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Appendix D

Sample Draft Spill Control and Countermeasure Plan

SPCC

SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN

for

- V1 Data Center - 2820 Northwestern Parkway
- V2 Data Center - 2565 Walsh Avenue,
- V3 Data Center - 2880 Northwestern Parkway,
- V4 Data Center - 2625 Walsh Avenue,

Santa Clara, California 95051
Phone: (408) 215-7300

Prepared By:

ATC Group Services LLC
1117 Lone Palm Avenue, Suite 201B
Modesto, California 95351
Phone: (209) 579-2221

January 12, 2017

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NOTE: Bracketed notes in table of contents indicate cross-reference to 40 CFR PART 112

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EMERGENCY CONTACTS LIST [40 CFR §112.7(A)(3)(VI)]:

FACILITY	*Facility Response Coordinator*	Matthew Silvers - Director of Operations	(408) 215-7787 Office (408) 215-7787 Cell	(1) Perform monthly and annual inspections (2) Respond to discharges (3) Request assistance from the fire and/or police departments, contractors, or other responders, as appropriate (4) Direct notifications and initial response, including direction of evacuations and contact the fire and police and other emergency response contractors, if necessary (5) Report spills, including provide information regarding characteristics of the materials and equipment (6) Coordinate emergency equipment, and supplies to maintain control of the facility (7) Transmit assessments and recommendations to Management.
	Alternate Facility Response Coordinator	Zach Rodarte Lead Critical Facility Technician	(408) 813-4430 Office (408) 813-4430 Cell	Responsible for Facility SPCC coordinator's duties as the alternate in the absence of the Facility SPCC Coordinator
LOCAL AGENCIES		City of Santa Clara Fire Department (CUPA)	911 (408) 615-4960	CUPA local reporting of releases - evaluate and respond to spills
		Sandra McKenzie - Cal OES Reg II LEPC Liaison	(510) 207-8832	Local Emergency Planning Commission to evaluate and respond to spills
STATE /FEDERAL AGENCIES		Governor's Office of Emergency Services, California State Warning Center	(800) 852-7550 (916) 262-1621	California State Agency responsible for receiving reports about accidental releases
		National Response Center (NRC)	(800) 424-8802	Federal point of contact for reporting oil and chemical spills.
		EPA Pacific Southwest, Region 9, San Francisco, California	(415) 744-1905	Federal Agency responsible for receiving reports about accidental releases

CERTIFICATION

In accordance with 40 CFR §112.3(d), I hereby certify that I (or my agent) have visited and examined the facility, and being familiar with the requirements of 40 CFR §112, attest that this SPCC Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards, and with the requirements of 40 CFR §112. I also certify that procedures for required inspections and testing as referenced in this SPCC Plan have been established and that this SPCC Plan is adequate for this facility. This certification in no way relieves the owner or operator of this facility of the duty to fully implement this SPCC Plan in accordance with the requirements of 40 CFR §112.

Jeanne Homsey, P.E.
ATC Group Services LLC
California Professional Engineer
Registration No. 47410
Date: January 12, 2017

Professional Engineer Seal

SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN

INTRODUCTION [112.7(A)(1)]

Title 40, Part 112 of the Code of Federal Regulations (40 CFR §112), (**Regulation Reference 1)** requires the preparation and implementation a Spill Prevention, Control and Countermeasure (SPCC) Plan for any non-transportation-related facility, which due to its location, could reasonably be expected to discharge oil into or upon the navigable waters of the United States in quantities that may be harmful as defined in 40 CFR § 110 and that has the capacity to store oil in volumes greater than or equal to:

- 1,320 gallons in total aboveground storage (counting only containers with an oil storage capacity of 55 gallons or more; including equipment containing oil for ancillary purposes) and/or

- 42,000 gallons in underground storage tanks that are not currently subject to all of the technical requirements of 40 CFR § 280 or all of the technical requirements of a State program approved under 40 CFR § 281.

Since the facility meets the above criteria, this facility is required to prepare and implement a SPCC Plan. Section 15 of this Plan includes recommendations and other required actions and should be followed to implement this Plan.

As a requirement of the Oil Pollution Act of 1990, any SPCC-regulated facility that could cause "substantial harm" to the environment as a result of a discharge of oil, is required to prepare and implement a Facility Response Plan in accordance with 40 CFR §112, Subpart D this SPCC Plan contains the completed "Certification of Substantial Harm Criteria Checklist" (**Appendix A**) used to certify that the facility does not pose a substantial harm to the environment and, therefore, is not required to prepare and implement a Facility Response Plan.

In 40 CFR §112.2, the definition of "oil" means oil of any kind and 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.

In 40 CFR §112.2, the definition of "navigable waters" of the United States means:

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;

All interstate waters, including interstate wetlands;

All other water 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:

- That are or could be used by interstate or foreign travelers for recreational or other purposes; or
- From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
- That are or could be used for industrial purposes by industries in interstate commerce;
- All impoundments of waters otherwise defined as waters of the United States under 40 CFR §112;
- Tributaries of waters identified above;
- The territorial sea; and
- Wetlands adjacent to waters (other than waters that are themselves wetlands) identified above.

Additionally, waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act (CWA) (other than cooling ponds, which also meet the criteria of this definition) are not waters of the United States. Navigable waters do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with the U.S. Environmental Protection Agency (USEPA).

In accordance with 40 CFR §112.3(a), if the facility was in operation prior to August 16, 2002 and had an existing Plan, an amended Plan must be implemented by November 10, 2011. If the facility was subject to these regulations prior to August 16, 2002 and did not have an existing Plan, this Plan must be implemented as soon as possible. If the facility became operational after August 16, 2002, this Plan must be implemented by November 10, 2011 or upon operation.

A complete copy of the SPCC Plan must remain on file at the facility if the facility is normally attended at least 4 hours per day or at the nearest field office if the facility is not so attended in accordance with 40 CFR §112.3(e).

Whenever the facility experiences a single discharge of more than 1,000 gallons of oil into or upon navigable waters or two or more discharges of more than 42 gallons of oil into or upon navigable waters within any 12-month period, the facility will submit the following information to the USEPA within 60 days [40 CFR §112.4]:

- Name of the facility and the person submitting the information;
- 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 equipment repairs and replacements;
- An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;
- The cause of the discharge(s) including a failure analysis of the system or subsystem in which the failure(s) occurred;

- Additional preventative measures taken or contemplated by the facility to minimize the possibility of recurrence; and
- Any other information as the USEPA may reasonably require pertinent to the SPCC Plan or discharge(s).

In addition to the Federal regulation, State of California Office of the State Fire Marshal regulates oil spills under California Health and Safety Code (H&SC) Section 25507.

SPCC PLAN MANAGEMENT APPROVAL & REVIEW – [PREAMBLE 112.7]

SPCC PLAN AMENDMENTS

This SPCC Plan will be amended whenever there is a change in the facility design, construction, operation or maintenance that materially affects the facility's potential for a discharge of oil into or upon navigable waters. Such amendment will take place within six months of the change and be implemented at the facility as soon as possible, but not later than six months after the SPCC Plan has been amended. Examples of changes that may require amendment of this SPCC Plan include, but are not limited to [40 CFR §112.5(a)]:

- Commissioning or decommissioning of oil storage containers;
- Reconstruction, replacement, or movement of oil storage containers;
- Reconstruction, replacement, or installation of oil-containing piping;
- Construction or demolition that alters secondary containment structures;
- Changes of product or service; or
- Revision of standard operation or maintenance procedures related to oil handling or oil storage.

In accordance with 40 CFR §112.5(c), any technical amendment to this SPCC Plan must be certified as being prepared in accordance with good engineering practice, and considering applicable industry standards, by a licensed Professional Engineer in accordance with 40 CFR §112.3(d).

In accordance with 40 CFR §112.5(b), if no required amendments based upon the above criteria have occurred for five (5) years from the previous amendment, the entire SPCC Plan must be reviewed, evaluated, and updated as necessary to ensure the use of current and effective discharge (spill) prevention technology.

SPCC PLAN MANAGEMENT APPROVAL

In accordance with 40 CFR §112.7, this SPCC Plan has the full approval of management at a level of authority to commit the necessary resources for its full implementation.

Authorized Facility Representative:	
Signature:	
Title:	

SPCC PLAN MANAGEMENT REVIEW [112.5(b)]

In accordance with 40 CFR §112.5(b), the facility's management will complete a review and evaluation of this SPCC Plan at least once every five years. The facility's management will amend this SPCC Plan within six months of the review to include more effective prevention and control technology if: (1) such technology will significantly reduce the likelihood of a discharge event from the facility and (2) if such technology has been field-proven at the time of review. Such amendment will be implemented at the facility as soon as possible, but no later than six months following the amendment to this SPCC Plan. The review and evaluation must be documented below and noted whether or not this SPCC Plan will be amended:

By my signature below, I document that I have completed a review and evaluation of this SPCC Plan and have noted below if this SPCC Plan will or will not be amended as a result.

DATE	AMENDMENTS[1]	SIGNATURE

[1] In accordance with 40 CFR § 112.5(c), any technical amendment to this SPCC Plan will be certified by a Professional Engineer in accordance with 40 CFR § 112.3(d). -

GENERAL REQUIREMENTS FOR SPCC PLANS [40 CFR §112.7]

1.0 FACILITY OWNER AND OPERATOR:

1.1. FACILITY OWNER, ADDRESS AND TELEPHONE:

Vantage Data Centers Management Company LLC
2565 Walsh Ave
Santa Clara, CA 95051
(408) 215-7300

1.2. FACILITY ADDRESS AND TELEPHONE:

Vantage Data Centers 4 LLC
2820 Northwestern Pkwy
Santa Clara, CA 9505
(408) 215-7300

2.0 FACILITY DESCRIPTION [40 CFR §112.7(A)]

2.1. FACILITY CONFORMANCE [40 CFR §112.7(A)(1&2)]:

This SPCC Plan along with its implementation by the facility provides conformance with the requirements under 40 CFR 112. This plan does not deviate from the requirements under 40 CFR 112.7(g), (h)(2), (h)(3) and (i) and 40 CFR 112.8. If this plan does not conform to the aforementioned requirements, it must state the reasons for nonconformance and describe alternate methods to achieve equivalent environmental protection.

2.2. FACILITY OPERATIONS [40 CFR §112.7(A)(3)]:

Vantage Data Center (VDC) is located in California, in the county of Santa Clara, within the City of Santa Clara. VDC is set within a triangular-shaped area with Central Expressway bordering the property on the north, Northwestern Parkway bordering the property on the east, and Walsh Avenue bordering the property on the south and west. A USGS topographic map, providing information on the general topographic features of the site and surrounding areas is included as **Figure 1.**

The Facility, which is a commercial office and data center is located within a commercial area of Santa Clara. **Figure 2** is a map of the facility.

Facility Name	**Street address**
V1 Data Center (Facility V1)	2820 Northwestern Parkway
V2 Data Center (Facility V2)	2565 Walsh Avenue,
V3 Data Center (Facility V3	2880 Northwestern Parkway
V4 Data Center (Facility V4)	2625 Walsh Avenue.

Each of the four facilities consists of commercial office space and a data centers with uninterruptable power supply systems. Each facility has its own oil-filled distribution transformers, and associated switchgear. Facility V2 and Facility V3 have their own emergency generators. Facility V1 also includes a Central Utility Plant (CUP) that has emergency generators used for both Facility V1 and Facility V4, and supplies chilled water to all four data centers.

Material Storage Areas or MSAs are areas that are designated to store oil. The types of MSAs in use at this facility are identified in the table below.

Types of Material Storage Areas (MSAs) in Use at This Facility			
Acronym	**Short Description**	**Description**	**Example**
SS	Self-sheltered	Self-contained units - represented by a double-wall aboveground tank unit within a unit enclosure (e.g. enclosed generator unit or enclosed double-wall above ground storage tank (AST)).	SS01
OF	Oil Filled	Oil filled operational equipment (electrical and hydraulic) typically these are sealed, single-walled units protected against spills by the facility's general secondary containment requirements.	OF01
BI	Building Interior	Single-walled AST(s) surrounded by a sized secondary containment system or double-walled AST(s) located within the shelter of an enclosed building. The building exterior sheds rainwater.	BI101

Maps of each facility and their respective MSAs are identified in the following table.

Facility	**MSA**	**Layout Map**
V_1	V_{CUP}	Figure 3
V_1	V_1	Figure 7
V_2	V_2	Figure 11
V_3	V_3	Figure 15
V_4	V_4	Figure 18

Representative photographs of the stored oil can be found in **Appendix B.**

2.3. FACILITY STORAGE [40 CFR §112.7(A)(3)(I)]:

Only above ground containers 55 gallons or greater with contents classified as "oil" as previously defined are listed in the tables since the SPCC regulations only require containers of that capacity to be addressed. The total aboveground capacity of all oil storage containers at this facility is approximately 168,055 gallons; including 142,490 gallons of oil in bulk storage containers and 25,565 gallons of oil in oil-filled operational equipment. **Table 1** identifies the bulk oil stored on site and **Table 2** identifies the oil contained in the oil-filled operational equipment.

Underground Storage Tanks (USTs) storing oil subject to federal regulations under 40 CFR § 280 or a state approved program under 40 CFR § 281 are exempt from the SPCC regulations other than denoting their location on the Facility Site Plan. USTs not subject to the aforementioned regulations are subject to the SPCC regulations. There are no USTs located at this facility.

2.4. DISCHARGE PREVENTION MEASURES [40 CFR §112.7(A)(3)(II)]:

The standby generator units and the auxiliary fuel storage tanks have been designed with double-wall ASTs. The interstitial space between the walls of each AST is continuously monitored electronically for the existence of liquids. This monitoring system is electronically linked to an alarm system in the security office that alerts personnel if a leak is detected. Additionally the standby generator units are housed within a self-sheltering enclosure that prevents the intrusion of storm water.

Procedures for routine oil transfers are provided in **Appendix C** of this SPCC Plan.

2.5. DISCHARGE CONTROLS [40 CFR §112.7(A)(3)(III)]:

Discharge and drainage controls are discussed is Sections 11 and 12 of this SPCC Plan.

2.6. DISCHARGE DISCOVERY, RESPONSE AND CLEANUP [40 CFR §112.7(A)(3)(IV)]:

In the event of an oil discharge at this facility, the facility's Spill Response Procedure will be followed. A copy of the Spill/Release Notification procedure is included in **Appendix D**. Documentation of the release is part of the procedure and a Spill/Release Notification form is included in **Appendix E** for this purpose.

Each MSA contains a spill kit where ample supplies of spill response supplies are kept.

In addition to the Federal requirements above, under H&SC Section 25507 California-specific discharge response actions will be taken.

2.7. DISPOSAL OF RECOVERED MATERIALS [40 CFR §112.7(A)(3)(V)]:

Disposal of recovered oil and oil-contaminated materials will take place in accordance with applicable legal requirements.

3.0 DISCHARGE REPORTING INFORMATION [40 CFR §112.7(A)(4 & 5)]:

In the event of an oil discharge from this facility, the facility's Spill Response Procedure will be followed and the Spill Report will be completed.

3.1. REPORTING REQUIREMENTS:

3.1.1. NATIONAL RESPONSE CENTER NOTIFICATION REQUIREMENTS [40 CFR § 110]

Notification by phone must be made to the NRC within 24 hours of whenever the facility has discharged (spilled or released) into navigable waters of the state.

The facility Spill Coordinator must submit specific information to the EPA Regional Administrator (U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105) within sixty (60) days of either of the following occurrences:

Whenever the facility has discharged more than 1,000-gallons or more of oil in a single discharge as described in 40 CFR 112.1(b), into navigable waters of the state or adjoining shorelines.

Whenever the facility has discharged more than 42-gallons of oil as described in 40 CFR 112.4(a), in each of two discharges occurring within any twelve-month period, or in harmful quantities as defined in 40 CFR 110.

Federal requirements also require reporting of releases to the Local Emergency Planning Committee under 40 CFR 355.40 if the release migrates off site or causes an immediate or potential danger to the public health.

3.1.2. CALIFORNIA SPILL REPORTING REGULATIONS [CWC §13272 & H&SC §25507]

California Health and Safety Code §25507 and California Water Code §13272 (**Regulation Reference 2**) requires that any significant release or threatened release of a hazardous material in California, requires immediate reporting by the responsible person to the Cal OES State Warning Center at (800) 852-7550 and the local California Unified Program Agency (CUPA) or 911.

State notification requirements for a spill or release include (as a minimum):

- Identity of caller
- Location, date and time of spill, release, or threatened Release
- Substance and quantity involved
- Chemical name (if known, it should be reported if the chemical is extremely hazardous)
- Description of what happened

4.0 POTENTIAL DISCHARGES, CONTAINMENT AND CONTAINMENT IMPRACTICABILITY DETERMINATION [40 CFR §112.7(B-D)]:

4.1. POTENTIAL DISCHARGES AND CONTAINMENT [40 CFR §112.7(B) & (C)]:

Table 3 provides a prediction of the direction, rate of flow, and total quantity of oil that could be potentially discharged from equipment failure at the facility. In addition, the table provides the containment and/or diversionary structures from each area where there is a potential for a discharge to navigable waters.

4.2. CONTAINMENT IMPRACTICABILITY DETERMINATION [40 CFR §112.7(D)]:

The aforementioned containment structures noted in the table above appear adequate and are installed according to 40 CFR 112.7(c) and (h)(1) and 112.8(c)(2) and (c)(11); therefore, no impracticability statement is being made.

If the installation of a secondary containment structure is found to be impracticable, this SPCC Plan must clearly explain why such measures are not practicable and conduct periodic integrity testing on bulk containers and associated piping and valves. In addition, an oil spill contingency plan must be developed according to 40 CFR 109 and include a written commitment of labor, equipment, and materials to expeditiously control and remove any quantity of oil discharged.

5.0 INSPECTIONS, TESTS AND RECORDS [40 CFR §112.7(E)]:

Inspections and tests required by this SPCC Plan must be conducted in accordance with written procedures. Oil and chemical storage containers, equipment and related secondary containment structures must be visually examined on a routine basis for signs of deterioration or leaks. Deficiencies or problems must be documented on an inspection form along with the corrective action.

Regular inspections of the storage containers, oil-containing equipment, and related secondary containment structures must be performed and documented according to the written procedure/record of inspection of the type provided in **Appendix F** of this SPCC Plan. Records of the inspections and tests, signed by the appropriate supervisor or inspector, must be kept with the SPCC Plan for a period of at least three years. Records of inspections and tests kept under usual business and customary business practices will suffice for purposes of compliance with 40 CFR §112.7(e).

6.0 PERSONNEL, TRAINING, AND DISCHARGE PREVENTION PROCEDURES [40 CFR §112.7(F)]:

6.1. TRAINING [40 CFR §112.7(F)]:

At a minimum, all oil-handling personnel must be trained within 30 days of hire. Initial training must involve whom to notify if a discharge occurs. Employees must also be trained annually in the following (at a minimum):

- Operation and maintenance of equipment to prevent discharges;
- Discharge procedure protocols;
- Applicable pollution control laws, rules and regulations;
- General facility operations; and
- Contents of the facility SPCC Plan.

Training records are located in **Appendix G** of this SPCC Plan and must be maintained in by facility personnel.

6.2. DISCHARGE PREVENTION COORDINATOR [40 CFR §112.7(F)(2)]:

The following person is accountable for discharge prevention at this facility and reports to facility management:

Name: Matthew Silvers
Title: Primary SPCC Coordinator / Director of Operations

6.3. DISCHARGE PREVENTION BRIEFINGS [40 CFR §112.7(F)(3)]:

Discharge prevention briefings must be scheduled and conducted for all oil-handling personnel annually to assure adequate understanding of this SPCC Plan. These briefings, at a minimum, must highlight and describe known discharges or failures, malfunctioning components, and any recently developed precautionary measures. Training records located in **Appendix G** of this SPCC Plan must be maintained by facility personnel.

7.0 SECURITY [40 CFR §112.7(G)]:

7.1. FENCING [40 CFR §112.7(G)(1)]:

Fencing and steel bollards are provided at the perimeter of the equipment yard.

Entrance to the building is access controlled with employee electronic access cards. The entrances are electronically locked at all times.

7.2. MASTER FLOW AND DRAIN VALVES [40 CFR §112.7(G)(2)]:

Not applicable since there are no master flow, drain valves, and other valves at the facility.

7.3. PUMP STARTER CONTROLS [40 CFR §112.7(G)(3)]:

No pumps are included at this facility.

7.4. LOADING/UNLOADING CONNECTIONS [40 CFR §112.7(G)(4)]:

Fill ports for the ASTs are contained within locked generator enclosures at all times and opened by the facility personnel at the time of diesel fuel delivery. Each generator is contained within the locked areas or access controlled areas of the facility.

7.5. LIGHTING [40 CFR §112.7(G)(5)]:

The facility is outfitted with dusk-to-dawn security lighting system controlled by a cybernetic photocell light controller which automatically turns on lights at dusk and off at dawn.

The facility's lighting is adequate with the type and location to assist the facility to assist in the:

- Discovery of a discharge occurring during hours of darkness, both by operating personnel and by non-operating personnel (i.e., general public, local police, etc.) and
- Prevention of a discharge occurring through acts of vandalism.

8.0 FACILITY DELIVERY TRUCK LOADING AND UNLOADING RACK [40 CFR §112.7(H)]:

8.1. CONTAINMENT [40 CFR §112.7(H)(1)]:

A contracted fuel supplier delivers fuel on an as-needed basis in a compartmentalized tanker truck with maximum capacity of 8,500 gallons. The tanker truck parks at the gated entrances to the equipment yard for re-fueling.

There are no loading/unloading racks or containment for re-fueling events; however, a spill catch basin is located at each fill port for the generators.

If the tanker truck has a leak or spill, release would flow onto the ground and would flow toward the storm water management drains adjacent to the equipment yard.

Rubber pads or similar devices must be kept in the equipment yard to allow quick blockage of the storm sewer drains in case of a release. Storm water management drains must be blocked off by the truck driver and/or facility staff during fueling events to prevent discharge and/or potential flow from entering the storm sewer system. Consequently, it would be best if unloading operations were not scheduled at times when storm event are probable.

Each MSA includes a spill kit. The contents of a typical spill kit are include in **Appendix H**.

8.2. DISCONNECTION OF TRANSFER LINES [40 CFR §112.7(H)(2)]

Warning signs and/or wheel chocks must be used in the loading and/or unloading areas to prevent vehicles from departing before complete disconnection of flexible or fixed transfer lines.

An emergency pump shut-off is utilized if a pump hose break while fueling the AST(s). Tanker truck loading and unloading procedures are to be posted at the loading and unloading area. Tanker truck loading/unloading procedures in **Appendix C** must be posted at the loading and unloading areas.

8.3. LOWERMOST DRAIN AND OUTLETS [40 CFR §112.7(H)(3)]:

Prior to filling and departure of any container truck, the lowermost drain and all outlets must be closely inspected for discharges and, if necessary, the drain and/or outlets shall be tightened, adjusted, or replaced to prevent a discharge while in transit.

9.0 BRITTLE FRACTURE EVALUATION [40 CFR §112.7(I)]:

ASTs undergoing repair, alteration, or reconstruction must be visually inspected. All of the oil storage containers at the facility are shop-fabricated steel tanks. Since there are no field-constructed oil containers, the requirements under 40 CFR §112.7(i) are not applicable for brittle fracture evaluation.

10.0 STATE DISCHARGE PREVENTION REGULATIONS [40 CFR §112.7(J)]

California regulations are incorporated in this SPCC Plan where appropriate. A copy of California's Aboveground Petroleum Storage Act (APSA) Regulations are included in **Regulation References 3.**

SPCC PLAN REQUIREMENTS FOR ONSHORE, NON-PRODUCTION, FACILITIES [40 CFR §112.8]

Per 40 CFR §112.8(a), this facility is also required to comply with the specific discharge prevention and containment procedures for an onshore, non-production facility as follows:

11.0 FACILITY DRAINAGE [40 CFR §112.8(B)]

11.1. DRAINAGE FROM DIKED AREAS [40 CFR §112.8(B)(1)]:

ASTs at the facility and respective secondary containments are not exposed to direct precipitation and therefore do not require draining.

No diked areas are located at the facility. Municipal storm water drains are located in the perimeter of the building within the asphalt paved drive lanes and parking areas.

11.2. MANUAL VALVES ON DIKED AREAS [40 CFR §112.8(B)(2)]:

Not applicable since there are no diked areas at the facility.

11.3. DRAINAGE FROM UNDIKED AREAS [40 CFR §112.8(B)(3)]:

ASTs and respective secondary containments at the facility are not exposed to precipitation and therefore, are not subject to flooding.

Storm sewer drains in the asphalt drive lane are blocked off prior to tanker truck unloading operations. General facility drainage, as shown on **Figure 2**, flows towards the nearest downgradient storm sewer inlets. If it is necessary, facility staff can access the storm sewer drain and block flow.

11.4. DRAINAGE FROM UNDIKED AREAS (DITCHES) [40 CFR §112.8(B)(4)]:

Not applicable since there are no ditches at the facility.

11.5. TREATMENT OF FACILITY DRAINAGE [40 CFR §112.12(B)(5)]:

The AST in each generator unit is of double-wall construction and within locked generator enclosures and therefore the ASTs are not exposed to storm water. Treatment of drainage at the facility is not necessary.

12.0 BULK STORAGE CONTAINERS [40 CFR §112.8(C)]

12.1. STORAGE CONTAINER COMPATIBILITY [40 CFR §112.8(C)(1)]:

AST containers used for storage of oil at this facility are constructed of steel compatible with the products stored and conditions of storage such as pressure and temperature.

12.2. STORAGE CONTAINER SECONDARY CONTAINMENT [40 CFR §112.8(C)(2)]:

The AST on each genset is of double-wall construction and within locked generator enclosures. Potential discharge of oil from these tanks is contained. Capacity of the secondary containment in each AST is adequate.

12.3. DRAINAGE OF STORM WATER FROM SECONDARY CONTAINMENT [40 CFR §112.8(C)(3)]:

Not applicable since the AST secondary containments are not exposed to precipitation.

12.4. CORROSION PROTECTION OF COMPLETELY BURIED METALLIC CONTAINERS [40 CFR §112.8(C)(4)]:

Not applicable since there are no completely buried metallic storage containers at the facility.

12.5. CORROSION PROTECTION OF PARTIALLY BURIED METALLIC CONTAINERS [40 CFR §112.8(C)(5)]:

Not applicable since there are no partially buried metallic storage containers at this facility.

