Division of Waste Management and Radiation Control

USED OIL TRANSPORTER PERMIT

Permittee:	**RelaDyne West, LLC** **dba Cardwell Distributing**
Permittee Mailing Address:	PO Box 235 Midvale, UT 84047
Permittee Phone Number:	(435) 828-6009
Permittee Contact:	**Ryan Betts, Ballard Terminal Manager** (435) 722-0393 office (435) 828-6009 cell Email: ryan@cardwelldist.com
Facility Address:	4369 East Main Street Ballard, UT 84066
Facility Contact:	**Ryan Betts, Ballard Terminal Manager** (435) 722-0393 office (435) 828-6009 cell Email: ryan@cardwelldist.com
Type of Permit:	**Used Oil Transporter Permit**
Permit #:	**UOP-0138**
Original Date of Issuance:	August 21, 2014
EPA ID #:	UTR000012823

Public Comment Period- Draft Permit Modification

Signature: _____ Date: _____

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

I.A. Effect of Permit

I.A.1. RelaDyne West LLC, dba Cardwell Distributing (hereafter referred to as "Permittee"), is hereby authorized to operate as a used oil transporter in accordance with all applicable requirements of R315-15 of the Utah Administrative Code and of the Used Oil Management Act (the Act) 19-6-701 et. seq., Utah Code Annotated and this Permit.

I.A.2. This Permit shall be effective for a term not to exceed ten years in accordance with the requirements of R315-15-15 of the Utah Administrative Code. This Permit shall be reviewed by the Director five years after the date of issuance or when the Director determines that the Permit requires review.

I.A.3. Attachments incorporated by reference are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in Conditions I and II supersedes any conflicting language in the attachments or documents incorporated into the attachments.

I.B. Permit Revocation

I.B.1. Violation of any permit condition or failure to comply with any provision of the applicable statutes and rules may be grounds for enforcement actions, including revocation of this Permit. The Director shall notify the Permittee in writing of his intent to revoke this Permit.

I.C. Permit Modification

I.C.1. The Permittee may request modifications to any item or activity covered by this Permit by submitting a written permit modification request to the Director. If the Director determines the modification request is substantive, a public hearing, a 15-day public comment period or both may be required before the modification request may be determined. Implementing a substantive modification prior to the Director's written approval constitutes a violation of the Permit and may be grounds for enforcement action or permit revocation.

I.C.2. The Permittee shall notify the Director in writing of any non-substantive changes, such as changes to the contact person, within 20 days of the change.

I.C.3. The Director may modify this Permit as necessary to protect human health and the environment, because of statutory or regulatory changes or because of operational changes affecting this Permit.

I.D. Spill Prevention

I.D.1. The Permittee shall maintain and operate all used oil transportation vehicles and associated equipment to minimize the possibility of fire, explosion or sudden or non-sudden release of used oil to the air, ground, soil, surface and groundwater and sewer systems.

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I.E. Record Retention

I.E.1. The Permittee shall maintain all applicable used oil records required by R315-15 of the Utah Administrative Code and this Permit at the Permittee's facility located at 4369 East Main Street, Ballard, UT, 84066.

I.E.2. All records shall be readily accessible for review by representatives of the Director. Records may be in a hard copy or electronic format. Records shall be maintained for a minimum of three years.

I.F. Tracking

I.F.1. The Permittee shall keep written transportation records for both the collection and delivery of used oil. Collection and delivery records may be a log, invoice, manifest, bill of lading or other shipping document.

I.F.2. For collections, the records shall include the Permittee's name, address, EPA identification number, the facility's vehicle identification number, driver name, date of collection, the volume of used oil collected and the type of collection (i.e., bulk oil in tankers or containerized, specifying container types and numbers). Additionally, the used oil records shall include the generator's, transporter's, transfer facility's, off - specification burner's or processor's name and signature (dated upon receipt), address and EPA identification number. For petroleum well locations without a formal street address, the Permittee shall use the well owner's corporate address, well number/name, and well latitude-longitude coordinates.

I.F.3. The halogen content from screening tests or analytical laboratory testing shall be documented on the used oil record/bill of lading at each used oil collection location prior to loading for transportation.

I.F.4. The Permittee shall record the PCB concentration based on analytical results of used transformer oil prior to collection/transport in accordance with Condition II.F.

I.F.5. The delivery records shall include the Permittee's name, address, EPA identification number, vehicle identification number, driver name, date of delivery, the volume of used oil delivered and the type of delivery (i.e., bulk oil in tankers or containerized, specifying container types and numbers). Additionally, the used oil records shall include the receiving transfer facility's, off-specification burner's, processor's or other transporter's name and signature (dated upon receipt), address and EPA identification number.

I.F.6. The Permittee shall create a new delivery record for internal transfers between the Permittee's transportation vehicles.

I.G. Sampling and Analyses

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I.G.1. The Permittee shall follow all sampling and analytical procedures in Conditions II.D. through II.F., when conducting used oil sampling and analytical testing to meet the requirements of R315-15 of the Utah Administrative Code and this Permit.

I.H. Waste Management

I.H.1. Used oil that has been mixed with hazardous waste as defined by R315-261 of the Utah Administrative Code or PCBs as defined by R315-301-2(53) of the Utah Administrative Code shall no longer be managed as used oil and shall be subject to applicable hazardous waste and PCB-contaminated waste rules.

I.H.2. Used oil shall not be stored in tanks, containers or storage units that previously stored hazardous waste unless these tanks, containers and storage units have been cleaned in accordance with R315-261-7 of the Utah Administrative Code.

I.H.3. The Permittee shall not place, manage, discard or otherwise dispose of used oil in any manner other than specified in R315-15-1.3 of the Utah Administrative Code.

I.I. Waste Disposal

I.I.1. The Permittee shall document and maintain records showing proper characterization, handling and disposal for used oil related wastes, including oily wastewater.

I.I.2. The Permittee shall properly characterize used oil related wastes to determine if the wastes are hazardous or non-hazardous in accordance with R315-15-8 of the Utah Administrative Code. All wastes generated during used oil operations shall be handled in accordance with this Permit and R315-15 of the Utah Administrative Code. The wastes shall be taken to an appropriate facility permitted to handle the type of waste generated.

I.J. Used Oil Storage

I.J.1. The Permittee shall not store used oil longer than 24 hours without first obtaining a transfer facility or processor permit for that storage location. This includes storing used oil in vehicles at loading and unloading docks and parking areas.

I.J.2. The Permittee shall notify the Director if the 24-hour storage is exceeded due to mechanical failure of the Permittee's transportation vehicle prior to exceeding the 24-hour storage requirement.

I.K. Liability and Financial Requirements

I.K.1. The Permittee shall procure and maintain general liability and sudden used oil third-party environmental pollution liability coverage for the Permittee's operations as required by R315-15-10 of the Utah Administrative Code.

I.K.2. The Permittee shall provide documentation of financial responsibility, environmental pollution legal liability and general liability coverage annually to the Director for

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review and approval by March 1 of each reporting year or upon request by the Director.

I.K.3. The Permittee shall notify the Director immediately of any changes to the extent and type of liability coverage in accordance with R315-15-10 of the Utah Administrative Code.

I.L. Used Oil Handler Certificate

I.L.1. In accordance with R315-15-4.1 of the Utah Administrative Code, the Permittee shall not operate as a used oil transporter without obtaining annually a Used Oil Handler Certificate from the Director. The Permittee shall pay a used oil handler fee, pursuant to Utah Code 63J-1-504, by December 31 of each calendar year to receive certification for the upcoming calendar year.

I.M. Inspection and Inspection Access

I.M.1. Any duly authorized employee of the Director may, at any reasonable time and upon presentation of credentials, have access to and the right to copy any records relating to used oil and to inspect, audit or sample. The employee may also make record of the inspection by photographic, electronic, audio, video or any other reasonable means to determine compliance.

I.M.2. In addition, the authorized employees may collect soil, groundwater or surface water samples to evaluate the facility's compliance.

I.M.3. Failure to allow reasonable access to the property by an authorized employee may constitute "denial of access" and may be grounds for enforcement action or permit revocation.

I.N. Annual Report

I.N.1. As required by R315-15-13.4 of the Utah Administrative Code, the Permittee shall prepare and submit an Annual Report of its used oil activities for the calendar year to the Director by March 1 of the year following the reported activity (Form UO 004 (Annual Report for Used Oil Transporter Facility). The Annual Report shall also include all financial assurance documentation required by Form UO 004.

I.O. Other Laws

I.O.1. Nothing in this Permit shall be construed to relieve the Permittee of his obligation to comply with any Federal, State or local law.

I.P. Enforceability

I.P.1. Violations documented through the enforcement process pursuant to Utah Code Annotated 19-6-112 may result in penalties in accordance with R315-102 of the Utah Administrative Code.

I.Q. Effective Date

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I.Q.1. The permit is effective on the date of signature by the Director.

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II.A. Transportation Operations

II.A.1. The Permittee is authorized to transport used oil and deliver the used oil to another permitted transporter, transfer facility, processor and re-refiners or used oil burners in accordance with R315-15-4.4 of the Utah Administrative Code.

