



**NEW ENGLAND CLEAN POWER LINK PROJECT  
OVERALL OIL AND HAZARDOUS MATERIALS SPILL PREVENTION  
AND CONTINGENCY PLAN**

**Prepared by:**  
TDI New England  
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## **1.0 PURPOSE OF THE PLAN**

This Spill Prevention and Contingency Plan (Plan) was prepared by TDI – New England (TDI-NE) for use on construction of the New England Clean Power Link Project. The Plan should be used as a reference guide and will accompany the project specifications and plans. The main purpose of the Plan is to help contractor personnel to prevent, prepare for, and to respond quickly and safely to oil and hazardous materials spill incidents. If implemented appropriately, the plan will ensure an effective, comprehensive response to prevent injury or damage to the construction personnel, public, and environment during project construction. TDI – New England will also require the selected contractor to prepare and implement a Spill Prevention Control and Countermeasure (“SPCC”) plan, if jurisdictional thresholds for oil storage are exceeded, in accordance with federal regulation Title 40 CFR 112.

### *1.1 Project Definition*

The New England Clean Power Link Project is a high voltage direct current (HVDC) electric transmission line with a capacity of 1,000 MW that will provide electricity generated by low carbon, renewable sources in Canada to the New England electric grid. The line will run from the Canadian border at Alburgh, Vermont to Ludlow, Vermont along underwater and underground routes. In Ludlow, the HVDC line will terminate at a converter station that will convert the electrical power to alternating current (AC) and then run to VELCO’s existing 345 kV Coolidge Substation in Cavendish, Vermont. The transmission line will be comprised of two approximately 5-inch diameter cables that will be solid-state dielectric and thus will contain no fluids or gases.

The proposed underwater portion of the transmission line, approximately 98 miles in length, will be buried to a target depth of three to four feet in the bed of Lake Champlain (except where water depths are greater than 150 feet, where the cables will be placed on the Lake bottom and allowed to self-bury in sediment). In areas where there are obstacles to burial (e.g. existing infrastructure, bedrock), protective coverings will be installed, where feasible. Underwater construction within Lake Champlain will involve use of a jet or shear-plow installation device towed by a boat on the water surface that will create a temporary trench for laying the cable. The proposed overland portion of the transmission line, approximately 56 miles in length, will be buried approximately four feet underground in a five-foot deep by four-foot wide trench within existing public (state and town) road and railroad rights-of-way, using a mix of conventional open-trench excavation and Horizontal Directional Drilling (HDD) technology where appropriate.

### *1.2 Uses and Organization of the Plan*

The Plan is to be used to inform Contractors and TDI-NE staff of the potential hazardous materials, contamination prevention, emergency spill response, and responsibilities associated with hazardous materials during The Project. Contractors are expected to comply with all procedures described in this document, as well as explicit instructions given by TDI-NE personnel in emergency situations. Liability for failure to do so rests with the contractor. Any expense incurred by TDI-NE during project

construction that results from contractor non-compliance with spill procedures, response, or damage will be passed on to the responsible contractor.

The Plan outlines the responsibilities and procedures when responding to hazardous spills involving TDI-NE contractors on the project. The Plan contents include:

1. Identification of job-related hazards materials
2. Spill prevention
3. Containment protocol
4. Emergency response procedures, including:
  - a. Identification of management, equipment, and other resources that can be used during a response operation.
  - b. General procedures for effective management of spill response within the geographic boundaries of the Project.
5. Specific spill response procedures that provide guidance for spill response planning and operations.
6. Specific notification and reporting procedures for contacting management and governing agencies.

A copy of this Plan shall be distributed to all personnel that may provide assistance during spill response activities for TDI-NE operations.

## **2.0 HAZARDS ASSESSMENT**

The hazardous materials that may be on site during installation include those usually associated with the operation and maintenance of vehicles and machinery, and include diesel fuel, gasoline, hydraulic fluid, brake fluid, antifreeze, and lubricants. Other materials considered hazardous are chemicals used in portable toilets and the associated human waste. There is also the possibility of encountering buried hazardous or toxic materials during construction operations. Each of these hazards is discussed briefly below.

