

APPENDIX F

Applicant's Onshore Construction Spill Response Plan

(SPOT Application, Vol IIb, Appendix M)

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Sea Port Oil Terminal Project Offshore Brazoria County, Texas

VOLUME IIb APPENDIX M

CONSTRUCTION SPILL RESPONSE PLAN FOR OIL AND HAZARDOUS SUBSTANCES

M CONSTRUCTION SPILL RESPONSE PLAN FOR OIL AND HAZARDOUS SUBSTANCES

1 INTRODUCTION

The intent of the Construction Spill Response Plan for Oil and Hazardous Substances (Spill Plan) is to provide SPOT Terminal Services LLC (the Applicant) guidance to avoid, minimize, and mitigate environmental impacts as they relate to the inadvertent spills of oils and hazardous substances during the construction of the onshore components of the Sea Port Oil Terminal (SPOT) Project. Once the SPOT Project is authorized, the Applicant may deviate from the Spill Plan in certain situations if:

- A different measure provides equal or better environmental protection; or
- It is necessary because a portion of this Spill Plan is infeasible or unworkable based on Project-specific conditions.

At this time, the Spill Plan is considered DRAFT, as modifications or amendments may be necessary as agency consultation is completed and permit conditions are issued for the SPOT Project.

1.1 DEFINITIONS

Oil is defined in the Spill Prevention, Control, and Countermeasure (SPCC) regulations as 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 and oily mixtures.

Hazardous Material is defined by the U.S. Department of Transportation to include hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table (see 49 Code of Federal Regulations [CFR] 172.101), and materials that meet the defining criteria for hazard classes and divisions in Part 173 of Subchapter C of this chapter. Hazardous materials typically found on construction projects include, but are not limited to, petroleum oils, hydraulic fluids, engine coolants (ethylene glycol), x-ray film developer, chemical additives, pipe coatings, used abrasive blasting media, etc.

2 SPILL PREVENTION MEASURES

2.1 DRAINAGE PATTERNS

1. The general drainage patterns can be determined by the contour drawings shown in the topographic maps. In addition, wetland, waterbodies, and water wells shall be signed within workspaces.
2. Construction supervisory personnel shall be familiar with drainage patterns, wetlands, and waterbodies within the project workspaces and be prepared to implement measures to control any inadvertent spill.

2.2 SPILL PREVENTION MEASURES

Containers

1. All containers shall be stored on level ground at least 100 feet (30.5 meters) from any wetland or waterbody, and at least 200 feet (61 meters) from water wells. All containers should be located within temporary containment.
2. Temporary containment areas shall be capable of containing 110 percent of the volume of hazardous materials being stored.
3. All temporary containment areas and containers shall be routinely inspected for integrity.
4. Leaking and/or deteriorated containers shall be replaced as soon as the condition is detected and clean-up measures shall be immediately enacted.
5. No incompatible hazardous materials shall be stored in the same temporary containment area.
6. No temporary containment areas shall be left unsecured during non-work hours. All hoses and oil-containing equipment is required to be secured prior to concluding each work day. This includes parking and securing equipment, as identified in condition Container-1, and fueling equipment must have hoses placed into temporary containment areas and secured.
7. Spill response kits shall accompany all temporary containment areas.
8. Collected rainwater in temporary containment areas must be inspected prior to release; it must be free of sheens or other hazardous materials.

Tanks

1. The Contractor shall operate only those tanks that meet the requirements and specifications of applicable regulations and that are surrounded with temporary containment, as described in the *Containers* section, above.
2. Self-supporting tanks shall be constructed of materials compatible with their contents.
3. All tanks shall be routinely inspected for integrity.
4. Leaking and/or deteriorated tanks shall be replaced as soon as the condition is detected and clean-up measures shall be immediately enacted.
5. Vehicle-mounted tanks shall be equipped with flame/spark arrestors on vents to ensure that self-ignition does not occur.
6. Tanks will not be used to store differing products in sequence unless first thoroughly decontaminated prior to filling.

Unloading/Loading Areas

1. Re-fueling and transferring of liquids shall only occur in pre-designated locations that are on level ground and at least 100 feet (30.5 meters) from any waterway and 200 feet (61 meters)

- from water wells. Where conditions require construction equipment be re-fueled within 100 feet (30.5 meters) of any wetland or waterbody, this activity must be continuously manned to ensure that overfilling, leaks, or spills do not occur. In addition, all this equipment must be surrounded by temporary containment, as described above, and inspected on a regular basis to ensure that any hoses or parts containing oil or hazardous materials are in good working order.
2. All service vehicles used to transport fuel must be equipped with an appropriate number of fire extinguishers and a spill response kit. At a minimum, this kit must include:
 - a. Ten (10) 48”x 3” oil socks
 - b. Five (5) 18” x 18” oil pillows
 - c. One (1) 10’x 3” oil boom
 - d. Twenty-five (25) 24” x 24”oil mats/pads
 - e. One (1) box garden-size, 6-mil, disposable polyethylene bags (w/ties)
 - f. Four (4) pairs of oil-proof gloves
 - g. One (1) 55-gallon polyethylene open-head drum
 - h. Blank drum labels
 - i. Two (2) shovels
 3. Contractors will be trained in proper handling, refueling, and maintenance practices.