II.A.2. Used oil recovered from oily water shall be managed as used oil in accordance with R315-15 of the Utah Administrative Code and this Permit.

II.A.3. The Permittee shall only accept used oil or oily water, subject to R315-15 of the Utah Administrative Code that has halogen concentrations less than 1,000 ppm unless rebutted in accordance with Condition II.G.

II.A.4. The Permittee shall comply with TSCA regulations when transporting used oil with PCB concentrations greater than or equal to 50 mg/kg.

II.B. Transport Vehicle Requirements

II.B.1. The Permittee shall only transport used oil in the types of vehicles listed in Table II.B.

Table II.B: Vehicle Description

Type of Vehicle	Used Oil Capacity
Box Truck	10 totes = 2750 gallons
Flat Bed Stake Truck	5 totes = 1375 gallons

II.B.2. All used oil transport vehicles operated by the Permittee shall have the words "USED OIL" on both sides of the transport vehicle in a contrasting color that is distinguishable from the background color and at least three inches tall. These designations shall be in place at all times the transport vehicle is transporting or storing used oil.

II.B.3. All Permittee's vehicles which transport used oil shall have a copy of the Permittee's Used Oil Emergency Spill Plan (Attachment 1) maintained in the vehicle at all times.

II.B.4. The Permittee shall maintain Emergency Spill Cleanup materials in all vehicles used to transport used oil as specified in Condition II.I of this Permit.

II.C. Used Oil Loading and Unloading Requirements

II.C.1. The Permittee shall secure the vehicle by positioning wheel chocks and applying the emergency brakes before loading or unloading used oil.

II.C.2. The Permittee shall inspect all used oil collection equipment, if applicable (e.g., vehicles and associated pumping equipment) for any damage prior to use.

II.C.3. The Permittee shall place buckets or other containers under piping connections to collect drips of used oil during loading and unloading operations.

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II.C.4. The Permittee shall ensure the amount of used oil to be loaded into the transport vehicle will not exceed the carrying capacity. The Permittee shall utilize a calibrated gauging instrument to measure used oil volume in each collection vehicle/tanker.

II.C.5. The Permittee is not authorized to perform used oil rail car transfers.

II.D. Used Oil Sample Collection

II.D.1. The Permittee shall ensure a representative sample is collected from tanks, totes, drums or other containers. Sampling personnel shall be trained on appropriate sampling methods for each type of container and matrix.

II.D.2. Drums or containers of used oil from different sources or processes shall be sampled individually at each generator's facility.

II.D.3. Composite sampling is only allowed for a maximum of 500 gallons from containers of used oil that are generated from the same source or process at each generator's facility.

II.E. **Halogen Verification Methods**

II.E.1. Halogen Field Screening Methods

II.E.1.a. The Permittee shall screen for halogens in the field, prior to acceptance or delivery of used oil or oily waste water subject to R315-15 of the Utah Administrative Codes as specified in Condition II.E.

II.E.1.b. The Permittee shall screen the generator's used oil to verify halogen concentration, when applicable, using a halogen field screening method in accordance with the following requirements:

II.E.1.b.i. Used oil that contains less than 20% water shall be screened for halogens with a CLOR-D-TECT® halogen test kit (EPA Method 9077).

II.E.1.b.ii. Used oil that contains between 20% and 70% water shall be screened for halogens with a HYDROCLOR-Q® test kit. The resulting halogen concentration must be corrected using the following conversion formula to calculate true halogen concentration.

True Halogen Concentration = Reading Syringe + [(10 + ml oil in sample)/10]

Example: sample contains 6 ml water and 4 ml oil (60% water) and the syringe reading is 2,000 ppm, then the true concentration is:

2,000 ppm [(10 + 4)/10] = 2,800 ppm

II.E.1.b.iii. Used oil that contains greater than 70% water shall be screened for halogens with a HYDROCLOR-Q® test kit. Correction of the halogen screening results is not required.

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II.E.1.c. The requirement for a quality control sample (duplicate) may be satisfied by testing prior to off-loading from permitted vehicles in accordance with the CLOR-D-TECT® kits (EPA Method 9077) and is not required for each load collected at individual generators.

II.E.1.d. The Permittee shall document on acceptance records or bill of lading the screening results.

II.E.2 Halogen Laboratory Analytical Methods

II.E.2.a. The Permittee shall submit a representative used oil sample to a Utah-certified laboratory to analyze for total halogen concentrations using Method 9076 or another equivalent method approved by the Director.

II.E.2.b. The Permittee shall attach a copy of the analytical results to the transportation document such as a bill of lading or manifest.

II.E.3 Halogen Generator Knowledge Method

II.E.3.a. The Permittee shall have information on file, (e.g., analytical testing, industry process knowledge) which is sufficient, as determined by the Director, to support the use of generator knowledge.

II.E.3.b. The Permittee may not use a material safety data sheet (MSDS) or safety data sheets (SDS) as the sole source in making a halogen concentration determination.

II.E.3.c. The Permittee shall document on the acceptance record "Generator Knowledge" with an appropriate identifier, e.g., profile ID for used oil collected.

II.E.3.d. Used oil with halogen concentrations between 1,000 ppm and 4,000 ppm may be accepted for transport, if the Permittee rebuts the hazardous waste presumption (Condition II.G.) or has documentation (analytical data) from a prior used oil handler that the used oil is not a hazardous waste. The Permittee shall attach any analytical results used to rebut the hazardous waste presumption to the shipping documents.

II.E.3.e. Used oil determined to be on-specification by a Utah-registered marketer can be collected and transported without further testing. Bills of lading, manifests or other used oil transportation records shall include copies of the analytical results for reference.

II.F. PCB Contaminated Used Oil

II.F.1. The Permittee shall not accept for transport used oil with PCB concentrations greater than or equal to 50 mg/kg. Used oils containing PCB concentrations greater than or equal to 50 mg/kg are subject to TSCA regulations 40 CFR 761. Used oils containing PCB concentrations greater than or equal to 2 mg/kg but less than 50 mg/kg are subject to both R315-15 of the Utah Administrative Code and 40 CFR 761.

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II.F.2. The Permittee shall obtain analytical results of dielectric oil used in transformers and other high voltage devices, verifying the PCB concentrations are less than 50 mg/kg prior to loading the used oil into the transportation vehicle.

II.F.3. The Permittee shall determine the PCB concentration of other used oils not specified in Condition II.F.2 through written certification from the generator or laboratory testing.

II.F.4. Used oil may not be diluted to avoid any provision of any federal or state environmental rules.

II.F.5. If PCB concentrations greater than or equal to 2 mg/kg have been transported, the Permittee shall assume that all subsequent loads of used oil are contaminated with PCBs and has a quantifiable PCB concentrations of 2 mg/kg or greater unless the equipment has been decontaminated as described in 40 CFR761 Subpart S.

II.F.6. Table II.F lists required laboratory PCB sample preparation and analytical methods.

Table II.D: PCB Sample Preparation and Analytical Methods

Sample Preparation Methods	Analytical Methods	Analytes	
		PCB CAS RN	***PCB Aroclor***
3500C, 3580A and 3665A (Cleanup)	• 8082A • PCB Analytical Method • Analyses of the Aroclors bolded in the last column are mandatory. • Choose an additional two Aroclors from the last column for analysis which could be contained in the oil, which will make a total of seven Aroclors.	**12674-11-2**	**1016***
		147601-87-4	1210
		151820-27-8	1216
		11104-28-2	**1221***
		37234-40-5	1231
		11141-16-5	**1232***
		71328-89-7	1240
		53469-21-9	**1242***
		12672-29-6	**1248***
		165245-51-2	1250
		89577-78-6	1252
		11097-69-1	**1254***
		11096-82-5	**1260***
		37324-23-5	1262
		11100-14-4	1268

II.G. Rebuttable Presumption

II.G.1. Used oil with total halogen concentrations greater than 1,000 parts per million (ppm) is presumed to have been mixed with a hazardous waste and shall be managed as a hazardous waste unless the Permittee successfully rebuts the presumption.

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II.G.2. The Permittee may rebut the hazardous waste presumption in accordance with R315-15-4.5 of the Utah Administrative Code if the Permittee can demonstrate that the used oil does not contain significant concentrations of any of the halogenated hazardous constituents listed in Appendix VIII of 40 CFR 261 which includes volatiles, semi-volatiles, PCBs, pesticides, herbicides and dioxin/furans.

II.G.3. If the additional testing shows that used oil has been mixed with a listed hazardous waste listed in R315-261of the Utah Administrative Code the mixture is subject to regulation as a hazardous waste regardless of the level of halogenated constituents.

II.G.4. The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins if they are processed through a tolling arrangement as described in R315-15-2.5(c) of the Utah Administrative Code to reclaim metalworking oils/fluids. The rebuttable presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner or disposed.

II.G.5. The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units if the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

II.H. Used Oil Training

II.H.1. The Permittee shall train handlers of used oil in accordance with R315-15-4 of the Utah Administrative Code and the requirements of this Permit. New employees may not manage or process used oil without a trained employee present until used oil training is completed.

II.H.2. The Permittee shall follow a written training program (Attachment 2). Employee training shall include documentation that the following topics were covered: identification of used oil, recordkeeping requirements and facility used oil procedures for handling, transporting, sampling and analysis, emergency response, spill reporting and personal safety.