12.6. INTEGRITY TESTING OF STORAGE CONTAINERS [40 CFR §112.8(C)(6)]:

ASTs at the facility must be inspected on a regular basis, and whenever making material repairs. Visual inspections must include checking the outside of the containers, supports and foundations, gauges, valves, fittings and piping for leaks, damage or deterioration, or any accumulation of material inside diked areas. Comparison records must be kept and the container's supports and foundations must be inspected. The outside of the containers must be frequently inspected for signs of deterioration, discharges, or accumulations of oil. Visual monthly and annual inspections must be conducted and must be documented using the form provided in **Appendix F**.

The SPCC regulations require integrity testing for certain bulk oil containers; however, integrity testing is not required for the aboveground containers since each container is well-designed shop-built containers with a capacity of less than 30,000 gallons. AST containers are not in contact with soils and can visually be inspected. If integrity testing is performed in the future, records must be kept in **Appendix J**.

12.7. INTERNAL HEATING COILS [40 CFR §112.8(C)(7)]:

Not applicable since there are no internal heating coils at the facility.

12.8. FAIL-SAFE ENGINEERING OF STORAGE CONTAINERS [40 CFR §112.8(C)(8)]:

Storage containers at this facility are fail-safe engineered in accordance with good engineering practices to avoid discharges.

The release warning systems utilized at the facility are described as follows:

The double walled ASTs have a system which monitors interstitial space between the AST walls. This is in turn electronically monitored via a computer software system that pages cellular phones of designated facility staff in the event of an alarm/emergency release.

- A 90% full shut-off (overflow protection) valve, combined with redundancy high and/or low alarms are located in each AST;
- Each AST is equipped with a liquid level gauge; manual inventory is conducted for the AST product;
- Fuel transferring operations are observed by a member of building staff;
- Each generator has an emergency shut off located on the exterior and interior of the generator.

- As a condition of this SPCC Plan, these systems must be tested on a regular basis. Unloading and loading operations must be overseen by facility staff at all times to prevent overfilling.

12.9. OBSERVATION OF TREATED EFFLUENT [40 CFR §112.8(C)(9)]:

Not applicable since there are no effluent treatment facilities at the facility.

12.10. CORRECTION OF VISIBLE LEAKS [40 CFR §112.8(C)(10)]:

Visible discharges that result in a loss of oil from a container, including but not limited to, seams, gaskets, piping, pumps, rivets, and bolts shall be promptly corrected. Any material that accumulates within a diked area (none located at the facility) must be promptly removed.

12.11. POSITION OF MOBILE OR PORTABLE STORAGE CONTAINERS [40 CFR §112.8(C)(11)]:

Not applicable since there are no portable oil containers at the facility.

13.0 FACILITY TRANSFER OPERATIONS, PUMPING AND FACILITY PROCESSES [40 CFR §112.8(D)]:

13.1. PROTECTION OF BURIED PIPING [40 CFR §112.8(D) (1)]:

Not applicable since there is no buried piping at the facility.

13.2. PIPING NOT IN-SERVICE OR IN STANDBY SERVICE [40 CFR §112.8(D) (2)]:

Terminal connections at the transfer connection point of piping that is not in service or in standby service for an extended time must be capped or blank-flanged and marked as to its origin.

13.3. DESIGN OF PIPING SUPPORTS [40 CFR §112.8(D) (3)]:

Not applicable since there are no piping supports at the facility.

13.4. INSPECTION OF ABOVEGROUND VALVES, PIPING AND APPURTENANCES [40 CFR §112.8(D) (4)]:

Aboveground-service valves, piping and appurtenances must be regularly inspected. During the inspection, the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipe supports, valve locks, and metal surfaces, must be assessed.

13.5. WARNING OF VEHICLES [40 CFR §112.8(D) (5)]:

Drivers of vehicles entering the facility are warned to be careful of endangering aboveground piping or other oil transfer operations.

14.0 RECOMMENDATIONS AND REQUIRED ACTIONS

14.1. RECOMMENDATIONS

Guidelines for preparation and implementation of an SPCC Plan are included in 40 CFR 112. The following recommendations with reference to the applicable regulation(s) are being made to enhance the facility's spill prevention and control capabilities and as part of implementing this Plan. The recommendations also serve as a means of communicating "Best Management Practices" to on-site personnel. The recommendations may not be required for regulatory compliance unless specifically noted.

Recommendation #1	
Actions Taken	
Date Completed	

Recommendation #2	
Actions Taken	
Date Completed	

Recommendation #3	
Actions Taken	
Date Completed	

Note: Once the recommendations have been completed, it is the Spill Coordinator's responsibility to write in the actions taken and the date completed.

14.2. PLAN AMENDMENTS AND REVIEW [40 CFR §112.5(A,B&C)]:

SPCC Plan review is required every 5 years by management and plan amendments are required as part of implementing this plan. These requirements can be found in the Introduction Section of this Plan.

14.3. NOTIFICATION OF DISCHARGES [40 CFR §112.7 (A)(4)]:

Notification of discharges is required as part of implementing this plan. Notification of discharge requirements can be found in Section 3 of this Plan and Spill/Release Notification forms for recording discharges are included in **Appendix E**.

14.4. MANAGEMENT PLAN APPROVAL [40 CFR §112.7]:

Management approval is required as part of implementing this plan. Management approval requirements can be found in the Introduction Section of this Plan and requires the complete review and signature authorization by management.

14.5. VISUAL INSPECTIONS [40 CFR §112.7(E)]:

The SPCC regulations require visual inspections as part of implementing this plan. Visual inspection requirements can be found in Section 5 of this Plan and recordkeeping forms for visual inspections are included in **Appendix F**.

14.6. TRAINING [40 CFR §112.7(F)]:

The SPCC regulations require training for the facilities oil handlers as part of implementing this plan. Training requirements can be found in Section 6 of this Plan and recordkeeping forms for training are included in **Appendix G**.

14.7. OTHER APPLICABLE REGULATIONS [40 CFR §112.7(J)]:

The SPCC regulations require conformance with other applicable regulations as part of implementing this plan. Discussion of other applicable regulations can be found in Section 10 of this Plan and the applicable regulations are included in **Regulation References 2 and 3**.

14.8. DRAINAGE RECORDS [40 CFR §112.8(C)(3)]:

One of the objectives of the regulation is to ensure oil is not released with accumulated precipitation in containment systems that are exposed to stormwater. The current bulk storage containers at the facility have been engineered to prevent exposure to and collection of storm water. Consequently the drainage of storm water is not necessary. If in the future the drainage of storm water becomes necessary records of drainage will be included in **Appendix I**.

14.9. TESTING [40 CFR §112.8(C)(6)]:

The SPCC regulations require integrity testing for certain bulk oil containers as part of implementing this plan. Integrity testing is not required for any of the existing above ground containers since they are well designed shop-built containers with a capacity less than 30,000 gallons and are not in contact with soils and can be visually inspected. Integrity testing requirements can be found in Section 13 of this Plan and if testing is performed in the future, records can be kept in **Appendix J**.

14.10. MISCELLANEOUS DOCUMENTATION INCLUDING REGULATORY INSPECTIONS AND CORRESPONDENCE

Appendix K is reserved as a placeholder for miscellaneous documentation including documentation regulatory inspections and regulatory correspondence.

TABLES

Table 1
Bulk Oil Container Inventory
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051

MSA	Container Name	Oil Type	New/Spnt	Quant	Ttl Shell Cap (gallons)	Total	Tank Type	Const Envrnmnt	Tank Design Type	Pri Tank Mat of Const	Sec Tank Mat of Const	Overfill Protection	Interstice Monitoring	Secondary Containment Method
VCUP-SS01	BlueCat1	Diesel Fuel	New	1	100	100	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	BlueCat2	Diesel Fuel	New	1	100	100	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	BlueCat3	Diesel Fuel	New	1	100	100	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	BlueCat4	Diesel Fuel	New	1	100	100	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	BlueCatSupport -TAST01	Diesel Fuel	New	1	3000	3000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	BlueCatSupport - AST02	Diesel Fuel	New	1	12000	12000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins1	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins2	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins3	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins4	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins5	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins6	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins7	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins8	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS01	Cummins9	Diesel Fuel	New	1	5000	5000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS02	GreyOldCat1	Diesel Fuel	New	1	50	50	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS02	GreyOldCat2	Diesel Fuel	New	1	50	50	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS02	GreyOldCat3	Diesel Fuel	New	1	50	50	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-SS02	GreyOldCatSupport - AST01	Diesel Fuel	New	1	4000	4000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
VCUP-BI01	Drummed Oil	Mineral Oil	New	1	55	55	Bulk	Factory-built	SW	Carbon Steel	SC Pallet	Not Applicable	NA	SC Pallet
VCUP-BI01	Drummed Oil	Mineral Oil	New	1	55	55	Bulk	Factory-built	SW	Carbon Steel	SC Pallet	Not Applicable	NA	SC Pallet
VCUP-BI01	Drummed Oil	Mineral Oil	Spent	1	55	55	Bulk	Factory-built	SW	Carbon Steel	SC Pallet	Visual	NA	SC Pallet
VCUP-BI01	Drummed Oil	Mineral Oil	Spent	1	55	55	Bulk	Factory-built	SW	Carbon Steel	SC Pallet	Visual	NA	SC Pallet
V2-SS01	MTU01	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V2-SS01	MTU02	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V2-SS01	MTU03	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V2-SS01	MTU04	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V2-SS01	MTU05	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V2-SS01	MTU06	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V2-SS01	MTU07	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V2-SS01	MTU08	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V2-SS01	MTU09	Diesel Fuel	New	1	6000	6000	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V3-SS01	Cummins1	Diesel Fuel	New	1	5930	5930	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V3-SS01	Cummins2	Diesel Fuel	New	1	5930	5930	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V3-SS01	Cummins3	Diesel Fuel	New	1	5930	5930	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
V3-SS01	Cummins4	Diesel Fuel	New	1	5930	5930	Bulk	Factory-built	DW	Carbon Steel	Integral Double-Wall Const Design	Float Valve and Electronic Alarm	Electronic Monitoring	Integral Double-Wall
					Total	**142,490**	**gal**							

Table 2
Oil-Filled Operational Equipment Inventory
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051

Facility	MSA	Equipment Name	Oil Type	Quant	Ttl Shell Cap (gallons)	Total (gallons)	Tank Type	Const Envrnmnt	Tank Design Type	Pri Tank Mat of Const	Sec Tank Mat of Const	Overfill Protection	Interstice Monitoring	Secondary Containment Method
V1	VCUP-SS01	BlueCat1	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	BlueCat2	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	BlueCat3	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	BlueCat4	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins1	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins2	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins3	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins4	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins5	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins6	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins7	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins8	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS01	Cummins9	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS02	GreyOldCat1	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS02	GreyOldCat2	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-SS02	GreyOldCat3	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-BI01	CHLLR01	Refrigeration Oil	1	10	10	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-BI01	CHLLR01	Refrigeration Oil	1	10	10	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-BI01	CHLLR02	Refrigeration Oil	1	10	10	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-BI01	CHLLR03	Refrigeration Oil	1	10	10	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-BI01	CHLLR04	Refrigeration Oil	1	10	10	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-BI01	CHLLR05	Refrigeration Oil	1	10	10	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-BI01	CHLLR06	Refrigeration Oil	1	10	10	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	VCUP-BI01	CHLLR07	Refrigeration Oil	1	10	10	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF01	XSFMR01	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF01	XSFMR02	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF01	XSFMR03	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF01	XSFMR04	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF01	XSFMR05	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF01	XSFMR06	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF02	XSFMR01	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF02	XSFMR02	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF02	XSFMR03	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF02	XSFMR04	Mineral Oil	1	843	843	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V1	V1-OF101	Elevator	Hydraulic Oil	1	150	150	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-SS01	MTU01	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-SS01	MTU02	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-SS01	MTU03	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-SS01	MTU04	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-SS01	MTU05	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC

Table 2
Oil-Filled Operational Equipment Inventory
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051
2 of 2

Facility	MSA	Equipment Name	Oil Type	Quant	Ttl Shell Cap (gallons)	Total (gallons)	Tank Type	Const Envrnmnt	Tank Design Type	Pri Tank Mat of Const	Sec Tank Mat of Const	Overfill Protection	Interstice Monitoring	Secondary Containment Method
V2	V2-SS01	MTU06	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-SS01	MTU07	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-SS01	MTU08	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-SS01	MTU09	Motor Oil	1	104	104	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF01	XSFMR01	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF01	XSFMR02	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF01	XSFMR03	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF01	XSFMR04	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF01	XSFMR05	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF01	XSFMR06	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF01	XSFMR07	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF01	XSFMR08	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF02	XSFMR01	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF02	XSFMR02	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF02	XSFMR03	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V2	V2-OF02	XSFMR04	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V3	V3-SS01	Cummins1	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V3	V3-SS01	Cummins2	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V3	V3-SS01	Cummins3	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V3	V3-SS01	Cummins4	Motor Oil	1	103	103	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V3	V3-OF01	XSFMR01	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V3	V3-OF01	XSFMR02	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V3	V3-OF01	XSFMR03	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V3	V3-OF01	XSFMR04	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V4	V4-OF01	XSFMR02	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V4	V4-OF01	XSFMR02	Mineral Oil	1	758	758	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
V4	V4-OF101	Elevator	Hydraulic Oil	1	275	275	OFOE	Factory-built	SW	Carbon Steel	None	Visual	NA	General SC
				Total		**25,565**	**gallons**							

Table 3
Potential for Oil Discharges and Containment
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051

Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
BlueCat1	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	100	100	Double-Wall Design	110
BlueCat1	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
BlueCat1	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
BlueCat1	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
BlueCat2	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	100	100	Double-Wall Design	110
BlueCat2	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
BlueCat2	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
BlueCat2	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
BlueCat3	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	100	100	Double-Wall Design	110
BlueCat3	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
BlueCat3	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250

Table 3
Potential for Oil Discharges and Containment
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051

Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
BlueCat3	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
BlueCat4	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	100	100	Double-Wall Design	110
BlueCat4	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
BlueCat4	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
BlueCat4	VCUP-SS01	100	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
BlueCatSupport -TAST01	VCUP-SS01	3000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	3000	3000	Double-Wall Design	3300
BlueCatSupport -TAST01	VCUP-SS01	3000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
BlueCatSupport -TAST01	VCUP-SS01	3000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
BlueCatSupport -TAST01	VCUP-SS01	3000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
BlueCatSupport - AST02	VCUP-SS01	12000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	12000	12000	Double-Wall Design	13200
BlueCatSupport - AST02	VCUP-SS01	12000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	12000	12000	Double-Wall Design	13200

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Vantage Data Center
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Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
BlueCatSupport - AST02	VCUP-SS01	12000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
BlueCatSupport - AST02	VCUP-SS01	12000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins1	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins1	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins1	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins1	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins2	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5000	5000	Double-Wall Design	5500
Cummins2	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5000	5000	Double-Wall Design	5500
Cummins2	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins2	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins3	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250

Table 3
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Vantage Data Center
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Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
Cummins3	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins3	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins3	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins4	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5000	5000	Double-Wall Design	5500
Cummins4	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5000	5000	Double-Wall Design	5500
Cummins4	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins4	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins5	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins5	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins5	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins5	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250

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Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
Cummins6	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5000	5000	Double-Wall Design	5500
Cummins6	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5000	5000	Double-Wall Design	5500
Cummins6	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins6	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins7	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins7	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins7	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins7	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins8	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5000	5000	Double-Wall Design	5500
Cummins8	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5000	5000	Double-Wall Design	5500
Cummins8	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250

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Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
Cummins8	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins9	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins9	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins9	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins9	VCUP-SS01	5000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
GreyOldCat1	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	50	50	Double-Wall Design	55
GreyOldCat1	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
GreyOldCat1	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
GreyOldCat1	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
GreyOldCat2	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	50	50	Double-Wall Design	55
GreyOldCat2	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250

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Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
GreyOldCat2	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
GreyOldCat2	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
GreyOldCat3	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	50	50	Double-Wall Design	55
GreyOldCat3	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
GreyOldCat3	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
GreyOldCat3	VCUP-SS02	50	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
GreyOldCatSupport - AST01	VCUP-SS02	4000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	4000	4000	Double-Wall Design	4400
GreyOldCatSupport - AST01	VCUP-SS02	4000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
GreyOldCatSupport - AST01	VCUP-SS02	4000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
GreyOldCatSupport - AST01	VCUP-SS02	4000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	55	55	Double-Wall Design	60.5

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Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	55	55	Double-Wall Design	60.5
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Instantaneous Container failure	1	1	2	55	55	Double-Wall Design	60.5
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Instantaneous Container failure	1	1	2	55	55	Double-Wall Design	60.5
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Instantaneous Container failure	1	1	2	55	55	Double-Wall Design	60.5
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250

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Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Instantaneous Container failure	1	1	2	55	55	Double-Wall Design	60.5
Drummed Oil	VCUP-BI01	55	Mineral Oil	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU01	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600
MTU01	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
MTU01	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
MTU01	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU02	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600
MTU02	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
MTU02	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250

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					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
MTU02	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU03	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600
MTU03	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
MTU03	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
MTU03	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU04	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600
MTU04	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
MTU04	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
MTU04	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU05	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600
MTU05	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250

Table 3
Potential for Oil Discharges and Containment
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051

Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
MTU05	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
MTU05	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU06	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600
MTU06	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
MTU06	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
MTU06	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU07	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600
MTU07	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
MTU07	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
MTU07	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU08	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600

Table 3
Potential for Oil Discharges and Containment
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051

Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
MTU08	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
MTU08	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
MTU08	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
MTU09	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	6000	6000	Double-Wall Design	6600
MTU09	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
MTU09	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
MTU09	V2-SS01	6000	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins1	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5930	5930	Double-Wall Design	6523
Cummins1	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins1	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins1	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250

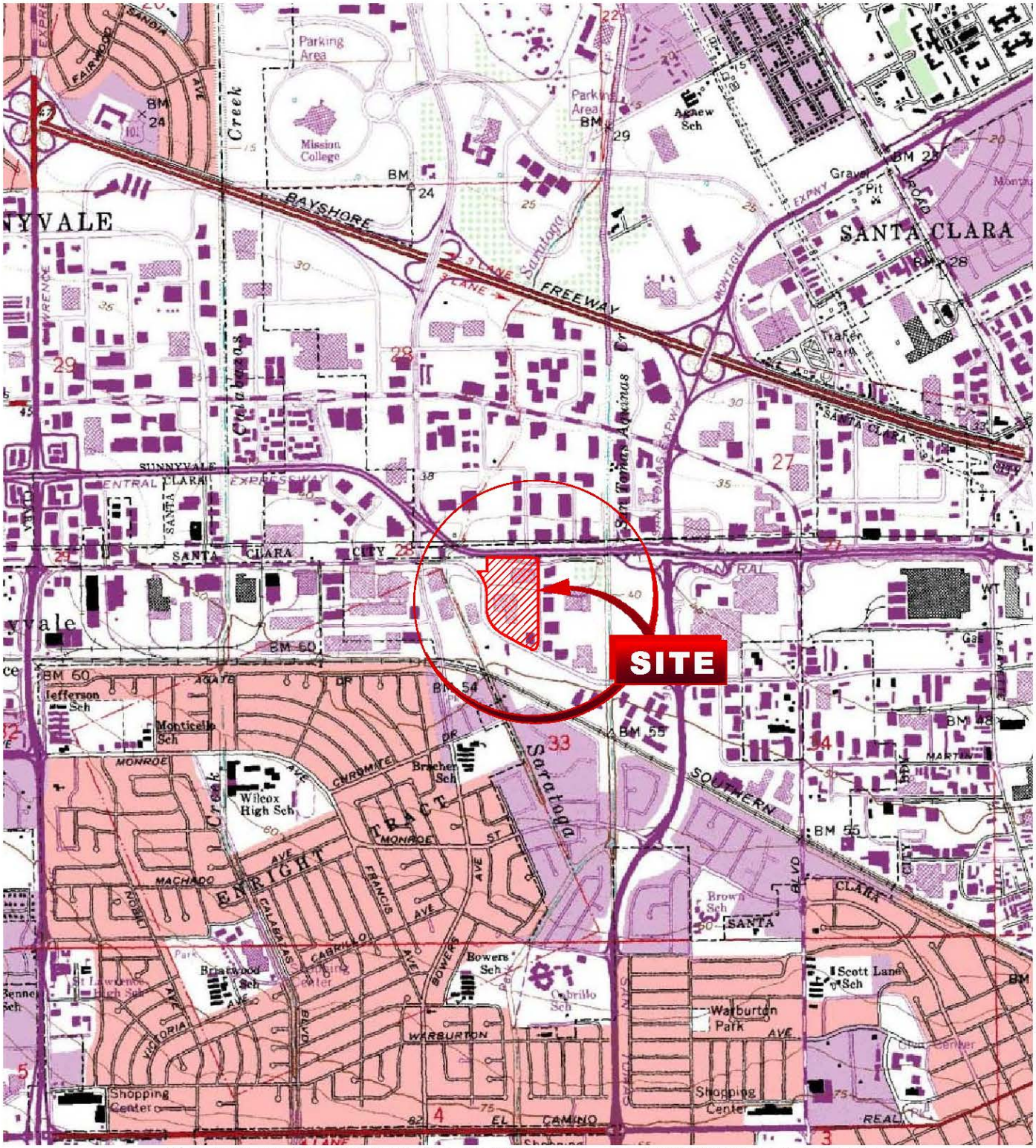
Table 3
Potential for Oil Discharges and Containment
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051

Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
Cummins2	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5930	5930	Double-Wall Design	6523
Cummins2	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins2	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins2	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins3	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5930	5930	Double-Wall Design	6523
Cummins3	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins3	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250
Cummins3	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250
Cummins4	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to nearest storm-drain into the facility's stormwater pipeline system	Instantaneous Container failure	1	1	2	5930	5930	Double-Wall Design	6523
Cummins4	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Overfills	0.08333	1	1.08333	50	54.1665	Sorbent materials	250
Cummins4	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Piping connection leaks/weeps	0.08333	1	1.08333	1	1.08333	Sorbent materials	250

Table 3
Potential for Oil Discharges and Containment
Vantage Data Center
2820 Northwestern Parkway
Santa Clara, CA 95051

Container Name	Container Area	Total Capacity (gallons)	Contents	Direction of flow for uncontained discharge	Potential discharge volume						Secondary Containment Method	SC Method Capacity (gallons)
					Type of failure (discharge scenario)	Observation Delay (min)	Release Response Time (min)	Total Response Time (min)	Discharge Rate (gpm)	Total Potential discharge volume (gallons)		
Cummins4	V3-SS01	5930	Diesel	Improbable due to engineering controls but uncontrolled would flow to the facility's nearest storm-drain into the stormwater pipeline system	Hose connection failures	2	1	3	1	3	Sorbent materials	250

FIGURES



SAN JOSE WEST, CALIFORNIA QUADRANGLE (PROVISIONAL EDITION 1980)

SCALE

0 .5 1

MILES

1:24,000

N

SITE VICINITY MAP

VANTAGE DATA CENTERS 4LLC
V1, V2 AND V3 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE AND
2880 NORTHWESTERN PARKWAY
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	1

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Modesto, California 95351
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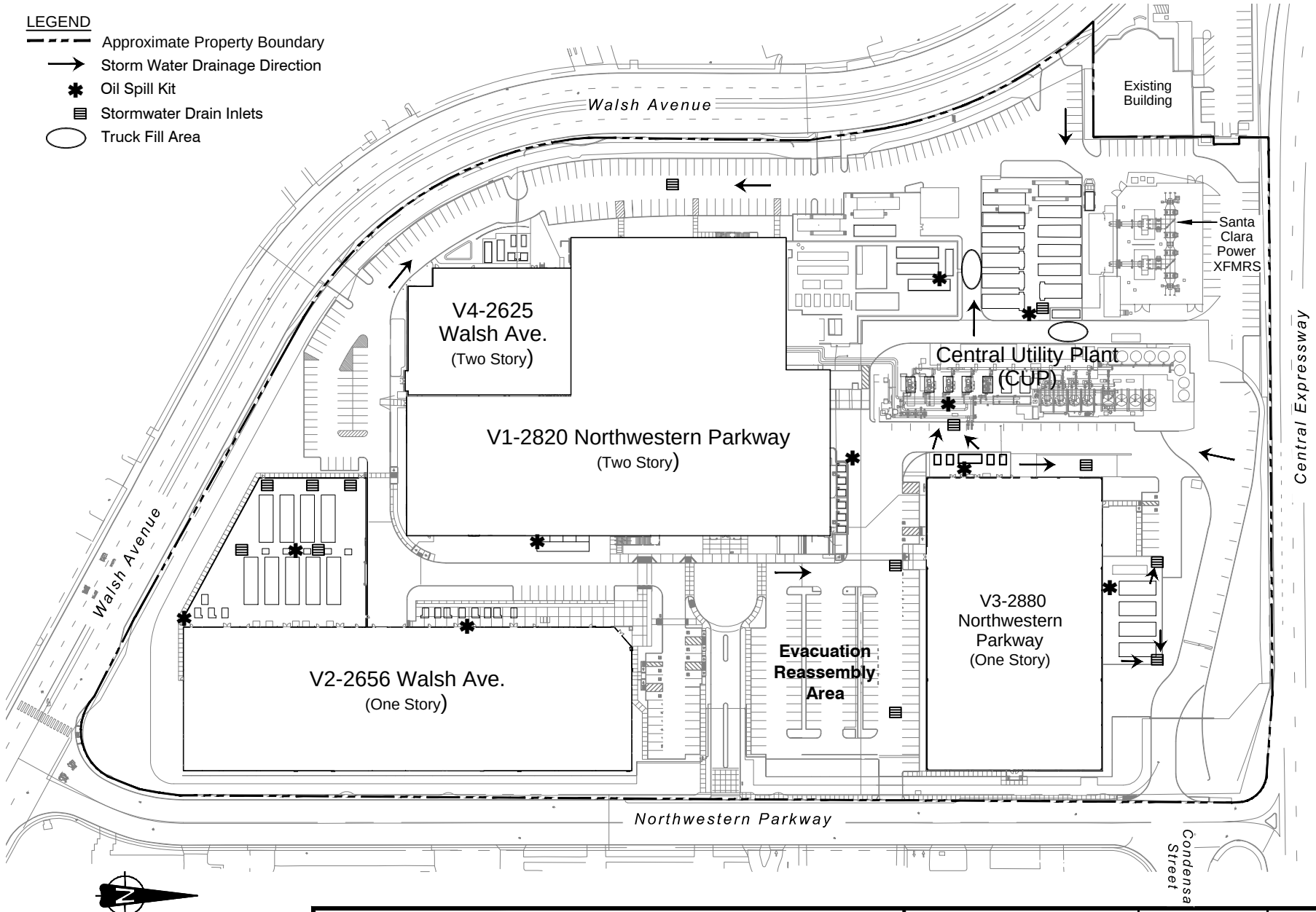

