OVERLAND PASS PIPELINE PICEANCE LATERAL

APPENDIX 7

HAZARDOUS MATERIALS MANAGEMENT AND SPILL PREVENTION, CONTAINMENT, AND COUNTERMEASURE PLAN

PREPARED FOR:
BUREAU OF LAND MANAGEMENT

PREPARED BY:
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JULY 1, 2008

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1.0 INTRODUCTION

This Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan (Plan) describes measures to be taken by Overland Pass Pipeline Company LLC (OPPC) and its contractors (Contractor) to reduce the risks associated with the use, storage, transportation, production, and disposal of hazardous materials (including hazardous substances and wastes) and petroleum products. In addition, this Plan outlines the required spill prevention and response (cleanup) procedures for the project.

In general, hazardous materials and cleanup equipment will be stored at contractor yards. Yards will be located on private land and on land that has been used for similar purposes previously. Material Safety Data Sheets (MSDS) will be maintained at contractor yards throughout the construction period.

The Contractor will prepare and have OPPC review and approve a Hazardous Materials Management and Spill Prevention, Containment and Countermeasure Plan prior to any storage of hazardous substances or petroleum products.

Measures identified in this Plan apply to work within the project area defined as the right-of-way, access roads, temporary use areas, and other areas used during construction of the project.

OPPC and Contractor personnel are to be thoroughly familiar with this Plan and its contents prior to initiating construction on the project.

1.1 Purpose

The purpose of this Plan is to provide a description of hazardous materials management, spill prevention, and spill response/cleanup measures associated with the construction, operation, and maintenance of the project. In addition, this Plan provides the Contractor with requirements and guidance for the creation of its Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan. This Plan was developed as the implementing document for relevant design criteria measures contained in the Environmental Assessment.

1.2 General Overview

This Plan includes the following components:

- an introduction
- a description of the spill prevention procedures related to vehicle refueling and servicing and the transportation, storage, and disposal of hazardous materials
- guidelines for developing the Contractor's Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan
- a description of the physical and procedural methods for spill control and cleanup
- an overview of the notification and documentation procedures to be followed in the event of a spill

1.3 Regulatory Overview

Major legislation pertaining to hazardous materials includes the Comprehensive Environmental Response, Compliance, and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Clean Air Act, and the Clean Water Act. Numerous other federal, state, and local regulations also govern the use, storage, transport, production, and disposal of hazardous materials. Some of the key requirements of these laws are outlined in the following:

- Title 29 CFR Part 1910.1200-Hazard Communication Standard
- Title 27 CFR Part 555-Commerce in Explosives for storage and use of explosives

- Title 40 CFR, Parts 112, 260 to 263, and 279-Hazardous Wastes Definitions, Standards for Hazardous Waste Generators, and Requirements for Spill Prevention, Containment and Countermeasure Plans
- Title 49 CFR Parts 171 to 180-Hazardous Materials Transportation
- Title 29 CFR Parts 1910.101 to 1910.110 and Part 1910.120-Occupational Safety and Health (OSHA) Regulations
- Superfund Amendments and Reauthorization Act (SARA) Title IH, Sections 301 to 303, Section 304, Section 311 and Section 312-Emergency Planning, Emergency Release Notification, Community Right-to-Know Reporting Requirements

This Plan is intended to comply with and compliment existing regulations pertaining to the safe use of hazardous materials. Persons responsible for handling hazardous materials for this project will be trained in the proper use and management of the materials and will be familiar with applicable laws, policies, procedures, and best management practices (BMPs) related to them.

2.0 CONTRACTOR GUIDELINES

The following sections provide specific guidelines for the preparation of the Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan by the Contractor. The Contractor will provide all information requested in Attachment 1, Required Contractor Submittals. In addition, the Contractor will complete the relevant documentation for the counties where they are working and where the contractor yards are located.

2.1 Certifications, Acknowledgements, and Designations

2.1.1 Certifications

As required in Attachment 1 and the applicable county forms, Contractor will certify that all of the information provided in the Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan is accurate and complete to the best of their knowledge. The Contractor will also certify that they are committed to implementing the Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan as written.

2.1.2 Amendments

In completing this certification, the Contractor will agree to make necessary and appropriate amendments to the Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan and submit any such amendment to OPPC and the appropriate county, state, and/or federal authorities within 7 days of finding an amendment is necessary. Amendments to the Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan will be necessary under any of the following circumstances:

- 100 percent or more increase of a previously disclosed material
- any handling of a previously undisclosed hazardous material subject to inventory requirements (as defined on the "Contractor's Potential Spill Sources" and "Contractor's Hazardous Substances Inventory" forms included in Attachment 1)
- a change in formulation of a previously disclosed material (e.g., solid to liquid)
- a change of business address, name, or ownership, or
- as needed due to unforeseen circumstances

2.1.3 Responsible Person(s)

The Contractor is responsible for contacting county representatives to determine county requirements for Hazardous Materials Management Plans. Generally, counties will provide guidelines and forms for completion and submittal to the county. As required in Attachment 1 and on the applicable county forms that the Contractor will obtain, the Contractor will designate a primary emergency coordinator for hazardous materials management and emergency response. Two alternates will also be identified. Business, residential, and cellular or pager telephone numbers will be provided for the three persons as necessary, to allow for contact on a 24-hour basis. Primary and alternate emergency coordinators will be knowledgeable of the chemicals and processes involved in the Contractor's operation. They will have full access to all facilities, including locked areas, and must have the authority to commit OPPC resources. They will also have stop work authority to prevent impacts (potential or actual) to environmental resources.