### *2.1 Vehicle and Vessel Fluids*

The materials associated with vehicle operation and maintenance can be hazardous to humans, wildlife, and sensitive environments. Spills of diesel fuel, gasoline, hydraulic fluid, brake fluid, engine oil, lubricants, etc. are considered serious and emergency response procedures must be initiated (See Section 4.2.1). These materials can be toxic to skin, eyes, respiratory system, and internal organs. Toxicity can be transmitted in the form of liquid or vapor. These materials may also be flammable and combustible, and proper precautions must be used in handling spills. Antifreeze, Freon, and other non-petroleum products are also hazardous toxic substances. The same spill prevention and response actions are to be employed with spills of these materials.

Potential sources of spills of vehicle fluids include mobile refueling trucks and vessels and construction vehicles and equipment. Potential causes of vehicle fluid spills include: emergency ruptures in fuel tanks or construction equipment; overflow of fuel from the tank during the refueling of equipment; seepage of fuel or lubricants during normal operation or storage; spills of oil or hydraulic fluid, etc. during on-site vehicle and equipment servicing; vehicle accidents; vandalism; and natural disasters.

## 2.2 *Chemical Toilets and Human Waste*

Proper disposal and disinfection of human waste at the construction site is required. Human waste may contain infectious bacteria, pathogens, or other health hazards. Waste must be contained in portable toilets that receive periodic cleaning and disposal of waste. Chemicals used in toilets are also hazardous to wildlife and sensitive environments. Portable chemical toilets could overflow if not pumped regularly or they could spill if dropped or overturned during moving.

## 2.3 *Unknown Hazardous Materials*

The potential exists for encountering unknown buried or illegally deposited hazardous materials in the Project area. These may take the form of underground storage tanks, unmarked drums, septic drain fields and tanks, asbestos pipe, soils contaminated from prior spills, etc. Construction personnel shall be alert to indicators of buried hazardous waste, including partially buried unidentified drums or pipe; encountering unusual resistance with equipment; or encountering stained soils or unusual or unpleasant odors during construction. If any of these indicators are observed, construction shall stop until the identity of the material encountered is assessed. The hazard associated with unknown buried materials must be assumed to be high due to the unknown nature of the material. Any unknown hazardous materials encountered require special handling and emergency response procedures (See Section 4.2.4).

## **3.0 SPILL PREVENTION AND CONTAINMENT**

### *3.1 Spill Prevention Measures*

The number one defense against spills is prevention. The easiest way to prevent spills is to:

- a) Conduct proper vehicle maintenance and inspections;
- b) Never place vehicles or equipment in or near sensitive environments, and
- c) Store all materials in protected areas and/or in secondary containment structures with adequate storage volume.

Equipment that contains oil or hazardous materials (such as petroleum products, detergents, construction chemicals, acids, paints, solvents, etc.) shall be stored and maintained so that spills and leaks are prevented. Daily inspections of the construction site shall be conducted to ensure proper condition and storage of oil and hazardous material-containing equipment including 55-gallon drums, fuel tanks, and oil-containing equipment (e.g. equipment with hydraulic hoses, etc.). Equipment containing oil shall not be stored or left over night in resource areas (e.g. wetlands), regardless of whether the equipment is on top of construction mats.

Equipment and storage containers holding oil or hazardous materials that are leaky or inadequate shall not be kept at the project site.

#### 3.1.1 *Vehicle and Vessel Fluids*

All construction personnel who operate vehicles or vessels shall be trained to maintain and inspect their vehicles and equipment. All machinery found to be a potential source of a future spill shall be removed from the construction site and repaired. Vehicles with chronic or continuous leaks must be removed

from the construction site and repaired before returning to operations. No leaking of any material from equipment or vehicles will be tolerated on the job site. The contractor shall make every effort to ensure compliance prior to an incident.

Restrictions will be placed on all equipment refueling, servicing, and maintenance supplies and activities. All maintenance materials, oils, grease, lubricants, antifreeze, etc. shall be stored off-site. If they are required during field operations they shall be placed in a designated area away from site activities and in an approved storage container. The designated storage area shall be in an upland location and shall be covered to protect materials from weather. If practicable, all hazardous materials storage containers will be placed on secondary containment bins or pallets. Materials stored in containers with volumes greater than 55 gallons shall be stored on secondary containment pallets or similar. Spill kits containing absorbent materials shall be kept at the designated storage area and at the construction site (see Sections 3.2 and 3.3).

