed in barrels per hour (based on the 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 (cubic meters); or

(2) The largest foreseeable discharge for the line section(s) within a response zone, expressed in barrels (cubic meters), based on the maximum historic discharge, if one exists, adjusted for any subsequent corrective or preventive action taken; or

(3) If the response zone contained 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(cubic meters).

(4) Operators may claim prevention credits for breakout tank secondary containment and other specific spill prevention measures as follows:

Prevention measure	Standard	Credit (percent)
Secondary containment > 100%	NFPA 30	50
Built/repaired to API standards.	API RP 620/650/653	10
Overfill protection standards.	API RP 2350	10
Testing/cathodic protection.	API RP 650/651/653	5
Tertiary containment/drainage/treatment	NFPA 30	5
Maximum allowable credit.	—	75

[Part 194 - Org.,58 FR 253, Jan. 5, 1993, as amended by Amdt. 194-3, 63 FR 37500, July 13, 1998; Amdt. 194-4, 70 FR 8734, Feb. 23, 2005; Amdt. 194-4A, 70 FR 35042, June 16, 2005]

§194.107 General response plan requirements.

(a) Each response plan must include procedures and a list of resources for responding, to the maximum extent practicable, to a worst case discharge and to a substantial threat of such a discharge. The "substantial threat" term is equivalent to abnormal operations outlined in 49 CFR 195.402(d). To comply with this requirement, an operator can incorporate by reference into the response plan the appropriate procedures from its manual for operations, maintenance, and emergencies, which is prepared in compliance with 49 CFR 195.402.

(b) An operator must certify in the response plan that it reviewed the NCP and each applicable ACP and that its response plan is consistent with the NCP and each applicable ACP as follows:

(1) As a minimum to be consistent with the NCP a facility response plan must:

(i) Demonstrate an operator's clear understanding of the function of the Federal response structure, including procedures to notify the National Response Center reflecting the relationship between the operator's response organization's role and the Federal On Scene Coordinator's role in pollution response;

(ii) Establish provisions to ensure the protection of safety at the response site; and

(iii) Identify the procedures to obtain any required Federal and State permissions for using alternative response strategies such as in-situ burning and dispersants as provided for in the applicable ACPs; and

(2) As a minimum, to be consistent with the applicable ACP the plan must:

(i) Address the removal of a worst case discharge and the mitigation or prevention of a substantial threat of a worst case discharge;

(ii) Identify environmentally and economically sensitive areas;

(iii) Describe the responsibilities of the operator and of Federal, State and local agencies in removing a discharge and in mitigating or preventing a substantial threat of a discharge; and

(iv) Establish the procedures for obtaining an expedited decision on use of dispersants or other chemicals.

(c) Each response plan must include:

(1) A core plan consisting of—

(i) An information summary as required in §194.113,

(ii) Immediate notification procedures,

(iii) Spill detection and mitigation procedures,

(iv) The name, address, and telephone number of the oil spill response organization, if appropriate,

(v) Response activities and response resources,

(vi) Names and telephone numbers of Federal, State and local agencies which the operator expects to have pollution control responsibilities or support,

(vii) Training procedures,

(viii) Equipment testing,

(ix) Drill program—an operator will satisfy the requirement for a drill program by following the National Preparedness for Response Exercise Program (PREP) guidelines. An operator choosing not to follow PREP guidelines must have a drill program that is equivalent to PREP. The operator must describe the drill program in the response plan and OPS will determine if the program is equivalent to PREP.

(x) Plan review and update procedures;

(2) An appendix for each response zone that includes the information required in paragraph (c)(1)(i)-(ix) of this section and the worst case discharge calculations that are specific to that response zone. An operator submitting a response plan for a single response zone does not need to have a core plan and a response zone appendix. The operator of a single response zone onshore pipeline shall have a single summary in the plan that contains the required information in §194.113.7; and

(3) A description of the operator's response management system including the functional areas of finance, logistics, operations, planning, and command. The plan must demonstrate that the operator's response management system uses common terminology and has a manageable span of control, a clearly defined chain of command, and sufficient trained personnel to fill each position.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993 as amended by Amdt. 194-4, 70 FR 8734, Feb. 23, 2005]

§194.109 Submission of state response plans.

(a) In lieu of submitting a response plan required by §194.103, an operator may submit a response plan that complies with a state law or regulation, if the state law or regulation requires a plan that provides equivalent or greater spill protection than a plan required under this part.

(b) A plan submitted under this section must

(1) Have an information summary required by §194.113;

(2) List the names or titles and 24-hour telephone numbers of the qualified individual(s) and at least one alternate qualified individual(s); and

(3) Ensure through contract or other approved means the necessary private personnel and equipment to respond to a worst case discharge or a substantial threat of such a discharge.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993 as amended by Amdt. 194-4, 70 FR 8734, Feb. 23, 2005]

§194.111 Response plan retention.

(a) Each operator shall maintain relevant portions of its response plan at the operator's headquarters and at other locations from which response activities may be conducted, for example, in field offices, supervisors' vehicles, or spill response trailers.

(b) Each operator shall provide a copy of its response plan to each qualified individual.

PART 194 – RESPONSE PLANS FOR ONSHORE OIL PIPELINES

[Part 194 - Org.,58 FR 253, Jan. 5, 1993 as amended by Amdt. 194-4, 70 FR 8734, Feb. 23, 2005]

§194.113 Information summary.

(a) The information summary for the core plan, required by §194.107, must include:

(1) The name and address of the operator; and

(2) The names or titles and 24-hour telephone numbers of the qualified individual(s) and at least one alternate qualified individual(s);

(b) The information summary for the response zone appendix, required in §194.107, must include:

(1) The information summary for the core plan;

(2) The name and telephone number of the qualified individual available on a 24-hour basis;

(3) The description of the response zone, including county(s) and state(s), for those zone in which a worst case discharge could cause substantial harm to the environment;

(4) A list of line sections for each pipeline contained in the response zone, identified by milepost or survey station number, or other operator designation;

(5) The basis for the operator's determination of significant and substantial harm; and,

(6) The type of oil and volume of the worst case discharge.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993 as amended by Amdt. 194-4, 70 FR 8734, Feb. 23, 2005]

§194.115 Response resources.

(a) Each operator shall identify and ensure, by contract or other approved means, the resources necessary to remove, to the maximum extent practicable, a worst case discharge and to mitigate or prevent a substantial threat of a worst case discharge.

(b) An operator shall identify in the response plan the response resources which are available to respond within the time specified, after discovery of a worst case discharge, or to mitigate the substantial threat of such a discharge, as follows:

	Tier 1	Tier 2	Tier 3
High volume area.	6 hrs.	30 hrs.	54 hrs.
All other areas.	12 hrs.	36 hrs.	60 hrs.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993]

§194.117 Training.

(a) Each operator shall conduct training to ensure that:

(1) All personnel know

(i) Their responsibilities under the response plan.

(ii) The name and address of, and the procedure for contacting, the operator on a 24-hour basis, and

(iii) The name of, and procedures for contacting, the qualified individual on a 24-hour basis;

(2) Reporting personnel know

(i) The content of the information summary of the response plan,

(ii) The toll free telephone number of the National Response Center, and,

(iii) The notification process; and

(3) Personnel engaged in response activities know

(i) The characteristics and hazards of the oil discharged,

(ii) The conditions that are likely to worsen emergencies, including the consequences of facility malfunctions or failures, and the appropriate corrective actions,

(iii) The steps necessary to control any accidental discharge of oil and to minimize the potential for fire, explosion, toxicity, or environmental damage, and,

(iv) The proper firefighting procedures and use of equipment, fire suits, and breathing apparatus.

(b) Each operator shall maintain a training record for each individual that has been trained as required by this section. These records must be maintained in the following manner as long as the individual is assigned duties under the response plan;

(1) Records for operator personnel must be maintained at the operator's headquarters; and

(2) Records for personnel engaged in response, other than operator personnel, shall be maintained as determined by the operator.

(c) Nothing in this section relieves an operator from the responsibility to ensure that all response personnel are trained to meet the Occupational Safety and Health Administration (OSHA) standards for emergency response operations in 29 CFR 1910.120, including volunteers or casual laborers employed during a response who are subject to those standards pursuant to 40 CFR part 311.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993]

§194.119 Submission and approval procedures.

(a) Each operator shall submit two copies of the response plan required by this part. Copies of the response plan shall be submitted to: Pipeline Response Plans Officer, Pipeline and Hazardous Materials Safety Administraion, Department of Transportation, 400 Seventh Street, SWPipeline and Hazardous Materials Safety Administration, Department of Transportation, PHP 80, 1200 New Jersey Avenue, SE'., Washington, DC 20590-0001. Note: Submission of plans in electronic format is preferred.

(b) If PHMSA determines that a response plan requiring approval does not meet all the requirements of this part, PHMSA will notify the operator of any alleged deficiencies, and to provide the operator an opportunity to respond, including the opportunity for an informal conference, on any proposed plan revisions and an opportunity to correct any deficiencies.

(c) An operator who disagrees with the PHMSA determination that a plan contains alleged deficiencies may petition RSPA for reconsideration within 30 days from the date of receipt of PHMSA's notice. After considering all relevant material presented in writing or at an informal conference, PHMSA will notify the operator of its final decision. The operator must comply with the final decision within 30 days of issuance unless PHMSA allows additional time.

(d) For those response zones of pipelines, described in §194.103(c), OPS will approve the response plan if OPS determines that the response plan meets all requirements of this part. OPS may consult with the U.S. Environmental Protection Agency (EPA) or the U.S. Coast Guard (USCG) if a Federal on-scene coordinator (FOSC) has concerns about the operator's ability to respond to a worst case discharge.

(e) If OPS has not approved a response plan for a pipeline described in §194.103(c), the operator may submit a certification to OPS that the operator has obtained, through contract or other approved means, the necessary personnel and equipment to respond, to the maximum extent practicable, to a worst case discharge or a substantial threat of such a discharge. The certificate must be signed by the qualified individual or an appropriate corporate officer.

(f) If OPS receives a request from a FOSC to review a response plan, OPS may require an operator to provide a copy of the response plan to the FOSC. OPS may consider FOSC comments on response techniques, protecting fish, wildlife and sensitive environments, and on consistency with the ACP. OPS remains the approving authority for the response plan.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993 as amended by Amdt. 194-4, 70 FR 8734, Feb. 23, 2005; Amdt. 194-5, 70 FR 11135, Mar. 8, 2005; Amdt. 194-[6], 73 FR 16562, Mar. 28, 2008]

§194.121 Response plan review and update procedures.

(a) Each operator shall update its response plan to address new or different operating conditions or information. In addition, each operator shall review its response plan in full at least every 5 years from the date of the last submission or the last approval as follows:

(1) For substantial harm plans, an operator shall resubmit its response plan to OPS every 5 years from the last submission date.

(2) For significant and substantial harm plans, an operator shall resubmit every 5 years from the last approval date.

(b) If a new or different operating condition or information would substantially affect the implementation of a response plan, the operator must immediately modify its response plan to address such a change and, within 30 days of making such a change, submit the change to PHMSA. Examples of changes in operating conditions that would cause a significant change to an operator's response plan are:

(1) An extension of the existing pipeline or construction of a new pipeline in a response zone not covered by the previously approved plan;

(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) The type of oil transported, if the type affects the required response resources, such as a change from crude oil to gasoline;

(4) The name of the oil spill removal organization;

(5) Emergency response procedures;

(6) The qualified individual;

(7) A change in the NCP or an ACP that has significant impact on the equipment appropriate for response activities; and,

(8) Any other information relating to circumstances that may affect full implementation of the plan.

(c) If PHMSA determines that a change to a response plan does not meet the requirements of this part, PHMSA will notify the operator of any alleged deficiencies, and provide the operator an opportunity to respond, including an opportunity for an informal conference, to any proposed plan revisions and an opportunity to correct any deficiencies.

(d) An operator who disagrees with a determination that proposed revisions to a plan are deficient may petition PHMSA for reconsideration, within 30 days from the date of receipt of PHMSA's notice. After considering all relevant material presented in writing or at the conference, PHMSA will

notify the operator of its final decision. The operator must comply with the final decision within 30 days of issuance unless PHMSA allows additional time.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993 as amended by Amdt. 194-4, 70 FR 8734, Feb. 23, 2005; Amdt. 194-5, 70 FR 11135, Mar. 8, 2005]

PART 194 – RESPONSE PLANS FOR ONSHORE OIL PIPELINES

Appendix A–Guidelines for the Preparation of Response Plans

This appendix provides a recommended format for the preparation and submission of the response plans required by 49 CFR Part 194. Operators are referenced to the most current version of the guidance documents listed below. Although these documents contain guidance to assist in preparing response plans, their use is not mandatory:

(1) The "National Preparedness for Response Exercise Program (PREP) Guidelines" (PREP), which can be found using the search function on the USCG's PREP Web page, *http://www.uscg.mil*;

(2) The National Response Team's "Integrated Contingency Plan Guidance," which can be found using the search function at the National Response Center's Web site, *http://www.nrt.org* and;

(3) 33 CFR Part 154, Appendix C, "Guidelines for Determining and Evaluating Required Response Resources for Facility Response Plans."

Response Plan: Section 1. Information Summary

Section 1 would include the following:

(a) For the core plan:

(1) The name and address of the operator; and

(2) For each response zone which contains one or more line sections that meet the criteria for determining significant and substantial harm as described in §194.103, a listing and description of the response zones, including county(s) and state(s).

(b) For each response zone appendix:

(1) The information summary for the core plan;

(2) The name and telephone number of the qualified individual, available on a 24-hour basis;

(3) A description of the response zone, including county(s) and state(s) in which a worst case discharge could cause substantial harm to the environment;

(4) A list of line sections contained in the response zone, identified by milepost or survey station number or other operator designation.

(5) The basis for the operator's determination of significant and substantial harm; and,

(6) The type of oil and volume of the worst case discharge.

(c) The certification that the operator 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.

Response Plan: Section 2. Notification Procedures

Section 2 would include the following:

(a) Notification requirements that apply in each area of operation of pipelines covered by the plan, including applicable State or local requirements;

(b) A checklist of notifications the operator or qualified individual is required to make under the response plan, listed in the order of priority;

(c) Names of persons (individuals or organizations) to be notified of a discharge, indicating whether notification is to be performed by operating personnel or other personnel;

(d) Procedures for notifying qualified individuals;

(e) The primary and secondary communication methods by which notifications can be made; and,

(f) The information to be provided in the initial and each follow-up notification, including the following:

(1) Name of pipeline;

(2) Time of discharge;
(3) Location of discharge;
(4) Name of oil involved;
(5) Reason for discharge (e.g., material failure, excavation damage, corrosion);
(6) Estimated volume of oil discharged;
(7) Weather conditions on scene; and,
(8) Actions taken or planned by persons on scene.

Response Plan: Section 3. Spill Detection and On-Scene Spill Mitigation Procedures

Section 3 would include the following:
(a) Methods of initial discharge detection;
(b) Procedures, listed in the order of priority, that personnel are required to follow in responding to a pipeline emergency to mitigate or prevent any discharge from the pipeline;
(c) A list of equipment that may be needed in response activities on land and navigable waters, including–
(1) Transfer hoses and connection equipment;
(2) Portable pumps and ancillary equipment; and,
(3) Facilities available to transport and receive oil from a leaking pipeline;
(d) Identification of the availability, location, and contact telephone numbers to obtain equipment for response activities on a 24-hour basis; and,
(e) Identification of personnel and their location, telephone numbers, and responsibilities for use of equipment in response activities on a 24-hour basis.

Response Plan: Section 4. Response Activities

Section 4 would include the following:
(a) Responsibilities of, 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 the response plan;
(b) The qualified individual's responsibilities and authority, including notification of the response resources identified in the plan;
(c) Procedures for coordinating the actions of the operator or qualified individual with the action of the OSC responsible for monitoring or directing those actions;
(d) Oil spill response organizations available, through contract or other approved means, to respond to a worst case discharge to the maximum extent practicable; and,
(e) For each organization identified under paragraph (d) of this section, a listing of:
(1) Equipment and supplies available; and
(2) Trained personnel necessary to continue operation of the equipment and staff the oil spill removal organization for the first 7 days of the response.

Response Plan: Section 5. List of Contacts

Section 5 would include the names and addresses of the following individuals or organizations, with telephone numbers at which they can be contacted on a 24-hour basis;
(a) A list of persons the plan requires the operator to contact;
(b) Qualified individuals for the operator's areas of operation;
(c) Applicable insurance representatives or surveyors for the operator's areas of operation; and,
(d) Persons or organizations to notify for activation of response resources.

Response Plan: Section 6. Training Procedures

Section 6 would include a description of the training procedures and programs of the operator.

Response Plan: Section 7. Drill Procedures

Section 7 would include a description of the drill procedures and programs the operator uses to assess whether its response plan will function as planned. It would include:

(a) Announced and unannounced drills;

(b) The types of drills and their frequencies. For example, drills could be described as follows:

(1) Manned pipeline emergency procedures and qualified individual notification drills conducted quarterly.

(2) Drills involving emergency actions by assigned operating or maintenance personnel and notification of the qualified individual on pipeline facilities which are normally unmanned, conducted quarterly.

(3) Shorebased spill management team tabletop drills conducted yearly.

(4) Oil spill removal organization field equipment deployment drills conducted yearly.

(5) A drill that exercises the entire response would be conducted at least once every 3 years.

Response Plan: Section 8. Response Plan Review and Update Procedures

Section 8 would include the following:

(a) Procedures to meet §194.121; and

(b) Procedures to review the plan after a worst case discharge and to evaluate and record the plan's effectiveness.

Response Plan: Section 9. Response Zone Appendices.

Each response zone appendix would provide the following information:

(a) The name and telephone number of the qualified individual;

(b) Notification procedures;

(c) Spill detection and mitigation procedures;

(d) Name, address, and telephone number of oil spill response organization;

(e) Response activities and response resources including–

(1) Equipment and supplies necessary to meet §194.115, and

(2) The trained personnel necessary to sustain operation of the equipment and to staff the oil spill removal organization and spill management team for the first 7 days of the response;

(f) Names and telephone numbers of Federal, state and local agencies which the operator expects to assume pollution response responsibilities;

(g) The worst case discharge volume;

(h) The method used to determine the worst case discharge volume, with calculations;

(i) A map that clearly shows

(1) The location of the worst case discharge, and

(2) The distance between each line section in the response zone and

(i) Each potentially affected public drinking water intake, lake, river, and stream within a radius of 5 miles (8 kilometers) of the line section, and

(ii) Each potentially affected environmentally sensitive area within a radius of 1 mile (1.6 kilometers) of the line section;

(j) A piping diagram and plan profile drawing of each line section, which may be kept separate from the response plan if the location is identified; and,

(k) For every oil transported by each pipeline in the response zone, emergency response data that–

(1) Include the name, description, physical and chemical characteristics, health and

safety hazards, and initial spillhandling and firefighting methods; and

(2) Meet 29 CFR 1910.1200 or 49 CFR 172.602.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993, as amended by Amdt. 194-3, 63 FR 37500, July 13, 1998; Amdt. 194-4, 70 FR 8734, Feb. 23, 2005]

Appendix B–High Volume Areas

As of January 5, 1993 the following areas are high volume areas:

Major Rivers	Nearest town and state
Arkansas River	North Little Rock, AR
Arkansas River	Jenks, OK
Arkansas River	Little Rock, AR
Black Warrior River	Moundville, AL
Black Warrior River	Akron, AL
Brazos River	Glen Rose, TX
Brazos River	Sealy, TX
Catawba River	Mount Holly, NC
Chattahoochee River	Sandy Springs, GA
Colorado River	Yuma, AZ
Colorado River	La Paz, AZ
Connecticut River	Lancaster, NH
Coosa River	Vincent, AL
Cumberland River	Clarksville, TN
Delaware River	Frenchtown, NJ
Delaware River	Lower Chichester, NJ
Gila River	Gila Bend, AZ
Grand River	Bosworth, MO
Illinois River	Chillicothe, IL
Illinois River	Havanna, IL
James River	Arvonia, VA
Kankakee River	Kankakee, IL
Kankakee River	South Bend, IN
Kankakee River	Wilmington, IL
Kentucky River	Salvisa, KY
Kentucky River	Worthville, KY
Maumee River	Defiance, OH
Maumee River	Toledo, OH
Mississippi River	Myrtle Grove, LA
Mississippi River	Woodriver, IL
Mississippi River	Chester, IL
Mississippi River	Cape Girardeau, MO
Mississippi River	St. James, LA
Mississippi River	New Roads, LA
Mississippi River	Ball Club, MN
Mississippi River	Mayersville, MS
Mississippi River	New Roads, LA
Mississippi River	Quincy, IL
Mississippi River	Fort Madison, IA
Missouri River	Waverly, MO
Missouri River	St. Joseph, MO
Missouri River	Weldon Springs, MO
Missouri River	New Frankfort, MO
Naches River	Beaumont, TX
Ohio River	Joppa, IL
Ohio River	Cincinnati, OH
Ohio River	Owensboro, KY
Pascagoula River	Lucedale, MS
Pascagoula River	Wiggins, MS
Pearl River	Columbia, MS
Pearl River	Oria, TX
Platte River	Ogaliala, NE
Potomac River	Reston, VA
Rappahannock River	Midland, VA
Raritan River	South Bound Brook, NJ
Raritan River	Highland Park, NJ
Red River (South)	Hanna, LA
Red River (South)	Bonham, TX
Red River (South)	Dekalb, TX
Red River (South)	Sentell Plantation, LA
Red River (North)	Wahpeton, ND
Rio Grande	Anthony, NM
Sabine River	Edgewood, TX
Sabine River	Leesville, LA
Sabine River	Orange, TX
Sabine River	Echo, TX
Savannah River	Hartwell, GA
Smokey Hill River	Abilene, KS
Susquehanna River	Darlington, MD
Tennessee River	New Johnsonville, TN
Wabash River	Harmony, IN
Wabash River	Terre Haute, IN
Wabash River	Mount Carmel, IL
White River	Batesville, AR
White River	Grand Glaise, AR
Wisconsin River	Wisconsin Rapids, WI
Yukon River	Fairbanks, AK
Major Rivers	**Nearest town and state**

Other Navigable Waters

Arthur Kill Channel, NY;
Cook Inlet, AK;
Freeport, TX;
Los Angeles/Long Beach Harbor, CA;
Port Lavaca, TX;
San Francisco/San Pablo Bay, CA.

[Part 194 - Org.,58 FR 253, Jan. 5, 1993]

INSTRUCTIONS FOR FORM PHMSA F 7000-1 (Rev. 01-2010)
ACCIDENT REPORT - HAZARDOUS LIQUID PIPELINE SYSTEMS

GENERAL INSTRUCTIONS

Each hazardous liquid pipeline operator shall file a written report for an accident that meets the criteria in 49 CFR §195.50 as soon as practicable but not more than 30 days after discovery of the accident, using the appropriate form. Hazardous liquid releases during maintenance activities need not be reported if the spill was less than 5 barrels, not otherwise reportable under 49 CFR §195.50, did not result in water pollution as described by 49 CFR §195.52(a)(4), was confined to company property or pipeline right-of-way, and was cleaned up promptly. Any spill of 5 gallons or more to water shall be reported.

