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SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN

ABERDEEN PVC PLANT

JANUARY 30, 1980

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SECTION I

COMPANY POLICY

COMPANY POLICY

The worldwide activities of Conoco Inc. involve extensive uses of natural resources. The Company accepts wholeheartedly its corporate responsibility for maintaining and improving the quality of the environment.

Specifically, it is the policy of Conoco to conduct all its activities in such a way as to effect prudent and responsible use of air, water, land and other natural resources. Moreover, the Company recognizes that because of the beauty of the environment and the protection of wildlife are of prime importance to man's wellbeing, these also are among its essential concerns. In making decisions on the use of natural resources, the resultant benefits to society will be weighed against the cost of maintaining and improving the environment.

Conoco Inc. adopts these goals:

1. To recognize the need for environmental improvement and to work vigorously toward carrying out the necessary programs of developing, installing, operating and maintaining effective control equipment.

2. To continue the search for new products and new processes compatible with the environment.

3. To anticipate possible emergencies threatening environmental quality and to prepare plans for the prompt handling of these emergencies.

4. To accumulate and disseminate scientific and technical information on environmental matters to the end that abatement implementation will be by the best available methods and at the lowest possible cost.

5. To use aggressively scientific and technical knowledge and skill in anti-pollution and conservation activities throughout all of Conoco's operations.

6. To continue to cooperate with those governmental agencies charged with promugating, administering and enforcing laws and regulations pertaining to natural resources.

7. To maintain an awareness of and sensitivity to environmental responsibility among all Conoco employees through a strong program of information and education.

8. To communicate to the public Conoco's commitment to environmental conservation.

SECTION II

INTRODUCTION

INTRODUCTION

The Spill Prevention Control and Countermeasure Plan has been prepared to meet the requirement of the Federal Government in protecting the waterways of the U.S. The plan is also a demonstration of the fact that Conoco is concerned for the health and welfare of the public.

The general importance of the plan is to minimize spills and treat all spills within the plant perimeter therefore preventing any oil or related substance from entering into surrounding waterways.

The materials used at the Aberdeen Plant covered by the plan includes all plasticiziers and alcohols, industrial oils and lubricants, and chemicals used in various areas of the plant.

All potential spill areas are under strict plant security. The plant facilities are enclosed in a fenced area, and all the gates are locked except the main gate where a guard is present at all times.

The plan includes provisions for inspection and maintenance of the following items:

1) Storage tanks applicable under the SPCC Plan.

2) Level alarms on the above storage tanks.

3) Drum storage areas.

4) Drain valves in diked or curbed areas.

All items listed above are to be inspected once per year. Storage tanks applicable to the SPCC Plan, which includes T-450, T-460, T-424, T-425, and T-426 in the plasticizer unit, NT-1, at the API separator, and all tanks in the tank farm will be inspected during the plant's annual onstream inspection. The Maintenance Report, Exhibit 3, Appendix B, is to be completed for all tanks to recommend any repair work on a particular tank and to document the inspection. The completed Maintenance Report is to be inserted in the SPCC Plan File that is kept in Process Engineering.

The drum storage areas and drain valves in diked or curbed areas are to be inspected once per year. At the conclusion of the inspection, the applicable Maintenance Report is to be completed and inserted into the SPCC Plan File. The Maintenance Reports not only provide a record of inspection but also recommend any repair work that needs to be done.

INTRODUCTION (Cont.)

The proposed plan outlines the procedures for reporting, recording, and maintaining a spill within the plant perimeter and procedures in the event a spill leaves the plant boundaries. Exceptions to the plan will be made whenever anyone's life or well-being is endangered.

In the event that a spill does leave the plant boundaries, the spill is to be treated as outlined in Section VII and VIII of the plan.

SECTION III

SPILLS PERTAINING TO HOUSEKEEPING

SPILLS PERTAINING TO HOUSEKEEPING

In the case where a spill is caused by a work error, the person or persons involved should clean it up if this is practical in a given situation. However, all spills should be cleaned up in a timely manner.

Line and bleeders left open or opened without knowledge of the operations personnel responsible provide potential opportunities for spills. Therefore, operations personnel are the only ones authorized to open or close valves except in emergencies, for operations instructional purposes or when a piece of equipment or a unit has not been proven fully operational and has not been released to operations.

Operating guidelines have been established by the operations department heads to prevent overflow of tanks and to prevent starting equipment with piping or bleeders open.

A Spill Report Form, Exhibit 1, Appendix B, is to be filled out and processed for spills of oils or chemicals, including resins, compounds, and slurries. The report is to be completed for liquid spills in excess of 10 gallons and for solids spills, dry or slurries, in excess of 40 pounds. The report is to be filled out by the shift supervisor after investigation and then reviewed by his or her supervisor for finalizing recommendations to prevent reoccurrence.

SECTION IV

IN-PLANT SPILL ORGANIZATION

IN-PLANT SPILL ORGANIZATION

Should a major spill occur, efforts must be made to prevent further spillage and to contain the spill within the plant boundary limits. Any employee observing a major spill or the evidence that a major spill has occurred, or receiving a report that a major spill has occurred at an operational site shall take immediate action to stop the flow if possible and contact the Shift Supervisor. The Shift Supervisor shall make an evaluation of the magnitude of the spill, potential hazards and potential damage and report to the Operations Supervisor or the Operations Superintendent immediately. Upon consultation with the Shift Supervisor, the Operations Supervisor, or Operations Superintendent will contact the Mechanical Superintendent and request assistance in the clean-up operation. The Operations Superintendent will have the responsibility of coordinating the overall clean-up operation. The Chief Process Engineer will function in an advisory position to the Operations Superintendent.

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SPILL CONTROL ORGANIZATION

ABERDEEN PVC PLANT

SPILL

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EMPLOYEE NOTIFIES
SHIFT SUPERVISOR

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SHIFT SUPERVISOR

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MONDAY - FRIDAY
7:30 a.m.- 4:30 p.m.

SHIFT SUPERVISOR CONTACTS
OPERATIONS SUPERVISOR

↓

OPERATIONS SUPERVISOR
CONTACTS
MECHANICAL SUPERINTENDENT
AND
OPERATIONS SUPERINTENDENT

↓

OPERATIONS SUPERINTENDENT
COORDINATES CLEANUP OPERATION

↓

MECHANICAL SUPERINTENDENT
PROVIDES EQUIPMENT AND MANPOWER

↓

OPERATIONS SUPERINTENDENT
DISCUSSES SPILL WITH
PLANT MANAGER

EVENINGS & GRAVEYARD SHIFTS
WEEKENDS & HOLIDAYS

SHIFT SUPERVISOR CONTACTS
OPERATIONS SUPERINTENDENT

↓

OPERATIONS SUPERINTENDENT
CONTACTS
MECHANICAL SUPERINTENDENT

↓

OPERATIONS SUPERINTENDENT
COORDINATES CLEANUP OPERATION

↓

OPERATION SUPERINTENDENT
DISCUSSES SPILL WITH
PLANT MANAGER

EMERGENCY CALL LIST FOR SPILL INCIDENTS

ABERDEEN PVC PLANT

UNIT AFFECTED	OPERATION SUPERINTENDENT	HOME	PLANT	ALTERNATE	HOME	PLANT
Vinyl	Charlie Miller	369-9100	297	Jim Barton	369-4755	212
Compound and Plasticizer	Jimmy McCrimon	369-9213	264	Ronnie Gilreath	369-2818	280
Mechanical	Steve Vincent	369-9298	296	Gil Morgan	369-6522	241
				Frank Frantz	369-8508	320
Plant Manager	Curry Miller	369-7041	235			
Process Engineering	Dick Frohreich	1-328-3628	239	Veldon Messick	1-327-0741	331
				Bruce Vick	1-328-7395	269

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SECTION V

INSPECTION PROCEDURES

INSPECTION PROCEDURES

I. Storage Tanks

A. Ground Storage Tanks

During the plant's annual onstream inspection, the tanks applicable under the SPCC Plan will be inspected. The inspection is to include:

(1) vessel wall thickness measurements with ultra sonic equipment

(2) visual inspection to see if overflow lines are clear

(3) inspection of relief valves to see if they are operational

(4) inspection to see if atmospheric outlets are clean

(5) inspection to see if there are any leaks from the tanks

(6) inspection to see if there are any signs of leaks in the area from the tank

(7) testing to insure that level alarms are operational

B. Underground Tanks

The underground tanks T-424, T-425, and T-426 are to be inspected during the annual onstream inspection. The inspection should include the following:

(1) inspection of exposed nozzles on top of tank

(2) inspection to see if atmospheric outlets are clean

(3) testing to insure that level alarms are operational

The tanks applicable under the SPCC Plan are listed in Table I along with their respective Conoco numbers.

At the conclusion of the annual onstream inspection, the Maintenance Report, Exhibit 3, Appendix B, is to be completed and signed by the Mechanical Superintendent. The signed Maintenance Report not only provides documentation of the inspection but also recommends any required repair work. The completed and signed Maintenance Report Form is to be inserted into the SPCC Plan File.

II. Sumps

Along the east wall of the compounding area, there is a sump that transfers any collected material to the plasticizer area drain which drains to the API separator. This sump is to be inspected for any trash buildup. The pump is also to be inspected to make sure that it is working properly.

INSPECTION PROCEDURES - (CONT.D)

III. Curbed Storage Areas

Curbing of the drum storage areas is to be inspected once a year by the area supervisor. The curbing should be inspected for any breaking and cracking that might have occurred. If any repairs are required the Maintenance Report, Exhibit 2, Appendix B, sheet should be completed and inserted into the SPCC Plan File.

IV. Drain Valves

All drain valves or connections on tanks will be either blind flanged or plugged when not in use. Drain valves on tanks, in drum storage areas, and at the tank farm are to be inspected once per year. They are to be inspected to insure they are creating a good seal when closed. Drain valves in the drum storage areas and at the tank farm are to be carsealed and opened only under the supervision of the area supervisor.

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TABLE I

TANKS APPLICABLE UNDER THE SPCC PLAN

Plasticizer Unit

Above Ground

Tank No.	Conoco No.
T-450	89-450
T-460	89-460

Below Ground

Tank No.	Conoco No.
T-424	89-424
T-425	89-425
T-426	89-426

Tank Farm

All Tanks Are Above Ground

Tank No.	Conoco No.
T-101	89-101
T-102	89-102
T-103	89-103
T-104	89-104
T-105	89-105
T-106	89-106
T-107	89-107
T-108	89-108
T-109	89-109
T-110	89-110
T-111	89-111
T-112	89-112
T-181	89-181
T-182	89-182
T-183	89-183
T-184	89-184
T-185	89-185
T-186	89-186
T-187	89-187
T-188	89-188
T-189	89-189
T-190	89-190
T-191	89-191
T-192	89-192

API Separator Tank

Tank No.	Conoco No.
NT-1	89-194

SECTION VI

SPILL PREVENTIVE MEASURES

PLASTICIZER UNIT

In the area of the plasticizer plant, there are two (2) tanks, T-450 and T-460, each with a capacity of 15,000 gallons. They can contain alcohols, esters, and contaminated water that must pass through the API separator.

This area is provided with curbing to contain any spills and a drain from the curbed area to the API separator drain line.

The plasticizer plant also has three underground storage tanks, T-424, T-425, and T-426 with a total storage capacity of 23,000 gallons.

The three (3) underground tanks, T-424, T-425, and T-426, and the surface tanks, T-450 and T-460, are equipped with high level alarms that enunciate in the plasticizer building. An alarm is activated when the level in a tank reaches 90% of its storage capacity.

T-424, T-425, T-426, T-450, and T-460 will be inspected once per year during the annual onstream inspection conducted by the Maintenance Department (See Section V, Part I and Part II). The Maintenance Reports, Exhibit 3, Appendix B, are to be completed at the conclusion of the annual inspection. The Maintenance Reports are to be signed by the Maintenance Superintendent and placed in the SPCC Plan File.

In the event of a spill, the Area Supervisor will be notified immediately. He will inspect the area to insure that there is no immediate danger to life or property. The Area Supervisor will then notify the Operations Supervisor and the Operations Superintendent.

The Area Supervisor will insure that the spill is entering the API separator.

In the area of the railroad, the Area Supervisor will insure that no plasticizer will leave the plant by the east drain. A new settling pit has been installed near the fire training ground to collect stormwater runoff from the compounding and plasticizer area. This pit has capability of separating out oils as well as providing settling for entrained solids.

After any spill, the Operations Superintendent will complete the attached Spill Report, Exhibit 1, Appendix B, within 12 hours and discuss it with the Plant Manager.

COMPOUND LINE III AND

SPECIALTY COMPOUND LINE

The probability of significant oil spills in the Line III and Specialty Compound Line areas is remote; however, in the event of a broken line, a spill could occur at the point where plasticizer is added to the resin.

Drainage from the Line III and Specialty Compound Line drains into a sump located along the east wall of the compounding area. This sump is equipped with a pump that transfers the collected material to the plasticizer area drain which in turn drains to the A.P.I. separator.

The sump is to be inspected once per year for trash and sand buildup by the Area Supervisor. The pump is to be inspected also. Any buildup in this sump that would interfere with pumping from the sump is to be cleaned out promptly.

A spill in this area will be reported the same way as a spill in the Plasticizer area.

TANK FARM

The area of the plasticizer tank farm is located within the plant grounds southeast of the plasticizer building, P-10.

The tank farm consists of 24 tanks separated into two (2) 12 tank areas by a five foot high concrete wall. The tank farm is enclosed by a concrete wall approximately four feet high.

The east area contains 12 tanks for storage of raw materials. These tanks are numbered 101 to 112. Tanks 101 to 108 have a capacity of 15,000 gallons each, while tanks 109 to 112 have a capacity of 20,000 gallons each. All tanks, with the exception of the tanks 101, 106, 107, and 108 contain alcohols. Tank 101 contains a 22% solution of sodium hydroxide which is used for the neutralization step of the plasticizer reaction. Tanks 106 and 108 contain by-products from the plasticizer reaction which are recycled. 107 - DIDP

The west area of the tank farm contains 12 tanks each with a capacity of 15,000 gallons for storage of plasticizers which are marketed.

The drainage from both areas leaves via a common six inch line. The six inch line is equipped with a manual valve, located east of the tank farm, which is to remain closed and carsealed unless rainwater runoff needs to be drained. In this case, the manual valves are to be opened only under the following circumstances:

1. The valve is to be opened only under supervision of the Area Supervisor.

2. Inspection of the rainwater runoff to ensure compliance with applicable water quality standards.

3. After the rainwater has been drained, the valve is to be resealed under the supervision of the Area Supervisor.

4. Each time a drain valve is opened and closed, the event is to be documented by completing the Drain Report, Exhibit 5, Appendix B.

In the event of a spill in the tank farm, the Area Supervisor will be notified immediately. The Area Supervisor will inspect the area of the tank farm and insure that the spill does not create any further danger to life or property. He will notify the Operations Supervisor and Operations Superintendent.

The Operations Superintendent will decide the disposition of the spilled material. The alternatives for handling the spill are:

1. Remove the spilled material from the tank farm surface by a vacuum pump or truck and relocate in another vessel or dispose of by approved method.

2. Remove the spilled material by metering manually the gate valve of the six inch drain valve. The six inch drain line runs into the A.P.I. separator.

TANK FARM (Cont.)

Before the spilled material can be metered into the A.P.I. separator, the Operations Superintendent will notify the Plant Manager and the Maintenance Superintendent, who is responsible for the Waste Water Treatment System.

The Operations Superintendent will complete the Spill Report, Exhibit 1, Appendix B, within 12 hours and discuss it with the Plant Manager.

The tanks of the tank farm, the manual gate valve and curbing are to be inspected once per year during the annual onstream inspection. Maintenance Reports, Exhibit 3, Appendix B, are to be completed as required, signed by the Maintenance Superintendent and placed in the SPCC Plan File.

A.P.I. SEPARATOR

The A.P.I. separator tank, NT-1, which is located at the northeast corner of the A.P.I. separator area has a storage capacity of 15,000 gallons. This tank contains recovered plasticizer and alcohols skimmed from the separator.

This area is curbed with a drain that discharges into the A.P.I. separator. NT-1 is equipped with a high level alarm that sounds in the plasticizer control room when the tank level reached 90% of its storage capacity. The A.P.I. separator, which NT-1 drains into, is cleaned approximately twice a year to remove any buildup in the A.P.I. pit.

In the event of a spill, the Area Supervisor will be notified immediately. The Area Supervisor will inspect the area and take whatever action is necessary to assure that the spill is contained within the area. He will notify the Operations Superintendent.

The Operations Superintendent will decide the disposition of the spilled material.

The Operations Superintendent will complete the Spill Report, Exhibit 1, Appendix B, within 12 hours and discuss it with the Plant Manager.

NT-1 is to be inspected once per year during the annual onstream inspection. The attached Maintenance Report, Exhibit 3, Appendix B, is to be completed and signed by the Maintenance Superintendent and inserted into the S.P.C.C. Plan File.

DRAINAGE LINES TO API SEPARATOR

All potential spill areas, compound, plasticizer, and the tank farm have drainage lines to the API separator where the oils are separated from the discharged waste water. A drainage line has been installed from the north compound cooling tower and plasticzier product tanks on the east side of the plasticizer building. This line is tied into the waste water treatment system stream entering the API separator. This system is a continuous source of cooling tower blowdown and plasticizer contaminated runoff water. This new line is to be tied into the drain from the plasticizer building to the API separator.

In the event of over flowing from the drain lines (see Figure 1) due to any clogging, the Area Supervisor will be notified immediately. The Area Supervisor will inspect the area where the overflow occurred and insure that the spill does not create any further danger to life or property. He will notify the Operations Supervisor and the Operations Superintendent.

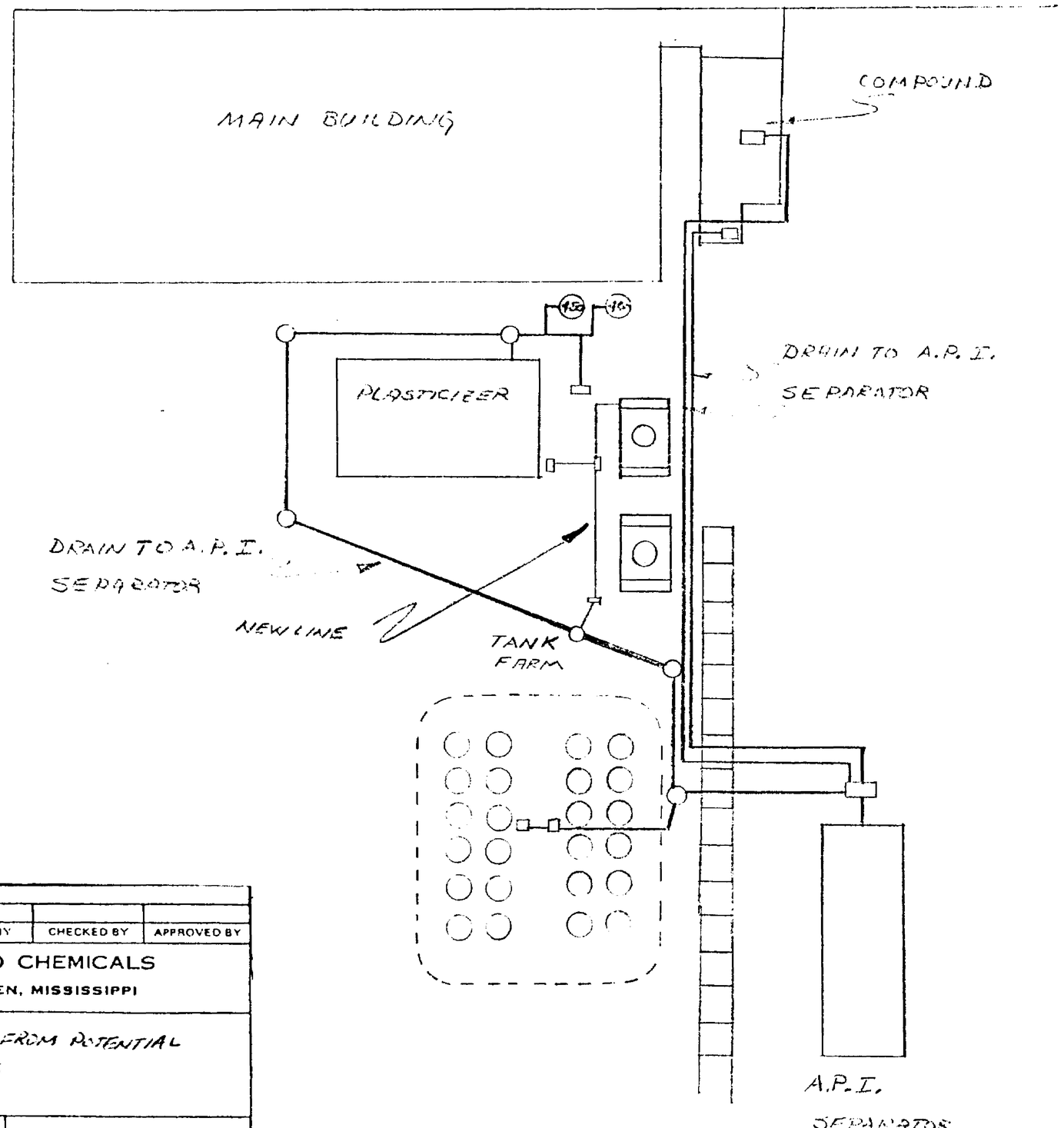
The Operations Superintendent will decide the disposition of the spilled material and take the following course of action:

1. Stop all flows from the facility that is discharging into the stopped up drain.

2. Remove the spilled material from the spilled area by a vacuum pump or truck and relocate in another vessel.

3. Flush the clogged drain line until flow is unrestricted through the drainage line.

The Operations Superintendent will complete the Spill Report, Exhibit 1, Appendix B, within 12 hours and discuss it with the Plant Manager.