No refueling, storage, servicing, or maintenance of equipment shall take place within 100 feet of drainage or sensitive environmental resources to reduce the potential of contamination by spills. No refueling or servicing shall be done without absorbent material or drip pans properly placed to contain spilled fuel. Any fluids drained from the machinery during servicing shall be collected in leak-proof containers and taken to an appropriate disposal or recycling facility. If these activities result in damage or accumulation of product on the soil, it must be disposed of in accordance with Vermont and federal regulations (see Section 5.1). Under no circumstances shall contaminated soil be added to a spoils pile and transported to a regular disposal site.

The selected marine contractor's SPCC plan shall specify that a containment boom shall be deployed prior to any fuel transfers and shall remain in place until fuel transfers have ceased. The boom shall encompass both the fuel vessel and the vessel being refueled during refueling of vessels on Lake Champlain.

During drilling, all vehicles and equipment required on-site shall be parked or stored at least 100 feet away from rivers, streams, wetlands, known archaeological sites, and any other sensitive resource areas. All wash down activities must be accomplished away from sensitive environmental resources.

### 3.1.3 Unknown Hazardous Materials

Awareness of the potential for encountering unknown hazardous materials, and early recognition of potentially hazardous materials are the best prevention for avoiding emergencies. Contractors shall visually inspect the alignment prior to trenching activities for any evidence of hazardous waste storage appearing above the surface of the soil. Indicators of buried materials include: old vent pipes; concrete pads; portions of drums; pipes; tanks; discolored or stained soils; odors; and evidence of dumping. Contractors must also be alert to encountering contaminated soils and groundwater, or buried hazardous waste while trenching or drilling. If any unusual objects are hit, or unusual odors are encountered while trenching or drilling, contractors must investigate the source before proceeding. Should underground tanks or pipelines be encountered, the possibility exists for flammable materials, toxic fumes, or explosion. Trenches should be considered "confined space" when potentially hazardous materials are discovered. Refer to Section 4.0 for Emergency Response and Notification Procedures.

### 3.2 *Spill Containment Measures*

The contractor shall take certain measures to prepare for quick and effective containment of any potential spills prior to undertaking construction activities. First and foremost, each contractor shall keep adequate supplies of spill containment equipment at the construction sites. These shall include both specialized spill containment equipment (listed below in Section 3.3 "Spill Containment Equipment") and excess supplies of straw bales, silt fencing, and portable vacuum pumps, to be available as needed.

Other spill containment measures include using drip pans and/or absorbent materials underneath vehicles and containment booms around vessels every time refueling, servicing, or maintenance activities are undertaken.

### 3.3 Spill Containment Equipment

The following equipment shall be on-site or with each construction crew and on each vessel as appropriate for use in the event prevention techniques are not adequate and a spill does occur.

1. Emergency Spill Kit - (general contents may vary with manufacturer) contains at a minimum:

- a) Three sorbent socks
- b) Three disposal bags and ties
- c) One pair of safety glasses
- d) One pair of rubber gloves
- e) One sorbent drip pillow
- f) Sorbent pads, 18" x 18"
- g) One Emergency Response Guide Book
- h) Two sorbent spill pillows, 24" x 18"
- i) Four hazardous labels
- j) One bag Lite-Dri Absorbent (or equal)
- k) Dedicated shovel and broom

2. Absorbent Pads - These pads (18" x 18") are 100% polypropylene fabric that absorbs 11 times their weight in liquids. Pads absorb 10 gallons of liquid per bale of 100 pads. Each crew or vessel will have 100 absorbent pads at minimum.

3. Absorbent Skimmers Booms - Skimmers will float indefinitely before or after saturation with oils. Skimmers are made of 100% meltdown polypropylene fill that repels water. They absorb ten times their weight and can be used in lakes, streams, or on the ground. Each skimmer has a harness kit attached that is made of yellow polypropylene rope with grommets that are used to connect skimmers. Each skimmer is 8 ft. x 10 ft.