If you need copies of the Form PHMSA F 7000-1 and/or instructions they can be found on the Pipeline Safety Community main page, http://phmsa.dot.gov/pipeline, by clicking the Forms hyperlink and scrolling down to the section entitled PHMSA/OPS Forms (accidents/incidents/annuals). If you have questions about this report or these instructions, please call (202) 366-8075. Please type or print all entries when submitting forms by mail or Fax.

195.50 Reporting accidents.

An accident report is required for each failure in a pipeline system subject to this part in which there is a release of the hazardous liquid or carbon dioxide transported resulting in any of the following:

(a) Explosion or fire not intentionally set by the operator.

(b) Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:

(1) Not otherwise reportable under this section;

(2) Not one described in §195.52(a)(4);

(3) Confined to company property or pipeline right-of-way; and

(4) Cleaned up promptly;

(c) Death of any person;

(d) Personal injury necessitating hospitalization;

(e) Estimated property damage, including cost of clean-up and recovery, value of lost product, and damage to the property of the operator or others, or both, exceeding $50,000.

195.52 Telephonic Notice of Certain Accidents.

(a) At the earliest practicable moment following discovery of a release of the hazardous liquid or carbon dioxide transported resulting in an event described in §195.50, the operator of the system shall give notice, in accordance with paragraph (b) of this section, of any failure that:

(1) Caused a death or a personal injury requiring hospitalization;

(2) Resulted in either a fire or explosion not intentionally set by the operator;

(3) Caused 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;

(4) Resulted in pollution of any stream, river, lake, reservoir, or other similar 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; or

(5) In the judgment of the operator was significant even though it did not meet the criteria of any other paragraph of this section.

(b) Reports made under paragraph (a) of this section are made by telephone to 800-424-8802 (for those without 800 access: 202-267-2675) and must include the following information:

(1) Name and address of the operator.

(2) Name and telephone number of the reporter.

(3) The location of the failure.

(4) The time of the failure.

(5) The fatalities and personal injuries, if any.

(6) All other significant facts known by the operator that are relevant to the cause of the failure or extent of the damages.

Telephonic reports are assigned an NRC number, which operators should note. **When applicable, National Response Center call information must be reported in Question 6 of the Form PHMSA F 7000-1.**

§ 195.54 Accident reports.

(a) Each operator that experiences an accident that is required to be reported under §195.50 shall as soon as practicable, but not later than 30 days after discovery of the accident, prepare and file an accident report on DOT Form 7000–1, or a facsimile.

(b) Whenever an operator receives any changes in the information reported or additions to the original report on DOT Form 7000–1, it shall file a supplemental report within 30 days.

REPORTING METHODS

Use one of the following methods to submit your report. We prefer online reporting over hardcopy submissions. If you prefer, you can mail or fax your completed reports to DOT/PHMSA.

1. Online

a. Navigate to the new **Electronic Incident Accident (EIA) System** at the following URL http://pipelineonlinereporting.phmsa.dot.gov/.
b. Enter Operator ID and PIN (*the name that appears is the operator name assigned to the operator ID and PIN and is automatically populated by our database and cannot be changed by the operator at the time of filing*).
c. Under "**Create Reports**" on the left side of the screen, select the type of report you would like to create (i.e., gas transmission or gas distribution incident, or hazardous liquid accident) and proceed with entering your data. **Note**: *Data fields marked with a single asterisk are considered required fields that must be completed before the system will accept your initial filing.*
d. Click "**Submit**" when finished with your filing to have your report uploaded to our database; or click "**Save**" which doesn't submit the report to PHMSA but stores it in a draft status to allow you to come back to complete your filing at a later time. **Note**: *The "Save" feature will allow you to start a report and save a draft of it which you can print out to gather additional information and then come back to accurately complete your data entry before submitting it to PHMSA*.
e. Once you hit [Submit], the system will return you to the initial view of the screen that lists your [Saved Incident/Accident Reports] in the top portion of the screen and your [Submitted Incident/Accident Reports] in the bottom portion of the screen. **Note**: *To confirm that your report was successfully submitted to PHMSA, look for it in the bottom portion of the screen where you can also view a PDF of what you submitted.*

Note: **Supplemental Report Filing** follow steps 1.a and 1.b above and then select a report from the [Submitted Incident/Accident Reports] lists as described in step 1.e. The report will default to supplemental and pre-populate data fields with data you previously submitted. At this point, you can amend your data and re-submit the report to PHMSA.

If you submit your report online, PLEASE DO NOT MAIL OR FAX the completed report to DOT as this may result in duplicate entries.

2. Mail to:

DOT/PHMSA Office of Pipeline Safety
Information Resources Manager,
1200 New Jersey Ave., SE
East Building, 2nd Floor, (PHP-10)
Room Number E22-321
Washington, DC 20590

3. Fax to: Information Resources Manager at (202) 366-4566.

RESCINDING A REPORT

An operator who reports an accident and upon subsequent investigation determines that the event did not meet the criteria in 49 CFR 195.50 may request that its report be rescinded. Requests for rescission should be submitted on operator letterhead and mailed or faxed to the Information Resources Manager at the address/fax number above. Requests may also be submitted by email to InformationResourcesManager@dot.gov. Requests should include the following information:

a: The Report ID, the unique 8-digit identifier assigned by PHMSA,
b. Operator name,
c: PHMSA-issued operator ID number,
d. The number assigned by the National Response Center when telephonic report was made in accordance with 49 CFR 192.52 (if telephonic report was required),
e. Date of the accident,
f. Location of the accident (e.g., for onshore accidents: city, county, state), and
g. A brief statement as to why the report should be rescinded.

SPECIAL INSTRUCTIONS

1. Certain data fields must be completed before an Original Report will be accepted. The data fields that must be completed for an Original Report to be accepted are indicated on the form by a single asterisk (*). If filing a hardcopy of this report, the report will not be accepted by PHMSA unless all of these fields have been completed. If filing on-line, your Original Report will not be able to be submitted until the required information has

been provided, although your partially completed form can be saved on-line so that you can return at a later time to provide the missing information.

2. An entry should be made in each applicable space or check box, unless otherwise directed by the section instructions.

3. If the data is unavailable, enter "unknown" for text fields and leave numeric fields and fields using check boxes or "radio" buttons blank.

4. If possible**,** provide an **estimate** in lieu of answering a question with "unknown" or leaving the field blank. Estimates should be based on best-available information and reasonable effort.

5. For unknown or estimated data entries, the operator should file a supplemental report when additional information becomes available to finalize the report.

6. If the question is not applicable, please enter "N/A" for text fields and leave numeric fields and fields using check boxes or "radio" buttons blank.

7. For questions requiring numeric answers, all data fields should be filled in using zeroes when appropriate. When decimal points are required, **the decimal point should be placed in a separate block** in the data field.

   Examples:

(Part C, item 3.a,) Nominal diameter of pipe (in):	/0/0/2/4/	(24 inches)
	/3/./5/	(3.5 inches)
(Part C, item 3.b), Wall thickness (in)	/0/**.**/3/1/2/	(0.312 inches)
(Part C, item 3.c), SMYS	/0/5/2/,/0/0/0/	(52,000 psi)

8. If **OTHER** is checked for any answer to a question, please include an explanation or description on the line provided next to the item checked.

9. Pay close attention to each question for the phrase:
   a. ***(select all that apply)***
   b. ***(select only one)***
   If the phrase does not exist for a given question, then "select only one" is the default instruction. "Select all that apply" means that you should choose all answers that are applicable. "Select only one" means that you should select the single, primary or most applicable answer. DO NOT SELECT MORE ANSWERS THAN REQUESTED.

10. **Date format** mm/dd/yy or for year /yyyy/

11. **Time format:** All times are reported as a 24-hour clock:

    Time format Examples:

a. (0000)	midnight	/0/0/0/0/
b. (0800)	8:00 a.m.	/0/8/0/0/
c. (1200)	Noon	/1/2/0/0/
d. (1715)	5:15 p.m.	/1/7/1/5/
e. (2200)	10:00 p.m.	/2/2/0/0/

12. **Local time** always refers to time at the site of the accident.

SPECIFIC INSTRUCTIONS

PART A – GENERAL REPORT INFORMATION

Report Type: ***(select all that apply)***

Check the appropriate report box or boxes to indicate the type of report being filed. Depending on the descriptions below, the following combinations of boxes may be selected:

- Original Report only
- Original Report plus Final Report
- Supplemental Report only
- Supplemental Report plus Final Report

☐ **Original Report**
Select this type of report if this is the FIRST report filed for this accident.

If all of the information requested is known and provided at the time the initial report is filed, including final property damages and accident cause information, check the box for "Final Report" as well as the box for "Original Report," indicating that no further information will be forthcoming.

☐ **Supplemental Report**
Select this type of report only if you have already filed an "Original Report" AND you are now providing new, updated, and/or corrected information. Multiple supplements are to be submitted as needed in order to provide new, updated, and/or corrected information as it becomes available.

For Supplemental Reports filed by fax or mail, please check the **Supplemental Report** box, complete Part A, Items 1 through 6, and then enter information that has changed or is being added. Please do not enter previously submitted information that has not changed other than Items 1-6, which are needed to provide a way to identify previously filed reports.

For Supplemental Reports filed online, all data previously submitted will automatically populate in the form. Page through the form to make edits and additions where needed.

Operators are encouraged to file supplemental reports within one year in those instances where the supplemental report is used to update information from investigations that were still ongoing when the prior report was filed.

☐ **Final Report**
Select this type of report if you are filing an "Original Report" for which no further information will be forthcoming (as described under "Original Report" above) or if you have already filed an "Original Report" AND you are now providing new, updated, and/or corrected information via a "Supplemental Report" AND you are reasonably certain that no further information will be forthcoming. (Note: If an Operator files one of the two types of "Final" Reports and then subsequently finds that new information needs to be provided, it should submit another "Supplemental Report" and select the appropriate box or boxes "Supplemental + Final" (if appropriate) for the newly submitted report and include an explanation in the PART H Narrative.)

Supplemental reports must be filed within 30 days following the Operator's awareness of new, additional, or updated information. Failure to comply with these requirements can result in enforcement actions, including the assessment of civil penalties not to exceed $100,000 for each violation for each day that such violation persists up to a maximum of $1,000,000

Required Fields for Small Releases:

If the release is at least 5 gallons but is less than 5 barrels with no additional consequences (see below), complete only the fields indicated by light-grey shading. If the spill is to water as described in 49 CFR §195.52(a)(4) or is otherwise reportable under §195.50, then the entire Form F 7000-1 must be completed.

The entire form must be completed for any releases that

- Involve death or personal injury requiring hospitalization; or
- Involve fire or explosion; or
- Are 5 barrels or more; or
- Have property damage greater than $50,000: or
- Result in pollution of a body of water.

If any of these events occurred, complete the entire Form F 7000-1.

In Part A, answer questions from 1 thru 18 by providing the requested information or by checking the appropriate box.

1. Operator's OPS -Issued Operator Identification Number (OPID):

The Pipeline and Hazardous Materials Safety Administration (PHMSA) assigns the operator's identification number. Most OPIDs are 5 digits. Older OPIDs may contain fewer digits. If your OPID contains fewer than 5 digits, insert leading zeros to fill all blanks. Contact us at (202) 366-8075 if you need assistance with an identification number during our business hours of 8:30 AM to 5:00 PM Eastern Time.

2. Name of Operator

This is the company name used when registering for an Operator ID and PIN in the Online Data Entry System. For online entries, the Name of Operator should be automatically filled in based on the Operator Identification Number entered in question 1. If the name that appears does not coincide with the Operator ID, contact PHMSA at the number provided in Question 1.

3. Address of Operator

Enter the address of the operator's business office to which any correspondence related to the accident report should be sent.

4. Local time (24-hour clock) and date of the Accident.

For pipeline systems crossing multiple time zones, enter the time at the location of the accident.

See page 5 for examples of **Date format** and **Time format** expressed as a 24-hour clock

5. Location of Accident:

The latitude and longitude of the accident are to be reported as Decimal Degrees with a minimum of 5 decimal places (e.g. Lat: 38.89664 Long: -77.04327), using the NAD83 or WGS84 datums.

If you have coordinates in degrees/minutes or degrees/minutes/seconds use the formula below to convert to decimal degrees:

degrees + (minutes/60) + (seconds/3600) decimal degrees
e.g. 38° 53' 47.904" 38 + (53/60) + (47.904/3600) 38.89664°

All locations in the United States will have a negative longitude coordinate**, which has already been printed on the form**.

If you cannot locate the accident with a GPS or some other means, the U.S. Census Bureau provides a tool for determining latitude and longitude, (http://tiger.census.gov/cgi-bin/mapbrowse-tbl). You can use the online tool to identify the geographic location of the accident. The tool displays the latitude and longitude in decimal degrees below the map. Any questions regarding the required format, conversion or how to use the tool noted above can be directed to Amy Nelson (202.493.0591 or amy.nelson@dot.gov).

6. National Response Center (NRC) Report Number

Accidents meeting the criteria outlined in §195.52 are to be reported directly to the **24-hour National Response Center (NRC): at 1-800-424-8802** at the earliest practicable moment (generally within 2 hours). The number of that telephonic report is to be entered in

Question 6.

7. Local time (24-hr clock) and date of initial telephonic report to the National Response Center:

Enter the time (local time at site of the accident) and date of the telephonic report of accident. The time should be shown by 24-hour clock notation (see page 5 for examples).

8. Commodity Released

Select only one primary description of the commodity and then, where applicable, the secondary description of the commodity, based on the predominant volume released. Only releases of transported commodities are reportable.

☐ **Crude Oil**

☐ **Refined and/or Petroleum Product (non-HVL) which is a Liquid at Ambient Conditions**

Refined and/or Petroleum Product includes gasoline, diesel, jet fuel, kerosene, fuel oils, or other refined or petroleum products which are a liquid at ambient conditions. They are flammable, toxic, or corrosive products obtained from distilling or processing of crude oil, unfinished oils, natural gas liquids, blend stocks, and other miscellaneous hydrocarbon compounds. For a non-HVL petrochemical feedstock, such as propylene, report as "other" and specify the name of the commodity (e.g., "propylene") in the space provided.

☐ **HVL or Other Flammable or Toxic Fluid which is a Gas at Ambient Conditions**

Highly Volatile Liquids (HVLs) are hazardous liquids or liquid mixtures which will form a vapor cloud when released to the atmosphere and have a vapor pressure exceeding 276 kPa at 37.8 C.

Other Flammable or Toxic Fluids are those defined under 49 CFR 173.120 Class 3 Definitions

Other flammable or toxic fluids which fall under this category include gases at ambient conditions, such as anhydrous ammonia (NH_3) and propane. For a petrochemical feedstock, such as ethane or ethylene, which is also classified as a highly volatile liquid, report as "Other HVL" and specify the appropriate name (e.g., "ethane" or "ethylene") in the space provided.

☐ **CO_2 (Carbon Dioxide)**

☐ **Biofuel/Alternate Fuel (including ethanol blends)**

Fuel Grade Ethanol is denatured ethanol before it has been mixed with a petroleum product or other hydrocarbon; sometimes also referred to as neat ethanol.

Ethanol Blend is ethanol plus a petroleum product such as gasoline. Such mixtures may be referred to as E10 or E85, for example, representing a 10% or 85% blend

respectively. In the space provided, specify the percentage of ethanol in the mixture. Blends greater than 95% ethanol should be reported as Fuel Grade Ethanol.

Biodiesel is a diesel liquid distilled from biological feedstocks vs. crude oil. Biodiesel is typically shipped as a blend mixed with a petroleum product. Report the percentage biodiesel in the blend as shown. For pure biodiesel, report 100.

9. Estimated volume of commodity released unintentionally:

An estimate of the volume released may be based on a variety and/or combination of inputs, including

- calculations made by hydraulic engineers
- volume added to the pipeline segment to repack the line when the line is placed back in service
- measured volume of free phase commodity recovered, with allowances for commodity that is not recovered.
- volume calculated to be absorbed by soil or water
- volume calculated to have been lost to evaporation (e.g., for gasoline spills)

Report all estimated volumes in BARRELS. Barrel means a unit of measurement equal to **42 U.S. standard gallons**. The table below converts gallons to barrels.

If estimated volume is		Report		If estimated volume is		Report	
5	gallons	**0.12**	barrels	24	gallons	**0.57**	barrels
6	gallons	**0.14**	barrels	25	gallons	**0.60**	barrels
7	gallons	**0.17**	barrels	26	gallons	**0.62**	barrels
8	gallons	**0.19**	barrels	27	gallons	**0.64**	barrels
9	gallons	**0.21**	barrels	28	gallons	**0.67**	barrels
10	gallons	**0.24**	barrels	29	gallons	**0.69**	barrels
11	gallons	**0.26**	barrels	30	gallons	**0.71**	barrels
12	gallons	**0.29**	barrels	31	gallons	**0.74**	barrels
13	gallons	**0.31**	barrels	32	gallons	**0.76**	barrels
14	gallons	**0.33**	barrels	33	gallons	**0.79**	barrels
15	gallons	**0.36**	barrels	34	gallons	**0.81**	barrels
16	gallons	**0.38**	barrels	35	gallons	**0.83**	barrels
17	gallons	**0.41**	barrels	36	gallons	**0.86**	barrels
18	gallons	**0.43**	barrels	37	gallons	**0.88**	barrels
19	gallons	**0.45**	barrels	38	gallons	**0.91**	barrels
20	gallons	**0.48**	barrels	39	gallons	**0.93**	barrels
21	gallons	**0.50**	barrels	40	gallons	**0.95**	barrels
22	gallons	**0.52**	barrels	41	gallons	**0.98**	barrels
23	gallons	**0.55**	barrels	42	gallons	**1.000**	barrels

10. Estimated volume of intentional and/or controlled release/blowdown:

Estimate the amount of commodity that was released during any intentional release or controlled blowdown conducted as part of responding to or recovering from the incident. Intentional and controlled blowdown implies a level of control of the site and situation by the Operator such that the area and the public are protected during the controlled release.

11. Estimated volume of commodity recovered:

Recovered means the commodity is no longer in the environment. The commodity could have been removed by: absorbent pads or similar mechanisms; transferring to temporary storage such as a vacuum truck, a frac tank, or similar vessel; soil removal; bio-remediation; or other similar means of removal or recovery. The volume can be estimated based on a variety or combination of the measurement of free phase commodity recovered, the amount calculated to be absorbed by soil or water that was removed from the environment, measurement of oil extracted from absorbent pads, etc.

Report all estimated volumes in BARRELS. See conversion table above to convert from gallons to barrels.

12. Were there fatalities?

If a person dies at the time of the accident or within 30 days of the initial accident date due to injuries sustained as a result of the accident, report as a fatality. If a person dies subsequent to an injury more than 30 days past the accident date, report as an injury. This

aligns with the Department of Transportation's general guidelines for all modes for reporting deaths and injuries.

Contractor employees working for the operator means people hired to work for or on behalf of the operator of the pipeline.

Non-operator emergency responders means people responding to render professional aid at the accident scene including on-duty fire fighters, rescue workers, EMTs, police officers, etc. "Good Samaritans" that stop to assist should be reported as "General public."

Workers Working on the Right of Way, but NOT Associated with this Operator means people authorized to work in or near the right-of-way, but not hired by or working on behalf of the operator of the pipeline. This includes all work conducted within the right of way including work associated with other underground facilities sharing the right of way, building/road construction in or across the right of way, or farming. This category most often includes employees of other pipelines or underground facilities operators, or their contractors, working in or near a shared right-of-way. Workers performing work near, but not on, the right of way and who are affected should be reported as general public.

13. Were there injuries requiring inpatient hospitalization?
Injuries requiring inpatient hospitalization mean injuries sustained as a result of the accident which require both hospital admission *and* at least one overnight stay.

14. Was the pipeline/facility shut down due to the Accident?
Report any shutdowns that occur as a result of the accident (including but not limited to those required for damage assessment, repair, and clean-up). Instances in which an accident was caused by a release that did not involve damage to the pipeline (e.g., incorrect operations) and in which no need for repairs resulted need not be reported as being shutdown, even though the pipeline may have been shutdown as a precautionary measure to inspect for damages.

If No is selected, explain the reason that no shutdown was needed in the blank provided.

If Yes is selected, complete questions 14.a and 14.b.

14.a. Local time (24hr clock) and date of shutdown
For pipeline systems crossing multiple time zones, enter the time at the location of the accident.

14.b. Local time pipeline/facility restarted
Report the time the pipeline/facility was restarted (if applicable). If the pipeline or facility has not been restarted at the time of reporting, check "Still shut down" and then include the restart time in a future Supplemental Report.

15. Did the Commodity Ignite?
Ignite means the commodity caught fire**.**

16. Did the Commodity Explode?
Explode means the release of the transported commodity resulted in a sudden and violent release of energy, whether accompanied by a fire involving the released commodity or not.

17. Number of General Public Evacuated:
The number of people evacuated should be estimated based on operator knowledge, or police, fire or other emergency responder reports or estimates. If there was no evacuation involving the general public, report "0." If an estimate is not possible for some reason, leave blank but include an explanation of why it was not possible in the Part H Narrative.

18. Time sequence (use local time, 24-hour clock)

Enter the time the operator became aware that an event constituted an accident (i.e., identified the accident) and the time operator personnel or contract resources (i.e., personnel and/or equipment) arrived on site. All times should be local times at the location of the accident.

PART B – ADDITIONAL LOCATION INFORMATION

1. Was the origin of the Accident onshore?
Answer Yes or No as appropriate and complete only the designated questions.

For onshore pipelines

2 – 5. Accident Location
Provide the state, zip code, city, and county/parish in which the accident occurred.

6. Operator-Designated Location:

This is intended to be the designation that the operator would use to identify the location of the accident on its pipeline system. Enter the appropriate milepost/valve station or survey station number. This designator is intended to allow PHMSA personnel to both return to the physical location of the accident using the operator's own maps and identification systems as well as to identify the "paper" location of the accident when reviewing operator maps and records.

7. Pipeline/Facility Name

Multiple pipeline systems and/or facilities are often operated by a single operator. This information identifies the particular pipeline system or pipeline facility name commonly used by the operator on which the accident occurred, for example, the "West Line 24" Pipeline", or "Gulf Coast Pipeline", or "Wooster Terminal".

8. Segment name/ID

Within a given pipeline system and/or facility, there are typically multiple segment or station identifiers, names, or ID's which are commonly used by the operator. The information reported here helps locate and/or record the more precise accident location, for example, "Segment 4-32", or "MP 4.5 to Wayne County Line", or "Dublin Pump Station", or "Witte Meter Station".

9. Was the Accident on Federal Lands other than Outer Continental Shelf?

Federal Lands other than Outer Continental Shelf means all lands the United States owns, including military reservations, except lands in National Parks and lands held in trust for Native Americans. Accidents at Federal buildings, such as Federal Court Houses, Custom Houses, and other Federal office buildings and warehouses, are NOT to be reported as being on Federal Lands.