2.2 Facilities Description and Inventory of Materials

The Contractor's submittals will be provided to OPPC. OPPC will provide submitted information to the jurisdictional agencies as appropriate and/or requested.

2.2.1 Site Map

The Contractor is required to provide a site/facility map for each contractor yard indicating storage and safety precautions for hazardous materials and hazardous wastes. The Contractor's site map will, at a minimum, indicate the following:

- orientation and scale
- total land area in square feet
- access and egress points
- buildings and/or temporary trailers
- parking lots
- adjacent land uses
- surrounding roads, storm drains, and waterways (including waterbodies and wetlands)
- locations of hazardous materials and hazardous waste storage
- aboveground tanks
- containment or diversion structures (dikes, berms, retention ponds)
- shutoff valves and/or circuit breakers
- location of emergency response materials and equipment
- location of Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan and MSDS
- location of emergency assembly area
- location of clean up equipment within the yard

Maps must be provided on standard 8 ½ by 11-inch weather-proofed paper.

2.2.2 Inventory

The Contractor will provide a complete inventory to OPPC of hazardous substances that will be used (refer to Title 40 CFR, Parts 116 and 302). Inventory forms required by the relevant county will be provided by the Contractor as part of their Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan. This inventory will be provided to OPPC's Environmental Manager prior to construction and updated as necessary during construction of

the project.

3.0 HAZARDOUS MATERIALS MANAGEMENT

Construction, operation, and maintenance of the project will require the use of certain potentially hazardous materials such as fuels, explosives, and herbicides. By definition, hazardous materials (substances and wastes) have the potential to pose a significant threat to human health and the environment based upon quantity, concentration, or chemical composition. Hazardous materials will be stored in contractor yards and not on the right-of-way. When stored, used, transported, and disposed of properly as described below, the risks associated with these materials can be reduced substantially.

3.1 Overview of the Hazardous Materials Proposed For Use

The following project-specific measures pertain to vehicle refueling and servicing activities as well as the storage, transportation, production, and disposal of hazardous materials (substances and wastes). These measures are intended to prevent the discharge of fuels, oils, gasoline, and other harmful substances to waterbodies, groundwater aquifers, and/or other sensitive resource areas during project construction.

Hazardous materials (substances) used during project construction may include solvents, explosives, and other substances. In addition, petroleum products such as gasoline, diesel fuel, lubricating oils, and hydraulic fluid will be used. Some of these materials will be used in relatively large quantities in contractor yards and on the right-of-way to operate and maintain equipment during construction. Explosives may be used for blasting rock on portions of the right-of-way. The use of explosives for this project is discussed in detail in the Blasting Plan. Smaller quantities of other materials such as herbicides, paints, and other chemicals will be used during project operation and maintenance.

Additional materials may be necessary at other locations along the right-of-way (e.g., wide waterbody crossings, hydrostatic test stations) and at off-right-of-way contractor yards. Listings of other hazardous materials that will be used during construction, operation, and maintenance of the project will be identified on the Hazardous Substances Inventory form included in Attachment 1. OPPC will compile and update the inventory of hazardous materials used or stored on the project as needed throughout the life of the project. This information will be provided to the appropriate regulatory agencies as required.

3.2 Training

Project personnel will receive basic spill prevention training as part of the environmental training class. OPPC is required to maintain a record of those workers who have received environmental training and ensure that only trained employees are allowed to work on the project. In addition, Contractor personnel who will be involved with the transportation and storage of fuels or hazardous substances, equipment maintenance, or spill response will be required to attend a higher level training class given by the Contractor as described in Section 5.1.

3.3 Vehicle Refueling and Services

Construction vehicles (e.g., trucks, bulldozers, etc.) and stationary equipment (e.g., pumps, generators, etc.) will be fueled and serviced in upland areas at least 100 feet from waterbodies and wetlands. Within the Rawlins Resource Area, the set back will be 500 feet from all permanent waters, wells, springs, wetlands, and riparian areas, as well as 100 feet from the inner gorge of ephemeral stream channels. Stationary equipment will be contained within secondary containment structures to prevent the spill or release of hazardous materials into a waterway. When selecting refueling areas, consideration will be given to slopes and other

topographic conditions. Refueling locations will generally be flat to minimize the chance of spilled substance reaching a waterbody. In most cases, rubber-tired vehicles will be refueled and serviced at local gas stations or contractor yards off the right-of-way. Tracked vehicles will typically be refueled and serviced by fuel and service vehicles on the right-of-way.