II.H.3. Employees collecting and performing field halogen testing shall be trained and demonstrate competence in collecting a representative used oil sample and testing for halogens using a CLOR-D-TECT® kit prior to fieldwork.

II.H.4. The Permittee shall provide, at a minimum, an annual used oil training refresher course for employees handling used oil. Additional training is required if the Permittee changes used oil handling procedures or this Permit is modified.

II.H.5. The Permittee shall keep training records for each employee for a minimum of three years. Employees and supervisors shall sign and date training attendance sheets to document class attendance.

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II.I. Spill Response, Remediation, and Reporting

II.I.1. In accordance with R315-15-9.1(a) of the Utah Administrative Code, the person responsible for the spill shall immediately take appropriate action to minimize the threat to human health and the environment and notify the DEQ Hotline at (801) 536-4123 if the spill is greater than 25 gallons or for smaller spills that pose threat to human health or the environment.

II.I.2. Responders shall take action to prevent spill from spreading by utilizing absorbent, booms, pads, rags, etc. (Attachment 1).

II.I.3. Once the material is containerized, a waste determination shall be made to determine the material's disposition.

II.I.4. The Director may require additional cleanup action to protect human health or the environment.

II.I.5. All costs associated with the cleanup shall be at the expense of the Permittee.

II.I.6. Vehicle spill kits shall contain, at a minimum, the equipment listed in Table II.I of this Permit and shall be checked daily prior to collection activities.

II.I.7. The Permittee shall report all relevant information, including the amount of waste generated from cleanup efforts, the characterization of the waste (i.e. hazardous or non-hazardous), final waste determination, and disposal records. The report shall also include actions taken by the Permittee to prevent future spills.

II.I.8. An air, rail, highway or water transporter who has discharged used oil shall give notice, if required by 49 CFR 171.15, to the National Response Center at http://nrc.uscg.mil/nrchp.html, (800) 424-8802. In addition to the notification above, a written report, as required in 49 CFR 171.16, shall be presented to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau located in Washington, D.C., 20590.

II.I.9. In accordance with R315-15-9.4 of the Utah Administrative Code, the Permittee shall submit to the Director a written report within 15 days of any reportable release of used oil.

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Table II.F: Spill Kit Requirements

Equipment Description	Quantity
3" x 48" Oil-Only Absorbent Sock	2
Plastic or Metal buckets	2
15" W x 20" Absorbent Pads	16
18" W x 30" H Polyethylene Disposal Bags and Zip Ties	6
Tyvek® Level D Coveralls	1
Spill Plan with Emergency Contact Numbers	1
Shovel	1

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ATTACHMENT 1

EMERGENCY CONTROLS—SPILL PLAN

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8137 South State Street – Midvale, Utah 84047 – (801) 561-4251 – (801) 561-9202 Fax

OIL/FUEL SPILL PREVENTION AND RESPONSE PLAN

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General Manager: Trent Horrocks (435) 565-0023 Cell Phone

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RECORD OF CHANGES

Changes to this Oil Spill Prevention and Response Plan are to be made in writing.

Indicate below the date of any changes, the affected page number(s) and the person making the change(s). Remove the page(s) to be changed and insert the new page(s) in the proper order. Dispose of the old pages promptly.

DATE	PAGE(S) CHANGED	PERSON MAKING THE CHANGE(S)
8-11-14	Page 1 Phone Numbers	D Sims
8-11-14	Page 8 Wrecker Service & Phone #	D Sims
8-11-14	Page 9 Contact Info	D Sims
8-11-14	Page 15 Name & Contact Phone #	D Sims
12-21-15	Page 1 Phone Numbers	D Sims
2-7-2017	Page 1, 8, 15	D Sims

INTRODUCTION – OIL SPILL PREVENTION AND RESPONSE PLAN

Part 130 of Title 49, Oil Spill Prevention and Response Plans, prescribes prevention, containment and response planning requirements of the Department of Transportation applicable to transportation of oil by motor vehicles and rolling stock.

The requirements of Part 130 apply to any person that transports liquid petroleum oil (including, gasoline, diesel fuel, fuel oil, kerosene, aviation fuel, etc.) in a packaging having a capacity of 3,500 gallons or more.

No person may offer or accept for transportation or transport oil subject to this regulation unless that person is in compliance with and has been instructed on the applicable requirements of Part 130.

No person may offer oil, subject to Part 130, for transportation unless that person provides the person accepting the oil for transportation a document indicating the shipment contains oil. Furthermore, no person may transport such oil unless a readily available document indicating that the shipment contains oil is in the driver's possession during transportation. A material subject to these requirements need not be specifically identified as oil when the shipment document accurately describes the material as: aviation fuel, diesel fuel, fuel oil, gasoline, jet fuel, kerosene, motor fuel, or petroleum.

Each packaging used for the transportation of oil subject to Part 130 must be designed, constructed, maintained, closed, and loaded so that, under conditions normally incident to transportation, there will be no release of oil to the environment.

For highway transportation, no person may transport oil subject to Part 130 unless that person has a current basic written plan that:

1. Sets forth the manner of response to discharges that may occur during transportation;

2. Takes into account the maximum potential discharge of the contents of the packaging;

3. Identifies private personnel and equipment available to respond to a discharge;

4. Identifies the appropriate persons and agencies (including their telephone numbers) to be contacted in regard to such a discharge and its handling, including the National Response Center; and

5. For each motor carrier, is retained on file at that person's principal place of business and at each location where dispatching of motor vehicles occurs.

SPILL PREVENTION – OVERVIEW

It is the policy of the company to train its drivers to perform their duties properly and in a safe manner. Protecting oneself, coworkers, and the community is what this training is all about. Drivers should understand that performing their job functions safely and operating safe equipment is the first place to start.

Operating a commercial motor vehicle requires skill and preparation, and even with years of experience, accidents do occur. At times, this can be attributed to overconfidence or complacency; however, accidents may also occur due to circumstances outside the control of the driver. It is important to remember that when it comes to safety and protecting the environment, handling hazardous materials properly and using the appropriate equipment can make all the difference. There is no better way to prevent accidents and spills from occurring.

SPILL CONTAINMENT – OVERVIEW

Before all else, human safety is the top priority. After an accident or discharge of the product, the first concern of the driver should be his/her own personal safety and the safety of any other persons in the affected area.

However, once safety concerns have been addressed, the containment of released product must become the next priority. Whenever possible, immediate efforts should be taken to stop leaking product and to contain any that has already been released. Containment could be in the form of berms or diking using available materials such as soil/sand in the area, or utilizing other materials and absorbents included in the vehicle spill kit. Once the spill is contained, arrangements must be made to ensure for proper remediation of the affected area.

In such cases where the discharge is too large for a driver to contain the release, a cleanup contractor must immediately be dispatched to assist in the containment effort and in the subsequent remediation of the site.

This Spill Prevention and Response Plan is a basic written plan that sets forth the manner of response to discharges that may occur during transportation, or while a transport vehicle is loading or unloading at a storage site incidental to transportation.

This plan includes: identification of the maximum potential discharge from company packaging; information concerning emergency response procedures; essential telephone numbers to call; an accident information/call record; incident reporting requirements at the local, state and Federal level; identification of company personnel and resources; and identification of private personnel and equipment (cleanup contractor) available to respond to a discharge.

RESPONSE TO DISCHARGES DURING TRANSPORTATION

If during the course of transportation, or while a transport vehicle is loading or unloading at a storage site incidental to transportation, an accident occurs causing a discharge of oil into the environment, the procedures outlined in this plan will immediately be implemented, as required by 49 CFR 130.31

IMMEDIATE RESPONSE TO A DISCHARGE OF PRODUCT:

1. SAFETY is the first priority at the accident site. REMAIN CALM and do not rush your decisions.

2. Control access to the accident scene. The driver should make a determination if the area is safe. Keep unauthorized personnel out of the hazard area. If you are not the driver, determine the location and condition of the driver.

3. Observe the scene from a safe distance. Determine the best way to approach the hazard area of the accident.

4. Evacuate all persons in the hazard area. Instruct all persons not to smoke, not to activate electrical equipment, not to use flares, and not to start a motor vehicle in the area as they leave. Control all potential ignition sources.

5. Remove all forms of clothing that may cause a spark. Do not wear clothing made of silk or a material that causes static electricity. Cotton is a safe material to wear.

6. Set up warning triangles for the safety of other drivers. NEVER use flares, as they present a clear source of ignition.

7. Notify emergency authorities (911) and your supervisor as soon as possible using a safe means of communication. If possible, ask someone nearby to notify the authorities and your supervisor for you.

8. Survey the scene to identify, confirm, and verify the nature of the problem. Approach the hazard area with extreme caution. If vapors are evident, check wind direction and take great care not to cause any kind of spark.

9. Determine if the product is leaking from the transport vehicle. If leaking is observed, make decisions as to how to best effect stoppage of the leak.