10. Location of Accident

Operator-controlled Property would normally apply to an operator's facility, which may or may not have controlled access, but which is often fenced or otherwise marked with discernible boundaries. This "operator-controlled property" does not refer to the pipeline right-of-way, which is a separate choice for this question.

11. Area of Accident (as found)

Underground means pipe, components or other facilities installed below the natural ground level, road bed, or below the underwater natural bottom.

Under pavement includes under streets, sidewalks, paved roads, driveways and parking lots.

Exposed due to Excavation means that a normally buried pipeline had been exposed by any party (operator, operator's contractor, or third party) preparatory to or as a result of excavation. The cause of the release, however, may or may not necessarily be related to excavation damage. This category could include a corrosion leak not previously evidenced by stained vegetation, but found during an ILI dig, or a release caused by a non-excavation vehicle where contact happened to occur while the pipeline was exposed for a repair or examination. Natural forces might also damage a pipeline that happened to be temporarily exposed. In each case, the cause should be appropriately reported in section G of this form.

Aboveground means pipe, components or other facilities that are above the natural grade.

Typical aboveground facility piping includes any pipe or components installed aboveground such as those at pump stations, valve sites, and breakout tank farms.

Transition area means the junction of differing material or media between pipes, components, or facilities such as those installed at a belowground-aboveground junction (soil/air interface), another environmental interface, or in close contact to supporting elements such as those at water crossings, pump stations and break out tank farms.

12. Did Accident occur in a crossing?

Use **Bridge Crossing** if the pipeline is suspended above a body of water or roadway, railroad right-of-way, etc., either on a separately designed pipeline bridge or as a part of or connected to a road, railroad, or passenger bridge.

Use **Railroad Crossing** or **Road Crossing**, as appropriate, if the pipeline is buried beneath rail bed or road bed.

Use **Water Crossing** if the pipeline is in the water, beneath the water, in contact with the natural ground of the lake bed, etc., or buried beneath the bed of a lake, reservoir, stream or creek, whether the crossing happens to be flowing water at the time of the accident or not. The name of the body of water should be provided if it is commonly known and understood among the local population. (The purpose of this information is to allow persons familiar with the area in which the accident occurred to identify the location and understand it in its local context. Research to identify names that are not commonly used is not necessary since such names would not fulfill the intended purpose. If a body of water does not have a name that is commonly used and understood in the local area, this field should be left blank).

For **Approximate Water Depth (ft)** of the lake, reservoir, etc., estimate the typical water depth at the location of the accident, allowing for seasonal, weather-related and other factors which may affect the water depth from time to time.

For offshore pipelines

13. Approximate Water Depth (ft.), at the point of the Accident:
This should be the estimated depth from the surface of the water to the seabed at the point of the accident regardless of whether the pipeline is below/on the bottom, underwater but suspended above the bottom, or above the surface (e.g., on a platform).

14. Origin of the Accident

Area and Tract/Block numbers should be provided for either State or OCS waters, whichever is applicable.

For Nearest County/Parish, as with the name of an onshore body of water (see question 12 above), the data collected is intended to allow persons familiar with the area in which the accident occurred to identify the location and understand it in its local context. Accordingly, it is not necessary to take measurements to determine which county/parish is "nearest" in cases where the accident location is approximately equidistant from two (or more). In such cases, the name of one of the nearby counties/parishes should be provided.

PART C – ADDITIONAL FACILITY INFORMATION

1. Is the pipeline or facility [Interstate or Intrastate]?

As defined in section 195.2, "**Interstate pipeline** means a pipeline or that part of a pipeline that is used in transportation of hazardous liquids or carbon dioxide in interstate or foreign commerce."

As defined in section 195.2, "**Intrastate pipeline** means a pipeline or that part of a pipeline to which [part 195] applies that is not an interstate pipeline.

Operators may refer to Appendix A of Part 195 for further guidance.

3. Item involved in Accident

Pipe (whether pipe body or pipe seam) means the pipe through which the commodity is transported, not including auxiliary piping, tubing or instrumentation.

Nominal diameter of pipe is also called **Nominal pipe size.** It is the diameter in whole number inches (except for pipe less than 4") used to describe the pipe size; for example, 8-5/8 pipe has a nominal pipe size of 8". Decimals are unnecessary for this measure (except for pipe less than 4").

Enter **pipe wall thickness** in inches. Wall thickness is typically less than one inch, and is standard among different pipeline types and manufacturers. Accordingly, use three decimal places to report wall thickness: 0.312, 0.281, etc.

SMYS means specified minimum yield strength and is the yield strength prescribed by the specification under which the material is purchased from the manufacturer.

Pipe Specification is the specification to which the pipe was manufactured, such as API 5L or ASTM A106.

Pipe seam means the longitudinal seam (longitudinal weld) created during manufacture of the joint of pipe.

Pipe Seam Type Abbreviations
SAW means submerged arc weld
ERW means electric-resistance weld
DSAW means double submerged arc weld

Auxiliary piping means piping, usually small in diameter that supports the operation of the mainline or facility piping and does not include tubing. Examples of auxiliary piping include discharge and drain lines, sample lines, etc.

If the accident occurred on an item not provided in this section, check the OTHER box and specify in the space provided the item that failed.

6. Type of Accident involved (select only one):

Mechanical puncture means a puncture of the pipeline, typically by a piece of equipment such as would occur if the pipeline were pierced by directional drilling or a backhoe bucket tooth. Not all excavation-related damage will be a "mechanical puncture." (Precise

measurement of size e.g., micrometer is not needed. Approximate measurements can be provided in inches and one decimal.)

Leak means a failure resulting in an unintentional release of the transported commodity that is often small in size, usually resulting in a low flow release of low volume, although large volume leaks can and do occur on occasion.

Rupture means a loss of containment that immediately impairs the operation of the pipeline. Pipeline ruptures often result in a higher flow release of larger volume. The terms "circumferential" and "longitudinal" refer to the general direction or orientation of the rupture relative the pipe's axis. They do not exclusively refer to a failure involving a circumferential weld such as a girth weld, or to a failure involving a longitudinal weld such as a pipe seam. (Precise measurement of size e.g., micrometer is not needed. Approximate measurements can be provided in inches and one decimal.)

PART D – ADDITIONAL CONSEQUENCE INFORMATION

Per 195.450, High Consequence Area means:

1. A *commercially navigable waterway*, which means a waterway where a substantial likelihood of commercial navigation exists;
2. A *high population area*, which means an urbanized area as defined and delineated by the Census Bureau that contains 50,000 or more people and has a population density of at least 1,000 people per square mile;
3. An *other populated area*, which means a place as defined and delineated by the Census Bureau that contains a concentrated population, such as an incorporated or unincorporated city, town, village, or other designated residential or commercial area;
4. An *unusually sensitive area*, as defined in § 195.6

5.b Estimated amount released in or reaching water

An estimate of the volume released in or reaching water may be based on a variety and/or combination of inputs, including those mentioned above for Part A, Questions 9 and 10.

5.c Name of body of water, if commonly known:

The name of the body of water should be provided if it is commonly known and understood among the local population. (The purpose of this information is to allow persons familiar with the area in which the accident occurred to identify the location and understand it in its local context. Research to identify names that are not commonly used is not necessary since such names would not fulfill the intended purpose. If a body of water does not have a name that is commonly used and understood in the local area, this field should be left blank).

6. At the location of this Accident, had the pipeline segment or facility been identified as one that "could affect" a High Consequence Area (HCA) as determined in the Operator's Integrity Management Program?

This question should be answered based on the classification of the involved segment in the operator's integrity management (IM) program at the time of the accident, whether or not consequences to an HCA ensued. It is possible that a release on a pipeline segment that "could affect" an HCA might not actually affect an HCA. It is also possible that releases from segments thought not able to affect an HCA might have such an affect. This could indicate a deficiency in the operator's IM program for identifying segments that can affect HCAs, and all of this information is useful for PHMSA's overall evaluations concerning the efficacy of IM regulation.

7. Did the released commodity reach or occur in one or more High Consequence Area (HCA)?

Guidance available from the pipeline industry for its own spill reporting system is pertinent here. Please see **http://committees.api.org/pipeline/ppts/docs/Advisories/2004-1AdvisoryHCAReporting.pdf**

Generally, a spilled commodity will have "reached" an HCA if the spill zone intersects the boundaries of the HCA polygon as mapped by the National Pipeline Mapping System. The HCA maps should be available as a part of each operator's Integrity Management Program as per Part 195.452.

7.a. HCA Type (select all that apply)
Refer to the definitions in 192.450, reproduced above. Leave this question blank if the released commodity did not reach or occur in a High Consequence Area.

8. Estimated cost to Operator:

All relevant costs to the operator must be included on the initial written accident report as well as supplemental reports. This includes (but is not limited to) costs due to property damage to the operator's facilities and to the property of others, commodity lost, facility repair and replacement, and environmental cleanup and damage. Do not report costs incurred for facility repair, replacement, or change that is not related to the accident and done solely for convenience. An example of doing work solely for convenience is working on non-leaking facilities unearthed because of the accident. Litigation and other legal expenses related to the accident are not reportable.

Operators should report costs based on the best estimate available at the time a report is submitted. It is likely that an estimate of final repair costs may not be available when the initial report must be submitted (30 days, per Section 195.54). The best available estimate of these costs should be included in the initial report. For convenience, this estimate can be revised, if needed, when supplemental reports are filed for other reasons, however, when no other changes are forthcoming, supplemental reports should be filed as new cost information becomes available. If supplemental reports are not submitted for other reasons, a supplemental report should be filed for the purpose of correcting the estimated cost if these costs differ from those already reported by 20 percent or $20,000, whichever is greater.

Public and Non-operator private property damage estimates generally include physical damage to the property of others, the cost of environmental investigation and remediation of a site not owned or operated by the Operator, laboratory costs, third party expenses such as engineers or scientists, and other reasonable costs, excluding litigation and other legal expenses related to the accident.

Paid/reimbursed means that the entity experiencing the property damage was compensated by the operator or operator's representative for the damage or the cost to repair the damage.

Cost of commodity lost includes the cost of the commodity not recovered and/or the cost of recovered commodity downgraded to a lower value or re-processed, and should be based on the volume reported in Part A, Questions 9 and 10.

Operator's property damage estimates generally include physical damage to the property of Operator or Owner Company such as the estimated installed value of the damaged pipe, coating, component, materials or equipment due to the accident, excluding litigation and other legal expenses related to the accident.

When estimating the **Cost of repairs** to company facilities, the standard shall be the cost necessary to safely restore property to its predefined level of service. These costs may include the cost of repair sleeves or clamps, re-routing of piping, or the removal from service of an appurtenance, tank, or pipeline component. When more comprehensive repairs or improvements are justified but not required for continued operation, the cost of such repairs or replacement is not attributable to the accident. Costs associated with improvements to the pipeline to mitigate the risk of future failures are not included.

The following examples are provided for clarity and guidance:

Tank accident - Property damage estimates would include the cost to remove the tank from service, sufficiently clean the tank, repair the tank to a standard operating capability, and then return the tank to service. Costs associated with improvements to the tank to mitigate the risk of future failures are not included.

Pipeline accident - Property damage estimates include the cost to access, excavate and repair the pipeline using methods, materials, and labor necessary to re-establish operations at a predetermined level. Costs associated with improvements to the pipeline to mitigate the risk of future failures are not included.

Estimated costs of **Operator's emergency response** include emergency response operations necessary to return the accident site to a safe state, actions to minimize the volume of commodity released and conduct reconnaissance, and actions to identify the extent of accident impacts and contain, control, mitigate, recover, and remove the commodity from the environment, to the maximum extent practicable. They include materials, supplies, labor, and benefits. Costs related to stakeholder outreach, media response, etc. should not be included. The estimated costs of long-term remediation activities should be included in Environmental Remediation estimates.

Environmental remediation includes the estimated cost to remediate a site such as those associated with engineering, scientists, laboratory costs, installation of long-term recovery systems, etc.

Other costs should not include estimated cost categories separately listed above.

Costs should be reported in only one category and should not be double-counted. Costs can be split between two or more categories when they overlap more than one reporting category.

PART E – ADDITIONAL OPERATING INFORMATION

4. Not including pressure reductions required by PHMSA regulations (such as for repairs and pipe movement), was the system or facility relating to the Accident operating under an established pressure restriction with pressure limits below those normally allowed by the MOP?

Consider both voluntary and mandated pressure restrictions. A pressure restriction should be considered mandated by PHMSA or a state regulator if it was directed by an order or other formal correspondence. Pressure reductions imposed by the operator as a result of regulatory requirements, e.g., a pressure reduction taken because an anomaly identified during an IM assessment could not be repaired within the required schedule (195.452(h)(3)), should not be considered mandated by PHMSA.

5.a. Type of upstream valve used to initially isolate release source
Identify the type of valve used to initially isolate the release on the upstream side. In general, this will be the first upstream valve selected by the Operator to minimize the release volume but may not be the closest to the accident site.

5.b. Type of downstream valve used to initially isolate release source
Identify the type of valve used to initially isolate the release on the downstream side. In general, this will be the first downstream valve selected by the Operator to minimize the release volume but may not be the closest to the accident site.

5.c. Length of segment isolated between valves (ft):
Identify the length in feet between the valves identified in item 5.a and 5.b that were initially used to isolate the spill area.

5.f. Function of pipeline system

Gathering means a crude oil pipeline 8 5/8 inches or less nominal outside diameter that transports petroleum from a production facility.

Trunkline/Transmission means all other pipeline assets not meeting the gathering definition.

SMYS means specified minimum yield strength and is the yield strength prescribed by the specification under which the material is purchased from the manufacturer.

Not all rural pipelines or gathering lines operating at less than 20% of SMYS are subject to part 195 safety requirements. Reporting requirements in part 195 subpart B, however, are applicable to all rural low-stress pipelines beginning January 5, 2009 (rule change published in the Federal Register June 3, 2008, 73FR31646). The purpose of this rule change was to allow PHMSA to collect data that might be used to determine whether rural low-stress pipelines and gathering lines not now subject to other regulations should be made subject to them. Low-stress rural pipelines and low-stress rural gathering lines that are not subject to the safety requirements of part 195 are considered unregulated, for purposes of this question, even though accidents on these pipelines are required to be reported.

Accidents reported on "UNregulated" rural low-stress pipelines and "Unregulated" rural low-stress gathering lines must be identified so that the data may be separated out to be used for the purpose intended. Accordingly, for accidents occurring on pipelines operating at less than or equal to 20% SMYS, Operators should indicate whether that pipe is "Regulated" (i.e., subject to all part 195 requirements; this includes pipe in non-rural areas and regulated rural pipelines) or "UNregulated."

6. Was a Supervisory Control and Data Acquisition (SCADA)-based system in place on the pipeline or facility involved in the Accident?

This does not mean a system exclusively for leak detection.

6.a. Was it operating at the time of the Accident?
Was the SCADA system in operation at the time of the accident?

6.b. Was it fully functional at the time of the Accident?
Was the SCADA system capable of performing all of its functions, whether or not it was actually in operation at the time of the accident? If no, describe functions that were not operational in the Narrative Part H

6.c and d. Did SCADA-based information (such as alarm(s), alert(s), event(s), and/or volume calculations) assist with the detection (or confirmation) of the Accident?

Check yes if SCADA-based information was used to confirm the accident even if the initial report or identification may have come from other sources. Use of SCADA data for subsequent estimation of amount of commodity lost, etc. is not considered use to confirm the accident.

Check No if data from SCADA was not used to assist with identification of the accident.

7. Was a CPM leak detection system in place on the pipeline or facility involved in the Accident?

This means a system exclusively for leak detection.

Follow instructions for question 6 (SCADA) above,

8. How was the Accident initially identified for the Operator? (select only one)

Controller per the definition in API RP 1168 means a qualified individual whose function within a shift is to remotely monitor and/or control the operations of entire or multiple sections of pipeline systems via a SCADA system from a pipeline control room, and who has operational authority and accountability for the daily remote operational functions of pipeline systems.

Local Operating Personnel including contractors means employees or contractors working on behalf of the operator outside the control room.

9. Was an investigation initiated into whether or not the controller(s) or control room issues were the cause of or a contributing factor to the Accident?

Check only one of the boxes to indicate whether an investigation was/is being conducted (Yes) or was not conducted (No). If an investigation has been completed, select all the factors that apply in describing the results of the investigation.

Cause means an action or lack of action that directly led to or resulted in the pipeline accident.

Contributing factor means an action or lack of action that when added to the existing pipeline circumstances heightened the likelihood of the release and/or added to the impact of the release.

Controller Error means that the controller failed to identify a circumstance indicative of a release event, such as an abnormal operating condition, alarm, pressure drop, change in flow rate, or other similar event.

Incorrect Controller action means that the controller errantly operated the means for controlling an event. Examples include opening or closing the wrong valve, or hitting the wrong switch or button.

PART F – DRUG & ALCOHOL TESTING INFORMATION

Requirements for post-accident drug and alcohol tests are in 49 CFR 199.105 and 225 respectively. If the accident circumstances were such that tests were not required by these sections, and if no tests were conducted, check no. If tests were administered, check yes and report separately the number of operator employees and contractors working for the operator who were tested and who failed.

PART G – APPARENT CAUSE

In PART G – Apparent Cause
Complete only one of the eight sections listed under G1 thru G8

After identifying the main cause category as designated by G1 thru G8, select the one, single sub-cause that best describes the apparent cause of the accident in the shaded column on the left. Answer the corresponding questions that accompany your selected sub-cause, and describe any secondary, contributing, or root causes of the accident in the narrative (PART H).

G1 – Corrosion Failure

Corrosion includes a leak or failure caused by galvanic, atmospheric, stray current, microbiological, or other corrosive action, and, for the purposes of this reporting, includes selective seam corrosion. A corrosion leak is not limited to a hole in the pipe. If the bonnet or packing gland on a valve or flange on piping deteriorates or becomes loose and leaks due to corrosion or failure of bolts, it is classified as Corrosion. (If the bonnet, packing, or other gasket has deteriorated to failure before the end of its expected life but not due to corrosive action, it is classified as an Equipment Failure G6.)

External Corrosion

4.a. Under cathodic protection means cathodic protection in accordance with Paragraphs 195.563 or 195.573(b). Recognizing that older pipelines may have had cathodic protection added over a number of years, provide an estimate if the exact year cathodic protection started is unknown.

Internal Corrosion

9. Location of corrosion
A **low point in pipe** includes portions of the pipe contour in which water might settle out. This includes, but is not limited to, the low point of vertical bends at a crossing of a foreign line or road/railroad, etc., an elbow, a drop out or low point drain.

10. Was the commodity treated with corrosion inhibitors or biocides?
Answer yes if corrosion inhibitors or biocides were included in the commodities transported.

12. Were cleaning/dewatering pigs (or other operations) routinely utilized?
13. Were corrosion coupons routinely utilized?

For purposes of these questions, “routinely” refers to an action that is performed on more than a sporadic or one-time basis as part of a regular program with the intent to ensure that water build-up and/or settling and internal corrosion do not occur.

Either External or Internal Corrosion

14. List the year of the most recent inspections:

Complete this question only when any corrosion failure sub-cause is selected and the item involved in the accident (as reported in Part C, Question 3) is tank/vessel. Do not complete if the item involved is pipe or weld.

15.a. If Yes, for each tool used, select type of internal inspection tool and indicate most recent year run:

Magnetic Flux Leakage Tool is an in-line inspection tool using an imposed magnetic flux to detect instances of pipe wall loss from corrosion. Includes low- and high-resolution MFL tools. Does not include transverse flux MFL tools, which are a separate choice in this question.

Ultrasonic refers to an in-line inspection tool that uses ultrasonic technology to measure wall thickness and detect instances of wall loss.

Transverse Field/Triaxial tools are specialized magnetic flux leakage tools that use a flux oriented to improve ability to detect crack anomalies.

Combination Tool refers to any in-line inspection tool that uses a combination of these inspection technologies in a single tool.

16. Has one or more hydrotest or other pressure test been conducted since original construction at the point of the Accident?
Information from the initial post-construction hydrostatic test need not be reported.

17. Has one or more Direct Assessment been conducted on this segment?

This refers to direct assessment as defined in 49 CFR 195.553. Instances in which one or more indirect monitoring tools (e.g., close interval survey, DCVG) have been used that might be used as part of direct assessment but which were not used as part of the direct assessment process defined in 195.553 do not constitute a Direct Assessment for purposes of this question.

G2 – Natural Force Damage

This category includes all outside forces attributable to causes NOT involving humans.

Earth Movement, NOT due to Heavy Rains/Floods refers to accidents caused by land shifts such as earthquakes, subsidence, or landslides, but not mudslides which are presumed to be initiated by heavy rains or floods.

Heavy Rains/Floods refer to all water-related accident causes. While mudslides involve earth movement, report them here since typically they are an effect of heavy rains or floods.

Lightning includes both damage and/or fire caused by a direct lighting strike and damage and/or fire as a secondary effect from a lightning strike in the area. An example of such a secondary effect would be a forest fire started by lightning that results in damage to a

pipeline system asset which results in an accident.

Temperature refers to those causes that are related to ambient temperature effects, either heat or cold, where temperature was the initial cause.

Thermal stress refers to mechanical stress induced in a pipe or component when some or all of its parts are not free to expand or contract in response to changes in temperature.

Frozen components would include accidents where components are inoperable because of freezing and those due to cracking of a piece of equipment due to expansion of water during a freeze cycle.

High Winds includes damage caused by wind-induced forces. Select this category if the damage is due to the force of the wind itself. Damage caused by impact from objects blown by wind would be reported as Section G4, "Other Outside Force Damage."

G3 – Excavation Damage

This section covers damage caused by the operator, operator's contractor, or entities unrelated to the operator during excavation and which results in an immediate release of the transported commodity. For damage from forces OTHER than excavation which results in an immediate release, use "Natural Force Damage", Section G2, or "Other Outside Force Damage", Section G4, as appropriate. For a strike or other damage to a pipeline or facility that results in a later release, report the accident in Section G4 as "Rupture or Failure Due to Previous Mechanical Damage."

Excavation Damage by Operator (First Party)
Check this item if the accident was caused as a result of excavation by a direct employee of the operator.

Excavation Damage by Operator's Contractor (Second Party)
Check this item if the accident was caused as a result of excavation by the operator's contractor or agent or other party working for the operator.

Excavation Damage by Third Party
Check this item if the accident was caused by excavation damage resulting from actions by personnel or other third parties not working for or acting on behalf of the operator or its agent.

Previous Damage due to Excavation Activity

1.a. If Yes, for each tool used, select type of internal inspection tool and indicate most recent year run:

Magnetic Flux Leakage Tool is an in-line inspection tool using an imposed magnetic flux to detect instances of pipe wall loss from corrosion. Includes low- and high-resolution MFL

tools. Does not include transverse flux MFL tools, which are a separate choice in this question.

Ultrasonic refers to an in-line inspection tool that uses ultrasonic technology to measure wall thickness and detect instances of wall loss.

Transverse Field/Triaxial tools are specialized magnetic flux leakage tools that use a flux oriented to improve ability to detect crack anomalies.

Combination Tool refers to any in-line inspection tool that uses a combination of these inspection technologies in a single tool.