4. One 55 gallon clean drum, lined with polypropylene material (overpack). The drum can be used to store spill response materials until needed. When a spill occurs, all soiled pads, pillows, skimmers, contaminated soil, etc. shall be placed in the drum for disposal after the cleanup is accomplished.

It is the contractor's responsibility to make sure these materials are on-site or on vessel at all times and personnel are trained in their use and disposal prior to spill response.

#### **4.0 EMERGENCY RESPONSE PROCEDURES**

##### *4.1 Initial Notification and Activation*

A formal notification process shall be initiated when a spill or potential spill of any volume is first observed. The need to notify regulatory agencies shall be determined as part of this process. Immediate actions are necessary. The first individual who discovers a spill (spill observer) will be responsible for initiating notification and response procedures. All personnel responsible for responding to spills must have completed training in recognition and response to spills of hazardous materials. The contractor is responsible for providing spill recognition and response training for all contractor employees. TDI-NE will be responsible for providing spill recognition and response training for all their project personnel. The project personnel who must be notified and will assist in hazardous spill response include, but are not limited to:

1. Spill Observer
2. Contractor's Spill Response Coordinator
3. Contractor's Representative (Job Superintendent)
4. Senior TDI-NE person on site
5. TDI-NE Project Manager
6. Contractor's Spill Response Team

General responsibilities of the designated personnel are outlined as follows:

Spill Observer is the first person to witness a spill. They must immediately:

1. Make an assessment of the incident as observed;
2. If the incident can be safely controlled, take steps to do so. For example, shut off the source of spill; deploy containment boom for spills on Lake Champlain.
3. Notify the Contract Compliance Inspector. Provide as much information as possible;
4. Begin to fill out the Spill Notification Checklist (Appendix A).

A contractor's Spill Response Coordinator will be designated for each specific job task. For example, drill site geologists assigned to drill crews, may also act as the Spill Response Coordinator. The Spill Response Coordinator will work with the Spill Observer to initiate the following actions:

1. Notify the TDI-NE Project manager;
2. Make sure all personnel except those required for spill response are removed from the spill area;

3. Take immediate steps to minimize any threat to public safety (e.g., cordon off the spill area); and
4. Monitor contractor's personnel.

Contractor's Representative is the Contractor's Job Superintendent, or other Contractor personnel designated to fulfill the Contractor's responsibilities. They will work with the Spill Response Coordinator to:

1. Determine if the spill response team is needed to accomplish cleanup;
2. Determine if additional spill response support is necessary;
3. Coordinate with the senior TDI-NE employee on site to initiate spill response;
4. Initiate Spill Response Team;
5. Complete containment, cleanup and disposal of hazardous waste;
6. Complete Spill Notification Checklist (Appendix A); and
7. Complete all reporting to TDI-NE and Spill Response Coordinator.

The TDI-NE Project Manager will:

1. Coordinate with the Contractor's Representative regarding level of spill response required;
2. Notify governmental agencies if necessary, as indicated in Section 6. The Vermont DEC Waste Management and Prevention Division (WMPD) must be notified of a release of more than 2 gallons of oil or hazardous materials to the environment.

The Spill Response Team is composed of Contractor employees or outside companies hired by the Contractor who is designated to respond to spills. The Spill Response Team will:

1. Follow the specific spill response procedures outlined in the Plan; and
2. Take direction from the Contractor's Representative for additional actions needed for spill response.

#### *4.2 General Response Procedures*

According to the Vermont Hazardous Waste Management Regulations (VHWMR) §7-10 (Emergency Actions): "in the event of a discharge of hazardous waste or a release of hazardous material, the person in control of such waste or material shall:

1. take all appropriate immediate actions to protect human health and the environment including, but not limited to, emergency containment measures and notification; and
2. take any further clean-up actions as may be required and approved by federal, state, or local officials, or corrective actions...so that the discharged waste or released material and related contaminated materials no longer present a hazard to human health or the environment."