10. Where possible, contain the spill and divert flow away from and storm drains, sewers, or waterways by creating berms or dikes using available materials such as soil/sand in the area, or use other materials and absorbents include in the vehicle spill kit.

    a. For **small spills**, use company personnel for containment and cleanup, then determine if additional assistance may be needed for remediation as required.

    b. For **large spills**, contact a cleanup contractor identified in this response plan. While awaiting the arrival of emergency authorities and the cleanup contractor, take all measures possible to contain the spill and divert flow from any storm drains, sewers, or waterways by creating

berms or dikes using available materials such as soil/sand in the area, or use other materials and absorbents included in the vehicle spill kit.

11. Make an examination of the transport vehicle to determine if it can be moved and/or up righted safely with the cargo on board. If the vehicle cannot be moved or placed upright, request the cleanup contractor to respond with a vacuum truck or, if more appropriate, call in a standby transport vehicle to pump over the remaining product form the disable vehicle.

12. Once it is determined that the transport vehicle can be moved, contact a wrecker service identified in this response plan. Instruct the wrecker service where to take the wreckage when it is appropriate to do so.

13. Determine if further action is necessary and follow through accordingly. After all possible action has been taken; continue to secure the area until help arrives.

If possible, do not allow the emergency authorities to determine who to call for cleanup or wrecker services. The driver or other company representative should politely and tactfully explain to the law enforcement or fire agencies that, as part of the company response plan, appropriate preferred cleanup companies and wrecker services have been identified and are available for response.

SUMMARY OF RESPONSE ACTIONS:

1. Safety first! Do not panic. Remain calm.
2. Secure scene. Keep unauthorized personnel out of the hazard area.
3. Control all potential ignition sources and do not cause sparks.
4. Set up warning triangles to warn other drivers. **DO NOT** use Flares!
5. Notify emergency authorities and supervisor.
6. Approach hazard area with extreme caution. Stop leak if possible.
7. Contain spill. Divert flow away from storm drains, sewers, and waterways.
8. As applicable, contact cleanup contractor and wrecker service.
9. When appropriate, instruct wrecker service to move transport vehicle.

Ensure that emergency authorities and ambulance are on scene and obtain authorization before attempting to upright or move the transport vehicle from the scene.

MAXIMUM POTENTIAL DISCHARGE

Worst-case discharge means "the largest foreseeable discharge in adverse weather conditions", as defined at 33 U.S.C 1321(a) (24). The largest foreseeable discharge from a motor vehicle is the capacity of the cargo container. The term "maximum potential discharge", used in Sec. 130.31(a) (2), is synonymous with "worst-case discharge".

The largest capacity cargo container used by the company is 11,400 gallons.

The quantity indicated above represents the maximum potential discharge that could occur from a company cargo tank motor vehicle.

WRECKER/TOWING SERVICES-

If wrecker/towing services are needed to upright and/or move a vehicle from the scene of the incident, contact the wrecker/towing service(s) indicated below in order they are listed.

#1 WRECKER SERVICE IN UTAH
Associated Towing — **Phone: 801-816-0555**
Murray, Utah
***Heavy Duty Tractor Service Units**

#2 WRECKER SERVICE IN WYOMING
Auto Inn Repair — Phone: 1-800-524-6668
Kemmerer, Wyoming

#3 WRECKER SERVICE IN WYOMING
Macy's Truck Repair — Phone: 1-307-362-6794
Rock Springs, Wyoming

ENVIRONMENTAL CLEANUP CONTRACTORS

If the site of the incident requires extensive containment measures and environmental cleanup beyond the company's ability, contact the contractor(s) indicated on the following pages in the order they are listed.

ENVIRONMENTAL CLEANUP CONTRACTOR

#1 CLEANUP CONTRACTOR

Name: Envirocare		**Phone:** 801-299-1900
Address: 505 North Main		
City: North Salt Lake	**State:** Utah	**Zip Code:** 84054
Contact Person: Tony Delrosso		**Title:** Safety Director

AVAILABLE EQUIPMENT

VEHICLES

Vacuum Trucks	
Dump Trucks	
Back Hoes	
Track Hoes	

HOSES & PUMPS

Portable Transfer Pumps	
Adaptable Hosing	

OIL SPILL EQUIPMENT

Portable Spill Berm Equipment	
Absorbent Material	
Spill Control Pads	

OTHER EQUIPMENT & SUPPLIES

Portable Transfer Product	
Tanks	

ENVIRONMENTAL CLEANUP CONTRACTOR

#2 CLEANUP CONTRACTOR

Name: Ellis Environmental Services, Inc		**Phone:** 801-768-0675
Address: 9792 West 8800 North		
City: Lehi	**State:** Utah	**Zip Code:** 84043
Contact Person: Mark T. Ellis		**Title:** President

AVAILABLE EQUIPMENT

VEHICLES

Vacuum Trucks	
Dump Trucks	
Back Hoes	

HOSES & PUMPS

Portable Transfer Pumps	
Adaptable Hosing	

OIL SPILL EQUIPMENT

Berms	
Absorbent Material	
Spill Control Pads	

OTHER EQUIPMENT & SUPPLIES

Vapor Extraction Equipment	

NOTIFICATION OF OFFICIALS

The following information identifies the appropriate persons and agencies, including telephone numbers, to be contacted in the event of an incident involving a discharge.

Any driver or employee detecting a spill should report the incident immediately to a supervisor or company official. Appropriate local emergency response agencies (i.e. law enforcement, fire department, and emergency medical services, as applicable) should be notified through the local 911 system, or through the other means, as soon as possible.

1. Local Fire Department	Midvale, UT	911 or 1-801-255-4441
	Evanston, WY	911 or 1-307-789-2141
	Rock Springs, WY	911 or 1-307-352-1475
	Kemmerer, WY	911 or 1-307-789-2141
	Delta, UT	911 or 1-435-864-2755
	Brigham City, UT	911 or 1-435-734-2001
	Vernal, UT	911 or 1-435-828-6541 or 1-435-781-4964
2. Local Police/Sheriff	Midvale, UT	911 or 1-801-265-4056
	Evanston, WY	911 or 1-307-783-6400
	Rock Springs, WY	911 or 1-307-352-1575
	Kemmerer, WY	911 or 1-307-783-1000
	Delta, UT	911 or 1-435-864-2755
	Brigham City, UT	911 or 1-435-723-3424
	Vernal, UT	911 or 1-435-789-2511
3. State Police/Highway Patrol	Utah	911 or 1-801-596-9248
	Wyoming	911 or 1-307-777-4321

The company shall notify the following agencies, if applicable:

4. *National Response Center		1-800-424-8802
5. State Environmental Office	Utah	1-801-536-4123
	Wyoming	1-307-777-7781
6. State Emergency Response Commission	Utah	1-801-536-4100
	Wyoming	1-307-777-7781
7. Local Emergency Planning Committee	Utah	1-801-567-7204
	Wyoming	1-307-783-0327

The 24-Hour emergency number that appears on the company's shipping papers can provide valuable information and assistance in the event of an incident. The emergency number provider for the company is:

Professional Emergency Resource Services (PERS) 1-800-728-2482

*When a telephone report is made to the National response Center a written report must be filed in duplicate within 30 days using the Department of Transportation Hazardous Materials Incident Report, FORM DOT F 5800.1.

REPORTING TO THE NATIONAL RESPONSE CENTER (NRC)

When you call the NRC to report a spill or release, the staff person will ask you the following questions:

- Name, location, organization, and telephone number.
- Name and address of the party responsible for the incident.
- Date and time of the incident.
- Location of the incident.
- Source and cause of the release or spill.
- Types of material(s) released or spilled.
- Quantity of material(s) released or spilled.
- Danger or threat posed by the release or spill.
- Number and type of injuries (if any).
- Weather conditions at the incident location.
- Any other information that may help emergency personnel respond to the incident.

The NRC records and maintains all spill reports in a publicly available computer database called the Emergency Response Notification System (ERNS). You may obtain more information at the ERNS Website at http://www.epa.gov/ERNS. The ERNS database stores information on initial and follow-up notification of oil discharges and hazardous substance releases. ERNS provides the most comprehensive data compiled on notification of oil and hazardous substance releases in the United States. To date, ERNS contains more than 350,000 release notifications. Under the Comprehensive Environmental Response, Compensation and Liability ACT (CERCLA), the Clean Water Act (CWA), and other environmental statutes, you must report releases of oil and hazardous substances to the NRC.

ACCIDENT INFORMATION/CALL RECORD
ORIGINAL- Make Copies As Needed

DATE | TIME

NAME OF PERSON CALLING | CALL-BACK TELEPHONE

THE PERSON CALLING REPRESENTS WHICH OF THE FOLLOWING:
□ FIRE DEPARTMENT □ CITY/STATE POLICE □ COUNTY SHERIFF
□ COMPANY DRIVER □ COMPANY OFFICIAL □ BYSTANDER

LOCATION OF ACCIDENT:
DIRECTION | HIGHWAY | MILE POST/MARKER

ADDRESS/CITY/STATE/ZIP

LANDMARK OR DESCRIPTION OF AREA

TYPE OF PRODUCT BEING TRANSPORTED

QUANTITY BEING TRANSPORTED | PLACARDING: UN/NA

INTENDED DESTINATION OF SHIPMENT

ARE THERE INJURIES? YES NO ARE THERE FATALITIES? YES NO

NAME(S) OF PERSON(S) INJURED | NAME(S) OF PERSON(S) DECEASED

TYPE OF INJURIES

HAVE VICTIMS BEEN TRANSPORTED TO A MEDICAL FACILITY? YES NO

NAME OF MEDICAL FACILITY | STATUS
CRITICAL SERIOUS FAIR

IS FIRE INVOLVED? YES NO IS THERE A DISCHARGE? YES NO

WHAT TYPE OF AREA? RURAL BUSINESS INDUSTRIAL RESIDENTIAL

SPILL ENTERED INTO: N/A SEWER STORM DRAIN WATERWAY

CAN THE LEAK BE STOPPED AND THE SPILL CONTAINED WITHOUT RISK? YES NO

- IF YES, TAKE NECESSARY MEASURES TO SAFELY STOP LEAK AND CONTAIN SPILL.