3. Has one or more hydrotest or other pressure test been conducted since original construction at the point of the Accident?
Information from the initial post-construction hydrostatic test need not be reported.

4. Has one or more Direct Assessment been conducted on this segment?

This refers to direct assessment as defined in 49 CFR 195.553. Instances in which one or more indirect monitoring tools (e.g., close interval survey, DCVG) have been used that might be used as part of direct assessment but which were not used as part of the direct assessment process defined in 195.553 do not constitute a Direct Assessment for purposes of this question.

7. – 17. Complete these questions for any excavation damage sub-cause. Instructions for answering these questions can be found at CGA's web site, https://www.damagereporting.org/dr/control/userGuide.do.

G4 – Other Outside Force Damage

This section covers accidents caused by outside force damage, other than excavation damage or natural forces. Check the most appropriate one sub-cause in this section that applies and answer any accompanying questions.

Nearby Industrial, Man-made or other Fire/Explosion as Primary Cause of Accident applies to situations where the fire occurred before and caused the release**.** An example of such an accident would be an explosion or fire at a neighboring facility or installation (chemical plant, tank farm, other industrial facility) that results in a release at the operator's facility. (Note that an accident report is required only if the release resulted in reportable consequences, per 195.50). This section should not be used if the release occurred first and then the hydrocarbon ignited. If the fire is known to have been started as a result of a lightning strike, the accident's cause should be classified under Section G2, "Natural Force Damage." Arson events directed at harming the pipeline or the operator should be reported as "Intentional Damage" in this section. Forest fires that are caused by human activity and result in a release should be reported in this section.

Damage by Car, Truck, or Other Motorized Vehicle/Equipment NOT Engaged in Excavation. An example of this sub-cause would be a stopple tee that releases commodity when damaged by a pickup truck maneuvering near the pipeline. Other motorized vehicles or equipment include tractors, backhoes, bulldozers and other tracked vehicles, and heavy equipment that can move. Include under this sub-cause accidents caused by vehicles operated by the pipeline operator, the pipeline operator's contractor, or a third party, and specify the vehicle/equipment operator's affiliation. Pipeline accidents resulting from vehicular traffic loading or other contact should also be reported in this category. If the activity that caused the release involved digging, drilling, boring, grading, cultivation or similar activities, report in Section G3, "Excavation Damage".

Damage by Boats, Barges, Drilling Rigs, or Other Maritime Equipment or Vessels Set Adrift or Which Have Otherwise Lost Their Mooring. This sub-cause includes impacts by maritime equipment or vessels (including their anchors or anchor chains or other attached equipment) that have lost their moorings and are carried into the pipeline facility by the current. This sub-cause also includes maritime equipment or vessels set adrift as a result of severe weather events and carried into the pipeline facility by waves, currents, or high winds. In such cases, also indicate the type of severe weather event. Do not report in this sub-cause accidents which are caused by the impact of maritime equipment or vessels while they are engaged in their normal or routine activities; such accidents should be reported as "Routine or Normal Fishing or Other Maritime Activity NOT Engaged in Excavation" so long as those activities are not excavation activities. If those activities are excavation activities such as dredging or bank stabilization or renewal, the accident should be reported in Section G3, "Excavation Damage".

Routine or Normal Fishing or Other Maritime Activity NOT Engaged in Excavation. This sub-cause includes accidents due to shrimping, purseining, oil drilling, or oilfield workover rigs, including anchor strikes, and other routine or normal maritime-related activities UNLESS the movement of the maritime asset was due to a severe weather event (this type of accident should be reported under "Damage by Boats, Barges, Drilling Rigs, or Other Maritime Equipment or Vessels Set Adrift or Which Have Otherwise Lost Their Mooring") or the accident was caused by excavation activity such as the **dredging** of waterways or bodies of water (this type of accident should be reported under Section G3, "Excavation Damage").

Previous Mechanical Damage NOT Related to Excavation. This sub-cause covers accidents where damage occurred at some time prior to the release, and would include prior excavation damage, prior outside force damage of an unknown nature, prior natural force damage, and prior damage from other outside forces. Accidents resulting from damage sustained during construction, installation, or fabrication of the pipe or a weld should be reported under Section G5, "Material Failure of Pipe or Weld."

Is there reason to believe that the damage resulted from excavation activity? The answer to this question might come from the condition of the pipe when it is examined or from records of excavation at the site. Dents and gouges in the 10:00-to-2:00 o'clock positions on the pipe, for instance, may indicate an earlier strike, as might marks from the bucket or tracks of an earth moving machine or similar pieces of equipment.

Intentional Damage

Vandalism means willful or malicious destruction of the operator's pipeline facility or equipment. This category would include pranks, systematic damage inflicted to harass the operator, motor vehicle damage that was inflicted intentionally, and a variety of other intentional acts.

Terrorism, per 28 C.F.R. § 0.85 General Functions, includes the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives. Operators selecting this item are encouraged to also notify the FBI.

Theft means damage by any individual or entity, by any mechanism, specifically to steal, or attempt to steal, the transported commodity or pipeline equipment.

Other
Describe in the space provided and, if necessary, provide additional explanation in Part H.

G5 – Material Failure of Pipe or Weld

Use this section to report material failures only if "Item Involved in accident" (Part C, Question 3) is "**Pipe**" (whether pipe body or pipe seam) or "**Weld**."

This section includes leaks, ruptures or other failures from defects within the material of the pipe body or within the pipe seam or other weld due to faulty manufacturing procedures, defects resulting from poor construction/installation/fabrication practices, and in-service stresses such as vibration, fatigue and environmental cracking.

Construction-, Installation-, or Fabrication-related includes leaks in or failures of originally sound material due to force being applied during construction or installation that caused a dent, gouge, excessive stress, or some other defect that eventually failed resulting in an accident. Included are leaks in or failures of wrinkle bends, field welds, and damage sustained in transportation to the construction or fabrication site. Not included are failures due to seam defects.

Original Manufacturing-related (NOT girth weld or other welds formed in the field) means an inherent flaw in the material or weld that occurred in the manufacture or at a point prior to construction, fabrication or installation. Therefore, this option is not appropriate for wrinkle bends, field welds, girth welds, or other joins fabricated in the field. Use this option for failures such as those due to defects of the longitudinal weld or inclusions in the pipe body.

If **Construction, Installation, Fabrication-related** or **Original Manufacturing-related** is selected, then select the failure mechanism.

Examples of Mechanical Stress include failures related to overburden or loss of support.

G6 – Equipment Failure

This section applies to failures of items **other than** Pipe Body, Pipe Seam, or Welds.

Malfunction of Control/Relief Equipment
Examples of this type of accident cause include: overpressurization resulting from malfunction of a control or alarm device; relief valve malfunction; valves failing to open or close on command; or valves which opened or closed when not commanded to do so. If overpressurization or some other aspect of this accident was caused by incorrect operation, the accident should be reported under Section G7, "Incorrect Operation."

ESD System Failure means failure of an emergency shutdown system.

G7 – Incorrect Operation

These types of accidents most often occur during operating, maintenance, or repair activities. Some examples of this type of accident are tank overfills, improper valve selection or operation, inadvertent overpressurization, or improper selection or installation of equipment. The unintentional ignition of the transported commodity during a welding or maintenance activity would also be included in this sub-cause. These types of accidents often involve training or judgment errors.

G8 – Other Accident Cause

This section is provided for accident causes that do not fit in any of the main cause categories listed in Sections G1 through G7.

If the accident cause is known but doesn't fit in any category in Sections G1 through G7, check the **Miscellaneous** box and enter a description of the accident and continue in Part H - Narrative Description of the Accident, if more space is needed.

If the accident cause is unknown at the time of filing this report, check the **Unknown** box in this section and select one reason from the accompanying two choices. If the investigation is not completed and the cause of the incident is thus still to be determined, file a supplemental report once the investigation is completed to report the apparent cause.

PART H – NARRATIVE DESCRIPTION OF THE ACCIDENT

(Attach additional sheets as necessary)

Concisely describe the accident, including the facts, circumstances, and conditions that may have contributed directly or indirectly to causing the accident. Include secondary and contributing causes when possible, or any other factors associated with the cause that are

deemed pertinent. Use this section to clarify or explain unusual conditions, to provide sketches or drawings, and to explain any estimated data. Operators submitting reports on-line will be afforded the opportunity to attach/upload files containing sketches, drawings, or additional data.

If you checked the Miscellaneous block in Section G8, the narrative should describe the accident in detail, including all known or suspected causes and possible contributing factors.

Operators should use the narrative to describe any secondary causes that they consider important but which could not be reported in section G since only the primary cause is reported there.

PART I – PREPARER AND AUTHORIZED SIGNATURE

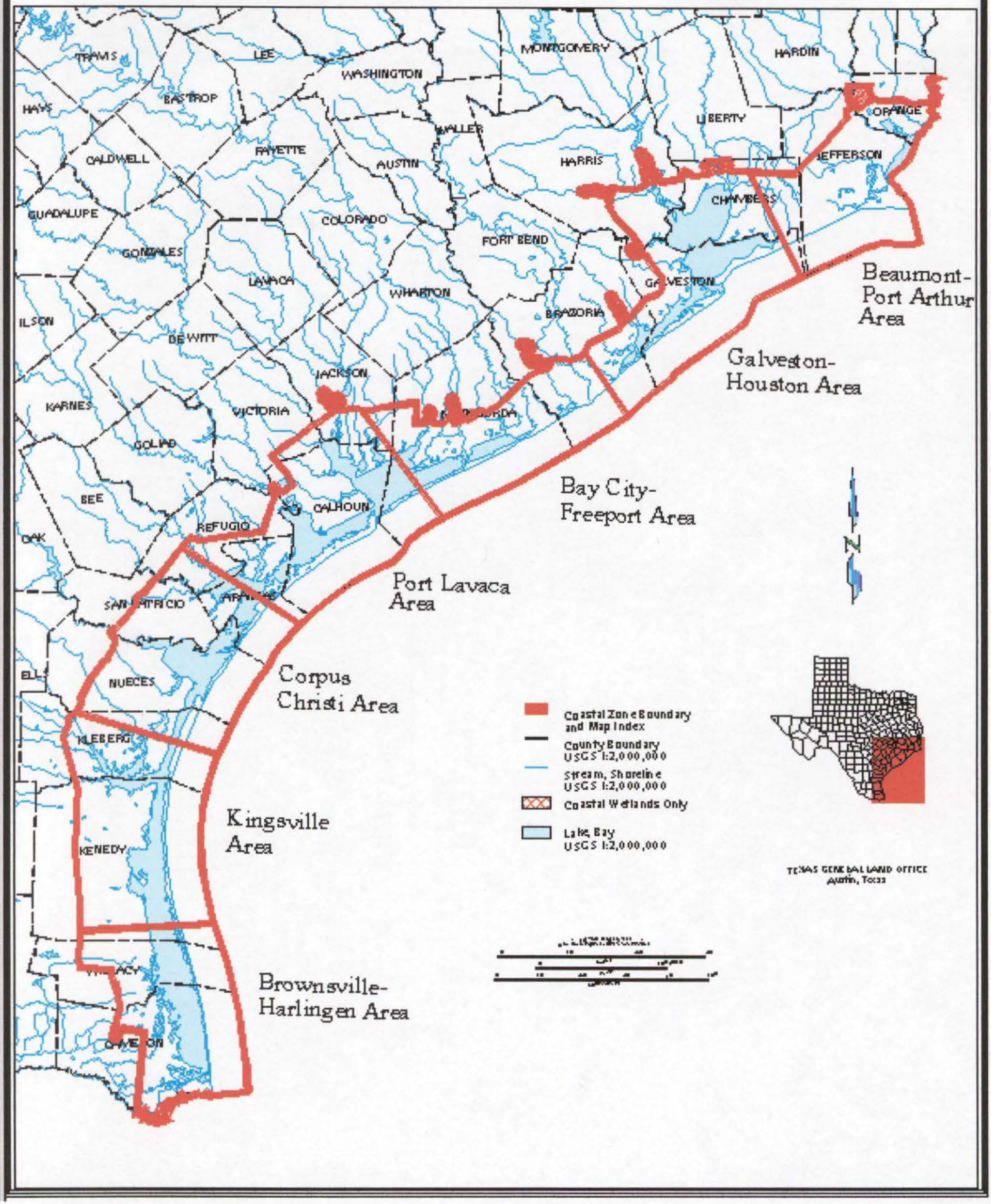
The Preparer is the person who compiled the data and prepared the responses to the report and who is to be contacted for more information (preferably the person most knowledgeable about the information in the report or who knows how to contact the person most knowledgeable). Please enter the Preparer's e-mail address if the Preparer has one, and the phone and fax numbers used by the Preparer.

An Authorized Signature must be obtained from an officer, manager, or other person whom the operator has designated to review and approve (and sign and date) the report. This individual is responsible for assuring the accuracy and completeness of the reported data. In addition to their title, a phone number and email address are to be provided for the individual signing as the Authorized Signature.

APPENDIX IV

31 TAC 19, TGLO - OIL SPILL PREVENTION AND RESPONSE

Texas Coastal Management Program Map Index



Texas Administrative Code

TITLE 31: NATURAL RESOURCES AND CONSERVATION

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TITLE 31 **NATURAL RESOURCES AND CONSERVATION**
PART 1 **GENERAL LAND OFFICE**
CHAPTER 19 **OIL SPILL PREVENTION AND RESPONSE**
SUBCHAPTER A **GENERAL PROVISIONS**

RULE §19.1 Purpose

This subchapter establishes a final rule under the Oil Spill Prevention and Response Act of 1991 (OSPRA), Texas Natural Resources Code, Chapter 40, which became law March 28, 1991. OSPRA supports and complements the Oil Pollution Act of 1990 (OPA), Public Law 101-380, which became law on August 18, 1990. This subchapter is intended to establish basic rules to provide for orderly and efficient administration of OSPRA until more comprehensive rule-making can occur in coordination with the rule-making process by federal agencies under OPA. The General Land Office intends to amend this subchapter in anticipation of and in response to federal rule-making, as well as when development of Texas' own oil spill prevention and response program so requires.

Source Note: The provisions of this §19.1 adopted to be effective February 21, 1992, 17 TexReg 1109.

RULE §19.2 Definitions

(a) The following words, terms and phrases, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Coastal waters--All tidally influenced waters extending from the head of tide in the arms of the Gulf of Mexico seaward to the three marine league limit of Texas' jurisdiction; and non-tidally influenced waters extending from the head of tide in the arms of the Gulf of Mexico inland to the point at which navigation by regulated vessels is naturally or artificially obstructed. The term includes the entirety of the Gulf Intracoastal Waterway (GIWW) within Texas, and the following waters: starting from Echo, Texas, located in Orange County, and proceeding south on the Sabine River to the intersection with the GIWW, thence westerly along the GIWW, including Adams Bayou, to 0.7 miles upstream of IH-10, and Cow Bayou, to IH-10. This includes the Neches River in Orange County to 7.0 miles upstream of IH-10. Then along the GIWW towards Port Arthur, including Taylors Bayou south of Highway 73. From Port Arthur along the GIWW to, and including, East Bay, Trinity Bay, Cedar Bayou to 1.4 miles upstream of IH-10 in Harris/Chambers County, Lynchburg Canal to 29 degrees 41'00"N, 94 degrees 59'00"W, San Jacinto River in Harris County to the Lake Houston Dam, and the Houston Ship Channel to the turning basin. Tidal tributaries of the Houston Ship Channel include: Buffalo Bayou to .25 miles upstream of Shepherd Drive, Brays Bayou to the Broadway Street Bridge, Sims Bayou to Highway 225, Vince Bayou to North Ritchie Street, Hunting Bayou to I-10, Greens Bayou to I-10, Boggy Bayou to Highway 225, Tucker Bayou to Old Battleground Road, Carpenter's Bayou to Sheldon Road, and Goose Creek to Highway 146. Proceed south and include Barbours Cut, Bayport Channel, Clear Lake to .063 miles upstream of FM 528 in Galveston/Harris County, Dickinson Bay, Dickinson Bayou 2.5 miles downstream of FM 517 in Galveston County, Moses Lake, Dollar Bay, Texas City Channel (including turning basin), Swan Lake, Jones Bay, and continuing at the junction of West Bay and the GIWW in Galveston County. Continue westerly along the GIWW to the Port of Freeport, including Greens Lake, Chocolate Bay, Chocolate Bayou to 2.6 miles downstream of SH 35, the Old Brazos River and the New Brazos River up to the Missouri-Pacific Railroad bridge in Brazoria County, and the Dow Barge Canal. Then southerly along the GIWW through and including Jones Lake and Creek, the San Bernard River to 2.0 miles upstream of SH 35, Cowtrap Lake, Matagorda Bay, the Colorado River to 1.3 miles downstream of the Missouri-Pacific Railroad in Matagorda County, to the Port of Bay City, Culver Cut (West Branch Colorado River to 28 degrees 42'N and the entire middle branch), Crab Lake, Oyster Lake, Tres Palacios Bay, Turtle Bay, Caranchua Bay, Keller Bay, Cox Bay, Lavaca Bay, Lavaca River to 5.3

miles downstream of U.S. 59 in Jackson County, Chocolate Bay/Bayou, Powderhorn Lake, Robinsons Lake, Blind Bayou, La Salle Bayou, Broad Bayou, and Boggy Bayou. Continuing southerly on GIWW from Port O'Connor through San Antonio Bay including: Guadalupe Bay, Mission Lake, Green Lake, Victoria Barge Canal, Guadalupe River to the Guadalupe-Blanco River Authority Salt Water Barrier 0.4 miles downstream of the confluence of the San Antonio River, Goff Bayou, Hog Bayou, Corey Bay, Buffalo Lake, Alligator Slide Lake, Twin Lake, Mustang Lake, and Jones Lake. Then continuing through Mesquite Bay including: Dunham Bay, Long Lake, Sundown Bay, and the Aransas Wildlife Refuge. Continuing southerly through St. Charles Bay including: Burgentine Bay/Burgentine Creek to 28 degrees 17'N, Salt Creek to 28 degrees 16'N, and Cavaso Creek to 97 degrees 01'W. Then through Copano Bay, including Copano Creek, Mission Bay, Mission River to 4.6 miles downstream of U.S. 77, Chiltipin Creek, Aransas River to 3.3 miles upstream of Chiltipin Creek in Refugio/San Patricio County, Swan Lake, Port Bay, and Salt Lake. Then southerly including: Little Bay, Aransas Bay, Conn Brown Harbor, Redfish Cove, Redfish Bay, La Quinta Channel, Nueces River to Calallen Dam 1.1 miles upstream of U.S. 77/IH 37 in Nueces/San Patricio County, Rincon Industrial Channel, Rincon Bayou, Nueces Bay, Tule Lake, Corpus Christi Inner Harbor, Oso Creek, Oso Bay, Cayo Del Oso, and Corpus Christi Bay. Continuing south, through and including Packery Channel, Laguna Madre, Baffin Bay, Alazan Bay, Cayo del Hinoso, Petrolino Creek from the confluence of Chiltipin Creek in Kleberg County to 0.6 miles upstream of private road crossing near Laurless Ranch, Cayo Del Infiernillo, Cayo del Grullo, Laguna Salada, Laguna de los Olmos, and Comitas Lake. Continuing through the Laguna Madre to Redfish Bay, Port Mansfield Harbor, Four Mile Slough, Cayo Atascosa, Laguna Atascosa, Arroyo Colorado Cutoff, El Realito Bay, Laguna Vista Cove, Port Isabel Harbor, Brownsville Ship Channel, Bahia Grande, Vadia Ancha, San Martin Lake, South Bay, and the Arroyo Colorado River to .063 miles downstream of Cemetery Road south of Port Harlingen in Cameron County. Then southerly to the Rio Grande River to 6.7 miles downstream of the International Bridge in Cameron County. Where the coastal area is defined by a body of water such as a bay or lake, it includes any small bays or lakes encompassed therein.

(2) Commissioner--The commissioner of the General Land Office.

(3) Discharge cleanup organization--A corporation, partnership, proprietorship, organization, or association that intends to make itself available to engage in response actions to abate, contain, or remove an unauthorized discharge or pollution or damage from an unauthorized discharge.

(4) Environmentally sensitive areas--Streams and water bodies, aquifer recharge zones, springs, wetlands, bird rookeries, endangered and threatened species (flora and fauna) habitat, wildlife preserves or conservation areas, parks, beaches, dunes, or any other area protected or managed for its natural resource value.

(5) Facility--Any waterfront or offshore pipeline, structure, equipment, or device used for the purposes of drilling for, pumping, storing, handling, or transferring oil and operating where a discharge of oil from the facility could threaten coastal waters, including but not limited to any such facility owned or operated by a public utility or a governmental or quasi-governmental body, but does not include any temporary storage facilities used only in connection with the containment and cleanup of unauthorized discharges of oil.

(6) Fund--The coastal protection fund established under OSPRA.

(7) Federal fund--The oil spill liability trust fund established under OPA.

(8) Handle--To transfer, transport, pump, treat, process, store, dispose of, drill for, or produce.

(9) Harmful quantity of oil--The presence of oil from an unauthorized discharge in a quantity sufficient either to create a visible film or sheen upon or discoloration of the surface of the water or a shoreline, tidal flat, beach, or marsh, or to cause a sludge or emulsion to be deposited beneath the surface of the water or on a shoreline, tidal flat, beach, or marsh.
(10) National contingency plan--The plan prepared under the Federal Water Pollution Control Act (33 United States Code §1321 et seq.) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 United States Code §9601 et seq.), as revised from time to time.
(11) Oil--Means oil of any kind or in any form, including but not limited to crude oil, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil, but does not include petroleum, including crude oil or any fraction thereof, which is specifically listed or designated as a hazardous substance under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), §101(14), Subparagraphs (A)-(F) (42 United States Code §9601 et seq.), and which is subject to the provisions of that Act, and which is so designated by the Texas Natural Resource Conservation Commission.
(12) OPA--The Oil Pollution Act of 1990, Public Law 101-380.
(13) OSPRA--The Oil Spill Prevention and Response Act of 1991, Natural Resources Code, Chapter 40.
(14) Owner or operator--Any person, individual, partnership, corporation, association, governmental unit, or public or private organization of any character:
(A) owning, operating or responsible for operating, or chartering by demise a vessel;
(B) owning, operating, or responsible for operating a facility; or
(C) operating a facility by lease, contract, or other form of agreement. The term does not include a person who owns only the land underlying a facility or a person who owns only a security interest in a vessel or facility if the person does not participate in the operation of the vessel or facility, does not own a controlling interest in the owner or operator of the vessel or facility, and is not controlled by or under common ownership with the owner or operator of the vessel or facility.
(15) Regulated vessel--A vessel with a capacity to carry 10,000 U.S. gallons or more of oil as fuel or cargo.
(16) Unauthorized discharge--Discharges excluding those authorized by and in compliance with a government permit, seepage from the earth solely from natural causes, and unavoidable, minute discharges of oil from a properly functioning engine, of a harmful quantity of oil from a vessel or facility either:
(A) into coastal waters; or
(B) on any waters or land adjacent to coastal waters where harmful quantities of oil may enter coastal waters or threaten to enter coastal waters if the discharge is not abated nor contained and the oil is not removed.
(17) Underground storage tank--Any tank or container used for storing oil which is located completely under the surface of the earth. Tanks which are partially buried or which are contained in aboveground vaults or other aboveground containment structures are not considered underground tanks for the purpose of certification requirements under these sections.
(18) Underwriter--An insurer, a surety company, a guarantor, or any other person, other than an owner or operator of a vessel or facility, that undertakes to pay all or part of the liability of an owner or operator.
(19) Waste--Oil or contaminated soil, debris, and other substances removed from coastal waters and adjacent waters, shorelines, estuaries, tidal flats, beaches, or

marshes in response to an unauthorized discharge. Waste means any solid, liquid, or other material intended to be disposed of or discarded and generated as a result of an unauthorized discharge of oil. Waste does not include substances intended to be recycled if they are in fact recycled within 90 days of their generation or if they are brought to a recycling facility within that time.
(20) Worst case unauthorized discharge--The largest foreseeable unauthorized discharge under adverse weather conditions. For facilities located above the high water line of coastal waters, a worst case discharge includes those occurring in weather conditions most likely to cause oil discharged from the facility to enter coastal waters.
(21) Coastal Facility Designation Line--The Coastal Facility Designation Line delineates the area within which a facility may be subject to the certification requirements of §19.12 of this title (relating to Facility Certification). The line does not delineate OSPRA's response or notification requirements; rather, it gives notice to facilities located coastward of the line that they may be subject to facility certification requirements. A description of the coastal facility designation line and a map can be found in Appendix 1.
Attached Graphic
Attached Graphic
Attached Graphic
(22) Offshore--Located on submerged lands below mean high tide in coastal waters.
(23) Waterfront--Located within 100 yards of coastal waters.
(b) All other terms used in this chapter and defined in OSPRA have the meaning assigned to them by OSPRA.