Every effort will be made to minimize the threat of a fuel spill during refueling and servicing. Fuel and service vehicles will carry a minimum of 20 pounds of suitable absorbent material to handle potential spills. In addition, vehicles will be inspected for leaks prior to being brought on-site and regularly throughout the construction period. In the event that a leak is found, equipment will not be allowed to operate until the leaks have been repaired. If the damaged equipment results in a spill of hazardous material, the equipment will not be allowed to operate until it is repaired and the spill is cleaned up. Vehicles will also be equipped with fire-fighting equipment as specified in the Fire Prevention and Suppression Plan.

Construction equipment requiring maintenance that might result in the draining or leaking of fluids will be serviced only after a 12 mil plastic liner has been installed between the equipment and the soil. This liner must be placed in such a manner that all fluid is contained.

3.4 Equipment Inspection and Decontamination

Prior to moving equipment onto the right-of-way, the equipment will be checked for leaks and drips, and any necessary repairs will be completed prior to removal from the contractor yard.

3.5 Transportation of Hazardous Materials

Procedures for loading and transporting fuels and other hazardous materials will meet the minimum requirements established by the Department of Transportation (DOT) and other pertinent requirements. Hazardous materials will be transported in DOT-approved containers. Prior to transporting hazardous materials, appropriate shipping papers will be completed. Transportation of hazardous materials will be allowed only on approved access roads. Vehicles carrying hazardous materials will be equipped with shovels, barrier tape, 4 to 6 mil plastic bags, personal protective clothing, and spill pads to contain a small spill should one occur during transport. In addition, vehicles transporting such materials will be properly signed (placarded) and marked. Prior to transporting hazardous materials, vehicles will be inspected for leakage and other potential safety problems. The Contractor will ensure that vehicle drivers are properly trained to respond to and report spills, leakage, and/or accidents involving hazardous materials (see Section 5.1 of this Plan).

Hazardous materials used for the project will be properly containerized and labeled, including during transportation. Smaller DOT-approved containers will be used on-site to transport needed amounts of hazardous materials to a specific location. Transfer of materials from large to small containers will not be done by hand pouring, but will be accomplished using appropriate equipment including pumps, hoses, and safety equipment. These smaller service containers will also be clearly labeled.

Special provisions apply to the transportation of explosives and are discussed in the Blasting Plan.

3.6 Storage of Hazardous Materials

Hazardous materials will be stored in contractor yards located at least 100 feet from the edge of waterbodies and wetlands. Stationary equipment (pumps, diesel powered generators, etc.) will be located at least 100 feet from the edge of waterbodies and wetlands and configured with secondary containment equipment. Within the Rawlins Resource Area, the set back will be 500 feet from all permanent waters, wells, springs, wetlands, and riparian areas, as well as 100 feet

from the inner gorge of ephemeral stream channels. If storage areas cannot be located at least 100 feet from waterbodies and wetlands because of topographic conditions or space limitations, special precautions will be taken to prevent the spill or release of hazardous materials into the waterway. These precautions will include limiting the quantity and amount of time such materials are stored near the waterbody or wetland, providing secondary containment, and using trained personnel to monitor activities at the storage site. Storage of greater than 55 gallons of hazardous materials will not be permitted within 100 feet of waterbodies or wetlands. Within the Rawlins Resource Area, the set back will be 500 feet from all permanent waters, wells, springs, wetlands, and riparian areas, as well as 100 feet from the inner gorge of ephemeral stream channels. Cleanup materials, including absorbent spill pads and plastic bags, will also be stored in these areas. Hazardous materials will not be stored in areas subject to flooding or inundation.

3.6.1 Physical Storage Requirements

Security:

Hazardous materials will be stored in secure areas to prevent damage, vandalism, or theft. During construction hours, hazardous materials may be stored temporarily on the right-of-way but overnight storage on the right-of-way will be prohibited. Storage containers will remain sealed when not in use and storage areas will be secured (gated, locked, or guarded) at night and during non-construction periods.

Storage Containers:

Containers will be compatible with the hazardous materials or wastes stored. If the container leaks or becomes damaged, the substance must be transferred to a container in good condition. A supply of DOT-approved overpack drums will be maintained at storage locations. The Contractor will inspect containers at least weekly to discover any leaks in the containers or the containment systems. Containers used for transportation must comply with the DOT requirements, including those in Title 49 CFR Part 173.

Secondary Containment:

Secondary containment will consist of bermed or diked areas that are lined and capable of holding 110 percent of the volume of the stored material plus any potential precipitation accumulation, and will be provided for fuel and oil tanks stored on-site [i.e., in contractor yards].

Container Management: Containers holding hazardous substances will be kept closed during transfer and storage, except when it is necessary to add or remove the substance.