NUMBER OF VEHICLES INVOLVED TYPE OF DAMAGE

- DISCUSS ACCIDENT ONLY WITH PROPER AUTHORITIES

HAVE LOCAL EMERGENCY RESPONSE AGENCIES BEEN NOTIFIED?	N/A	YES	NO
ARE LOCAL EMERGENCY RESPONSE AGENCIES ON SCENE?	N/A	YES	NO
CAN THE VEHICLE SAFELY OPERATE ON ITS OWN POWER?		YES	NO
ARE WRECKER /TOWING SERVICES NEEDED?		YES	NO
HAVE WARNING TRIANGLES BEEN SET UP AT THE SCENE?		YES	NO
HAS DRIVER RECEIVED A CITATION FOR THIS ACCIDENT?		YES	NO
HAS INSURANCE CARRIER BEEN NOTIFIED OF THE ACCIDENT?		YES	NO

IF YES, WHAT WAS THE CITATION ISSUED FOR?

IS A POST-ACCIDENT DRUG AND ALCOHOL TEST REQUIRED? YES NO

IF YES, WHERE WILL THE TESTS BE PERFORMED?

ARE THERE ANY WITNESSES TO THE ACCIDENT? YES NO

NAME OF WITNESS (ES) TELEPHONE NUMBER

BRIEF DESCRIPTION OF ACCIDENT

PERSON RECEIVING NOTIFICATION TITLE

PERSON DISPATCHED TO SCENE TITLE

LIST OF COMPANY PERSONNEL AND EQUIPMENT

NOTE: If the company intends to use any of its own employees to participate in the cleanup of a spill as part of a HAZMAT response team, such employees should be properly trained to do so as required by the applicable sections of CFR 1910.120.

According to 29 CFR 1910.120, a hazardous materials response (HAZMAT) team means an organized group of employees, designated by the employer, who are expected to perform work to handle and control actual or potential leaks or spills of hazardous substances requiring possible close approach to the substance. The team members perform responses to releases or potential releases of hazardous substances for the purpose of control or stabilization of the incident.

EMPLOYEE NAME/ TITLE	HOME PHONE
William G. Rawson/ President	1-801-768-4145
Trent Horrocks/ General Manager	1-435-565-0023
Gordon Moore/ Wyoming Manager	1-307-789-4256
Kenny Rhodes / Brigham City Manager	1-435-279-4949
Devin Strate/ Delta Manager	1-801-712-6013
Randy Gossard/ Kemmerer Manager	1-307-799-7203
Ryan Betts/ Ballard Manager	1-435-838-6004
Jim Lyons / Director of Supply & Wholesale	1-801-707-1220
Brandon Isom / Fuel Driver Manager	1-801-560-7282
Dan Sims/ HSE Manager	1-801-913-6829

LIST OF COMPANY EQUIPMENT FOR SPILL RESPONSE ASSISTANCE

Tank Trucks with pumps
Portable Transfer pumps
Absorbent Material
Containment Material

Public Commen

SUMMARY OF REQUIREMENTS

EMERGENCY SPILL RESPONSE PLAN

Spills are usually accidental and unpredictable as when and where they will take place. A spill response plan should contain the following:

1. Notification of the spill to proper authorities;
2. Methods of notification spill;
3. Containment of the spill; and
4. Cleanup of the environment after the spill.

REPORTING A SPILL

Any employee or individual detecting a spill should report it immediately to company officials and proper authorities. They should provide the following information concerning the spill:

1. The location of the spill;
2. The material spilled;
3. Approximate amount spilled;
4. The type of vessel the spill is coming from;
5. Whether the spill is continuing or the flow of material has stopped.
6. Name of person reporting the spill and a call-back telephone number.

THE COMPANY SHALL NOTIFY (as applicable)

1. U.S Coast Guard if spill has occurred on water;
2. Federal DOT & EPA
3. State DOT
4. State EPA
5. National Response Center
6. Local Fire Department
7. Local Law Enforcement
8. State Highway Patrol
9. Cleanup Company

SHUTTING OFF THE SOURCE AND CONTAINMENT OF THE SPILL

1. Appoint one or more company individuals with the authority and responsibility to initiate and supervise your response plan.
2. List names and telephone numbers of company personnel subject to an emergency call-back.
3. Have a detailed list of available communications equipment.
4. Have a detailed list of equipment for use in the emergency.
5. Maintain a list of telephone numbers of other companies/businesses where additional equipment may be obtained, if needed.
6. Have a list of clean-up companies in your area.

REMOVAL AND CLEANUP

1. Have a list of available manpower, materials, and equipment that may be used, if needed, for cleanup of the spill.
2. List HAZMAT cleanup companies in your area.
3. List any special actions or provisions for spill on water or in environmental sensitive areas.
4. Report to proper authority any corrective action taken to prevent a reoccurrence of the spill.

ACCIDENT REPORTING

49 CFR requires that an accident register to be retained for 1 year. The register must contain:

1. A list of accidents with a separate description of each accident including:
   a. Date of accident;
   b. City or town near where the accident occurred along with the state in which the accident occurred;
   c. Driver's name;
   d. Numbers of injuries;
   e. Number of fatalities;
   f. Whether a hazardous material, other than fuel from the vehicle's fuel tank, was released;

2. Copies of all accident reports required by the state or other governmental entities or insurers.

HAZARDOUS MATERIALS INCIDENT REPORTING

49 CFR requires carriers of hazardous materials to give notice after each accident that occurs during the transportation of the hazardous material in which:

1. As a direct result of the hazardous material:
   a. a person is killed; or
   b. a person receives injuries requiring his/her hospitalization; or
   c. estimated carrier or property damage exceeds $50,000.00; or
   d. an evacuation of the general public occurs lasting one or more hours; or
   e. one or more transportation arteries or facilities are closed or shut down for one hour or more;
   f. Or the operational flight pattern or routine of an aircraft is altered.
2. Fire, breakage, spillage, or suspected radioactive contamination occurs involving shipment of radioactive material.
3. Fire, breakage, spillage, or suspected contamination occurs involving shipment of etiological agents. (Organisms such as bacteria or viruses that can cause disease).
4. A situation exists of such nature (e.g. continuing danger to life exists at the scene of the incident) that, in the judgment of the carrier, it should be reported to the Department even though it does not meet the criteria (above).

If the accident falls into one of the above listed categories, a telephone report is required as soon as possible. The carrier must contact the National Response Center in Washington, DC by calling 1-800-424-8802. In addition a written report, in duplicate, must be filed within 30 days of the date of discovering an incident that occurs during the course of transportation. The carrier must file the report using DOT Form 5800.1 (Rev. 6/89) with:

Information Systems Manager DEEM- 63
Research and Special Programs Administration
U.S. Dept. of Transportation
Washington, DC 20590

After filing the report, the carrier must maintain a copy of the report in company files for two years.

DEPARTMENT OF TRANSPORTATION AUDIT REQUIRED RECORDS

For vehicles controlled for 30 consecutive days or more, the motor carrier shall maintain, or cause to be maintained, the following records for each vehicle:

1. An identification of the vehicle, including company number, is so marked, make, serial number, and year.
2. A means to indicate the nature and due date of the various inspection and maintenance operations to be performed.

RECORD RETENTION

The records required by this section shall be retained where the vehicle is either housed or maintained for a period of one (1) year and of 6 months after the vehicle leaves the motor carrier's control. If an accident occurs, that has a death or injury, DOT needs the following information from the carrier:

1. Driver Daily Logs for the preceding six (6) months;
2. Payroll records for the preceding six (6) months;
3. Driver's Daily Vehicle Inspection Reports for preceding three(3) months;
4. Driver Vehicle Examination Reports (done by your states Highway Patrol)
5. Accident Records.
6. Motor Vehicle Accident Register

ACCIDENT PREVENTION

1. EMPLOYEE DUTIES

A. Each employee of the company is tasked with performing their job duties in a timely and safe manner. Any deficiencies in equipment or vehicles are to promptly be reported to the employee's immediate supervisor or foreman. No employee shall be required to perform any task in an unsafe manner, nor shall any disciplinary action be taken against any employee for his/her refusal to attempt to perform a task in an unsafe manner.