Source Note: The provisions of this §19.2 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective September 16, 1992, 17 TexReg 6009; amended to be effective May 14, 1993, 18 TexReg 2849; amended to be effective March 6, 1995, 20 TexReg 1261; amended to be effective October 30, 2002, 27 TexReg 10036

RULE §19.3 Inspections and Access to Property

(a) Officers, employees, or authorized agents of the General Land Office (GLO) may enter and inspect any land, building, facility, vessel, device, equipment, or other property to respond to an unauthorized discharge, to determine compliance or noncompliance with OSPRA or any rule, order, or certificate issued under OSPRA, to ascertain discharge prevention and response capability, and to assess natural resources damages. Drills, audits, and inspections may be announced or unannounced. If unannounced, the GLO will make a reasonable effort to obtain the consent of the owner of the vessel or facility prior to entry. In the event of a response to an unauthorized discharge of oil or the threat of an unauthorized discharge of oil, the GLO will also make a reasonable effort to obtain consent; this effort will be consistent with the need for prompt abatement and containment actions for the protection of health, safety, and natural resources. A reasonable effort to obtain consent means that a readily identifiable owner or owner's representative has been informed of the GLO's authority to undertake the proposed actions requiring entry and that the purpose of the entry has been described and the owner and or his representative have been afforded the opportunity to accompany the GLO during the audit or inspection or to be kept informed of GLO activities during a response event.
(b) The GLO's officers, employees, and agents will present credentials and explain the purpose and scope of the requested entry onto private property. Upon gaining access to the property, the GLO's representative may:
(1) sample and test any substance or environmental media;

(2) observe the performance of equipment;
(3) take photographs and videotapes and other recordings;
(4) review and copy documents;
(5) inspect discharge prevention and response equipment and supplies;
(6) inspect containment and drainage areas and any other portion of the facility or vessel where oil is handled.
(c) The GLO's officers, employees, and agents must observe a vessel's or facility's standard safety requirements. Standard safety requirements as set forth in the Occupational Safety and Health Act (OSHA) (29 United States Code Annotated §651 et seq.) and applicable regulations or in any State of Texas statute or rule will be observed. Any additional or other requirement imposed by the owner or operator will be observed only to the extent that it does not unreasonably hinder the objective of the authorized entry.

Source Note: The provisions of this §19.3 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.4 Waiver

(a) Upon written request, the commissioner may waive a provision of this chapter if the commissioner determines that the application of the provision would be inconsistent with the fundamental intent and purpose of OSPRA. The commissioner may also waive any requirement of this chapter if the commissioner determines that other existing federal or state statutory or regulatory provisions provide requirements necessary to implement OSPRA.
(1) Waiver from requirements of this chapter. Any person may request a waiver from a requirement of this chapter by submitting the following information to the commissioner:
(A) the name, address, and telephone number of the person submitting the requested waiver, and if that person is the agent of the person requesting the waiver, then the agent must also state the name, address, and telephone number of the person for whom the waiver is requested;
(B) a specific reference to the requirement from which the person is requesting a waiver;
(C) a detailed statement of the reasons which warrant a waiver;
(D) an analysis of the waiver's impact on the person's ability to prevent, abate, clean up, and remove an unauthorized discharge of oil.
(2) Waiver from facility certification requirements. Any person may request a waiver from the facility certification requirement of this chapter by submitting the following information to the commissioner:
(A) the name, address, and telephone number of the person submitting the requested waiver, and if that person is the agent of the person requesting the waiver, then the agent must also state the name, address, and telephone number of the person for whom the waiver is requested;
(B) the address and location, including directions from the nearest highway, of the facility subject to the requirements of this chapter;
(C) a vicinity map;
(D) a brief description of the business conducted at the facility, including the quantity and types of oil handled;
(E) a summary of the prevention and response practices utilized at the facility supporting the contention that an unauthorized discharge of oil therefrom will not pose an imminent threat to coastal waters;
(F) a summary of any other reasons that this chapter should not apply to the facility.

(3) Receipt of a request for waiver from any facility subject to certification requirements will be deemed to constitute compliance with all timelines for facility certification. Any person whose request for waiver is denied will be given a reasonable time to comply with all the requirements for certification.
(4) Requests for waivers from facility certification requirements will be evaluated by considering the following factors:
(A) the physical location of the facility, including:
(i) proximity to coastal waters;
(ii) proximity to environmentally sensitive areas;
(iii) topography;
(iv) site drainage;
(v) flood tide impacts;
(vi) the condition of oil storage areas, including age and condition of oil storage containers, evidence of past spills, leak detection abilities, and secondary or passive containment systems;
(B) the type and quantity of oil handled;
(C) the factors listed in this paragraph will be weighted so that subparagraph (A)(vi) of this paragraph will be considered only in the event that a determination cannot be made based solely on the other listed factors.
(D) The commissioner will conduct a field investigation, if necessary, to determine whether to grant the request for waiver.
(b) Where adequate precautions are taken to avoid environmental and property damage and other necessary governmental agencies have consented, the commissioner may allow the discharge of limited amounts of oil into or upon coastal waters or adjacent waters, shorelines, estuaries, tidal flats, beaches, or marshes, as part of a drill, demonstration of response capability or technology, or other study or project to further discharge prevention or response capability.

Source Note: The provisions of this §19.4 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective May 14, 1993, 18 TexReg 2849; amended to be effective March 6, 1995, 20 TexReg 1261; amended to be effective October 30, 2002, 27 TexReg 10036

RULE §19.5 Forms

The General Land Office (GLO) will promulgate forms for applications, filings, and reports required by OSPRA or this chapter. Where this chapter specifies that a particular form is available from the GLO, the applicant, claimant, or person filing information with the GLO must use the GLO form. The applicant, claimant, or person filing may supplement the GLO form with separate documentation where not inconsistent with this chapter.

Source Note: The provisions of this §19.5 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261.

RULE §19.6 Confidentiality

An applicant, claimant, or person filing information with the General Land Office (GLO) must make any claim of confidentiality of documentation, records, or information when it is filed with the GLO or the claim of confidentiality is waived.

Source Note: The provisions of this §19.6 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261.

TITLE 31 NATURAL RESOURCES AND CONSERVATION
PART 1 GENERAL LAND OFFICE
CHAPTER 19 OIL SPILL PREVENTION AND RESPONSE
SUBCHAPTER B SPILL PREVENTION AND PREPAREDNESS

RULE §19.11 Classification of Waterfront and Offshore Facilities

Waterfront and offshore facilities are classified based on their capacity to transfer or store oil. Oil that is integral to equipment, such as oil in transformers or lubricating oil in machinery, is not included in determining storage or transfer capacity.

(1) Small--A facility that transfers oil through pipelines, flow lines, gathering lines, or trunk lines with a line diameter of four inches or less or that has the capacity to store 1,320 gallons or less of oil.

(2) Intermediate--A facility that transfers oil through pipelines, flow lines, gathering lines, or trunk lines with a line diameter of greater than four inches up to and including twelve inches or that has the capacity to store more than 1,320 gallons up to and including 250,000 gallons of oil.

(3) Large--A facility that transfers oil through pipelines, flow lines, gathering lines, or trunk lines with a line diameter greater than 12 inches or that has the capacity to store more than 250,000 gallons of oil.

Source Note: The provisions of this §19.11 adopted to be effective October 30, 2002, 27 TexReg 10037

RULE §19.12 Facility Certification Requirements

(a) Applicability. This section applies to any person who operates a waterfront or offshore facility. If an operator controls part of a facility which is waterfront or offshore, the entire facility in which oil is handled under the control of that operator must be covered by the discharge prevention and response certificate. Pipelines, flowlines, gathering lines, or transmission lines that transfer oil across an area of coastal waters are considered facilities. A combination of interrelated or adjacent tanks, impoundments, pipelines, gathering lines, flow lines, separator or treatment facilities, and other structures, equipment, or devices under common ownership or operation will be considered a single facility under OSPRA. Interrelated means the devices are all an integral part of one commercial or industrial operation or are managed and controlled by a single entity. The term includes facilities owned by units of federal, state, or local government, as well as privately owned facilities.

(b) Current certificate required to operate. No entity may operate a waterfront or offshore facility without a current discharge prevention and response certificate issued by the GLO. This requirement does not apply, however, to an entity that operates a facility and has obtained a waiver from the facility certification requirement pursuant to §19.4 of this title (relating to Waiver) or if an exemption applies to the facility.

(c) Certificate void when operator changes or facility classification level increases. A discharge prevention and response certificate is issued to a specific operator and for a particular facility classification level. When the operator of a facility changes, the discharge prevention and response certificate is void. The new operator of the facility will need to submit an application for a certificate to the GLO before beginning to operate the facility. A certificate is also void when the facility changes its operations in a manner that increases its facility classification level. If an operator increases storage capacity or installs new oil transfer lines at a facility, causing the facility classification to change from small to intermediate or large or from intermediate to large, the operator will need to apply for a new certificate.

(d) Obtaining certificate application forms. The operator of a facility must apply for a discharge prevention and response certificate by submitting a completed application form to the GLO. Application forms are available from the General Land Office, Oil Spill Prevention and Response Program, 1700 North Congress Avenue, Austin, Texas 78701-1495 or from any regional office of the GLO. The application form can also be downloaded from the GLO's Oil Spill Prevention and Response Program website, www.glo.state.tx.us/oilspill.

(e) Signature requirements. The certificate application must be signed by a representative of the facility operator who has approved the facility's discharge prevention and response plan and has the authority to commit the necessary resources to implement the plan.
(f) Facility inspections. After the GLO determines the application is administratively complete, the GLO will contact the facility operator to schedule an on-site inspection and review of the facility's discharge prevention and response plan. The inspection and plan review will cover the following elements:
(1) the facility's compliance with applicable regulations;
(2) whether the discharge prevention and response plan adequately addresses all the elements required by §19.13;
(3) whether the discharge prevention and response plan specifically addresses the worst case unauthorized discharge and demonstrates the facility can adequately respond to the worst case unauthorized discharge from the facility; and
(4) whether the discharge prevention and response plan has been implemented.
(g) Additional information. After the on-site inspection, the GLO may require an applicant to submit additional information to resolve any issues related to the applicant's discharge prevention and response preparedness. The GLO may also require an applicant to develop and implement additional measures to prevent and respond to unauthorized discharges of oil.
(h) Railroad Commission review. At least 30 days prior to issuance or renewal of a certificate for an oil or gas pipeline or facility used in the exploration, development, or production of oil or gas, the GLO will send the Railroad Commission of Texas a copy of the application for review and comment.
(i) Notification that certification requirements have been met. When the GLO determines the facility has adequately addressed its discharge prevention and response requirements and has submitted sufficient information in its application, the GLO will notify the facility operator that the certification requirements have been met. The operator will then be informed of the facility classification level (small, intermediate, or large).
(j) Certification fee. A fee of $25 will be assessed for every facility to be certified, but the fee should not be submitted with the completed application form. The facility operator will be instructed to submit the fee to the GLO after the GLO determines a certificate will be issued to the operator.
(k) Term for certificates. The GLO will issue certificates with a term of five years from the date of issuance. Each certificate will be assigned an identification number, which will allow the facility operator to review and amend the facility information on the GLO's Oil Spill Prevention and Response Program interactive website. The identification number will be sent to the person who signed the application form, along with instructions on how to update and renew the certificate.
(l) Discretionary submittal of discharge prevention and response plan. After a certificate is issued to a facility, the GLO may require the facility operator to submit to the GLO a complete copy of its discharge prevention and response plan for review. Submittal of the plan for review may be required if the GLO determines the facility may not be adequately implementing its plan to prevent and respond to unauthorized discharges of oil.
(m) Exemptions. The following facilities that handle oil do not need to apply to the GLO for a discharge prevention and response certificate:
(1) Mobile or portable oil-handling equipment, such as a mobile offshore drilling unit, when it is fixed in place for less than 90 days.
(2) A farm, ranch, or residential property that stores up to and including 1,320 gallons of oil for farming, ranching, or residential purposes.
(3) A facility that stores oil exclusively in underground tanks and does not transfer oil to vessels in the water.
(4) A facility that stores or transfers oil only in containers with a volume of 55 gallons or less.

(n) Effect of certificate on other violations. Issuance of a certificate does not estop the state in an action brought under OSPRA, or any other law, from alleging a violation of any such law, other than failure to have a certificate.

Source Note: The provisions of this §19.12 adopted to be effective October 30, 2002, 27 TexReg 10037

RULE §19.13 Requirements for Discharge Prevention and Response Plans

(a) Applicability. This section applies to any person who operates a waterfront or offshore facility and must obtain a discharge prevention and response certificate.
(b) Implementation of plans. An operator of any facility that requires certification must develop and implement a written discharge prevention and response plan. Before issuing a certificate, the GLO will conduct an on-site review of the plan. The GLO will determine whether the facility's plan contains all the information required by this section and has been fully implemented.
(c) Required elements of discharge prevention and response plans for all facility classifications. Operators of all facilities that require certification must prepare discharge prevention and response plans which include the following information:
(1) the owner and operator of the facility;
(2) the person or persons in charge of the facility, as required by §19.16 of this title (relating to Person in Charge);
(3) the name and address (both physical and mailing) of the facility;
(4) a description of the facility, including:
(A) the location of the facility by latitude and longitude;
(B) the facility's primary activity;
(C) the types of oil handled, whether material safety data sheets (MSDS) have been prepared for them, and the location where the MSDS are maintained;
(D) the storage capacity of each tank used for storing oil;
(E) the diameter of all lines through which oil is transferred;
(F) the average daily throughput of oil at the facility; and
(G) the dimensions and capacity in barrels of the largest oil-handling vessel which docks at the facility.
(5) for a facility which normally does not have personnel on-site, a commitment to maintain in a prominent location a sign or placard which states that the GLO and National Response Center are to be notified of an oil spill and gives the 24-hour phone numbers for notifying the GLO and National Response Center;
(6) a general description of measures taken by the facility to prevent unauthorized discharges of oil;
(7) a plan to conduct an annual oil spill drill that entails notifying the GLO and National Response Center and keeping a log at the facility which documents when the notification drill was conducted and facility personnel who participated in it;
(8) if oil is transferred at the facility, emergency transfer procedures to be implemented if an actual or threatened unauthorized discharge of oil occurs at the facility;
(9) strategic plans to contain and clean up unauthorized discharges of oil from the facility;
(10) a statement that all facility personnel who might be involved in an oil spill response have been informed that detergents or other surfactants are prohibited from being used on an oil spill in the water, and that dispersants can only be used with the approval of the Regional Response Team, the interagency group composed of federal and state agency representatives that coordinates oil spill responses; and
(11) a description of any secondary containment or diversionary structures or equipment at the facility to prevent discharged oil from reaching coastal waters, including the methodology for

determining that the structures or equipment are adequate to prevent oil from reaching coastal waters.

(d) Additional requirements for facilities classified as intermediate. In addition to the requirements in §19.13(c), operators of intermediate facilities must prepare written discharge prevention and response plans which include the following information:

(1) a description of the worst case unauthorized discharge of oil reasonably likely to occur at the facility and the rationale used to determine the worst case unauthorized discharge;

(2) a description and map of environmentally sensitive areas that would be impacted by the worst case unauthorized discharge and plans for protecting these areas if an oil spill occurs at the facility;

(3) a description of the facility's response strategies to contain and clean up the worst case unauthorized discharge;

(4) a description of discharge prevention procedures implemented at the facility, including procedures to prevent discharges from transfers of oil;

(5) a plan to conduct an annual oil spill drill that includes the following elements:

(A) notifying the GLO and National Response Center;

(B) notifying any third parties, such as discharge cleanup organizations, which have agreed to respond to an oil spill and confirming they would be able to respond to an oil spill at the facility on the day of the drill;

(C) if the facility has spill response equipment stored on-site, deployment of a representative portion of the equipment which would be used to respond to the type of discharge most likely to occur at the facility; and

(D) a log documenting when the annual drill was conducted and the facility personnel who participated in it; and

(6) if the operator has entered into any oil spill response or cleanup contracts or basic ordering agreements with a discharge cleanup organization, copies of the contracts or agreements or a narrative description of their terms.

(e) Additional requirements for facilities classified as large. In addition to the requirements in §19.13(c), operators of large facilities must prepare written discharge prevention and response plans which include the following information:

(1) maps showing vehicular access to the facility, pipelines to and from the facility, and nearby residential or other populous areas;

(2) a site plan of the facility showing:

(A) the location of all structures in which oil is stored;

(B) the location of all areas where oil is transferred at the facility; and

(C) drainage and diversion systems at the facility, such as sewers, outfalls, catchment or containment systems or basins, sumps, and all watercourses into which surface runoff from the facility drains (all of which may be shown on the site plan or maps);

(3) a plan to conduct an annual oil spill drill that includes the following elements:

(A) notifying the GLO and National Response Center;

(B) notifying any third parties, such as discharge cleanup organizations, which have agreed to respond to an oil spill and confirming they would be able to respond to an oil spill at the facility on the day of the drill;

(C) if the facility has spill response equipment stored on-site, deployment of a representative portion of the equipment which would be used to respond to the type of discharge most likely to occur at the facility; and

(D) a log documenting when the annual drill was conducted and the facility personnel who participated in it;

(4) a detailed description of the facility's discharge prevention and response capability, including:

(A) leak detection and safety systems to prevent accidental discharges of oil, including a description of equipment and procedures;
(B) schedules, methods, and procedures for testing, maintaining, and inspecting storage tanks, pipelines, and other equipment used for handling oil;
(C) schedules, methods, and procedures for conducting accidental discharge response drills;
(D) whether the facility's oil spill response capability will primarily be based on contracts or agreements with third parties or on the facility's own personnel and equipment;
(E) planned response actions, the chain of command, lines of communication, and procedures for notifying the GLO, emergency response and public safety entities, other agencies, and neighboring facilities in the event of an unauthorized discharge of oil;
(F) oil spill response equipment and supplies located at the facility, their ownership and location, and the time required to deploy them;
(G) if the facility owns and maintains oil spill response equipment, the schedules, methods, and procedures for maintaining the equipment in a state of constant readiness for deployment;
(H) if the operator has entered into any oil spill response or cleanup contracts or basic ordering agreements with a discharge cleanup organization, copies of the contracts or agreements or a narrative description of their terms;
(I) the worst case unauthorized discharge of oil reasonably likely to occur at the facility and the rationale used to determine the worst case unauthorized discharge;
(J) a description and map of environmentally sensitive areas that would be impacted by the worst case unauthorized discharge and plans for protecting these areas if an oil spill occurs at the facility;
(K) a description of response strategies that would be implemented to contain and clean up the worst case unauthorized discharge;
(L) information on the facility's program for training facility personnel on accidental discharge prevention and response;
(M) information on facility personnel who have been specifically designated to respond to an oil spill, including any training they have received and where the training records are maintained;
(N) plans for transferring oil during an emergency; plans for recovering, storing, separating, transporting, and disposing of oily waste materials generated during an oil spill response; and
(O) plans for providing emergency medical treatment, site safety, and security during an oil spill.

Source Note: The provisions of this §19.13 adopted to be effective October 30, 2002, 27 TexReg 10037

RULE §19.14 Annual Updating of Application Information; Renewal and Suspension of Certificates

(a) Annual review of application information. Facility operators are required to report annually any changes in the information submitted to the GLO in their applications for certificates. Changes must be reported by the anniversary of the date the certificate was issued, but operators are encouraged to update the information more frequently. Facility operators can update information on file with the GLO in the following ways:
(1) Internet. The GLO has established a link on its website (www.glo.state.tx.us) to allow facility operators to review and amend application information on file with the GLO. Facility operators can use the identification number, which is issued with the certificate, to access this interactive link. To minimize the GLO's administrative expense of updating information, the GLO encourages certificate holders to use the Internet to revise facility information on file with the GLO.
(2) Mail or facsimile. If a facility operator cannot update application information over the Internet, updated information can be sent by mail or facsimile to the appropriate GLO regional office.

Addresses and facsimile numbers for the regional office covering a particular facility can be obtained by calling the main oil spill program office in Austin at (512) 475-1575.
(b) Renewing certificates. Operators are responsible for ensuring that certificates are renewed by their expiration dates. The GLO will not send expiration notices to operators.
(1) All certificates, which will be issued for a period of five years, will specify the date of expiration. To renew a certificate, certificate holders must complete and submit to the GLO a new application form. To give the GLO sufficient time to review the application, it must be submitted to the GLO at least 15 days before the expiration date.
(2) In reviewing the application to renew a certificate, the GLO may conduct an on-site review of the facility's discharge prevention and response plan. The GLO may require the applicant to amend its plan if the GLO determines the plan does not adequately address the elements required by §19.13.
(3) A fee of $25 will be assessed for renewal of a certificate. The GLO will inform the certificate holder that the fee is being assessed after the application is reviewed and a determination has been made that the certificate will be renewed.
(c) Notification to GLO when facility closes or is shut-in. A facility operator is required to notify the GLO when the facility closes or when the facility is shut-in and no longer handling oil.
(d) Certificate suspension. Suspension of a certificate requires the facility owner or operator to apply for a new certificate. The GLO may suspend a certificate if the facility operator violates a provision of OSPRA or rules or orders adopted under authority of OSPRA. A certificate may also be suspended if the GLO determines the facility has not adequately implemented its discharge prevention and response plan or the facility's response to an unauthorized discharge of oil was inadequate. Before suspending a certificate, the GLO will inform the certificate holder in writing that suspension is being considered. The reasons for the proposed suspension will be specified, and the certificate holder will be afforded an opportunity to address the problems. If the GLO ultimately determines the certificate holder has not adequately addressed the facility's problems and suspension of the certificate is appropriate, the facility operator may request and is entitled to a hearing on the suspension in the same manner provided under Chapter 2 of this Title, relating to Rules of Practice and Procedure for contested case hearings before the GLO.