ISSUE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
	5/9/79	SBV		

CONOCO CHEMICALS
ABERDEEN, MISSISSIPPI

DRAINAGE FROM POTENTIAL
SPILL AREAS
FIGURE 1

APPROVED RAF
DATE 1-25-80
NO.

VAB.0001023390

ALCOHOL UNLOADING FACILITIES

In the southeast corner of the tank farm, there are facilities for unloading alcohols into tanks 101-112 except for tanks 101, 106, 107 and 108. The unloading station is a potential spill area, and to protect against any spills, the unloading area is provided with a 10" curb and 2 drains that discharge to the A.P.I. separator.

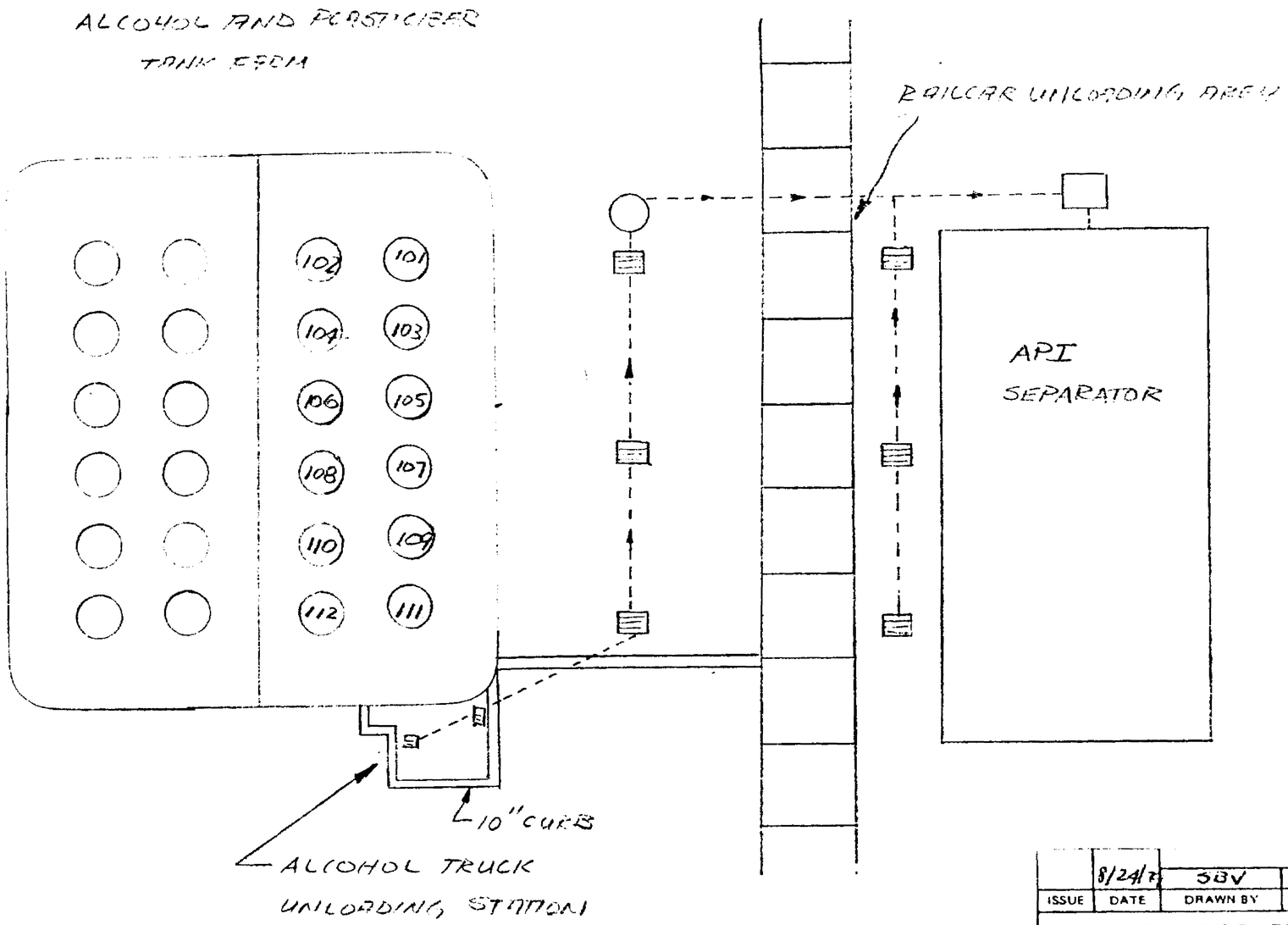
Along the east side of the tank farm is a railcar alcohol unloading station. In the event of a spill in this area, 3 drains along each side of the elevated track are provided which drain to the A.P.I. separator (see Figure 2).

In the event of a spill, the Area Supervisor will be notified immediately. He will inspect the area to insure that there is no immediate danger to life or property. The Area Supervisor will then notify the Operations Supervisor and Operations Superintendent.

The Area Supervisor will insure that the spill is entering the A.P.I. separator.

After the spill, the Operations Superintendent will complete the attached Spill report, Exhibit 1, Appendix B, within 12 hours and discuss it with the Plant Manager.

In the event of a clogged drain from the alcohol unloading facilities, the same procedures are to be followed in handling the spill as in the clogging of drain lines from the plasticizer plant (see section on Drainage Lines to A.P.I. Separator).



INDICATES: DRAINAGE LINE - - - - - - -

MANHOLE ○

DRAIN ▤

ISSUE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
	8/24/7	SBV		

CONOCO CHEMICALS

ABERDEEN, MISSISSIPPI

Alcohol UNLOADING FACILITIES

FIGURE 2

APPROVED RAF

DATE 1-25-80

NO.

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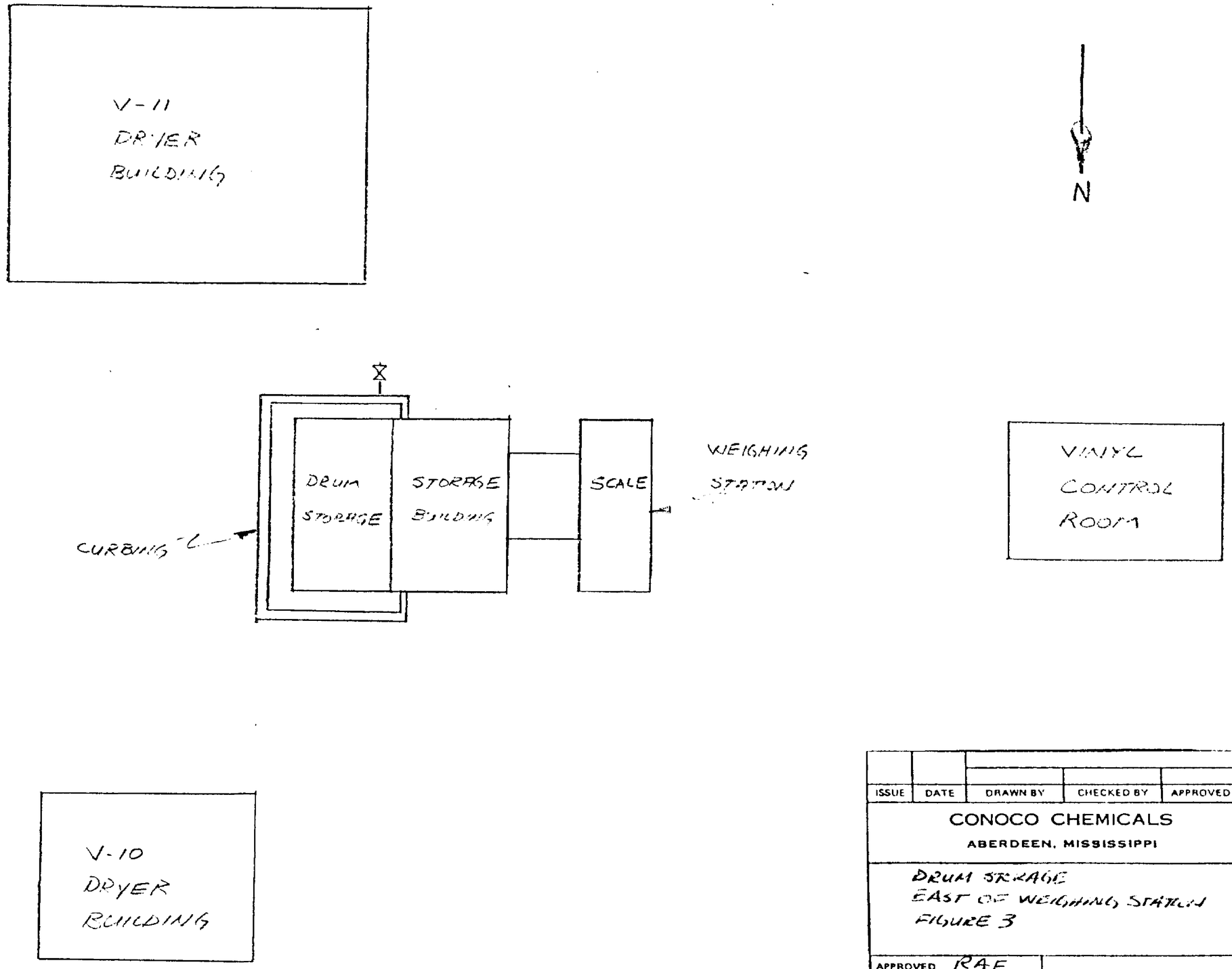

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CONOCO CHEMICALS
ABERDEEN, MISSISSIPPI

DRUM STORAGE
EAST OF WEIGHING STATION
FIGURE 3

APPROVED RAF
DATE 1-25-80
NO.

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A

DRUM STORAGE AREAS

There are two (2) locations in the plant designated for storage of full drums which could create a spill. The first area is due east of the truck weighing station. The drums stored in this area are filled with industrial oils for use in the plant. The second area is located directly south of the east end of the warehouse. This area contains drums filled with alcohols and plasticizer from the compounding section of the plant.

Each drum storage area will be provided with curbing and a drain line with a manual open and close valve for rain water runoff. (For orientation of these drum storage areas, see Figures 3 and 4.)

In the event of a spill in these areas, the Area Supervisor is to be notified immediately. The following procedure is to be followed:

1. Remove the spilled material from the drum storage area floor by a vacuum pump or truck.

2. Relocate the spilled material to another vessel.

The manual valves in each of the drum storage areas is to remain closed and car-sealed unless rainwater runoff needs to be drained. In this case, the manual valves are to be opened only under the following circumstances:

1. The valve is to be opened only under supervision of the Area Supervisor.

2. Inspection of the rainwater runoff ensures compliance with applicable water quality standards and will not cause a harmful discharge.

3. After the rainwater runoff has been drained, the valve is to be resealed under the supervision of the Area Supervisor.

4. Each time the drain valves are to be opened or closed, the event is to be documented by completing the Drain Report, Exhibit 5, Appendix B.

Each of the drum storage areas are to be inspected once per year to insure that the curbing is providing proper spill containment, and that the drain valves are working properly. The Maintenance Report, Exhibit 2, Appendix B, is to be completed by the Area Supervisor and signed by the Maintenance Superintendent. Then the annual report is to be inserted into the S.P.C.C. Plan File.

In the event that oil has to be removed from the drum storage area, the two step procedure outlined above for removing a spill is to be followed.

In the event of a major spill, the Area Supervisor is to be notified immediately. He will then notify the Operations Superintendent. Within 12 hours, the Operations Superintendent will have completed the Spill Report and discussed it with the Plant Manager.

DRUM STORAGE AREAS

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Each drum storage area will be provided with curbing and a drain line with a manual open and close valve for rain water runoff. (For orientation of these drum storage areas, see Figures 3 and 4.)

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1. The valve is to be opened only under supervision of the Area Supervisor.

2. Inspection of the rainwater runoff ensures compliance with applicable water quality standards and will not cause a harmful discharge.

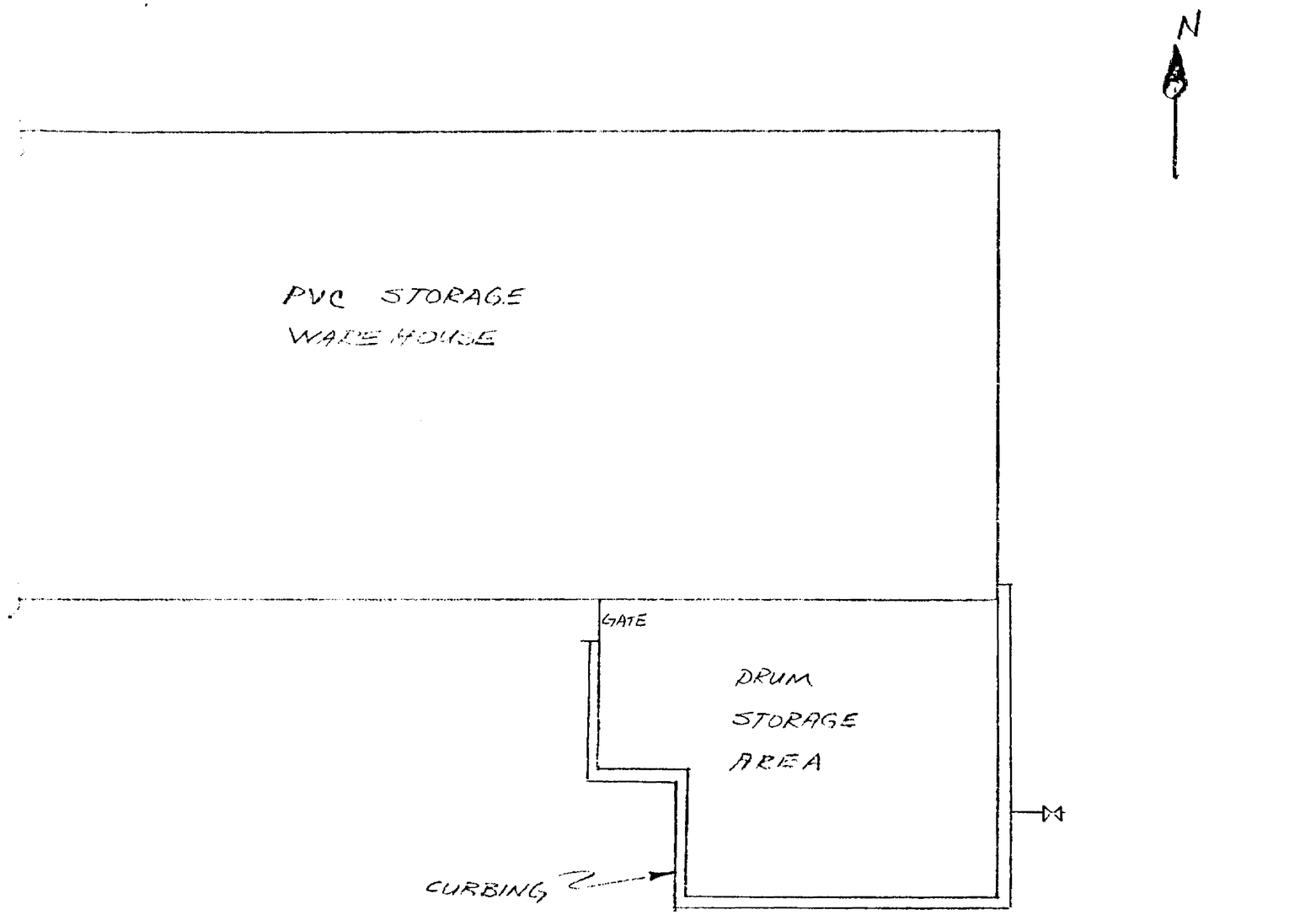
3. After the rainwater runoff has been drained, the valve is to be resealed under the supervision of the Area Supervisor.

4. Each time the drain valves are to be opened or closed, the event is to be documented by completing the Drain Report, Exhibit 5, Appendix B.

Each of the drum storage areas are to be inspected once per year to insure that the curbing is providing proper spill containment, and that the drain valves are working properly. The Maintenance Report, Exhibit 2, Appendix B, is to be completed by the Area Supervisor and signed by the Maintenance Superintendent. Then the annual report is to be inserted into the S.P.C.C. Plan File.

In the event that oil has to be removed from the drum storage area, the two step procedure outlined above for removing a spill is to be followed.

In the event of a major spill, the Area Supervisor is to be notified immediately. He will then notify the Operations Superintendent. Within 12 hours, the Operations Superintendent will have completed the Spill Report and discussed it with the Plant Manager.



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	8/24/79	SBV		

CONOCO CHEMICALS
ABERDEEN, MISSISSIPPI

DRUM STORAGE
SOUTH OF PVC WAREHOUSE
FIGURE 4

APPROVED RAF
DATE 1-25-80
NO.

VAB.0001023396

STORMWATER COLLECTION PITS

Two oil-solids separation pits are installed for the stormwater runoff from the reactor dryer, and silo operating areas and stormwater drainage from the compound and plasticizer operation areas. One is located southeast of the new reactor area, and the other is located near the fire training ground.

The collection pit southeast of the new reactor area collects stormwater from the reactor area, dryer area, and the silo and railcar areas. The second pit, located near the fire training ground, collects stormwater from the compounding and plasticizer area. This pit is tied into the existing stormwater drain line from the compound and plasticizer operating areas so that any plasticizer or alcohols spilled will be contained in the plant.

Collected solids will be cleaned from the pits when necessary. The alcohol and plasticizer will be removed by skimming using rented equipment and disposed of in the A.P.I. separator. Settled resin will be removed from the pits by a plant contractor.

After each cleaning of the pits, the Area Supervisor is to complete the Maintenance Report, Exhibit 4, Appendix B, to document the event. The report is to be signed by the Maintenance Superintendent and inserted into the S.P.C.C. Plan File.

SECTION VII

SPILLS LEAVING THE PLANT PERIMETER

SPILLS LEAVING THE PLANT PERIMETER

If a spill cannot be contained on plant property and has entered James Creek, a spill emergency exists.

An employee observing the spill, or evidence of a spill shall take immediate action to stop the flow if possible and contact the Shift Supervisor. The Shift Supervisor shall make an evaluation of the magnitude of the spill, potential hazards and potential damage and report to the Operations Supervisor or the Operations Superintendent immediately. Upon consultation with the Shift Supervisor, the Operations Supervisor, or Operations Superintendent will contact the Plant Manager and the Chief Process Engineer. After notification of the Plant Manager and Chief Process Engineer, the Operations Supervisor or Operations Superintendent will contact the Mechanical Superintendent and request assistance in the clean-up operation. The Operations Superintendent will have the responsibility of coordinating the overall clean-up operation. The Chief Process Engineer will function in an advisory position to the Operations Superintendent and notify the appropriate state regulatory authorities.

For available spill clean-up equipment, see Appendix A.

The Operations Superintendent or the Operations Supervisor will complete the Spill Report, Exhibit 6, Appendix B, for spills outside the plant property within 24 hours.

SPILL CONTROL ORGANIZATION

FOR SPILLS LEAVING PLANT BOUNDARY

ABERDEEN PVC PLANT

SPILLS

↓

EMPLOYEE NOTIFIED
SHIFT SUPERVISOR

↓

SHIFT SUPERVISOR

MONDAY-FRIDAY
7:30 A.M.-4:30 P.M.