B. All company personnel are required to familiarize themselves with the pertinent safety equipment with which to perform their job duties. An employee is not to report for duty unless the employee has in his or her possession the needed safety equipment for the job duties to which the employee is assigned, and the employee meets the companies "fit for duty" criteria.

C. Periodically, company personnel shall be required to attend classes or meetings that address the employee's work duties or the company's safety policies. Employees shall be compensated for their attendance at these meetings or classes. Attendance shall be mandatory for the employees whose job duties require such training.

D. No employee shall attempt to perform any work duties for which the proper training that would qualify the employee to perform the duties has not been given.

E. During an emergency, company personnel may be requested to return to duties from their off duty time. Employees will be compensated for this call-back to work.
F. A list of company personnel, with home telephone numbers, is to be maintained by the company for use in emergency call-back. Employees are required to notify appropriate company personnel of a change of telephone numbers.

DRIVER SAFETY TRAINING

1. LICENSES AND CERTIFICATIONS

A. All operators of a vehicle owned or operated by the company shall be licensed by the appropriate state agency for the operation of the vehicle the employee drives while performing their work duties. Each operator of a vehicle shall maintain the proper endorsements or provisions to their license needed to operate the vehicle they drive.
B. It is the employee's responsibility to acquire and maintain any motor vehicle license or endorsement needed to perform their job duties. The cost of acquiring and maintaining the license and or endorsement(s) shall be the responsibility of the employee.

2. SPECIAL DRIVER TRAINING

A. All drivers classified as a Hazardous Materials employee shall receive the appropriate HAZMAT employee training as specified in the applicable Dept. of Transportation regulations.
B. All drivers engaged in the delivery of product to customers of the company shall be trained in the appropriate procedures and methods for delivery of this product. Such training will take into account the type of delivery vehicle driven by the employee, the areas and places of delivery, the product delivered, emergency procedures for a vehicle accident, spill or release of product, personal protective equipment (if any) needed during the handling or dispensing of product, safety equipment and features of the vehicle, federal, sate, and/or local laws and regulations dealing with the employee's job duties, and any other training or information that may be required or needed.

3. DRIVER LOGS, TRIP TICKETS, ETC

If needed and applicable drivers of company vehicles shall maintain the appropriate documentation for hours of service, trip documentation, shipping papers, manifests, load tickets, etc. needed to comply with federal, state and/or local laws and regulations.

A. MODAL SPECIFIC TRAINING

Drivers shall be trained in the operation(s) peculiar to the type of vehicle the driver operates in performing his job duties.

NEW HIRES

REQUIRED TRAINING

a. All new employees shall receive all training as required by OSHA, DOT, EPA and other state or Federal regulatory agencies. Training is to be completed in accordance with the requirements of each regulatory agency and shall be completed within the time frame mandated by each agency.
b. No new employee shall perform any job duties until such time as the employee has received the required training.

EMPLOYEE TRAINING

SPECIFIC DUTIES AND RESPONSIBILITIES

a. Each employee shall be trained for the specific job duties required of the employee. No employee shall perform any job duties for which they have not been trained.
b. Each employee shall be responsible to complete any records or documentation required for the completion of their job duties. All records and documentation shall be the property of the company and shall be retained in accordance with applicable laws and regulations.
c. Certain job related duties require licenses or certifications. The company shall be responsible for ensuring each employee is licensed or certified to perform the duties required of the employee by the company.

TRAINING DOCUMENTATION

REQUIRED RECORDS

a. Any job-related training received by an employee will be documented in the employee's personnel file. This documentation will remain part of the employee's permanent employment record.
b. All training classes conducted by the employer will be documented as to the date of the training, the instructor, the topic(s) covered in the training, the employees present at the training class, and the start and finish time of the class.
c. The company shall retain a copy of the training record of each training class presented by the company.

INSURANCE COMPANY INVOLVEMENT

1. **COMPANY RESPONSIBILITES**
   a. The company shall provide to its insurance carrier all pertinent and needed information about the hazardous materials stored or transported by the company a copy of this emergency plan shall be forwarded to the insurance carrier.
   b. The company shall notify, in a timely manner, the insurance carrier of any substantial changes or alterations to this emergency plan.
2. **MUTUAL COOPERATION**
   The company shall make every effort to include risk management personnel of the company's insurance carrier in the planning of emergency procedures, training of company employees, annual safety audits, etc. A cooperative team effort should be emphasized in the company's efforts to reduce the company's risk and liability exposure.

DECONTAMINATION PROCEDURES

USE OF DECONTAMINATION EQUIPMENT/MATERIALS

1. All employees will be trained in the proper use of any company owned or supplied equipment or material used for the decontamination of persons, areas, or other company equipment. This training will include the proper use of this equipment or material for specific hazardous material present in the employee's workplace. Training shall include the specific methods and procedures for the use of this equipment or material.
2. All employees shall be trained in accordance with these procedures and methods of decontamination prior to assuming the job duties for which decontamination might be necessary.

3. Employees shall be retrained annually on the proper use of decontamination equipment or material or whenever new decontamination equipment or material is introduced into the workplace.

PERSONAL PROTECTIVE EQUIPMENT

1. USE OF PERSONAL PROTECTIVE EQUIPMENT

a. All employees whose job duties require the use of personal protective equipment (PPE) to safely perform their job duties shall be trained in the use of the applicable PPE in order to perform their job duties.
b. The company, at the company's expense, shall make available to employees the needed PPE to perform their job duties, with the exception that any special footwear needed by the employee to perform their job duties shall be the employee's responsibility to acquire, at the employee's cost, and shall remain the property of the employee.
c. All PPE provided by the company shall remain the property of the company.
d. Employees are required to use PPE as needed and recommended by proper company personnel.
e. Job functions for which PPE are indicated for use by the employee are not to be attempted by the employee unless the proper PPE is available for the employee's use.
f. All PPE is to be used by employees in a manner consistent with the PPE manufacturer's recommendations.

2. TRAINING ON PPE USE

a. Every employee who uses PPE in any phase of any job duty or function shall be trained in accordance with the recommended practices and methods for use of the PPE . Training may be conducted by the employee's supervisor or foreman prior to the employee beginning the job duty or function. However, no employee is to be allowed to perform a job duty or function until such time as the employee has demonstrated an understanding of the proper use of the PPE and if indicated, an ability to perform the job function or task while using the appropriate PPE.
b. Documentation shall be placed in the employee's permanent employment record of each session of PPE training received by the employee. This documentation shall include the type of training received, the date of training, the person giving the training, and the signed statement of the employee stating he/she has received the training and understands the proper use of the PPE involved.
c. Employees shall receive annually a "refresher" on any training in PPE use needed by the employee to perform their job duties.

LIMITED EMPLOYEE EXPOSURE RISK

1. POLICY AND PURPOSE

It is the policy of the company that employee exposure to hazardous materials can be reduced or eliminated by the use of applicable risk management techniques. One technique is the effective training of employees on actions the employee can take to limit the likelihood of an accidental employee exposure. The purpose of limiting this exposure is to provide a safer workplace for the employee, thereby limiting or eliminating completely job-related illness and injury.

2. **SCOPE OF TRAINING**
   a. Employees shall be trained in procedures and methods designed to reduce or eliminate the possibility of an employee being exposed to harmful amounts of a hazardous material in the employee's workplace.
   b. All employees shall receive training in the methods and procedures to limit their risk to exposure of the hazardous material present in their workplace. This training is to include the use of any personal protective equipment as recommended on the Material Safety Data Sheet for the hazardous material.
   c. All employees will demonstrate a knowledge and understanding of the methods and procedures for limiting their exposure risk before being assigned any job duties that require an employee to be at risk for an exposure of hazardous material(s).
   d. Training on limiting exposure risk shall be in conformance with established methods and practices for limiting exposure to the specific hazardous material(s).

3. **CONTAINERIZATION INTEGRITY**
   a. All hazardous materials are to remain in approved packages or containers when used, stored, or transported by company personnel. No non-specified or approved packages or containers are to be used for the storage, use, or transportation of a hazardous material by a company employee.
   b. Employees are instructed to immediately report to their supervisor or foremen any leaking packages or containers of a hazardous material, and to take appropriate safety and personal protective measures to guard against personal exposure.

COMPANY VEHICLES USED TO TRANSPORT HAZARDOUS MATERIALS

1. **TRANSPORTATION OF HAZARDOUS MATERIALS**
   a. Vehicles owned or operated by the company may be used to transport hazardous material as defined and regulated by various Federal and/or state agencies. These vehicles shall be maintained in accordance with applicable Federal and state rules and regulations.
   b. All vehicles used for the transportation of hazardous material shall be insured for property damage and liability damage. No uninsured vehicle shall be allowed to operate on public roads and highways.
   c. All vehicles used for the transportation of hazardous materials shall be identified as to the hazardous material being transported by the proper DOT placards. These placards shall be affixed to each vehicle in accordance with the applicable DOT regulation(s).
   d. Each vehicle transporting hazardous materials shall have the proper shipping paper(s) identifying the hazardous material being transported. These shipping papers are to comply as to form and content to the applicable DOT regulations.
   e. Each vehicle transporting hazardous material shall be clearly identified on the outside of the vehicle with the company name and business telephone number.
   f. The company, as much as is practical, shall, on the outside of each vehicle transporting hazardous material, clearly identify an emergency 24-hour telephone number for use in the event of an accident or release of the hazardous material (i.e., **FOR EMERGENCIES, ACCIDENTS, OR SPILLS ONLY, CALL--------**).