Source Note: The provisions of this §19.14 adopted to be effective October 30, 2002, 27 TexReg 10037

RULE §19.16 Person in Charge

(a) Upon applying for a certificate, the applicant must designate a person or persons in charge of the facility for purposes of ensuring that General Land Office (GLO) is notified of unauthorized discharges at the facility and that the facility meets all other requirements of OSPRA. The designation must be by name and by job title.
(b) A facility must have a person in charge at the facility at all times the facility is normally attended by personnel. For those facilities or at those times at which personnel are not normally present, the facility must at all times have a person in charge on call and capable of travelling to the facility to respond to an actual or threatened unauthorized discharge. The person in charge must have the independent authority to deploy response equipment and personnel and to expend funds for response actions.
(c) It is the duty of the owner and the operator of the facility to inform the person in charge of the duties established under OSPRA and this chapter for persons in charge with respect to unauthorized discharge prevention and response.

Source Note: The provisions of this §19.16 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

TITLE 31 NATURAL RESOURCES AND CONSERVATION
PART 1 GENERAL LAND OFFICE
CHAPTER 19 OIL SPILL PREVENTION AND RESPONSE
SUBCHAPTER B SPILL PREVENTION AND PREPAREDNESS

RULE §19.18 Audits, Drills, and Inspections To Determine Prevention and Response Capability

(a) An audit is a full review of a facility's or vessel's compliance with the requirements of OSPRA and regulations adopted pursuant thereto. An audit may be announced or unannounced. Audits will be commenced between the hours of 7:00 a.m. and 6:00 p.m. The owner and/or operator of the facility or vessel subject to audit must produce records related to unauthorized discharges of oil into coastal waters, discharge prevention and response plans, equipment inventory, maintenance and repair, material safety data sheets for oil handled, oil storage and throughput, financial responsibility, personnel certification and training, and daily records and other documents and records containing information relevant to compliance with OSPRA. The representative of the General Land Office (GLO) is authorized to view all equipment at the facility that is available for responding to unauthorized discharges of oil. The GLO representative is authorized to enter any portion of the facility and vessel where oil is handled, where discharge prevention and response equipment and supplies are stored and maintained or where oil transfer operations are being performed. Although the audit may be unannounced, prior to entering the facility, the GLO representative will make a reasonable effort, as defined in §19.3(a) of this title (relating to Inspections and Access to Property), to obtain the consent of the owner or operator or his representative.

(b) An inspection is a review of a specified area or areas of a facility or vessel for a specified purpose. An inspection may be announced or unannounced. Inspections between the hours of 7:00 a.m. and 6:00 p.m. may be unannounced. Inspections after 6:00 p.m. and before 7:00 a.m. will be announced. The GLO will make a reasonable effort to obtain the consent of the owner or operator or a representative of either prior to entering property to conduct the inspection. At the commencement of the inspection, the GLO representative will inform the owner or operator of the area or areas to be inspected and the purpose of the inspection. The areas and purposes of an inspection are limited to those set forth in subsection (a) of this section.

(c) A drill is a test of equipment and personnel in operation. A drill is in response to a mock discharge which is conducted by GLO representatives who determine the extent and parameters of the exercise. A drill may be announced or unannounced. Prior to entering property in order to conduct the drill, the GLO will make a reasonable effort to obtain consent of the owner or operator or representative of either to enter the property. Drills will be commenced between the hours of 7:00 a.m. and 6:00 p.m. and all drills involving vessels will be conducted in cooperation with the United States Coast Guard. A drill involving a facility will be conducted in cooperation with any other governmental agencies whom the GLO intends to involve in the mock operation.

(d) A vessel or facility will not be subjected to more than a total of two audits and/or drills in one 12-month period. This limitation will not apply to any vessel or facility that has violated OSPRA, any regulation promulgated thereunder, or any order of the commissioner.

(e) The owner or operator of the vessel or facility must bear its own costs of the audit, drill, or inspection and may not be reimbursed its costs from the fund. The GLO may, however, pay all or part of the cost of an oil spill drill under limited circumstances. The GLO's decision to pay for a drill will be based on a determination that the facility is located in an environmentally sensitive area and has been involved in a greater number of drills or more complex audits or drills because of its location. If the GLO pays for any part of the cost of the drill, the GLO will invite other facility operators in the vicinity to observe or participate in the drill for training purposes.

(f) Performance of an audit, drill, or inspection does not estop the state in an action brought under OSPRA or any other law from alleging a violation of OSPRA or any such law.

Source Note: The provisions of this §19.18 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261; amended to be effective October 30, 2002, 27 TexReg 10037

RULE §19.20 Certification of Discharge Cleanup Organizations

(a) Persons or organizations desiring certification as discharge cleanup organizations must apply to the General Land Office (GLO). Application forms are available from the GLO.

(b) A discharge cleanup organization must be certified by the GLO to be listed by an owner or operator as a source of adequate response equipment and/or personnel in a facility or vessel discharge prevention and response plan.

(c) An owner or operator of the facility or vessel will not be required to comply with this section if its response activities are limited to its own unauthorized discharges or to assistance rendered to others in emergency situations. The requirements of this section apply to those organizations who engage in the business of emergency spill response and cleanup operations.

(d) Discharge cleanup organizations will be categorized as either industry or volunteer.

(1) Industry organizations are those entities capable of containing, abating, removing and disposing of, or arranging for the disposal of oil and waste from an unauthorized discharge. Industry organizations have personnel trained pursuant to 29 Code of Federal Regulations §1910.120 and subsequent revisions and have equipment or access to equipment sufficient to perform response operations pursuant to national and state contingency plans.

(2) Volunteer organizations are those entities whose primary purpose is protecting, rescuing, or rehabilitating wildlife and natural resources injured or damaged by an unauthorized discharge. Volunteer organizations must only be permitted by the Texas Parks and Wildlife Department or have certification from an organization with equivalent standards for the purposes of wildlife rehabilitation and other response activities concerning rescuing of any animal affected by a discharge. A separate GLO certificate is not required of the above-described wildlife and natural resource volunteer organizations. Volunteer organizations are also those entities who assist in other response activities approved by the on-scene coordinator but who do not receive compensation for their efforts.

(e) Industry organizations must be certified by the GLO in order to be listed on a vessel or facility discharge response plan, and in order to be employed by the GLO when it expends fund monies in response to a discharge. Organizations exempt from the certification requirement are those whose primary business activity is vacuum trucks, earth moving, or oil field equipment maintenance. Any other business enterprise which does not represent itself as a spill response entity is not required to be certified under this subsection. Certificates will be issued for a three-year term with annual review. Certificates may be suspended if the discharge cleanup organization fails to maintain adequate response capability. Pursuant to Chapter 21 of this title (relating to Oil Spill Prevention and Response Hearing Procedures) the notice of suspension can be challenged.

(f) Applicants for certification as an industry organization must submit the following information:

(1) the applicant's name and address, its legal form or status, the names and addresses of the persons owning or operating the organization, and its membership if applicable;

(2) the geographic area the applicant will serve;

(3) the equipment and supplies owned by the applicant and available for abatement, containment, and removal of pollution from an unauthorized discharge of oil; if the applicant intends to rely in whole or in part on equipment and supplies owned by a separate entity, then the applicant must submit the name of the owner and the location of the equipment and supplies, and the procedure for accessing such equipment and supplies;

(4) a certified statement of the applicant's general liability insurance coverage, and workmen's compensation and automobile liability insurance coverage;

(5) the number of employees and whether they are employed on a full or part-time basis and the number of employees which the applicant can command in the event of a major spill event; the training of such personnel including whether they have received training pursuant to 29 Code of Federal Regulations §1910.120; the experience and other relevant qualifications of all personnel;
(6) the applicant's standard operating plan for containment, recovery, storage, separation, transportation, disposal or arrangements for disposal or recycling of oil or waste, and minimization of waste generated from an unauthorized discharge;
(7) the applicant's health and safety plan.
(g) In certifying industry organizations, the GLO will consider factors including:
(1) the applicant's size, membership, and quality of response capability (which includes among other things the experience of the applicant's owners, operators, and personnel, the applicant's ability to properly dispose of waste or to arrange for the proper disposal of waste and recycling of materials generated by the discharge, the plan for waste minimization from discharges, the quantity and quality of equipment or supplies owned or available to the applicant, and the proximity of such equipment and supplies to the area the applicant intends to serve); and
(2) the geographic distribution of discharge cleanup organizations in the coastal area for the purpose of insuring sufficient response capability.
(h) Industry organizations must report material changes in response capability to the GLO within 30 days of the change. Material changes in response capability include among other things:
(1) a change in the location or a significant change in the quantity of the organization's response equipment or supplies; or
(2) a change in the organization's ownership or full-time personnel to the extent that such change affects discharge response capability; such change shall be reported within 72 hours.
(i) Volunteer organizations who register with the GLO are considered certified. Registration forms are available from the GLO. The registration must include the organization's size, experience in discharge response, ability to properly dispose of or arrange for the disposal of waste from discharges, the qualifications of persons who will lead or coordinate response activities for the organization, and the quantity and quality of equipment and supplies owned or available to the organization. Volunteer organizations engaged in wildlife rescue or rehabilitation will be certified only if they comply with requirements of the Texas Parks and Wildlife Department's regulations related to such organizations or with equivalent regulations. A volunteer organization shall ensure its actions are consistent with the National Contingency Plan, §300.185 and §300.700. The GLO may suspend a certificate if the organization's response activities are inconsistent with state or federal requirements.
(j) Volunteer discharge cleanup organizations or any discharge cleanup organization that is a not-for-profit entity must appoint a minimum of two ex officio representatives from local governments to its governing body to advise it on discharge response matters. The representatives from local government may be from any level or agency of local government but must be from the geographic area to be served by the organization. The Marine Spill Response Corporation and for-profit entities are exempt from this requirement pursuant to OSPRA, §40.117(b).
(k) Those entities having federal Oil Spill Response Organization classification shall, on proper proof of such classification, be certified by the GLO as a discharge cleanup organization. Proper proof includes, but is not limited to, all information submitted to the United States Coast Guard, National Strike Force Coordination Center.

Source Note: The provisions of this §19.20 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective May 14, 1993, 18 TexReg 2849; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.31 Jurisdiction

The General Land Office (GLO) has jurisdiction over and will respond to any actual or threatened discharge that enters or threatens to enter coastal waters.

Source Note: The provisions of this §19.31 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective May 14, 1993, 18 TexReg 2849

RULE §19.32 Reporting an Unauthorized Discharge

(a) To report an actual or threatened unauthorized discharge, phone the General Land Office (GLO) at 1-800-832-8224. This line will be staffed at all times.
(b) The person in charge of the facility or vessel from which an unauthorized discharge emanates or threatens to emanate and the person responsible for the discharge both have the duty to immediately report the discharge to the GLO. Reporting by either of those persons or by an employee or agent of either shall satisfy the notice requirement.
(c) Immediately, for purposes of this section, means within one hour of the time the discharge is discovered. In determining immediate notification the GLO will consider the need for initial abatement, containment, and response actions, the accessibility of communication devices and the reasonableness of the person's efforts to immediately report, and whether the discharge could reasonably have been discovered earlier.
(d) Notification by any person who has been authorized or requested by the person in charge or by the responsible person to give notice of the discharge shall be imputed to the person who has the duty to report for purposes of determining compliance with this section.
(e) The notification, in order to be deemed complete, shall accurately describe the following:
(1) the substance and quantity actually discharged or potentially dischargeable and the rate of discharge;
(2) the time, location by latitude and longitude, N.A.D. 27 or N.A.D. 83, or by state plane coordinates indicating zone or by Universal Transverse Mercator coordinates indicating zone, if known, and the apparent cause of the actual or potential discharge;
(3) the size of the area actually impacted by the discharge and the area potentially impacted and whether or not any environmentally sensitive areas will be affected;
(4) the nature of any response actions undertaken and the identity of the person or discharge cleanup organization engaged or engaging in response activities;
(5) the name and title of the responsible person, the person in charge, and the person reporting the discharge; and
(6) the manner in which the responsible person and the facility or vessel involved in the actual or threatened discharge may be contacted.
(f) The duty to report is a continuing one where any material changes occur prior to the arrival of a state on-scene coordinator. Material changes include, but are not limited to, changes in the quantity, quality, or location of the discharge event. Both the responsible person and the person in charge have the duty to report material changes to the GLO.
(g) If an unauthorized discharge threatens to damage or pollute property other than that of the owner or operator or responsible person, the person in charge and the responsible person must make reasonable efforts to notify the owners of property threatened by the discharge. A reasonable effort to notify includes taking steps to identify and contact such owners within a time period that allows them to take measures to minimize damage to their property. In determining compliance with this requirement, the location of the discharge and the accessibility of ownership information will be considered.

(h) If the discharge immediately threatens public health, safety, or welfare, then the responsible person and the person in charge must notify the appropriate local health, fire, and law enforcement authorities.

Source Note: The provisions of this §19.32 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.33 Response

(a) When the General Land Office (GLO) receives notice of an actual or threatened unauthorized discharge, the GLO will determine whether state response action is required. If state response action is required, the GLO will assess the discharge and determine whether further response actions should be initiated or required. If assessments of the discharge indicate it involves predominantly a hazardous substance, the GLO shall coordinate all response actions until the Texas Natural Resource Conservation Commission can assume responsibility over hazardous substance discharge response operations. A substance is predominantly a hazardous substance when analytical testing of a representative sample indicates the presence of more than 50% of a substance that is not oil as defined by OSPRA, and that is a hazardous substance as defined by the Texas Natural Resource Conservation Commission or its successor agency. Pending results of analytical tests of the substance, the determination of its predominant characteristics shall be made by investigating the source of the discharge, its physical properties, and its behavior in the environment. The GLO will notify the trustees of the actual or threatened unauthorized discharge.

(b) In response to any actual or threatened unauthorized discharge, the commissioner may designate a state on-scene coordinator to act on the commissioner's behalf at the site of the actual or threatened discharge.

(1) It is the duty of the state on-scene coordinator, in cooperation with the federal on-scene coordinator, to assess in detail all aspects of the actual or threatened unauthorized discharge, evaluate and direct the responsible person's response activities, initiate and direct other response activities, carry out orders of the commissioner, and report at regular intervals to the commissioner. The state on-scene coordinator has an ongoing duty to evaluate, assess, and direct all response activities in order to insure compliance with applicable contingency plans, discharge response plans, and to ensure public health and safety, and to minimize to the greatest extent possible property damage and damages to natural resources.

(2) In the event a discharge appears to be from a facility for the exploration, development, or production of oil or gas or from an oil or gas pipeline, a Railroad Commission designee shall act as the state on-scene coordinator for spills of 240 barrels or less. When the spill exceeds 240 barrels, it is the responsibility of the GLO to provide the state on-scene coordinator.

(c) The GLO will coordinate its response with the federal on-scene coordinator and will contact other state agencies who have jurisdiction over the unauthorized discharge.

(d) Based on the assessment of the state on-scene coordinator, the GLO will determine whether and where to establish an on-scene command post. The state on-scene command post will serve as the single point of communication and coordination for state oversight and coordination of response actions. The post will be staffed until response operations are declared complete.

(e) The GLO will utilize the Incident Command System for all spills where a state on-scene coordinator is appointed by the commissioner.

Source Note: The provisions of this §19.33 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.34 Duties of Responsible Person

(a) In the event of an actual or threatened unauthorized discharge, it is the duty of the responsible person to immediately initiate response action, or to ensure that the person in charge will initiate response action. The responsible person is the owner or operator of a vessel or facility from which an unauthorized discharge of oil emanates or threatens to emanate. The person in charge is the person at the vessel or facility who is empowered by the responsible person to initiate response actions and to perform all actions necessary to prevent, abate, contain, and remove all pollution. The responsible person or the person in charge must inform the General Land Office (GLO) of the person's strategy for responding to the unauthorized discharge, including whether the facility's or vessel's discharge prevention and response plan will be adequate for abating, containing, and removing pollution or whether it appears that an adequate response to the discharge will require deviation from the plan. The response strategy and proposed deviations from the plan must be reported to the on-scene coordinator on a regular basis throughout response operations.

(b) The GLO may determine that the responsible person is unknown or appears unwilling or unable to respond adequately to the discharge, including reasonably foreseeable worst case scenarios of the discharge. The commissioner may delegate this determination to the state on-scene coordinator. In the event of such a determination the state on-scene coordinator may order the responsible person to take certain response actions. The state on-scene coordinator may also initiate response action by the state, either in addition to or in lieu of further response actions by the responsible person. As soon as possible after a determination of inadequate response, the state on-scene coordinator will notify the responsible person or the person acting for the responsible person of the inadequacy of response and inform the person of the intended corrective action. A determination that a responsible person appears unwilling or unable to respond adequately will be made by evaluating the resources committed to the response, the degree of cooperation with directions of the on-scene coordinator, the ability to commit further resources, and adherence to response and contingency plans.

(c) The responsible person or anyone acting on behalf of the responsible person must notify the state on-scene coordinator if the person intends not to comply with, or has not complied with, state response orders or actions. The GLO may determine the person has unreasonably failed to comply with state response actions if noncompliance is for any reason other than an objective and reasonable belief that compliance unavoidably conflicts with federal requirements or poses an unjustifiable risk to public safety or natural resources. Any failure to comply may be grounds for a determination of inadequate response under subsection (b) of this section.

(d) The responsible person must orally state the reasons for noncompliance with an order of the state on-scene coordinator and must give written justification for the refusal within 48 hours as required by OSPRA, §40.106.

(e) The responsible person is required to provide an emergency response plan consistent with 29 Code of Federal Regulations §1910.120 for the health and safety of spill response personnel at the spill response scene. In order to comply with the National Contingency Plan, responsible persons must ensure that contractors and others under their employ have an emergency response plan program for the health and safety of personnel responding during the spill response. Failure to provide an emergency

response plan for the health and safety of responders will be considered a failure to adequately respond to a spill event.
(f) The responsible person is required to respond and operate in a manner consistent with the National Contingency Plan and any applicable area or local contingency plan.
(g) The GLO will utilize the Incident Command System for all spills where a state on-scene coordinator is appointed by the commissioner.

Source Note: The provisions of this §19.34 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective May 14, 1993, 18 TexReg 2849; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.35 Assistance

(a) Other than persons employed by the responsible person or certified discharge cleanup organizations under contract with the responsible person, or any person conducting initial emergency response assistance, no person shall conduct cleanup operations without the approval of the on-scene coordinator. Authorization may be given individually or blanket authorization may be given to any group or class of persons or organizations. The General Land Office (GLO) will give preference to those persons who are certified as discharge cleanup organizations and to trained and qualified personnel.
(b) Any person or discharge cleanup organization participating in response operations shall not receive or be eligible to receive compensation from the fund unless the participation was authorized by the GLO. A person or organization is entitled to a qualified immunity from liability for damages, response costs, or penalties only if acting pursuant to request of the on-scene coordinator, the responsible person, or in accord with the applicable contingency plan or response plan.
(c) The GLO may waive the prior authorization requirement only if the assistance rendered was consistent with applicable contingency plans, and response plans, and was effective, cost-efficient, reasonably necessary, and did not endanger life, property, or natural resources.

Source Note: The provisions of this §19.35 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.36 Disposal

(a) Waste from unauthorized discharges must be disposed of only at sites that have all necessary permits to accept the type of waste discharged.
(b) All responsible persons and discharge cleanup organizations engaged in spill response operations shall minimize the generation of waste by utilizing techniques such as reusing sorbent pads, recycling recovered oil, recovering boom, and best available technologies.
(c) The responsible person must remove all waste generated from an unauthorized discharge of oil from the temporary staging area within 14 days of the completion of all response operations.
(d) When waste is generated in connection with spill response activities, the state on-scene coordinator may require the responsible person to provide copies of manifests, run tickets, invoices, or other written documentation that shows the name and address of the waste disposal facility and the date the waste was transported to it. This request will be made in writing and include a deadline for submittal of the disposal information to the state on-scene coordinator.

Source Note: The provisions of this §19.36 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261; amended to be effective December 3, 2000, 25 TexReg 11660

RULE §19.37 Completion of Response

(a) The General Land Office (GLO) will consider the opinions of the designated trustees in determining whether response actions are complete

(b) In addition to reporting an unauthorized discharge immediately after it occurs, the responsible person must file a written report with the GLO. A reporting form will be provided to the responsible person by the state on-scene coordinator. The report is due 60 days after being directed by the state on-scene coordinator to complete the report or 60 days after the response actions have been declared complete by the state on-scene coordinator, whichever date is earlier. The report must contain the following information:

(1) incident date;
(2) amount of oil spilled;
(3) product spilled;
(4) areas that were impacted by the spill;
(5) description of incident;
(6) summary of response activity;
(7) a description of the following actions which will be taken to prevent spills of a similar nature, including their effective implementation date:
(A) conducting an analysis of the cause of the unauthorized discharge;
(B) training to be implemented;
(C) equipment operation and maintenance;
(D) revised procedures;
(E) revised inspection schedules; and
(F) organizational changes.

Source Note: The provisions of this §19.37 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261; amended to be effective December 3, 2000, 25 TexReg 11660

RULE §19.39 Waiver

If the commissioner determines that the application of any provision of this subchapter would impair the effective and expeditious abatement, containment, removal, cleanup, or remediation of an unauthorized discharge or pollution or damage from an unauthorized discharge, or unreasonably endanger public health, safety, or welfare, public or private property, or natural resources, the commissioner may waive that provision.

Source Note: The provisions of this §19.39 adopted to be effective February 21, 1992, 17 TexReg 1109

RULE §19.51 State Agency Reporting and Reimbursement Procedures

To receive reimbursement from the fund for costs incurred in responding to an unauthorized discharge, a state agency must, within 90 days of the General Land Office's (GLO) declaration of the completion of response actions, submit to the GLO a report of its response activities and an itemization of the response costs it incurred. The GLO will approve reimbursement from the fund for costs of response actions it authorized or for any other reasonable and necessary response costs consistent with state response actions. The GLO may require additional information to support a response costs reimbursement claim under this section.

Source Note: The provisions of this §19.51 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.52 Designation of Responsible Person; Advertising Claims

(a) The General Land Office (GLO) will conduct a preliminary investigation of the discharge. If the GLO determines that the unauthorized discharge has caused any damages compensable under OSPRA, the GLO will identify the person or persons who appear responsible for the discharge.

(1) Upon a determination that damages compensable under OSPRA have resulted from an actual unauthorized discharge of oil or are likely to result from a threatened discharge, the GLO will immediately designate the responsible person. The GLO will make this determination based on the actual conditions observed at the site of the discharge or threatened discharge and will consider the following factors:

(A) the quantity of oil discharged or potentially dischargeable;

(B) the location and probable path of the discharge;

(C) the proximity to real or personal property owned by a person other than the responsible party;

(D) the natural resources likely to be affected;

(E) any other circumstance or factor relevant to an assessment of the impact of the actual or threatened discharge.