SHIFT SUPERVISOR CONTACTS
OPERATIONS SUPERVIOSR

↓

OPERATIONS SUPERVISOR
CONTACTS OPERATIONS
SUPERINTENDENT AND
MECHANICAL SUPERINTENDENT

↓

OPERATIONS SUPERINTENDENT
CONTACTS PLANT MANAGER
AND CHIEF PROCESS ENGINEER

↓

OPERATIONS SUPERINTENDENT
COORDINATES CLEAN-UP OPERATION

↓

MECHANICAL SUPERINTENDENT
PROVIDES EQUIPMENT AND
MANPOWER

↓

CHIEF PROCESS ENGINEER NOTIFIES
STATE REGULATORY AUTHORITIES

↓

OPERATIONS SUPERINTENDENT
DISCUSSES SPILL WITH
PLANT MANAGER

EVENING & GRAVEYARD SHIFTS
WEEKENDS & HOLIDAYS

SHIFT SUPERVISOR CONTACTS
OPERATIONS SUPERINTENDENT

↓

OPERATIONS SUPERINTENDENT
CONTACTS
MECHANICAL SUPERINTENDENT

↓

OPERATIONS SUPERINTENDENT
CONTACTS PLANT MANAGER AND
CHIEF PROCESS ENGINEER

↓

OPERATIONS SUPERINTENDENT
COORDINATES CLEAN-UP OPERATION

↓

MECHANICAL SUPERINTENDENT
PROVIDES EQUIPMENT AND
MANPOWER

↓

CHIEF PROCESS ENGINEER NOTIFIES
STATE REGULATORY AUTHORITIES

↓

OPERATIONS SUPERINTENDENT
DISCUSSES SPILL WITH
PLANT MANAGER

EMERGENCY CALL LIST FOR SPILL INCIDENTS

ABERDEEN PVC PLANT

UNIT AFFECTED	OPERATION SUPERINTENDENT	HOME	PLANT	ALTERNATE	HOME	PLANT
Vinyl	Charlie Miller	369-9100	297	Jim Barton	369-4755	212
Compound and Plasticizer	Jimmy McCrimon	369-9213	264	Ronnie Gilreath	369-2818	280
Mechanical	Steve Vincent	369-9298	296	Gil Morgan	369-6522	241
				Frank Frantz	369-8508	320
Plant Manager	Curry Miller	369-7041	235			
Process Engineering	Dick Frohreich	1-328-3628	239	Veldon Messick	1-327-0741	331
				Bruce Vick	1-328-7395	269

SECTION VIII

REPORTING TO REGULATORY AGENCIES

REPORTING TO REGULATORY AGENCIES

The Chief Process Engineer is to be notified of any spill which leaves the plant site without entering the waste treatment facility or any upset condition in the treatment system which may result in the discharge of harmful materials from the plant waste treatment system.

The Chief Process Engineer will then immediately notify the Department of Natural Resources.

Between 7:30 A.M. - 4:30 P.M. Call:

Bill Barnett or
Jerry Cain (601) 354-2550

After 4:30 P.M., Weekends
and Holidays Call:

John Harper, Chief Counsel (601) 373-5679
Charles Chislom, Acting Director (601) 825-7888

The following information will be provided when reporting spills that reach outside the plant boundary:

A. Name of company reporting spill; time and date of call.

B. Name of person reporting spill and telephone number at which caller can be reached if additional information is needed.

C. Time and date spill occurred.

D. Location of spill.

E. Approximate amount and type of material spilled.

F. Source of spill and action taken to control spill.

The phone report is to be followed up with a written report explaining the spill incident.

ADDRESS: Department of Natural Resources
Bureau of Pollution Control
P. O. Box 10385
Jackson, MS 39205

A

SECTION IX

ADDENDUM TO S.P.C.C. PLAN

RCRA HAZARDOUS WASTE CONTINGENCY PLAN

WORK BY: Bruce Vick
Bruce Vick
Process Engineer

REVIEWED BY: Veldon E. Messick
Veldon E. Messick
Senior Process Engineer

APPROVED BY: R.A. Frohreich
R. A. Frohreich
Chief Process Engineer

APPROVED BY: C L Miller
C. L. Miller
Plant Manager

REVIEWED AND CERTIFIED BY: James L. White
10/2/81

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I. INTRODUCTION

II. EMERGENCY COORDINATOR

III. EMERGENCY PROCEDURES

IV. ARRANGEMENTS WITH LOCAL AUTHORITIES

V. AREAS COVERED BY CONTINGENCY PLAN

A. HAZARDOUS WASTE DRUM STORAGE AREA

B. API SEPARATOR

C. WASTE TREATMENT PONDS

VI. REPORTING

VII. AMENDING EMERGENCY PROCEDURES

VIII. EQUIPMENT

A. COMMUNICATIONS

B. FIRE FIGHTING

C. SPILL CLEANUP

RCRA

HAZARDOUS WASTE CONTINGENCY PLAN

I. INTRODUCTION

Section F subpart D of the Mississippi Hazardous Waste Management Regulations (402.7-50 to 402.7-56) requires an owner or operator of a hazardous waste facility to have a Contingency Plan regarding spills or releases of hazardous wastes. The Contingency Plan is designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned release of hazardous wastes to the air, soil or surface waters. The plan provides a provision for an Emergency Coordinator who will assess the possible hazards of any spill, fire, or explosion of hazardous waste. The Emergency Coordinator will implement the Contingency Plan if he deems the emergency situation threatens human health or the environment.

The waste chemicals handled or stored at the Aberdeen Plant which are considered as hazardous are: (1) waste 2-ethyl hexyl phthalate, DOP, (2) waste acetone, (3) waste phthalic anhydride, and (4) barium and cadmium waste stabilizers. The areas of the plant which are covered under the Contingency Plan are: (1) the drum storage area east of the shipping dock, (2) the API Separator, and (3) the waste treatment ponds.

RCRA

HAZARDOUS WASTE CONTINGENCY PLAN

II. EMERGENCY COORDINATOR

At all times, there must be at least one employee either on the facility premises or available to respond within a short period of time to an emergency situation involving hazardous wastes. This person has the responsibility for coordinating hazardous waste emergency response measures.

The emergency coordinator must be:

1. Familiar with the plant layout.
2. Familiar with the location and characteristics of the hazardous wastes handled.
3. Familiar with all operations and activities at the plant.
4. Familiar with all records within the plant.
5. Familiar with all aspects of the plant's Contingency Plan.
6. Have the authority to commit the resources necessary to implement the Contingency Plan.

The following people will serve as emergency coodinator for the area affected by a hazardous waste emergency.

VINYL DEPARTMENT	PLANT EXTENSION	HOME PHONE
Pete Markey - Primary	2297	369-6019
Mickey Blackwell - Alternate	2212	1-323-2997
DRUM STORAGE AREA		
Jimmy McCrimon - Primary	2264	369-9213
Ronnie Gilreath - Alternate	2280	CONTACT GUARD
WASTE TREATMENT PONDS & API		
Steve Vincent - Primary	2296	369-9298
Jerry Horstman - Alternate	2321	369-6005

In the absence of the department head, the department head will designate another person to perform his duties. This designee will become the primary emergency coordinator for the area effected by a hazardous waste emergency.

III. EMERGENCY PROCEDURES

The plant has an emergency plan which is implemented in the event of any plant emergency. The plan is included in Section 1.23 of the Plant Safety and Health Manual. In addition to this plan the emergency coordinator must evaluate any emergency situation involving hazardous wastes and determine if the RCRA Hazardous Waste Contingency Plan is to be implemented. If the plan is implemented, the emergency coordinator has the following responsibilities:

A. Take all reasonable measures necessary to ensure that fires, explosions, and releases do not occur, reoccur, or spread to other hazardous waste. These measures include, where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers.

B. Monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment, wherever this is appropriate, if the facility stops operation in response to the emergency.

C. Provide for treating, storing, or disposing of recovered waste, contaminated soil or surface water, immediately after the emergency.

D. Ensure that in the affected area(s) no waste which may be incompatible with the released material is treated, stored, or disposed of until cleanup procedures are complete.

RCRA

HAZARDOUS WASTE CONTINGENCY PLAN

IV. ARRANGEMENT WITH LOCAL AUTHORITIES

The following verbal agreement has been made with the local fire department: If outside assistance is required and requested, the firemen who come into the plant will operate under the guidance and leadership of the Shift Supervisor involved with the emergency.

V. AREAS COVERED BY THE CONTINGENCY PLAN

A. Hazardous Waste Drum Storage Area

The hazardous waste drum storage area is in a diked area east of the loading dock in the shipping area. This area is used specifically for the storage of drummed hazardous wastes.

B. API Separator

The API separator which is located east of the plasticizer tank farm is used to reclaim oils from the waste water from the plasticizer operation.

C. Waste Treatment Ponds

The waste treatment ponds are located at the south end of the plant. The waste treatment ponds are considered hazardous because acidic and basic wastes are discharged to the system, and because organic toxic pollutants are biodegraded in the system.

VI. REPORTING

If the emergency coordinator determines that the plant has had a spill or fire that could threaten human health or the environment outside the plant, the Chief Process Engineer (Senior Process Engineer as alternate) is to immediately notify the National Response Center.

NATIONAL RESPONSE CENTER		800-424-8802
CHIEF PROCESS ENGINEER	Dick Frohreich	601-328-3628
SENIOR PROCESS ENGINEER	Veldon Messick	601-327-0741

The phone report is to include the following information:

(A) Name and telephone number of reporter.
(B) Name and address of the plant.
(C) Time and type of incident (fire or spill).
(D) Name and quantity of materials involved, to the extent known.
(E) The extent of injuries, if any.
(F) The possible hazards to human health, or environment, outside the facility.

In the event that the Hazardous Waste Contingency Plan is implemented, the time, date, and details of the incident are to be recorded in operating records of the unit affected. Within 15 days of the indicent, the Chief Process Engineer is to submit a written report of the incident to the Mississippi State Board of Health. The report is to include the following information:

(A) Name, address, and telephone number of the plant.
(B) Date, time and type of incident (fire or spill).
(C) Name and quantity of material(s) involved.
(D) The extent of injuries, if any.
(E) An assessment of actual or potential hazards to human health or the environment.
(F) Estimated quantity and disposition of recovered material that resulted from the incident.

MISSISSIPPI STATE BOARD OF HEALTH

Jack McMillian, Director
Phone No. 601-982-6317

ADDRESS: DIVISION OF SOLID WASTE MANAGEMENT
MISSISSIPPI STATE BOARD OF HEALTH
2423 STATE STREET
P.O. BOX 1700
JACKSON, MS 39205

RCRA

HAZARDOUS WASTE CONTINGENCY PLAN

VII. AMENDING EMERGENCY PROCEDURES

The Contingency Plan must be reviewed and amended, if necessary, whenever:

A. Applicable regulations are revised.
B. The plan fails in an emergency.
C. The plant changes in its design, construction, operations and maintenance in a way that materially increases the potential for releases of hazardous wastes or hazardous waste constituents.
D. The list of spill clean up equipment or fire fighting equipment changes.

VIII. EQUIPMENT

A. Communications

The following communications equipment is available at the plant: (1) two-way radios, (2) five channel Gaitronics system, (3) public address sytem, and (4) telephone.

B. Fire Fighting

There are fire extinguishers located throughout the plant. For a list of the fire extinguishers and location refer to Table I of the RCRA Hazardous Waste Contingency Plan. Other fire fighting equipment is listed in Section 1.23 of the PVC Health and Safety Manual.

C. Spill Cleanup

For a list of available spill clean up equipment, refer to Appendix A of the S.P.C.C. Plan.

TABLE I

FIRE EXTINGUISHER LOCATION

STATION NO.	LOCATION	MANUFACTURES	SIZE & TYPE
1	Front Office	General	20 Water
2	S. Wall of Front Office	Ansul	20 BC
3	South of Front Office	General	30 BC
4	East Warehouse	Safety First	20 BC
5	East Warehouse	Kidde	30 BC
6	East Warehouse	Ansul	20 BC
7	East Warehouse	Ansul	30 ABC
8	East Warehouse	Ansul	30 ABC
9	Transportation Office	Kidde	30 ABC
10	West Warehouse	Ansul	20 BC
11	West Warehouse	Ansul	30 ABC
12	West Warehouse	Ansul	30 ABC
13	Main Stock Room	Ansul	30 ABC
14	Developement Lab	General	5 CO_2
15	Developement Lab	Ansul	10 ABC
16	Research Lab	Ansul	30 ABC
17	Lab	Ansul	20 ABC
18	Lab	General	5 CO_2
19	Main Lab	Ansul	30 ABC
20	Main Lab	Ansul	5 ABC
21	Compound Line I	Ansul	20 BC
22	Compound Line I South Door	Ansul	30 ABC
23	Compound Line I East of 2nd Blender	General	30 BC
24	Compound Line I Blender Pit	Ansul	30 ABC

A

TABLE I

FIRE EXTINGUISHER LOCATION

STATION NO.	LOCATION	MANUFACTURES	SIZE & TYPE
25	North of Compound Line I	Ansul	20 BC
26	Color Weigh Room	Ansual	20 BC
27	Line III MCC	General	20 CO_2
28	Line III East Sweco	Ansul	30 ABC
29	Line III East FCM	General	20 BC
30	Line III Feeder Deck	Ansul	39 ABC
31	Line III East Elevator	Ansul	30 PK
32	Line III 2nd Floor	Ansul	30 ABC
33	Line III North Blender	Ansul	20 BC
34	Line III S. of Control Room	Ansul	20 BC
35	Line III Control Room	General	20 CO_2
36	Line V Plasticizer Weigh Scale	Ansul	30 ABC
37	Line III Top Stairs	Ansul	20 ABC
38	Line III & V Top Roof at Blowers	Ansul	30 ABC
39	Dry Blend Basement	Ansul	30 ABC
40	MCC E. of Line V	Amerex	20 CO_2
41	Plasticizer Storage Area	General	30 BC
42	P-1 1st Floor	General	30 BC
43	P-1 1st Floor West RX-100	Ansul	20 BC
44	P-1 1st Floor South RX-400	Ansul	30 BC
45	P-1 2nd Floor West RX-100	Ansul	30 ABC
46	P-1 2nd Floor S.W. RX-400	Ansul	30 BC
47	P-1 2nd Floor Warehouse	Ansul	30 BC
48	Breakroom	Ansul	30 ABC
49	N. Plasticizer Tank Farm	Ansul	30 ABC

TABLE I (Cont.)

FIRE EXTINGUISHER LOCATION

STATION NO.	LOCATION	MANUFACTURER	SIZE & TYPE
50	S. Plasticizer Tank Farm	Ansul	20 BC
51	V-10 1st Floor Warehouse	Ansul	30 ABC
52	V-10 N. of #1 Dryer	Ansul	30 ABC
53	V-10 S. of #2 Dryer	Ansul	30 ABC
54	V-10 Bird Deck	Ansul	20 ABC
55	V-10 2nd Floor Warehouse	Ansul	20 BC
56	V-11 Dryer Building Honeywell Room	General	20 CO_2
57	V-11 Dryer Building "A" Operator Desk	Ansul	30 ABC
58	V-11 Dryer Building S. #8 Dryer	Ansul	20 BC
59	V-11 Dryer Building Bird Deck	General	30 BC
60	V-11 Dryer Building Bird Deck	Safety First	30 BC
61	V-11 Dryer Building Sifter Deck	Ansul	20 BC
62	V-11 MCC	General	20 CO_2
63	Refrigeration Building N. Door	Ansul	30 ABC
64	Refrigeration Building N. Door	Ansul	30 ABC
65	Refrigeration Building S. Door	Amerex	20 CO_2
66	Air Compressor S. V-11 Dryer Building	Ansul	30 PK
67	600 Series Silos	Ansul	30 ABC
68	Rail Weigh Scale	Kidde	30 BC
69	Lagoon-Inside Building	Ansul	20 BC
70	East Fire House #12	Ansul	30 ABC
71	East of Boiler House	Ansul	20 BC
72	Motor Storage Shed	Ansul	20 BC

TABLE I (Cont.)

FIRE EXTINGUISHER LOCATION

STATION NO.	LOCATION	MANUFACTURER	SIZE & TYPE
73	Boiler Room	General	30 BC
74	New Huffin-Puffer	Ansul	20 BC
75	Old Huffin-Puffer	Ansul	20 BC
76	2½ Ton Red Truck	Ansul	30 ABC
77	Fire Pump House	General	30 BC
78	Fire Pump House	General	30 BC
79	N. of VCM Compressor	Ansul	30 BC
80	2nd Floor V-11 RX Building	Safety First	30 BC
81	East V-11 Recovery System	Ansul	30 Bc
82	1st Floor V-11 RX Building	Ansul	30 ABC
83	N.W. Old Control Room	Ansul	30 ABC
84	N. Wall Old Control Room	General	CO_2
85	D-500 RX	Ansul	30 PK
86	Main Control Room	General	CO_2
87	N.W. Wall of Main Control Room	Ansul	30 PK
88	Between D-400 & D-500 RX	Ansul	30 PK
89	741-RX	Ansul	30 PK
90	744-RX	Ansul	30 ABC
91	S.W. of Sweco	Ansul	30 ABC
92	N.E. of Sweco	Ansul	30 PK
93	North Hot Water Tank	Ansul	30 PK
94	North of VCM Receiver	Ansul	30 PK
95	2nd Floor Recovery System	Ansul	30 PK
96	2nd Floor Recovery System	Ansul	30 ABC
97	2nd Floor Recovery System	Ansul	30 ABC

TABLE I (Cont.)

FIRE EXTINGUISHER LOCATION

STATION NO.	LOCATION	MANUFACTURER	SIZE & TYPE
98	743 RX	Ansul	30 ABC
99	3rd Floor 744 RX	Ansul	30 ABC
100	3rd Floor 741 RX	Ansul	30 ABC
101	West MCC	Amerex	20 CO_2
102	Elec. Shop	Ansul	20 BC
103	Welding Area	Ansul	20 BC
104	Welding Area	Ansul	30 ABC
105	Main Shop	Ansul	30 ABC
106	South of Old Air Compressor	Ansul	20 BC
107	V-10 MCC	Kidde	20 CO_2
108	Fork Truck Fuel Tank	Ansul	30 ABC
109	Outside Maintenance Office	Amerex	10 ABC
110	Breathin Air Compressor	Ansul	20 BC
111	Maintenance Shop	General	30 BC
112	Maintenance Shop	General	30 BC
113	Maintenance Shop	General	30 BC
114	Maintenance Shop	General	30 BC
115	Maintenance Shop	General	30 BC
116	Switch Gear Building	General	20 CO_2
117	Switch Gear Building	General	20 CO_2
118	Guard House	Ansul	A-5
119	Extra Fire Extension		
120	Safety Inspector Work Shop	Ansul	30 ABC
121	Safety Inspector Work Shop	Ansul	20 BC
122	Safety Inspector Work Shop	Ansul	20 BC

A

TABLE I (Cont.)

FIRE EXTINGUISHER LOCATION

STATION NO.	LOCATION	MANUFACTURER	SIZE & TYPE
123	Safety Inspector Work Shop	Ansul	20 BC
124	Safety Inspector Work Shop	Kidde	30 BC
125	Safety Inspector Work Shop	General	30 ABC
126	Safety Inspector Work Shop	General	20 BC
127	Safety Inspector Work Shop	Kidde	30 BC
128	Safety Inspector Work Shop	Kidde	20 CO_2
129	Safety Inspector Work Shop	Amerex	2½ Water
130	Safety Inspector Work Shop	Amerex	2½ Water
131	Safety Inspector Work Shop	Ansul	A-5
132	Safety Inspector Work Shop	Ansul	A-5
133	Safety Inspector Work Shop	Ansul	A-5
134	Safety Inspector Work Shop	Ansul	A-5
135	Safety Inspector Work Shop	Ansul	
136	Incinerator	Ansul	30 ABC
137	Catalyst Shed	Ansul	30 BC
138	Catalyst Shed	Ansul	30 BC
139	Safety Inspector Work Shop	Safety First	20 BC

A

SECTION X

APPENDIX

SECTION X

APPENDIX

APPENDIX A

AVAILABLE SPILL CLEAN-UP EQUIPMENT

(1) VACUUM TRUCKS - Vacuum trucks are available from the following truck service companies:

A. Nason Trucking - LOCATION: Aberdeen, MS
PHONE: 369-9383
ARRIVAL TIME: 15 Minutes

B. G. B. Smith, Inc. - LOCATION: Hattiesburg, MS
PHONE: 649-1220
ARRIVAL TIME: 3.5 - 4 Hours

C. Industrial Maintenance Cleaning Contractors Incorporated (I.M.C.C.I.)
LOCATION: Besemer, AL
PHONE: 205-428-0621
ARRIVAL TIME: 6 Hours

D. Hydro-Tech Inc. - LOCATION: Mobile, AL
PHONE: 205-456-8477
ARRIVAL TIME: 6 Hours

(2) SKIMMING PUMP - Skimming pumps available from Nason Trucking.