Incompatible Wastes:

Wastes that are incompatible with other wastes will not be placed in the same container, nor in an unwashed container, that previously held an incompatible material.

Ignitable or Reactive Substances:

Substances that may ignite or are reactive must be located at least 50 feet outside of the construction yard boundary. "NO SMOKING" signs will be conspicuously placed wherever there is a hazard from ignitable or reactive waste. Examples of ignitable wastes are: paint wastes, certain degreasers, thinners and solvents (petroleum distillates), epoxy resins, and adhesives. An example of reactive waste that may be found at construction yards is permanganate and manganese wastes from dry cell batteries.

Stormwater:

It may be necessary to drain accumulated stormwater from within the secondary containment areas that contain the fuel storage tanks. If the stormwater has been contaminated, absorbent pads or booms will be used to remove floating petroleum products. After the contamination has been removed, the stormwater will be left to evaporate, if possible, otherwise it will be disposed of in an appropriate manner (according to permit requirements). Prior to disposal, the Environmental Inspector will check for sheen or other evidence of contamination.

3.6.2 Container Labeling Requirements for Hazardous Wastes

The Contractor will comply with the following labeling requirements for any on-site container (including tanks) used to store accumulated hazardous wastes. The containers will be labeled as required in Title 40 CFR Part 262 and will contain at least the following information:

- chemical name (oil, diesel, etc.);
- the accumulation start date and/or the date the 90-day storage period began; and
- the words "Hazardous Waste" and warning words indicating the particular hazards of the waste, such as "flammable", "corrosive", or "reactive".

3.7 Disposal of Hazardous Wastes

The Contractor will be responsible for ensuring that hazardous wastes generated during their operations are collected regularly and disposed of in accordance with applicable laws. If state laws pertaining to waste disposal are more stringent than federal laws, state laws will take precedence. The Contractor will determine details on the proper handling and disposal of hazardous waste, and will assign responsibility to specific individuals prior to construction of the project.

Hazardous wastes typically include chemicals, spent batteries, and other items. The Contractor will ensure that every effort will be made to minimize the production of hazardous waste during the project including, but not limited to, minimizing the amount of hazardous materials needed for the project; using alternative non-hazardous substances when available; recycling usable materials such as waste oil, paints and batteries to the maximum extent; and filtering and reusing solvents and thinners whenever possible.

Any Contractor (generator) producing more that 100 kilograms (220 pounds) per month of hazardous waste must apply for an EPA Identification Number. Contractors (generators) producing less than 100 kilograms per month are considered conditionally exempt small quantity generators. A generator can store hazardous wastes on-site for a period of up to 90 days without having to obtain a permit as a storage facility (storage must be according to 40 CFR 262.34). If this project results in production of more than 100 kg of hazardous waste per month or if hazardous wastes must be stored for a period in excess of 90 days EPA regulations will be followed (40 CFR 262 generator standards and 40 CFR 264 storage standards).

3.8 Contaminated Containers

Containers that once held hazardous materials as products or which held hazardous wastes must be considered as potential hazardous wastes due to the residues of hazardous contents that may persist. In order for the container to be handled as non-hazardous waste, regulations require that the container be essentially empty and that certain handling requirements for the empty container be followed, including the following:

- The containers must be empty, which means as much of the contents have been removed as possible so that none will pour out in any orientation.
- Empty containers less than 5 gallons will be disposed of as a non-hazardous solid waste.

- Empty containers greater than 5 gallons, will be:
  - returned to the vendor for re-use,
  - sent to a drum recycler for reconditioning, or
  - used or recycled on-site.

3.9 Waste Oil Filters

Used, metal canister oil filters can be managed as solid waste as long as they are thoroughly drained of free-flowing oil (oil exiting drop-by-drop is not considered free-flowing); the filters are accumulated, stored, and transferred in a closed, rainproof container. Waste oil filters are best drained by puncturing and gravity draining while the filter is still hot.

3.10 Used Lubricating Oils

Waste lubrication oil, including contaminated soil and rags, have specific requirements for storage, transportation, and disposal. The Contractor is considered a "Used Oil Generator" and as such must meet the following requirements:

- Have a Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan certified by a registered Professional Engineer and approved by OPPC.
- Conduct spill prevention briefings to ensure adequate understanding by all workers.
- Label used oil storage containers "Used Oil" (not “Waste Oil”).
- Ensure storage containers do not have visible leaks and have secondary containment equal to 110 percent, plus potential precipitation.
- Designate an individual who is accountable for managing oil spills.
- Hire a subcontractor with an EPA identification number for the transportation of used oil or limit transported quantities to 55 gallons.
- Dispose of used oil in a manner consistent with state and federal regulations.
- Provide documentation if required.
- If a spill occurs, conduct appropriate cleanup actions based on size and location of spill.

