

**NextEra Energy Transmission New York, Inc.  
(NEETNY)**

**Empire State Line**

**Case 18-T-0499**

**Appendix N**

**Spill Prevention, Control, and  
Countermeasures (SPCC) Plan**

**June 2020**



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## 1. INTRODUCTION

### 1.1 PURPOSE OF PLAN

NextEra Energy Transmission New York, Inc. (NEETNY) has developed this Draft Spill Prevention, Control, and Countermeasure (SPCC) Plan (hereinafter “Plan” or “SPCC Plan”) for the Empire State Line Project. The Project includes a new approximately 20-mile 345 kilovolt (kV) transmission line and associated switchyards in the town of Royalton in Niagara County, New York, and the towns of Alden, Newstead, Lancaster, and Elma in Erie County, New York; a new 345 kV switchyard (Dysinger Switchyard) in Niagara County; and a second, new switchyard (East Stolle Switchyard) in Erie County. The approximately 20-mile 345 kV transmission line will be built on an existing utility corridor, owned by New York State Electric & Gas Corporation (NYSEG), and will connect the Dysinger and East Stolle Switchyards to each other. In turn, the Dysinger Switchyard will be connected to the Power Authority of the State of New York (NYPA) 345 kV Niagara lines via two double circuit structures approximately 0.30 miles in length and the NYSEG 345 kV Kintigh lines via two single-circuit structures approximately 0.15 miles in length (Dysinger Tie-Ins). Likewise, the East Stolle Switchyard will be connected to the NYSEG Stolle Road Substation via single circuit structures approximately 0.2 miles in length and NYSEG 345 kV Stolle Road to Homer City transmission line via single-circuit structures approximately 0.2 miles in length (East Stolle Tie-Ins). The Project has a required in-service date of June 1, 2022.

The purpose of this Plan is to:

- Provide guidance and information to the personnel that would be called upon to respond to sudden oil releases from oil-filled equipment and oil storage containers;
- Describe measures in place that would prevent released oil from reaching nearby navigable waters;
- Provide a physical description of the Project covered by this Plan;
- Describe each Laydown Yard and Refueling Location’s oil storage provisions, potential to discharge, type of failures, containment/diversionary structures, and drainage system;
- Describe the inspection procedures; and
- Discuss the discharge response actions and notifications to ensure employees are prepared to carry out their responsibilities during an oil spill incident.

NEETNY will modify and update this Plan, as necessary, once the transmission contractor for construction has been hired.

### 1.2 PLAN STRUCTURE

This Plan is divided into four sections. Sections 1, 2, and 3 consist of all pertinent information that is applicable to Project construction covered under this Plan. Section 4 provides site-specific information relating to construction of the Project, including: technical amendments (if any), a list of anticipated oil-filled equipment/containers having capacities of 55 gallons or greater during construction, pertinent information relating to oil discharges and prevention, a diagram showing the location of the oil-filled equipment/containers and drainage features. Please note that other equipment or features may be shown on the diagram as reference

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points.

This Plan and all its supporting documents will be stored in the NEETNY digital document storage system and at all refueling sites and the Transmission Construction Contractor on-site office trailer. This Plan will be accessible electronically by all oil handling personnel on location at the Project.

### **1.3 PLAN AMENDMENTS**

This Plan will be revised when any technical or administrative changes are required. As noted earlier, the SPCC plan will be amended with additional information or contacts once the Project's general contractor has been retained. Technical changes due to installation or removal of oil filled equipment will be incorporated into the current SPCC plan when a change materially affects the potential for equipment installation to release oil into nearby navigable waters, and requires the review and certification by a licensed Professional Engineer (PE). After energization or de-energization of such equipment, changes to the existing SPCC will be prepared within six months, and implemented no later than six months following preparation of the amended SPCC plan. All other changes to the SPCC plan will be managed as administrative changes, which do not require the review and certification of a PE. NEETNY has an on-going review process to accommodate this requirement. All amendments to this Plan will be managed by NEETNY in coordination with the construction contractor.

### **1.4 FACILITY'S CONFORMANCE WITH SPCC REQUIREMENTS**

As set forth herein, the Plan conforms to the requirements set forth in 40 Code of Federal Regulations (CFR) 112. In addition, the Project will comply with other applicable New York State discharge prevention rules and guidelines as discussed in Section 4.

NEETNY has committed to develop and implement a SPCC Plan as part of its Environmental Management and Construction Plan (EM&CP). This SPCC Plan describes measures that NEETNY will implement to prevent oil discharges from occurring to the extent practicable and to respond safely and effectively to mitigate the impacts of an oil discharge during construction and subsequent operation of the site. This SPCC Plan has been prepared in accordance with the substantive SPCC requirements of 40 CFR Part 112. This is a Preliminary SPCC Plan. Additional information will be provided in the Final SPCC Plan.

This SPCC Plan is intended to be utilized as:

- (i) a reference for oil storage and inventory records;
- (ii) a tool to communicate spill prevention and response practices to employees and contractors;
- (iii) a guide on Project inspections; and,
- (iv) a resource during emergency response.