TDI-New England's general response procedures for all spills incorporate the VHWMR Emergency Actions requirements as follows:



- Secure the Release Area: The first step in the discovery of any spill is keep workers, other than the Spill Response Coordinator and other designated personnel, and the public away from the spilled material. Close off the area and do not leave the site unattended.
- Identify and Secure the Spill Source: Securing the source of the spill is an extremely important step in response activities. However, a source should be secured only if it can be performed safely without risk to human life or health. Steps to be taken to secure the source include turning off machinery, clamping or disabling hoses, deploying containment booms for spills on Lake Champlain, etc.
- Assess the Release: Identify the material spilled and the volume, extent, and potential for danger of the spill. These facts should be determined as soon as possible in order to facilitate planning and initiate proper response operations. The volume will be needed to evaluate equipment and personnel needs, as well as requirements for storage and disposal of recovered waste. A rough estimate of the spill volume can be generated from visual observation and source identification. Minor spills are those that have the least probability of environmental damage, not necessarily the smallest volume.
- Notification and Documentation: Fill out the Spill Notification Checklist (Appendix A) with the information from the release assessment.

#### *4.3 Specific Response Procedures*

Specific response procedures have been developed for various kinds of spills including vehicle fluid spills; chemical toilet and human waste spills; and discovery of an unknown hazardous material.

##### *4.3.1 Vehicle, Vessel and Machinery Spills*

Incidents resulting in the loss of a petroleum product from equipment or vehicles shall be considered a spill, and the actions should be completed by the Spill Response Coordinator and other designated personnel as follows:

1. Flag and secure the release area to notify people of the release and to prevent unnecessary exposure
2. Identify the material spilled and estimate the volume and extent of the spill
3. Begin notification procedure by making notations on the Spill Notification Checklist (Appendix A)
4. Confine the spill. Do not handle materials without wearing protective clothing (i.e. gloves, etc.).
5. Determine if the Spill Team Response is needed to complete cleanup.
  - a. If the answer is NO, submit incident reports to TDI-NE and the Project Manager.
  - b. If the answer is YES, go to step 6.
6. Activate the local spill response team. Generally these are personnel designated on a construction crew, but the team may be supplemented by other contractor personnel.
7. Determine if additional cleanup contractors are necessary for a major incident.
  - a. If the answer is NO and the incident is determined to be a minor spill, conduct internal cleanup, review and evaluate the cleanup, determine if the cleanup is beyond the local response team ability or equipment;

- b. If the answer is NO, complete the cleanup, restore the damaged areas, properly dispose of all waste, and submit incident reports to TDI-NE and the Project Manager. If during cleanup, the incident is determined to be beyond the abilities of the local response team, hire additional contractors to help with the cleanup.
  - c. If the answer is YES, hire additional contractors to help with the cleanup.
- 8. The local spill response team shall coordinate cleanup activities with TDI-NE, the Project Manager, and agencies as appropriate.
- 9. Arrange for proper testing and disposal of all waste.
- 10. Closely monitor all cleanup activities.
- 11. Ensure proper disposal of absorbent materials, containers, and soils, as required.
- 12. Complete the cleanup and restore damaged areas.
- 13. Submit incident reports to TDI-NE.

#### 4.3.2 Chemical Toilet Spill

Chemical toilets are self-contained and pose little threat to the construction site. Chemicals used in portable toilets are biodegradable and generally non-toxic to humans. However, they can pose a danger to wildlife and sensitive habitats by virtue of heavy concentration of chemicals and human waste. They shall be pumped out at least one time per week. Toilets shall be placed on level, solid ground and shall never be placed in or near an environmentally sensitive area.

In the unlikely event that a portable toilet spills during transport or relocation, the same procedures for other hazardous material spills shall be used. Disposal of absorbent materials shall be handled the same as other spills, with proper disposal by the toilet supply company.

#### 4.3.3 Unknown Hazardous Materials

There is always a possibility that personnel may unexpectedly encounter a hazardous situation when working in the field. The most likely materials that may be encountered during excavation would be petroleum-contaminated soils, buried underground tanks, drums, or asbestos pipe.