(3) ALUMINUM BOAT - An aluminum boat is available from the waste treatment ponds.

(4) Spill booms, rolls and pads of oil sorbent materials are available from storeroom to remove oil from the creek or settling pits.

(5) Sorbent materials for liquid spills on concrete areas or the ground are available in drums at the following locations in the plant.

AREA	LOCATION
Vinyl Area	
New Reactor Module	743 Reactor
Old Reactor Module	D-500 Reactor
Compound	
	(1) Line III and Line V Area (2) Second Floor Outside Compound Control Room
Plasticizer	Plasticizer Lab
Dryer Building	
V-11	Air Compressors

APPENDIX A (Cont.)

AREA	LOCATION
Shop	East Shop Area
Warehouse	PVC Baggers

APPENDIX B

REPORT FORMS

EXHIBIT 1	SPILL REPORT
EXHIBIT 2	MAINTENANCE REPORT FOR THE DRUM STORAGE AREAS
EXHIBIT 3	MAINTENANCE REPORT FOR API SEPARATOR AND STORMWATER COLLECTION PITS
EXHIBIT 4	MAINTENANCE REPORTS FOR PLASTICIZER TANKS AND TANK FARM TANKS
EXHIBIT 5	DRAIN REPORT
EXHIBIT 6	SPILL REPORT FOR SPILLS LEAVING PLANT BOUNDARY

EXHIBIT I

SPILL REPORT

TO BE FILLED OUT BY UNIT SHIFT SUPERVISOR

PERSON REPORTING SPILL _____ TIME _____ DATE _____

LOCATION OF SPILL _____

TYPE OF MATERIAL SPILLED _____

ESTIMATED AMOUNT OF SPILL _____ GALLONS OR POUNDS

CAUSE OF SPILL _____

_____

ACTION TAKEN TO STOP SPILL _____

_____

DID THE SPILLED MATERIAL ENTER THE WASTE WATER TREATMENT SYSTEM AND IF SO WHERE?

_____

_____

DID THE SPILLED MATERIAL LEAVE THE PLANT AND IF SO HOW? _____

_____

_____

_____ _____

SHIFT SUPERVISOR DATE

TO BE FILLED OUT BY DEPARTMENT SUPERVISOR

RECOMMENDATIONS OR ACTION TAKEN TO PREVENT RECURRENCE _____

_____

_____

_____

_____

_____

_____

_____

_____ _____

DEPARTMENT SUPERVISOR DATE

DISTRIBUTION: Plant Manager, Operations Superintendent, Department Supervisor

VAB.0001023425

A

EXHIBIT 2

DRUM STORAGE AREA

MAINTENANCE REPORT

INSPECTOR: _____ DATE: _____

This form is to be completed by personnel performing tests, and signed by the Operations Superintendent and added to the appropriate section of the S.P.C.C. Plan.

IDENTIFICATION OF DRUM STORAGE AREA: _____

LOCATION: _____

GENERAL DESCRIPTION OF THE DRUM STORAGE AREA:

IS CONCRETE FLOORING CRACKED? _____

IS CURBING CRACKED OR BROKEN? _____

DRAIN VALVE:

DOES DRAIN VALVE CREATE A GOOD SEAL WHEN CLOSED? _____

DOES IT ALLOW UNRESTRICTED FLOW WHEN OPENED? _____

RECOMMENDATIONS:

_____

_____

++++++++++++

The above tests have been reported to me as completed and repairs have been completed where needed.

_____
Date

_____
Maintenance Superintendent

PLASTICIZER AND TANK FARM

MAINTENANCE REPORT

INSPECTOR: _____ DATE: _____

This form is to be completed by personnel performing tests, and signed by the Maintenance Superintendent and added to the appropriate section of the S.P.C.C. Plan.

IDENTIFICATION: _____ CONOCO NO.: _____

CONTENTS: _____ VESSEL CAPACITY: _____

LOCATION: _____

VESSEL WALL THICKNESS CONDITION: _____

		IF NO, DESCRIBE:
ARE OVERFLOW LINES CLEAR?	YES/NO	_____
IS RELIEF VALVE OPERATIONAL?	YES/NO	_____
IS ATMOSPHERIC OUTLET CLEAR?	YES/NO	_____
ANY SIGN OF LEAKS FROM THE TANK?	YES/NO	_____
ANY SIGN OF LEAKS IN THE AREA FROM THE TANK?	YES/NO	_____
ARE ALARMS OPERATIONAL?	YES/NO	_____

If a category does not apply to the particular tank, the statement should be answered as N/A.

++++++++++++

The above tests have been reported to me as completed and repairs have been completed where needed.

_____
Date

_____
Maintenance Superintendent

EXHIBIT 4

API SEPARATOR PIT AND

STORM COLLECTION PITS

MAINTENANCE REPORT

INSPECTOR: _____ DATE: _____

This form is to be completed and initialed by personnel performing tests and signed by the Maintenance Superintendent and added to the appropriate section of the S.P.C.C. Plan.

IDENTIFICATION: _____

LOCATION: _____

DATE CLEANED: _____

PERSON OR PERSONS CLEANING THE PIT: _____

++++++++++++

The above tests have been reported to me as completed and repairs have been completed where needed.

_____
Date

_____
Maintenance Superintendent

EXHIBIT 5

DRAIN REPORT

INSPECTOR: _____ DATE: _____

This report is to be completed and initialed by personnel performing the draining and signed by the Operations Superintendent and added to the appropriate section of the S.P.C.C. Plan.

NAME OF PERSON DOING DRAINING AND TITLE: _____

_____

LOCATION OF AREA: _____

REASON FOR DRAINING: _____

DESCRIPTION OF AREA:

BEFORE DRAINING: _____

AFTER DRAINING: _____

WAS VALVE CARSEALED AFTER DRAINING: _____

++++++++++++

The above tests have been reported to me as completed and repairs have been completed where needed.

_____
Date

_____
Maintenance Superintendent

EXHIBIT 6

SPILL REPORT FOR SPILLS

OUTSIDE OF PLANT PROPERTY

To be filled in by the spill investigator

INFORMATION FOR AUTHORITIES

NAME OF REPORTING COMPANY: Conoco Chemicals Company, A Division of Conoco Inc., Aberdeen PVC Plant

PERSON REPORTING (NAME): _____ TITLE: _____

TELEPHONE NUMBER: (601) 369-8111

LOCATION OF SPILLED MATERIAL: _____

_____

NAME OF SPILLED MATERIAL: _____

AMOUNT OF MATERIAL LEAVING PLANT SITE: _____

(This should be an accurate estimate as our liability and regulatory counter-measure may be based on this amount)

SOURCE OF SPILL: _____
(TANK, TANK CAR, TANK TRUCK, PIPELINE, PROCESS)

ACTION TAKEN TO CONTROL SPILL: _____

_____

_____
Signed

_____
Date

APPENDIX C

FEDERAL REGISTER

OIL POLLUTION PREVENTION

federal register

TUESDAY, DECEMBER 11, 1973
WASHINGTON, D.C.

Volume 38 ■ Number 237

PART II

ENVIRONMENTAL PROTECTION AGENCY

■

OIL POLLUTION PREVENTION

Non-Transportation Related Onshore and Offshore Facilities

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Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER D—WATER PROGRAMS

PART 112—OIL POLLUTION PREVENTION

Non-transportation Related Onshore and Offshore Facilities

Notice of proposed rule making was published on July 19, 1973, containing proposed regulations, required by an pursuant to section 311(j)(1)(C) of the Federal Water Pollution Control A t, as amended (86 Stat. 868, 33 U.S.C. 1251 et seq.), (FWPCA), to prevent discharges of oil into the navigable waters of the United States and to contain such discharges if they occur. The proposed regulations endeavor to prevent such spills by establishing procedures, methods and equipment requirements of owners or operators of facilities engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, or consuming oil.

Written comments on the proposed regulations were solicited and received from interested parties. In addition, a number of verbal comments on the proposal were also received. The written comments are on file at the Division of Oil and Hazardous Materials, Office of Water Program Operations, U.S. Environmental Protection Agency, Washington, D.C.

All of the comments have been given careful consideration and a number of changes have been made in the regulation. These changes incorporate either suggestions made in the comments or ideas initiated by the suggestions.

Some comments reflected a misunderstanding of the fundamental principles of the regulation, specifically as they applied to older facilities and marginal operations. During the development of the regulation it was recognized that no single design or operational standard can be prescribed for all non-transportation related facilities, since the equipment and operational procedures appropriate for one facility may not be appropriate for another because of factors such as function, location, and age of each facility. Also, new facilities could achieve a higher level of spill prevention than older facilities by the use of fail-safe design concepts and innovative spill prevention methods and procedures. It was concluded that older facilities and marginal operations could develop strong spill contingency plans and commit manpower, oil containment devices and removal equipment to compensate for inherent weaknesses in the spill prevention plan.

Appropriate changes were made in the regulation to simplify, clarify or correct deficiencies in the proposal.

A discussion of these changes, section by section follows:

A. *Section 112.1—General applicability.* Section 112.1(b), the "foreseeability provision", contained in 112.1(d)(4) was added to paragraph 112.1(b). As modified, the regulation applies to non-transportation-related onshore and offshore facilities which, due to their location, could reasonably be expected to discharge oil into or upon the navigable waters of the United States or adjoining shorelines.

Sections 112.1(b), 112.1(d)(4) and 112.3 are now consistent.

Section 112.1(d)(1) was expanded to further clarify the respective authorities of the Department of Transportation and the Environmental Protection Agency by referring to the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the Environmental Protection Agency (Appendix).

Section 112.1(d)(2), the figure for barrels was converted to gallons, a unit of measure more familiar to the public, and now reads "42000 gallons."

Section 112.1(d)(3), exemption for facilities with nonburied tankage was extended to 1320 gallons in aggregate with no single tank larger than 660 gallons and applies to all oils, not just heating oil and motor fuel. Tanks of 660 gallons are the normal domestic code size for nonburied heating oil tanks. Buildings may have two such tanks. Facilities containing small quantities of oil other than motor fuel or heating oil would also be exempt, thus making this consistent with the definition of oil in § 112.2.

B. *Section 112.2—Definitions.* Section 112.2(l), the term "navigable waters" was expanded to the more descriptive definition used by the National Pollutant Discharge Elimination System.

Section 112.2(m), the U.S. Coast Guard definition of the term "vessel" was included. This term is used in the regulation and the definition is consistent with the Department of Transportation regulations.

C. *Section 112.3—Requirements for the preparation and implementation of spill prevention control and countermeasure plans.* A new paragraph (c) was added to § 112.3 which applies to mobile or portable facilities subject to the regulation. These facilities need not prepare a new Spill Prevention Control and Countermeasure Plan (SPCC Plan) each time the facility is moved to a new site, but may prepare a general plan, identifying good spill prevention engineering practices (as outlined in the guidelines, § 112.7), and implement these practices at each new location.

Section 112.3(a), (b) and (f) (which was § 112.3(e) in the proposed rule making) have been modified to allow extensions of time beyond the normally specified periods to apply to the preparation of plans as well as to their implementation and to remove the time limitation of one year for extensions. Extensions may be allowed for whatever period of time considered reasonable by the Regional Administrator.

Section 112.3(e) (which was § 112.3 (d) in the proposed rule making) was modified to require the maintenance of the SPCC Plan for inspection at the facility only if the facility was normally manned. If the facility is unmanned, the Plan may be kept at the nearest field office.

Section 112.3(a)(1) (§ 112.3(e)(1) in the proposed regulation) was changed to include the nonavailability of qualified personnel as a reason for the Regional Administrator granting an extension of time.

D. *Section 112.4—Amendment of spill prevention control and countermeasure plans by Regional Administrator.* Section 112.4(a)(11), permits the Regional Administrator to require that the owner or operator furnish additional information to EPA after one or more spill event has occurred. The change limits the request for additional information to that pertinent to the SPCC Plan or to the pollution incident.

Section 112.4(b) now reads "Section 112.4 * * *", not "This subsection * * *"

Section 112.4(e) allowed the Regional Administrator to require amendments to SPCC Plans and specifies that the amendment must be incorporated in the Plan within 30 days unless the Regional Administrator specifies an earlier effective date. The change allows the Regional Administrator to specify any appropriate date that is reasonable.

Section 112.4(f). A new § 112.4(f) has been added which provides for an appeal by an owner or operator from a decision rendered by the Regional Administrator on an amendment to an SPCC Plan. The appeal is made to the Administrator of EPA and the paragraph outlines the procedures for making such an appeal.

E. *Section 112.5—Amendment of spill prevention control and countermeasure plans by owners or operators.* Section 112.5(b) required the owner or operator to amend the SPCC Plan every three years. The amendment required the incorporation of any new, field-proven technology and had to be certified by a Professional Engineer.

The change requires that the owner or operator review the Plan every three years to see if it needs amendment. New technology need be incorporated only if it will significantly reduce the likelihood of a spill. The change will prevent frivolous retrofitting of equipment to facilities whose prevention plans are working successfully, and will not require engineering certification unless an amendment is necessary.

Section 112.5(c), this paragraph required that the owner or operator amend his SPCC Plan when his facility became subject to §112.4 (amendment by the Regional Administrator). This paragraph has been removed. It is inconsistent to require the owner or operator to independently amend the Plan while the Regional Administrator is reviewing it for possible amendment.

F. *Section 112.6—Civil penalties.* There are no changes in this section.

G. *Section 112.7—Guidelines for the preparation and implementation of a spill prevention control and countermeasure plan.* Numerous changes have been made in the guidelines section; the changes have been primarily:

1. To correct the use of language inconsistent with guidelines. For example, the word "shall" has been changed to "should" in § 112.7(a) through (e).

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2. To give the engineer preparing the Plan greater latitude to use alternative methods better suited to a given facility ical conditions.

. To cover facilities subject to the regulation, but for which no guidelines were previously given. This category includes such things as mobile facilities, and drilling and workover rigs.

In addition, wording was changed to differentiate between periodic observations by operating personnel and formal inspections with attendant record keeping.

These regulations shall become effective January 10, 1974.

Dated: November 27, 1973.

JOHN QUARLES,
Acting Administrator.

A new Part 112 would be added to subchapter D, Chapter I of Title 40, Code of Federal Regulations as follows:

Sec.
112.1 General applicability.
112.2 Definitions.
112.3 Requirements for preparation and implementation of Spill Prevention Control and Countermeasure plans.
112.4 Amendment of Spill Prevention Control and Countermeasure Plans by Regional Administrator.
112.5 Admendment of Spill Prevention Control and Countermeasure Plans by owners or operators.
112.6 Civil penalties.
112.7 Guidelines for the preparation and implementation of a Spill Prevention Control and Countermeasure Plan.
ppendix Memorandum of Understanding Between the Secretary of the Department of Transportation and the Administrator of the Environmental Protection Agency. Section II—Definitions.

AUTHORITY: Secs. 311(j)(1)(C), 311(j)(2), 501(a), Federal Water Pollution Control Act (Sec. 2, Pub. L. 92-500, 86 Stat. 816 et seq. (33 U.S.C. 1251 et seq.)); Sec. 4(b), Pub. L. 92-500, 86 Stat. 897; 5 U.S.C. Reorg. Plan of 1970 No. 3 (1970), 35 FR 15623, 3 CFR 1966-1970 Comp.; E.O. 11735, 38 FR 21243, 3 CFR.

§ 112.1 General applicability.

(a) This part establishes procedures, methods and equipment and other requirements for equipment 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.

(b) Except as provided in paragraph (d) of this section, this part applies to owners or operators of non-transportation-related onshore and offshore facilities engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing or consuming oil and oil products, and which, due to their location, could reasonably be expected to discharge oil in harmful quantities, as defined in Part 110 of this chapter, into or upon the navigable waters of the United States or adjoining shorelines.

(c) As provided in sec. 313 (86 Stat. 875) departments, agencies, and instrumentalities of the Federal government are subject to these regulations to the same extent as any person, except for the provisions of § 112.6.

(d) This part does not apply to:

(1) Equipment or operations of vessels or transportation-related onshore and offshore facilities which are subject to authority and control of the Department of Transportation, as defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the Environmental Protection Agency, dated November 24, 1971, 36 FR 24000.

(2) Facilities which have an aggregate storage of 1320 gallons or less of oil, provided no single container has a capacity in excess of 660 gallons.

(3) Facilities which have a total storage capacity of 42000 gallons or less of oil and such total storage capacity is buried underground.

(4) Non-transportation-related onshore and offshore facilities, which, due to their location, could not reasonably be expected to discharge oil into or upon the navigable waters of the United States or adjoining shorelines.

(e) This part provides for the preparation and implementation of Spill Prevention Control and Countermeasure Plans prepared in accordance with § 112.7, designed to complement existing laws, regulations, rules, standards, policies and procedures pertaining to safety standards, fire prevention and pollution prevention rules, so as to form a comprehensive balanced Federal/State spill prevention program to minimize the potential for oil discharges. 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.

§ 112.2 Definitions.

For the purposes of this part:

(a) "Oil" means oil of any kind or in any form, including, but not limited to petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes other than dredged spoil.

(b) "Discharge" includes but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping. For purposes of this part, the term "discharge" shall not include any discharge of oil which is authorized by a permit issued pursuant to Section 13 of the River and Harbor Act of 1899 (30 Stat. 1121, 33 U.S.C. 407), or Sections 402 or 405 of the FWPCA Amendments of 1972 (86 Stat. 816 et seq., 33 U.S.C. 1251 et seq.).

(c) "Onshore facility" means any facility of any kind located in, on, or under any land within the United States, other than submerged lands, which is not a transportation-related facility.

(d) "Offshore facility" means any facility of any kind located in, on, or under any of the navigable waters of the United States, which is not a transportation-related facility.

(e) "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 such facility immediately prior to such abandonment.

(f) "Person" includes an individual, firm, corporation, association, and a partnership.

(g) "Regional Administrator", means the Regional Administrator of the Environmental Protection Agency, or his designee, in and for the Region in which the facility is located.

(h) "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, 36 FR 24080.

(i) "Spill event" means a discharge of oil into or upon the navigable waters of the United States or adjoining shorelines in harmful quantities, as defined at 40 CFR Part 110.

(j) "United States" means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(k) The term "navigable waters" of the United States means "navigable waters" as defined in section 502(7) of the FWPCA, and includes:

(1) all navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 Amendments to the FWPCA (Pub. L. 92-500), and tributaries of such waters;

(2) interstate waters;

(3) intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and

(4) intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

(l) "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.

§ 112.3 Requirements for preparation and implementation of Spill Prevention Control and Countermeasure Plans.

(a) Owners or operators of onshore and offshore facilities in operation on or before the effective date of this part that have discharged or could reasonably be expected to discharge oil in harmful quantities, as defined in 40 CFR Part 110, into or upon the navigable waters of the United States or adjoining shorelines, shall prepare a Spill Prevention Control and Countermeasure Plan (hereinafter "SPCC Plan"), in accordance with § 112.7. Except as provided for in paragraph (f) of this section, such SPCC Plan shall be prepared within six months after the effective date of this part and shall be fully implemented as soon as possible, but not later than one year after the effective date of this part.

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(b) Owners or operators of onshore and offshore facilities that become operational after the effective date of this part, and that have discharged or could reasonably be expected to discharge oil in harmful quantities, as defined in 40 CFR Part 110, into or upon the navigable waters of the United States or adjoining shorelines, shall prepare an SPCC Plan in accordance with § 112.7. Except as provided for in paragraph (f) of this section, such SPCC Plan shall be prepared within six months after the date such facility begins operations and shall be fully implemented as soon as possible, but not later than one year after such facility begins operations.

(c) Onshore and offshore mobile or portable facilities such as onshore drilling or workover rigs, barge mounted offshore drilling or workover rigs, and portable fueling facilities shall prepare and implement an SPCC Plan as required by paragraphs (a), (b) and (d) of this section. The owner or operator of such facility need not prepare and implement a new SPCC Plan each time the facility is moved to a new site. The SPCC Plan for mobile facilities should be prepared in accordance with § 112.7, using good engineering practice, and when the mobile facility is moved it should be located and installed using spill prevention practices outlined in the SPCC Plan for the facility. The SPCC Plan shall only apply while the facility is in a fixed (non transportation) operating mode.

(d) No SPCC Plan shall be effective to satisfy the requirements of this part unless it has been reviewed by a Registered Professional Engineer and certified to by such Professional Engineer. By means of this certification the engineer, having examined the facility and being familiar with the provisions of this part, shall attest that the SPCC Plan has been prepared in accordance with good engineering practices. Such certification shall in no way relieve the owner or operator of an onshore or offshore facility of his duty to prepare and fully implement such Plan in accordance with § 112.7, as required by paragraphs (a); (b) and (c) of this section.