During site construction, when this Plan is applicable to the site, consistent with 40 CFR

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Part 112, NEETNY is commits to the following (if applicable):

- Reviewing the SPCC Plan at least once every five years and amend it to include more effective prevention and control technology, if such technology will significantly reduce the likelihood of a spill event and has been proven effective in the field at the time of the review. Plan amendments, other than administrative changes discussed below, will be recertified by a PE.
- Amend the SPCC Plan within six months whenever there is a change in Facility design, construction, operation, or maintenance that materially affects the Facility's spill potential. The revised Plan will be recertified by a PE.
- Review the Plan on, at least, an annual basis and update the Plan to reflect any administrative changes that are applicable, such as personnel changes or revisions to contact information such as phone numbers. Administrative changes will be documented in the five-year compliance inspection review form in Section 2.11, but do not have to be certified by a PE.
- Maintain a history of all discharges that occur at the Facility (refer to Section 3.3 of this Plan for a spill reporting and information form).
- Complete monthly site inspections as outlined in the inspection, tests, and records section of this Plan. The contractor in coordination with NEETNY will finalize a monthly inspection checklist to satisfy requirements in Sections 2.3 and 2.7. The final form will be substantially similar to that provided in Attachment A of this Plan.
- Perform preventive maintenance of equipment and discharge prevention systems described in this Plan as needed to keep them in proper operating condition.
- Conduct annual employee training as outlined in Section 2.4 of this Plan. Electronic and/or written records will be maintained by NEETNY providing documentation of the date and time training was held for each employee. NEETNY plans to utilize a form substantially similar to that provided in Attachment B of this Plan.
- When subject to an SPCC Plan as per Part 112 and if the Facility discharges more than 1,000 gallons of oil into U.S. navigable waters or adjoining shorelines, or if the Facility discharges more than 42 gallons of oil in two spill events within a 12-month period, the Facility must submit the SPCC Plan and other information described in this Plan to the U.S. Environmental Protection Agency (EPA) Regional Administrator (RA) and the New York Department of Environmental Conservation (NYSDEC).

## **1.5 CROSS REFERENCE INDEX**

A Cross Reference Index (on following page) has been prepared that lists the locations of information such that it can be reviewed in the sequence for each specific rule requirement presented in 40 CFR 112.

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### 1.5 CROSS REFERENCE INDEX

CITATION	DESCRIPTION OF RULE	SECTION
§112.1	Purposes of Plan	Section 1.1
§112.3 (d)	P.E. Certification for Plan	Section 4.7
§112.3 (e)	Location of SPCC Plan	Section 1.2
§112.4 & 112.5 (a)	Plan Amendments	Sections 1.3, 3.1.5 & 4.8
§112.5 (b)	SPCC Plan 5-Year Review	Section 2.11
§112.7	Management Approval	Section 4.6
§112.7	Cross Reference Index	Section 1.5
§112.7(a)(1) and §112.7(a)(2)	Facility's Conformance with SPCC Requirements	Sections 1.4 & 2.8
§112.7(a)(3)	General Facility Information and Facility Diagram General Physical Layout of the Facilities; Facility Diagram; Type of Oil and Storage Capacities; Discharge Prevention Measures; Discharge or Drainage Controls; Countermeasures for Discharge Discovery, Response, and Clean-up; Methods of Disposal	All Sections
§112.7(a)(3)(vi)	Emergency Contact List	Section 4.2
§112.7(a)(4)	Procedure for Reporting a Discharge	Sections 3.1 & 3.3
§112.7(a)(5)	Discharge Response Procedure	Section 3.2
§112.7(b)	Discharge Potential – Prediction of flow rate, direction and total quantity of oil	Sections 4.4, & 4.5
§112.7(c)	Containment and/or Diversionary Structures	Section 4.5
§112.7(d)	Practicability of Secondary Containment	Section 2.9
§112.7(e)	Inspections, Tests and Records	Sections 2.3 & 2.7
§112.7(f)	Personnel Training	Section 2.4
§112.7(g)	Facility Security	Section 2.5
§112.7(h)	Facility Transfer and Tank Truck Loading / Unloading Operations	Section 2.6
§112.7(i)	Integrity Testing and Brittle Fracture Evaluation	Section 2.7
§112.7(j)	Conformance with Applicable State and Local Requirements	Sections 2.8 & 4.3
§112.7(k)	Qualified Oil-Filled Operational Equipment	Section 2.9
§112.8(b)	Facility Drainage	Section 4.4

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<b>CITATION</b>	<b>DESCRIPTION OF RULE</b>	<b>SECTION</b>
§112.8(c)	Bulk Oil Storage	Section 2.9
§112.8(c)(1)	Construction	Section 2.9
§112.8(c)(2)	Secondary Containment	Sections 2.9 & 4.5
§112.8(c)(3)	Drainage of Diked Areas	Section 4.4
§112.8(c)(4)	Corrosion Protection	Not applicable
§112.8(c)(5)	Partially Buried and Bunkered Storage Tanks	Not applicable
§112.8(c)(6)	Inspection	Section 2.7
§112.8(c)(7)	Internal Heating Coils	Not applicable
§112.8(c)(8)	Overfill Prevention System	Section 2.9
§112.8(c)(9)	Effluent Treatment Facilities	Not applicable
§112.8(c)(10)	Prompt Correction of Visible Discharges	Section 2.3
§112.8(c)(11)	Mobile and Portable Containers	Section 2.9
§112.8(d)	Facility Transfer Operations	Section 2.6
§112.20(e)	Certification of Applicability of Substantial Harm Criteria	Section 1.6

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## **1.6 CERTIFICATION OF APPLICABILITY OF SUBSTANTIAL HARM CRITERIA**

A certification of substantial harm determination is required within this SPCC Plan to document if a Facility Response Plan is required for the Facility under 40 CFR 112.20. The laydown yards and refueling locations are not required to prepare Facility response plans. The Certification of Substantial Harm Determination form is on the following page.

