

**Spill Prevention, Containment, and Countermeasure Plan  
for Construction of the  
BakkenLink Pipeline LLC**

**May 2012**

# Spill Prevention, Containment, and Countermeasure Plan for Construction of the BakkenLink Pipeline LLC May 2012

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## **1.0 Introduction**

BakkenLink Pipeline LLC (BakkenLink) has prepared this Spill Prevention, Containment, and Countermeasure (SPCC) Plan to be implemented during construction of the BakkenLink Pipeline Project (Project). This SPCC Plan outlines specific preventive measures to be followed to reduce the likelihood of an accidental release of a hazardous or regulated liquid during construction activities. This SPCC Plan also sets forth procedures and response actions in the event of an actual release.

This SPCC Plan restricts the location of fuel storage, refueling activities, and construction equipment maintenance along the construction right-of-way and provides procedures, materials, and lines of communication to facilitate the prevention, containment, and cleanup of spills during construction activities. It also sets forth minimum standards for handling and storing regulated substances. The goal of the SPCC Plan is to minimize the potential for a spill of these materials, to contain any spillage to the smallest area possible, and to protect areas that are considered environmentally sensitive (e.g. streams, groundwater wells, wetlands, etc.). This SPCC Plan does not certify the Contractor or individuals as licensed waste haulers.

Measures and procedures defined in this SPCC Plan will be implemented by independent Contractors and construction inspectors hired by BakkenLink. These Contractors and inspectors will have day-to-day responsibility to ensure compliance with this SPCC. BakkenLink, by completing the Delegation of Authority Form (following page), grants authority to the named parties to act on its behalf on matters pertaining to this SPCC. Any signed Delegation of Authority form shall be kept with this SPCC at all times.

# Delegation of Authority Form

## Delegation of Authority

I, \_\_\_\_\_ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the Spill Prevention Control and Countermeasure plan, at the \_\_\_\_\_ construction site. The designee is authorized to sign any reports, storm water pollution prevention plans and all other documents required by the permit.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (name of person or position)  
\_\_\_\_\_ (company)  
\_\_\_\_\_ (address)  
\_\_\_\_\_ (city, state, zip)  
\_\_\_\_\_ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in \_\_\_\_\_ (Reference State Permit), and that the designee above meets the definition of a "duly authorized representative" as set forth in \_\_\_\_\_ (Reference State Permit).

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Name:** \_\_\_\_\_

**Company:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## 2.0 Regulated Materials Storage and Handling

Table 1 presents typical vehicle and equipment fuels, lubricants, and hazardous materials stored or used during construction, and briefly describes the location, typical quantities, and usual methods of storage. Storage methods and quantities vary with length of construction segment, time of year, and type of terrain.

**Table 1  
Typical Fuel, Lubricants, and Hazardous Materials**

<b>Fluid Uses</b>	<b>Fluids</b>	<b>Typical Quantity</b>	<b>Method of Storage</b>	<b>Storage Location</b>
Fuels	Diesel	5,000 to 10,000 gallons	Tanks or Tankers	Contractor Yard Warehouse
	Gasoline	5,000 to 10,000 gallons	Tanks or Tankers, 5-Gallon Containers, Pick-up Tanks	Contractor Yard Warehouse
Lubricants	Engine Oil	<100 gallons	Bulk Storage Retail Packaging	Contractor Yard Warehouse Service Trucks
	Transmission/Drive Train Oil	<50 gallons	Retail Packaging on Service Trucks	Contractor Yard Warehouse Service Trucks
	Hydraulic Oil	<100 gallons	Bulk Storage Retail Packaging	Contractor Yard Warehouse Service Trucks
	Gear Oil	<50 gallons	Retail Packaging on Service Trucks	Contractor Yard Warehouse Service Trucks
	Lubricating Grease	<25 gallons	Tubes stored in paper cases	Contractor Yard Warehouse Service Trucks
Coolants, Hydraulic Fluids, Other	Ethylene Glycol	<100 gallons	Bulk Storage Retail Packaging	Contractor Yard Warehouse Service Trucks
	Propylene Glycol	<100 gallons	Bulk Storage Retail Packaging	Contractor Yard Warehouse Service Trucks
	Power Steering Fluid	<50 gallons	Retail Packaging on Service Trucks	Contractor Yard Warehouse Service Trucks
	Brake Fluid	<50 gallons	Retail Packaging on Service Trucks	Contractor Yard Warehouse Service Trucks
	Propane	25-100 gallons	Pressurized Tanks	Contractor Yard Warehouse Welding Trucks