(2) The GLO shall give notice to the responsible person immediately upon a determination that damages have resulted or will result from the discharge. The notice will be in writing and may also be conveyed orally. The designation may be challenged within five days of the written notice. One or more persons or entities may be designated as persons responsible. The designation will be made by reviewing and assessing the following factors:

(A) the owner, operator, or charterer of the vessel or facility from which the discharge emanates;

(B) the person responsible for the discharge;

(C) the apparent cause of the discharge;

(D) whether or not any defense to liability is obviously applicable to the discharge;

(E) any other relevant factor which comes to the attention of the GLO.

(b) Failure to challenge a proposed designation is not an admission of liability for the unauthorized discharge.

(c) A challenge to the proposed designation must be made within five days in writing, fully state the grounds for the challenge, and be filed with the GLO. If the proposed designation is challenged or the GLO is unable to make a designation for any other reason, the GLO shall advertise the manner in which claims for response costs and damages must be filed.

(d) If the proposed designation is not challenged within five days, the designated responsible person must inform the GLO of its intended advertising, claims, and payment procedures, including the name of any agent handling claims on the responsible person's behalf and the name of any underwriter for liability from the discharge. As a part of all claims procedures, the designated responsible person must inform all claimants of the availability of the state fund and the federal fund to pay claims.

(e) Claims advertisements by the GLO or designated responsible persons must be printed each day for one week, beginning no later than 14 days after completion of the designation process, in the newspaper of largest general circulation in the locality in which the unauthorized discharge occurred. The locality means the county and contiguous counties where real or personal property affected by the discharge is located.

Advertisements must also be placed in designated newspapers of general circulation anywhere in the State of Texas when the commissioner so orders due to the impact of the discharge on natural resources and on persons economically reliant on the use of acquisition of the natural resources. Advertising requirements may also include radio and television announcements of claims procedures.

Source Note: The provisions of this §19.52 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.53 Claims Procedures

(a) OSPRA established the fund to provide immediately available compensation for response costs incurred and damages suffered as a result of an unauthorized discharge. The intent of this section is to avoid economic displacement and to simplify resolution of liability issues by creating procedures conducive to settlement and adjustment of claims in as orderly, efficient, and timely a manner as possible. "Reasonably responded" for the purposes of this section means that the receipt of the claim has been acknowledged, that claimant has been advised of the need for any further documentation to complete claims processing, and that the claimant has been advised in writing whether or not the responsible person will make an offer of settlement on any part or all of the claim and the date by which such offer will be made.

(b) If there is a designated responsible person, all claims must be presented to the designated responsible person first.

(1) If the claim is for $50,000 or less and is not reasonably responded to within 30 days of presentation to the designated responsible person, the claimant may present the claim to the General Land Office (GLO).

(2) If the claim is for over $50,000 and is not reasonably responded to within 90 days of presentation to the designated responsible person, the claimant must present the claim to the federal fund prior to the presentation to the GLO. If a claim presented to the federal fund is not settled within 60 days of presentation, the claimant may then present it to the GLO.

(c) If there is no designated responsible person, either because the identity of the person responsible for the unauthorized discharge is unknown or a proposed designation is challenged, claims of $50,000 or less may be presented to the GLO first. Claims over $50,000 must be presented to the federal fund first. Any such claim not reasonably responded to within 60 days may then be presented to the GLO.

(d) A claim is presented when the GLO actually receives it. Claimants must present claims to the GLO within 180 days from the date the claim is first eligible to be filed with the GLO. When necessary to meet this deadline, the claimant may present the claim even though it is under consideration by the responsible person or the federal fund. The GLO may extend the 180-day period if the claimant cannot present it within that time for reasons beyond the claimant's control.

(e) Claims must be in writing, must be signed and verified by the claimant or the claimant's agent or legal representative, and must include the following information:

(1) whether it is for damages or response costs or both;

(2) the cause, nature, and dollar amount of the claim;

(3) whether the claim is covered by insurance or other benefits for which the claimant is eligible;

(4) the amount and nature of any compensation or earnings the claimant received as a consequence of the unauthorized discharge; and

(5) an oath or affirmation that the same claim is not being pursued through any other claim, suit, settlement, or proceeding.
(f) The GLO may prescribe appropriate claim forms. Claimants must present claims to the GLO accompanied by evidence supporting the claim and proof that all prerequisites to filing a claim with the GLO have been satisfied, including a copy or summary of any offer of settlement or payment by the responsible person or the federal fund. Claimant must provide the GLO with a copy of the claim previously submitted to the designated responsible person. The GLO may require additional information or evidence to support a claim.
(g) The GLO shall review the evidence and any settlement offer and may require or consider additional evidence or proof from the claimant or from the designated responsible person.
(h) The GLO may, in its discretion, treat separately each class of damages or costs set out in a claim. The GLO may make partial awards of damages or costs set out in the claim based on separate classes of damages or costs or for other good cause.
(i) If the GLO determines that the settlement offer was reasonable, and the claimant did not make reasonable effort to settle, or that the evidence submitted is insufficient to support the claim, the GLO will deny the claim. The GLO will inform the claimant and the designated responsible person of denial in writing. After denial, if a claimant attempts reasonable efforts to settle and the person responsible or the federal fund does not tender a reasonable settlement offer, the GLO may allow the claim to be reinstated.
(j) If the GLO determines a settlement offer is not reasonable, or if a settlement offer is not a prerequisite to the claim, the GLO will propose an award amount. The GLO will notify the claimant and the responsible person of the proposal in writing.
(k) The GLO will hold a hearing on the proposed award if either the claimant or the designated responsible person files a written request for a hearing within 20 days of issuance of the proposal.
(l) If no hearing is requested within 20 days, or after the hearing if one is requested, the GLO will either notify the claimant and the designated responsible person of denial or tender the award to the claimant and notify the designated responsible person of the award amount. The claimant may reject the tender by returning it to the GLO within ten days of receipt.
(m) Acceptance of an award is final settlement as to the claimant and constitutes a full release as to the claimant. If the tender is refused or not accepted within 10 days, the claimant is ineligible for compensation from the fund for the claim.
(n) Compensation may be claimed and awarded for costs necessarily incurred for claims preparation and presentation.
(o) The GLO will not consider any claim filed by a claimant who is pursuing substantially the same claim through litigation.

Source Note: The provisions of this §19.53 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.54 Natural Resource Damages

To determine natural resource damages for purposes of an action under OSPRA, the General Land Office (GLO) may use the natural resource damages assessment methods adopted pursuant to Chapter 20 of this title (relating to Natural Resource Damage Assessment) or the methods by the United States Department of Interior under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 United States Code §1321 et seq.), or by the United States Department of

Commerce under OPA. The GLO may use any reliable methods of assessment that it deems reasonable given the particular resources affected.

Source Note: The provisions of this §19.54 adopted to be effective February 21, 1992, 17 TexReg 1109; amended to be effective March 6, 1995, 20 TexReg 1261

RULE §19.55 Response Costs

(a) The General Land Office (GLO) is required to recover expenditures from the coastal protection fund pursuant to OSPRA, §40.153 and §40.161(a), and therefore the GLO will assess response costs as delineated in this subsection.
(b) Whenever the GLO is unable to identify the person responsible for an unauthorized discharge of oil into or posing an imminent threat to coastal waters, the GLO will respond to the unauthorized discharge by initiating cleanup and other necessary response actions. Upon identification of the responsible person, the GLO will seek reimbursement for all monies expended from the coastal protection fund including, but not limited to, the following:
(1) actual costs of engaging a contractor to conduct cleanup;
(2) actual expenses of GLO personnel including time, transportation, lodging, and overhead;
(3) administrative and investigative expenses incurred in identifying the responsible person, including, but not limited to:
(A) sampling and analysis of the discharged oil and comparison samples; and
(B) field investigative costs; and
(C) accounting and legal costs.
(c) Whenever GLO personnel respond to the scene of an unauthorized discharge of oil that actually enters or poses an imminent threat to coastal waters, the following response costs shall be assessed against the responsible person:
(1) actual expenses of GLO personnel including time, transportation, lodging, and overhead; and all administrative costs of preparing the assessment; or
(2) a minimum response cost of $250.
(d) The GLO will assess response costs when:
(1) oil enters coastal waters and a cleanup response is required;
(2) oil does not enter coastal waters but poses an imminent threat to coastal waters and a response is required to prevent the oil from entering coastal waters.
(e) The GLO will not assess response costs when:
(1) oil enters coastal waters but GLO personnel do not spend more than two hours, excluding travel time, at the scene of the spill;
(2) oil is spilled but does not enter or pose an imminent threat to coastal waters.
(f) The minimum response cost of $250 will be billed whenever GLO personnel are required to monitor prevention or response activities and the time spent at the spill scene, excluding travel time, is less than eight hours. In the event that more than eight hours of GLO response personnel time is required at the scene of the spill, the responsible party will be assessed the actual costs of response incurred by the GLO. Response costs will not be assessed where either the Railroad Commission of Texas or the Texas Natural Resource Conservation Commission is the state on-scene coordinator, unless requested by the Railroad Commission of Texas or the Texas Natural Resource Conservation Commission and approved by the commissioner.

Source Note: The provisions of this §19.55 adopted to be effective May 14, 1993, 18 TexReg 2849; amended to be effective March 6, 1995, 20 TexReg 1261

APPENDIX V

30 TAC 327, TCEQ - SPILL PREVENTION AND CONTROL

INDEX

CHAPTER 327
SPILL PREVENTION AND CONTROL

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SPILL PREVENTION AND CONTROL
§§327.1 - 327.5, 327.31
Effective September 23, 1999

§327.1. Applicability.

(a) This chapter applies to discharges or spills that result in a release to the environment within the territorial limits of the State of Texas, including the coastal waters of this state.

(b) This chapter does not apply to:

(1) discharges or spills of oil that enter or threaten to enter coastal waters of the State. Except for spills of oil of 240 barrels or less for which the Railroad Commission of Texas is the on-scene coordinator, such discharges or spills are regulated by the Texas General Land Office under the Oil Spill Prevention and Response Act of 1991, the Texas Natural Resources Code, Chapter 40, Subchapters C, D, E, F, and G;

(2) spills or discharges from activities subject to the jurisdiction of the Railroad Commission of Texas under the Texas Water Code, §26.131;

(3) releases only to air;

(4) the lawful placement of waste or accidental discharge of material into a solid waste management unit registered or permitted under Chapter 335, Subchapter A of this title (relating to Industrial Solid Waste and Municipal Hazardous Waste in General);

(5) units and activities regulated under the authority of the Texas Water Code, Chapter 26, Subchapter I (relating to Underground and Aboveground Storage Tanks);

(6) the lawful application of materials, including but not limited to fertilizers and pesticides, to land or water;

(7) discharges that are authorized by a permit, order, or rule issued under federal law or any other law of the State of Texas; provided, however, that discharges not so authorized shall be reported under this chapter unless the permit, order, or another commission rule provides an applicable reporting requirement;

(8) discharges or spills that are continuous and stable in nature, and are reported to the United States Environmental Protection Agency (EPA) under 40 Code of Federal Regulations (CFR) §302.8; and

(9) discharges or spills occurring during the normal course of rail transportation.

Adopted December 4, 1996 Effective December 26, 1996

§327.2. Definitions.

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise.

(1) **Agency on-scene coordinator** - The official designated by the executive director to coordinate and direct agency responses, or to oversee private responses to discharges or spills.

(2) **Coastal waters** - The definition of Coastal waters as it appears in Title 31, Texas Administrative Code, §19.2 (relating to Definitions) of the Texas General Land Office rules.

(3) **Discharge or spill** - An act or omission by which oil, hazardous substances, waste, or other substances are spilled, leaked, pumped, poured, emitted, entered, or dumped onto or into waters in the State of Texas or by which those substances are deposited where, unless controlled or removed, they may drain, seep, run, or otherwise enter water in the State of Texas.

(4) **Emergency response team** - A unit of the agency that is responsible for the coordination of response to spills and discharges under the agency's jurisdiction.

(5) **Environment** - Waters in the state, land surface or subsurface strata, for purposes of this chapter only.

(6) **Facility** - Any structure or building, including contiguous land, or equipment, pipe or pipeline, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, aircraft, or any site or area where a discharge or spill has occurred or may occur.

(7) **Hazardous substance** - Any substance designated as such by the administrator of the United States Environmental Protection Agency under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 - 9675, regulated under the Clean Water Act, §311, 33 U.S.C. 1321, or designated by the commission.

(8) **Industrial solid waste** - Solid waste, as defined in §335.1 of this title (relating to Definitions), resulting from or incidental to any process of industry or manufacturing, or mining, or agricultural operations, which may include hazardous waste as defined in §335.1 of this title.

(9) **Oil** - Oil of any kind or in any form including but not limited to petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include used oil, petroleum product, or oil designated as a hazardous substance in 40 CFR §302.4.

(10) **Other substances** - Substances that may be useful or valuable and therefore are not ordinarily considered to be waste, but that will cause pollution if discharged into water in the state.

(11) **Petroleum product** - A petroleum substance obtained from distilling and processing crude oil that is liquid at standard conditions of temperature and pressure, and that is capable of being used as a fuel for the propulsion of a motor vehicle or aircraft, including but not necessarily limited to motor gasoline, gasohol, other alcohol blended fuels, aviation gasoline, kerosene, distillate fuel oil, and #1 and #2 diesel. The term does not include naphtha-type jet fuel, kerosene-type jet fuel, or a petroleum product destined for use in chemical manufacturing or feedstock of that manufacturing.

(12) **Petroleum storage tank (PST) exempted facilities** - Electric service facilities including generation, transmission, distribution equipment and transformers; petrochemical plants; petroleum refineries; bulk loading facilities; and pipelines that are exempted from the Aboveground Storage Tank (AST) program under §334.123(a)(9) and §334.123(b) of this title (relating to Statutory Exemptions for ASTs), and §334.124(a)(4) of this title (relating to Commission Exclusions for ASTs).

(13) **Pipeline** - A pipeline is:

(A) an interstate pipeline facility, including gathering lines and any aboveground storage tank connected to such facility, if the pipeline facility is regulated under:

(i) the Natural Gas Pipeline Safety Act of 1968 (49 United States Code §1671, et seq.); or

(ii) the Hazardous Liquid Pipeline Safety Act of 1979 (49 United States Code §2001, et seq.).

(B) an intrastate pipeline facility or any aboveground storage tank connected to such a facility, if the pipeline facility is regulated under one of the following state laws:

(i) the Natural Resources Code, Chapter 111;

(ii) the Natural Resources Code, Chapter 117; or

(iii) Texas Civil Statutes, Article 6053-1 and 6053-2.

(14) **Pollution** - The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(15) **Responsible person** - A person who is:

(A) the owner, operator, or demise charterer of a vessel from which a discharge or spill emanates; or

(B) the owner or operator of a facility from which a discharge or spill emanates; or

(C) any other person who causes, suffers, allows, or permits a discharge or spill.

(16) **Used oil** - Oil that has been refined from crude oil, or synthetic oil, that as a result of use has been contaminated by physical or chemical impurities.

(17) **Vessel** - Every description of watercraft, used or capable of being used as a means of transportation on the water.

(18) **Water or water in the state** - Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all watercourses and bodies of surface waters, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

Adopted April 24, 1996 Effective May 23, 1996

§327.3. Notification Requirements.

(a) Reportable discharge or spill. A reportable discharge or spill is a discharge or spill of oil, petroleum product, used oil, hazardous substances, industrial solid waste, or other substances into the environment in a quantity equal to or greater than the reportable quantity listed in §327.4 of this title (relating to Reportable Quantities) in any 24-hour period.

(b) Initial notification. Upon the determination that a reportable discharge or spill has occurred, the responsible person shall notify the agency as soon as possible but not later than 24 hours after the discovery of the spill or discharge.

(c) Method of notification. The responsible person shall notify the agency in any reasonable manner including by telephone, in person, or by any other method approved by the agency. In all cases, the initial notification shall provide, to the extent known, the information listed in subsection (d) of this section. Notice provided under this section satisfies the federal requirement to notify the State Emergency Response Commission in the State of Texas. The responsible person shall notify one of the following:

(1) the State Emergency Response Center at 1-800-832-8224;

(2) during normal business hours only, the regional office for the agency region in which the discharge or spill occurred; or

(3) the agency at the agency 24-hour spill reporting number

(d) Information required in initial notification. The initial notification shall provide, to the extent known, the information in the following list. Copies of spill reports prepared for other governmental agencies shall satisfy this requirement if they contain, or are supplemented to contain, all the information required by this subsection. The initial notification shall contain:

(1) the name, address and telephone number of the person making the telephone report;

(2) the date, time, and location of the spill or discharge;

(3) a specific description or identification of the oil, petroleum product, hazardous substances or other substances discharged or spilled;

(4) an estimate of the quantity discharged or spilled;

(5) the duration of the incident;

(6) the name of the surface water or a description of the waters in the state affected or threatened by the discharge or spill;

(7) the source of the discharge or spill;

(8) a description of the extent of actual or potential water pollution or harmful impacts to the environment and an identification of any environmentally sensitive areas or natural resources at risk;

(9) if different from paragraph (1) of this subsection, the names, addresses, and telephone numbers of the responsible person and the contact person at the location of the discharge or spill;

(10) a description of any actions that have been taken, are being taken, and will be taken to contain and respond to the discharge or spill;

(11) any known or anticipated health risks;

(12) the identity of any governmental representatives, including local authorities or third parties, responding to the discharge or spill; and

(13) any other information that may be significant to the response action.

(e) Update notification. The responsible person shall notify the agency as soon as possible whenever necessary to provide information that would trigger a change in the response to the spill or discharge.

(f) Correction of records. Notifying the agency that a reportable discharge or spill has occurred shall not be construed as an admission that pollution has occurred. Furthermore, if the responsible person determines, after notification, that a reportable discharge or spill did not occur, the responsible person may send a letter to the agency documenting that determination. If the executive director agrees with that determination, the executive director will note the determination in commission records. If the executive director disagrees with that determination, the executive director will notify the responsible person within 30 days.

(g) Notification of local governmental authorities. If the discharge or spill creates an imminent health threat, the responsible person shall immediately notify and cooperate with local emergency authorities (fire department, fire marshall, law enforcement authority, health authority, or Local Emergency Planning Committee (LEPC), as appropriate). The responsible party will cooperate with the local emergency authority in providing support to implement appropriate notification and response actions. The local emergency authority, as necessary, will implement its emergency management plan, which may include notifying and evacuating affected persons. In the absence of a local emergency authority, the responsible person shall take reasonable measures to notify potentially affected persons of the imminent health threat.

(h) Notification to property owner and residents. As soon as possible, but no later than two weeks after discovery of the spill or discharge, the responsible person shall reasonably attempt to notify the owner (if identifiable) or occupant of the property upon which the discharge or spill occurred as well as the occupants of any property that the responsible person reasonably believes is adversely affected.

(i) Additional notification required.

(1) Except as noted in paragraph (2) of this subsection, complying with the notification requirements set forth in this section does not relieve, satisfy, or fulfill any other notification requirements imposed by permit or other local, state, or federal law.

(2) Notice provided under this section satisfies the federal requirement to notify the State Emergency Response Commission in the State of Texas.

(j) Alternative notification plans.

(1) Responsible persons in charge of activities and facilities may submit and implement an alternative notification plan. This alternative notification plan shall comply with the Texas Water Code, §26.039. Responsible persons shall obtain the agency's written approval before implementing any alternative notification plan.

(2) Upon approval of the agency regional manager, responsible persons may provide the initial notification by facsimile to the regional office during normal business hours.

§327.4. Reportable Quantities.

(a) Hazardous substances. The reportable quantities for hazardous substances shall be:

(1) for spills or discharges onto land - the quantity designated as the Final Reportable Quantity (RQ) in Table 302.4 in 40 CFR §302.4; or

(2) for spills or discharges into waters in the state - the quantity designated as the Final RQ in Table 302.4 in 40 CFR §302.4, except where the Final RQ is greater than 100 pounds in which case the RQ shall be 100 pounds.

(b) Oil, petroleum product, and used oil.

(1) The RQ for crude oil and oil other than that defined as petroleum product or used oil shall be:

(A) for spills or discharges onto land - 210 gallons (five barrels); or

(B) for spills or discharges directly into water in the state - quantity sufficient to create a sheen.

(2) The RQ for petroleum product and used oil shall be:

(A) except as noted in subparagraph (B) of this paragraph, for spills or discharges onto land - 25 gallons;

(B) for spills or discharges to land from PST exempted facilities - 210 gallons (five barrels); or

(C) for spills or discharges directly into water in the state - quantity sufficient to create a sheen.

(c) Industrial solid waste or other substances. The RQ for spills or discharges into water in the state shall be 100 pounds.

Adopted April 24, 1996 Effective May 23, 1996

§327.5. Actions Required.

(a) The responsible person shall immediately abate and contain the spill or discharge and cooperate fully with the executive director and the local incident command system. The responsible person shall also begin reasonable response actions which may include, but are not limited to, the following actions:

(1) arrival of the responsible person or response personnel hired by the responsible person at the site of the discharge or spill;

(2) initiating efforts to stop the discharge or spill;

(3) minimizing the impact to the public health and the environment;

(4) neutralizing the effects of the incident;

(5) removing the discharged or spilled substances; and

(6) managing the wastes.

(b) Upon request of the local government responders or the executive director, the responsible person shall provide a verbal or written description, or both, of the planned response actions and all actions taken before the local governmental responders or the executive director arrive. When the agency on-scene coordinator requests this information, it is subject to possible additional response action requirements by the executive director. The information will serve as a basis for the executive director to determine the need for:

(1) further response actions by the responsible person;

(2) initiating state funded actions for which the responsible person may be held liable to the maximum extent allowed by law; and

(3) subsequent reports on the response actions.

(c) Except for discharges or spills occurring during the normal course of transportation about which carriers are required to file a written report with the U.S. Department of Transportation under 49 CFR §171.16, the responsible person shall submit written information, such as a letter, describing the details of the discharge or spill and supporting the adequacy of the response action, to the appropriate TNRCC regional manager within 30 working days of the discovery of the reportable discharge or spill. The regional manager has the discretion to extend the deadline. The documentation shall contain one of the following items:

(1) A statement that the discharge or spill response action has been completed and a description of how the response action was conducted. The statement shall include the initial report information required by §327.3(c) of this title (relating to Notification Requirements). The executive director may request additional information. Appropriate response actions at any time following the discharge or spill include use of the Texas Risk Reduction Program rules in Chapter 350 of this title (relating to Texas Risk Reduction Program).

(2) A request for an extension of time to complete the response action, along with the reasons for the request. The request shall also include a projected work schedule outlining the time required to complete the response action. The executive director may grant an extension up to six months from the date the spill or discharge was reported. Unless otherwise notified by the appropriate regional manager or the Emergency Response Team, the responsible person shall proceed according to the terms of the projected work schedule.