### Certification of Substantial Harm Determination Form

1. Does the facility have a maximum storage capacity greater than or equal to 42,000 gallons and do the operations include over water transfers of oil to or from vessels? Yes  No
2. Does the facility have a maximum storage capacity of greater than or equal to 1,000,000 gallons and is the facility without secondary containment for the above ground storage area sufficiently large enough to contain the capacity of the largest above ground storage tank within the storage area? Yes  No
3. Does the facility have a maximum storage capacity greater than or equal to 1,000,000 gallons and is the facility located at a distance such that a discharge from the facility could cause injury to an environmentally sensitive area? Yes  No
4. Does the facility have a maximum storage capacity greater than or equal to 1,000,000 gallons and is the facility located at a distance such that a discharge from the facility would shut down a public drinking water intake? Yes  No
5. Does the facility have a maximum storage capacity greater than or equal to 1,000,000 gallons and within the past five years, has any facility experienced a reportable spill in an amount greater than or equal to 10,000 gallons? Yes  No

### Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate and complete.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

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## **2. SPCC PLAN REQUIREMENTS**

### **2.1 GENERAL FACILITY DESCRIPTIONS**

This Plan is applicable for the components that comprise construction of the Project. The Project will operate during daylight hours, Monday through Friday, completing the Project in one continuous construction phase. During after-hour periods, weekends and holidays, assigned personnel are on-call.

- **Transmission Line Construction**

Transmission line construction project requires certain refueling locations for construction equipment and may contain above ground fuel storage tanks housed within the laydown yard. The laydown yard and refueling locations may also contain various quantities of bulk petroleum products used to refill equipment and mobile refueling vehicles during construction and oil-filled operating equipment.

- **Dysinger and East Stolle Switchyard Construction**

Sargent & Lundy, LLC was retained to develop the Plan. The Plan has been prepared to protect the Dysinger and East Stolle Switchyard environments from contamination by providing information and instructions on how to prevent, contain, and dispose of spills. Facilities that store more than 1,320 gallons of oil aboveground and are reasonably expected to have a discharge to navigable waters of the State are required to prepare a SPCC Plan under 40 CFR Part 112.

### **2.2 GENERAL PHYSICAL LAYOUT OF THE FACILITIES**

The Project may encompass areas up to approximately 1-acre for designated refueling areas. Several refueling areas may exist along the linear path of the transmission line. The laydown yard may contain one or more of various types of oil-filled equipment or bulk storage containers each having capacities ranging from 55 gallons to 2,000 gallons of fuel. The Project is located between the following coordinates:

- Dysinger Switchyard: Lat 43.10911 / Lon -78.56325
- East Stolle Road Switchyard: Lat 42.83669 / Lon -78.58011

### **2.3 INSPECTIONS AND RECORDS**

Visual inspections of bulk storage containers (i.e., drums, totes, portable storage tanks), secondary containment areas, and fuel-filled equipment and bulk storage containers that store a flammable or combustible liquid will be inspected weekly as part of the Project inspection program. Inspections are documented electronically and/or via a paper form. Records of these inspections are maintained for a period of at least three (3) years. During inspections, personnel will observe bulk storage containers, secondary containment/diversionary structures, and oil-filled equipment for any visible signs of deterioration, damage, leaks that may cause a release, and the accumulation of any oil.

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## 2.4 PERSONNEL TRAINING

Annual discharge prevention briefings are held for all personnel to assure adequate understanding of the Plan, and to provide description of known discharges, failures, malfunctioning components, and any recently developed precautionary measures. Appropriate personnel and subcontractors will be knowledgeable on the operation and maintenance of all equipment to prevent oil discharges. Training records are filed electronically in the Environmental Management System and maintained at the local office.

## 2.5 FACILITY SECURITY

General security provisions at the laydown yards include fencing and locked gates to keep the general public out of the facility. Refueling locations will be manned by NEET personnel with spill kits located within personnel vehicles. These factors limit the risk of vandalism. The following information addresses the specific security requirements of 40 CFR 112.

- Fencing. Fencing is provided around every laydown yard to meet safety and security requirements.
- Locked Gates. Gates entering the laydown yard will be locked if personnel are not onsite.
- Flow and Drain Valves. Kept closed when not in use.
- Lighting Adequate to Detect Spills and Deter Vandalism. The laydown yards have adequate outside lighting to detect spills.

## 2.6 FACILITY TRANSFER AND TANK TRUCK LOADING AND UNLOADING OPERATIONS

Tanker trucks used for the Project are provided by subcontractors and vendors, used for refilling fuel in aboveground storage tanks (ASTs). The laydown yards do not have unloading racks but rather unloading areas. Therefore, unloading areas are only subject to the general secondary containment requirements in 40 CFR 112.7(c). Active containment measures using on-site spill response equipment will be used to meet this requirement. Tank truck hoses and hose connections used during loading or unloading activities are physically monitored, and may be placed on top of, or wrapped with, oil absorbent materials or contained by other means to protect the environment.