### **3.0 Preventive Measures**

BakkenLink will ensure that all practicable measures are implemented to minimize the potential for and consequences of a spill during construction of the Project and related facilities. BakkenLink intends to comply with applicable environmental and safety laws and regulations and to provide training and equipment designed to prevent pollution. The Contractor will ensure that a copy of this SPCC Plan is available onsite to all construction crew members. In addition, Contractors will ensure that construction crew members are properly trained in handling fuels to prevent spills and to effectively contain spills, and that equipment required to implement the provisions of this SPCC Plan are available on site.

BakkenLink will provide training on the provisions of this SPCC Plan to Construction and Inspection personnel.

#### **3.1 Staging Areas/Work Yards**

Fuel and hazardous liquid storage will require secondary containment structures as described below:

- The Contractor will construct temporary liners and seamless berms around aboveground bulk tanks so that in the event of a leak or spill, liquids will be contained and collected in specified areas that are isolated from water bodies. Storage tanks will not be placed in areas subject to periodic flooding and washout.
- The Contractor will visually inspect aboveground tanks frequently and whenever the tank is refilled. The Contractor will maintain inspection records for every tank.
- Secondary containment structures must be constructed so that no outlet is provided and any spill will be contained within the containment structure. Accumulated rainwater may be removed if authorized by an Environmental Inspector. Accumulated water that has a visible sheen will be collected for proper storage and disposal.
- The Contractor will remove secondary containment structures at the conclusion of the Project. The Contractor is also responsible for returning the storage impoundment area to its original ground contours and appearance upon completion of the Project.
- Fuels and lubricants will be stored only at designated staging areas and in proper service vehicles. The storage area will be at least 100 feet away from the edge of a wetland or waterbody, at least 200 feet away from a private water supply well, and at least 400 feet away from a municipal water supply well, unless a larger buffer is required by governing agencies.
- Storage containers will display labels that identify the contents of the container and whether the contents are hazardous. Appropriate labels will identify the specific hazard (flammable, toxic, etc) will be affixed to the containers and readily visible. The Contractor shall maintain and furnish on demand to BakkenLink copies of all Material Safety Data Sheets.

- To the extent practicable, Contractors will conduct routine equipment maintenance such as oil changes in staging areas and will dispose of waste oil in a proper manner (e.g. place in labeled, sealed containers and transport to a recycling facility).
- The Contractor will correct visible leaks in tanks as soon as possible.
- Drain valves on temporary storage tanks will be locked to prevent accidental or unauthorized discharges from tanks.
- Fuel nozzles shall be equipped with functional automatic shut-off valves.
- Drivers of tank trucks shall be responsible for spill prevention during tank truck unloading. Procedures for loading and unloading tank trucks will meet the minimum requirements established by the Department of Transportation. Drivers will observe and control the fueling operations at all times to prevent overfilling.
- Prior to departure of a tank truck, outlets of the vehicle will be examined by the driver for leakage, and tightened, adjusted, or replaced as required to prevent liquid leakage while in transit.
- The Contractor shall stock a sufficient supply of sorbent and barrier materials at the construction staging area to allow the rapid containment and recovery of a spill. Sorbent and barrier materials will be utilized to contain runoff from spill areas.
- Shovels and labeled 55-gallon drums will be kept at each of the staging areas. If small quantities of soil become contaminated within a staging area, they will be collected and placed in the drums. Large quantities of contaminated soil will be collected using heavy equipment and stored in drums or other suitable containers prior to disposal. Disposal of contaminated soil will be in accordance with applicable state and federal regulations. Typical disposal methods will include transporting the soil to a licensed disposal or treatment facility or thin-spreading in compliance with state guidelines.