(3) A statement that the discharge or spill response action has not been completed nor is it expected to be completed within the maximum allowable six month extension. The statement shall explain why completion of the response action is not feasible and include a projected work schedule outlining the remaining tasks to complete the response action. This information will also serve as notification that the response actions to the discharge or spill will be conducted under the Texas Risk Reduction Program rules in Chapter 350 of this title (relating to Texas Risk Reduction Program).

Adopted September 2, 1999 Effective September 23, 1999

§327.31. Natural Resource Damage Assessment for Oil Spills in Coastal Waters.

Pursuant to a joint negotiated rulemaking mandated under Senate Bill 1049, 73rd Legislature, 1993, the Texas Natural Resource Conservation Commission incorporates by reference the provisions of 31 TAC §§20.1-20.4, 20.10, 20.20-20.23, 20.30-20.36, and 20.40-20.44, concerning Natural Resource Damage Assessment, as adopted by the Texas General Land Office, effective October 19, 1994.

Adopted December 21, 1994 Effective January 11, 1995

APPENDIX VI

16 TAC 7.80-7.87, RRC OF TEXAS - PIPELINE SAFETY REGULATIONS

16 TAC Part 1 Railroad Commission of Texas
Chapter 7 Gas Utilities Division
Subchapter B Substantive Rules

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§7.80 Definitions

The following words and terms, when used in §§7.80-7.87 of this title (relating to Substantive Rules), shall have the following meanings, unless the context clearly indicates otherwise. In addition to the following defined terms, definitions given in 49 CFR, Part 195, including any amendments thereto, are hereby adopted as definitions for purposes of this section.

(1) Commission--The Railroad Commission of Texas.
(2) Hazardous liquid--Petroleum, petroleum products, anhydrous ammonia, or any substance or material which is in liquid state, excluding liquefied natural gas, when transported by pipeline facilities and which has been determined by the United States secretary of transportation to pose an unreasonable risk to life or property when transported by pipeline facilities.
(3) Intrastate pipeline facilities--Pipeline facilities located within the State of Texas which are not used for the transportation of hazardous liquids in interstate or foreign commerce.
(4) Operator--A person who owns or operates on his own behalf, or is an agent designated by the owner to operate, intrastate pipeline facilities.
(5) Person--Any individual, firm, joint venture, partnership, corporation, association, state, municipality, cooperative association, or joint stock association, including any trustee, receiver, assignee, or personal representative thereof.
(6) Pipeline facilities--New and existing pipe, right-of-way, and any equipment, facility, or building used or intended for use in the transportation of hazardous liquids.
(7) Pipeline Safety Section--The Pipeline Safety Section of the Gas Utilities Division, Railroad Commission of Texas.
(8) Transportation of hazardous liquids--The movement of hazardous liquids by pipeline, or their storage incidental to movement, except that it does not include any such movement through gathering lines in rural locations or production, refining, or manufacturing facilities or storage or in-plant piping systems associated with any of those facilities.

Source Note: The provisions of this §7.80 adopted to be effective October 8, 1985, 10 TexReg 3685; amended to be effective September 25, 1987, 12 TexReg 3216; amended to be effective January 4, 1993, 17 TexReg 9028.

§7.81 Safety Regulations Adopted

The commission adopts by specific reference the provisions (except as modified herein or hereafter) established by the United States Secretary of Transportation under the Pipeline Safety Act 49 USCA §60101 et. seq. and set forth in 49 CFR Part 195, Regulations for Transportation of Hazardous Liquids by Pipeline, and 49 CFR Part 199, Control of Drug Use in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations, effective January 15, 1999. Nothing in this section shall prevent the commission, after notice and hearing, from prescribing more stringent standards in individual situations. Any documents or parts of documents incorporated by reference into these rules shall be a part of these rules as if set out in full.

Source Note: The provisions of this §7.81 adopted to be effective October 8, 1985, 10 TexReg 3685; amended to be effective September 25, 1987, 12 TexReg 3216; amended to be effective November 13, 1990, 15 TexReg 6243; amended to be effective January 4, 1993, 17 TexReg 9028; amended to be effective November 15, 1994, 19 TexReg 8673; amended to be effective June 30, 1995, 20 TexReg 4407; amended to be effective October 21, 1997, 22 TexReg 10312; amended to be effective July 12, 1999, 24 TexReg 5184

§7.82 Jurisdiction

The commission has authority to exercise jurisdiction over the intrastate pipeline transportation of hazardous liquids and over all intrastate pipeline facilities as provided in the Hazardous Liquid Pipeline Safety Act of 1979 (Public Law 96-126) and the Texas Natural Resources Code, §117.011. Additionally, all pipeline facilities originating in Texas waters (three marine leagues and all bay areas) shall be subject to the minimum safety standards. These pipeline facilities include those production and flow lines originating at the well. All new facilities included in this rule shall have one year after the date of the rule for achieving compliance with these regulations.

Source Note: The provisions of this §7.82 adopted to be effective October 8, 1985, 10 TexReg 3685; amended to be effective September 25, 1987, 12 TexReg 3216; amended to be effective January 4, 1993, 17 TexReg 9028

§7.83 Retroactivity

Nothing in §§7.80-7.86 of this title (relating to Substantive Rules) shall be applied retroactively to existing intrastate pipeline facilities concerning design, fabrication, or installation, but all intrastate pipeline facilities shall be subject to the other safety requirements of these sections.

Source Note: The provisions of this §7.83 adopted to be effective October 8, 1985, 10 TexReg 3685; amended to be effective September 25, 1987, 12 TexReg 3216

§7.84 Required Records and Reporting

(a) **Accident reporting**. In the event of any failure or accident involving an intrastate pipeline facility from which any hazardous liquid is released, if the failure or accident is required to be reported by 49 Code of Federal Regulations, Part 195, the operator shall report to the commission as follows.

(1) **Incidents involving crude oil**. In the event of an accident involving crude oil, the operator shall:

(A) notify, by telephone, the Pipeline Safety Section of the commission at the earliest practicable moment following discovery of the incident (within two hours) and then the Pipeline Safety Section will notify the appropriate Oil and Gas District office; and

(B) within 30 days of discovery of the incident, submit a completed Form H-8 (available from the commission) to the Oil and Gas Division of the commission. In situations specified in the 49 Code of Federal Regulations, Part 195, the operator must also file duplicate copies of the

required Department of Transportation form with the Pipeline Safety Section.

(2) **Hazardous liquids other than crude oil**. For incidents involving hazardous liquids other than crude oil, the operator shall:

(A) notify the Pipeline Safety Section of the commission of such incident by telephone at the earliest practicable moment following discovery (within two hours); and

(B) within 30 days of discovery of the incident, file in duplicate with the Pipeline Safety Section a written report using the appropriate Department of Transportation form (as required by 49 Code of Federal Regulations, Part 195) or a facsimile.

(3) **Telephonic reporting**. The telephonic notice required by this part shall be made to the Railroad Commission emergency line, Pipeline Safety Section at (512) 463-6788, and shall include the following:

(A) company/operator name;
(B) location of leak or incident;
(C) time and date of accident/incident;
(D) fatalities and/or personal injuries;
(E) phone number of operator;
(F) other significant facts relevant to the accident or incident.

(b) **Annual report**. Each operator shall file with the commission an annual report listing line sizes and lengths, hazardous liquids being transported, and accident/failure data. The report must be filed with the commission on or before March 15 following the calendar year reported. An operator need only file additions or changes made to a pipeline system(s) following the first year filing. Reporting forms may be obtained from the Pipeline Safety Section.

(c) **New construction report**. Each operator shall file with the commission, at least 30 days prior to commencement of construction, the proposed location, path, size and type of pipe to be used, intended use, design pressure, and length of the proposed line.

(d) **Operations and maintenance procedure manual**. Each operator shall prepare a manual outlining normal operating, maintenance, and emergency procedures for the facility as required by 49 Code of Federal Regulations, Part 195, or subsection (a) of this section and shall submit a copy of said manual to the director of the Pipeline Safety Section for review. Copies of changes or additions to the manual shall be submitted for review at least 20 days prior to the date on which they are scheduled to become effective.

(e) **Facility response plans**. Within 60 days of the effective date of this rule or simultaneously with filing a facility response plan at the United States Department of Transportation, whichever is later, each operator shall submit to the Pipeline Safety Section a copy of the facility response plan prepared under the Oil Pollution Act of 1990, for all or any part of a hazardous liquid pipeline facility located landward of the coast for commission review.

(f) **Records**. Each operator shall maintain and have available for inspection the same documents and records required by the Code of Federal Regulations, Title 49, Part 195, and such additional records as the Commission from time to time may require. These documents and records shall be retained for the period established for interstate operators by the Code of Federal Regulations, Title 49, Part 195, or for a period of not less than five years if no such federal requirement has been established. These records shall include, but not be limited to, the following:

(1) records of all design and installation of new and used pipe, including design pressure calculations, pipeline specifications, specified minimum yield strength and wall-thickness calculations, each valve, fitting, fabricated branch connection, closure, flange connection, station piping, fabricated assembly, and above-ground breakout tank;
(2) records of all pipeline construction, procedures, training, and inspection pertaining to welding, nondestructive testing, and cathodic protection;
(3) records of all hydrostatic testing performed on all pipeline segments, components, and tie-ins;
(4) records involved in the performance of the procedures outlined in the Operations and Maintenance Procedure Manual.

Source Note: The provisions of this §7.84 adopted to be effective October 8, 1985, 10 TexReg 3685; amended to be effective September 25, 1987, 12 TexReg 3216; amended to be effective January 4, 1993, 17 TexReg 9028; amended to be effective July 2, 1996, 21 TexReg 5689.

§7.85 Intrastate Pipeline Facility Construction

Pipelines must be constructed of steel pipe and placed in accordance with the requirements of 49 CFR Part 195, except that pipeline other than steel may be granted special exceptions by following the filing procedures in 49 CFR Part 195, and submitting them to the commission for approval.

Source Note: The provisions of this §7.85 adopted to be effective October 8, 1985, 10 TexReg 3685; amended to be effective September 25, 1987, 12 TexReg 3216

§7.86 Corrosion Control Requirements

The following requirements are applicable to the installation and construction of new pipeline metallic systems, the relocation or replacement of existing facilities, and the operation and maintenance of steel pipelines.

(1) Atmospheric corrosion control. Each aboveground pipeline or portion of pipeline exposed to the atmosphere must be cleaned and coated or jacketed with material suitable for the prevention of atmospheric corrosion. For onshore pipelines, the intervals between inspections shall not exceed five years; for offshore pipelines, reevaluations are required at least once each calendar year, with intervals not to exceed 15 months.
(2) Coatings. All coated pipe used for the transport of hazardous liquids shall be electrically inspected prior to placement, using coating deficiency (holiday) detectors to check for any faults not observable by visual examination. The holiday detector shall be operated in accordance with manufacturer's instructions and at a voltage level appropriate for the electrical characteristics of the pipeline system being tested.
(3) Installation. Joints, fittings, and tie-ins shall be coated with material(s) compatible with the coating(s) on the pipe.
(4) Cathodic protection test stations. Each cathodically protected pipeline must have test stations or other electrical measurement contact points sufficient to determine the adequacy of cathodic protection. These locations shall include, but are not limited to,

pipe casing installations and all foreign metallic cathodically protected structures. Test stations (electrode locations) used when taking pipe-to-soil readings for determining cathodic protection shall be selected to give representative pipe-to-soil readings. Readings taken at test stations (electrode locations) over or near one or more anodes shall not, by themselves, be considered representative.

(A) All test lead wire attachments and bared test lead wires shall be coated with an electrically insulating material. Where the pipe is coated, the insulation of the test lead wire material should be compatible with the pipe coating and wire insulation.

(B) Cathodic protection systems must meet or exceed the minimum criteria set forth in Criteria For Cathodic Protection of the most current edition of the National Association of Corrosion Engineers (NACE) Standard RP-01-69.

(5) Monitoring and inspection.

(A) Each cathodic protection rectifier or impressed current power source must be inspected at least six times each calendar year, with intervals not to exceed 2 1/2 months, to ensure that it is operating properly.

(B) Each reverse-current switch, diode, and interference bond whose failure would jeopardize structure protection must be checked electrically for proper performance six times each calendar year, with intervals not to exceed 2 1/2 months. Each remaining interference bond must be checked at least once each calendar year, with intervals not to exceed 15 months.

(C) Each operator shall utilize right-of-way inspections to determine areas where interfering currents are suspected. In the course of these inspections, personnel should be alert for electrical or physical conditions which could indicate interference from a neighboring source. Whenever suspected areas are identified, the operator must conduct appropriate electrical tests within six months to determine the extent of interference and take appropriate action.

(6) Remedial action. Each operator shall take prompt remedial action to correct any deficiencies observed during monitoring.

Source Note: The provisions of this §7.86 adopted to be effective October 8, 1985, 10 TexReg 3685; amended to be effective September 25, 1987, 12 TexReg 3216; amended to be effective January 4, 1993, 17 TexReg 9028

§7.87 Enforcement

Following reasonable notice, the Pipeline Safety Section may inspect the books and records of each operator at any reasonable time to ensure compliance with the provisions of these hazardous liquids pipeline safety rules.

(1) Each operator or its officers, employees, or representatives shall make readily available to the authorized representative of the Pipeline Safety Section all files, records, and other documents required to be maintained by these hazardous liquids pipeline safety rules and/or 49 CFR Part 195, in addition to other documents which reasonably may be required to determine compliance with the provisions of these hazardous liquids pipeline safety rules or aid in the investigation of any accident or incident involving hazardous liquids.

(2) The plant, property, and facilities of each operator shall be made readily accessible to the

authorized representative of the Pipeline Safety Section in the administration and enforcement of these hazardous liquids pipeline rules as well as the investigation of violations, alleged violations, accidents, or incidents involving intrastate pipeline facilities.

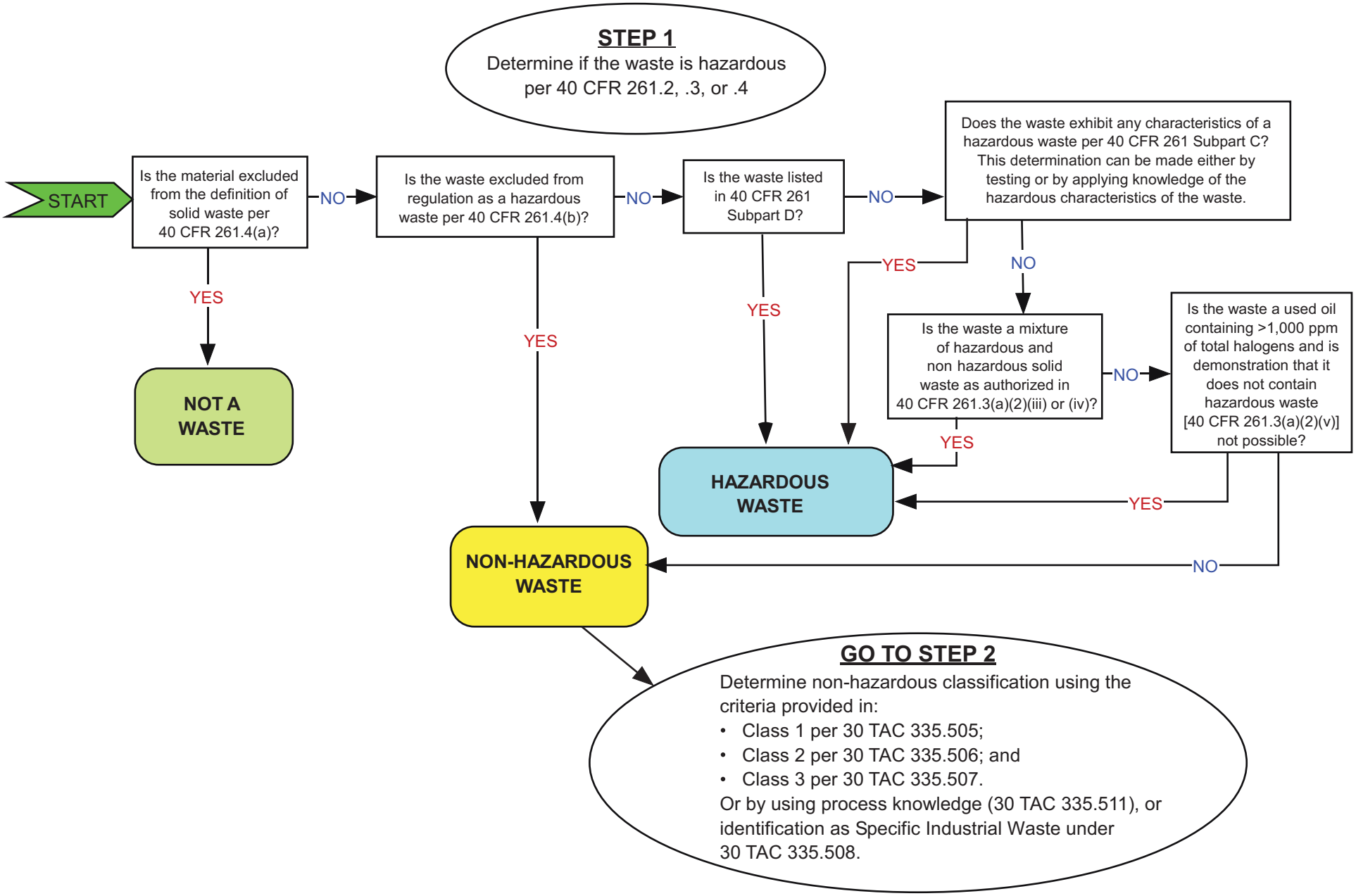
(3) Each operator shall provide such additional reports, data and/or information as the commission may from time to time reasonably require in the administration and enforcement of the provisions of these hazardous liquids pipeline safety rules or in the investigation of any accident, violation, or alleged violation of these hazardous liquids pipeline safety rules.

Source Note: The provisions of this §7.87 adopted to be effective October 8, 1985, 10 TexReg 3685; amended to be effective September 25, 1987, 12 TexReg 3216

APPENDIX VII

TCEQ WASTE CLASSIFICATION REGULATIONS FLOWCHART

TCEQ INDUSTRIAL WASTE CLASSIFICATION PROCEDURE



The WCM Group, Inc.
P.O. Box 3247, Humble, Texas 77347-3247
Ph: 281-446-7070

STEP 2

Determine non-hazardous waste classification by means of one of the four following options.

OPTION 1

Class 1 by Default

Generator chooses not to provide further documentation of waste classification.

Class 1 Non-Hazardous

OPTION 2

Specific Industrial Waste

If the waste is identified as a Specific Industrial Waste under 30 TAC 335.508 (re: asbestos, empty containers, plant trash, medical waste, PCBs, TPH*, mechanically shredded scrap, TSCA "new chemical substance" waste, and stabilized characteristically hazardous waste).

Class 1 or 2 Non-Hazardous
Provide supporting documentation by using either Option 3 or 4 (listed here) in combination with specific criteria as specified in 30 TAC 335.508.

NOTE:
* Wastes which are, or contain petroleum substances may only be classified as Class 2 if TPH is less than or equal to 1,500 ppm.

OPTION 3

Process Knowledge

Document process knowledge including:

1. A full description of the waste generation process including chemical constituents entering the process and addressing 30 TAC 335.521 Appendix I constituents.
2. A full description of the waste including likely chemical constituents.

Class 1, 2 or 3 Non-Hazardous
as determined based upon evaluation of documented process knowledge against waste classification criteria of 30 TAC 335.505, .506, & .507

OPTION 4

GO TO PAGE 3 FOR OPTION 4.
CLASS 3 BY ANALYTICAL METHOD

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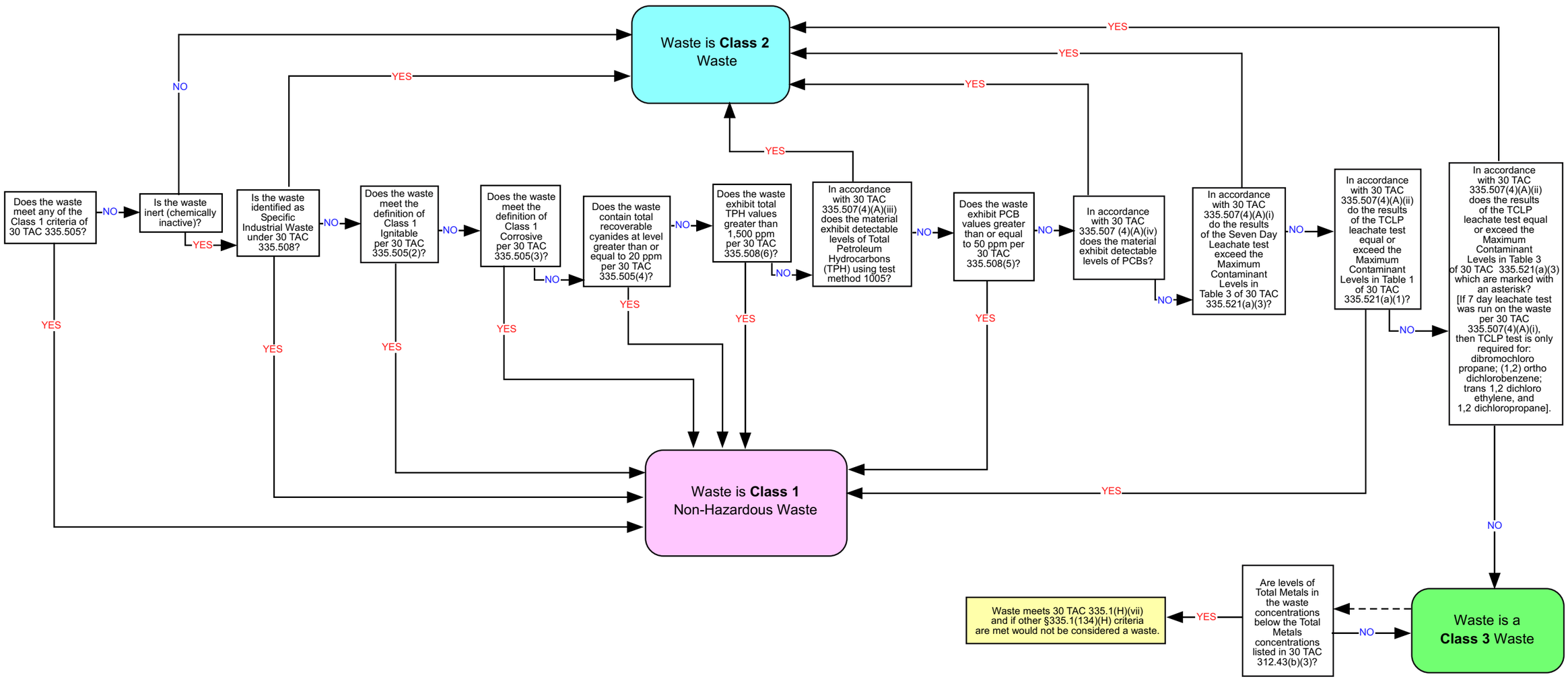
STEP 2 (continued)
Determine non-hazardous waste classification by means of one of the four following options.

OPTION 4
Class 3 by Analytical Method



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