3.11 Inspection and Recordkeeping

The Contractor will inspect storage facilities on a regular basis, but not less than weekly. The Weekly Hazardous Materials Inspection Log in Attachment 2 will be used to record the condition of the facility. The Contractor will provide a copy of the weekly inspection log to OPPC’s Environmental Inspector. In addition to the weekly log, the Contractor will maintain records for hazardous materials and hazardous wastes as required by applicable federal, state, and local regulations and permit conditions. Record keeping requirements include:

- hazardous material/waste inspection log;
- transportation documents (e.g., bills of lading, manifests, shipping papers, etc.);
- training records; and
- spill report forms.

OPPC’s Environmental Inspector will monitor, inspect, document, and report on the Contractor's compliance with hazardous materials and hazardous waste management practices.

4.0 CONTAMINATED SITES

This general procedure is included as a contingency in the event that unexpected or unknown (pre-existing) contaminated sites are encountered during the course of construction. During the course of construction, some potential exists for encountering contaminated soils, groundwater, or other materials. Should such a situation develop where there is a reasonable basis for believing that contaminated materials have been encountered (where contamination is

suggested by visible indications or unusual odors), the Contractor will stop work and immediately notify the Environmental Inspector. The Environmental Inspector will complete notifications as required in Section 6.0. Contaminated sites will be cleaned up as discussed in Section 5.2.

5.0 SPILL CONTROL AND COUNTERMEASURES

The measures described in Section 3.0 of this Plan are intended to prevent the spill of hazardous materials during normal project construction, operation, and maintenance activities. However, not all potential spill situations can be reasonably foreseen or prevented. The following section outlines the physical and procedural steps to be taken in the event of a spill. In general, the Contractor will perform cleanup activities including:

- specifying in their Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan specific containment and cleanup procedures;
- providing necessary materials and labor; and
- performing reporting and documentation, as required. Notification and documentation of spills is discussed in greater detail in Section 6.0 of this Plan.

5.1 Training

The Contractor will provide spill prevention and response training to appropriate construction and personnel. Persons accountable for carrying out the procedures specified herein will be designated prior to construction and informed of their specific duties and responsibilities with respect to environmental compliance and hazardous materials. The Contractor is required to maintain a record of those workers who have received training. Note that this training is in addition to the general environmental training that will be conducted by the Contractor. The Contractor's training will be provided to inform appropriate personnel of site-specific environmental compliance procedures. At a minimum, this training will include the following:

- a review of OPPC and Contractor Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plans, and discussion of individual responsibilities
- an overview of all regulatory requirements
- methods for the safe handling/storage of hazardous materials and petroleum products
- spill prevention procedures
- operation and location of spill control materials
- inspection procedures for spill containment equipment and materials
- emergency response procedures
- use of personal protective equipment (PPE)
- procedures for coordinating with emergency response teams
- standard information regarding a spill to be provided to OPPC for agency notification (see Section 6.2)

5.2 Physical and Procedural Response Methods

Physical response actions are intended to ensure that spills are promptly and thoroughly cleaned up. However, the first priority in responding to any spill is personnel and public safety. Construction personnel will be notified of evacuation procedures to be used in event of a spill emergency. In general, the first person on the scene will:

- attempt to identify the source, composition, and hazard of the spill or stain;
- isolate and stop the spill and begin clean up of the spill or stain, if possible (i.e., if it is safe).

  - contain spills or stains of unknown substances in a barrel or plastic to prevent migration if rain occurs
  - properly store
  - obtain a sample of the unknown substance for laboratory analysis
- notify appropriate personnel and initiate reporting actions; and
- initiate evacuation of the area if necessary.

Persons should only attempt to clean up or control a spill if they have received proper training. Untrained individuals will immediately notify the Contractor's primary or alternate emergency coordinators.

In general, expert advice will be sought to properly clean up major spills. For spills on land, berms will be constructed to contain the spilled material and prevent migration of hazardous materials or petroleum products toward waterways. Dry materials will not be cleaned up with water or buried. Contaminated soils will be collected using appropriate machinery, stored in suitable containers, and properly disposed of in appropriately designated areas off-site. After contaminated soil is recovered, machinery utilized will be decontaminated, and recovered soil will be treated as used oil if contaminated with petroleum products (refer to Section 3.10) or hazardous waste if contaminated with hazardous waste (refer to Section 3.7). Contaminated cleanup materials (absorbent pads, etc.) and vegetation will be disposed of in a similar manner. For major spills, cleanup will be verified by sampling and laboratory analysis.

If spilled materials reach water, booms and skimmers will be used to contain and remove contaminants. Other actions will be taken as necessary to clean up contaminated waters. Cleanup materials including absorbent spill pads and plastic bags will be placed on-site at waterbodies and wetlands when construction is occurring within 200 feet of these areas.

5.2.1 On-Site Equipment

The following equipment will be maintained on-site with each crew using heavy equipment for use in cleanup situations.