The tanker truck loading/unloading procedures for the Project meets the minimum requirements and regulations established by the Department of Transportation (DOT). Oil transfer operations occur through aboveground unloading hoses. One or more of the following tank truck spill prevention techniques may be used, as applicable:

- Setting up barriers or warning signs to prevent a truck from leaving before completion of unloading.
- Placing wheel chocks on truck tires to prevent vehicle movement during unloading.

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- Inspecting lowermost drain and all outlets for discharges.
- Ensuring truck drains/outlets are tightened, adjusted, or replaced as needed.
- Verifying oil levels are, rechecking connections, and examining hoses for integrity. Signs are posted warning all vehicular traffic operating in transfer area to use caution.
- Only trained personnel authorized to conduct the transfer are used. The transfer and pumping systems are continually monitored for leaks and the oil level in the receiving container is frequently monitored to prevent overfilling.
- Properly draining and disconnecting the transfer hose is and checking all tank truck drains and connections for proper closure prior to departure.

## **2.7 INTEGRITY TESTING & BRITTLE FRACTURE EVALUATION**

Integrity testing will not be performed on shop-fabricated ASTs, drums, or totes. Drums and totes have a service life of less than 10 years and, therefore, will not require integrity testing. All shop-fabricated ASTs used for the Project pose a low risk of internal corrosion. These tanks are visually inspected as described in this Plan and installed at a height where all sides are visible. Bulk storage ASTs will be double-walled construction. As a result, no additional integrity testing is deemed necessary. Since there are no field-constructed tanks used for the Project, brittle fracture evaluations do not apply.

## **2.8 CONFORMANCE WITH APPLICABLE STATE AND LOCAL REQUIREMENTS**

This Plan conforms to the requirements contained in 40 CFR 112. If alternate spill prevention, control or countermeasures are used on the Project, the alternate measure(s) will be discussed in the appropriate section(s) that follow or in the site-specific section. In addition, the Project will comply with other applicable State and local discharge prevention rules and guidelines.

## **2.9 BULK OIL / PETROLEUM STORAGE**

Project laydown yards may use portable bulk petroleum storage containers, such as 55-gallon drums, ASTs, and tote containers to support construction. These portable containers are typically stored outside and identified in Section 4 of this Plan. All bulk oil/petroleum storage containers are either double-walled, placed in an adequately sized and sufficiently impervious secondary containment, on spill containment pallets, or within a containment structure. The installation of secondary containment and diversionary structures is generally practicable for bulk petroleum storage.

All portable bulk storage containers described in this Section (i.e., 55-gallon drums, ASTs, totes, mobile refuelers, and emergency generators) are normally transported by site personnel and subcontractors to/from the equipment serviced. These containers will be listed in the Plan at their normal storage location and will be used throughout the length of the Project (longer than six months in use).

No fixed bulk storage containers will be used during construction and are not captured within

## SECTION 2

this Plan. New and used empty drums may be stored inside/outside of the laydown yard. These drums are not designated for any specific purpose and, therefore, are not included in this Plan.

## **2.10 DISCHARGE PREVENTION MEASURES**

The On-Scene Commander/Alternate is accountable for discharge prevention. This individual is also responsible to follow through on the site's commitment of manpower, equipment, and material in the event of a discharge.

In conjunction with the containment/diversionary measures previously described, the following devices also serve to potentially prevent or detect oil discharges at laydown yards. An enhanced oil diversionary or containment structure may be installed on certain oil-filled equipment due to their location to navigable waters.

## **2.11 SPCC PLAN FIVE-YEAR REVIEW**

This Plan will be reviewed annually in accordance with 40 CFR 112.5(b) to ensure all information is up-to-date, and to determine if a more effective oil prevention and control technology is applicable for the Project. The five-year review of this Plan, if needed, will be recorded using the SPCC Plan Five-Year Review Form on the following page.

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### SPCC PLAN FIVE-YEAR REVIEW FORM

In accordance with 40 CFR 112.5(b), a review and evaluation of this SPCC Plan is conducted once every five years, or sooner. As a result of this review and evaluation, NextEra Energy Transmission will amend this SPCC Plan within six months of the review to include more effective prevention and control technology if: (1) such technology has been field-proven at the time of review; and (2) if such technology will significantly reduce the likelihood of a discharge from the facility. Any technical amendments to this SPCC Plan shall be certified by a licensed Professional Engineer within six months after a change in a Project construction that will materially affect its potential for the discharge of oil as defined in 40 CFR 112.1(b).

I have completed review and evaluation of this SPCC Plan and will or will not amend this Plan, as indicated below.