NOTE: ALL LOCATIONS ARE APPROXIMATE

SITE PLAN - SPCC

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE 2
REVIEW BY: M. SONKE	DRAWN BY: DAW	

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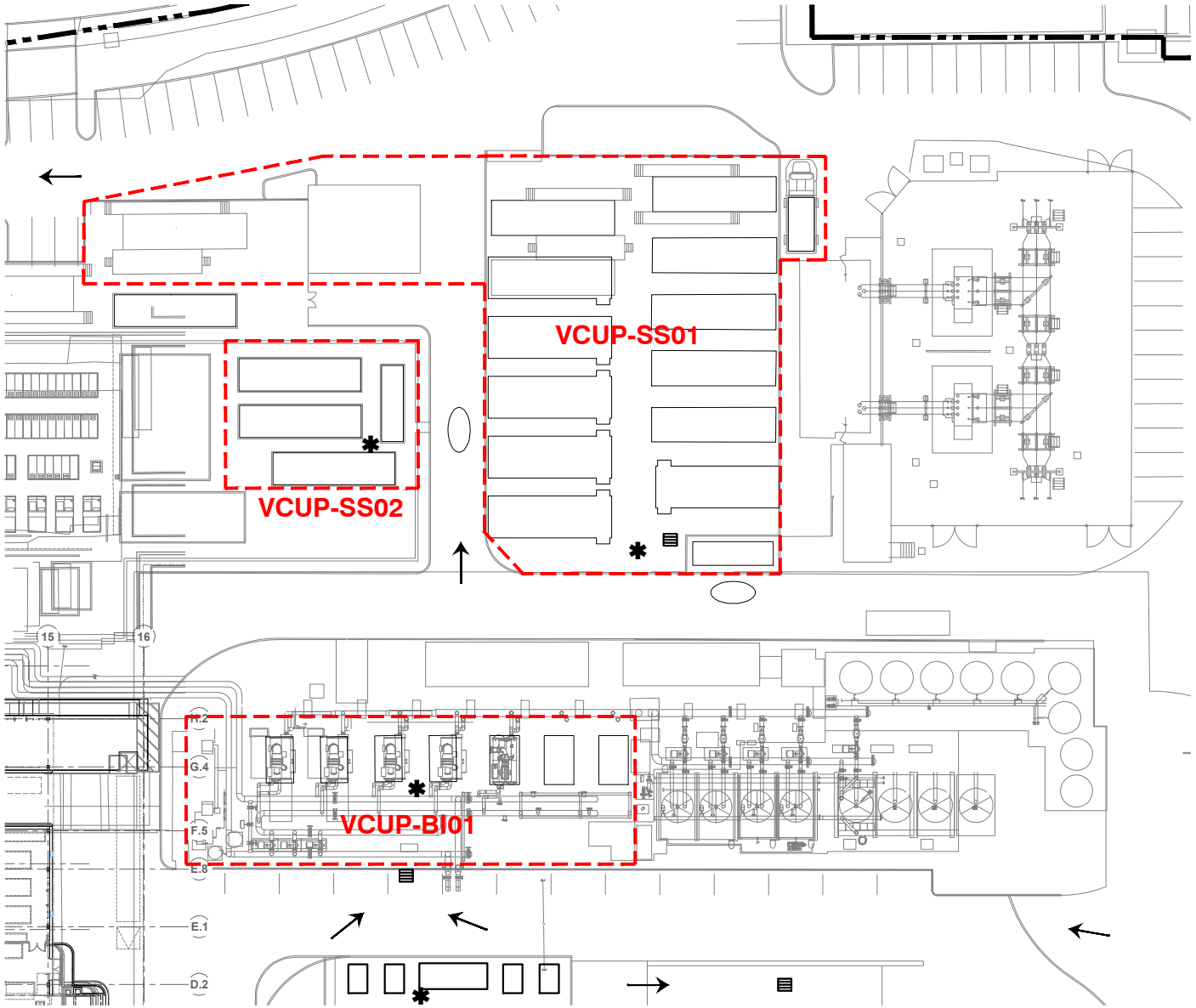

LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Truck Fill Area

N

0 60

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

AREA LAYOUT MAP - VCUP

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	3

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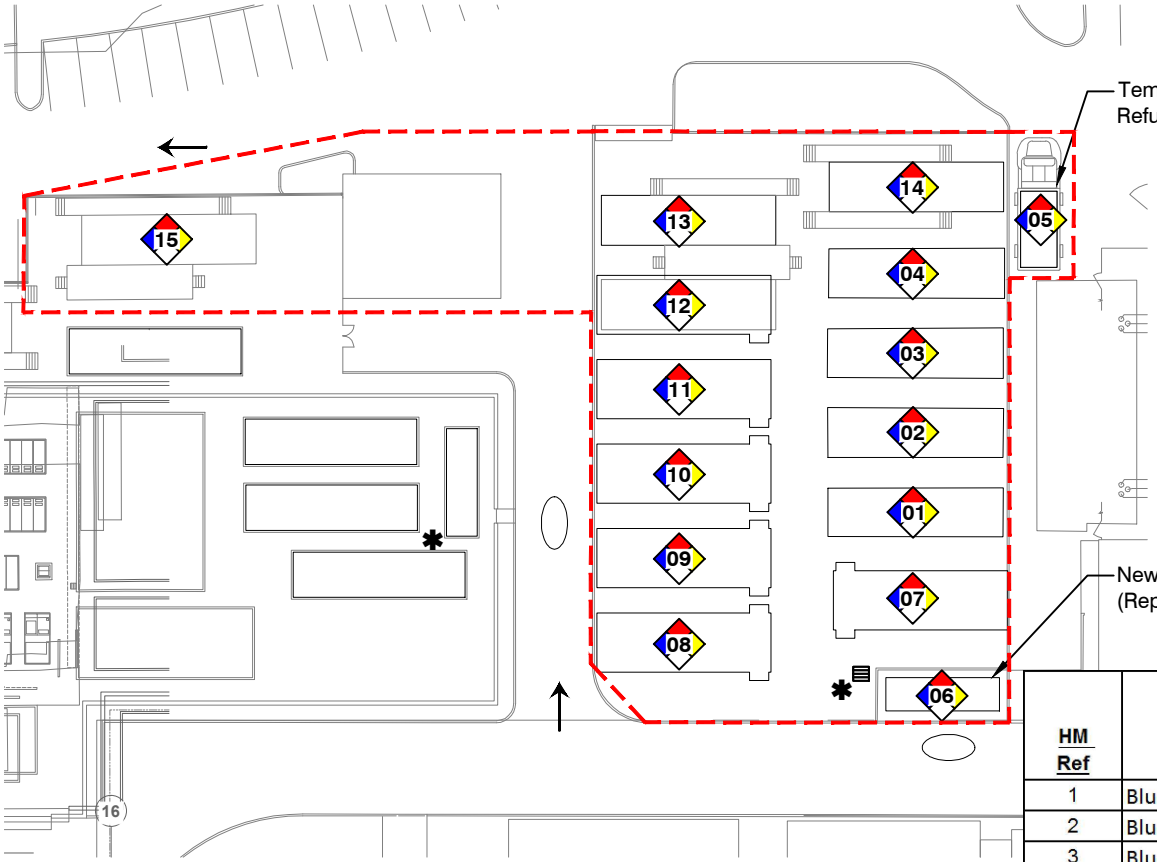

LEGEND

- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Truck Fill Area
- Hazardous Material

HM Ref	Unit Name	Item Description	Diesel	Motor oil
1	BlueCat1	Backup power-generator	50	103
2	BlueCat2	Backup power-generator	50	103
3	BlueCat3	Backup power-generator	50	103
4	BlueCat4	Backup power-generator	50	103
5	BlueCatSupport -TempAST01	Temp Diesel Tank	3,000	
6	BlueCatSupport - AST01	Aux Diesel Tank	12,000	
7	Cummins1	Backup power-generator	5,000	103
8	Cummins2	Backup power-generator	5,000	103
9	Cummins3	Backup power-generator	5,000	103
10	Cummins4	Backup power-generator	5,000	103
11	Cummins5	Backup power-generator	5,000	103
12	Cummins6	Backup power-generator	5,000	103
13	Cummins7	Backup power-generator	5,000	103
14	Cummins8	Backup power-generator	5,000	103
15	Cummins9	Backup power-generator	5,000	103

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

VCUP - SS01

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	4

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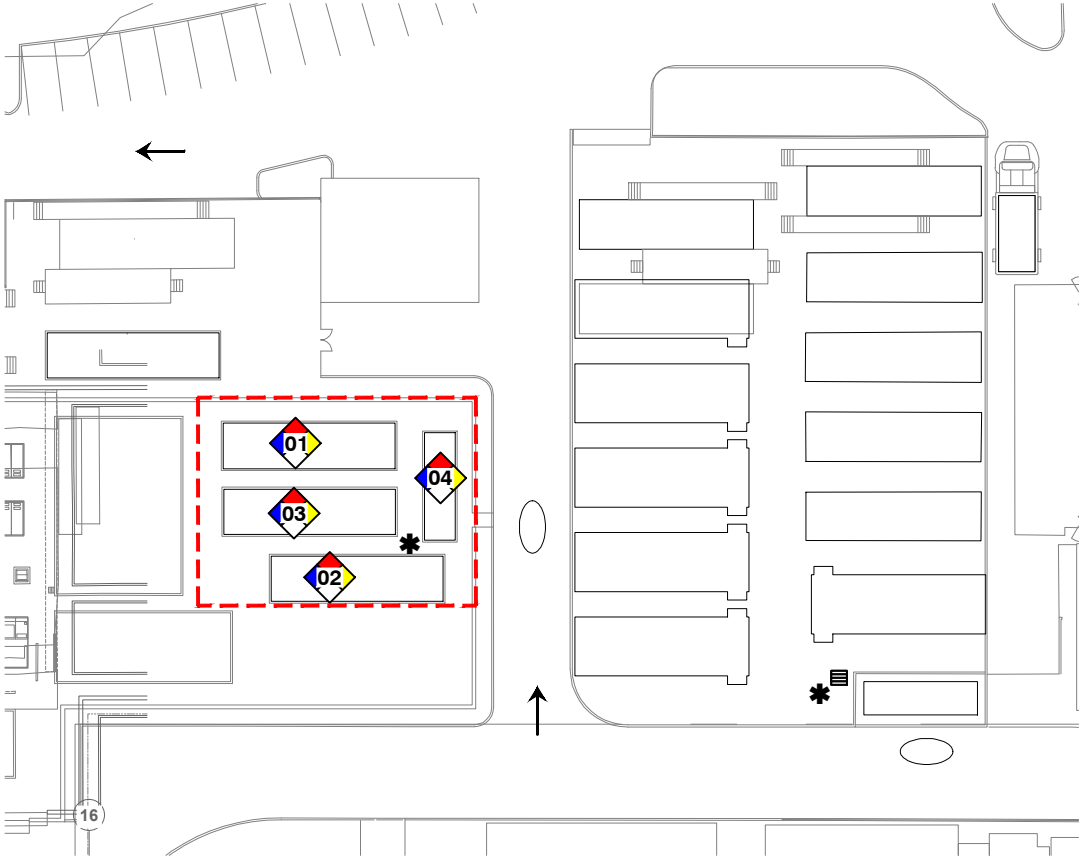

LEGEND

- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Truck Fill Area
- Hazardous Material

HM Ref	Unit Name	Item Description	Diesel	Motor oil
1	GreyOldCat1	Backup power-generator	100	103
2	GreyOldCat2	Backup power-generator	100	103
3	GreyOldCat3	Backup power-generator	100	103
4	CatSupportAST01	Aux Diesel Tank	4,000	

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

VCUP - SS02

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	5

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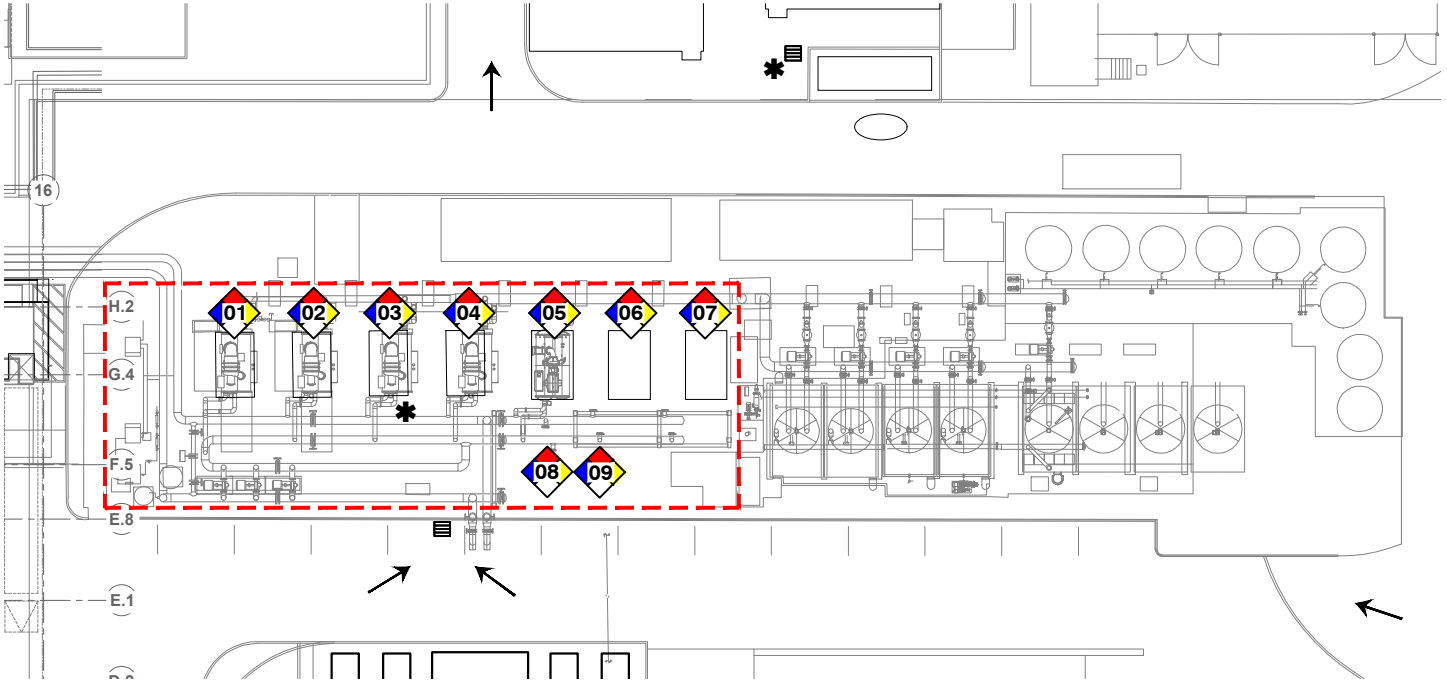

LEGEND

- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Truck Fill Area
- Hazardous Material

HMRef	Unit Name	UnitDesc	Amount
1	CHLLR01	Refrigeration Oil	10
2	CHLLR02	Refrigeration Oil	11
3	CHLLR03	Refrigeration Oil	12
4	CHLLR04	Refrigeration Oil	13
5	CHLLR05	Refrigeration Oil	14
6	CHLLR06	Refrigeration Oil	15
7	CHLLR07	Refrigeration Oil	16

HMRef	Unit Name	UnitDesc	Amount
8	Drummed Oil	Refrigeration Oil	55
8	Drummed Oil	Refrigeration Oil	55
9	Drummed Oil	Refrigeration Oil - Used	55
9	Drummed Oil	Refrigeration Oil - Used	55

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

VCUP - BI01

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	6

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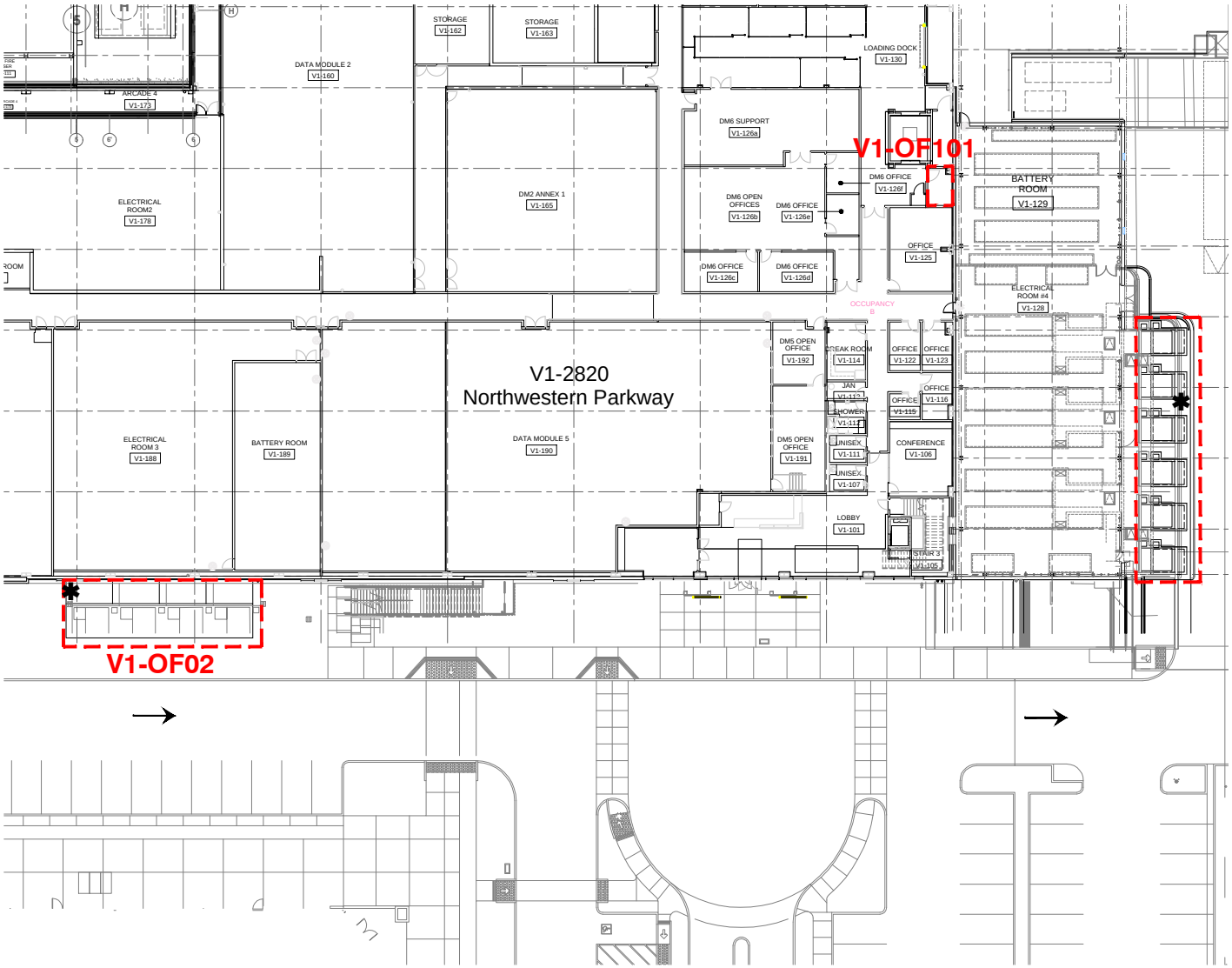

LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets

N

0 60

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

AREA LAYOUT MAP - V1

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE 7
REVIEW BY: M. SONKE	DRAWN BY: DAW	

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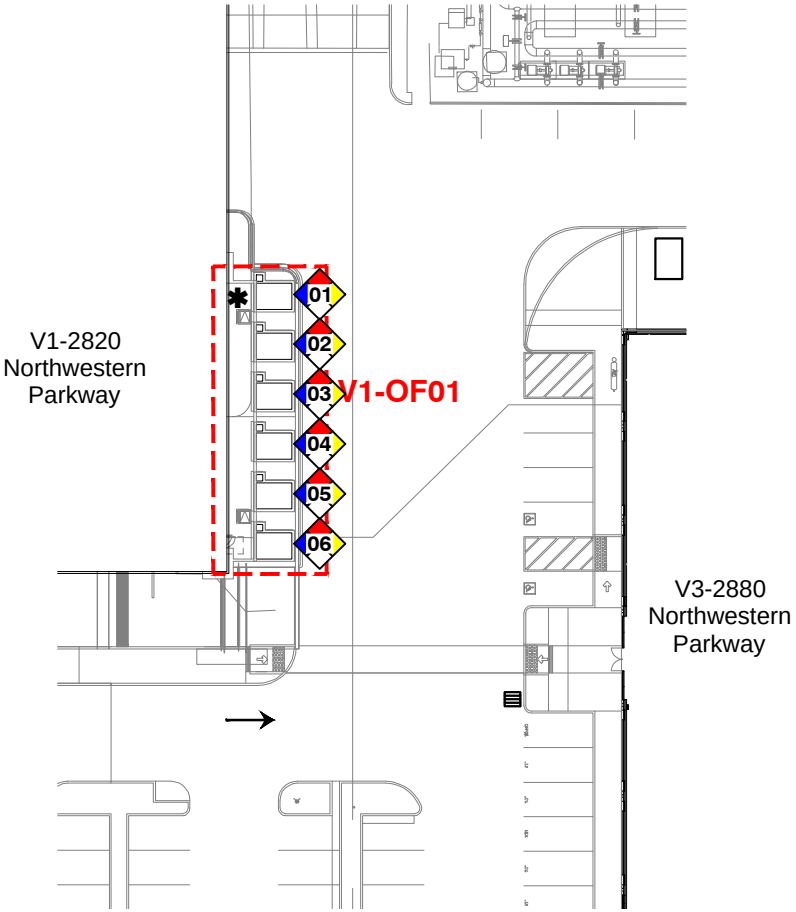

LEGEND

- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Mineral Oil
1	XSFMR01	Electrical Transformer	843
2	XSFMR02	Electrical Transformer	843
3	XSFMR03	Electrical Transformer	843
4	XSFMR04	Electrical Transformer	843
5	XSFMR05	Electrical Transformer	843
6	XSFMR06	Electrical Transformer	843

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V1 - OF01

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	8

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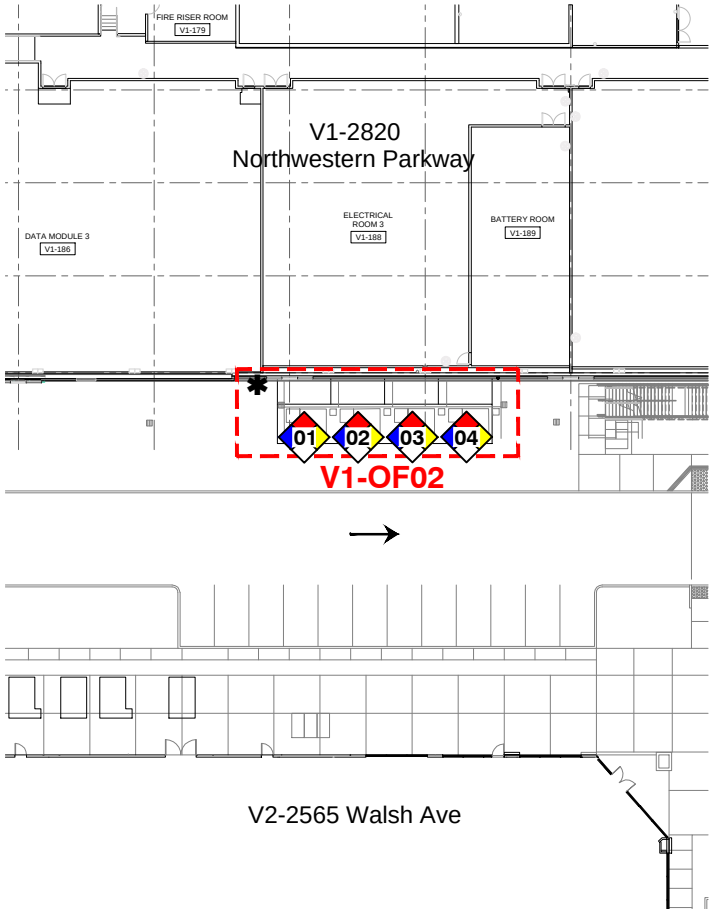

LEGEND

- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Mineral Oil
1	XSFMR01	Electrical Transformer	843
2	XSFMR02	Electrical Transformer	843
3	XSFMR03	Electrical Transformer	843
4	XSFMR04	Electrical Transformer	843

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V1 - OF02

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	9

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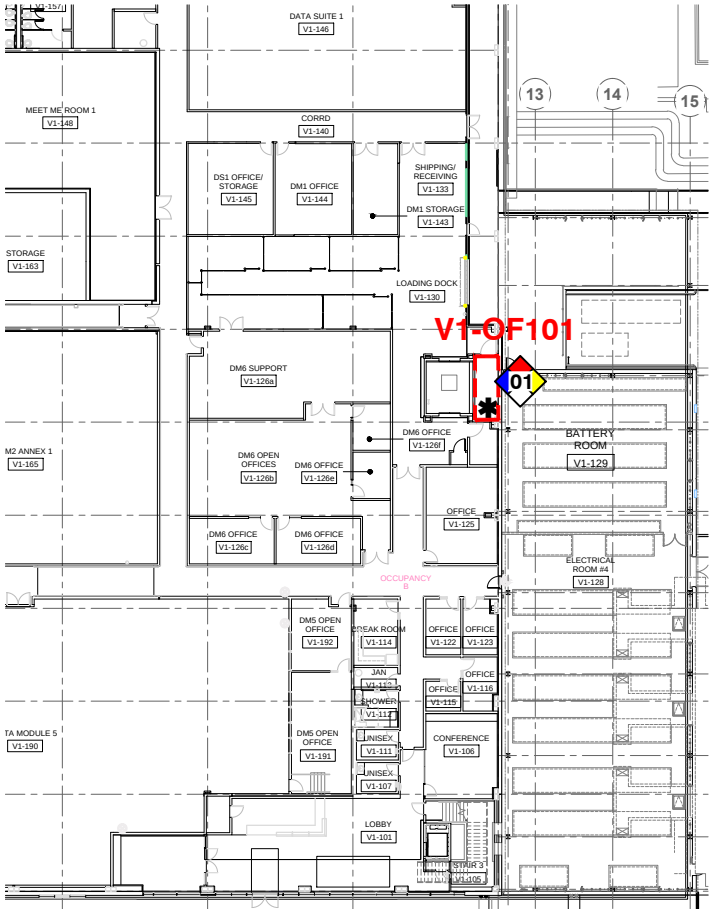
FILE: W:\Modesto Office\Z0540000089_Vantage Data Centers\SPCC_V1_V2_V3_V4_Vantage Data Centers.dwg Jan 04, 2017



LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Hydraulic Oil
13	Elevator	Hydraulic Oil	150

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V1 - OF101

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
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PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	10

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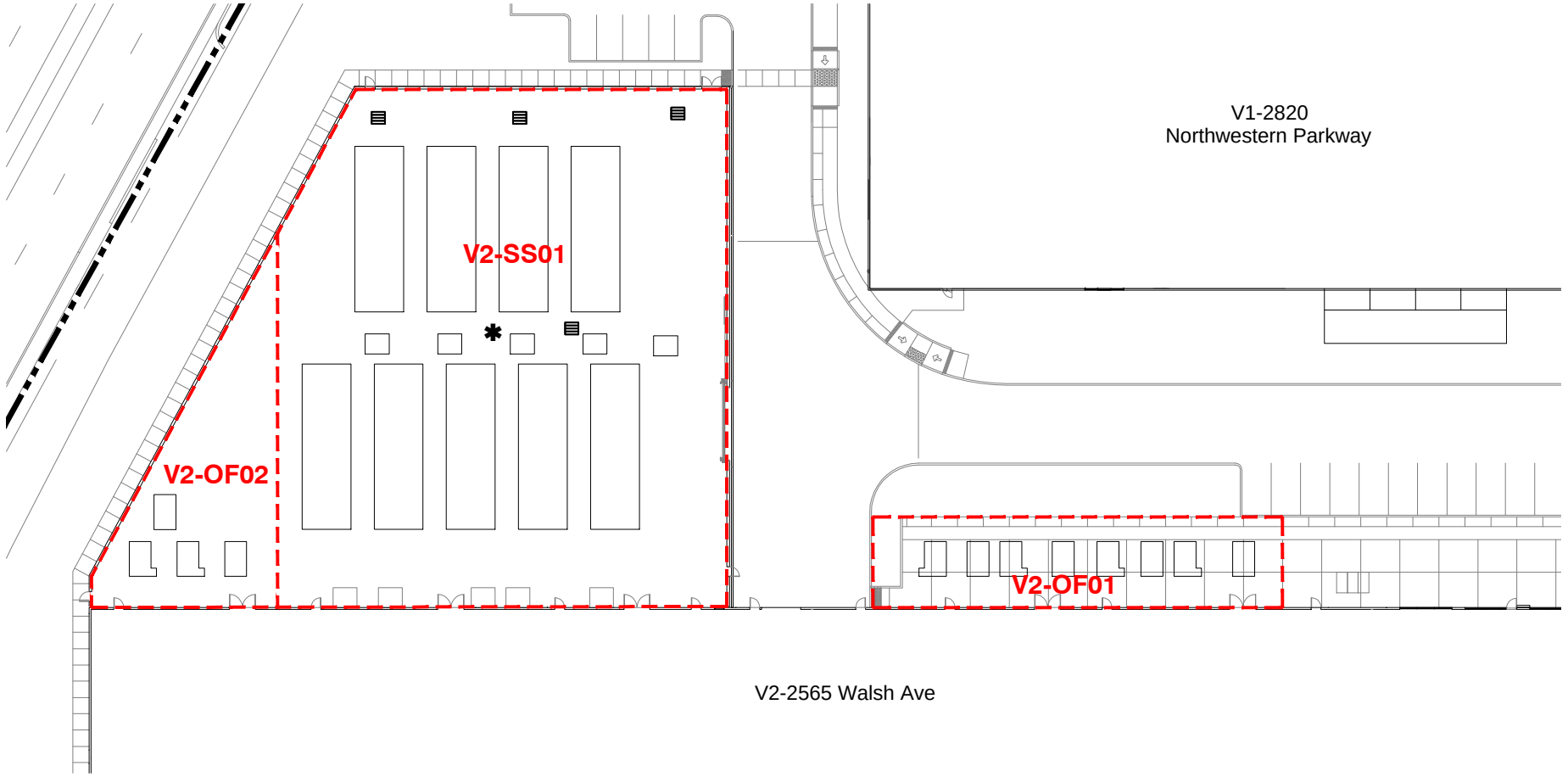

LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

AREA LAYOUT MAP - V2

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	11

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LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Diesel	Motor oil
1	MTU01	Backup power-generator	6,000	104
2	MTU02	Backup power-generator	6,000	104
3	MTU03	Backup power-generator	6,000	104
4	MTU04	Backup power-generator	6,000	104
5	MTU05	Backup power-generator	6,000	104
6	MTU06	Backup power-generator	6,000	104
7	MTU07	Backup power-generator	6,000	104
8	MTU08	Backup power-generator	6,000	104
9	MTU09	Backup power-generator	6,000	104

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V2 - SS01

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880
NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	12

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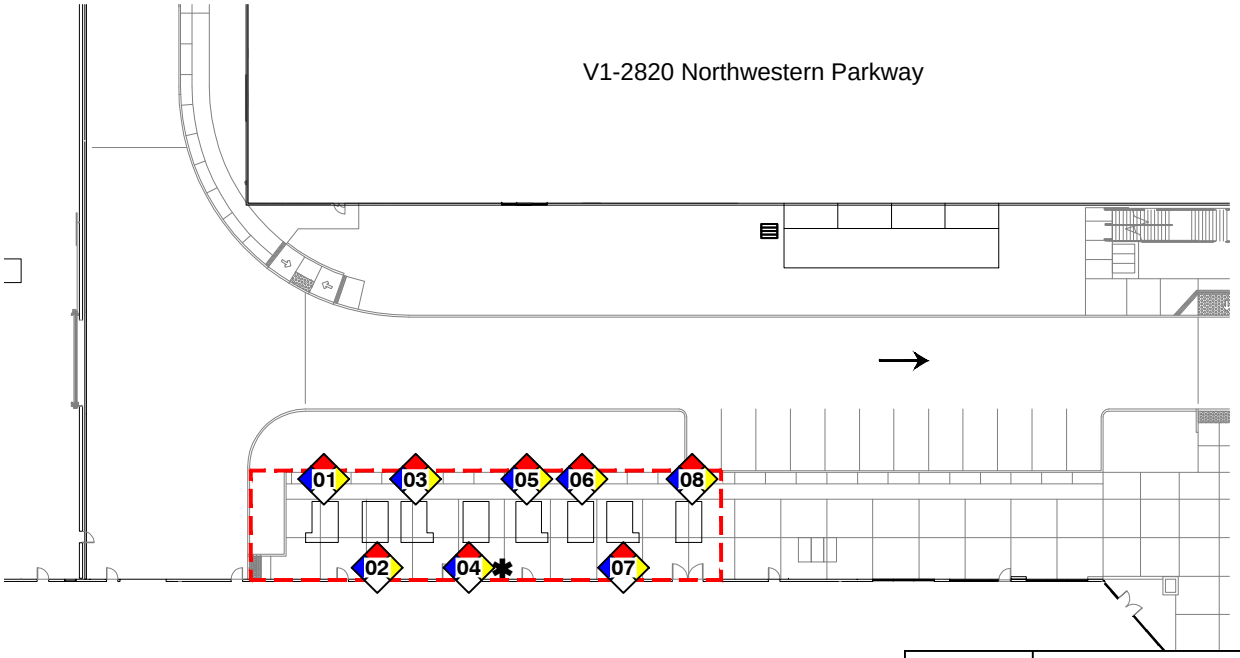
FILE: S:\Jobdocs\Modesto Office\Z0540000089_Vantage Data Centers\SPCC_V1_V2_V3_V4_Vantage Data Centers.dwg Dec 13, 2016



LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Mineral Oil
1	XSFMR01	Electrical Transformer	758
2	XSFMR02	Electrical Transformer	758
3	XSFMR03	Electrical Transformer	758
4	XSFMR04	Electrical Transformer	758
5	XSFMR05	Electrical Transformer	758
6	XSFMR06	Electrical Transformer	758
7	XSFMR07	Electrical Transformer	758
8	XSFMR08	Electrical Transformer	758

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V2 - OF01

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	13

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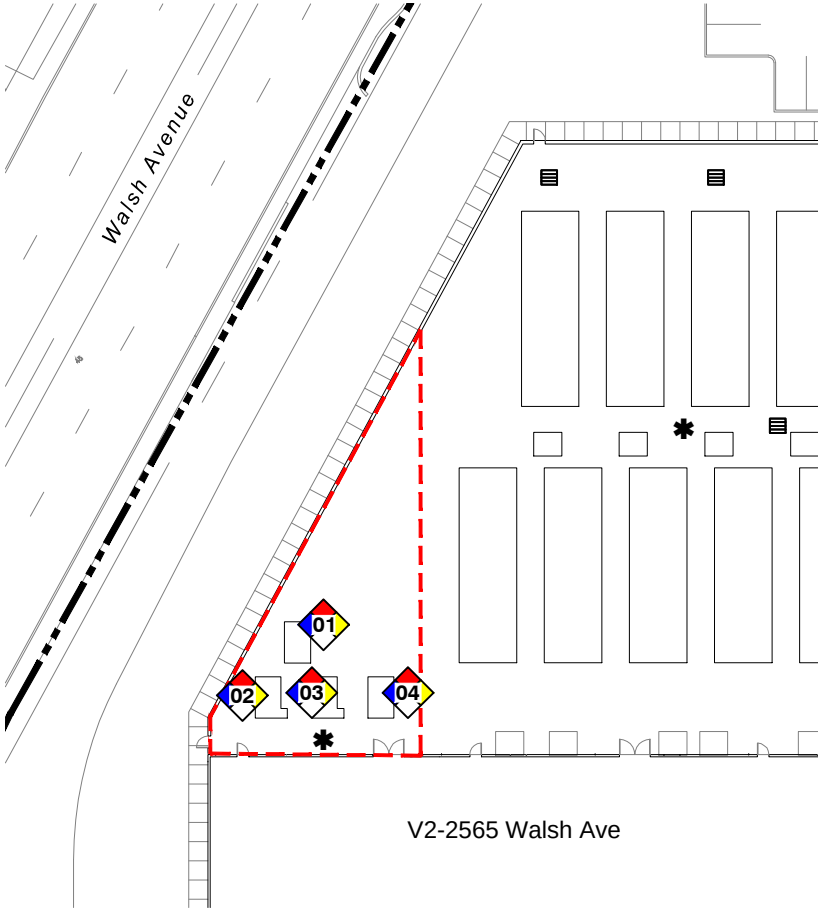

V2-2565 Walsh Ave

LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Mineral Oil
1	XSFMR01	Electrical Transformer	758
2	XSFMR02	Electrical Transformer	758
3	XSFMR03	Electrical Transformer	758
4	XSFMR04	Electrical Transformer	758

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V2 - OF02

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	14

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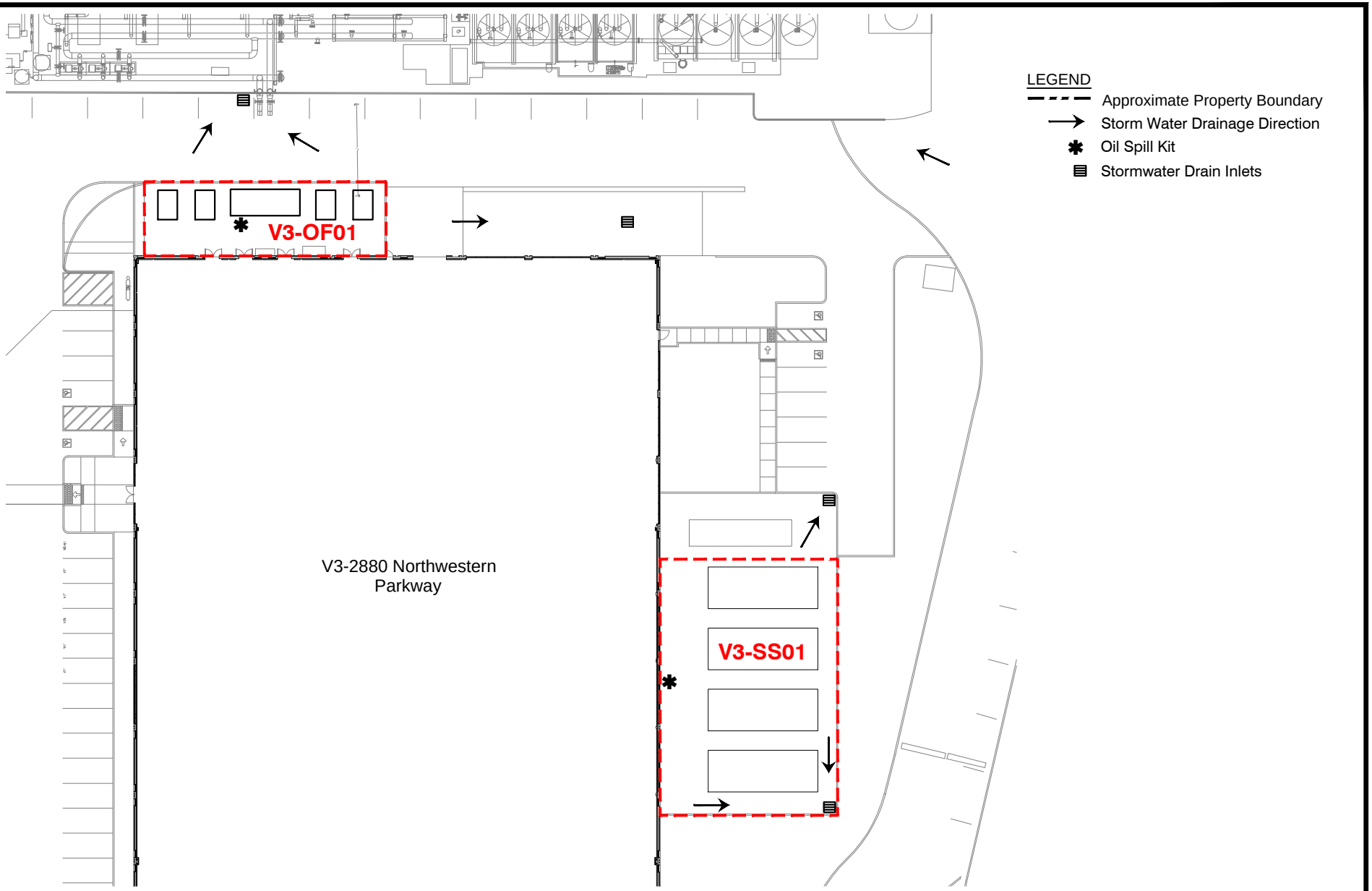

NOTE: ALL LOCATIONS ARE APPROXIMATE

AREA LAYOUT MAP - V3

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE 15
REVIEW BY: M. SONKE	DRAWN BY: DAW	

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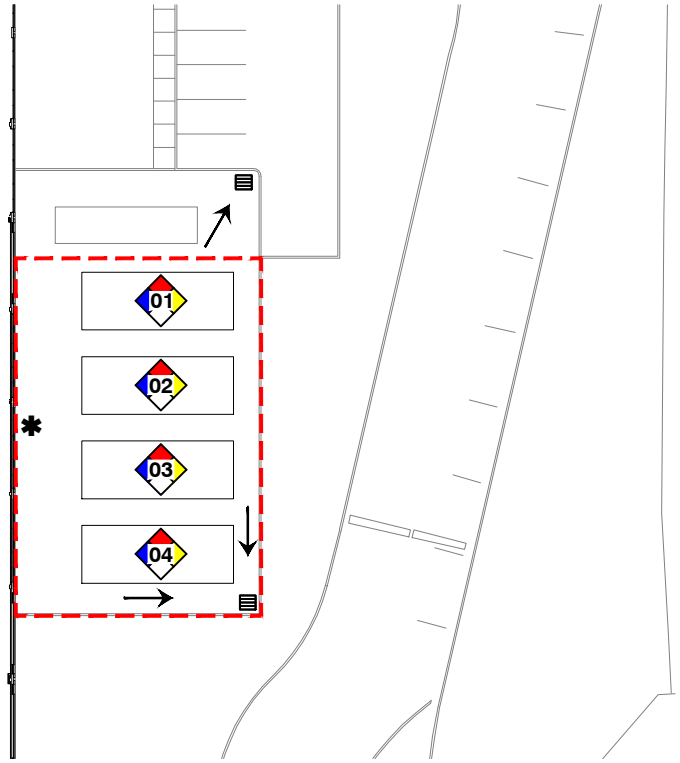
FILE: S:\Jobdocs\Modesto Office\Z0540000089_Vantage Data Centers\SPCC_V1_V2_V3_V4_Vantage Data Centers.dwg Dec 13, 2016



LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Gasoline	Diesel	Motor oil
1	Cummins1	Backup power-generator		5,930	103
2	Cummins2	Backup power-generator		5,930	103
3	Cummins3	Backup power-generator		5,930	103
4	Cummins4	Backup power-generator		5,930	103

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V3 - SS01

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	16

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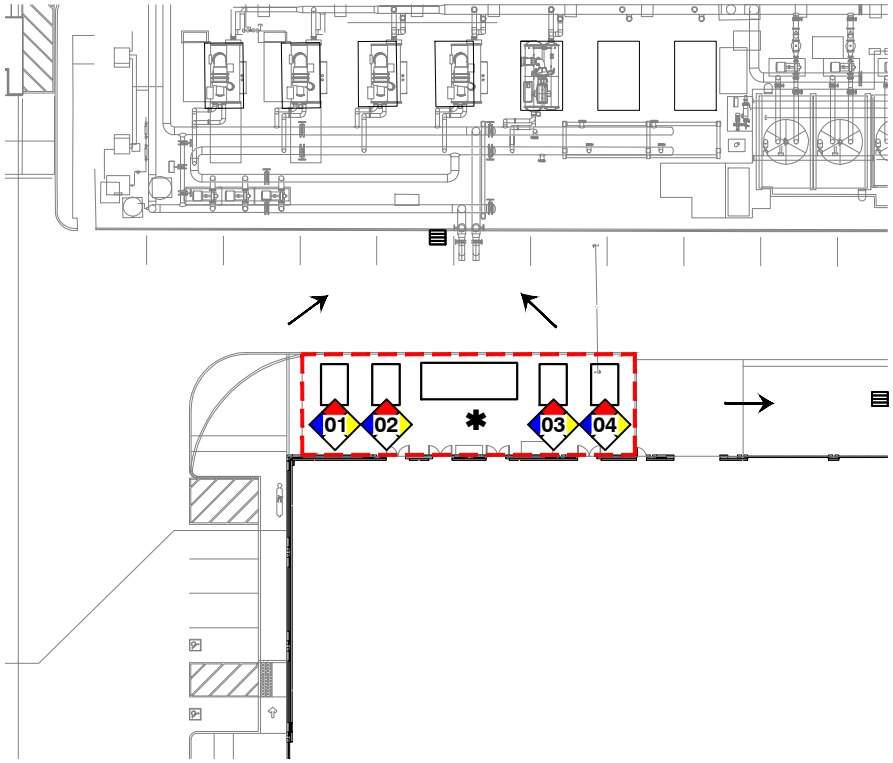

LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Mineral Oil
1	XSFMR01	Electrical Transformer	758
2	XSFMR02	Electrical Transformer	758
3	XSFMR03	Electrical Transformer	758
4	XSFMR04	Electrical Transformer	758

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V3 - OF01

VANTAGE DATA CENTERS
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	17

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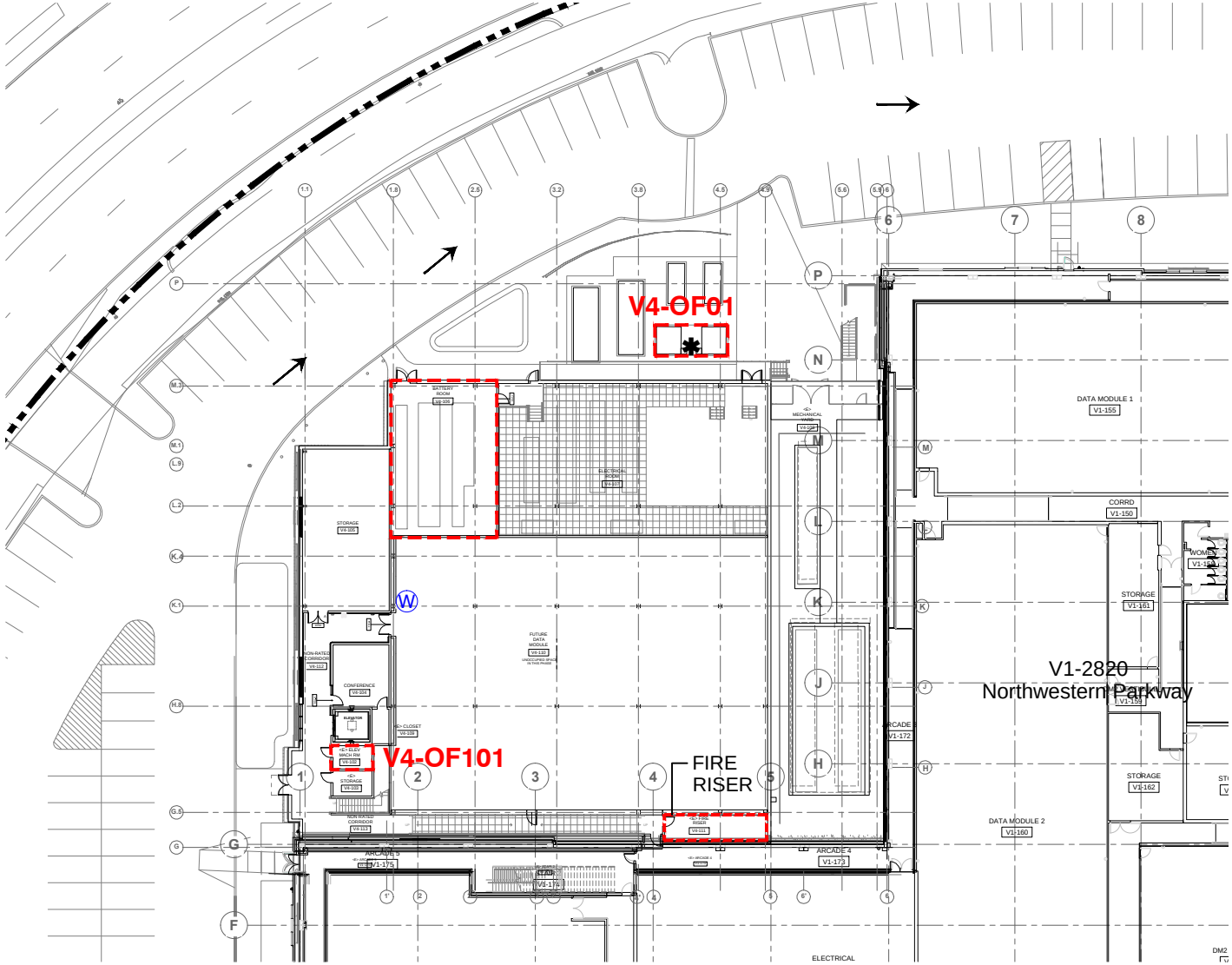

LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Emergency Eye Wash and Shower
- Stormwater Drain Inlets

N

0 60

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

AREA LAYOUT MAP - V4

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE 18
REVIEW BY: M. SONKE	DRAWN BY: DAW	

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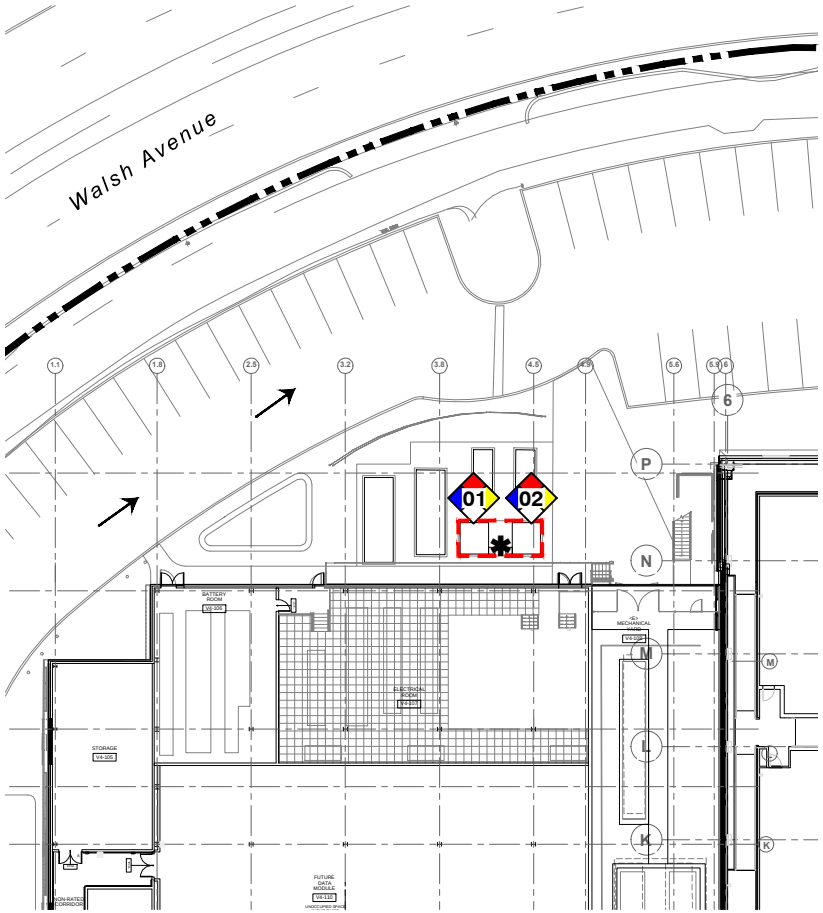
FILE: W:\Modesto Office\Z0540000089_Vantage Data Centers\SPCC_V1_V2_V3_V4_Vantage Data Centers.dwg Jan 04, 2017