- shovels
- absorbent pads/materials
- personal protective gear
- fire fighting equipment
- medical first-aid supplies
- phone list with emergency contact numbers
- storage containers
- personal decontamination equipment

6.0 NOTIFICATION AND DOCUMENTATION OF SPILL PROCEDURES

Notification and documentation procedures for spills that occur during project construction, operation, or maintenance will conform to applicable federal, state, and local laws. Adherence to such procedures will be the top priority once initial safety and spill response actions have been taken. The following sections describe the notification and documentation procedures, and should be implemented in conjunction with the response procedures listed in other sections of this Plan.

6.1 Required Notification

Notification will begin as soon as possible after discovery of a release. The individual who discovers the spill will contact OPPC's Environmental Inspector. If the Environmental Inspector

determines that the spill meets the criteria for immediate verbal notification of government agencies (see Section 6.1.3, Reporting Criteria) and/or determines that the spill may threaten human health or the environment, he/she will immediately notify OPPC's Environmental Manager who will make the required agency notifications as described below. Prior to beginning the notification process, the individual initiating notification should obtain as much information as possible to clearly document and communicate the situation. See Section 6.1.1 for standard information that will be requested by agencies.

The following mandatory notifications will be made by the Environmental Manager. The appropriate government agencies will be selected based on the geographic location of the spill site.

- **911** will be called if the spill is deemed to be an emergency. Other means of reaching emergency personnel will be developed prior to construction start if dialing 911 is not available at the job site.
- Little Snake Field Office - BLM - (970) 826-5000
- White River Field Office – BLM – (970) 878-3800
- Rawlins Field Office – BLM – (307) 328-4200
- National Response Center (NRC)-(800) 424-8802 for amounts exceeding the federal reportable quantity for that material (Reportable Amounts are included in Attachment 3)
- Colorado Department of Health and Environment-(303) 692-3500 non-emergency
- Colorado Department of Health and Environment-(303) 756-4455 emergency
- Colorado State Patrol (Craig) - (970) 824-6501
- Wyoming Department of Environmental Quality – (307) 777-7781 emergency
- Wyoming Department of Environmental Quality – (307)-777-5885 non-emergency
- Wyoming Highway Patrol, 1-800-442-9090

6.1.1 Agency Notification

When notifying a regulatory agency, OPPC's Environmental Manager will provide the following information:

- current threats to human health and safety, including known injuries, if any
- spill location, including landmarks and nearest access route
- reporter's name and phone number
- time and date the spill occurred
- type and estimated amount of hazardous materials involved
- potential threat to property and environmental resources, especially waterbodies and wetlands
- status of response actions

On-site personnel should always consult the Environmental Inspector to clarify regulatory requirements.

6.1.2 Fee-Landowner Notification

When a spill poses a direct and immediate threat to health and safety and/or property, the fee-landowners potentially affected by the spill will be directly notified by OPPC. The alignment sheets included as Attachment 1 of the Plan of Development delineate land ownership along the entire right-of-way and will be used to determine affected fee-landowners. Immediate notification of fee-landowners is required for any situations in which the spill poses a direct and immediate threat to health and safety and/or property.

6.1.3 Reporting Criteria

The Contractor will report to OPPC's Environmental Inspector any hazardous substance releases regardless of size, any spill which threatens or enters any waterbody, and any petroleum spill larger than 25 gallons. Verbal reports are required immediately following a major spill when doing so would not delay clean up or administration of urgent medical care. OPPC's Environmental Inspector will determine if the spill meets the following criteria for immediate agency notification:

- any release of hazardous material over the applicable reportable quantities (refer to Attachment 3-List of Reportable Quantities)
- a spill which threatens or enters a waterbody or wetland
- a petroleum spill over 25 gallons

6.2 Documentation

The Contractor will maintain records for all spills. Colorado Department of Public Health and Environment must receive written notice of a spill into water of the state within 5 days. Wyoming Department of Environmental Quality requires a written report be submitted to the Emergency Response Division within 7 days of the spill. The Contractor will provide a written report (see Attachment 2) of the reportable spills requiring agency notification within 24 hours.

The Contractor will record spill information in a daily log. The following is a list of items that should be included in the daily log (as appropriate, based on the spill incident):

- time and date of each log entry
- name of individual recording log entry
- list of individuals notified, including time and date
- type and amount of material spilled
- resources affected by spill
- list of response actions taken, including relative success
- copies of letters, permits, or other communications received from government agencies throughout the duration of the spill response
- copies of l outgoing correspondence related to the spill
- photographs of the response effort (and surrounding baseline photographs if relevant)

Maintaining detailed and organized records during a spill incident is an important and prudent task. One Contractor representative should be designated to manage the records for an incident. If extensive spill response and cleanup operations are required, the Contractor may choose to assign a bookkeeper to assist in the documentation process. The Contractor's on-site bookkeeper will track and manage expenditures (i.e., equipment, personnel/labor hours, and associated resources) and will help supplement the information provided in the daily log book.