Review Date	No Changes Required	Plan Will Be Amended	Name	Signature <small>(required <u>only</u> if Plan will be amended)</small>

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### 3. DISCHARGE RESPONSE, NOTIFICATIONS AND CLEANUP PROCEDURES

#### 3.1 REPORTING A DISCHARGE

##### 3.1.1 INTERNAL/EXTERNAL REPORTING

All spills shall be reported immediately to NextEra’s Power Delivery Diagnostics Center (PDDC) and NEET Operations Group. **ALL applicable agency notifications shall be made after consultation with the NEET Operations Group. All contact telephone numbers are provided in the site-specific section (Section 4) of this Plan. The Oil Spill Response Notification Form linked to this Plan (Section 3.3) shall be used to relate the spill information to the applicable agencies.**

##### 3.1.2 SPILLS TO NAVIGABLE WATERS- FEDERAL:

For spills which threaten or enter navigable waters, including adjoining shoreline, notify the following agencies:

- National Response Center ..... 1-800-424-8802

**Note: Immediate notification is required to the National Response Center (NRC). Do not wait to obtain all information before notifying NRC.**

##### 3.1.3 SPILLS TO SURFACE WATERS – STATE:

For spills that enter waters of the State, including any wetlands, notify the following:

- Applicable State Environmental Agencies ..... See Section 4

##### 3.1.4 SPILLS TO LAND SURFACES – REPORTABLE QUANTITY (RQ):

For spills to land surfaces, which equal or exceed the applicable Reportable Quantity (RQ), notify the following agencies as soon as possible:

- Applicable State Environmental Agencies ..... See Section 4

Depending on the severity of the incident, the following additional agencies may be contacted by the NEET Operations Group or a person in charge of the event, if necessary.

- Fire Department / Police / Emergency Medical Services ..... 911

Additional follow-up reports will be provided as appropriate if requested by agency personnel.

##### 3.1.5 FORMAL REPORTS

If a Project discharges more than 1,000 U.S. gallons of oil in a single discharge to

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navigable waters or adjoining shorelines, or has two discharges exceeding 42 U.S. gallons to navigable waters or adjoining shorelines within any 12-month period, the following information will be submitted to the EPA Regional Administrator and the NYSDEC in charge of oil pollution control. The information will be submitted within 60 days after the above occurrence as outlined at §112.4(a).

- Name of the facility;
- Your name;
- Location of the facility;
- Maximum storage or handling capacity of the facility and normal daily throughput;
- Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;
- An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;
- The cause of such discharge as described in §112.1(b), including a failure analysis of the system or subsystem in which the failure occurred;
- Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence; and,
- Such other information as the Regional Administrator may reasonably require pertinent to the Plan or discharge.

The EPA Regional Administrator may require an amendment to bring the Plan into compliance with the regulations and to prevent and contain discharges of oil from the facility. Technical amendments will be documented in Section 4.

## **3.2 CLEANUP PROCEDURES**

### **3.2.1 DISCHARGES THAT CAN BE MANAGED BY ON-SITE PERSONNEL**

Minor functional spills from oil-filled equipment or bulk storage containers include, but not limited to, drips, weeps, or small “burps” from valves, piping, flanges, pumps, rust holes, seams, devices, instruments, gauges, etc.

#### **IMMEDIATE STEPS TO BE TAKEN BY THE SPILL OBSERVER/FIRST RESPONDER:**

- Make an immediate assessment of the incident.
- Stop the discharge (e.g., act quickly to secure pumps/equipment). If the incident is clearly the result of an operation that the Spill Observer/First Responder can control safely, take immediate steps to correct the operation.
- If safe to do so, take any steps deemed necessary to minimize any threat to public health and safety and to reduce the severity of the incident.
- Warn personnel - Notify the site manager or senior person on duty, who will then function as the On-Scene Commander. Call for medical assistance if an injury has occurred.
- Shut off ignition sources – motors, electrical circuits, open flames, etc.
- Initiate spill containment – Use appropriate personal protection equipment, and initiate

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containment if safe to do so. Use absorbent materials and/or soil to create a berm to direct flow of oil away from drainage ditches or waterways. Isolate the affected area and control entry.

- Make any required agency notifications.

#### **IMMEDIATE STEPS TO BE TAKEN BY ON-SCENE COMMANDER:**

- Contact the appropriate spill response vendor - These minor spills are typically cleaned up in accordance with the company spill cleanup protocol, or with the applicable local or State cleanup requirements.
- Make agency notifications, if required.
- Contact NEETNY corporate environmental spill response staff.

#### **3.2.2 DISCHARGES BEYOND THE CAPABILITY OF ON-SITE PERSONNEL**

In the case of a spill beyond the capability of site personnel, the following initial control measures should be taken:

#### **IMMEDIATE STEPS TO BE TAKEN BY THE SPILL OBSERVER/FIRST RESPONDER:**

- Make an immediate assessment of the incident.
- Stop the discharge, if possible (e.g., act quickly to secure pumps/equipment). If the incident is clearly the result of an operation that the Spill Observer/First Responder can control safely, take immediate steps to stop the operation.
- Warn on-site personnel – Call for medical assistance if an injury has occurred.
- Shut off ignition sources – motors, electrical circuits, open flames, etc.
- Initiate spill containment – If safe to do so, use absorbent materials or other means to create a diversionary berm to direct any overland flow of oil from migrating off the site. Isolate the affect area and control entry. Avoid contact with any oils.