LEGEND

- Approximate Property Boundary
- Storm Water Drainage Direction
- Oil Spill Kit
- Stormwater Drain Inlets
- Hazardous Material

HM Ref	Unit Name	Item Description	Mineral Oil
1	XSFMR01	Electrical Transformer	758
2	XSFMR02	Electrical Transformer	758

N

0 50

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V4 - OF01

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	19

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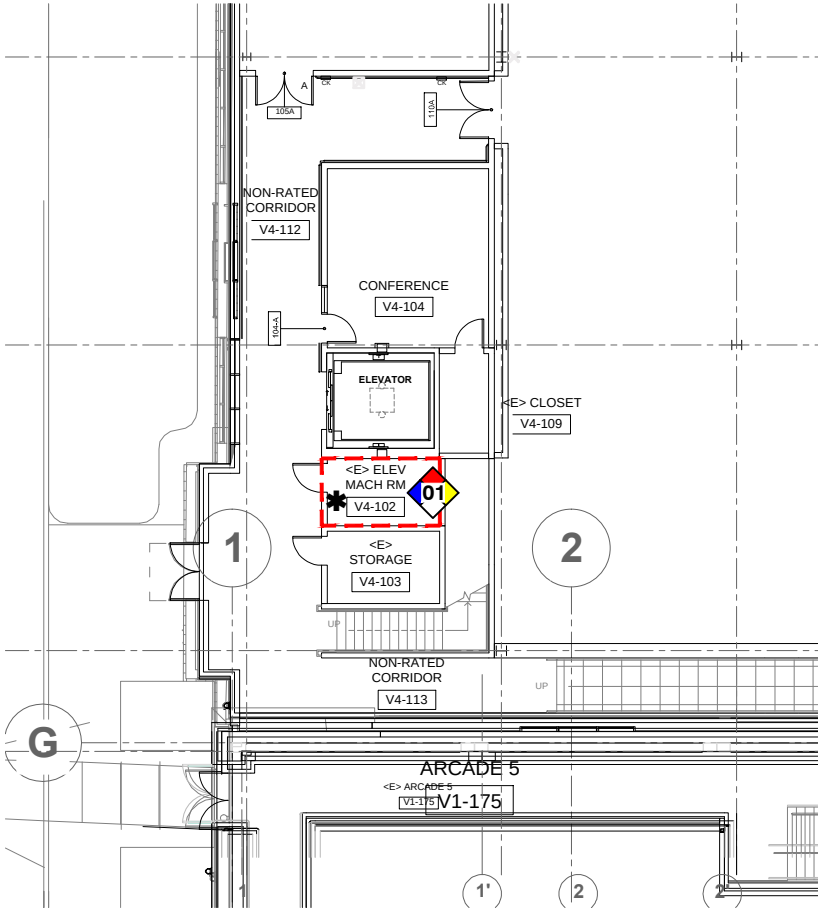

LEGEND

✱ Oil Spill Kit

Hazardous Material

HM Ref	Unit Name	Item Description	Hydraulic Oil
1	Elevator	Hydraulic Oil	**275**

N

0 20

Approximate Scale in Feet

NOTE: ALL LOCATIONS ARE APPROXIMATE

V4 - OF101

VANTAGE DATA CENTERS 4 LLC
V1, V2, V3 AND V4 DATA CENTERS
2820 NORTHWESTERN PARKWAY, 2565 WALSH AVENUE, 2880 NORTHWESTERN PARKWAY AND 2625 WASLH AVENUE
SANTA CLARA, CALIFORNIA 95054

PROJECT NUMBER: Z054000089	PHASE: 1	FIGURE
REVIEW BY: M. SONKE	DRAWN BY: DAW	**20**

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APPENDICES

Appendix A

Certification of Substantial Harm Criteria Checklist

SUBSTANTIAL HARM CRITERIA CHECKLIST (40 CFR 112.20 (e))

CERTIFICATION OF THE APPLICABILITY

Facility Name: **Vantage Data Centers 4 LLC**

Facility Address: 2820 Northwestern Pkwy Santa Clara, CA 9505

1. Does the Facility transfer oil over water to or from vessels and does the Facility have a total oil storage capacity greater than or equal to 42,000 gallons?

Yes ____ No __X___

2. Does the Facility have a total oil storage capacity greater than or equal to 1 million gallons and does the Facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area?

Yes ____ No __X___

3. Does the Facility have a total oil storage capacity greater than or equal to 1 million gallons and is the Facility located at a distance such that a discharge from the Facility could cause injury to fish and wildlife and sensitive environments?

Yes ____ No __X__

4. Does the Facility have a total oil storage capacity greater than or equal to 1 million 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 __X___

5. Does the Facility have a total oil storage capacity greater than or equal to 1 million gallons and has the Facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?

Yes ____ No __X__

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	Title
Name (please type or print)	Date

Appendix B

Facility Photographs

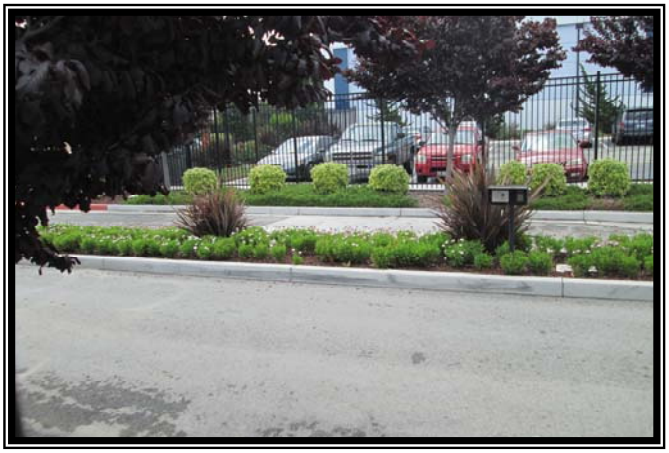

PHOTO 1:

Security fencing that surrounds the Vantage Data Centers site.

PHOTO 2:

Typical self-sheltered backup generator units.

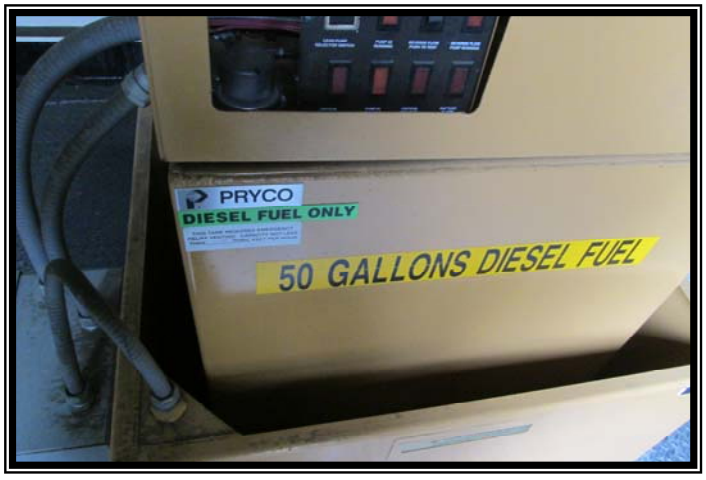

PHOTO 3:

Day tank in older backup generator unit.

PHOTO 4:

Diesel overfill /spill bucket in older backup generator unit.

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Suite 201
Modesto, CA 95351

SITE PHOTOGRAPHS

Oil Spill Control Countermeasures (SPCC) Plan

Project Number: Z054000089		
Designed by: MDS	File Photos	Reviewed by: JH
Drawn by: MDS	Date: May 2016	

Vantage Data Centers, LLC
2820 Northwestern Parkway
Santa Clara, CA 95051

PHOTO 5:

Self-Sheltered auxiliary diesel AST that supplies the older backup generator units.

PHOTO 2:

AST electronic monitoring unit

PHOTO 3:

Diesel overfill /spill bucket for the auxiliary diesel AST that supplies the older backup generator units.

PHOTO 4:

Typical spill kit used at the facility

1117 Lone Palm Avenue
Suite 201
Modesto, CA 95351

SITE PHOTOGRAPHS

Oil Spill Control Countermeasures (SPCC) Plan

Project Number: Z054000089		
Designed by: MDS	File Photos	Reviewed by: JH
Drawn by: MDS	Date: May 2016	

Vantage Data Centers, LLC
2820 Northwestern Parkway
Santa Clara, CA 95051

Appendix C

Procedures for Routine Oil Transfers

OIL TRANSFER PROCEDURE

Transferring of oil to/from a container presents the highest level of interaction between the oil storage containers and facility or contractor personnel. Since there is a higher probability for discharges to occur during oil transfers, the following discharge prevention procedures are utilized:

- Prior to transferring any oil into a container, the person transferring the oil will make sure that the available volume of the container is greater than the amount of oil that will be transferred to the container. [Best Management Practice]

- During the entire time that oil is being transferred to a container, the person transferring the oil must continually monitor the transfer process. [49 CFR § 177.834 (i)]

- Container level gauges, if present, will be continuously monitored during oil transfers. [Best Management Practice]

- No smoking is allowed within 25 feet of an oil storage or transfer area during transfers. [49 CFR § 177.834 (c)]

- No fire, open flames or welding is allowed within 25 feet of an oil storage and transfer area during transfers. [49 CFR § 177.834 (d)]

- The hand brake must be engaged and the wheels chocked on any vehicle that is transferring oil. [49 CFR § 177.834 (e)]

- Tools that are likely to reduce the effectiveness of the closure of any valve of an oil storage container will not be used. [49 CFR § 177.834 (f)]

- After transferring oil, any manholes and valves associated with an oil storage container will be closed and secured. [49 CFR § 177.834 (j)]

- Warning signs will be in-place that warn personnel not to move oil transfer vehicles until all transfer lines have been completely disconnected. [40 CFR § 112.7 (h)(2)]

- Prior to the departure of an oil transfer vehicle, the lower most outlets of the vehicle will be examined for leakage and, if necessary, tightened, adjusted or replaced to prevent leakage of oil. [40 CFR § 112.7 (h)(3)]

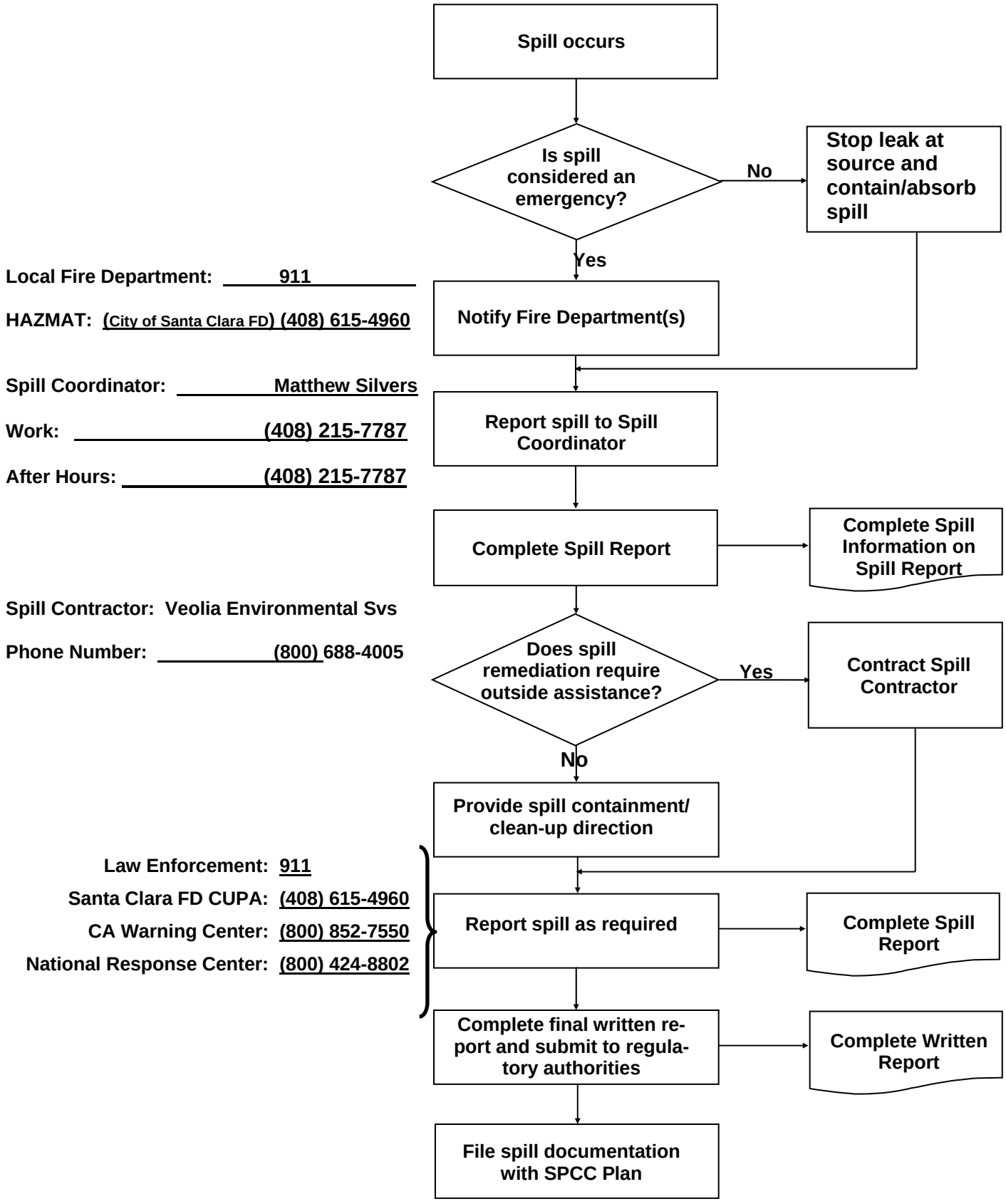
- During oil transfer, all associated equipment will be properly grounded to prevent sparking from the discharge of static electricity built up within the oil transfer line. [49 CFR § 177.837 (b)]

- Contractors retained to transfer oil at this facility will be apprised of their responsibility for oil discharge prevention and, if necessary, oil discharge response during such transfers. [Best Management Practice]

Appendix D

Spill Release Response

FACILITY SPILL RESPONSE PROCEDURE



SPCC Emergency Spill Response Procedures

[112.7(A)(3)(IV) & 112.7(C)]

1.0 Introduction

This section describes the clean-up response and protocols to follow in the event of a fuel or oil spill. The uncontrolled discharge of fuel or oil to groundwater, surface water, or soil is prohibited by state and federal laws. It is imperative that actions be taken to respond to a spill once it has occurred. In the event of a spill, execute the spill response plan as described below.

2.0 Background

Prompt response to a spill is the best means of minimizing impact to the environment and in particular, preventing a discharge reaching the waters of the United States. In the event of a spill of a petroleum product, the employee first becoming aware of the spill will assume the role of temporary spill coordinator and contain/confine the spill, so long as they have been trained to do so. This person should maintain this role until they are able to notify the Facility Manager or other trained Facility personnel. Small spills that can be cleaned up with the spill kit should be cleaned up by Facility personnel with the appropriate awareness training. When spills are too large to be cleaned up with the limited supplies in the spill kit, these supplies should be repurposed to contain/confine the spill. Personnel engaged in the clean-up of large spills should have Occupational Safety and Health Administration (OSHA) first responder operations level training (trained first responder). Facility personnel should only respond defensively to a large spill. The emergency spill response contractor listed on Page iii of this Plan should be contacted to clean-up a large spill. Regardless of the quantity, if a spill enters a waterway or into soil or gravel, the emergency spill response contractor should be called immediately to clean-up the spill.

3.1 Procedure

The trained first responder shall assess the hazard, secure spill response and personal protective equipment, contain and eliminate the spill source as outlined herein.

3.2 Assess Hazard

Upon notification of an oil-related spill, the trained first responder will determine the hazard potential of the spill. The spill coordinator will determine at least the following factors:

- The substance spilled and its hazard potential;
- The amount of the spill and the extent of spreading; and,
- The source of the leakage/spill.

Where appropriate, the trained first responder shall determine the potential hazard to employees and to the surrounding public from the substance spilled, if a reportable spill occurs. If a spill is determined to be of such a magnitude that it cannot be safely cleaned up using the branch spill kit, then the coordinator shall promptly notify an emergency spill response contractor to implement control and clean-up. A list of Emergency Contacts is included on page iii of this document.

3.3 Secure Spill Response and Personal Protective Equipment

Upon determining the hazard potential for the planned response action, the spill coordinator shall direct those who will respond to the spill to obtain the appropriate response equipment and personal protective equipment (PPE). Employees will not be issued spill response equipment or PPE without having been trained on its proper use and limitations.

3.4 Contain and Eliminate Spill Source

Upon obtaining the proper spill response tools and PPE, the spill responder(s) shall first attempt to contain the spill so as to prevent its entry into the drain inlets, or conveyance that eventually discharges to the waters of the United States. A spill kit should be used to respond to a spill and contain or clean-up the spilled material. Spill kits should include berms, dikes and oil absorbent materials such as kitty litter and absorbent pillows and booms.

At the same time as containment is being performed or as soon as possible after containment, the trained first responder shall attempt to seal or otherwise stop the source of the spill if the area and situation is determined to be safe. Common methods of eliminating a spill source include closing valves, applying leak stopping compound for pinhole leaks, utilizing drum overpacks, deactivating pumps, and diverting flow to another pathway, as long as this pathway does not allow the spill to enter navigable waters of the United States or adjoining shorelines.

In the event contractor assistance is required for clean-up, the first responder will arrange for timely clean-up with an outside contractor.

3.5 Waste Disposal [112.7(a)(3)(v)]

Wastes resulting from a spill response will be containerized in impervious bags, drums or buckets. The waste will be removed from the site by a licensed waste hauler within a timely manner.

3.6 Contact List [112.7(a)(3)(vi)]

A contact list is provided at the beginning of this SPCC Plan.

3.7 Notification and Reporting [112.7(a)(4)]

In the event of a spill, a senior on-site person shall notify the Facility Manager or designee and the Facility Manager or designee shall complete a written Spill Notification Form. This form details the time, material, and quantity of oil released. Emergency Spill Response Contractor must be notified of the spill immediately. Some spills may also require that local, state, or federal agencies be notified, as described below.

The Facility Operator will prepare the required spill report and complete the required submittals on behalf of the Facility. The Facility Operator is responsible for completing and mailing the spill notification form and other information as may be required.

Copies of forms and reports submitted to regulatory agencies need to be maintained by Facility Operator.

Appendix E

Spill Release Notification Form

SPILL REPORT (40 CFR 112.7.a.4)

Spill Information

Facility Name	
Facility Address/Phone Number	
Date and Time of Discharge	
Material and Quantity Discharged	
Source of the Discharge	
Description of Affected Media	
Cause of the Discharge	
Injuries or Damages Caused by Discharge	
Actions being used to stop the Discharge	
Was there any Evacuations? (☐ Yes or ☐ No)	
Name of Person Completing Report	
Date Report Completed	

Spill Reporting Information

Did oil discharge reach a navigable water? If Yes, contact National Response Center (800) 424-8802.	
Date and Time Contacted	
Officer Reported To	
Incident Number	

Did release meet the conditions as specified in Section 3.B or on the following page? If Yes, contact California Office of Emergency Services (800) 852-7550.	
Date and Time Contacted	
Person Reported To	
Incident Number	

Other Agencies, Individuals, Organizations Contacted

Name	**Date/Time**	**Phone Number**	**Reason for Contact**

FACT SHEET

Reporting Petroleum (Oil) Releases

January 2014

REPORTING PETROLEUM (OIL) RELEASES:

Proper and timely notification is imperative to allow government agencies and downstream users to take prompt action to protect public health and safety, the environment, and property. The purpose of this Fact Sheet is to help clarify the reporting requirements for oil related releases in California.

If the release of oil in any way **causes harm or threatens to cause harm** to public health and safety, the environment, or property you must make immediate notification to the California Governor's Office of Emergency Services (Cal OES) Warning Center [Health and Safety Code (HSC) §25510].

State Law requires that **ANY** discharge or threatened discharge of oil into **STATE WATERS** must be reported to Cal OES [California Government Code (GC) §8670.25.5; California Water Code (WC) §13272, *California State Oil Spill Contingency Plan*]. Upon such notifications, Cal OES will then immediately notify the Department of Fish and Wildlife/Office of Spill Prevention and Response (OSPR), Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), the California Coastal Commission (CCC), Division of Oil, Gas, and Geothermal Resources (DOGGR) and/or the appropriate Local Administering Agency. [GC §8589.7] These agencies are responsible for determining appropriate public and environmental safety measures and may have additional reporting requirements.

If the release of oil is on **land** and is not discharged or threatening to discharge into State Waters; and (a) does not cause harm or threaten to cause harm to the public health and safety, the environment, or property; AND (b) is under 42 gallons, then no notification to the Cal OES/Warning Center is required.

Report Petroleum (Oil) Releases to:

California Governor's Office of Emergency Services
Warning Center
(800) 852-7550 or (916) 845-8911

PENALTIES FOR NOT REPORTING:

Any person who fails to provide the notice required by WC §13272 is guilty of a misdemeanor and shall be punished by a fine of not less than $500 or more than $5,000 per day for each day of failure to notify, or imprisonment of not more than one year, or both, per WC §13272(c).

ADDITIONAL INFORMATION:

Further information on reporting requirements can be located on the Cal OES Website at **www.caloes.ca.gov** in the *California Hazardous Material Spill/Release Notification Guidance* booklet and the *California State Oil Spill Contingency Plan*. Please call the Cal OES, Hazardous Materials Section for additional question at (**916) 845-8788**.

Appendix F

Record of Inspections

SPCC Inspection Schedule

Applicability	Frequency	Inspection Name	Completion	Person Responsible	Primary Focus	Inspection Sheet
X	D	Daily Inspection	12:00 pm	Designee	System Leaks	Daily Inspection Checklist
X	M	Monthly Inspection	7th of each month	Designee	System Condition	Monthly Inspection Checklist
X	BA	Biannual Inspection	Jan 15 July 15	Facility Manager	General Compliance	Biannual Inspection Checklist

SPCC Inspection Log

Type of Inspection	Completion Date:	Completed By:	Cmplted on Sched?	Noteworthy Issues	Issue Resolution Date	Reviewed by:	Reviewed Date:

ROUTINE INSPECTION AND CORRECTIVE ACTION LOG

The items below should be inspected as part of routine facility operations. If issues are identified they should be reported to the SPCC Coordinator for appropriate actions. This form should be completed "only" if issues are identified during routine inspections. This log shall be maintained under usual business recordkeeping practices or kept within this Appendix and made available for review for regulatory inspectors.

1. LEAK CHECK:

- Are any drip marks visible?
- Is there any discoloration on or immediately adjacent to the containers?
- Are there any puddles containing discharged or leaked material?
- Do you see any corrosion on the container?
- Do you see any cracks in the container?
- Is there any localized stressed or dead vegetation around the container?

2. FOUNDATION CHECK:

- Do you see any cracks around the foundation?
- Can you notice any settling of the container?
- Are there any gaps between container and foundation?
- Proper drainage occurring around the container?
- Has the foundation been damaged by vegetation roots?

3. PIPING CHECK:

- Do you see any droplets of stored material?
- Do the pipes exhibit any discoloration?
- Is any corrosion noticeable?
- Is there any evidence of stored material seepage from valves, seals or joints?
- Is there any localized stressed or dead vegetation?

INSPECTORS COMMENTS:

CORRECTIVE ACTIONS

Description of Corrective Action(s):

Corrective Action(s) Completed? Yes ☐ No ☐

Describe:

INSPECTOR NAME: DATE:

MONTHLY INSPECTION RECORD

This form should be completed monthly and maintained under usual business recordkeeping practices or kept within this Appendix and made available for review for regulatory inspectors. If issues are identified they should be reported to the SPCC Coordinator.

MONTHLY INSPECTION			
1. Is there any water or debris in the containment structure(s)?	Yes ☐	No ☐	NA ☐
2. Are there any cracks or fire hazards associated with the containment structure(s)?	Yes ☐	No ☐	NA ☐
3. Is there any water in the primary tank(s)?	Yes ☐	No ☐	NA ☐
4. Are the containment drain valves operable and in a closed position?	Yes ☐	No ☐	NA ☐
5. Are pathways and entries clear and gates/doors operable?	Yes ☐	No ☐	NA ☐
6. Are there any visible signs of leakage from the tank(s)?	Yes ☐	No ☐	NA ☐
7. Are there any visible signs of leakage from the tank into the secondary containment?	Yes ☐	No ☐	NA ☐
8. Are there any visible signs of leakage to the surrounding soil?	Yes ☐	No ☐	NA ☐
9. Are there any visible signs of leakage to the interstice?	Yes ☐	No ☐	NA ☐
10. Are there signs of leaks from valves?	Yes ☐	No ☐	NA ☐
11. Are tank drain valves locked?	Yes ☐	No ☐	NA ☐
12. Is there any water or debris in the fill pipe spill containment box?	Yes ☐	No ☐	NA ☐
13. Are the drain valves on the fill pipe spill containment box operable and closed?	Yes ☐	No ☐	NA ☐
14. Is the liquid level equipment free of damage, readable and operable?	Yes ☐	No ☐	NA ☐
15. Is overfill equipment work properly (if equipped with test button, activate test)?	Yes ☐	No ☐	NA ☐
16. Are piping connections free of leaks, corrosion and damage?	Yes ☐	No ☐	NA ☐
17. Are ladders and platform structures free of corrosion or damage?	Yes ☐	No ☐	NA ☐
18. Are there any other conditions that should be addressed for safe operation?	Yes ☐	No ☐	NA ☐

INSPECTOR'S COMMENTS (REFERENCE BY ABOVE NUMBER)		

CORRECTIVE ACTIONS		
Description of Corrective Action(s):		
Corrective Action(s) Completed?	Yes ☐	No ☐
Describe:		
INSPECTOR NAME:	DATE:	

ANNUAL INSPECTION RECORD

This form should be completed annually and maintained under usual business recordkeeping practices or kept within this Appendix and made available for review for regulatory inspectors. If issues are identified they should be reported to the SPCC Coordinator.