ATTACHMENT 1
REQUIRED CONTRACTOR SUBMITTALS

Certifications, Acknowledgements, and Designation of Emergency Coordinators Form

In addition to relevant county forms, Contractor will complete and submit the following information:

GENERAL INFORMATION

_____
Business Name

_____
Facility Street Address

_____
City County Zip Code Phone

_____
Mailing Address (if different)

_____
City Zip Code

EMERGENCY COORDINATOR

_____
Primary Emergency Coordinator Business Phone Pager/Cellular Phone

_____
1st Alternate Business Phone Pager/Cellular Phone

_____
2nd Alternate Business Phone Pager/Cellular Phone

OWNER/OPERATOR CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in the Hazardous Material Management and Spill Prevention, Containment, and Countermeasure Plan and believe the information is true, accurate, and complete.

_____ _____ _____
Print Name of Owner/Operator Signature of Owner/Operator Date

EMERGENCY CHECKLIST
* * DIAL 911 FOR EMERGENCY RESPONSE * *

Contractor Telephone Number

Address

EMERGENCY NUMBERS

Emergency Response	911
Colorado State Patrol (Craig)	(970) 824-6501
Wyoming Highway Patrol	(800) 442-9090
Poison Control Center	(800) 342-9293
Toxic Information Center	(800) 233-3360
Memorial Hospital (Craig)	(970) 824-5880
Pioneers Medical Center (Meeker)	(970) 878-5047
Memorial Hospital of Carbon County (Rawlins)	(307) 324-2221

AGENCY NOTIFICATIONS (To be made by OPPC's Environmental Manager)

Emergency Response	911
National Response Center (NRC)	(800) 424-8802
Little Snake Field Office – BLM	(970) 826-5000
White River Field Office – BLM	(970) 878-3800
Rawlins Field Office – BLM	(307) 328-4200
Colorado Department of Health and Environment (non-emergency)	(303) 692-3500
Colorado Department of Health and Environment (emergency)	(303) 756-4455
Wyoming Department of Environmental Quality - emergency	(307) 777-7781
Wyoming Department of Environmental Quality - non-emergency	(307) 777-5885
Wyoming Highway Patrol	(800) 442-9090
Rio Blanco County Emergency Manager	(970) 878-9623
Moffat County Emergency Management Coordinator	(970) 826-2303
Sweetwater County Emergency Management Agency	(307) 352-6720
Carbon County Emergency Management Coordinator	(307) 328-2750

CONTRACTOR'S SITE MAP

Contractor site map will, at a minimum, indicate the following:

- orientation and scale
- total land area in square feet
- access and egress points
- buildings and/or temporary trailers
- parking lots
- adjacent land uses
- surrounding roads, storm drains, and waterways (including waterbodies and wetlands)
- locations of hazardous materials and hazardous waste storage
- aboveground tanks
- containment or diversion structures (dikes, berms, retention ponds)
- shutoff valves and/or circuit breakers
- location of emergency response materials and equipment
- location of Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan and MSDS
- location of emergency assembly area
- location of clean up equipment within the yard

Maps must be provided on standard 8 ½ by 11-inch weather-proofed paper.

CONTRACTOR'S POTENTIAL SPILL SOURCES

Contractor will identify sources of potential spills, including tank overflow, rupture or leakage. Spill Prevention, Control, and Countermeasure information must be included for all containers larger than 660 gallons, or that have a total capacity of 1320 gallons at one location that contain oil, including petroleum, fuel oil, sludge, oil refuse, and oil mixed with waste, as required in 40 CFR Part 112.

(1) Material: _____ Total Quantity_____

Location of use: _____

Potential direction of flow: _____Maximum rate of flow:_____

Structures or equipment to contain spills: _____

_____

(2) Material: _____ Total Quantity_____

Location of use: _____

Potential direction of flow: _____Maximum rate of flow:_____

Structures or equipment to contain spills: _____

_____

(3) Material: _____ Total Quantity_____

Location of use: _____

Potential direction of flow: _____Maximum rate of flow:_____

Structures or equipment to contain spills: _____

_____

(4) Material: _____ Total Quantity_____

Location of use: _____

Potential direction of flow: _____Maximum rate of flow:_____

Structures or equipment to contain spills: _____

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CONTRACTOR'S HAZARDOUS SUBSTANCES INVENTORY

Contractor will identify hazardous substances which will be used or stored on the project to GEC.

(1) Material: _____ _____

Location of use: _____

Storage location: _____

Expected Quantity On Hand: _____

(2) Material: _____ _____

Location of use: _____

Storage location: _____

Expected Quantity On Hand: _____

(3) Material: _____ _____

Location of use: _____

Storage location: _____

Expected Quantity On Hand: _____

(4) Material: _____ _____

Location of use: _____

Storage location: _____

Expected Quantity On Hand: _____

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ATTACHMENT 2
INSPECTION LOGS AND SPILL REPORT FORMS

HAZARDOUS MATERIALS AND WASTES INSPECTION LOG

For each item listed below, Contractor will indicate whether existing conditions are acceptable (A) or unacceptable (U). Contractor will inspect storage facilities on a regular basis, but not less than weekly. Contractor will keep records of all inspections on file. Contractor will provide a copy of the completed form to the Environmental Inspector on a weekly basis.