(e) Owners or operators of a facility for which an SPCC Plan is required pursuant to paragraphs (a), (b) or (c) of this section shall maintain a complete copy of the Plan at such facility if the facility is normally attended at least 8 hours per day, or at the nearest field office if the facility is not so attended, and shall make such Plan available to the Regional Administrator for on-site review during normal working hours.

(f) Extensions of time.

(1) The Regional Administrator may authorize an extension of time for the preparation and full implementation of an SPCC Plan beyond the time permitted for the preparation and implementation of an SPCC Plan pursuant to paragraphs (a), (b) or (c) of this section where he finds that the owner or operator of a facility subject to paragraphs (a), (b) or (c) of this section cannot fully comply with the requirements of this part 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 their respective agents or employees.

(2) Any owner or operator seeking an extension of time pursuant to paragraph (f)(1) of this section may submit a letter of request to the Regional Administrator. Such letter shall include:

(i) A complete copy of the SPCC Plan, if completed;

(ii) A full explanation of the cause for any such delay and the specific aspects of the SPCC Plan affected by the delay;

(iii) A full discussion of actions being taken or contemplated to minimize or mitigate such delay;

(iv) 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, such owner or operator may present additional oral or written statements in support of his letter of request.

(3) The submission of a letter of request for extension of time pursuant to paragraph (f)(2) of this section shall in no way relieve the owner or operator from his obligation to comply with the requirements of § 112.3 (a), (b) or (c). Where an extension of time is authorized by the Regional Administrator for particular equipment or other specific aspects of the SPCC Plan, such extension shall in no way affect the owner's or operator's obligation to comply with the requirements of § 112.3 (a), (b) or (c) with respect to other equipment or other specific aspects of the SPCC Plan for which an extension of time has not been expressly authorized.

§ 112.4 Amendment of SPCC Plans by Regional Administrator.

(a) Notwithstanding compliance with § 112.3, whenever a facility subject to § 112.3 (a), (b) or (c) has: Discharged more than 1,000 U.S. gallons of oil into or upon the navigable waters of the United States or adjoining shorelines in a single spill event, or discharged oil in harmful quantities, as defined in 40 CFR Part 110, into or upon the navigable waters of the United States or adjoining shorelines in two spill events, reportable under section 311(b)(5) of the FWPCA, occurring within any twelve month period, the owner or operator of such facility shall submit to the Regional Administrator, within 60 days from the time such facility becomes subject to this section, the following:

(1) Name of the facility;

(2) Name(s) of the owner or operator of the facility;

(3) Location of the facility;

(4) Date and year of initial facility operation;

(5) Maximum storage or handling capacity of the facility and normal daily throughput;

(6) Description of the facility, including maps, flow diagrams, and topographical maps;

(7) A complete copy of the SPCC Plan with any amendments;

(8) The cause(s) of such spill, including a failure analysis of system or subsystem in which the failure occurred;

(9) The corrective actions and/or countermeasures taken, including an adequate description of equipment repairs and or replacements;

(10) Additional preventive measures taken or contemplated to minimize the possibility of recurrence;

(11) Such other information as the Regional Administrator may reasonably require pertinent to the Plan or spill event.

(b) Section 112.4 shall not apply until the expiration of the time permitted for the preparation and implementation of an SPCC Plan pursuant to § 112.3 (a), (b), (c) and (f).

(c) A complete copy of all information provided to the Regional Administrator pursuant to paragraph (a) of this section shall be sent at the same time to the State agency in charge of water pollution control activities in and for the State in which the facility is located. Upon receipt of such information such State agency may conduct a review and make recommendations to the Regional Administrator as to further procedures, methods, equipment and other requirements for equipment necessary to prevent and to contain discharges of oil from such facility.

(d) After review of the SPCC Plan for a facility subject to paragraph (a) of this section, together with all other information submitted by the owner or operator of such facility, and by the State agency under paragraph (c) of this section, the Regional Administrator may require the owner or operator of such facility to amend the SPCC Plan if he finds that the Plan does not meet the requirements of this part or that the amendment of the Plan is necessary to prevent and to contain discharges of oil from such facility.

(e) When the Regional Administrator proposes to require an amendment to the SPCC Plan, he shall notify the facility operator by certified mail addressed to, or by personal delivery to, the facility owner or operator, that he proposes to require an amendment to the Plan, and shall specify the terms of such amendment. If the facility owner or operator is a corporation, a copy of such notice shall also be mailed to the registered agent, if any, of such corporation in the State where such facility is located. Within 30 days from receipt of such notice, the facility owner or operator may submit written information, views, and arguments on the amendment. After considering all relevant material presented, the Regional Administrator shall notify the facility owner or operator of any amendment required or shall rescind the notice. The amendment required by the Regional Administrator shall become part of the Plan 30 days

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after such notice, unless the Regional Administrator, for good cause, shall specify another effective date. The owner or operator of the facility shall implement the amendment of the Plan as soon as possible, but not later than six months after the amendment becomes part of the Plan, unless the Regional Administrator specifies another date.

(f) An owner or operator may appeal a decision made by the Regional Administrator requiring an amendment to an SPCC Plan. The appeal shall be made to the Administrator of the United States Environmental Protection Agency and must be made in writing within 30 days of receipt of the notice from the Regional Administrator requiring the amendment. A complete copy of the appeal must be sent to the Regional Administrator at the time the appeal is made. The appeal shall contain a clear and concise statement of the issues and points of fact in the case. It may also contain additional information which the owner or operator wishes to present in support of his argument. The Administrator or his designee may request additional information from the owner or operator, or from any other person. The Administrator or his designee may request additional information from the owner or operator, or from any other person. The Administrator or his designee shall render a decision within 60 days of receiving the appeal and shall notify the owner or operator of his decision.

§ 112.5 Amendment of Spill Prevention Control and Countermeasure Plans by owners or operators.

(a) Owners or operators of facilities subject to § 112.3 (a), (b) or (c) shall amend the SPCC Plan for such facility in accordance with § 112.7 whenever there is a change in facility design, construction, operation or maintenance which materially affects the facility's potential for the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines. Such amendments shall be fully implemented as soon as possible, but not later than six months after such change occurs.

(b) Notwithstanding compliance with paragraph (a) of this section, owners and operators of facilities subject to § 112.3 (a), (b) or (c) shall complete a review and evaluation of the SPCC Plan at least once every three years from the date such facility becomes subject to this part. As a result of this review and evaluation, the owner or operator shall amend the SPCC Plan within six months of the review to include more effective prevention and control technology if: (1) Such technology will significantly reduce the likelihood of a spill event from the facility, and (2) if such technology has been field-proven at the time of the review.

(c) No amendment to an SPCC Plan shall be effective to satisfy the requirements of this section unless it has been certified by a Professional Engineer in accordance with § 112.3(d).

§ 112.6 Civil penalties.

Owners or operators of facilities subject to § 112.3 (a), (b) or (c) who violate the requirements of this part by failing or refusing to comply with any of the provisions of § 112.3, § 112.4, or § 112.5 shall be liable for a civil penalty of not more than $5,000 for each day that such violation continues. The Regional Administrator may assess and compromise such civil penalty. No penalty shall be assessed until the owner or operator shall have been given notice and an opportunity for hearing.

§ 112.7 Guidelines for the preparation and implementation of a Spill Prevention Control and Countermeasure Plan.

The SPCC Plan shall be a carefully thought-out plan, prepared in accordance with good engineering practices, and which has the full approval of management at a level with authority to commit the necessary resources. If the plan calls for additional facilities or procedures, methods, or equipment not yet fully operational, these items should be discussed in separate paragraphs, and the details of installation and operational start-up should be explained separately. The complete SPCC Plan shall follow the sequence outlined below, and include a discussion of the facility's conformance with the appropriate guidelines listed:

(a) A facility which has experienced one or more spill events within twelve months prior to the effective date of this part should include a written description of each such spill, corrective action taken and plans for preventing recurrence.

(b) Where experience indicates a reasonable potential for equipment failure (such as tank overflow, rupture, or leakage), the plan should include 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 major type of failure.

(c) Appropriate containment and/or diversionary structures or equipment to prevent discharged oil from reaching a navigable water course should be provided. One of the following preventive systems or its equivalent should be used as a minimum:

(1) Onshore facilities.

(i) Dikes, berms or retaining walls sufficiently impervious to contain spilled oil

(ii) Curbing

(iii) Culverting, gutters or other drainage systems

(iv) Weirs, booms or other barriers

(v) Spill diversion ponds

(vi) Retention ponds

(vii) Sorbent materials

(2) Offshore facilities.

(i) Curbing, drip pans

(ii) Sumps and collection systems

(d) When it is determined that the installation of structures or equipment listed in § 112.7(c) to prevent discharged oil from reaching the navigable waters is not practicable from any onshore or offshore facility, the owner or operator should clearly demonstrate such impracticability and provide the following:

(1) A strong oil spill contingency plan following the provision of 40 CFR Part 109.

(2) A written commitment of manpower, equipment and materials required to expeditiously control and remove any harmful quantity of oil discharged.

(e) In addition to the minimal prevention standards listed under § 112.7 (c), sections of the Plan should include a complete discussion of conformance with the following applicable guidelines, other effective spill prevention and containment procedures (or, if more stringent, with State rules, regulations and guidelines):

(1) *Facility drainage (onshore); (excluding production facilities).* (i) Drainage from diked storage areas should be restrained by valves or other positive means to prevent a spill or other excessive leakage of oil into the drainage system or inplant effluent treatment system, except where plan systems are designed to handle such leakage. Diked areas may be emptied by pumps or ejectors; however, these should be manually activated and the condition of the accumulation should be examined before starting to be sure no oil will be discharged into the water.

(ii) Flapper-type drain valves should not be used to drain diked areas. Valves used for the drainage of diked areas should, as far as practical, be of manual, open-and-closed design. When plant drainage drains directly into water courses and not into wastewater treatment plants, retained storm water should be inspected as provided in paragraph (e)(2)(iii) (B, C and D) before drainage.

(iii) Plant drainage systems from undiked areas should, if possible, flow into ponds, lagoons or catchment basins, designed to retain oil or return it to the facility. Catchment basins should not be located in areas subject to periodic flooding.

(iv) If plant drainage is not engineered as above, the final discharge of all in-plant ditches should be equipped with a diversion system that could, in the event of an uncontrolled spill, return the oil to the plant.

(v) Where drainage waters are treated in more than one treatment unit, natural hydraulic flow should be used. If pump transfer is needed, two "lift" pumps should be provided, and at least one of the pumps should be permanently installed when such treatment is continuous. In any event, whatever techniques are used facility drainage systems should be adequately engineered to prevent oil from reaching navigable waters in the event of equipment failure or human error at the facility.

(2) *Bulk storage tanks (onshore); (excluding production facilities).* (i) No

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tank should be used 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, etc.

(ii) All bulk storage tank installations should be constructed so that a secondary means of containment is provided for the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spilled oil. Dikes, containment curbs, and pits are commonly employed for this purpose, but they may not always be appropriate. An alternative system could consist of a complete drainage trench enclosure arranged so that a spill could terminate and be safely confined in an in-plant catchment basin or holding pond.

(iii) Drainage of rainwater from the diked area into a storm drain or an effluent discharge that empties into an open water course, lake, or pond, and bypassing the in-plant treatment system may be acceptable if:

(A) The bypass valve is normally sealed closed.

(B) Inspection of the run-off rain water ensures compliance with applicable water quality standards and will not cause a harmful discharge as defined in 40 CFR 110.

(C) The bypass valve is opened, and resealed following drainage under responsible supervision.

(D) Adequate records are kept of such events.

(iv) Buried metallic storage tanks represent a potential for undetected spills. A new buried installation should be protected from corrosion by coatings, cathodic protection or other effective methods compatible with local soil conditions. Such buried tanks should at least be subjected to regular pressure testing.

(v) Partially buried metallic tanks for the storage of oil should be avoided, unless the buried section of the shell is adequately coated, since partial burial in damp earth can cause rapid corrosion of metallic surfaces, especially at the earth/air interface.

(vi) Aboveground tanks should be subject to periodic integrity testing, taking into account tank design (floating roof, etc.) and using such techniques as hydrostatic testing, visual inspection or a system of non-destructive shell thickness testing. Comparison records should be kept where appropriate, and tank supports and foundations should be included in these inspections. In addition, the outside of the tank should frequently be observed by operating personnel for signs of deterioration, leaks which might cause a spill, or accumulation of oil inside diked areas.

(vii) To control leakage through defective internal heating coils, the following factors should be considered and applied, as appropriate.

(A) The steam return or exhaust lines from internal heating coils which discharge into an open water course should be monitored for contamination, or passed through a settling tank, skimmer, or other separation or retention system.

(B) The feasibility of installing an external heating system should also be considered.

(viii) New and old tank installations should, as far as practical, be fail-safe engineered or updated into a fail-safe engineered installation to avoid spills. Consideration should be given to providing one or more of the following devices:

(A) High liquid level alarms with an audible or visual signal at a constantly manned operation or surveillance station; in smaller plants an audible air vent may suffice.

(B) Considering size and complexity of the facility, high liquid level pump cutoff devices set to stop flow at a predetermined tank content level.

(C) Direct audible or code signal communication between the tank gauger and the pumping station.

(D) A fast response system for determining the liquid level of each bulk storage tank such as digital computers, telepulse, or direct vision gauges or their equivalent.

(E) Liquid level sensing devices should be regularly tested to insure proper operation.

(ix) Plant effluents which are discharged into navigable waters should have disposal facilities observed frequently enough to detect possible system upsets that could cause an oil spill event.

(x) Visible oil leaks which result in a loss of oil from tank seams, gaskets, rivets and bolts sufficiently large to cause the accumulation of oil in diked areas should be promptly corrected.

(xi) Mobile or portable oil storage tanks (onshore) should be positioned or located so as to prevent spilled oil from reaching navigable waters. A secondary means of containment, such as dikes or catchment basins, should be furnished for the largest single compartment or tank. These facilities should be located where they will not be subject to periodic flooding or washout.

(3) *Facility transfer operations, pumping, and in-plant process (onshore); (excluding production facilities).* (i) Buried piping installations should have a protective wrapping and coating and should be cathodically protected if soil conditions warrant. If a section of buried line is exposed for any reason, it should be carefully examined for deterioration. If corrosion damage is found, additional examination and corrective action should be taken as indicated by the magnitude of the damage. An alternative would be the more frequent use of exposed pipe corridors or galleries.

(ii) When a pipeline is not in service, or in standby service for an extended time the terminal connection at the transfer point should be capped or blank-flanged, and marked as to origin.

(iii) Pipe supports should be properly designed to minimize abrasion and corrosion and allow for expansion and contraction.

(iv) All aboveground valves and pipelines should be subjected to regular examinations by operating personnel at which time 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 should be assessed. In addition, periodic pressure testing may be warranted for piping in areas where facility drainage is such that a failure might lead to a spill event.

(v) Vehicular traffic granted entry into the facility should be warned verbally or by appropriate signs to be sure that the vehicle, because of its size, will not endanger above ground piping.

(4) *Facility tank car and tank truck loading/unloading rack (onshore).* (i) Tank car and tank truck loading/unloading procedures should meet the minimum requirements and regulation established by the Department of Transportation.

(ii) Where rack area drainage does not flow into a catchment basin or treatment facility designed to handle spills, a quick drainage system should be used for tank truck loading and unloading areas. The containment system should be designed to hold at least maximum capacity of any single compartment of a tank car or tank truck loaded or unloaded in the plant.

(iii) An interlocked warning light or physical barrier system, or warning signs, should be provided in loading/unloading areas to prevent vehicular departure before complete disconnect of flexible or fixed transfer lines.

(iv) Prior to filling and departure of any tank car or tank truck, the lowermost drain and all outlets of such vehicles should be closely examined for leakage, and if necessary, tightened, adjusted, or replaced to prevent liquid leakage while in transit.

(5) *Oil production facilities (onshore)* (i) *Definition.* An onshore production facility may include all wells, flowlines, separation equipment, storage facilities, gathering lines, and auxiliary non-transportation-related equipment and facilities in a single geographical oil or gas field operated by a single operator.

(ii) *Oil production facility (onshore) drainage.* (A) At tank batteries and central treating stations where an accidental discharge of oil would have a reasonable possibility of reaching navigable waters, the dikes or equivalent required under § 112.7(c)(1) should have drains closed and sealed at all times except when rainwater is being drained. Prior to drainage, the diked area should be inspected as provided in paragraph (e)(2)(iii) (B), C), and (D). Accumulated oil on the rainwater should be picked up and returned to storage or disposed of in accordance with approved methods.

(B) Field drainage ditches, road ditches, and oil traps, sumps or skimmers, if such exist, should be inspected at regularly scheduled intervals for accumulation of oil that may have escaped from small leaks. Any such accumulations should be removed.

(iii) *Oil production facility (onshore) bulk storage tanks.* (A) No tank should be used for the storage of oil unless its material and construction are compatible with the material stored and the conditions of storage.

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(B) All tank battery and central treating plant installations should be provided with a secondary means of containment for the entire content of the largest single tank if feasible, or alternate systems such as those outlined in § 112.7(c)(1). Drainage from undiked areas should be safely confined in a catchment basin or holding pond.

(C) All tanks containing oil should be visually examined by a competent person for condition and need for maintenance on a scheduled periodic basis. Such examination should include the foundation and supports of tanks that are above the surface of the ground.

(D) New and old tank battery installations should, as far as practical, be fail-safe engineered or updated into a fail-safe engineered installation to prevent spills. Consideration should be given to one or more of the following:

(1) Adequate tank capacity to assure that a tank will not overfill should a pumper/gauger be delayed in making his regular rounds.

(2) Overflow equalizing lines between tanks so that a full tank can overflow to an adjacent tank.

(3) Adequate vacuum protection to prevent tank collapse during a pipeline run.

(4) High level sensors to generate and transmit an alarm signal to the computer where facilities are a part of a computer production control system.

(iv) *Facility transfer operations, oil production facility (onshore).* (A) All above ground valves and pipelines should be examined periodically on a scheduled basis for general condition of items such as flange joints, valve glands and bodies, drip pans, pipeline supports, pumping well polish rod stuffing boxes, bleeder and gauge valves.

(B) Salt water (oil field brine) disposal facilities should be examined often, particularly following a sudden change in atmospheric temperature to detect possible system upsets that could cause an oil discharge.

(C) Production facilities should have a program of flowline maintenance to prevent spills from this source. The program should include periodic examinations, corrosion protection, flowline replacement, and adequate records, as appropriate, for the individual facility.

(6) *Oil drilling and workover facilities (onshore)* (i) Mobile drilling or workover equipment should be positioned or located so as to prevent spilled oil from reaching navigable waters.

(ii) Depending on the location, catchment basins or diversion structures may be necessary to intercept and contain spills of fuel, crude oil, or oily drilling fluids.

(iii) Before drilling below any casing string or during workover operations, a blowout prevention (BOP) assembly and well control system should be installed that is capable of controlling any well head pressure that is expected to be encountered while that BOP assembly is on the well. Casing and BOP installations should be in accordance with State regulatory agency requirements.

(7) *Oil drilling, production, or workover facilities (offshore).* (i) Definition: "An oil drilling, production or workover facility (offshore)" may include all drilling or workover equipment, wells, flowlines, gathering lines, platforms, and auxiliary nontransportation-related equipment and facilities in a single geographical oil or gas field operated by a single operator.

(ii) Oil drainage collection equipment should be used to prevent and control small oil spillage around pumps, glands, valves, flanges, expansion joints, hoses, drain lines, separators, treaters, tanks, and allied equipment. Drains on the facility should be controlled and directed toward a central collection sump or equivalent collection system sufficient to prevent discharges of oil into the navigable waters of the United States. Where drains and sumps are not practicable oil contained in collection equipment should be removed as often as necessary to prevent overflow.

(iii) For facilities employing a sump system, sump and drains should be adequately sized and a spare pump or equivalent method should be available to remove liquid from the sump and assure that oil does not escape. A regular scheduled preventive maintenance inspection and testing program should be employed 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.

(iv) In areas where separators and treaters are equipped with dump valves whose predominant mode of failure is in the closed position and pollution risk is high, the facility should be specially equipped to prevent the escape of oil. This could be accomplished by extending the flare line to a diked area if the separator is near shore, equipping it with a high liquid level sensor that will automatically shut-in wells producing to the separator, parallel redundant dump valves, or other feasible alternatives to prevent oil discharges.