ANNUAL INSPECTION			
1. Are there any holes or cracks in the containment structure(s)?	Yes ☐	No ☐	NA ☐
2. Are there any signs of washout, liner degradation, corrosion or leakage associated with the containment structure(s)?	Yes ☐	No ☐	NA ☐
3. Are there any signs of settlement or foundation washout around the tank(s)?	Yes ☐	No ☐	NA ☐
4. Are there any signs of cracking or spalling on concrete pad or ring wall?	Yes ☐	No ☐	NA ☐
5. Is there any corrosion or paint failure on any supports?	Yes ☐	No ☐	NA ☐
6. Does water drain away from tank?	Yes ☐	No ☐	NA ☐
7. Is tank grounding secure and in good condition?	Yes ☐	No ☐	NA ☐
8. Is cathodic protection system working adequately?	Yes ☐	No ☐	NA ☐
9. Is tank coating in good condition?	Yes ☐	No ☐	NA ☐
10. Are tanks free of dents, buckling, bulging, corrosion and cracking?	Yes ☐	No ☐	NA ☐
11. Are tank vents moving freely and not obstructed?	Yes ☐	No ☐	NA ☐
12. Are valves free of leaks, corrosion and damage?	Yes ☐	No ☐	NA ☐
13. Are anti-siphon, check, gate, pressure regulator, expansion relief, solenoid, fire and shear valves properly operating (cycle valves)?	Yes ☐	No ☐	NA ☐
14. Is the fill pipe spill containment box and associated connections in good condition?	Yes ☐	No ☐	NA ☐
15. Are strainers and filters clean and in good condition?	Yes ☐	No ☐	NA ☐
16. Is liquid level and overfill equipment and leak detectors in good condition?	Yes ☐	No ☐	NA ☐
17. Is insulation and insulation covers (if any) in good condition?	Yes ☐	No ☐	NA ☐
18. Is electrical wiring and boxes in good condition?	Yes ☐	No ☐	NA ☐
19. Are all labels and tags intact and readable	Yes ☐	No ☐	NA ☐
INSPECTOR'S COMMENTS (REFERENCE BY ABOVE NUMBER)			
CORRECTIVE ACTIONS			
Description of Corrective Action(s):			
Corrective Action(s) Completed?	Yes ☐		No ☐
Describe:			
INSPECTOR NAME:	DATE:		

Appendix G

Training Records

SPCC Training Schedule

Training Name	Affected Individuals	Frequency	Completion deadline	Training Outline	Notes
General SPCC Awareness	All individuals associated with ASTs	2x /year	_____ _____	General SPCC Awareness	
SPCC Spill Response	All individuals assigned spill response duties	2x /year	_____ _____	SPCC Spill Response	

SPCC Training Log

Facility Name: _____ Facility Address: _____

Training Name	Completion Date:	Completed By:	Training completed on schedule?	Noteworthy Issues	Issue Resolution Date:	Reviewed by:	Review Date	Notes

SPCC TRAINING OUTLINE - GENERAL SPCC AWARENESS

This document presents topics to assist your Branch with completion of the annual SPCC Plan training. Branches that have an SPCC Plan must ensure that all employees involved in the handling of petroleum products receive this training annually. This training must be documented and is required each year. Training may be completed at your Monthly Safety Meeting. File a copy of the annual training documentation (topics covered and sign-in sheet) with your SPCC Plan.

****

As you get started, please have a copy of the SPCC Plan available during the training session.

Why the SPCC Plan is Required?

- A Federal regulation requires a facility with a significant amount of bulk fuel and oil storage to have an SPCC Plan.

SPCC Plan Location

- Identify where the SPCC Plan is kept at your Branch.
  - The Plan should be readily available in case of a spill or an inspection; not locked in an office.

What is Required by this Regulation?

- An SPCC Plan includes the following:
  - Certification from the Facility Manager
  - Certification by a Professional Engineer
  - Emergency contacts (Prominently display this information at your Branch)
  - Description of your Branch and its operations
  - Measures to reduce or eliminate a spill
  - Facility diagram with drainage illustrated
  - List of all oil/fuel containers 55 gallons and larger
  - Monthly Tank Inspection form
  - Spill reporting form
  - Annual training sign-in sheet
- The SPCC Plan must be kept up to date using written corrections.
  - If changes are needed other than names and numbers of contacts.
  - The Plan must also be recertified by the Facility Manager every 5 years.

What is Required by this Regulation? (Continued)

- Secondary containment must be provided for oil and fuel containers 55 gallons or larger in capacity. Examples of secondary containment include:
  - Single-walled tanks
  - Drum spill pallets with at least a 60-gallon capacity
  - Containment dikes surrounding the tank, drum or tote - must be sized to hold 110% of the largest container within the area. (EXAMPLE: Secondary containment for three tanks stored outdoors, having a capacity of 200, 150, and 500 gallons respectively, would need a containment capacity of 550 gallons because the largest container is 500 gallons with 10% added for stormwater capacity.)
- Spill kits are to be located at each fuel and oil storage area.
  - Spill kits can be purchased from New Pig (http://www.newpig.com or 800-468-4647) or from the Contractor Supplies Catalog.
  - Spill kits can also be made using a larger container (garbage can or drum overpack) that is filled half-way with absorbent, the remaining space filled with booms, pillows and pads and labeled "SPILL KIT."
  - Ensure that these spill kits are kept full at all times.
  - Only use the kit during a spill. Using the spill kit for minor leaks will deplete the kit for when you may actually need to use it.
- Monthly inspections need to occur using the form included in your Plan.
  - Check to ensure that all hoses and dispensers are properly working.
  - Ensure that the fuel/oil storage containers are in good condition.
- Annual training needs to occur. (Purpose of this training)

How to Prevent and Prepare for a Spill

- Identify oil storage containers and related activities that could cause a spill. Some examples include:
  - Tanks and other containers (totes, drums, etc.) for oils and fuel
  - Transferring of product to container
  - Location of container with respect to traffic (collision protection may be needed)
  - Condition of container
  - Pneumatic oil dispensing units
- Discuss procedures that your Branch can take to reduce spills
  - For example, a designated Facility employee must be present for the filling of above ground storage tanks.
  - Monthly inspection findings need to be taken care of immediately. If someone identifies a malfunctioning dispenser or a leak from a tank at any time, notify the Facility Manager immediately so that it can be fixed.

How to Prevent and Prepare for a Spill

- Evaluate the most likely spill direction and pathway for each piece of equipment/activity that could cause a spill.
- Locate drain inlets and water courses that could be affected
- Identify where each spill kit and appropriate personal protective equipment (PPE) is located.
- Review any "Required Facility Improvements" that are typically listed before the Figures and Appendix. Ensure that these improvements have been completed or are in the process of being completed.

Who Can React to a Spill?

- Two personnel at each Branch are required to have completed the eLearning 8-hour OSHA First Responder training to react defensively to a large spill.
  - Identify who is trained at the Branch.
- All Branch personnel who handle fuel and oil must complete the OHSA Awareness Course, which is provided during a Monthly Safety Meeting.
- If not trained and a spill occurs, secure the spill scene by protecting spill pathways and safety concerns. Immediately contact the Facility Manager.

Defining Spills

- The Facility Manager should be contacted for any spill
- A minor spill is defined as follows:
  - Can be cleaned up using the contents of a spill kit.
  - Has not impacted soil or a water course
  - Must have "awareness training" to clean-up spill (Contact Risk Management for training information)

- A large spill meets any one of the following requirements:
  - Can NOT be cleaned up using the contents in a spill kit
  - Has entered soil or has impacted a water course (sewer, stream, water body, etc.)
  - Has occurred outside of the Branch
  - Must have completed the eLearning OSHA 8-hour First Responder training to **react** to the spill.
  - Branch employees should never attempt to clean-up a large spill

What to Do if a Spill Occurs

- Determine if the area is safe
- If safe, use spill kit to contain spill and react defensively
- Secure the area where the spill has occurred to protect spill pathways and health and safety of employees and neighbors
- Notify Facility Manager
- Determine if spill is minor or large
- Minor spills may be cleaned up using spill kit
- Waste generated from spill should be disposed of properly. Obtain copies of waste manifests. Contact the Facility Manager for assistance with waste disposal.

SPCC TRAINING OUTLINE - SPILL RESPONSE

How to Prevent and Prepare for a Spill

- Evaluate the most likely spill direction and pathway for each piece of equipment/activity that could cause a spill.
- Locate drain inlets and water courses that could be affected
- Identify where each spill kit and appropriate personal protective equipment (PPE) is located.
- Review any "Required Facility Improvements" that are typically listed before the Figures and Appendix. Ensure that these improvements have been completed or are in the process of being completed.

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- Two personnel at each Branch are required to have completed the eLearning 8-hour OSHA First Responder training to react defensively to a large spill.
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What to Do if a Spill Occurs

- Determine if the area is safe
- If safe, use spill kit to contain spill and react defensively
- Secure the area where the spill has occurred to protect spill pathways and health and safety of employees and neighbors
- Notify Facility Manager
- Determine if spill is minor or large
- Minor spills may be cleaned up using spill kit
- Waste generated from spill should be disposed of properly. Obtain copies of waste manifests. Contact the Facility Manager for assistance with waste disposal.

Appendix H

Spill Kit Inventory

Spill Response Kits

The following are typical items contained in on-site oil spill response kits. Spill kits should be well marked and kept in a readily accessible location. Facility personnel should be familiar with the location and contents of the spill kits.

Note: The number and contents of oil spill response kits will vary with the nature, size and location of the Facility. Response kits should be tailored to the site specific features of the Facility, and should be able to contain at least 42 gallons of oil.

- Drum or other container to hold waste during cleanup and to hold contents of spill kit on storage
- Loose absorbent for oil
- Sorbent pads/wipes/pillows/booms/socks/mats
- Nitrile gloves
- Neoprene gloves for cold weather use
- Vinyl/PVC Pull-On Over-boots
- Non-sparking Shovels
- Drain seals/plugs/mats
- Sand bags for dams or underflow weirs

Appendix I

Containment Drainage Record

Appendix I - Containment Drainage Record - Placeholder - Not Currently Used

Appendix J

Integrity Testing Records

Appendix J - Integrity Testing Records - Placeholder - Not Currently Used

Appendix **K**

Regulatory Correspondence

Appendix K - Regulatory Correspondence -Miscellaneous Documentation - Placeholder - Not Currently Used

REGULATION REFERENCES

Reg Ref 1

Federal SPCC Regulations

(40 CFR112)

Title 40: Protection of Environment

Subpart A—Applicability, Definitions, and General Requirements for All Facilities and All Types of Oils

Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats and Oils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)

Authority: 33 U.S.C. 1251 *et seq.* ; 33 U.S.C. 2720; E.O. 12777 (October 18, 1991), 3 CFR, 1991 Comp., p. 351.

Source: 38 FR 34165, Dec. 11, 1973, unless otherwise noted.

Editorial Note: Nomenclature changes to part 112 appear at 65 FR 40798, June 30, 2000.

Subpart A—Applicability, Definitions, and General Requirements for All Facilities and All Types of Oils

Source: 67 FR 47140, July 17, 2002, unless otherwise noted.

§ 112.1 General applicability.

(a)(1) This part establishes procedures, methods, equipment, and other requirements to prevent the discharge of oil from non-transportation-related onshore and offshore facilities into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act).

(2) As used in this part, words in the singular also include the plural and words in the masculine gender also include the feminine and vice versa, as the case may require.

(b) Except as provided in paragraph (d) of this section, this part applies to any owner or operator of a non-transportation-related onshore or offshore facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location, could reasonably be expected to discharge oil in quantities that may be harmful, as described in part 110 of this chapter, into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Magnuson Fishery Conservation and Management Act) that has oil in:

(1) Any aboveground container;

(2) Any completely buried tank as defined in § 112.2;

(3) Any container that is used for standby storage, for seasonal storage, or for temporary storage, or not otherwise “permanently closed” as defined in § 112.2;

(4) Any “bunkered tank” or “partially buried tank” as defined in § 112.2, or any container in a vault, each of which is considered an aboveground storage container for purposes of this part.

(c) As provided in section 313 of the Clean Water Act (CWA), departments, agencies, and instrumentalities of the Federal government are subject to this part to the same extent as any person.

(d) Except as provided in paragraph (f) of this section, this part does not apply to:

(1) The owner or operator of any facility, equipment, or operation that is not subject to the jurisdiction of the Environmental Protection Agency (EPA) under section 311(j)(1)(C) of the CWA, as follows:

(i) Any onshore or offshore facility, that due to its location, could not reasonably be expected to have a discharge as described in paragraph (b) of this section. This determination must be based solely upon consideration of the geographical and location aspects of the facility (such as proximity to navigable waters or adjoining shorelines, land contour, drainage, etc.) and must exclude consideration of manmade features such as dikes, equipment or other structures, which may serve to restrain, hinder, contain, or otherwise prevent a discharge as described in paragraph (b) of this section.

(ii) Any equipment, or operation of a vessel or transportation-related onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation, as defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of EPA, dated November 24, 1971 (appendix A of this part).

(iii) Any equipment, or operation of a vessel or onshore or offshore facility which is subject to the authority and control of the U.S. Department of Transportation or the U.S. Department of the Interior, as defined in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (appendix B of this part).

(2) Any facility which, although otherwise subject to the jurisdiction of EPA, meets both of the following requirements:

(i) The completely buried storage capacity of the facility is 42,000 U.S. gallons or less of oil. For purposes of this exemption, the completely buried storage capacity of a facility excludes the capacity of a completely buried tank, as defined in § 112.2, and connected underground piping, underground ancillary equipment, and containment systems, that is currently subject to all of the technical requirements of part 280 of this chapter or all of the technical requirements of a State program approved under part 281 of this chapter, or the capacity of any underground oil storage tanks deferred under 40 CFR part 280 that supply emergency diesel generators at a nuclear power generation facility licensed by the Nuclear Regulatory Commission and subject to any Nuclear Regulatory Commission provision regarding design and quality criteria, including, but not limited to, 10 CFR part 50. The completely buried storage capacity of a facility also excludes the capacity of a container that is “permanently closed,” as defined in § 112.2 and the capacity of intra-facility gathering lines subject to the regulatory requirements of 49 CFR part 192 or 195.

(ii) The aggregate aboveground storage capacity of the facility is 1,320 U.S. gallons or less of oil. For the purposes of this exemption, only containers with a capacity of 55 U.S. gallons or greater are counted. The aggregate aboveground storage capacity of a facility excludes:

(A) The capacity of a container that is “permanently closed” as defined in § 112.2;

(B) The capacity of a “motive power container” as defined in § 112.2;

(C) The capacity of hot-mix asphalt or any hot-mix asphalt container;

(D) The capacity of a container for heating oil used solely at a single-family residence;

(E) The capacity of pesticide application equipment and related mix containers.

(F) The capacity of any milk and milk product container and associated piping and appurtenances.

(3) Any offshore oil drilling, production, or workover facility that is subject to the notices and regulations of the Minerals Management Service, as specified in the Memorandum of Understanding between the Secretary of Transportation, the Secretary of the Interior, and the Administrator of EPA, dated November 8, 1993 (appendix B of this part).

(4) Any completely buried storage tank, as defined in § 112.2, and connected underground piping, underground ancillary equipment, and containment systems, at any facility, that is subject to all of the technical requirements of part 280 of this chapter or a State program approved under part 281 of this chapter, or any underground oil storage tanks including below-grade vaulted tanks, deferred under 40 CFR part 280, as originally promulgated, that supply emergency diesel generators at a nuclear power generation facility licensed by the Nuclear Regulatory Commission, provided that such a tank is subject to any Nuclear Regulatory Commission provision regarding design and quality criteria, including, but not limited to, 10 CFR part 50. Such emergency generator tanks must be marked on the facility diagram as provided in § 112.7(a)(3), if the facility is otherwise subject to this part.

(5) Any container with a storage capacity of less than 55 gallons of oil.

(6) Any facility or part thereof used exclusively for wastewater treatment and not used to satisfy any requirement of this part. The production, recovery, or recycling of oil is not wastewater treatment for purposes of this paragraph.

(7) Any “motive power container,” as defined in § 112.2. The transfer of fuel or other oil into a motive power container at an otherwise regulated facility is not eligible for this exemption.

(8) Hot-mix asphalt, or any hot-mix asphalt container.

(9) Any container for heating oil used solely at a single-family residence.

(10) Any pesticide application equipment or related mix containers.

(11) Intra-facility gathering lines subject to the regulatory requirements of 49 CFR part 192 or 195, except that such a line's location must be identified and marked as “exempt” on the facility diagram as provided in § 112.7(a)(3), if the facility is otherwise subject to this part.

(12) Any milk and milk product container and associated piping and appurtenances.

(e) This part establishes requirements for the preparation and implementation of Spill Prevention, Control, and Countermeasure (SPCC) Plans. SPCC Plans are designed to complement existing laws, regulations, rules, standards, policies, and procedures pertaining to safety standards, fire prevention, and pollution prevention rules. The purpose of an SPCC Plan is to form a comprehensive Federal/State spill prevention program that minimizes the potential for discharges. The SPCC Plan must address all relevant spill prevention, control, and countermeasures necessary at the specific facility. Compliance with this part does not in any way relieve the owner or operator of an onshore or an offshore facility from compliance with other Federal, State, or local laws.

(f) Notwithstanding paragraph (d) of this section, the Regional Administrator may require that the owner or operator of any facility subject to the jurisdiction of EPA under section 311(j) of the CWA prepare and implement an SPCC Plan, or any applicable part, to carry out the purposes of the CWA.

(1) Following a preliminary determination, the Regional Administrator must provide a written notice to the owner or operator stating the reasons why he must prepare an SPCC Plan, or applicable part. The Regional Administrator must send such notice to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of such notice to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(2) Within 30 days of receipt of such written notice, the owner or operator may provide information and data and may consult with the Agency about the need to prepare an SPCC Plan, or applicable part.

(3) Within 30 days following the time under paragraph (b)(2) of this section within which the owner or operator may provide information and data and consult with the Agency about the need to prepare an SPCC Plan, or applicable part, the Regional Administrator must make a final determination regarding whether the owner or operator is required to prepare and implement an SPCC Plan, or applicable part. The Regional Administrator must send the final determination to the owner or operator by certified mail or by personal delivery. If the owner or operator is a corporation, the Regional Administrator must also mail a copy of the final determination to the registered agent, if any and if known, of the corporation in the State where the facility is located.

(4) If the Regional Administrator makes a final determination that an SPCC Plan, or applicable part, is necessary, the owner or operator must prepare the Plan, or applicable part, within six months of that final determination and implement the Plan, or applicable part, as soon as possible, but not later than one year after the Regional Administrator has made a final determination.

(5) The owner or operator may appeal a final determination made by the Regional Administrator requiring preparation and implementation of an SPCC Plan, or applicable part, under this paragraph. The owner or operator must make the appeal to the Administrator of EPA within 30 days of receipt of the final determination under paragraph (b)(3) of this section from the Regional Administrator requiring preparation and/or implementation of an SPCC Plan, or applicable part. The owner or operator must send a complete copy of the appeal to the Regional Administrator at the time he makes the appeal to the Administrator. The appeal must contain a clear and concise statement of the issues and points of fact in the case. In the appeal, the owner or operator may also provide additional information. The additional information may be from any person. The Administrator may request additional information from the owner or operator. The Administrator must render a decision within 60 days of receiving the appeal or additional information submitted by the owner or operator and must serve the owner or operator with the decision made in the appeal in the manner described in paragraph (f)(1) of this section.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77290, Dec. 26, 2006; 73 FR 74300, Dec. 5, 2008; 74 FR 58809, Nov. 13, 2009; 76 FR 21660, Apr. 18, 2011]

§ 112.2 Definitions.

For the purposes of this part:

Adverse weather means weather conditions that make it difficult for response equipment and personnel to clean up or remove spilled oil, and that must be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include significant wave height as specified in Appendix E to this part (as appropriate), ice conditions, temperatures, weather-related visibility, and currents within the area in which the systems or equipment is intended to function.

Alteration means any work on a container involving cutting, burning, welding, or heating operations that changes the physical dimensions or configuration of the container.

Animal fat means a non-petroleum oil, fat, or grease of animal, fish, or marine mammal origin.

Breakout tank means a container used to relieve surges in an oil pipeline system or to receive and store oil transported by a pipeline for reinjection and continued transportation by pipeline.

Bulk storage container means any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container.

Bunkered tank means a container constructed or placed in the ground by cutting the earth and re-covering the container in a manner that breaks the surrounding natural grade, or that lies above grade, and is covered with earth, sand, gravel, asphalt, or other material. A bunkered tank is considered an aboveground storage container for purposes of this part.

Completely buried tank means any container completely below grade and covered with earth, sand, gravel, asphalt, or other material. Containers in vaults, bunkered tanks, or partially buried tanks are considered aboveground storage containers for purposes of this part.

Complex means a facility possessing a combination of transportation-related and non-transportation-related components that is subject to the jurisdiction of more than one Federal agency under section 311(j) of the CWA.

Contiguous zone means the zone established by the United States under Article 24 of the Convention of the Territorial Sea and Contiguous Zone, that is contiguous to the territorial sea and that extends nine miles seaward from the outer limit of the territorial area.

Contract or other approved means means:

(1) A written contractual agreement with an oil spill removal organization that identifies and ensures the availability of the necessary personnel and equipment within appropriate response times; and/or

(2) A written certification by the owner or operator that the necessary personnel and equipment resources, owned or operated by the facility owner or operator, are available to respond to a discharge within appropriate response times; and/or

(3) Active membership in a local or regional oil spill removal organization that has identified and ensures adequate access through such membership to necessary personnel and equipment to respond to a discharge within appropriate response times in the specified geographic area; and/or

(4) Any other specific arrangement approved by the Regional Administrator upon request of the owner or operator.

Discharge includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil, but excludes discharges in compliance with a permit under section 402 of the CWA; discharges resulting from circumstances identified, reviewed, and made a part of the public record with respect to a permit issued or modified under section 402 of the CWA, and subject to a condition in such permit; or continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 of the CWA, that are caused by events occurring within the scope of relevant operating or treatment systems. For purposes of this part, the term discharge shall not include any discharge of oil that is authorized by a permit issued under section 13 of the River and Harbor Act of 1899 (33 U.S.C. 407).

Facility means any mobile or fixed, onshore or offshore building, property, parcel, lease, structure, installation, equipment, pipe, or pipeline (other than a vessel or a public vessel) used in oil well drilling operations, oil production, oil refining, oil storage, oil gathering, oil processing, oil transfer, oil distribution, and oil waste treatment, or in which oil is used, as described in Appendix A to this part. The boundaries of a facility depend on several site-specific factors, including but not limited to, the ownership or operation of buildings, structures, and equipment on the same site and types of activity at the site. Contiguous or non-contiguous buildings, properties, parcels, leases, structures, installations, pipes, or pipelines under the ownership or operation of the same person may be considered separate facilities. Only this definition governs whether a facility is subject to this part.

Farm means a facility on a tract of land devoted to the production of crops or raising of animals, including fish, which produced and sold, or normally would have produced and sold, $1,000 or more of agricultural products during a year.

Fish and wildlife and sensitive environments means areas that may be identified by their legal designation or by evaluations of Area Committees (for planning) or members of the Federal On-Scene Coordinator's spill response structure (during responses). These areas may include wetlands, National and State parks, critical habitats for endangered or threatened species, wilderness and natural resource areas, marine sanctuaries and estuarine reserves, conservation areas, preserves, wildlife areas, wildlife refuges, wild and scenic rivers, recreational areas, national forests, Federal and State lands that are research national areas, heritage program areas, land trust areas, and historical and archaeological sites and parks. These areas may also include unique habitats such as aquaculture sites and agricultural surface water intakes, bird nesting areas, critical biological resource areas, designated migratory routes, and designated seasonal habitats.

Injury means a measurable adverse change, either long- or short-term, in the chemical or physical quality or the viability of a natural resource resulting either directly or indirectly from exposure to a discharge, or exposure to a product of reactions resulting from a discharge.

Loading/unloading rack means a fixed structure (such as a platform, gangway) necessary for loading or unloading a tank truck or tank car, which is located at a facility subject to the requirements of this part. A loading/unloading rack includes a loading or unloading arm, and may include any combination of the following: piping assemblages, valves, pumps, shut-off devices, overfill sensors, or personnel safety devices.

Maximum extent practicable means within the limitations used to determine oil spill planning resources and response times for on-water recovery, shoreline protection, and cleanup for worst case discharges from onshore non-transportation-related facilities in adverse weather. It includes the planned capability to respond to a worst case discharge in adverse weather, as contained in a response plan that meets the requirements in §112.20 or in a specific plan approved by the Regional Administrator.

Mobile refueler means a bulk storage container onboard a vehicle or towed, that is designed or used solely to store and transport fuel for transfer into or from an aircraft, motor vehicle, locomotive, vessel, ground service equipment, or other oil storage container.

Motive power container means any onboard bulk storage container used primarily to power the movement of a motor vehicle, or ancillary onboard oil-filled operational equipment. An onboard bulk storage container which is used to store or transfer oil for further distribution is not a motive power container. The definition of motive power container does not include oil drilling or workover equipment, including rigs.

Navigable waters of the United States means “navigable waters” as defined in section 502(7) of the FWPCA, and includes:

(1) All navigable waters of the United States, as defined in judicial decisions prior to passage of the 1972 Amendments to the FWPCA (Pub. L. 92–500), and tributaries of such waters;

(2) Interstate waters;

(3) Intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and

(4) Intrastate lakes, rivers, and streams from which fish or shellfish are taken and sold in interstate commerce.

Non-petroleum oil means oil of any kind that is not petroleum-based, including but not limited to: Fats, oils, and greases of animal, fish, or marine mammal origin; and vegetable oils, including oils from seeds, nuts, fruits, and kernels.

Offshore facility means any facility of any kind (other than a vessel or public vessel) located in, on, or under any of the navigable waters of the United States, and any facility of any kind that is subject to the jurisdiction of the United States and is located in, on, or under any other waters.

Oil means 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.

Oil-filled operational equipment means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (*e.g.* , those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.

Oil Spill Removal Organization means an entity that provides oil spill response resources, and includes any for-profit or not-for-profit contractor, cooperative, or in-house response resources that have been established in a geographic area to provide required response resources.

Onshore facility means any facility of any kind located in, on, or under any land within the United States, other than submerged lands.

Owner or operator means any person owning or operating an onshore facility or an offshore facility, and in the case of any abandoned offshore facility, the person who owned or operated or maintained the facility immediately prior to such abandonment.

Partially buried tank means a storage container that is partially inserted or constructed in the ground, but not entirely below grade, and not completely covered with earth, sand, gravel, asphalt, or other material. A partially buried tank is considered an aboveground storage container for purposes of this part.

Permanently closed means any container or facility for which:

(1) All liquid and sludge has been removed from each container and connecting line; and

(2) All connecting lines and piping have been disconnected from the container and blanked off, all valves (except for ventilation valves) have been closed and locked, and conspicuous signs have been posted on each container stating that it is a permanently closed container and noting the date of closure.