STORAGE AREAS FOR FUELS, LUBRICANTS AND CHEMICALS

General

____Construction yard or storage areas secured
____Storage areas properly prepared and signed
____Material Safety Data Sheets available
____Hazardous Materials Management and Spill Prevention, Containment, and Countermeasure Plan available
____Emergency response equipment available on-site

Hazardous Materials Management

____No evidence of spilled or leaking materials
____Incompatible materials separated
____All containers labeled properly and securely closed
____All containers upright
____No evidence of container bulging, damage, rust or corrosion

Secondary Containment Areas

____Containment berm intact and capable of holding 110% of material stored plus precipitation
____Lining intact
____No materials overhanging berms
____No materials stored on berms
____No flammable materials used for berms

Compressed Gases

____Cylinders labeled with contents
____Cylinders secured from falling
____Oxygen stored at least 25 feet away from fuel

HAZARDOUS MATERIALS AND WASTES INSPECTION LOG

HAZARDOUS WASTE MANAGEMENT

Waste Container Storage

____No evidence of spilled or leaking wastes
____Adequate secondary containment for all wastes
____Separate containers for each waste stream-no piles
____Waste area not adjacent to combustibles or compressed gases
____All containers securely closed
____Bungs secured tightly
____Open-top drum hoops secured
____All containers upright
____No evidence of container bulging, corrosion
____No severe container damage or rust
____Containers are compatible with waste
____No smoking and general danger/warning signs posted

Waste Container Labeling

____Containers properly labeled
____Name, address and EPA ID number or ID Number of generator listed (Not required if Contractor is an exempt small quantity generator.)
____Accumulation start date listed
____Storage start date listed
____Chemical and physical composition of waste listed
____Hazardous property listed

Non-Hazardous Waste Areas

____No litter in yard
____No hazardous wastes or used oil mixed with trash
____Empty oil and aerosol containers for disposal are completely emptied

HAZARDOUS MATERIALS AND WASTES INSPECTION LOG

CORRECTIVE ACTIONS TAKEN (Required for all unacceptable conditions)

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Date: _____ Contractor: _____

Inspected by: _____

Signature: _____

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SPILL REPORT FORM

The Contractor must complete this form for any hazardous material spill regardless of size, any spill that enters waterbodies or wetlands, and/or any petroleum spill greater than 25 gallons. The form must be submitted to the OPPC Environmental Inspector within 24 hours of the occurrence.

Responsible Party or Company	
Company Name:	
Company Field Address:	
Company Field Contact/Title:	
Company Field Contact Phone:	
Reporting Party	
Name:	
Title:	
Phone:	
Location of Spill	
County and Legal Description:	
Nearest Pipeline Milepost:	
Nearest Landmark(s):	
Nearest Access Road:	
Nearest Waterbody:	
Name of Landowner:	
Spill Information	
Date and Time of Spill (if known):	
Date and Time of Discovery:	
Spill Material and Amount:	
Area of Impact (length X width X depth):	
Cause of spill:	
Response Information	
Containment, Cleanup, and Disposal Procedures Undertaken :	
Further Response Actions Needed:	
Notifications	
Date of Landowner Notification:	
Dates and Names of Agencies Notified:	

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ATTACHMENT 3
REPORTABLE QUANTITIES

REPORTABLE QUANTITIES

This table lists the substances that may be used during construction and the Federal reportable quantity for that substance. If the Contractor is using substances not listed on this table, the Contractor shall provide an updated table that lists the substance and reportable quantity.

Substance	Federal Reportable Quantity[1]
Diesel Fuel	None listed
Gasoline	None listed
Engine Oil	None listed
Cutting Oil	None listed
Hydraulic Oil	None listed
Pipe Dope	None listed
Solvents	None listed
Grease	None listed
Acetone Solvent	5,000 pounds
Paint	None listed

[1]Per 40 CFR 302.4

Specific state requirements are listed below:

Colorado

- Any quantity of pollutant or contaminant discharged to surface or groundwater.
- Any release of petroleum products 25 gallons or greater.
- Any quantity of hazardous substance that exceeds the reportable quantity in 40 CFR 302.4.

Wyoming

- Releases of "oil" and "hazardous substances" which enter waters of the state.
- Releases that are determined to be a threat to enter waters of the state and are:
  a) considered a "hazardous substance", or
  b) any amount greater than either 10 barrels of any combination of crude oil/petroleum condensate/produced water OR 25 gallons of refined crude oil products. (from http://deq.state.wy.us/out/spills.htm)