(v) Atmospheric storage or surge tanks should be equipped with high liquid level sensing devices or other acceptable alternatives to prevent oil discharges.

(vi) Pressure tanks should be equipped with high and low pressure sensing devices to activate an alarm and/or control the flow or other acceptable alternatives to prevent oil discharges.

(vii) Tanks should be equipped with suitable corrosion protection.

(viii) A written procedure for inspecting and testing pollution prevention equipment and systems should be prepared and maintained at the facility. Such procedures should be included as part of the SPCC Plan.

(ix) Testing and inspection of the pollution prevention equipment and systems at the facility should be conducted by the owner or operator on a scheduled periodic basis commensurate with the complexity, conditions and circumstances of the facility or other appropriate regulations.

(x) Surface and subsurface well shut-in valves and devices in use at the facility should be sufficiently described to determine method of activation or control, e.g., pressure differential, change in fluid or flow conditions, combination of pressure and flow, manual or remote control mechanisms. Detailed records for each well, while not necessarily part of the plan should be kept by the owner or operator.

(xi) Before drilling below any casing string, and during workover operations a blowout preventer (BOP) assembly and well control system should be installed that is capable of controlling any wellhead pressure that is expected to be encountered while that BOP assembly is on the well. Casing and BOP installations should be in accordance with State regulatory agency requirements.

(xii) Extraordinary well control measures should be provided should emergency conditions, including fire, loss of control and other abnormal conditions, occur. The degree of control system redundancy should vary with hazard exposure and probable consequences of failure. It is recommended that surface shut-in systems have redundant or "fail close" valving. Subsurface safety valves may not be needed in producing wells that will not flow but should be installed as required by applicable State regulations.

(xiii) In order that there will be no misunderstanding of joint and separate duties and obligations to perform work in a safe and pollution free manner, written instructions should be prepared by the owner or operator for contractors and subcontractors to follow whenever contract activities include servicing a well or systems appurtenant to a well or pressure vessel. Such instructions and procedures should be maintained at the offshore production facility. Under certain circumstances and conditions such contractor activities may require the presence at the facility of an authorized representative of the owner or operator who would intervene when necessary to prevent a spill event.

(xiv) All manifolds (headers) should be equipped with check valves on individual flowlines.

(xv) 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 associated with that individual flowline, the flowline should be equipped with a high pressure sensing device and shutin valve at the wellhead unless provided with a pressure relief system to prevent over pressuring.

(xvi) All pipelines appurtenant to the facility should be protected from corrosion. Methods used, such as protective coatings or cathodic protection, should be discussed.

(xvii) Sub-marine pipelines appurtenant to the facility should be adequately protected against environmental stresses and other activities such as fishing operations.

(xviii) Sub-marine pipelines appurtenant to the facility should be in good

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operating condition at all times and inspected on a scheduled periodic basis for failures. Such inspections should be documented and maintained at the facility.

(8) *Inspections and records.* Inspections required by this part should be in accordance with written procedures developed for the facility by the owner or operator. These written procedures and a record of the inspections, signed by the appropriate supervisor or inspector, should be made part of the SPCC Plan and maintained for a period of three years.

(9) *Security (excluding oil production facilities).* (i) All plants handling, processing, and storing oil should be fully fenced, and entrance gates should be locked and/or guarded when the plant is not in production or is unattended.

(ii) The master flow and drain valves and any other valves that will permit direct outward flow of the tank's content to the surface should be securely locked in the closed position when in non-operating or non-standby status.

(iii) The starter control on all oil pumps should be locked in the "off" position or located at a site accessible only to authorized personnel when the pumps are in a non-operating or non-standby status.

(iv) The loading/unloading connections of oil pipelines should be securely capped or blank-flanged when not in service or standby service for an extended time. This security practice should also apply to pipelines that are emptied of liquid content either by draining or by inert gas pressure.

(v) Facility lighting should be commensurate with the type and location of the facility. Consideration should be given to: (A) Discovery of spills occurring during hours of darkness, both by operating personnel, if present, and by non-operating personnel (the general public, local police, etc.) and (B) prevention of spills occurring through acts of vandalism.

(10) *Personnel, training and spill prevention procedures.* (i) Owners or operators are responsible for properly instructing their personnel in the operation and maintenance of equipment to prevent the discharges of oil and applicable pollution control laws, rules and regulations.

(ii) Each applicable facility should have a designated person who is accountable for oil spill prevention and who reports to line management.

(iii) Owners or operators should schedule and conduct spill prevention briefings for their operating personnel at intervals frequent enough to assure adequate understanding of the SPCC Plan for that facility. Such briefings should highlight and describe known spill events or failures, malfunctioning components, and recently developed precautionary measures.

APPENDIX

Memorandum of Understanding between the Secretary of Transportation and the Administrator of the Environmental Protection Agency.

SECTION II—DEFINITIONS

The Environmental Protection Agency and the Department of Transportation agree that for the purposes of Executive Order 11548, the term:

(1) "Non-transportation-related onshore and offshore facilities" means:

(A) Fixed onshore and offshore oil well drilling facilities including all equipment and appurtenances related thereto used in drilling operations for exploratory or development wells, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(B) Mobile onshore and offshore oil well drilling platforms, barges, trucks, or other mobile facilities including all equipment and appurtenances related thereto when such mobile facilities are fixed in position for the purpose of drilling operations for exploratory or development wells, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(C) Fixed onshore and offshore oil production structures, platforms, derricks, and rigs including all equipment and appurtenances related thereto, as well as completed wells and the wellhead separators, oil separators, and storage facilities used in the production of oil, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(D) Mobile onshore and offshore oil production facilities including all equipment and appurtenances related thereto as well as completed wells and wellhead equipment, piping from wellheads to oil separators, oil separators, and storage facilities used in the production of oil when such mobile facilities are fixed in position for the purpose of oil production operations, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(E) Oil refining facilities including all equipment and appurtenances related thereto as well as in-plant processing units, storage units, piping, drainage systems and waste treatment units used in the refining of oil, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(F) Oil storage facilities including all equipment and appurtenances related thereto as well as fixed bulk plant storage, terminal oil storage facilities, consumer storage, pumps and drainage systems used in the storage of oil, but excluding inline or breakout storage tanks needed for the continuous operation of a pipeline system and any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(G) Industrial, commercial, agricultural or public facilities which use and store oil, but excluding any terminal facility, unit or process integrally associated with the handling or transferring of oil in bulk to or from a vessel.

(H) Waste treatment facilities including in-plant pipelines, effluent discharge lines, and storage tanks, but excluding waste treatment facilities located on vessels and terminal storage tanks and appurtenances for the reception of oily ballast water or tank washings from vessels and associated systems used for off-loading vessels.

(I) Loading racks, transfer hoses, loading arms and other equipment which are appurtenant to a nontransportation-related facility or terminal facility and which are used to transfer oil in bulk to or from highway vehicles or railroad cars.

(J) Highway vehicles and railroad cars which are used for the transport of oil exclusively within the confines of a nontransportation-related facility and which are not intended to transport oil in interstate or intrastate commerce.

(K) Pipeline systems which are used for the transport of oil exclusively within the confines of a nontransportation-related facility or terminal facility and which are not intended to transport oil in interstate or intrastate commerce, but excluding pipeline systems used to transfer oil in bulk to or from a vessel.

(2) "transportation-related onshore and offshore facilities" means:

(A) Onshore and offshore terminal facilities including transfer hoses, loading arms and other equipment and appurtenances used for the purpose of handling or transferring oil in bulk to or from a vessel as well as storage tanks and appurtenances for the reception of oily ballast water or tank washings from vessels, but excluding terminal waste treatment facilities and terminal oil storage facilities.

(B) Transfer hoses, loading arms and other equipment appurtenant to a nontransportation-related facility which is used to transfer oil in bulk to or from a vessel.

(C) Interstate and intrastate onshore and offshore pipeline systems including pumps and appurtenances related thereto as well as in-line or breakout storage tanks needed for the continuous operation of a pipeline system, and pipelines from onshore and offshore oil production facilities, but excluding onshore and offshore piping from wellheads to oil separators and pipelines which are used for the transport of oil exclusively within the confines of a nontransportation-related facility or terminal facility and which are not intended to transport oil in interstate or intrastate commerce or to transfer oil in bulk to or from a vessel.

(D) Highway vehicles and railroad cars which are used for the transport of oil in interstate or intrastate commerce and the equipment and appurtenances related thereto, and equipment used for the fueling of locomotive units, as well as the rights-of-way on which they operate. Excluded are highway vehicles and railroad cars and motive power used exclusively within the confines of a nontransportation-related facility or terminal facility and which are not intended for use in interstate or intrastate commerce.

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PART 110—DISCHARGE OF OIL

Sec.
110.1 Definitions.
110.2 Applicability.
110.3 Discharge into navigable waters harmful.
110.4 Discharge into contiguous zone harmful.
110.5 Discharge prohibited.
110.6 Exception for vessel engines.
110.7 Dispersants.
110.8 Demonstration projects.
110.9 Notice.

AUTHORITY: The provisions of this Part 110 issued under sec. 11(b)(3), as amended, 84 Stat. 92; 33 U.S.C. 1161.

§ 110.1 Definitions.

As used in this part, the following terms shall have the meaning indicated below:

(a) "Oil" means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, oil mixed with ballast or bilge, and oil mixed with wastes other than dredged spoil;

(b) "Discharge" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping;

(c) "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;

(d) "Public vessel" means a vessel owned or bare-boat chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce;

(e) "United States" means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, American Samoa the Virgin Islands, and the Trust Territory of the Pacific Islands;

(f) "Person" includes an individual, firm, corporation, association, and a partnership;

(g) "Contiguous zone" means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone;

(h) "Onshore facility" means any facility (including, but not limited to motor vehicles and rolling stock) of any kind located in, on, or under, any land within the United States other than submerged land;

(i) "Offshore facility" means any facility of any kind located in, on, or under, any of the navigable waters of the United States other than a vessel or public vessel;

(j) "Applicable water quality standards" means water quality standards adopted pursuant to section 10(c) of the Federal Act and State-adopted water quality standards for waters which are not interstate within the meaning of that Act.

(k) "Federal Act" means the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1151, et seq.

(l) "Sheen" means an iridescent appearance on the surface of water.

(m) "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.

§ 110.2 Applicability.

The regulations of this part apply to the discharge of oil into or upon the navigable waters of the United States, adjoining shorelines or into or upon the waters of the contiguous zone, prohibited by section 11(b) of the Federal Act.

§ 110.3 Discharge into navigable waters harmful.

For purposes of section 11(b) of the Federal Act, discharges of such quantities of oil into or upon the navigable waters of the United States or adjoining shorelines determined to be harmful to the public health or welfare of the United States, at all times and locations and under all circumstances and conditions, except as provided in section 110.6 of this part, include discharges which:

(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.

§ 110.4 Discharge into contiguous zone harmful.

For purposes of section 11(b) of the Federal Act, discharges of such quantities of oil into or upon the waters of the contiguous zone determined to be harmful to the public health or welfare of the United States, at all times and locations and under all circumstances and conditions, except as provided in section 110.6 of this part, include discharges which:

(a) Violate applicable water quality standards in navigable waters of the United States, 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.

§ 110.5 Discharge prohibited.

As provided in section 11(b)(2) of the Federal Act, no person shall discharge or cause or permit to be discharged into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone any oil, in harmful quantities as determined in §§ 110.3 and 110.4 of this part, except as the same may be permitted in the contiguous zone under Article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended.

§ 110.6 Exception for vessel engines.

For purposes of section 11(b) of the Federal Act, discharges of oil from a properly functioning vessel engine are not deemed to be harmful; but such oil accumulated in a vessel's bilges shall not be so exempt.

§ 110.7 Dispersants.

Addition of dispersants or emulsifiers to oil to be discharged which would circumvent the provisions of this part is prohibited.

§ 110.8 Demonstration projects.

Notwithstanding any other provisions of this part, the Administrator of the Environmental Protection Agency may permit the discharge of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone, in connection with research, demonstration projects, or studies relating to the prevention, control, or abatement of oil pollution.

§ 110.9 Notice.

Any person in charge of any vessel or onshore or offshore facility shall, as soon as he has knowledge of any discharge of oil from such vessel or facility in violation of § 110.5 of this part, immediately notify the U.S. Coast Guard of such discharge in accordance with such procedures as the Secretary of Transportation may prescribe.

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NOTE TO USERS

The following suggested model forms (Part I and Part II, Alternates A, B, and C) have been perforated at the fold for ease in removal from this bulletin and use in preparing SPCC Plans. These forms may be copied, if necessary, to provide additional forms when multiple SPCC Plans are to be prepared by an operator.

I. FEDERAL

A. Coast Guard (Please see attached map of U.S. Coast Guard Districts for respective areas.)

1st Coast Guard District
J. F. Kennedy Federal Bldg.
Government Center
Boston, Mass. 02203
Duty Officer: (617) 223-3645

2nd Coast Guard District
Federal Building
1520 Market Street
St. Louis, Mo. 63103
Duty Officer: (314) 622-4614

3rd Coast Guard District
Governors Island
New York, N.Y. 10004
Duty Officer: (212) 264-8714

5th Coast Guard District
Federal Building
431 Crawford Street
Portsmouth, Va. 23705
Duty Officer: (703) 393-6081

7th Coast Guard District
Room 1018, Federal Bldg.
51 S.W. 1st Avenue
Miami, Fla. 33130
Duty Officer: (305) 350-5611

8th Coast Guard District
Customhouse
New Orleans, La. 70130
Duty Officer: (504) 527-6225

9th Coast Guard District
1240 East 9th Street
Cleveland, Ohio. 44199
Duty Officer: (216) 522-3983

11th Coast Guard District
Heartwell Bldg.
19 Pine Avenue
Long Beach, Calif. 90802
Duty Officer: (213) 437-2944 (FTS)
(213) 437-2941 (COMMERCIAL)

12th Coast Guard District
630 Sansome Street
San Francisco, Calif. 94126
Duty Officer: (415) 556-5500

13th Coast Guard District
618 2nd Avenue
Seattle, Wash. 98104
Duty Officer: (206) 624-2902

14th Coast Guard District
677 Ala Moana Blvd.
Honolulu, Hawaii 96813
Duty Officer: (Hono) 588-841
(COMMERCIAL ONLY)
AUTOVON -(315) 732-4800 DROP 223

17th Coast Guard District
P. O. Box 3-5000
Juneau, Alaska 99801
Duty Officer: (907) 586-7340
(COMMERCIAL ONLY)

B. Federal EPA (Please see attached map of jurisdictional areas.)

Environmental Protection Agency
Region I, Room 2303
John F. Kennedy Federal Bldg.
Boston, Massachusetts 02203
Tel: (617) 223-7210

Environmental Protection Agency
Retion VI
1114 Commerce Street
Dallas, Texas 75202
Tel: (214) 749-1962

Environmental Protection Agency
Region II, Room 847
26 Federal Plaza
New York, New York 10007
Tel: (212) 264-2525

Environmental Protection Agency
Region III
P. O. Box 12900
Philadelphia, Pennsylvania 19108
Tel: (215) 597-9151

Environmental Protection Agency
Region IV, Suite 300
1421 Peachtree St., N.E.
Atlanta, Georgia 30309
Tel: (404) 526-5727

Environmental Protection Agency
Region V
33 East Congress Parkway
Chicago, Illinois 60605
Tel: (312) 353-5250

Environmental Protection Agency
Region VII, Room 702
911 Walnut Street
Kansas City, Missouri 64106
Tel: (816) 374-3778

Environmental Protection Agency
Region VIII, Suite 900
1860 Lincoln Street
Denver, Colorado 80203
Tel: (303) 837-3895

Environmental Protection Agency
Region IX
760 Market Street
San Francisco, California 94102
Tel: (415) 556-4303

Environmental Protection Agency
Region X
1200 Sixth Avenue
Seattle, Washington 98101
Tel: (206) 442-1200

C. USGS (For Gulf Coast Region)

USGS
3301 North Causeway Boulevard
P. O. Box 7944 or 7966
Metairie, Louisiana 70011
Tel: (504) 837-4720

II. STATE

A. EPA

Alabama
Alabama Water Improvement Commission, State Office Bldg.
Montgomery, AL 36104

Alaska
Alaska Department of Environmental Conservation
Pouch O. Juneau, AK 99801
(907) 586-6721

Arizona
State Health Department, Div. of Water Pollution Control
Hayden Plaza West, 4019 N. 33rd Ave., Phoenix, AZ 85017

Arkansas
Department of Pollution Control and Econology, 8001 National Dr., Little Rock, AR 72209
(501) 371-1701

California
State Water Resources Control Board, 1416 Ninth St., Sacramento, CA 95814. (916) 445-9434

Colorado
Colorado Department of Health, Water Pollution Control Division, 4210 E. 11th Ave., Denver, CO 80220.
(303) 388-6111

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A

Connecticut
Department of Environmental Protection, 165 Capitol Ave., Hartford, CT

Delaware
Dept. of Natural Resources and Environmental Control, Division of Environmental Control, Tatnall Bldg., Dover, DE 19901
(302) 678-4761

Florida
Department of Pollution Control, 315 South Calhoun St., Suite 300, Tallahassee, FL 32301
(305) 224-9151

Georgia
Georgia Water Quality Control Board, 47 Trinity Ave., S.W., Atlanta, GA 30334. (404) 656-4713

Hawaii
Environmental Health Div., Dept. of Public Health, P.O. Box 3378 Honolulu, HI 96801

Idaho
Idaho Department of Health, Statehouse. Boise, ID 83707
(208) 384-2390

Illinois
Environmental Protection Agency 2200 Churchill Road, Springfield, IL 62706. (217) 525-6171

Indiana
Indiana Stream Pollution Control Board, 1330 West Michigan St., Indianapolis, IN 46206
(317) 633-4420

Iowa
Iowa Water Pollution Control Commission, Iowa State Department of Health, Environmental Engineering Service, Lucas State Office Bldg, Des Moines, IA 50319. (515) 281-5345

Kansas
Division of Environmental Health Kansas State Department of Health, 535 Kansas Ave., Topeka, KS 66603. (913) 296-3821

Kentucky
Water Poliution Control Commission, 275 East Main St., Frankfort, KY 40601
(502) 564-3410

Louisiana
Louisiana Stream Control Commission, P. O. Drawer FC-LSU, Baton Rouge, LA 70803
(504) 389-5300

Maine
Environemtnal Improvement Commission, STate House, Augusta, ME 04330

Maryland
Department of Health and Mental Hygiene. Environmental Health Administration, 610 North Howard St., Baltimore, MD 21201
(301) 383-2740

Massachusetts
Division of Water Pollution Control, Leverett Saltonstall Bldg., 100 Cambridge St., Boston, MA 02202. (617) 727-3855

Michigan
Water Resources Commission, Bureau of Water Management, Stevens T. Mason Building, Lansing, MI 48926. (517) 373-3560.

Minnesota
Minnesota Pollution Control Agency, 717 Delaware St., S.E., Minneapolis, MN 55440
(612) 378-1320

Mississippi
Mississippi Air & Water Pollution Control Commission., P.O. Box 827, Jackson, MS 39205. (601) 354-6783

Missouri
Missouri Water Pollution Board P.O. Box 154, Jefferson City, MO 65101 (314) 635-9117

Montana
Dept. of Health & Environmental Sciences, Cogswell Bldg., Helena, MT 59601. (406) 449-3454

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Nebraska
Department of Environmental Control, 411 So. 13 St., P.O. Box 94653, State House Station, Lincoln, NE 68509. (402) 471-2186

Nevada
Environmental Protection Commission, 201 S. Fall St., Carson City, NV 89701 (702) 882-7870

New Hampshire
New Hampshire Water Supply & Pollution Control Commission, 105 Loudon Rd., P.O. Box 95, Concord, NH 03301. (603) 271-3502

New Jersey
Bureau of Water Pollution Control Division of Water Resources, N.J. State Dept. of Environmental Protection, P.O. Box 1390, Trenton, NJ 08625. (609) 292-4091.