If a hazard is identified, the following steps shall be taken immediately to ensure the health and safety of the personnel involved:

1. STOP WORK IMMEDIATELY until the degree of hazard of a particular circumstance is further evaluated and the appropriate next steps are identified.
  - a. Personnel shall remove themselves from the hazard or suspected area.
2. OBTAIN AS MANY DETAILS OF THE SITUATION AS POSSIBLE, WITHOUT ENDANGERING YOURSELF OR OTHERS.
  - a. While obtaining information details:
    - i. Never enter confined spaces (i.e. excavation trench).
    - ii. Do not handle any materials
    - iii. Extinguish all flames (i.e. welders, torches, cigarettes).
    - iv. Do not remove objects from trenches or refill excavated area.
  - b. Observe and document the following:
    - i. Site location/address or closest Cross Street and station
    - ii. What was encountered (i.e. tank, drum, pipe, sewage, etc.)

- iii. Approximate size of object.
  - iv. Odors or any discoloring of soils.
  - v. Material object is made of (i.e. steel, fiberglass, plastic, etc.).
  - vi. Was there or is there a potential for a spill, release, discharge, etc. of toxic or hazardous liquid, gas, vapor, dust, or mist?
  - vii. Estimated amount of chemical released
3. CONTACT SUPERVISORS IMMEDIATELY
4. IF YOU MUST LEAVE THE SITE TO NOTIFY SUPERVISORS:
- a. Appoint personnel to police the site until you return.
  - b. Mark off area of concern (i.e. flagging, cones, etc.)
  - c. Restrict site access

Following these actions, personnel shall be given proper direction from supervisors on how to proceed. By simply removing personnel from the hazard and maintaining good communications, many accidents can be avoided. Remember if there is any doubt about the safety of on-site employees in particular circumstances; initiate the proceeding course of action.

#### 4.4 Cleanup Procedures

Contractors are solely responsible for any spills of hazardous materials and the subsequent cleanup, disposal of waste, and restoration of any contaminated areas. Hazardous materials may be disposed of only at licensed, regulated facilities and non-hazardous materials may be disposed in accordance with all appropriate laws, rules and regulations.

Cleanup may range from very simple removal of minor spills, to installation of booms and skimmers around large spills or between sensitive areas and spills for longer, prolonged cleanups. Cleanups can be on pavement, soil surfaces or on water. Contractor personnel shall be trained in the proper use of the cleanup materials and procedures. All corrective actions shall be conducted in accordance with the VHWMR regulations.

All spills on pavement shall be thoroughly removed with absorbent socks, pillows, or pads and Lite-Dry (or equal) granules. After absorption the granules shall also be removed. All materials used in cleanup, shall then become hazardous waste. Place all materials in a 55 gallon lined drum, seal it, and label the contents. The drum must then be sent to a designated disposal site. A chain of custody form must accompany the drum (provided by Disposal Company). Contractors shall identify disposal sites in their site specific SPCC plan.

All spills on soil require the same treatment as on pavement, with the exception that contaminated soil is also part of the generated hazardous waste and must be handled as such if removed from the site. The excavation of soil and off-site disposal must be pre-approved by the WMPD.

Absorbent materials shall remain in use until it has been determined by TDI-NE, Contract Compliance Inspectors, and the WMPD that a spill cleanup is complete and the incident is closed.

For potential spills on Lake Champlain, oil would float on water and initially form a slick that is a few millimeters thick. Contractor shall contain the spill with booms and collect the booms from the water surface using skimmer equipment. There are various types of booms that can be used either to surround and isolate a slick, or to block the passage of a slick to vulnerable areas sensitive locations. Boom types

vary from inflatable neoprene tubes to solid, but buoyant material. Most rise up about a meter above the water line. Some are designed to sit flush on the shoreline while others are applicable to deeper water and have skirts which hang down about a meter below the waterline. Skimmers float across the top of the slick contained within the boom and suck or scoop the oil into storage tanks on nearby vessels. The types of booms that will be available for use shall be specified in the marine contractor's SPCC plan. Contractor and Spill Response Coordinator shall be trained and knowledgeable about the appropriate material for the type of release.

## **5.0 CLOSING OF THE SPILL INCIDENT**

### *5.1 Disposal of Waste*

Following the cleanup of a spill, the waste, absorbent materials, protective clothing, and any soil that has been contaminated must be removed to an approved disposal facility. For small volume spills, all contaminated materials shall be sealed in 55 gallon drums and labeled with the contents. For larger spills, petroleum-contaminated soils may be stockpiled on-site in plastic sheeting until off-site disposal is approved.