#### **IMMEDIATE STEPS TO BE TAKEN BY PROJECT SITE CONSTRUCTION MANAGER:**

- Assume the position of On-Scene Commander or assign to a designee.
- Evaluate spill information given by the first responder. – Verify that medical assistance has been requested if injury is reported.
- Contact Spill Response Vendor – coordinate the equipment needed.
- Make agency notifications, if required.
- Proceed to spill location and supervise spill containment and cleanup.
- Contact NEETNY corporate environmental and spill response staff who will determine the need to engage the corporate spill response team.

#### **3.3 OIL SPILL RESPONSE REPORTING FORM**

The On-Scene Commander or designee will use the Oil Spill Response Reporting Form in order to relay information about the event to all applicable agencies. Follow-up

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notifications will be provided to the appropriate agencies, if applicable. Spill reporting forms are attached to the Plan.

**Spill Response Form**

\*\*\* NYSDEC UPDATED SPILL REPORT FORM \*\*\*

DEC Region: \_\_\_\_\_ Spill No.: \_\_\_\_\_

Spill Name : \_\_\_\_\_ Lead DEC : \_\_\_\_\_  
Caller Info : \_\_\_\_\_ Notifier Info : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Spill Date: \_\_\_\_\_ CID#: \_\_\_\_\_ Call Received Date: \_\_\_\_\_  
Spill Time: \_\_\_\_\_ Call Received Time: \_\_\_\_\_

Material Spilled:	Class:	Spilled:	Recovered:
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____

Spill Location: \_\_\_\_\_ Potential Spiller Info: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ CO: \_\_\_\_\_  
Contact: \_\_\_\_\_ Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Spill Cause: \_\_\_\_\_ Resource Affected: \_\_\_\_\_  
Source: \_\_\_\_\_  
Waterbody: \_\_\_\_\_ Spill Reported by: \_\_\_\_\_

Caller Remarks:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PBS Number:

Tank Number	Tank Size	Test Method	Leak Rate
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____

Classification: C4 Meets Standards?: \_\_\_\_\_ EDO: Y - N \_\_\_\_\_ UST Eligible?: \_\_\_\_\_  
Regional Close Date: \_\_\_\_\_

**SECTION 3**

### **3.4 COUNTERMEASURES FOR DISCHARGE DISCOVERY, RESPONSE AND CLEANUP**

An adequate amount of oil spill cleanup materials will be available on-site for immediate use. However, the spill response vendor(s) identified in Section 4 will also have access to resources and materials to handle all oil releases covered under this Plan. Discharge countermeasures are also addressed in Section 3.2 of the Plan.

### **3.5 METHODS OF DISPOSAL**

Disposal of spilled or recovered materials will be managed in accordance with all applicable State, County, or local requirements. Any recovered oil will be managed as new product, used oil, or hazardous waste, as applicable. Oil contaminated soil/solid waste will be disposed of at approved solid waste disposal facilities. If soil or oil analysis is required, samples will be sent to a State-certified laboratory.



## 4. SITE-SPECIFIC INFORMATION

### Empire State Line Transmission Line Project

#### 4.1 FACILITY DESCRIPTION

**Owner & Operator:**  
NEETNY

The Project includes a new approximately 20-mile 345 kV transmission line and associated switchyards in the town of Royalton in Niagara County, New York, and the towns of Alden, Newstead, Lancaster, and Elma in Erie County, New York; a new 345 kV switchyard (Dysinger Switchyard) in Niagara County; and a second, new switchyard (East Stolle Switchyard) in Erie County. The approximately 20-mile 345 kV transmission line will be built on an existing utility corridor, owned by New York State Electric & Gas Corporation, and will connect the Dysinger and East Stolle Switchyards to each other. In turn, the Dysinger Switchyard will be connected to the NYPA 345 kV Niagara lines via two double circuit structures approximately 0.30 miles in length and the NYSEG 345 kV Kintigh lines via two single circuit structures approximately 0.15 miles in length (Dysinger Tie-Ins). Likewise, the East Stolle Switchyard will be connected to the NYSEG Stolle Road Substation via single circuit structures approximately 0.2 miles in length and NYSEG 345 kV Stolle Road to Homer City transmission line via single circuit structures approximately 0.2 miles in length (East Stolle Tie-Ins). The Project has a required in-service date of June 1, 2022.

The Project is located between the following coordinates:

- Dysinger Switchyard: Lat 43.10911 / Lon -78.56325
- East Stolle Road Switchyard: Lat 42.83669 / Lon -78.58011

#### SECTION 4

## 4.2 EMERGENCY CONTACTS LIST

On-Scene Commander / Alternate: <b>(NEETNY Construction Leader)</b> <b>Transmission Construction On-Site Manager</b>	(806) 434-2006 (Office) TBD
Power Delivery Diagnostics Center (PDDC)	561-625-7332 (24-hour)
Spills to Water: <b>National Response Center</b>	(800) 424-8802 (24-hour)
Spills to Land/Water: <b>New York DEC Spill Hotline</b>	(800) 457-7362 (24-hour)
Spill Cleanup Contractor: <b>(Contracted Cleanup Contractor)</b>	TBD

### 4.3 STATE REPORTABLE QUANTITY REQUIREMENTS

The NYSDEC Rules, under the New York Navigation Law Section 175 on Spill Prevention and Control (Article 12; 17 NYCRR 32.3 and 32.4) requires that any spills or accidental discharges to waters of the state be reported immediately to the NYSDEC by contacting the emergency notification number listed in Section 4.2.