### **3.2 Right-of-Way**

The following preventive measures apply to refueling and lubrication activities within the construction right-of-way:

- Refueling and lubricating of construction equipment will be restricted to upland areas located at least 100 feet from stream channels and wetlands, at least 200 feet from private water supply wells, and at least 400 feet from municipal water supply wells. Where this is not feasible, the equipment will be fueled and lubricated by designated personnel with specific training in refueling, lubricating, and spill containment and cleanup.
- Fuel trucks transporting fuel to construction areas shall travel only on approved access roads.
- Equipment shall not be washed in streams.

- Fuel and service trucks shall carry a minimum of 20 lbs. of suitable commercial sorbent and barrier materials.

### **3.3 Vulnerable Aquifer Areas**

The Contractor's Construction Superintendent or designated Spill Coordinator must immediately notify the BakkenLink Representative and the Environmental Inspector of any release or spill of a petroleum product or hazardous liquid, regardless of volume. The Spill Coordinator shall implement the following response actions:

- Follow spill containment response actions described in Section 4 below.
- Immediately excavate obviously impacted soils. Store and dispose of impacted soils in accordance with this SPCC Plan.

## **4.0 Spill Response**

The response action priorities upon discovery of a spill are to protect the safety of personnel and the public, minimize environmental impacts, and control costs associated with cleanup and restoration. Key actions immediately following discovery of a spill are:

- Assess the safety of the situation, both in the immediate vicinity and for the surrounding public.
- Remove sources of ignition if it is safe to do so.
- Shut off the source of the spill if it is safe to do so.

The person discovering a spill shall promptly notify the Spill Coordinator, the Environmental Inspector, and the Construction Superintendent. The Spill Coordinator shall implement spill control measures as described below.

### **4.1 Land Spill Response**

Implement the following response actions for spills on land:

- Construct berms using available equipment and/or deploy barrier materials to contain the spill.
- Apply sorbent materials to the spill area.
- Minimize traffic on contaminated soils.
- Excavate contaminated soils and vegetation and transport to a licensed and approved treatment or disposal facility.

### **4.2 Wetland or Waterbody Spill Response**

Implement the following response actions for spills in or near a wetland or waterbody:

- Implement the response actions described in Section 4.1 in shoreland areas. Excavate trenches if necessary to create collection sumps to prevent liquids from entering wetlands or waterbodies.
- If a spill occurs into a stream, lake, or other waterbodies containing standing or flowing water, the BakkenLink Representative shall notify the National Response Center immediately.
- Secure the services of an Emergency Response Contractor (see Appendix B) if required to assist with containment and cleanup of the spill.
- Deploy booms, curtains, and sorbents to minimize the spread of the spill.

- Use skimmer pumps and holding tanks to remove released materials from the water surface.
- Excavate contaminated soils from wetlands and place on plastic sheeting in an approved containment area located at least 100 feet from the wetland and waterbodies. Cover stockpiled soil with plastic sheeting. Remove stockpiles as soon as practicable and transport to a licensed and approved treatment or disposal facility.
- Restore the contaminated area in accordance with recommendations from site remediation specialists and as required by state guidelines.

#### **4.3 Field Coordinator**

Subject to approval by BakkenLink, the Contractor shall appoint a Field Coordinator who will be responsible for reporting of spills, coordinating Contractor personnel for spill cleanup, completing subsequent site investigations, and preparing incident reports. The Field Coordinator will report to the designated BakkenLink Representative and the Environmental Inspector. The BakkenLink Representative will contact and report to state and federal agencies as required.

## 5.0 Unanticipated Discovery of Hazardous Materials

Soil contamination, not directly resulting from construction of the pipeline, may be encountered during construction of the BakkenLink pipeline. Locations where contamination may be present include:

- Third party pipeline crossings;
- Oil and natural gas processing facilities;
- Injection/disposal wells;
- Undocumented disposal/dump sites; and
- Agricultural equipment refueling, pesticide/herbicide loading areas, and storage areas.

Identification and recognition of existing contamination is the first step in the response action. During construction, indicators of possible contamination include, but are not limited to:

- Gasoline smells or other odors which emanate when the earth is disturbed;
- Stained or discolored earth in contrast with adjoining soil;
- Oily residue intermixed with earth;
- Sheen on groundwater;
- Fill material containing debris other than construction-related items;
- Household trash covered by earth or industrial waste debris;
- Rusted barrels and containers;
- Cinders and other combustion products like ash; and
- Structures such as asbestos cement (transite) pipe, abandoned oil & gas lines, and underground storage tanks also require special handling when disturbed.