New Mexico
Environmental Improvement Agency, Water Quality Control Commission, P.O. Box 2348, Santa Fe, NM 87501. (505) 827-2373

New York
New York State Dept. of Environmental Conservation, 50 Wolf Road, Albany, NY 12201. (518) 457-6533

North Carolina
Water Quality Division, Office of Water and Air Resources, P.O. Box 27687, Raleigh, NC 27611. (919) 829-3003

North Dakota
Division of Water Supply and Pollution Control, North Dakota State Department of Health, State Capitol Building, Bismarck, ND 58501. (701) 224-2386

Ohio
Ohio Water Pollution Control Board, P.O. Box 118, Columbus, OH 43216. (614) 469-4891

Oklahoma
Oklahoma State Dept. of Health, Water Quality Control Division, 3400 N. Eastern Ave., Oklahoma City, OK 73105. (405) 427-6561

Oregon
Department of Environmental Quality, 1234 S. W. Morrison, Portland, OR 97205. (503) 229-5696

Pennsylvania
Bureau of Water Quality Management, Dept. of Environmental Resources, P.O. Box 2351, Harrisburg, PA 17105. (717) 787-2666

Rhode Island
Division of Water Supply and Pollution Control, Rhode Island Dept. of Health, 209 Health Building, Davis St., Providence, RI 02908. (401) 277-2234

South Carolina
South Carolina Pollution Control Authority, Division of Water Pollution Control, P. O. Box 11628 Columbia, SC 29211. (803) 758-2915

South Dakota
Committee on Water Pollution, State Dept. of Health, Pierre, SD 57501. (605) 224-3351.

Tennessee
Tennessee Water Quality Control Board, 621 Cordell Hull Building, Nashville, TN 37219. (615) 741-2275.

Texas
Texas Water Quality Board P.O. Box 13246, Austin, TX 78711 (512) 475-2651

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Utah
Utah State Division of Health,
44 Medical Dr., Salt Lake City, UT
84113. (801) 328-6121

Vermont
Agency for Environmental
Conservation, Division of
Environmental Protection, State
Office Building, Montpelier, VT
05602. (802) 223-2311 ext. 656.

Virginia
State Water Control Board,
P.O. Box 11143, Richmond, VA
23230. (703) 770-2241.

Washington
State of Washington Dept. of
Ecology, P.O. Box 829, Olympia,
WA 98504. (206) 753-2800.

West Virginia
Department of Natural Resources,
Division of Water Resources, 1201
Greenbrier St., Charleston, WV
25211. (304) 348-2107

Wisconsin
Bureau of Water Supply & Pollution
Control, Box 450, Madison, WI
53701. (608) 266-3910

Wyoming
Wyoming Department of Health,
State Office Building, Cheyenne,
WY 82001

III. LOCAL

Preparation of this list is left to the individual facility staff.

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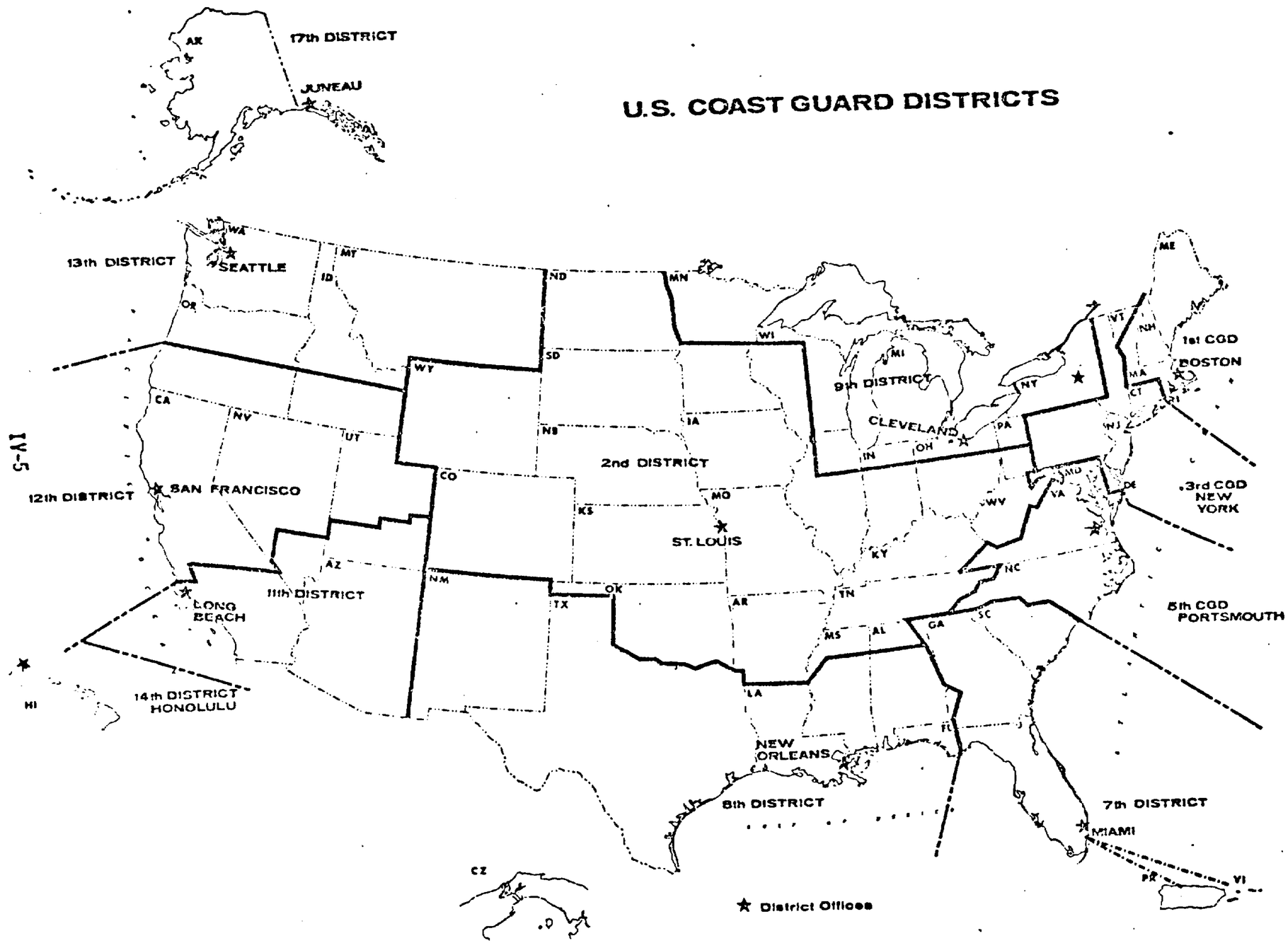
U.S. COAST GUARD DISTRICTS



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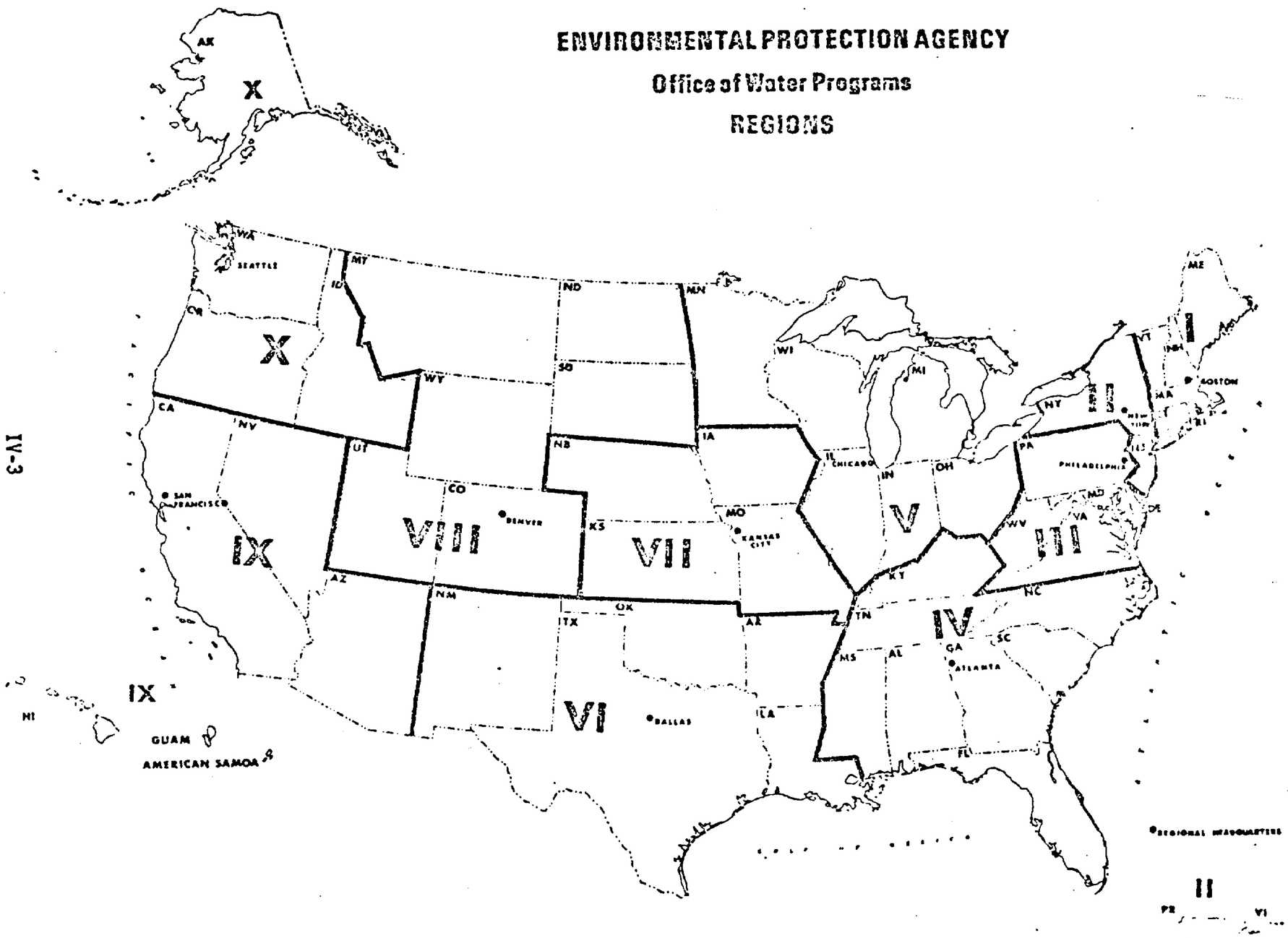
ENVIRONMENTAL PROTECTION AGENCY

Office of Water Programs

REGIONS



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APPENDIX E

HAZARDOUS SPILL REGULATIONS

CONOCO

Interoffice Communication

SBW

For your info. Let keep copy of Chemetron spill book. LCL

To Plant Managers

From J. C. Ledvina

Date September 12, 1979

Subject HAZARDOUS SUBSTANCES SPILL REGULATION

Attached is a regulation published in the 8/29/79 Federal Register designating 299 substances as hazardous under Section 311 of the Clean Water Act. I've also attached a shortened list of those chemicals which I think concern Conoco. The regulation requires agency notification in the event of a hazardous substances discharge in excess of the quantities listed in Table 117.3. This regulation becomes effective 9/28/79 although there is some chance of court action delaying implementation.

Significant facts regarding impact on Conoco Chemicals are:

1. Spills of a substance in quantities greater than the reportable quantity (RQ) to receiving waters over a 24 hour period must be reported.

2. An in-plant spill in excess of the RQ over 24 hours which causes a permit violation must be reported.

3. An in-plant spill which passes through a waste treatment plant and does not cause a permit violation is exempted from reporting.

4. Discharges to Publically Owned Treatment Works (POTWs) (OKC, Hammond, Newark) are not controlled as yet under this regulation, but will be sometime in the future.

5. Notice shall be given by calling the National Response Center at 800-424-8802. I recommend you also notify local agencies as a courtesy to maintain a good working relationship. The regulation says notice shall be given immediately which I interpret to mean as soon as it is established that the discharge or spill was in excess of the RQ and enough facts are gathered to characterize the spill. Document for internal use facts such as time of spill, amount of spill, cause, efforts taken to clean up, time of reporting.

6. The regulation provides for a fine of $50,000 per incident and up to $250,000 per incident if willful negligence can be proven.

I suspect that we are most vulnerable to the regulation from spills which leave the plants through storm water drainage ditches. New projects to dike, curb, or slope process and storage areas should be considered to reduce the risk of substantial penalties. In future plant visits, I'll be interested in discussing any work needed in the spills control area.

Give me a call at Extention 2661 in Houston if I can provide more information or further clarification.

J. C. Ledvina

ajo

Attachments

cc REL

Name of Substance	RQ (lbs)	Remarks
Ammonia	100	
Benzene	1,000	
Calcium Oxide	5,000	Currently on the list but proposed to be dropped
Calcium Hydroxide	5,000	Currently on the list but proposed to be dropped
Chlorine	10	
Cresol	1,000	
Dodecylbenzenesulfonic Acid	1,000	
EDC	5,000	
HCl	5,000	
Phenol	1,000	
PCBs	10	
Sodium Bichromate	1,000	Cooling water corrosion inhibitor
Sodiumdodecyl-Benzenesulfonate	1,000	
Sodium Hydroxide	1,000	
Sulfuric Acid	1,000	
Toluene	1,000	
Xylene	1,000	
Xylenol	1,000	
Zinc Sulfate	1,000	Cooling water corrosion inhibitor; may be some other zinc salt.

are adequately identified by existing tariffs. Thus, in some circumstances, common carriers may have no means of determining when they are transporting hazardous substances. In other words, common carriers may not refuse to accept a shipment which may contain unidentified hazardous substances, nor could they report a spill of a hazardous substance unless they had knowledge of its presence.

Private and contract carriers, on the other hand, may request the shipper to identify any shipments containing hazardous substances, and may then elect either to transport or to refuse to do so. In any case, they have the means to determine if hazardous substances are on board, and thus the ability to take actions to prevent a spill, and the knowledge to report a spill should it occur. Therefore, these regulations will be applicable in thirty days to the discharge of hazardous substances transported under private or contract carriage.

With respect to common carriers, tariff changes can be accomplished by the common carriers themselves. Since designation of hazardous substances was promulgated six months ago, it is anticipated that common carriers have already taken steps to initiate appropriate tariff changes. Therefore, the Agency expects that these tariff changes can be made effective within four (4) months. EPA will publish notice in the Federal Register announcing the effective date of these regulations as they apply to discharges of hazardous substances which have been offered to common carriers who are required to accept such substances for shipment in compliance with applicable tariffs.

The Agency recognizes that this deferral of effective date for certain discharges may result in some unreported spills, and the inability of the government to assess civil penalties or removal cost liabilities for some spills. However, it would be unreasonable to attach such liabilities to carriers who are otherwise effectively precluded by Federal law from obtaining knowledge of whether their cargoes include hazardous substances. Moreover, the Agency believes that common carriers and shippers will act in good faith to do all in their power to bring about tariff changes.

Dated: August 20, 1979.

Douglas A. Costle,

Administrator.

Part 117 is added as follows:

PART 117—DETERMINATION OF REPORTABLE QUANTITIES FOR HAZARDOUS SUBSTANCES

Subpart A—General Provisions

Sec.
117.1 Definitions.
117.2 Abbreviations.
117.3 Determination of reportable quantities.

Subpart B—Applicability

117.11 General applicability.
117.12 Applicability to discharges from facilities with NPDES permits.
117.13 Applicability to discharges from publicly owned treatment works and their users.
117.14 Demonstration projects.

Subpart C—Notice of Discharge of a Reportable Quantity

117.21 Notice.
117.22 Penalties.
117.23 Liabilities for removal.

Authority: Secs. 311 and 501(a), Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), ("the Act") and Executive Order 11735.

Subpart A—General Provisions

§ 117.1 Definitions.

As used in this part, all terms shall have the meanings stated in 40 CFR Part 116.

(a) "Reportable quantities" means quantities that may be harmful as set forth in § 117.3, the discharge of which is a violation of section 311(b)(3) and requires notice as set forth in § 117.21.

(b) "Administrator" means the Administrator of the Environmental Protection Agency ("EPA").

(c) "Mobile source" means any vehicle, rolling stock, or other means of transportation which contains or carries a reportable quantity of a hazardous substance.

(d) "Public record" means the NPDES permit application or the NPDES permit itself and the "record for final permit" as defined in 40 CFR 124.122.

(e) "National Pretreatment Standard" or "Pretreatment Standard" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act, which applies to industrial users of a publicly owned treatment works. It further means any State or local pretreatment requirement applicable to a discharge and which is incorporated into a permit issued to a publicly owned treatment works under section 402 of the Act.

(f) "Publicly Owned Treatment Works" or "POTW" means a treatment works as defined by section 212 of the Act, which is owned by a State or municipality (as defined by section 502(4) of the Act). This definition includes any sewers that convey wastewater to such a treatment works, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

(g) "Remove" or "removal" refers to removal of the oil or hazardous substances from the water and shoreline or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches.

(h) "Contiguous zone" means the entire zone established by the United States under Article 24 of the Convention on the Territorial Sea and Contiguous Zone.

(i) "Navigable waters" means "waters of the United States, including the territorial seas." This term includes:

(1) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(2) Interstate waters, including interstate wetlands;

(3) 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:

(i) Which are or could be used by interstate or foreign travelers for recreational or other purposes;

(ii) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce;

(iii) Which are used or could be used for industrial purposes by industries in interstate commerce;

(4) All impoundments of waters otherwise defined as navigable waters under this paragraph;

(5) Tributaries of waters identified in paragraphs (i)(1)–(4) of this section, including adjacent wetlands; and

(6) Wetlands adjacent to waters identified in paragraphs (i)(1)–(5) of this section ("Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and 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

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included playa lakes, swamps, marshes, bogs, and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds): *Provided*, That waste treatment systems (other than cooling ponds meeting the criteria of this paragraph) are not waters of the United States.

(j) "Process waste water" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

§ 117.2 Abbreviations.

NPDES equals National Pollutant Discharge Elimination System. RQ equals reportable quantity.

§ 117.3 Determination of reportable quantities.

The quantity listed with each substance in Table 117.3 is determined to be the reportable quantity for that substance.

Table 117.3—Reportable Quantities of Hazardous Substances

Note.—The first number under the column headed "RQ" is the reportable quantity in pounds. The number in parentheses is the metric equivalent in kilograms. For convenience, the table contains a column headed "Category" which lists the code letters "X", "A", "B", "C" and "D" associated with reportable quantities of 1, 10, 100, 1000 and 5000 pounds respectively.