Person includes an individual, firm, corporation, association, or partnership.

Petroleum oil means petroleum in any form, including but not limited to crude oil, fuel oil, mineral oil, sludge, oil refuse, and refined products.

Produced water container means a storage container at an oil production facility used to store the produced water after initial oil/water separation, and prior to reinjection, beneficial reuse, discharge, or transfer for disposal.

Production facility means all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or intra-facility gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation-related equipment) used in the production, extraction, recovery, lifting, stabilization, separation or treating of oil (including condensate), or associated storage or measurement, and is located in an oil or gas field, at a facility. This definition governs whether such structures, piping, or equipment are subject to a specific section of this part.

Regional Administrator means the Regional Administrator of the Environmental Protection Agency, in and for the Region in which the facility is located.

Repair means any work necessary to maintain or restore a container to a condition suitable for safe operation, other than that necessary for ordinary, day-to-day maintenance to maintain the functional integrity of the container and that does not weaken the container.

Spill Prevention, Control, and Countermeasure Plan; SPCC Plan, or Plan means the document required by §112.3 that details the equipment, workforce, procedures, and steps to prevent, control, and provide adequate countermeasures to a discharge.

Storage capacity of a container means the shell capacity of the container.

Transportation-related and non-transportation-related , as applied to an onshore or offshore facility, are defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the Environmental Protection Agency, dated November 24, 1971, (appendix A of this part).

United States means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, the U.S. Virgin Islands, and the Pacific Island Governments.

Vegetable oil means a non-petroleum oil or fat of vegetable origin, including but not limited to oils and fats derived from plant seeds, nuts, fruits, and kernels.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel.

Wetlands means those areas that are inundated or saturated by surface or groundwater at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs, and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds.

Worst case discharge for an onshore non-transportation-related facility means the largest foreseeable discharge in adverse weather conditions as determined using the worksheets in Appendix D to this part.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77290, Dec. 26, 2006; 73 FR 71943, Nov. 26, 2008; 73 FR 74300, Dec. 5, 2008]

§ 112.3 Requirement to prepare and implement a Spill Prevention, Control, and Countermeasure Plan.

The owner or operator or an onshore or offshore facility subject to this section must prepare in writing and implement a Spill Prevention Control and Countermeasure Plan (hereafter “SPCC Plan” or “Plan”),” in accordance with § 112.7 and any other applicable section of this part.

(a)(1) Except as otherwise provided in this section, if your facility, or mobile or portable facility, was in operation on or before August 16, 2002, you must maintain your Plan, but must amend it, if necessary to ensure compliance with this part, and implement the amended Plan no later than November 10, 2011. If such a facility becomes operational after August 16, 2002, through November 10, 2011, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare and implement a Plan on or before November 10, 2011. If such a facility (excluding oil production facilities) becomes operational after November 10, 2011, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare and implement a Plan before you begin operations. You are not required to prepare a new Plan each time you move a mobile or portable facility to a new site; the Plan may be general. When you move the mobile or portable facility, you must locate and install it using the discharge prevention practices outlined in the Plan for the facility. The Plan is applicable only while the mobile or portable facility is in a fixed (non-transportation) operating mode.

(2) If your drilling, production or workover facility, including a mobile or portable facility, is offshore or has an offshore component; or your onshore facility is required to have and submit a Facility Response Plan pursuant to 40 CFR 112.20(a), and was in operation on or before August 16, 2002, you must maintain your Plan, but must amend it, if necessary to ensure compliance with this part, and implement the amended Plan no later than November 10, 2010. If such a facility becomes operational after August 16, 2002, through November 10, 2010, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare and implement a Plan on or before November 10, 2010. If such a facility (excluding oil production facilities) becomes operational after November 10, 2010, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare and implement a Plan before you begin operations. You are not required to prepare a new Plan each time you move a mobile or portable facility to a new site; the Plan may be general. When you move the mobile or portable facility, you must locate and install it using the discharge prevention practices outlined in the Plan for the facility. The Plan is applicable only while the mobile or portable facility is in a fixed (non-transportation) operating mode.

(3) If your farm, as defined in § 112.2, was in operation on or before August 16, 2002, you must maintain your Plan, but must amend it, if necessary to ensure compliance with this part, and implement the amended Plan on or before May 10, 2013. If your farm becomes operational after August 16, 2002, through May 10, 2013, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare and implement a Plan on or before May 10, 2013. If your farm becomes operational after May 10, 2013, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare and implement a Plan before you begin operations.

(b) If your oil production facility as described in paragraph (a)(1) of this section becomes operational after November 10, 2011, or as described in paragraph (a)(2) of this section becomes operational after November 10, 2010, and could reasonably be expected to have a discharge as described in § 112.1(b), you must prepare and implement a Plan within six months after you begin operations.

(c) [Reserved]

(d) Except as provided in § 112.6, a licensed Professional Engineer must review and certify a Plan for it to be effective to satisfy the requirements of this part.

(1) By means of this certification the Professional Engineer attests:

(i) That he is familiar with the requirements of this part ;

(ii) That he or his agent has visited and examined the facility;

(iii) That the Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards, and with the requirements of this part;

(iv) That procedures for required inspections and testing have been established; and

(v) That the Plan is adequate for the facility.

(vi) That, if applicable, for a produced water container subject to § 112.9(c)(6), any procedure to minimize the amount of free-phase oil is designed to reduce the accumulation of free-phase oil and the procedures and frequency for required inspections, maintenance and testing have been established and are described in the Plan.

(2) Such certification shall in no way relieve the owner or operator of a facility of his duty to prepare and fully implement such Plan in accordance with the requirements of this part.

(e) If you are the owner or operator of a facility for which a Plan is required under this section, you must:

(1) Maintain a complete copy of the Plan at the facility if the facility is normally attended at least four hours per day, or at the nearest field office if the facility is not so attended, and

(2) Have the Plan available to the Regional Administrator for on-site review during normal working hours.

(f) *Extension of time.* (1) The Regional Administrator may authorize an extension of time for the preparation and full implementation of a Plan, or any amendment thereto, beyond the time permitted for the preparation, implementation, or amendment of a Plan under this part, when he finds that the owner or operator of a facility subject to this section, cannot fully comply with the requirements as a result of either nonavailability of qualified personnel, or delays in construction or equipment delivery beyond the control and without the fault of such owner or operator or his agents or employees.

(2) If you are an owner or operator seeking an extension of time under paragraph (f)(1) of this section, you may submit a written extension request to the Regional Administrator. Your request must include:

(i) A full explanation of the cause for any such delay and the specific aspects of the Plan affected by the delay;

(ii) A full discussion of actions being taken or contemplated to minimize or mitigate such delay; and

(iii) A proposed time schedule for the implementation of any corrective actions being taken or contemplated, including interim dates for completion of tests or studies, installation and operation of any necessary equipment, or other preventive measures. In addition you may present additional oral or written statements in support of your extension request.

(3) The submission of a written extension request under paragraph (f)(2) of this section does not relieve you of your obligation to comply with the requirements of this part. The Regional Administrator may request a copy of your Plan to evaluate the extension request. When the Regional Administrator authorizes an extension of time for particular equipment or other specific aspects of the Plan, such extension does not affect your obligation to comply with the requirements related to other equipment or other specific aspects of the Plan for which the Regional Administrator has not expressly authorized an extension.

(g) *Qualified Facilities.* The owner or operator of a qualified facility as defined in this subparagraph may self-certify his facility's Plan, as provided in § 112.6. A qualified facility is one that meets the following Tier I or Tier II qualified facility criteria:

(1) A Tier I qualified facility meets the qualification criteria in paragraph (g)(2) of this section and has no individual aboveground oil storage container with a capacity greater than 5,000 U.S. gallons.

(2) A Tier II qualified facility is one that has had no single discharge as described in § 112.1(b) exceeding 1,000 U.S. gallons or no two discharges as described in § 112.1(b) each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan self-certification date, or since becoming subject to this part if the facility has been in operation for less than three years (other than discharges as described in § 112.1(b) that are the

result of natural disasters, acts of war, or terrorism), and has an aggregate aboveground oil storage capacity of 10,000 U.S. gallons or less.

[67 FR 47140, July 17, 2002, as amended at 68 FR 1351, Jan. 9, 2003; 68 FR 18894, Apr. 17, 2003; 69 FR 48798, Aug. 11, 2004; 71 FR 8466, Feb. 17, 2006; 71 FR 77290, Dec. 26, 2006; 72 FR 27447, May 16, 2007; 73 FR 74301, Dec. 5, 2008, 74 FR 29141, June 19, 2009; 74 FR 58809, Nov. 13, 2009; 75 FR 63102, Oct. 14, 2010; 76 FR 21660, Apr. 18, 2011; 76 FR 64248, Oct. 18, 2011; 76 FR 72124, Nov. 22, 2011]

§ 112.4 Amendment of Spill Prevention, Control, and Countermeasure Plan by Regional Administrator.

If you are the owner or operator of a facility subject to this part, you must:

(a) Notwithstanding compliance with § 112.3, whenever your facility has discharged more than 1,000 U.S. gallons of oil in a single discharge as described in § 112.1(b), or discharged more than 42 U.S. gallons of oil in each of two discharges as described in § 112.1(b), occurring within any twelve month period, submit the following information to the Regional Administrator within 60 days from the time the facility becomes subject to this section:

(1) Name of the facility;

(2) Your name;

(3) Location of the facility;

(4) Maximum storage or handling capacity of the facility and normal daily throughput;

(5) Corrective action and countermeasures you have taken, including a description of equipment repairs and replacements;

(6) An adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary;

(7) 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;

(8) Additional preventive measures you have taken or contemplated to minimize the possibility of recurrence; and

(9) Such other information as the Regional Administrator may reasonably require pertinent to the Plan or discharge.

(b) Take no action under this section until it applies to your facility. This section does not apply until the expiration of the time permitted for the initial preparation and implementation of the Plan under § 112.3, but not including any amendments to the Plan.

(c) Send to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located a complete copy of all information you provided to the Regional Administrator under paragraph (a) of this section. Upon receipt of the information such State agency or agencies may conduct a review and make recommendations to the Regional Administrator as to further procedures, methods, equipment, and other requirements necessary to prevent and to contain discharges from your facility.

(d) Amend your Plan, if after review by the Regional Administrator of the information you submit under paragraph (a) of this section, or submission of information to EPA by the State agency under paragraph (c) of this section, or after on-site review of your Plan, the Regional Administrator requires that you do so. The Regional Administrator may require you to amend your Plan if he finds that it does not meet the requirements of this part or that amendment is necessary to prevent and contain discharges from your facility.

(e) Act in accordance with this paragraph when the Regional Administrator proposes by certified mail or by personal delivery that you amend your SPCC Plan. If the owner or operator is a corporation, he must also notify by mail the registered agent of such corporation, if any and if known, in the State in which the facility is located. The Regional Administrator must specify the terms of such proposed amendment. Within 30 days from receipt of such notice, you may submit written information, views, and arguments on the proposed amendment. After considering all relevant material presented, the Regional Administrator must either notify you of any amendment required or rescind the notice. You must amend your Plan as required within 30 days after such notice, unless the Regional Administrator, for good cause, specifies another effective date. You must implement the amended Plan as soon as possible, but not later than six months after you amend your Plan, unless the Regional Administrator specifies another date.

(f) If you appeal a decision made by the Regional Administrator requiring an amendment to an SPCC Plan, send the appeal to the EPA Administrator in writing within 30 days of receipt of the notice from the Regional Administrator requiring the amendment under paragraph (e) of this section. You must send a complete copy of the appeal to the Regional Administrator at the time you make the appeal. The appeal must contain a clear and concise statement of the issues and points of fact in the case. It may also contain additional information from you, or from any other person. The EPA Administrator may request additional information from you, or from any other person. The EPA Administrator must render a decision within 60 days of receiving the appeal and must notify you of his decision.

§ 112.5 Amendment of Spill Prevention, Control, and Countermeasure Plan by owners or operators.

are the owner or operator of a facility subject to this part, you must:

(a) Amend the SPCC Plan for your facility in accordance with the general requirements in §112.7, and with any specific section of this part applicable to your facility, when there is a change in the facility design, construction, operation, or maintenance that materially affects its potential for a discharge as described in §112.1(b). Examples of changes that may require amendment of the Plan include, but are not limited to: commissioning or decommissioning containers; replacement, reconstruction, or movement of containers; reconstruction, replacement, or installation of piping systems; construction or demolition that might alter secondary containment structures; changes of product or service; or revision of standard operation or maintenance procedures at a facility. An amendment made under this section must be prepared within six months, and implemented as soon as possible, but not later than six months following preparation of the amendment.

(b) Notwithstanding compliance with paragraph (a) of this section, complete a review and evaluation of the SPCC Plan at least once every five years from the date your facility becomes subject to this part; or, if your facility was in operation on or before August 16, 2002, five years from the date your last review was required under this part. As a result of this review and evaluation, you must amend your SPCC Plan within six months of the review to include more effective prevention and control technology if the technology has been field-proven at the time of the review and will significantly reduce the likelihood of a discharge as described in §112.1(b) from the facility. You must implement any amendment as soon as possible, but not later than six months following preparation of any amendment. You must document your completion of the review and evaluation, and must sign a statement as to whether you will amend the Plan, either at the beginning or end of the Plan or in a log or an appendix to the Plan. The following words will suffice, “I have completed review and evaluation of the SPCC Plan for (name of facility) on (date), and will (will not) amend the Plan as a result.”

(c) Except as provided in §112.6, have a Professional Engineer certify any technical amendments to your Plan in accordance with §112.3(d).

[67 FR 47140, July 17, 2002, as amended at 71 FR 77291, Dec. 26, 2006; 73 FR 74301, Dec. 5, 2008; 74 FR 58809, Nov. 13, 2009]

§ 112.6 Qualified Facilities Plan Requirements.

Qualified facilities meeting the Tier I applicability criteria in §112.3(g)(1) are subject to the requirements in paragraph (a) of this section. Qualified facilities meeting the Tier II applicability criteria in §112.3(g)(2) are subject to the requirements in paragraph (b) of this section.

(a) *Tier I Qualified Facilities* —(1) *Preparation and Self-Certification of the Plan.* If you are an owner or operator of a facility that meets the Tier I qualified facility criteria in §112.3(g)(1), you must either: comply with the requirements of paragraph (a)(3) of this section; or prepare and implement a Plan meeting requirements of paragraph (b) of this section; or prepare and implement a Plan meeting the general Plan requirements in §112.7 and applicable requirements in subparts B and C, including having the Plan certified by a Professional Engineer as required under §112.3(d). If you do not follow the Appendix G template, you must prepare an equivalent Plan that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan. To complete the template in Appendix G, you must certify that:

(i) You are familiar with the applicable requirements of 40 CFR part 112;

(ii) You have visited and examined the facility;

(iii) You prepared the Plan in accordance with accepted and sound industry practices and standards;

(iv) You have established procedures for required inspections and testing in accordance with industry inspection and testing standards or recommended practices;

(v) You will fully implement the Plan;

(vi) The facility meets the qualification criteria in §112.3(g)(1);

(vii) The Plan does not deviate from any requirement of this part as allowed by §112.7(a)(2) and 112.7(d) or include measures pursuant to §112.9(c)(6) for produced water containers and any associated piping; and

(viii) The Plan and individual(s) responsible for implementing this Plan have the approval of management, and the facility owner or operator has committed the necessary resources to fully implement this Plan.

(2) *Technical Amendments.* You must certify any technical amendments to your Plan in accordance with paragraph (a)(1) of this section when there is a change in the facility design, construction, operation, or maintenance that affects its potential for a discharge as described in §112.1(b). If the facility change results in the facility no longer meeting the Tier I qualifying criteria in §112.3(g)(1) because an individual oil storage container capacity exceeds 5,000 U.S. gallons or the facility capacity exceeds 10,000 U.S. gallons in aggregate aboveground storage capacity, within six months following preparation of the amendment, you must either:

(i) Prepare and implement a Plan in accordance with §112.6(b) if you meet the Tier II qualified facility criteria in §112.3(g)(2); or

(ii) Prepare and implement a Plan in accordance with the general Plan requirements in §112.7, and applicable requirements in subparts B and C, including having the Plan certified by a Professional Engineer as required under §112.3(d).

(3) *Plan Template and Applicable Requirements.* Prepare and implement an SPCC Plan that meets the following requirements under §112.7 and in subparts B and C of this part: introductory paragraph of §§112.7, 112.7(a)(3)(i), 112.7(a)(3)(iv), 112.7(a)(3)(vi), 112.7(a)(4), 112.7(a)(5), 112.7(c), 112.7(e), 112.7(f), 112.7(g), 112.7(k), 112.8(b)(1), 112.8(b)(2), 112.8(c)(1), 112.8(c)(3), 112.8(c)(4), 112.8(c)(5), 112.8(c)(6), 112.8(c)(10), 112.8(d)(4), 112.9(b), 112.9(c)(1), 112.9(c)(2), 112.9(c)(3), 112.9(c)(4), 112.9(c)(5), 112.9(d)(1), 112.9(d)(3), 112.9(d)(4), 112.10(b), 112.10(c), 112.10(d), 112.12(b)(1), 112.12(b)(2), 112.12(c)(1), 112.12(c)(3), 112.12(c)(4), 112.12(c)(5), 112.12(c)(6), 112.12(c)(10), and 112.12(d)(4). The template in Appendix G to this part has been developed to meet the requirements of 40 CFR part 112 and, when completed and signed by the owner or operator, may be used as the SPCC Plan. Additionally, you must meet the following requirements:

(i) *Failure analysis, in lieu of the requirements in §112.7(b).* Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of discharge), include in your Plan a prediction of the direction and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure.

(ii) *Bulk storage container secondary containment, in lieu of the requirements in §§112.8(c)(2) and (c)(11) and 112.12(c)(2) and (c)(11).* Construct all bulk storage container installations (except mobile refuelers and other non-transportation-related tank trucks), including mobile or portable oil storage containers, so that you provide a secondary means of containment for the entire capacity of the largest single container plus additional capacity to contain precipitation. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a catchment basin or holding pond. Position or locate mobile or portable oil storage containers to prevent a discharge as described in §112.1(b).

(iii) *Overfill prevention, in lieu of the requirements in §§112.8(c)(8) and 112.12(c)(8).* Ensure that each container is provided with a system or documented procedure to prevent overfills of the container, describe the system or procedure in the SPCC Plan and regularly test to ensure proper operation or efficacy.

(b) *Tier II Qualified Facilities* —(1) *Preparation and Self-Certification of Plan.* If you are the owner or operator of a facility that meets the Tier II qualified facility criteria in §112.3(g)(2), you may choose to self-certify your Plan. You must certify in the Plan that:

(i) You are familiar with the requirements of this part;

(ii) You have visited and examined the facility;

(iii) The Plan has been prepared in accordance with accepted and sound industry practices and standards, and with the requirements of this part;

(iv) Procedures for required inspections and testing have been established;

(v) You will fully implement the Plan;

(vi) The facility meets the qualification criteria set forth under §112.3(g)(2);

(vii) The Plan does not deviate from any requirement of this part as allowed by §112.7(a)(2) and 112.7(d) or include measures pursuant to §112.9(c)(6) for produced water containers and any associated piping, except as provided in paragraph (b)(3) of this section; and

(viii) The Plan and individual(s) responsible for implementing the Plan have the full approval of management and the facility owner or operator has committed the necessary resources to fully implement the Plan.

(2) *Technical Amendments.* If you self-certify your Plan pursuant to paragraph (b)(1) of this section, you must certify any technical amendments to your Plan in accordance with paragraph (b)(1) of this section when there is a change in the facility design, construction, operation, or maintenance that affects its potential for a discharge as described in §112.1(b), except:

(i) If a Professional Engineer certified a portion of your Plan in accordance with paragraph (b)(4) of this section, and the technical amendment affects this portion of the Plan, you must have the amended provisions of your Plan certified by a Professional Engineer in accordance with paragraph (b)(4)(ii) of this section.

(ii) If the change is such that the facility no longer meets the Tier II qualifying criteria in §112.3(g)(2) because it exceeds 10,000 U.S. gallons in aggregate aboveground storage capacity you must, within six months following the change, prepare and implement a Plan in accordance with the general Plan requirements in §112.7 and the applicable requirements in subparts B and C of this part, including having the Plan certified by a Professional Engineer as required under §112.3(d).

(3) *Applicable Requirements.* Except as provided in this paragraph, your self-certified SPCC Plan must comply with §112.7 and the applicable requirements in subparts B and C of this part:

(i) *Environmental Equivalence.* Your Plan may not include alternate methods which provide environmental equivalence pursuant to §112.7(a)(2), unless each alternate method has been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (b)(4) of this section.

(ii) *Impracticability.* Your Plan may not include any determinations that secondary containment is impracticable and provisions in lieu of secondary containment pursuant to §112.7(d), unless each such determination and alternate measure has been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (b)(4) of this section.

(iii) *Produced Water Containers.* Your Plan may not include any alternative procedures for skimming produced water containers in lieu of sized secondary containment pursuant to §112.9(c)(6), unless they have been reviewed and certified in writing by a Professional Engineer, as provided in paragraph (b)(4) of this section.

(4) *Professional Engineer Certification of Portions of a Qualified Facility's Self-Certified Plan.*

(i) As described in paragraph (b)(3) of this section, the facility owner or operator may not self-certify alternative measures allowed under §112.7(a)(2) or (d), that are included in the facility's Plan. Such measures must be reviewed and certified, in writing, by a licensed Professional Engineer. For each alternative measure allowed under §112.7(a)(2), the Plan must be accompanied by a written statement by a Professional Engineer that states the reason for nonconformance and describes the alternative method and how it provides equivalent environmental protection in accordance with §112.7(a)(2). For each determination of impracticability of secondary containment pursuant to §112.7(d), the Plan must clearly explain why secondary containment measures are not practicable at this facility and provide the alternative measures required in §112.7(d) in lieu of secondary containment. By certifying each measure allowed under §112.7(a)(2) and (d), the Professional Engineer attests:

(A) That he is familiar with the requirements of this part;

(B) That he or his agent has visited and examined the facility; and

(C) That the alternative method of environmental equivalence in accordance with §112.7(a)(2) or the determination of impracticability and alternative measures in accordance with §112.7(d) is consistent with good engineering practice, including consideration of applicable industry standards, and with the requirements of this part.

(ii) As described in paragraph (b)(3) of this section, the facility owner or operator may not self-certify measures as described in §112.9(c)(6) for produced water containers and any associated piping. Such measures must be reviewed and certified, in writing, by a licensed Professional Engineer, in accordance with §112.3(d)(1)(vi).

(iii) The review and certification by the Professional Engineer under this paragraph is limited to the alternative method which achieves equivalent environmental protection pursuant to §112.7(a)(2); to the impracticability determination and measures in lieu of secondary containment pursuant to §112.7(d); or the measures pursuant to §112.9(c)(6) for produced water containers and any associated piping and appurtenances downstream from the container.

[73 FR 74302, Dec. 5, 2008, as amended at 74 FR 58810, Nov. 13, 2009]

§ 112.7 General requirements for Spill Prevention, Control, and Countermeasure Plans.

If you are the owner or operator of a facility subject to this part you must prepare a Plan in accordance with good engineering practices. The Plan must have the full approval of management at a level of authority to commit the necessary resources to fully implement the Plan. You must prepare the Plan in writing. If you do not follow the sequence specified in this section for the Plan, you must prepare an equivalent Plan acceptable to the Regional Administrator that meets all of the applicable requirements listed in this part, and you must supplement it with a section cross-referencing the location of requirements listed in this part and the equivalent requirements in the other prevention plan. If the Plan calls for additional facilities or procedures, methods, or equipment not yet fully operational, you must discuss these items in separate paragraphs, and must explain separately the details of installation and operational start-up. As detailed elsewhere in this section, you must also:

(a)(1) Include a discussion of your facility's conformance with the requirements listed in this part.

(2) Comply with all applicable requirements listed in this part. Except as provided in §112.6, your Plan may deviate from the requirements in paragraphs (g), (h)(2) and (3), and (i) of this section and the requirements in subparts B and C of this part, except the secondary containment requirements in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.9(d)(3), 112.10(c), 112.12(c)(2), and 112.12(c)(11), where applicable to a specific facility, if you provide equivalent environmental protection by some other means of spill prevention, control, or countermeasure. Where your Plan does not conform to the applicable requirements in paragraphs (g), (h)(2) and (3), and (i) of this section, or the requirements of subparts B and C of this part, except the secondary containment requirements in paragraph (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), and 112.12(c)(11), you must state the reasons for nonconformance in your Plan and describe in detail alternate methods and how you will achieve equivalent environmental protection. If the Regional Administrator determines that the measures described in your Plan do not provide equivalent environmental protection, he may require that you amend your Plan, following the procedures in §112.4(d) and (e).

(3) Describe in your Plan the physical layout of the facility and include a facility diagram, which must mark the location and contents of each fixed oil storage container and the storage area where mobile or portable containers are located. The facility diagram must identify the location of and mark as “exempt” underground tanks that are otherwise exempted from the requirements of this part under §112.1(d)(4). The facility diagram must also include all transfer stations and connecting pipes, including intra-facility gathering lines that are otherwise exempted from the requirements of this part under §112.1(d)(11). You must also address in your Plan:

(i) The type of oil in each fixed container and its storage capacity. For mobile or portable containers, either provide the type of oil and storage capacity for each container or provide an estimate of the potential number of mobile or portable containers, the types of oil, and anticipated storage capacities;

(ii) Discharge prevention measures including procedures for routine handling of products (loading, unloading, and facility transfers, etc.);

(iii) Discharge or drainage controls such as secondary containment around containers and other structures, equipment, and procedures for the control of a discharge;

(iv) Countermeasures for discharge discovery, response, and cleanup (both the facility's capability and those that might be required of a contractor);

(v) Methods of disposal of recovered materials in accordance with applicable legal requirements; and

(vi) Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with whom you have an agreement for response, and all appropriate Federal, State, and local agencies who must be contacted in case of a discharge as described in §112.1(b).

(4) Unless you have submitted a response plan under §112.20, provide information and procedures in your Plan to enable a person reporting a discharge as described in §112.1(b) to relate information on the exact address or location and phone number of the facility; the date and time of the discharge, the type of material discharged; estimates of the total quantity discharged; estimates of the quantity discharged as described in §112.1(b); the source of the discharge; a description of all affected media; the cause of the discharge; any damages or injuries caused by the discharge; actions being used to stop, remove, and mitigate the effects of the discharge; whether an evacuation may be needed; and, the names of individuals and/or organizations who have also been contacted.