When unanticipated soil contamination is discovered in the right-of-way (ROW), especially if it will be excavated, the appropriate response actions will need to be performed to address the contamination. The following are the major steps that should be taken when contamination is discovered:

- Recognize that the area may be contaminated with hazardous materials;
- Secure the site to protect workers and the public;

- Do not allow the prime contractor, subcontractor, or other personnel to handle or disturb the contaminated material or the surrounding soil;
- Notify the Environmental Inspector(s) and construction manager(s).

The Environmental Inspector will in turn notify the proper authorities (North Dakota Department of Health (NDDH) contact information is given in Section 7). Reporting procedures are similar to those employed if a spill has occurred.

In no instance will an effort be made to characterize the contamination or begin remedial action(s), including hauling and disposal of the contaminated soil, until the NDDH has made a determination as to the appropriate action(s) to take. The Contractor shall make every effort to limit the spread of contamination and shall employ BMPs to prevent the contamination from reaching a water supply well, surface water, stockpiled material, and other construction areas.

## **6.0 Training**

BakkenLink will provide spill prevention and response training and safety training to its supervisory and inspection personnel. In addition, training will be required of all construction personnel. Training will be required before construction personnel are allowed to enter the ROW. The training program will be designed to improve awareness of safety requirements, pollution control laws, proper operation and maintenance of equipment, and implementation of spill response actions.

## **7.0 Reporting Procedures**

BakkenLink will prepare a Spill Report Form (Appendix A) and notify state and federal agencies as required in the event of a release. These agencies may include but are not necessarily limited to:

National Response Center (Washington, D.C.)  
Phone: 800-424-8802 (24 hours)

North Dakota Department of Health  
Division of Emergency Management  
24-hour State Notification (State Radio)  
In-State Phone: 800-472-2121; Outside North Dakota 701-328-2121

North Dakota Division of Water Quality  
Phone: 701-328-5210

BakkenLink will coordinate with these agencies regarding contacting additional parties or agencies.

***Appendix A***  
***Spill Report Form***

**Spill Report Form  
BakkenLink Pipeline LLC**

Date/Time of Spill: \_\_\_\_\_ Date/Time of Spill Discovery \_\_\_\_\_

Name and Title of Discoverer: \_\_\_\_\_

Legal Description of spill location and milepost: \_\_\_\_\_

Type, estimated volume, and manufacturer's name: \_\_\_\_\_

Media in which the release exists (circle): sand silt clay upland wetland waterbody other \_\_\_\_\_

Topography and surface conditions: \_\_\_\_\_

Proximity to wetlands or waterbodies (including ditches): \_\_\_\_\_

Proximity to private or public water supply wells: \_\_\_\_\_

Directions from nearest community: \_\_\_\_\_

Weather conditions at the time of release: \_\_\_\_\_

Describe the causes and circumstances resulting in the spill: \_\_\_\_\_

\_\_\_\_\_

Describe the extent of observed contamination, both horizontal and vertical (i.e. spill stained soil in a 5-foot radius to a depth of 1 inch): \_\_\_\_\_

Describe immediate spill control and cleanup methods used and implementation schedule: \_\_\_\_\_

Location of excavated/stockpiled contaminated soil: \_\_\_\_\_

Describe the extent of spill-related injuries and remaining risk to human health and the environment: \_\_\_\_\_

Name, company, and telephone number of responsible party (Contractor): \_\_\_\_\_

Current status of cleanup actions: \_\_\_\_\_

Name and Company for the following:

Construction Superintendent: \_\_\_\_\_

Field Coordinator: \_\_\_\_\_

BakkenLink Representative: \_\_\_\_\_

Environmental Inspector: \_\_\_\_\_

Chief Inspector: \_\_\_\_\_

Government agencies notified:

Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Landowner Notified: \_\_\_\_\_ Date: \_\_\_\_\_

Form Complete By: \_\_\_\_\_ Date: \_\_\_\_\_

**Field Coordinator must complete this form for any spill, regardless of size, and submit the form to the BakkenLink Representative and Environmental Inspector within 24 hours of the occurrence. Any spill to water shall be reported IMMEDIATELY.**