In the event of discharge scenarios listed below, NEETNY must submit the SPCC Plan to the NYSDEC Petroleum Bulk Storage Section. The discharge scenarios requiring submittal are:

- Two spills in excess of 42 gallons in a 12-month period; or
- A single spill in excess of 1,000 gallons.

In addition to the SPCC Plan, in the event that the aforementioned occur, NEETNY must submit the following information to the Administrator within 60 days:

- Name of location of Project and date NEETNY began operations;
- Name of person reporting the incident(s);
- Maximum petroleum storage capacity and daily throughput;
- Corrective actions and countermeasures taken as a result of the spill(s);
- Description of the facility; and
- Description of the cause of the spill(s), and preventive measures to minimize reoccurrence.

Facilities that release any liquid (petroleum included) that if released would likely result in polluting lands or waters of the state are required under New York Environmental Conservation Law (ECL) §17-1743 to report spills of any size within 2 hours of discovery. When results of any inventory, record, test or inspection shows a facility is leaking, the facts must be report to NYSDEC.

Facilities that have aboveground petroleum storage in combined storage capacities exceeding 1,100 gallons are required under New York ECL §17-1007; 6 NYCRR §613.8 to report spills of any size within 2 hours of discovery. When results of any inventory, record, test or inspection shows a facility is leaking, the facts must be report to NYSDEC.

All reportable petroleum spills and hazardous materials spills must be reported to NYSDEC hotline (1-800-457-7362) within New York State; and (1-518-457-7362) from outside New York State. For spills not deemed reportable, the facts concerning the incident be documented and a record maintained for one year.

## SECTION 4

#### 4.4 SITE PLAN AND DRAINAGE DIAGRAM

The likely receptors of run-off near the site, which would be defined as “navigable water,” are small unnamed natural drainage pathways in the Cayuga Creek, Cazenovia Creek, and Buffalo Creek watersheds. The possibility that a spill from the Dysinger Switchyard, East Stolle Switchyard, refueling locations or the laydown yard could reach “navigable waters” of the United States is unlikely, given the distance from pathways to watersheds within the Project Area. Refueling locations and fuel storage tanks at the laydown yard will comply with the Conditions of the Settlement Order.

The following Certificate Conditions for the Project have been incorporated into this SPCC and will be followed throughout construction:

Certificate Condition 147. Stationary fuel tanks and hazardous chemical storage shall be a minimum of 300 feet from streams, waterbodies and wetlands, unless: (i) the EM&CP provides justification, including that impacts have been avoided or minimized to the maximum extent practicable; or (ii) adequate secondary containment (containing at least 110% of the volume stored) is otherwise provided, in which case storage can occur within 100 feet of such resources.

Certificate Condition 148. In general, to the extent practicable, chemicals and petroleum products will not be stored, mixed, or loaded, nor will equipment be refueled, within one hundred (100) feet of any watercourse or wetland. Requirements for refueling within 100 feet of wetlands or streams will be allowed under certain circumstances as identified in the EM&CP.

a. Refueling of hand equipment will be allowed within one hundred (100) feet of wetlands or streams when secondary containment is used. Secondary containment will be constructed of an impervious material capable of holding the hand equipment to be refueled and at least 110% of the fuel storage container capacity. Fuel tanks of hand-held equipment will be initially filled in an upland location greater than one hundred (100) feet from wetlands or streams in order to minimize the amount of refueling within these sensitive areas. Crews will have sufficient spill containment equipment on hand at the secondary containment location to provide prompt control and cleanup in the event of a release.

b. Refueling of equipment will be allowed within one hundred (100) feet of wetlands or streams when necessary to maintain continuous operations and where removing equipment from a sensitive area for refueling would increase adverse impacts to the sensitive area. Fuel tanks of such equipment will be

#### SECTION 4

initially filled in an upland location greater than one hundred (100) feet from wetlands or streams in order to minimize the amount of refueling within these sensitive areas. All refueling of equipment within one hundred (100) feet of wetlands or streams will be conducted under the direct supervision of the Environmental Monitor. Absorbent pads or portable basins will be deployed under the refueling operation. In addition, the fuel nozzle will be wrapped in an absorbent pad and the nozzle will be placed in a secondary containment vessel (e.g., bucket) when moving the nozzle from the fuel truck to the equipment to be refueled. All equipment operating within one hundred (100) feet of a wetland or stream will have sufficient spill containment equipment on board to provide prompt control and cleanup in the event of a release.

Refueling locations, which adhere to the above Certificate Conditions, are illustrated on the maps following this section.

Precipitation shall be removed from stock tanks to ensure containment capacity after a visual check confirms oil is not present. Containment areas not constructed with drainage valves will use evaporation to remove precipitation to maintain adequate containment should a spill occur. If evaporation of precipitation from containment areas is deemed inadequate to remove precipitation from a containment area, a portable pump will be used to collect the precipitation. If the precipitation in a containment area shows any evidence of visible oil, absorbent material will be used to remove the visible oil. If this procedure is not adequate in removing the visible oil, appropriately trained personnel will be contacted to pump the precipitation from the containment area for proper disposal.