3 SPILL RESPONSE RESPONSIBILITIES

3.1 CONTRACTOR RESPONSIBILITIES

1. The Contractor must designate both an Emergency Coordinator (EC) and an Alternate EC for the Project.
2. The Contractor is responsible for appropriately addressing all inadvertent spills that occur directly as a result of construction-related activities.
3. For minor spills (spills that take less than a shovel-full of dirt to clean up), no internal notification requirements of this Spill Plan need to be followed. However, this does not relieve the Contractor from appropriately remediating the area and reporting the spill in the daily report.
4. The Contractor shall supply the necessary manpower, personnel protective equipment (PPE), and spill response equipment to appropriately address all spills that directly occur as a result of construction-related activities.
5. The Contractor shall ensure that all emergency spill response equipment and PPE is well-stocked and in good condition, and that used spill response equipment and PPE is replaced, when necessary.
6. If the situation warrants it, the Contractor shall immediately notify any local emergency spill response contractors for assistance.
7. The Contractor shall be responsible for hiring an emergency spill response contractor if the nature of the incident requires it.

8. The Contractor is responsible for immediately notifying the Environmental Inspector (EI) of any reportable spills.

3.2 APPLICANT RESPONSIBILITIES

1. The Applicant shall be responsible for ensuring that the Contractor adequately follows the procedures outlined in this Spill Plan at all times.
2. Applicant shall be responsible for all verbal and written external notifications made to any regulatory agency or any local emergency responders.

3.3 EMERGENCY CONTACTS

Table 3-1 provides a list of Company and Contractor emergency contacts.

[Note: Names and Contact Information will be updated just prior to construction to ensure most current information is included for emergency contacts]

**Table 3-1
Emergency Contacts**

Name(s)	Job Description	Phone Number
SPOT Terminal Services, LLC		
TBD	Project Manager / Chief Inspector	TBD
TBD	Environmental Inspector	TBD
TBD	Environmental Compliance Department	TBD
TBD	Project Safety Representative	TBD
Contractor		
TBD	Superintendent	TBD
TBD	Emergency Coordinator	TBD
TBD	Alternate Emergency Coordinator	TBD
TBD	Project Safety Representative	TBD
Regulatory Agencies		
National Response Center		(800) 424-8802
Emergency Management Council of Texas		(800) 832-8224
Local Emergency Responders		
	Emergency Medical Services	TBD
	Hospital	TBD
	Fire	TBD
	Police	TBD

3.4 ENVIRONMENTAL INSPECTOR RESPONSIBILITIES

The EI will have authority to stop activities (i.e., stop work) that violate the environmental conditions of any applicable environmental permit applications and to order appropriate corrective action. In addition, the duties of the EI for non-de minimis spills (reportable spills) include the following:

1. Determine the source, character, amount, and extent of the spill.
2. Assess the potential hazards to the workspace, environment, and surrounding community and contact the Project Safety Representative if any hazards are detected.
3. Evacuate the area, if necessary.
4. Report the spill in accordance with the internal and external notification procedures outlined in Section 5.1, “Internal Notifications,” and Section 5.2, “External Notifications,” below.
5. Ensure the Contractor commits manpower and equipment for inadvertent spills that can be reasonably remediated by the Contractor.
6. Oversee the Contractor’s spill response efforts to contain and control all inadvertent spills to ensure they adequately follow the procedures outlined in this Spill Plan.
7. Document the Contractor’s response effort, including taking photographs, wherever possible.
8. Generate an Emergency Incident Report.

4 EMERGENCY SPILL RESPONSE EQUIPMENT AND PPE

Table 4-1 provides a list of the minimal required emergency spill response equipment and PPE for the SPOT Project at temporary containment areas.