2. **DRIVERS OF VEHICLES TRANSPORTING HAZARDOUS MATERIAL**

   a. No employee shall operate a company vehicle transporting hazardous material unless such operator has in his possession a valid license with the proper endorsements.

b. All motor vehicle operators are to comply with all applicable Federal and state laws and regulations governing the operation of a vehicle transporting hazardous material.

c. If appropriate, all operators of a motor vehicle transporting a hazardous material shall comply with all federal and state regulations addressing alcohol and drug testing requirements. It shall be the responsibility of the company to develop a policy within the company to satisfy these requirements.

ROUTE SCHEDULING FOR CUSTOMER DELIVERIES

1. FEDERAL, STATE, AND/OR LOCAL LAWS

a. The company shall abide by all federal, state, and/or local laws and ordinances pertaining to the transportation of vehicles containing hazardous materials over limited access public roads and highways.

b. All operators of company owned and operated vehicles transporting a hazardous material will be notified of any limited access roads and highways within the company delivery or transport area.

2. ROUTE SCHEDULING

a. Company personnel shall examine the delivery designations of all company vehicles and determine if any delivery sites are located on or near a limited access road or highway. If a delivery site is inaccessible to company owned or operated vehicles by routes other than over limited access roads and highways, company officials shall contact the applicable local jurisdiction with this notification and seek relief for the company from this limited access restriction.

b. Company personnel shall schedule all delivery or transport vehicles, transporting a hazardous material, owned or operated by the company in such a way as to limit or remove the risk and liability of an accident involving the hazardous material being transported.

c. Operators of company owned or operated vehicles transporting a hazardous material shall be instructed to operate their vehicles on roads and highways for which the transportation of hazardous materials has been approved by the local jurisdiction.

d. If possible, operators of company owned or operated vehicles transporting a hazardous material shall avoid roads and highways in heavily congested areas that pass by or near an at-risk facility, or in some other manner increase the likelihood of an accident/incident involving the vehicle.

EMERGENCY PLAN AND OPERATIONS

1. SCOPE OF TRAINING

a. All employees shall be trained on the policies and procedures as outlined and contained in this Emergency Plan.

b. Each employee shall be responsible for their duties as tasked in this Emergency Plan.

c. No employee shall be asked to perform any duties or procedures contained in this Emergency Plan for which they have not received the proper training.

d. All training sessions assigned to employees and covered in this Emergency Plan are mandatory for the employee's attendance.

2. TRAINING ON CHANGES/ALTERATIONS TO THE EMERGENCY PLAN

Employees are to be trained or advised of any changes to the Emergency Plan which affect the employee's job duties as outlined in this Emergency Plan. It shall be the company's responsibility to train or advise the employee of these changes as they occur.

REGULATIONS REFERENCE – 49 CFR PART 130

TITLE 49- TRANSPORTATION

CHAPTER 1—RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 130—OIL SPILL PREVENTION AND RESPONSE PLANS

SEC. 130.1 Purposes

This part prescribes prevention, containment and response planning requirements of the Department of Transportation applicable to transportation of oil by motor vehicles and rolling stock.

SEC 130.2 Scope

(a) The requirements of this part apply to—

(1) Any liquid petroleum oil in a packaging having a capacity of 3, 500 gallons or more; and

(2) Any liquid petroleum or non-petroleum oil in a quantity greater than 42,000 gallons per packaging

(b) The requirements of this part have no effect on—

(1) The applicability of the Hazardous Materials Regulations set forth in subchapter C of the chapter; and

(2) The discharge notification requirements of the United States Coast Guard (33 CFR part 153) and EPA (40 CFR part 110).

(c) The requirements of this part do not apply to—

(1) Any mixture or solution in which oil is in a concentration by weight of less than 10 percent.

(2) Transportation of oil by aircraft or vessel.

(3) Any petroleum oil carried in a fuel tank for the purpose of supplying fuel for propulsion of the transport vehicle to which it is attached.

(4) Oil transport exclusively within the confines of a non-transportation-related or terminal facility in a vehicle not intended for use in interstate or intrastate commerce (see 40 CFR part 112, appendix A).

(d) The requirements in Sec 130.31(b) of this part do not apply to mobile marine transportation-related facilities (see 33 CFR part 154).

Sec 130.3 General requirements

No person may offer or accept for transportation or transport oil subject to this part unless that person—

(a) Complies with this part; and

(b) Has been instructed on the applicable requirements of this part.

Sec. 130.5 Definitions

In this subchapter; Animal fat means a non-petroleum oil, fat, or grease derived from animals, not specifically identified elsewhere in this part.

Contract or other means is:

(1) A written contract with a response contractor identifying and ensuring the availability of the necessary personnel or equipment within the shortest practicable time;

(2) A written certification by the owner or operator that the necessary personnel or equipment can and will be made available by the owner or operator within the shortest practicable time; or

(3) Documentation of membership in an oil spill response organization that ensures the owner's or operator's access to the necessary personnel or equipment within the shortest practicable time.

EPA means the U.S. Environmental Protection Agency.

Liquid means a material that has a vertical flow of over two inches (50 mm) within a three-minute period, or a material having one gram or more liquid separation, when determined in accordance with the procedures specified in ASTM D 4359-84, "Standard Test Method for Determining Whether a Material is a Liquid or a Solid," 1990 edition, which is incorporated by reference.

Maximum extent practicable means the limits of available technology and the practical and technical limits on an owner or operator of an onshore facility in planning the response resources required to provide the on-water recovery capability and the shoreline protection and cleanup capability to conduct response activities for a worst-case discharge of oil in adverse weather.

Non-petroleum oil means any animal fat, vegetable oil or other non-petroleum oil. 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.

Note: This definition does not include hazardous substances (see 40 CFR part 116).

Other non-petroleum oil means a non-petroleum oil of any kind that is not an animal fat or vegetable oil.

Packaging means a receptacle and any other components or materials necessary for the receptacles to perform its containment function in conformance with the packaging requirements of this part. A compartmented tank is a single packaging.

Person means an individual, firm, corporation, partnership, association, State, municipality, commission, or political subdivision of a State, or any interstate body, as well as a department, agency or instrumentality of the executive, legislative or judicial branch of the Federal Government.

Petroleum oil means any oil extracted or derived from geological hydrocarbon deposits, including fractions thereof.

Qualified individual means an individual familiar with the response plan, trained in his or her responsibilities in implementing the plan, and authorized, on behalf of the owner or operator, to initiate all response activities identified in the plan, to enter into response-related contracts and obligate funds for such contracts, and to act as a liaison with the on-scene coordinator and other responsible officials. The qualified individual must be available at all times the owner or operator is engaged in transportation subject to part 130 (alone or in conjunction with an equally qualified alternate), must be fluent in English, and must have in his or her possession documentation of the required authority.

Transports or Transportation means any movement of oil by highway or rail, and any loading unloading, or storage incidental thereto.

Vegetable oil means a non-petroleum oil or fat derived from plant seeds, nuts, kernels or fruits, not specifically identified elsewhere in this part.

Worst-case discharge means "the largest foreseeable discharge in adverse weather conditions, "as defined at 33 U.S.C. 1321(a) (24). The largest foreseeable discharge from a motor vehicle or rail car is the capacity of the cargo container. The term "maximum potential discharge", used in Sec. 130.31(a), is synonymous with "worst-case discharge".

Sec. 130.11 Communication requirements

(a) No person may offer oil subject to this part for transportation unless that person provides the person accepting the oil for transportation a document indicating the shipment contains oil.

(b) No person may transport oil subject to this part unless a readily available document indicating that the shipment contains oil is in the possession of the transport vehicle operator during transportation.

(c) A material subject to the requirements of this part need not be specifically identified as oil when the shipment document accurately describes the material as: aviation fuel, diesel fuel, fuel oil, gasoline, jet fuel, kerosene, motor fuel, or petroleum.

Sec 130.21 Packaging requirements

Each packaging used for the transportation of oil subject to this part must be designed, constructed, maintained, closed, and loaded so that, under conditions normally incident to transportation, there will be no release of oil to the environment.