The following section contains a diagram that shows the overall Project and the Project's drainage patterns indicating the potential flow pathways if an off-site discharge occurs. Stormwater drainage also follows these lines of natural drainage. There are man-made drainage systems and stormwater control structures in the form of roadside and agricultural irrigation ditches. Prior to draining stormwater, sized secondary containment systems are visually checked for the presence of oil or sheen. If oil or sheen is present, it will be promptly removed prior to releasing any stormwater into the environment from these systems.

#### SECTION 4

#### 4.5 POTENTIAL POLLUTANT SOURCES

<b>Potential Pollutant Sources for Construction Activities</b>		
<b>Pollutant</b>	<b>Quantity</b>	<b>Container and Storage Description</b>
Medium Weight Used Oil	10 gallons	5-gallon steel containers, on pallets located inside secondary containment area.
Used Oil	50 to 100 gallons	55-gallon drum inside a secondary containment area.
Transformer Oil		Self-contained, oil filled operational equipment delivered onsite during construction and installed within the engineered secondary containment for the Dysinger and Stolle Switchyards.
Hydraulic Fluid	Less than 25 gallons	Approved containers.
Thinners/Solvents/Xylene/Methyl Ketone/Acetone (switchyard only)	Less than 25 gallons	1-gallon steel containers and 5-gallon steel containers, on pallets located inside secondary containment area.
Paint	100 gallons	5-gallon steel containers located inside a secondary containment area.
Emergency Back-up Generator	Size TBD	Self-contained portable LPG-fueled generator located at Dysinger and Stolle Switchyards, for use if needed.
Gasoline	Less than 50 gallons	5-gallon steel containers located inside secondary containment for chainsaws, pumps, etc.  Mobile fueling truck w/spill kit on board, no full time storage.
Diesel Fuel	30 to 2,000 gallons	Mobile fueling truck w/spill kit on board, full time AST storage at laydown yards.
Dry Materials (plaster, fertilizer, etc.)	Varies	Indoor storage, temporary shelters, storage trailers, tarpaulins, etc.
Solid Waste (litter and construction debris)	Varies	Covered Dumpsters.
Sanitary Waste	Varies	Portable facilities.

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*[intentionally blank]*



#### 4.6 MANAGEMENT APPROVAL

NEETNY and its Construction Contractor are committed to the prevention of discharges of oil to navigable waters and the environment, and maintains the industry standards for spill prevention control and countermeasures through regular review, updating, and implementation of this SPCC Plan for the Project.

NEETNY will fully support the provisions of this Plan and will activate this Plan according to the guidelines set forth herein. All personnel with responsibilities covered by this Plan will be expected to become familiar and act in accordance with its provisions.

Facility On-Scene Commander:

Name (Print) \_\_\_\_\_

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

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

*[intentionally blank]*

#### 4.7 P.E. SPCC PLAN CERTIFICATION

I hereby certify that I have examined \_\_\_\_\_, *Site Name Here*, and attest that: I am familiar with the requirements of 40 CFR 112; that I or my agent has visited and examined the facility; that the plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of 40 CFR 112; that procedures for required inspections and testing have been established; and that the Plan is adequate for the facility.

\_\_\_\_\_  
Printed Name of Registered  
Professional Engineer

\_\_\_\_\_  
Signature of Registered  
Professional Engineer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registration

\_\_\_\_\_  
State

*P. E. Seal*

SECTION 4

#### 4.8 TECHNICAL AMENDMENT FORM – P.E. CERTIFICATION

This attachment is a technical amendment to the SPCC Plan for Project that reflects changes that materially affect the Facility’s potential to discharge oil into or upon navigable waters. The change(s) addressed in the technical amendment is as follows:

*Describe the amendment here*

---

#### Certification

I hereby certify that I or my agent has visited and examined the Facility and attest that: I am familiar with the requirements to 40 CFR 112; that this technical amendment has been prepared in accordance with good engineering practices, including consideration of applicable industry standards and with the requirements of 40 CFR 112.

*P. E. Seal*

\_\_\_\_\_  
**Printed Name of Registered  
Professional Engineer**

\_\_\_\_\_  
**Signature of Registered  
Professional Engineer**

\_\_\_\_\_  
**Registration No.**

\_\_\_\_\_  
**State**

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

#### **4.9 SUPPLEMENTAL SITE INFORMATION**

Please refer to the Project maps in Section 4 for Project details.

*[intentionally blank]*

ATTACHMENT A – Monthly SPCC Inspection Form





*[intentionally blank]*

ATTACHMENT B – Employee Training Record

*[intentionally blank]*

# SPCC TRAINING ROSTER

Instructor(s) \_\_\_\_\_

Date of Training : \_\_\_\_\_

Location: \_\_\_\_\_

Start time: \_\_\_\_\_ End time: \_\_\_\_\_

Training Roster entered into SAP? (Circle one) Yes or No

Entered by: \_\_\_\_\_

Select Course(s)

Course Titles:

\_\_\_\_\_

Enter Title here

\_\_\_\_\_

Enter Title here

\_\_\_\_\_

Enter Title here

\_\_\_\_\_

Enter Title here

\_\_\_\_\_

Other Training: \_\_\_\_\_

	Name (Please print clearly)	Employee SLID	Job Title	Signature
1				
2				
3				
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Send copy of form to:  
ENTER NAME HERE

Page \_\_\_\_\_ of \_\_\_\_\_