Environmental Health & Safety

Title: Oil Spill Notification, Reporting, and Response
Effective Date: 04/01/2008  Document #: PBS-007-001.JPB
Revision Date: Rev. 0

I. Purpose of the Policy: To ensure Oil Spills and releases occurring on the State University of New York College at Buffalo (BSC) premises are properly reported and managed in accordance with U.S. EPA and New York State Department of Environmental Conservation (NYSDEC) requirements for environmental protection.

II. Scope: This Policy and Procedure identifies the notification, response, countermeasures, and regulatory reporting requirements and protocols for Oil Spills and releases occurring on the BSC premises. For spills involving chemicals or wastes other than Oil, the BSC Integrated Contingency Plan (ICP) should be consulted.

III. Applicability/Responsibility:

1) Oil Spill notification protocols, as identified in Section V Part 1, apply to all BSC employees and contractors performing work on BSC premises.

2) Response and countermeasures to Minor Oil Spills, as identified in Section V Part 2, is the responsibility of all properly trained and qualified BSC employees.

2) BSC employees, who procure, specify, monitor, or supervise vendor/contractor services, including fuel oil deliveries, are also responsible for ensuring contractors/vendors comply with the applicable provisions of this Policy and Procedure and referenced regulations. Methods to ensure compliance include communicating appropriate requirements as specifications into procurement documents and work instructions, monitoring of vendor/contractor activities, and interfacing with the vendor during work on campus premises.

3) The BSC Environmental Health and Safety (EH&S) Office is responsible for:
   A) Monitoring, assessing, and improving the process for compliance with this Policy and Procedure;
   B) Monitoring regulations and disseminating information to affected BSC employees on new or modified requirements for Oil Spill and release reporting and response;
   C) Providing Spill Prevention Control and Countermeasures training to BSC employees on appropriate methods for responding to spills;
   D) Preparing reports and notifications to regulatory agencies, including U.S. EPA and the NYSDEC as necessary;
   E) Providing an Oil SPCC Coordinator or Alternate Coordinator to the Incident Command Team; and
   F) Maintaining the ICP and procedures for addressing campus-related Spills and releases.
4) The BSC Oil SPCC Coordinator and Alternate Oil SPCC Coordinator are responsible for providing Spill response assistance to the Incident Commander in accordance with the ICP. Specific responsibilities of the Oil SPCC Coordinator and Alternate SPCC Coordinator include: assessing the type and magnitude of the spill, contacting qualified spill responders to bring spill containment equipment to the spill location, supervising qualified spill responders, contacting and coordinating off-site spill responders, arranging for medical related care and transportation for off-scene medical services, reporting Spills exceeding reportable quantities to regulatory agencies, and ensuring proper management of spill clean-up waste.

IV. References:

40 CFR Part 110, “Discharge of Oil”

40 CFR Part 112, “Oil Pollution Prevention”

New York Environmental Conservation Law, Article 17, “Control of Bulk Storage of Petroleum”

New York Navigation Law, Article 12, “Oil Spill Prevention, Control, and Compensation”

6 NYCRR Part 613, “Handling and Storage of Petroleum”

17 NYCRR Parts 32 ”Oil Spill Prevention and Control-Actions to be Taken in Case of Discharge”

“Integrated Contingency Plan” (ICP), Buffalo State College

V. Policy and Procedure:

1) Discovery, Campus Notification, and Recording of Spills

A) If an Oil Spill is discovered that can not be readily wiped up because of traffic hazards, quantity released (e.g. greater than 1 quart), spill duration, or other safety hazards:

i) If possible, isolate and cordon off the area with caution tape, traffic cones, etc.; and

ii) Notify UPD at 878-6333 or via 2-way radio, they will notify appropriate personnel (Campus Services, Buffalo Fire etc) to respond.

B) Spills and releases, including underground storage tank leaks or overfills shall be immediately reported to the EH&S Office (878-4038, 878-6136, or 878-6113), unless the Spill or release meets all of the following criteria:

i) The Spill is known to be less than five (5) gallons of Oil;

ii) The Spill is contained and under control by the spiller or BSC employee;

iii) The Spill has not or will not reach the NYS waters or any land*; and

iv) The Spill is cleaned up within 2 hours of discovery.
* Note that land does not include areas with non-porous surfaces, such as blacktop pavement, concrete, spill containment berms, etc., that obstruct migration of oil;

C) The EH&S Office shall record the date, time, quantity spilled, and corrective action when Oil Spills are reported to the EH&S Office.

2) Spill Response and Countermeasures

A) The Oil SPCC Coordinator or Oil SPCC Alternate Coordinator from the EH&S Office shall carry out their responsibilities and coordinate Spill response activities as identified in item III.4 and the ICP.