Material	Category	RQ in pounds (kilograms)
Acetaldehyde	C	1,000 (454)
Acetic acid	C	1,000 (454)
Acetic anhydride	C	1,000 (454)
Acetone cyanohydrin	A	10 (4.54)
Acetyl bromide	D	5,000 (2,270)
Acetyl chloride	D	5,000 (2,270)
Acrolein	X	1 (0.454)
Acrylonitrile	B	100 (45.4)
Adipic acid	D	5,000 (2,270)
Aldrin	X	1 (0.454)
Allyl alcohol	B	100 (45.4)
Allyl chloride	C	1,000 (454)
Aluminum sulfate	D	5,000 (2,270)
Ammonia	B	100 (45.4)
Ammonium acetate	D	5,000 (2,270)
Ammonium benzoate	D	5,000 (2,270)
Ammonium bicarbonate	D	5,000 (2,270)
Ammonium bichromate	C	1,000 (454)
Ammonium bifluoride	D	5,000 (2,270)
Ammonium bisulfite	D	5,000 (2,270)
Ammonium carbamate	D	5,000 (2,270)
Ammonium carbonate	D	5,000 (2,270)
Ammonium chloride	D	5,000 (2,270)
Ammonium chromate	C	1,000 (454)
Ammonium citrate	D	5,000 (2,270)
Ammonium fluoborate	D	5,000 (2,270)
Ammonium fluoride	D	5,000 (2,270)
Ammonium hydroxide	C	1,000 (454)
Ammonium oxalate	D	5,000 (2,270)
Ammonium silicofluoride	C	1,000 (454)
Ammonium sulfamate	D	5,000 (2,270)
Ammonium sulfide	D	5,000 (2,270)
Ammonium sulfite	D	5,000 (2,270)
Ammonium tartrate	D	5,000 (2,270)
Ammonium thiocyanate	D	5,000 (2,270)
Ammonium thiosulfate	D	5,000 (2,270)
Amyl acetate	C	1,000 (454)
Aniline	C	1,000 (454)
Antimony pentachloride	C	1,000 (454)
Antimony potassium tartrate	C	1,000 (454)
Antimony tribromide	C	1,000 (454)
Antimony trichloride	C	1,000 (454)
Antimony trifluoride	C	1,000 (454)
Antimony trioxide	D	5,000 (2,270)
Arsenic disulfide	D	5,000 (2,270)
Arsenic pentoxide	D	5,000 (2,270)
Arsenic trichloride	D	5,000 (2,270)
Arsenic trioxide	D	5,000 (2,270)
Arsenic trisulfide	D	5,000 (2,270)
Barium cyanide	A	10 (4.54)
Benzene	C	1,000 (454)
Benzoic acid	D	5,000 (2,270)
Benzonitrile	C	1,000 (454)
Benzoyl chloride	C	1,000 (454)
Benzyl chloride	B	100 (45.4)
Beryllium chloride	D	5,000 (2,270)
Beryllium fluoride	D	5,000 (2,270)
Beryllium nitrate	D	5,000 (2,270)
Butyl acetate	D	5,000 (2,270)
n-Butyl phthalate	B	100 (45.4)
Butylamine	C	1,000 (454)
Butyric acid	D	5,000 (2,270)
Cadmium acetate	B	100 (45.4)
Cadmium bromide	B	100 (45.4)
Cadmium chloride	B	100 (45.4)
Calcium arsenate	C	1,000 (454)
Calcium arsenite	C	1,000 (454)
Calcium carbide	D	5,000 (2,270)
Calcium chromate	C	1,000 (454)
Calcium cyanide	A	10 (4.54)
Calcium dodecylbenzenesulfonate	C	1,000 (454)
Calcium hydroxide	D	5,000 (2,270)
Calcium hypochlorite	B	100 (45.4)
Calcium oxide	D	5,000 (2,270)
Captan	A	10 (4.54)
Carbaryl	B	100 (45.4)
Carbofuran	A	10 (4.54)
Carbon disulfide	D	5,000 (2,270)
Carbon tetrachloride	D	5,000 (2,270)
Chlordane	X	1 (0.454)
Chlorine	A	10 (4.54)
Chlorobenzene	B	100 (45.4)
Chloroform	D	5,000 (2,270)
Chlorpyrifos	X	1 (0.454)
Chlorosulfonic acid	C	1,000 (454)
Chromic acetate	C	1,000 (454)
Chromic acid	C	1,000 (454)
Chromic sulfate	C	1,000 (454)
Chromous chloride	C	1,000 (454)
Cobaltous bromide	C	1,000 (454)
Cobaltous formate	C	1,000 (454)
Cobaltous sulfamate	C	1,000 (454)
Coumaphos	A	10 (4.54)
Cresol	C	1,000 (454)
Crotonal dehyde	B	100 (45.4)
Cupric acetate	B	100 (45.4)
Cupric acetoarsenite	B	100 (45.4)
Cupric chloride	A	10 (4.54)
Cupric nitrate	B	100 (45.4)
Cupric oxalate	B	100 (45.4)
Cupric sulfate	A	10 (4.54)
Cupric sulfate ammoniated	B	100 (45.4)
Cupric tartrate	B	100 (45.4)
Cyanogen chloride	A	10 (4.54)
Cyclohexane	C	1,000 (454)
2,4–D Acid	B	100 (45.4)
2,4–D Esters	B	100 (45.4)
DDT	X	1 (0.454)
Diazinon	X	1 (0.454)
Dicamba	C	1,000 (454)
Dichlobenil	C	1,000 (454)
Dichlone	X	1 (0.454)
Dichlorobenzene	B	100 (45.4)
Dichloropropane	D	5,000 (2,270)
Dichloropropene	D	5,000 (2,270)
Dichloropropene-Dichloropropane Mixture	D	5,000 (2,270)
2,2-Dichloropropionic acid	D	5,000 (2,270)
Dichlorvos	A	10 (4.54)
Dieldrin	X	1 (0.454)
Diethylamine	C	1,000 (454)
Dimethylamine	C	1,000 (454)
Dinitrobenzene	C	1,000 (454)
Dinitrophenol	C	1,000 (454)
Dinitrotoluene	C	1,000 (454)
Diquat	C	1,000 (454)
Disulfoton	X	1 (0.454)
Diuron	B	100 (45.4)
Dodecylbenzenesulfonic acid	C	1,000 (454)
Endosulfan	X	1 (0.454)
Endrin	X	1 (0.454)
Epichlorohydrin	C	1,000 (454)
Ethion	A	10 (4.54)
Ethylbenzene	C	1,000 (454)
Ethylenediamine	C	1,000 (454)
Ethylene dibromide	C	1,000 (454)
Ethylene dichloride	D	5,000 (2,270)
EDTA	D	5,000 (2,270)
Ferric ammonium citrate	C	1,000 (454)
Ferric ammonium oxalate	C	1,000 (454)
Ferric chloride	C	1,000 (454)
Ferric fluoride	B	100 (45.4)
Ferric nitrate	C	1,000 (454)
Ferric sulfate	C	1,000 (454)
Ferrous ammonium sulfate	C	1,000 (454)
Ferrous chloride	B	100 (45.4)
Ferrous sulfate	C	1,000 (454)
Formaldehyde	C	1,000 (454)
Formic acid	D	5,000 (2,270)
Fumaric acid	D	5,000 (2,270)
Furfural	C	1,000 (454)
Guthion	X	1 (0.454)
Heptachlor	X	1 (0.454)
Hexachlorocyclopentadiene	X	1 (0.454)
Hydrochloric acid	D	5,000 (2,270)
Hydrofluoric acid	D	5,000 (2,270)
Hydrogen cyanide	A	10 (4.54)
Hydrogen sulfide	B	100 (45.4)
Isoprene	C	1,000 (454)
Isopropanolamine dodecylbenzenesulfonate	C	1,000 (454)
Kelthane	D	5,000 (2,270)
Kepone	X	1,000 (454)
Lead acetate	D	5,000 (2,270)
Lead arsenate	D	5,000 (2,270)
Lead Chloride	D	5,000 (2,270)
Lead fluoborate	D	5,000 (2,270)
Lead fluoride	C	1,000 (454)
Lead iodide	D	5,000 (2,270)
Lead nitrate	D	5,000 (2,270)
Lead stearate	D	5,000 (2,270)
Lead sulfate	D	5,000 (2,270)
Lead sulfide	D	5,000 (2,270)
Lead thiocyanate	D	5,000 (2,270)
Lindane	X	1 (0.454)
Lithium chromate	C	1,000 (454)
Malathion	A	10 (4.54)
Maleic acid	D	5,000 (2,270)
Maleic anhydride	D	5,000 (2,270)
Mercaptodimethur	B	100 (45.4)
Mercuric cyanide	X	1 (0.454)
Mercuric nitrate	A	10 (4.54)
Mercuric sulfate	A	10 (4.54)
Mercuric thiocyanate	A	10 (4.54)
Mercurous nitrate	A	10 (4.54)
Methoxychlor	X	1 (0.454)
Methyl mercaptan	B	100 (45.4)
Methyl methacrylate	D	5,000 (2,270)
Methyl parathion	B	100 (45.4)
Mevinphos	X	1 (0.454)
Mexacarbate	C	1,000 (454)
Monoethylamine	C	1,000 (454)
Monomethylamine	C	1,000 (454)
Naled	A	10 (4.54)
Naphthalene	D	5,000 (2,270)
Naphthenic acid	B	100 (45.4)
Nickel ammonium sulfate	D	5,000 (2,270)
Nickel chloride	D	5,000 (2,270)
Nickel hydroxide	C	1,000 (454)
Nickel nitrate	D	5,000 (2,270)
Nickel sulfate	D	5,000 (2,270)
Nitric acid	C	1,000 (454)
Nitrobenzene	C	1,000 (454)
Nitrogen dioxide	C	1,000 (454)
Nitrophenol	C	1,000 (454)
Nitrotoluene	C	1,000 (454)
Paraformaldehyde	C	1,000 (454)
Parathion	X	1 (0.454)
Pentachlorophenol	A	10 (4.54)
Phenol	C	1,000 (454)
Phosgene	D	5,000 (2,270)
Phosphoric acid	D	5,000 (2,270)
Phosphorus	X	1 (0.454)
Phosphorus oxychloride	D	5,000 (2,270)
Phosphorus pentasulfide	B	100 (45.4)
Phosphorus trichloride	D	5,000 (2,270)
Polychlorinated biphenyls	A	10 (4.54)
Potassium arsenate	C	1,000 (454)
Potassium arsenite	C	1,000 (454)
Potassium bichromate	C	1,000 (454)
Potassium chromate	C	1,000 (454)
potassium cyanide	A	10 (4.54)
Potassium hydroxide	C	1000(454)
Potassium permanganate	B	100 (45.4)

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Material	Category	RQ in pounds (kilograms)
Propargite	A	10 (4.54)
Propionic acid	D	5,000 (2,270)
Propionic anhydride	D	5,000 (2,270)
Propylene oxide	D	5,000 (2,270)
Pyrethrins	C	1,000 (454)
Quinoline	C	1,000 (454)
Resorcinol	C	1,000 (454)
Selenium oxide	C	1,000 (454)
Silver nitrate	X	1 (0.454)
Sodium	C	1,000 (454)
Sodium arsenate	C	1,000 (454)
Sodium arsenite	C	1,000 (454)
Sodium bichromate	C	1,000 (454)
Sodium bifluoride	D	5,000 (2,270)
Sodium bisulfite	D	5,000 (2,270)
Sodium chromate	C	1,000 (454)
Sodium cyanide	A	10 (4.54)
Sodium dodecylbenzenesulfonate	C	1,000 (454)
Sodium fluoride	D	5,000 (2,270)
Sodium hydrosulfide	D	5,000 (2,270)
Sodium hydroxide	C	1,000 (454)
Sodium hypochlorite	B	100 (45.4)
Sodium methylate	C	1,000 (454)
Sodium nitrite	B	100 (45.4)
Sodium phosphate, dibasic	D	5,000 (2,270)
Sodium phosphate, tribasic	D	5,000 (2,270)
Sodium selenite	C	1,000 (454)
Strontium chromate	C	1,000 (454)
Strychnine	A	10 (4.54)
Styrene	C	1,000 (454)
Sulfuric acid	C	1,000 (454)
Sulfur monochloride	C	1,000 (454)
2,4,5-T acid	B	100 (45.4)
2,4,5-T amines	B	100 (45.4)
2,4,5-T esters	B	100 (45.4)
2,4,5-T salts	B	100 (45.4)
2,4,5-TP acid	B	100 (45.4)
2,4,5-TP acid esters	B	100 (45.4)
TDE	X	1 (0.454)
Tetraethyl lead	B	100 (45.4)
Tetraethyl pyrophosphate	B	100 (45.4)
Thallium sulfate	C	1,000 (454)
Toluene	C	1,000 (454)
Toxaphene	X	1 (0.454)
Trichlorfon	C	1,000 (454)
Trichloroethylene	C	1,000 (454)
Trichlorophenol	A	10 (4.54)
Triethanolamine dodecylbenzenesulfonate	C	1,000 (454)
Triethylamine	D	5,000 (2,270)
Trimethylamine	C	1,000 (454)
Uranyl acetate	D	5,000 (2,270)
Uranyl nitrate	D	5,000 (2,270)
Vanadium pentoxide	C	1,000 (454)
Vanadyl sulfate	C	1,000 (454)
Vinyl acetate	C	1,000 (454)
Vinylidene chloride	D	5,000 (2,270)
Xylene	C	1,000 (454)
Xylenol	C	1,000 (454)
Zinc acetate	C	1,000 (454)
Zinc ammonium chloride	D	5,000 (2,270)
Zinc borate	C	1,000 (454)
Zinc bromide	D	5,000 (2,270)
Zinc carbonate	C	1,000 (454)
Zinc chloride	D	5,000 (2,270)
Zinc cyanide	A	10 (4.54)
Zinc fluoride	C	1,000 (454)
Zinc formate	C	1,000 (454)
Zinc hydrosulfite	C	1,000 (454)
Zinc nitrate	D	5,000 (2,270)
Zinc phenolsulfonate	D	5,000 (2,270)
Zinc phosphide	C	1,000 (454)
Zinc silicofluoride	D	5,000 (2,270)
Zinc sulfate	C	1,000 (454)
Zirconium nitrate	D	5,000 (2,270)
Zirconium potassium fluoride	D	5,000 (2,270)
Zirconium sulfate	D	5,000 (2,270)
Zirconium tetrachloride	D	5,000 (2,270)

Subpart B—Applicability

§ 117.11 General applicability.

This regulation sets forth a determination of the reportable quantity for each substance designated as hazardous in 40 CFR Part 116. The regulation applies to quantities of designated substances equal to or greater than the reportable quantities, when discharged into or upon the navigable waters of the United States, adjoining shorelines, into or upon the contiguous zone, or beyond the contiguous zone as provided in section 311(b)(3) of the Act, except to the extent that the owner or operator can show such that discharges are made:

(a) In compliance with a permit issued under the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401 et seq.);

(b) In compliance with approved water treatment plant operations as specified by local or State regulations pertaining to safe drinking water;

(c) Pursuant to the label directions for application of a pesticide product registered under section 3 or section 24 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136 et seq.), or pursuant to the terms and conditions of an experimental use permit issued under section 5 of FIFRA, or pursuant to an exemption granted under section 18 of FIFRA;

(d) In compliance with the regulations issued under section 3004 or with permit conditions issued pursuant to section 3005 of the Resource Conservation and Recovery Act (90 Stat. 2795; 42 U.S.C. 6901);

(e) In compliance with instructions of the On-Scene Coordinator pursuant to 40 CFR 1510 (the National Oil and Hazardous Substances Pollution Plan) or 33 CFR 153.10(e) (Pollution by Oil and Hazardous Substances) or in accordance with applicable removal regulations as required by section 311(j)(1)(A);

(f) In compliance with a permit issued under § 165.7 of Title 14 of the State of California Administrative Code;

(g) From a properly functioning inert gas system when used to provide inert gas to the cargo tanks of a vessel;

(h) From a permitted source and are excluded by § 117.12 of this regulation;

(i) To a POTW and are specifically excluded or reserved in § 117.13; or

(j) In compliance with a permit issued under section 404(a) of the Clean Water Act or when the discharges are exempt from such requirements by section 404(f) or 404(r) of the Act (33 U.S.C. 1344(a), (f), (r)).

§ 117.12 Applicability to discharges from facilities with NPDES permits.

(a) This regulation does not apply to:

(1) Discharges in compliance with a permit under section 402 of this Act;

(2) 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 this Act, and subject to a condition in such permit;

(3) Continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 of this Act, which are caused by events occurring within the scope of the relevant operating or treatment systems; or

(b) A discharge is "in compliance with a permit issued under section 402 of this Act" if the permit contains an effluent limitation specifically applicable to the substance discharged or an effluent limitation applicable to another waste parameter which has been specifically identified in the permit as intended to limit such substance, and the discharge is in compliance with the effluent limitation.

(c) A discharge results "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 Act, and subject to a condition in such permit," whether or not the discharge is in compliance with the permit, where:

(1) The permit application, the permit, or another portion of the public record contains documents that specifically identify:

(i) The substance and the amount of the substance; and

(ii) The origin and source of the substance; and

(iii) The treatment which is to be provided for the discharge either by:

(A) An on-site treatment system separate from any treatment system treating the permittee's normal discharge; or

(B) A treatment system designed to treat the permittee's normal discharge and which is additionally capable of treating the identified amount of the identified substance; or

(C) Any combination of the above; and

(2) The permit contains a requirement that the substance and amounts of the substance, as identified in § 117.12(c)(1)(i) and § 117.12(c)(1)(ii) be treated pursuant to § 117.12(c)(1)(iii) in the event of an on-site release; and

(3) The treatment to be provided is in place.

(d) A discharge is a "continuous or anticipated intermittent discharge from a point source, identified in a permit or permit application under section 402 of this Act, and caused by events occurring within the scope of the relevant operating or treatment systems," whether or not the discharge is in compliance with the permit, if:

(1) The hazardous substance is discharged from a point source for

which a permit application has been submitted; and

(2) The discharge of the hazardous substance results from:

(i) The contamination of noncontact cooling water or storm water, provided that such cooling water or storm water is not contaminated by an on-site spill of a hazardous substance; or

(ii) A continuous or anticipated intermittent discharge of process waste water, and the discharge originates within the manufacturing or treatment systems; or

(iii) An upset or failure of a treatment system or of a process producing a continuous or anticipated intermittent discharge where the upset or failure results from a control problem, an operator error, a system failure or malfunction, an equipment or system startup or shutdown, an equipment wash, or a production schedule change, provided that such upset or failure is not caused by an on-site spill of a hazardous substance.

§ 117.13 Applicability to discharges from publicly owned treatment works and their users.

(a) [Reserved], with the exception of § 117.13(b) below.

(b) These regulations apply to all discharges of reportable quantities to a POTW, where the discharge originates from a mobile source, except where such source has contracted with, or otherwise received written permission from the owners or operators of the POTW to discharge that quantity, and the mobile source can show that prior to accepting the substance from an industrial discharger, the substance had been treated to comply with any effluent limitation under sections 301, 302 or 306 or pretreatment standard under section 307 applicable to that facility.

§ 117.14 Demonstration projects.

Notwithstanding any other provision of this part, the Administrator of the Environmental Protection Agency may, on a case-by-case basis, allow the discharge of designated hazardous substances in connection with research or demonstration projects relating to the prevention, control, or abatement of hazardous substance pollution. The Administrator will allow such a discharge only where he determines that the expected environmental benefit from such a discharge will outweigh the potential hazard associated with the discharge.

Subpart C—Notice of Discharge of a Reportable Quantity

§ 117.21 Notice.

Any person in charge of a vessel or an onshore or an offshore facility shall, as soon as he has knowledge of any discharge of a designated hazardous substance from such vessel or facility in quantities equal to or exceeding in any 24-hour period the reportable quantity determined by this Part, immediately notify the appropriate agency of the United States Government of such discharge. Notice shall be given in accordance with such procedures as the Secretary of Transportation has set forth in 33 CFR 153.203. This provision applies to all discharges not specifically excluded or reserved by another section of these regulations.

§ 117.22 Penalties.

(a) Any person in charge of a vessel or an onshore or offshore facility who fails to notify the United States Government of a prohibited discharge pursuant to § 117.21 (except in the case of a discharge beyond the contiguous zone, where the person in charge of a vessel is not otherwise subject to the jurisdiction of the United States) shall be subject to a fine of not more than $10,000 or imprisonment for not more than one year, or both, pursuant to section 311(b)(5).

(b) The owner, operator or person in charge of a vessel or an onshore or offshore facility from which is discharged a hazardous substance designated in 40 CFR Part 116 in a quantity equal to or exceeding in any 24-hour period, the reportable quantity established in this Part (except in the case of a discharge beyond the contiguous zone, where the person in charge of a vessel is not otherwise subject to the jurisdiction of the United States), shall be assessed a civil penalty of up to $5,000 per violation under section 311(b)(6)(A). Alternatively, upon a determination by the Administrator, a civil action will be commenced under section 311(b)(6)(B) to impose a penalty not to exceed $50,000 unless such discharge is the result of willful negligence or willful misconduct within the privity and knowledge of the owner, operator, or person in charge, in which case the penalty shall not exceed $250,000.

Note: The Adminstrator will take into account the gravity of the offense and the standard of care manifest by the owner, operator, or person in charge in determining whether a civil action will be commenced under section 311(b)(6)(B). The gravity of the offense will be interpreted to include the size of the discharge, the degree of danger or harm to the public health, safety, or the environment, including consideration of toxicity, degradability, and dispersal characteristics of the substance, previous spill history, and previous violation of any spill prevention regulations. Particular emphasis will be placed on the standard of care and the extent of mitigation efforts manifest by the owner, operator, or person in charge.

§ 117.23 Liabilities for removal.

In any case where a substance designated as hazardous in 40 CFR Part 116 is discharged from any vessel or onshore or offshore facility in a quantity equal to or exceeding the reportable quantity determined by this Part, the owner, operator or person in charge will be liable, pursuant to sections 311 (f) and (g) of the Act, to the United States Government for the actual costs incurred in the removal of such substance, subject only to the defenses and monetary limitations enumerated in sections 311 (f) and (g) of the Act.

The Administrator may act to mitigate the damage to the public health or welfare caused by a discharge and the cost of such mitigation shall be considered a cost incurred under section 311(c) for the removal of that substance by the United States Government.

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PHONE LIST

EMERGENCY PHONE NUMBER LIST

ABERDEEN PVC PLANT

DEPARTMENT OF NATURAL RESOURCES:

Jerry Cain	601-354-2550
Bill Barnett	601-354-2550
John Harper	601-373-5679
Charles Chislom	601-825-7888

NASON TRUCKING CO.	369-9383
G. B. SMITH INC.	601-649-1220
INDUSTRIAL MAINTENANCE CLEANING CONTRACTORS INCORPORATED	205-428-0621
HYDRO-TECH INC.	205-456-8477

	HOME	PLANT EXTENSION
Jim Barton	369-4755	212
Frank Frantz	369-8508	320
Dick Frohreich	1-328-3628	239
Ronnie Gilreath	369-2818	280
Veldon Messick	1-327-0741	331
Charlie Miller	369-9100	297
Curry Miller	369-7041	235
Gil Morgan	369-6522	241
Jimmy McCrimon	369-9213	264
Bruce Vick	1-328-7395	269
Steve Vincent	369-9298	296