**Table 4-1
Minimally Required Emergency Spill Response Equipment and PPE**

Chemical Spill Kit	
One (1) bag loose chemical pulp	Three (3) chemical pillows (18” x 18”)
Three (3) chemical socks (48” x 3”)	Ten (10) chemical mats/pads (24” x 24”)
Blank drum labels	One (1) 30-gallon polyethylene open-head drum
One (1) box garden-sized, 6-mil, disposable polyethylene bags (w/ties)	Two (2) shovels
Oil Spill Kit	
One (1) oil boom (100’ x 3”)	Ten (10) oil pillows (18” x 18”)
Ten (10) oil socks (48” x 3”)	Twenty-five (25) oil mats/pads (24” x 24”)
Blank drum labels	Three (3), 55-gallon PE open-head drums
One (1) box garden-sized, 6-mil, disposable polyethylene bags (w/ties)	Four (4) shovels
PPE	
Splash goggles	Half-face respirators (w/cartridges for benzene)

Table 4-1
Minimally Required Emergency Spill Response Equipment and PPE

Tyvek suits	Nitrile gloves
Waterproof/chemical resistant hip-waders	

5 SPILL NOTIFICATION PROCEDURES

5.1 INTERNAL NOTIFICATIONS

1. All spills are to be immediately reported to the EI, who will then contact the Environmental Compliance Department. Table 3-1 (see Section 3.1, “Emergency Contacts,” above) includes a list of emergency contacts.
2. An Emergency Incident Report must be forwarded to the Environmental Compliance Department by the EI as soon as technically feasible.

5.2 EXTERNAL NOTIFICATIONS

1. The Environmental Compliance Department will determine if the spill constitutes the following:
 - a. Reportable Quantity under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA);
 - b. Reportable release under the Clean Water Act or Resource Conservation and Recovery Act (RCRA);
 - c. Reportable Threshold Quantity under Superfund Amendments and Reauthorization Act (SARA) Title III;
 - d. State Reportable Incident; or
 - e. Immediately Reportable Incident – any sheen observed on water.
2. If any reporting is necessary, the Environmental Compliance Department shall be responsible for immediately contacting the appropriate federal and state regulatory authorities and following-up in writing, if required. Any spills requiring reporting to state or federal agencies shall also be reported to the impacted landowner.

5.3 EMERGENCY SPILL RESPONSE CONTRACTORS

The Contractor shall have arrangements with emergency spill response contractors to address emergency responses beyond the capabilities of the Contractor. The contacts for the emergency spill response contractors are provided in Table 5-1.

[Note: Names and Contact Information will be updated just prior to construction to ensure most current information is included for emergency spill response contractors]

**Table 5-1
Emergency Spill Response Contractors**

Company	TBD
Contact Name	TBD
Location	TBD
Phone Number	TBD
Company	TBD
Contact Name	TBD
Location	TBD
Phone Number	TBD
Company	TBD
Contact Name	TBD
Location	TBD
Phone Number	TBD

5.4 LOCAL EMERGENCY RESPONDERS

Supervisory Applicant or Contractor personnel (see Table 3-1, Section 3.1, “Emergency Contacts,” above) may call the local emergency responders should their assistance be required. The local emergency responders’ contact information is provided in Table 3-1.

6 CLEAN-UP PROCEDURES

6.1 SPILLS

1. Minor spills and leaks must be remediated as soon as feasible, with the use of adsorbent pads, wherever possible.
2. Spills shall be restricted to temporary containment areas, if possible, by stopping or diverting flow.
3. If the spill exceeds the temporary containment area’s capacity, additional containment shall be immediately constructed using sandbags or fill material. Every effort must be made to prevent the spills from entering a drainage pattern, wetland, or waterbody.
4. If a spill reaches a drainage pattern, wetland, or waterbody, oil booms shall be immediately placed downstream in order to contain the material. As soon as possible, the floating layer with absorbent pads shall be removed.
5. After all recoverable oil or hazardous material has been collected and drummed, all contaminated PPE, spill clean-up equipment, and any impacted soil shall be placed in appropriate containers.
6. For significant quantities of impacted soils, temporary waste piles shall be constructed using plastic sheets. This material shall subsequently be transferred into lined roll-off boxes as soon as feasible.

7. The Environmental Compliance Department will coordinate all waste characterization, profiling, and disposal activities.

6.2 EMERGENCY SPILL RESPONSE EQUIPMENT AND PPE CLEANING/STORAGE

1. Upon completion of spill clean-up activities, the Contractor shall be responsible for decontaminating the used emergency response equipment as well as the PPE.
2. The Contractor shall be responsible for replacing any spent emergency response equipment and PPE prior to resuming construction-related activities.
3. Decontamination rinse fluids shall be collected and containerized. The Environmental Compliance Department will coordinate waste characterization and disposal activities.
4. Reusable PPE shall be tested and inventoried prior to being placed back into service.

6.3 WASTE DISPOSAL

1. The Contractor is responsible for waste management and waste disposal; however, the Environmental Compliance Department will coordinate all waste characterization, profiling, and disposal activities.
2. The Contractor shall manage routine garbage and construction debris without oversight of the Environmental Compliance Department.