## ***Appendix B***

### ***Emergency Response Contractors***

## **Emergency Response Contractors BakkenLink Pipeline Project**

The Contractor must dispose of all wastes according to applicable state and local requirements. A listing of potential Emergency Spill Response contractors is listed below. This list was developed from state-wide databases and represents firms operating at the time the database was queried. This list is presented as a service to the user and does not represent a recommendation by the state agencies or BakkenLink. It is the user's responsibility to assure that the emergency response contractor is properly licensed. Selection of an Emergency Response Contractor is subject to approval by BakkenLink.

### **North Dakota Contractors**

CEDA 3519 Old Red Trail Mandan, ND 58554	701-667-2090
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Earthmovers Inc. 708A – 38 <sup>th</sup> Street NW Fargo, ND 58102	701-852-4560 800-373-5259
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Western Plains Consulting 1102 S Washington St. Suite 210 Bismarck, ND 58504	701-221-3113 888-821-3113
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### **Out-of-State Contractors**

Bay West Environmental 5 Empire Drive St. Paul, MN 55103	651-291-0456 800-279-0456
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Clean Harbors National Response Center	800-645-8265
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Hulcher Services Inc. 2300 Willis Miller Drive Hudson, WI 54016	715-386-5770 800-637-5471
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OSI Environmental 300 Fayal Road Eveleth, MN 55734	800-777-8542
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Veolia Environmental Services Emergency Response Center	800-688-4005
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West Central Environmental Consultants 14 Green River Road, PO Box 594 Morris, MN 56267	320-589-2039 800-422-8356
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## ***Appendix C***

### ***Licensed Waste Disposal Facilities***

## **Licensed Waste Disposal Facilities BakkenLink Pipeline Project**

The Contractor must dispose of all wastes according to applicable state and local requirements. Licensed disposal facilities in the State of North Dakota are listed below. This list was developed from state-wide databases and represents facilities operating at the time the database was queried. This list is presented as a service to the user and does not represent a recommendation by the state agencies or BakkenLink. It is the Contractor's responsibility to assure that the facility is properly licensed.

### **North Dakota Facilities**

Bismarck Municipal Landfill 2111 N 52 <sup>nd</sup> Street Bismarck, ND 58506	701-355-1700
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Dakota Landfill 7972 129 <sup>th</sup> Avenue SE Gwinner, ND 58040	701-678-2306
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Dickinson Municipal Landfill 3389 Energy Drive Dickinson, ND 58601	701-456-7783
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Dishon Disposal Williston, ND 58801	701-572-9079
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Fargo Municipal Landfill 4501 7 <sup>th</sup> Avenue N. Fargo, ND 58102	701-241-1449
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Grand Forks Municipal Landfill 724 North 47 <sup>th</sup> Street Grand Forks, ND 58206	701-738-8740
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Indian Hills Disposal 14070 43 <sup>rd</sup> Street NW Williston, ND 58801	701-774-8514
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Jahner Sanitation 7971 32 <sup>ne</sup> Avenue SE Wishek, ND 58495	701-452-2666
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Jamestown Municipal Landfill 8980 35 <sup>th</sup> Street SE Jamestown, ND 58401	701-252-5900
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McDaniel Landfill, Inc. 12300 247 <sup>th</sup> Avenue Sawyer, ND 58781	701-624-5250
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McKenzie County Sanitary Landfill 2491 132 <sup>nd</sup> Avenue NW Watford City, ND 58854	701-5863445
Mercer County Regional Landfill 5251 County Road 26 Hazen, ND 58545	701-748-5839
Minot Municipal Landfill 3100 20 <sup>th</sup> Avenue SW Minot, ND 58701	701-857-4140
Noonan Landfill Noonan, ND 58765	701-838-1182
Prairie Disposal Tioga, ND 58852	800-490-2160
Sawyer Disposal Services 12400 247 <sup>th</sup> Avenue SE Sawyer, ND 58781	701-624-5622
Williston Municipal Landfill 5176 134 <sup>th</sup> Avenue NW Williston, ND 58801	701-577-6368