B) BSC employees, who have received SPCC training are qualified and authorized to undertake response and countermeasures to Minor Oil Spills as follows:

i) Isolate and restrict access to impacted and potentially threatened areas;

ii) Eliminate ignition sources and do not smoke;

iii) Avoid contact with the spilled Oil;

iv) Place Oil absorbent booms or snakes and/or drain covers and mats on all floor drains, catch basins and any other drainage pathway to limit Oil dispersion to the extent possible; and

v) Ensure recovered spill material residues and absorbents are collected, containerized, labeled, properly characterized, and disposed of. Contact the EH&S Office 878-4038 or 878-6128 for assistance to ensure proper management of this waste.

C) For Major Oil Spills, a private spill response contractor company (i.e., Tonawanda Tank) that provides 24-hour emergency response and clean-up service, shall be contacted (716) 873-9703 to provide countermeasures services.

3) Regulatory Agency Notification

A) The EH&S Office shall immediately make oral notification to the NYS DEC at 716-851-7220 and 1-800-457-7362 and report those Oil Spills not meeting the criteria identified in Section 1.B of this procedure.

B) For Oil Spills that cause a sheen on nearby Navigable Waters of the U.S., or Oil Spills releases from underground storage tank leaks or overfilling that exceed 25 gallons, the EH&S Office shall make oral notification to U.S. EPA at 1-800-424-8802 within 24 hours. If the spill can not be cleaned up within 24 hours, EPA shall be notified of the circumstances.

C) A Telephone Conversation Record shall be completed when performing oral notification to U.S. EPA or NYSDEC. A copy of this notification form is provided as Appendix A.

D) The EH&S Office shall make written notification to U.S. EPA Region II for Oil Spills meeting the following criteria:

i) A single Discharge of Oil into or upon Navigable Waters of the U.S. or adjoining shoreline that exceeds 1,000 gallons; or
ii) Within a twelve (12) month period, two (2) Discharges of more than 42 gallons of Oil into or upon Navigable Waters of the U.S. or adjoining shorelines.

E) Written notification to U.S. EPA Region II (per item V.3.d) shall include: location of the facility, maximum storage or handling capacity of the facility and normal daily throughput, corrective action and countermeasures taken including a description of repairs and replacements, an adequate description of the facility (including topo maps, diagrams, etc), the cause of the discharge including a failure analysis of the failed system or subsystem, additional preventive measures to prevent failure recurrence, other information requested by EPA.

4) Spill Prevention Control and Countermeasures (SPCC) Plan

Additional detailed information on oil spill prevention and response for the BSC campus is contained in the SPCC Plan, which is maintained in the EH&S Office at the Clinton Center.

5) Records Management

A) A log of all Oil Spills reported to the EH&S Office and notifications to regulatory agencies shall be maintained on file in the EH&S Office for a minimum of three (3) years.

VI. Definitions:

**Discharge:** Any intentional or unintentional action or omission resulting in the releasing, spilling, leaking, pumping, pouring, emitting, emptying or dumping of petroleum into the waters of New York State or onto lands from which it might flow or drain into said waters, or into waters outside the jurisdiction of the state;

**Major Oil Spill:** A release or Spill of Oil, where the quantity released or leaked is greater than 25 gallons or less or the hazards (e.g. electrical) are unknown.

**Minor Oil Spill:** A release or Spill of Oil, where the quantity released or leaked is 25 gallons or less, and the hazards are known.

**Navigable Waters of the United States:** This term includes but is not limited to

(i) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters subject to the ebb and flow of the tide;

(ii) All interstate waters, including interstate wetlands;

(iii) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce including any such waters:

(A) That are or could be used by interstate or foreign travelers for recreational or other purposes; or

(B) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or,
(C) That are or could be used for industrial purposes by industries in interstate commerce;

(iv) All impoundments of waters otherwise defined as waters of the United States under this section;

(v) Tributaries of waters identified in paragraphs (1)(i) through (iv) of this definition;

(vi) The territorial sea; and

(vii) Wetlands adjacent to waters identified above.

An example of a Navigable Water of the U.S. is Scajaquada Creek.

**Oil**: Oil of any kind or in any form, including, but not limited to: fats, oils, or greases of animal, fish, or marine mammal origin; vegetable oils, including oils from seeds, nuts, fruits, or kernels; and, other oils and greases, including Petroleum, fuel oil, sludge, synthetic oils, mineral oils, oil refuse, or oil mixed with wastes other than dredged spoil.

**Petroleum**: Any petroleum-based oil of any kind which is liquid at 20 degrees C under atmospheric pressure and has been refined, re-refined, or otherwise processed for the purpose of being burned as a fuel to produce heat or usable energy, or which is suitable for use as a motor fuel or lubricant in the operation or maintenance of an engine. Examples include but are not limited to gasoline, diesel, motor oil and waste oil.

**Spill**: Any escape of Oil from the ordinary containers employed in the normal course of storage, transfer, processing or use.
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