Sec 130.31 Response plans

After September 30, 1993, no person may transport oil subject to this part unless that person has a current basic written plan that:

Sets forth the manner of response to discharges that may occur during transportation;

Takes into account the maximum potential discharge of the contents from the packaging;

Identifies private personnel and equipment available to respond to a discharge;

Identifies the appropriate persons and agencies (including their telephone numbers) to be contacted in regard to such a discharge and its handling, including the National Response Center; and

For each motor carrier, is retained on file at that person's principal place of business and at each location where dispatching of motor vehicles occurs; and for each railroad, is retained on file at that person's principal place of business and at the dispatcher's office

After February 18, 1993, no person may transport oil subject to this part in a quantity greater than 1,000 barrels (42,000 gallons) unless that person has a current comprehensive written plan that:

Conforms to all requirements specified in paragraph (a) of this section;

Is consistent with the requirements of the National Contingency Plan (40 CFR part 300) and Area Contingency Plans;

Identifies the qualified individual having full authority to implement removal actions, and requires immediate communications between that individual and the appropriate Federal official and the persons providing spill response personnel and equipment;

Identifies, and ensures by contract or other means the availability of, private personnel (including address and phone number), and the equipment necessary to remove, to the maximum extent practicable, a worst case discharge (including a discharge resulting from fire or explosion) and to mitigate or prevent a substantial threat of such a discharge;

Describes the training, equipment testing, periodic unannounced drills, and response actions of facility personnel, to be carried out under the plan to ensure the safety of the facility and to mitigate or prevent the discharge, or the substantial threat of such a discharge; and

Is submitted, and resubmitted in the event of any significant change, to the Federal Railroad Administrator (for tank cars), or to the Federal Highway Administrator (for cargo tanks)at 400 Seventh Street SW, Washington, DC 20590-0001.

(Approved by the Office of Management and Budget under control number 2137-0591)

Sec. 130.33 Response plan implementation.

If, during transportation of oil subject to this part, a discharge occurs—into or on the navigable waters of the United States; on the adjoining shorelines to the navigable waters; or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority or, the United States—the person transporting the oil shall implement the plan required by Sec. 130.31, in a manner consistent with the National Contingency Plan, 40 CFR part 300, or as otherwise directed by the Federal on-scene coordinator.

REGULATIONS REFERENCE – 40 CFR PART 300

TITLE 40—PROTECTION OF ENVIRONMENT

PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

Subpart B—Responsibility and Organization for Response

Sec. 300.125 Notification and communications.

The National Response Center (NRC), located at USCG Headquarters, is the national communications center, continuously manned for handling activities related to response actions. The NRC acts as the single point of contact for all pollution incident reporting, and as the NRT communications center. Notice of discharges and releases must be made telephonically through a toll-free number or a special local number (Telecommunication Device for the Deaf (TDD) and collect calls accepted). (Notification details appear in Secs. 300.300 and 300.405.) The NRC receives and immediately relays telephone notices of discharges or releases to the appropriate predesignated federal OSC. The telephone report is distributed to any interested NRT member agency or federal entity that has established a written agreement or understanding with the NRC. The NRC evaluates incoming information and immediately advises FEMA of a potential major disaster situation.

The Commandant, USCG, in conjunction with other NRT agencies, shall provide the necessary personnel, communication, plotting facilities, and equipment for the NRC.

(a) Notice of an oil discharge or release of a hazardous substance in an amount equal to or greater than the reportable quantity must be made immediately in accordance with 33 CFR part 153, subpart B and 40 CFR part 302, respectively. Notification shall be made to the NRC Duty Officer, HQ USCG, "Washington, DC, telephone (800)424-8802 or (202)267-2675. All notices of discharges or releases received at the NRC will be relayed immediately by telephone to the OSC.

OIL TYPES

You can group oil products into the following categories:

- Petroleum products (crude and refined);
- Vegetable oils and animal fats (edible and unrefined); and
- Other non-petroleum oils.

Refined petroleum products differ in their physical and chemical characteristics and thus have different levels of persistence in the environment. Persistence indicates if the product has a tendency to remain in the environment. The most common refined petroleum products and their characteristics are as follows:

Gasoline- A lightweight substance that flows easily, spreads quickly, and evaporates readily under temperate conditions. Gasoline is highly volatile and flammable, posing a risk of fire and explosion. Gasoline is more toxic than crude oil because of the high concentration of aromatics. The use of dispersants is not appropriate unless the vapors pose a significant human health or safety hazard.

Kerosene- A lightweight substance that flows easily, spreads rapidly, and evaporates quickly. Kerosene disperses easily, but persists in the environment.

No. 2 Fuel Oil- A lightweight substance that flows easily, spreads rapidly, and disperses easily. It is neither volatile nor likely to form emulsions.

No. 4 Fuel Oil- A medium weight substance that flows easily and is readily dispersed if treated promptly. It has a low volatility and moderate flash point.

No. 5 Fuel Oil- A medium to heavyweight substance, with a low volatility and moderate flash point. Preheating may be required in cold climates. Dispersion is very difficult and potentially impossible.

No. 6 Fuel Oil- A difficult-to-pump, heavyweight substance that requires preheating for use. No. 6 Fuel Oil may be heavier than water. No. 6 Fuel Oil is not likely to dissolve, and is likely to form tar balls, lumps, and emulsions. No. 6 Fuel Oil is difficult or impossible to disperse. No. 6 Fuel Oil has a low volatility and moderate flash point and persists in the environment.

Lubricating Oil- A medium weight substance that flows easily and disperses easily if treated promptly. Lubricating oil has a low volatility and moderate flash point and persists in the environment.

Non-Petroleum Oils- Vegetable oil and animal fats have similar physical properties and fall within the general range of behaviors of petroleum oils in the environment. Most vegetable oils and animal fats have low volatility as compared to petroleum oil and remain solid in water at ambient temperatures. This results in less product removed from a spill by evaporation but reduces the combustion and explosive potential of these oils. Other non-petroleum oils also fall within the general behavior of petroleum oil when spilled into the environment.

I have read and understand the Oil/Fuel Spill Prevention and Response plan.

I understand the following:

1. What Driver's duties are
2. What Driver's response to discharges of products is

Driver's Signature	Date

ATTACHMENT 2

TRAINING PLAN AND INSPECTION CHECKLIST

Record of Annual Discharge Prevention Briefings and Training

Briefings will be scheduled and conducted by the facility owner or operator for operating personnel at regular intervals to ensure adequate understanding of this SPCC Plan. The briefings will also highlight and describe known discharge events or failures, malfunctioning components, and recently implemented precautionary measures and best practices. Personnel will also be instructed in operation and maintenance of equipment to prevent the discharge of oil, and in applicable pollution laws, rules, and regulations. Facility operators and other personnel will have an opportunity during the briefings to share recommendations concerning health, safety, and environmental issues encountered during facility operations.

Date	Subjects Covered	Employees In Attendance	Instructor(s)

Pub

Annual reminders:

- Hold SPCC Briefing for all oil-handling personnel (and update briefing log in the Plan);
- Check contact information for key employees and response/cleanup contractors and update them in the Plan as needed;

Additional Remarks:

Date: _____ Signature: _____

Public Comment Period- Dra

Annual Facility Inspection Checklist

This inspection record must be completed *each year*. If any response requires further elaboration, provide comments in Description & Comments space provided. Further description and comments, if necessary, must be provided on a separate sheet of paper and attached to this sheet. *Any item that receives "yes" as an answer must be described and addressed immediately.

	Y*	N	Description & Comments
Storage tanks			
Tank #1			
Tank surfaces show signs of leakage			
Tank is damaged, rusted or deteriorated			
Bolts, rivets or seams are damaged			
Tank supports are deteriorated or buckled			
Tank foundations have eroded or settled			
Level gauges or alarms are inoperative			
Vents are obstructed			
Tank #2			
Tank surfaces show signs of leakage			
Tank is damaged, rusted, or deteriorated			
Bolts, rivets, or seams are damaged			
Tank supports are deteriorated or buckled			
Tank foundations have eroded or settled			
Level gauges or alarms are inoperative			
Vents are obstructed			
Tank #3			
Tank surfaces show signs of leakage			
Tank is damaged, rusted, or deteriorated			
Bolts, rivets, or seams are damaged			
Tank supports are deteriorated or buckled			
Tank foundations have eroded or settled			
Level gauges or alarms are inoperative			
Vents are obstructed			
Tank #4			
Tank surfaces show signs of leakage			
Tank is damaged, rusted or deteriorated			
Bolts, rivets or seams are damaged			
Tank supports are deteriorated or buckled			
Tank foundations have eroded or settled			
Level gauges or alarms are inoperative			

	Y*	N	Description & Comments
Vents are obstructed			
Oil is present in the interstice			
Tank #7			
Tank surfaces show signs of leakage			
Tank is damaged, rusted, or deteriorated			
Bolts, rivets, or seams are damaged			
Tank supports are deteriorated or buckled			
Tank foundations have eroded or settled			
Level gauges or alarms are inoperative			
Leakage in exhaust from heating coils			
Concrete dike			
Secondary containment is stained			
Dike drainage valve is open or is not locked			
Dike walls or floors are cracked or are separating			
Dike is not retaining water (following large rainfall)			
Piping			
Valve seals or gaskets are leaking			
Pipelines or supports are damaged or deteriorated			
Joints, valves and other appurtenances are leaking			
Buried piping is exposed			
Out-of-service pipes are not capped			
Warning signs are missing or damaged			
Loading/unloading and transfer equipment			
Loading/unloading rack is damaged or deteriorated			
Connections are not capped or blank-flanged			
Rollover berm is damaged or stained			
Berm drainage valve is open or is not locked			
Drip pans have accumulated oil or are leaking			
Oil/water separator			
Oil/water separator > 2 inches of accumulated oil			
Oil/water separator effluent has a sheen			
Security			
Fencing, gates, or lighting is non-functional			
Pumps and valves are not locked (and not in use)			
Response equipment			
Response equipment inventory is incomplete			

Publ