Where soil has been contaminated by a spill, the contractor shall take appropriate steps to containerize all contaminated soil and media, or to encapsulate petroleum contaminated soil and debris on-site within plastic sheeting, as appropriate for the specific situation. Unless otherwise directed by TDI\_NEW ENGLAND or the regulatory agency, the contractor shall ensure that all contaminated soil shall be excavated from the ground at a spill site, and confirmatory samples taken from the floor and sidewalls of the excavation to verify that contamination does not remain in the ground.

If the contaminant is unknown, a sample of the material must be collected and analyzed before disposal. A permit or approval must be obtained from the Vermont DEC in writing prior to disposal. A copy of the approval and a chain-of-custody form (obtained from the disposal contractor or testing laboratory) must accompany the material and copies must be attached to the Spill Notification checklist submitted to TDI-NE and the Project Manager. Local landfills may be able to receive some petroleum-contaminated soils, depending on contamination levels. However, it is the contractor's responsibility to perform sampling, testing, and coordination with landfills or a disposal company. Transporting hazardous waste is regulated by federal and state agencies under the Resource Conservation and Recovery Act (RCRA) and other statutes. The contractor is responsible for the proper disposal of all waste and understanding the responsibilities under federal and state statutes, which should be reflected in the Contractor's SPCC Plan.

### *5.2 Final Reporting*

Spill incidents that require cleanup must be reported on the Spill Notification Checklist (Appendix A). Notification must begin as soon as the incident occurs. The checklist shall be submitted to TDI-NE and the Project Manager as soon as it is complete. Forms must be submitted no longer than five days after an incident is closed. A copy of the permit or disposal approval and the chain-of-custody for the disposal must be attached to the Spill Notification Checklist. The forms shall be reviewed and filed in the contractor's file. No exceptions will be tolerated.

If a situation arises involving an unknown hazardous material, the Spill Notification Checklist (Appendix A) can be used to report the incident. This incident may require a very different approach to removing the hazard as the contractor must work with the WMPD and/or TDI-New England's consultant to determine the appropriate actions. The incident must be documented in the contractor's files and reported to TDI – New England.

## **6.0 SPILL NOTIFICATION PROCEDURE AND CONTACT INFORMATION**

1. All discharges and/or releases that meet any of the following criteria shall be immediately reported to the Secretary by the person or persons exercising control over such waste by calling the Waste Management & Prevention Division at (802) 828-1138, Monday through Friday, 7:45 a.m. to 4:30 p.m. or the Department of Public Safety, Emergency Management Division at (800) 641-5005, 24 hours/day:
  - a. A discharge of hazardous waste, or release of hazardous material that exceeds 2 gallons;
  - b. A discharge of hazardous waste, or release of hazardous material that is less than or equal to 2 gallons and poses a potential or actual threat to human health or the environment; or
  - c. A discharge of hazardous waste, or release of hazardous material that equals or exceeds its corresponding reportable quantity under CERCLA as specified under **40 CFR § 302.4**.  
**Note:** Under the Federal Water Pollution Control Act, certain spills of "oil" and/or "hazardous substances" are prohibited and must be reported pursuant to the requirements of **40 CFR Part 110** / Discharge of Oil. Certain spills of hazardous substances must also be reported pursuant to CERCLA. In both cases, the National Response Center must be notified at (800) 424-8802. Finally, in addition to federal and state spill reporting, EPCRA requires that spills are also reported to local authorities.
  - d. A written report shall be submitted to the Secretary within ten (10) days following any discharge or release subject to **subsection (a)(1) of this section**. The report should be sent to: The VT DEC, WMPD, 1 National Life Drive – Davis 1, Montpelier, VT 05620-3704. The person responsible for submitting the written report may request that it not be submitted for small discharges and/or releases that were reported, and that have been entirely remediated within the ten (10) day period immediately following the discharge and/or release.

Appendix A

SPILL NOTIFICATION CHECK LIST

Date:

Time:

Name:

Contractor:

Location/Station#:

Description of Spill (color, length, width, type):

Type of Product:

Estimated Quantity:

Source of Spill (vehicle, machine, etc.):

Describe initial containment procedures:

Weather Conditions:

Note if spill reached any body of water:

Individuals notified of spill (include name, company, date, time and response):