(5) Unless you have submitted a response plan under §112.20, organize portions of the Plan describing procedures you will use when a discharge occurs in a way that will make them readily usable in an emergency, and include appropriate supporting material as appendices.

(b) Where experience indicates a reasonable potential for equipment failure (such as loading or unloading equipment, tank overflow, rupture, or leakage, or any other equipment known to be a source of a discharge), include in your Plan a prediction of the direction, rate of flow, and total quantity of oil which could be discharged from the facility as a result of each type of major equipment failure.

(c) Provide appropriate containment and/or diversionary structures or equipment to prevent a discharge as described in §112.1(b), except as provided in paragraph (k) of this section for qualified oil-filled operational equipment, and except as provided in §112.9(d)(3) for flowlines and intra-facility gathering lines at an oil production facility. The entire containment system, including walls and floor, must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank, will not escape the containment system before cleanup occurs. In determining the method, design, and capacity for secondary containment, you need only to address the typical failure mode, and the most likely quantity of oil that would be discharged. Secondary containment may be either active or passive in design. At a minimum, you must use one of the following prevention systems or its equivalent:

(1) For onshore facilities:

(i) Dikes, berms, or retaining walls sufficiently impervious to contain oil;

(ii) Curbing or drip pans;

(iii) Sumps and collection systems;

(iv) Culverting, gutters, or other drainage systems;

(v) Weirs, booms, or other barriers;

(vi) Spill diversion ponds;

(vii) Retention ponds; or

(viii) Sorbent materials.

(2) For offshore facilities:

(i) Curbing or drip pans; or

(ii) Sumps and collection systems.

(d) Provided your Plan is certified by a licensed Professional Engineer under §112.3(d), or, in the case of a qualified facility that meets the criteria in §112.3(g), the relevant sections of your Plan are certified by a licensed Professional Engineer under §112.6(d), if you determine that the installation of any of the structures or pieces of equipment listed in paragraphs (c) and (h)(1) of this section, and §§112.8(c)(2), 112.8(c)(11), 112.9(c)(2), 112.10(c), 112.12(c)(2), and 112.12(c)(11) to prevent a discharge as described in §112.1(b) from any onshore or offshore facility is not practicable, you must clearly explain in your Plan why such measures are not practicable; for bulk storage containers, conduct both periodic integrity testing of the containers and periodic integrity and leak testing of the valves and piping; and, unless you have submitted a response plan under §112.20, provide in your Plan the following:

(1) An oil spill contingency plan following the provisions of part 109 of this chapter.

(2) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.

(e) *Inspections, tests, and records.* Conduct inspections and tests required by this part in accordance with written procedures that you or the certifying engineer develop for the facility. You must keep these written procedures and a record of the inspections and tests, signed by the appropriate supervisor or inspector, with the SPCC Plan for a period of three years. Records of inspections and tests kept under usual and customary business practices will suffice for purposes of this paragraph.

(f) *Personnel, training, and discharge prevention procedures.* (1) At a minimum, train your oil-handling personnel in the operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and, the contents of the facility SPCC Plan.

(2) Designate a person at each applicable facility who is accountable for discharge prevention and who reports to facility management.

(3) Schedule and conduct discharge prevention briefings for your oil-handling personnel at least once a year to assure adequate understanding of the SPCC Plan for that facility. Such briefings must highlight and describe known

discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures.

(g) *Security (excluding oil production facilities).* Describe in your Plan how you secure and control access to the oil handling, processing and storage areas; secure master flow and drain valves; prevent unauthorized access to starter controls on oil pumps; secure out-of-service and loading/unloading connections of oil pipelines; and address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges.

(h) *Facility tank car and tank truck loading/unloading rack (excluding offshore facilities).*

(1) Where loading/unloading rack drainage does not flow into a catchment basin or treatment facility designed to handle discharges, use a quick drainage system for tank car or tank truck loading/unloading racks. You must design any containment system to hold at least the maximum capacity of any single compartment of a tank car or tank truck loaded or unloaded at the facility.

(2) Provide an interlocked warning light or physical barrier system, warning signs, wheel chocks or vehicle brake interlock system in the area adjacent to a loading/unloading rack, to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines.

(3) Prior to filling and departure of any tank car or tank truck, closely inspect for discharges the lowermost drain and all outlets of such vehicles, and if necessary, ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit.

(i) If a field-constructed aboveground container undergoes a repair, alteration, reconstruction, or a change in service that might affect the risk of a discharge or failure due to brittle fracture or other catastrophe, or has discharged oil or failed due to brittle fracture failure or other catastrophe, evaluate the container for risk of discharge or failure due to brittle fracture or other catastrophe, and as necessary, take appropriate action.

(j) In addition to the minimal prevention standards listed under this section, include in your Plan a complete discussion of conformance with the applicable requirements and other effective discharge prevention and containment procedures listed in this part or any applicable more stringent State rules, regulations, and guidelines.

(k) *Qualified Oil-filled Operational Equipment.* The owner or operator of a facility with oil-filled operational equipment that meets the qualification criteria in paragraph (k)(1) of this sub-section may choose to implement for this qualified oil-filled operational equipment the alternate requirements as described in paragraph (k)(2) of this sub-section in lieu of general secondary containment required in paragraph (c) of this section.

(1) *Qualification Criteria—Reportable Discharge History:* The owner or operator of a facility that has had no single discharge as described in §112.1(b) from any oil-filled operational equipment exceeding 1,000 U.S. gallons or no two discharges as described in §112.1(b) from any oil-filled operational equipment each exceeding 42 U.S. gallons within any twelve month period in the three years prior to the SPCC Plan certification date, or since becoming subject to this part if the facility has been in operation for less than three years (other than oil discharges as described in §112.1(b) that are the result of natural disasters, acts of war or terrorism); and

(2) *Alternative Requirements to General Secondary Containment.* If secondary containment is not provided for qualified oil-filled operational equipment pursuant to paragraph (c) of this section, the owner or operator of a facility with qualified oil-filled operational equipment must:

(i) Establish and document the facility procedures for inspections or a monitoring program to detect equipment failure and/or a discharge; and

(ii) Unless you have submitted a response plan under §112.20, provide in your Plan the following:

(A) An oil spill contingency plan following the provisions of part 109 of this chapter.

(B) A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful.

[67 FR 47140, July 17, 2002, as amended at 71 FR 77292, Dec. 26, 2006; 73 FR 74303, Dec. 5, 2008; 74 FR 58810, Nov. 13, 2009]

Subpart B—Requirements for Petroleum Oils and Non-Petroleum Oils, Except Animal Fats andOils and Greases, and Fish and Marine Mammal Oils; and Vegetable Oils (Including Oils from Seeds, Nuts, Fruits, and Kernels)

Source: 67 FR 47146, July 17, 2002, unless otherwise noted.

§ 112.8 Spill Prevention, Control, and Countermeasure Plan requirements for onshore facilities (excluding production facilities).

If you are the owner or operator of an onshore facility (excluding a production facility), you must:

(a) Meet the general requirements for the Plan listed under §112.7, and the specific discharge prevention and containment procedures listed in this section.

(b) *Facility drainage.* (1) Restrain drainage from diked storage areas by valves to prevent a discharge into the drainage system or facility effluent treatment system, except where facility systems are designed to control such discharge. You may empty diked areas by pumps or ejectors; however, you must manually activate these pumps or ejectors and must inspect the condition of the accumulation before starting, to ensure no oil will be discharged.

(2) Use valves of manual, open-and-closed design, for the drainage of diked areas. You may not use flapper-type drain valves to drain diked areas. If your facility drainage drains directly into a watercourse and not into an on-site wastewater treatment plant, you must inspect and may drain uncontaminated retained stormwater, as provided in paragraphs (c)(3)(ii), (iii), and (iv) of this section.

(3) Design facility drainage systems from undiked areas with a potential for a discharge (such as where piping is located outside containment walls or where tank truck discharges may occur outside the loading area) to flow into ponds, lagoons, or catchment basins designed to retain oil or return it to the facility. You must not locate catchment basins in areas subject to periodic flooding.

(4) If facility drainage is not engineered as in paragraph (b)(3) of this section, equip the final discharge of all ditches inside the facility with a diversion system that would, in the event of an uncontrolled discharge, retain oil in the facility.

(5) Where drainage waters are treated in more than one treatment unit and such treatment is continuous, and pump transfer is needed, provide two “lift” pumps and permanently install at least one of the pumps. Whatever techniques you use, you must engineer facility drainage systems to prevent a discharge as described in §112.1(b) in case there is an equipment failure or human error at the facility.

(c) *Bulk storage containers.* (1) Not use a container for the storage of oil unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature.

(2) Construct all bulk storage tank installations (except mobile refuelers and other non-transportation-related tank trucks) so that you provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. You must ensure that diked areas are sufficiently impervious to contain discharged oil. Dikes, containment curbs, and pits are commonly employed for this purpose. You may also use an alternative system consisting of a drainage trench enclosure that must be arranged so that any discharge will terminate and be safely confined in a facility catchment basin or holding pond.

(3) Not allow drainage of uncontaminated rainwater from the diked area into a storm drain or discharge of an effluent into an open watercourse, lake, or pond, bypassing the facility treatment system unless you:

(i) Normally keep the bypass valve sealed closed.

(ii) Inspect the retained rainwater to ensure that its presence will not cause a discharge as described in §112.1(b).

(iii) Open the bypass valve and reseal it following drainage under responsible supervision; and

(iv) Keep adequate records of such events, for example, any records required under permits issued in accordance with §§122.41(j)(2) and 122.41(m)(3) of this chapter.

(4) Protect any completely buried metallic storage tank installed on or after January 10, 1974 from corrosion by coatings or cathodic protection compatible with local soil conditions. You must regularly leak test such completely buried metallic storage tanks.

(5) Not use partially buried or bunkered metallic tanks for the storage of oil, unless you protect the buried section of the tank from corrosion. You must protect partially buried and bunkered tanks from corrosion by coatings or cathodic protection compatible with local soil conditions.

(6) Test or inspect each aboveground container for integrity on a regular schedule and whenever you make material repairs. You must determine, in accordance with industry standards, the appropriate qualifications for personnel performing tests and inspections, the frequency and type of testing and inspections, which take into account container size, configuration, and design (such as containers that are: shop-built, field-erected, skid-mounted, elevated, equipped with a liner, double-walled, or partially buried). Examples of these integrity tests include, but are not limited to: visual

inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other systems of non-destructive testing. You must keep comparison records and you must also inspect the container's supports and foundations. In addition, you must frequently inspect the outside of the container for signs of deterioration, discharges, or accumulation of oil inside diked areas. Records of inspections and tests kept under usual and customary business practices satisfy the recordkeeping requirements of this paragraph.

(7) Control leakage through defective internal heating coils by monitoring the steam return and exhaust lines for contamination from internal heating coils that discharge into an open watercourse, or pass the steam return or exhaust lines through a settling tank, skimmer, or other separation or retention system.

(8) Engineer or update each container installation in accordance with good engineering practice to avoid discharges. You must provide at least one of the following devices:

(i) High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station. In smaller facilities an audible air vent may suffice.

(ii) High liquid level pump cutoff devices set to stop flow at a predetermined container content level.

(iii) Direct audible or code signal communication between the container gauger and the pumping station.

(iv) A fast response system for determining the liquid level of each bulk storage container such as digital computers, telepulse, or direct vision gauges. If you use this alternative, a person must be present to monitor gauges and the overall filling of bulk storage containers.

(v) You must regularly test liquid level sensing devices to ensure proper operation.

(9) Observe effluent treatment facilities frequently enough to detect possible system upsets that could cause a discharge as described in §112.1(b).

(10) Promptly correct visible discharges which result in a loss of oil from the container, including but not limited to seams, gaskets, piping, pumps, valves, rivets, and bolts. You must promptly remove any accumulations of oil in diked areas.

(11) Position or locate mobile or portable oil storage containers to prevent a discharge as described in §112.1(b). Except for mobile refuelers and other non-transportation-related tank trucks, you must furnish a secondary means of containment, such as a dike or catchment basin, sufficient to contain the capacity of the largest single compartment or container with sufficient freeboard to contain precipitation.

(d) *Facility transfer operations, pumping, and facility process.* (1) Provide buried piping that is installed or replaced on or after August 16, 2002, with a protective wrapping and coating. You must also cathodically protect such buried piping installations or otherwise satisfy the corrosion protection standards for piping in part 280 of this chapter or a State program approved under part 281 of this chapter. If a section of buried line is exposed for any reason, you must carefully inspect it for deterioration. If you find corrosion damage, you must undertake additional examination and corrective action as indicated by the magnitude of the damage.

(2) Cap or blank-flange the terminal connection at the transfer point and mark it as to origin when piping is not in service or is in standby service for an extended time.

(3) Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.

(4) Regularly inspect all aboveground valves, piping, and appurtenances. During the inspection you must assess the general condition of items, such as flange joints, expansion joints, valve glands and bodies, catch pans, pipeline supports, locking of valves, and metal surfaces. You must also conduct integrity and leak testing of buried piping at the time of installation, modification, construction, relocation, or replacement.

(5) Warn all vehicles entering the facility to be sure that no vehicle will endanger aboveground piping or other oil transfer operations.

[67 FR 47146, July 17, 2002, as amended at 71 FR 77293, Dec. 26, 2006; 73 FR 74304, Dec. 5, 2008]

Reg Ref 2

California Spill Reporting Regulations

CAL. HEALTH & SAFETY CODE §25507

(a) Except as provided in subdivision (b), the handler or any employee, authorized representative, agent, or designee of a handler shall, upon discovery, immediately report any release or threatened release of a hazardous material to the administering agency, and to the office, in accordance with the regulations adopted pursuant to Section 25503. Each handler and any employee, authorized representative, agent, or designee of a handler shall provide all state, city, or county fire or public health or safety personnel and emergency rescue personnel with access to the handler's facilities.

WATER CODE SECTION 13272

13272. (a) Except as provided by subdivision (b), any person who, without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the state, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the state, shall, as soon as (1) that person has knowledge of the discharge, (2) notification is

possible, and (3) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the California oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code.

(b) The notification required by this section shall not apply to a discharge in compliance with waste discharge requirements or other provisions of this division.

(c) Any person who fails to provide the notice required by this section is guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars ($500) or more than five thousand dollars ($5,000) per day for each day of failure to notify, or imprisonment of not more than one year, or both. Except where a discharge to the waters of this state would have occurred but for cleanup or emergency response by a public agency, this subdivision shall not apply to any discharge to land that does not result in a discharge to the waters of this state. This subdivision shall not apply to any person who is fined by the federal government for a failure to report a discharge of oil.

(d) Notification received pursuant to this section or information obtained by use of that notification shall not be used against any person providing the notification in any criminal case, except in a prosecution for perjury or giving a false statement.

(e) Immediate notification to the appropriate regional board of the discharge, in accordance with reporting requirements set under Section 13267 or 13383, shall constitute compliance with the requirements of subdivision (a).

(f) The reportable quantity for oil or petroleum products shall be one barrel (42 gallons) or more, by direct discharge to the receiving waters, unless a more restrictive reporting standard for a particular body of water is adopted.

Reg Ref 3

California APSA Regulations (Ca. H&SC §25270-25270.13)

HEALTH AND SAFETY CODE
SECTION 25270-25270.13

25270. This chapter shall be known and may be cited as the Aboveground Petroleum Storage Act.

25270.2. For purposes of this chapter, the following definitions apply:

(a) "Aboveground storage tank" or "storage tank" means a tank that has the capacity to store 55 gallons or more of petroleum and that is substantially or totally above the surface of the ground.

"Aboveground storage tank" does not include any of the following:

(1) A pressure vessel or boiler that is subject to Part 6 (commencing with Section 7620) of Division 5 of the Labor Code.

(2) A tank containing hazardous waste, as defined in subdivision (g)of Section 25316, if the Department of Toxic Substances Control has issued the person owning or operating the tank a hazardous waste facilities permit for the storage tank.

(3) An aboveground oil production tank that is subject to Section 3106 of the Public Resources Code.

(4) Oil-filled electrical equipment, including, but not limited to, transformers, circuit breakers, or capacitors, if the oil-filled electrical equipment meets either of the following conditions:

(A) The equipment contains less than 10,000 gallons of dielectric fluid.

(B) The equipment contains 10,000 gallons or more of dielectric fluid with PCB levels less than 50 parts per million, appropriate containment or diversionary structures or equipment are employed to prevent discharged oil from reaching a navigable water course, and the electrical equipment is visually inspected in accordance with the usual routine maintenance procedures of the owner or operator.

(5) A tank regulated as an underground storage tank under Chapter 6.7 (commencing with Section 25280) and Chapter 16 (commencing with Section 2610) of Division 3 of Title 23 of the California Code of Regulations.

(6) Any transportation-related tank facility, subject to the authority and control of the United States Department of Transportation, as defined in the Memorandum of Understanding between the Secretary of Transportation and the Administrator of the United States Environmental Protection Agency, dated November 24, 1971, set forth in Appendix A to Part 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal Regulations.

(b) "Board" means the State Water Resources Control Board.

(c) (1) "Certified Unified Program Agency" or "CUPA" means the agency certified by the Secretary for Environmental Protection to implement the unified program specified in Chapter 6.11 (commencing with Section 25404) within a jurisdiction.

(2) "Participating Agency" or "PA" means an agency that has a written agreement with the CUPA pursuant to subdivision (d) of Section 25404.3, and is approved by the secretary, to implement and enforce the unified program element specified in paragraph (2) of subdivision (c) of Section 25404, in accordance with Sections 25404.1 and 25404.2.

(3) (A) "Unified Program Agency" or "UPA" means the CUPA, or its participating agencies to the extent that each PA has been designated by the CUPA, pursuant to a written agreement, to implement and enforce the unified program element specified in paragraph (2) of subdivision (c) of Section 25404. The UPAs have the responsibility and authority, to the extent provided by this chapter and Sections 25404.1 and 25404.2, to implement and enforce the requirements of this chapter.

(B) After a CUPA has been certified by the secretary, the unified program agency shall be the only agency authorized to enforce the requirements of this chapter.

(C) This paragraph shall not be construed to limit the authority or responsibility granted to the board and the regional boards by this chapter.

(d) "Operator" means the person responsible for the overall operation of a tank facility.

(e) "Owner" means the person who owns the tank facility or part of the tank facility.

(f) "Person" means an individual, trust, firm, joint stock company, corporation, including a government corporation, partnership, limited liability company, or association. "Person" also includes any city, county, district, the University of California, the California State University, the state, any department or agency thereof, and the United States, to the extent authorized by federal law.

(g) "Petroleum" means crude oil, or any fraction thereof, which is liquid at 60 degrees Fahrenheit temperature and 14.7 pounds per square inch absolute pressure.

(h) "Regional board" means a California regional water quality control board.

(i) "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, escaping, leaching, or disposing into the environment.

(j) "Secretary" means the Secretary for Environmental Protection.

(k) "Storage" or "store" means the containment, handling, or treatment of petroleum, for any period of time, including on a temporary basis.

(l) "Storage capacity" means the aggregate capacity of all aboveground tanks at a tank facility.

(m) "Tank facility" means any one, or combination of, aboveground storage tanks, including any piping that is integral to the tank, that contains petroleum and that is used by a single business entity at a single location or site. For purposes of this chapter, a pipe is integrally related to an aboveground storage tank if the pipe is connected to the tank and meets any of the following:

(1) The pipe is within the dike or containment area.

(2) The pipe is between the containment area and the first flange or valve outside the containment area.

(3) The pipe is connected to the first flange or valve on the exterior of the tank, if state or federal law does not require a containment area.

25270.3. A tank facility is subject to this chapter if the tank facility is subject to the oil pollution prevention regulations specified in Part 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal Regulations or the tank facility has a storage capacity of 1,320 gallons or more of petroleum.

25270.4. This chapter shall be implemented by the Unified Program Agency. If there is no UPA, the agency authorized pursuant to subdivision (f) of Section 25404.3 shall be deemed to be the UPA for purposes of this chapter and shall implement this chapter.

25270.4.5. (a) Except as provided in subdivision (b), each owner or operator of a storage tank at a tank facility subject to this chapter shall prepare a spill prevention control and countermeasure plan prepared in accordance with Part 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal Regulations. Each owner or operator specified in this subdivision shall conduct periodic inspections of the storage tank to assure compliance with Section 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal Regulations. In implementing the spill prevention control and countermeasure plan, each owner or operator specified in this subdivision shall fully comply with the latest version of the

regulations contained in Part 112 (commencing with Section 112.1) of Subchapter D of Chapter I of Title 40 of the Code of Federal Regulations.

(b) A tank facility located on a farm, nursery, logging site, or construction site is not subject to subdivision (a) if no storage tank at the location exceeds 20,000 gallons and the cumulative storage capacity of the tank facility does not exceed 100,000 gallons. The owner or operator of a tank facility exempt pursuant to this subdivision shall take the following actions:

(1) Conduct a daily visual inspection of any storage tank storing petroleum.

(2) Allow the UPA to conduct a periodic inspection of the tank facility.

(3) If the UPA determines installation of secondary containment is necessary for the protection of the waters of the state, install a secondary means of containment for each tank or group of tanks where the secondary containment will, at a minimum, contain the entire contents of the largest tank protected by the secondary containment plus precipitation.

25270.5. (a) Except as provided in subdivision (b), at least once every three years, the UPA shall inspect each storage tank or a representative sampling of the storage tanks at each tank facility that has a storage capacity of 10,000 gallons or more of petroleum.
The purpose of the inspection shall be to determine whether the owner or operator is in compliance with the spill prevention control and countermeasure plan requirements of this chapter.

(b) The UPA may develop an alternative inspection and compliance plan, subject to approval by the secretary.

(c) An inspection conducted pursuant to this section does not require the oversight of a professional engineer. The person conducting the inspection shall meet both of the following requirements:

(1) Complete an aboveground storage tank training program, which shall be established by the secretary.

(2) Satisfactorily pass an examination developed by the secretary on the spill prevention control and countermeasure plan provisions and safety requirements for aboveground storage tank inspections.

25270.6. (a) (1) On or before January 1, 2009, and on or before January 1 annually thereafter, each owner or operator of a tank facility subject to this chapter shall file with the UPA a tank facility statement that shall identify the name and address of the tank facility, a contact person for the tank facility, the total storage capacity of the tank facility, and the location, size, age, and contents of each storage tank that exceeds 10,000 gallons in capacity and that holds a substance containing at least 5 percent of petroleum. A copy of a statement submitted previously pursuant to this section may be submitted in lieu of a new tank facility statement if no new or used storage tanks have been added to the facility or if no significant modifications have been made. For purposes of this section, a significant modification includes, but is not limited to, altering existing storage tanks or changing spill prevention or containment methods.

(2) Notwithstanding paragraph (1), an owner or operator of a tank facility that submits a business plan, as defined in subdivision (e) of Section 25501, to the UPA, and that complies with Sections
25503.5, 25505, and 25510, satisfies the requirement in paragraph (1) to file a tank facility statement.

(b) Each year, commencing in calendar year 2010, each owner or operator of a tank facility who is subject to the requirements of subdivision (a) shall pay a fee to the UPA, on or before a date specified by the UPA. The governing body of the UPA shall establish a fee, as part of the single fee system implemented pursuant to Section 25404.5, at a level sufficient to pay the necessary and reasonable costs incurred by the UPA in administering this chapter, including, but not limited to, inspections, enforcement, and administrative costs. The UPA shall also implement the fee accountability program established pursuant to subdivision (c) of Section 25404.5 and the regulations adopted to implement

that program. The UPA may provide for a waiver of these fees when a state or local government agency submits a tank facility statement.

25270.8. Each owner or operator of a tank facility shall immediately, upon discovery, notify the Office of Emergency Services and the UPA using the appropriate 24-hour emergency number or the 911 number, as established by the UPA, or by the governing body of the UPA, of the occurrence of a spill or other release of one barrel (42 gallons) or more of petroleum that is required to be reported pursuant to subdivision (a) of Section 13272 of the Water Code.

25270.9. (a) The board and the regional board may oversee cleanup or abatement efforts, or cause cleanup or abatement efforts, of a release from a storage tank at a tank facility.

(b) The reasonable expenses of the board and the regional board incurred in overseeing, or contracting for, cleanup or abatement efforts that result from a release at a tank facility is a charge against the owner or operator of the tank facility. Expenses reimbursable to a public agency under this section are a debt of the tank facility owner or operator, and shall be collected in the same manner as in the case of an obligation under a contract, express or implied.

(c) Expenses recovered by the board or a regional board pursuant to this section shall be deposited into the Waste Discharge Permit Fund. These moneys shall be separately accounted for, and shall be expended by the board, upon appropriation by the Legislature, to assist regional boards and other public agencies with authority to clean up waste or abate the effects of the waste, in cleaning up or abating the effects of the waste on waters of the state, or for the purposes authorized in Section 13443.

25270.11. (a) All moneys in the Environmental Protection Trust Fund may be expended, upon appropriation by the Legislature, in the following manner:

(1) A portion of the funds, in an amount determined by the secretary in consultation with the UPAs, to a training account established and maintained by the secretary, to be used for purposes of training UPA personnel in the requirements of this chapter.

(2) All remaining funds in the Environmental Protection Trust Fund, shall be allocated to the UPAs, in accordance with a formula and process determined by the secretary in consultation with the UPAs. The UPAs shall expend those funds for the purpose of implementing this chapter. Eighty percent or less of each UPA's allocation may be distributed to the UPA in advance of actual expenditure by the UPA.

(b) All moneys remaining in the training account established pursuant to paragraph (1) of subdivision (a), as of June 1, 2011, may be expended pursuant to paragraph (2) of subdivision (a), upon appropriation by the Legislature.

(c) All moneys remaining in the Environmental Protection Trust Fund that have not been expended, as of June 1, 2011, shall be expended pursuant to paragraph (2) of subdivision (a), upon appropriation by the Legislature.

(d) This section shall become inoperative on July 1, 2011, and, as of January 1, 2012, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2012, deletes or extends the dates on which it becomes inoperative and is repealed.

25270.12. (a) Any owner or operator of a tank facility who fails to prepare a spill prevention control and countermeasure plan in compliance with subdivision (a) of Section 25270.4.5, to file a tank facility statement pursuant to subdivision (a) of Section 25270.6, to submit the fee required by subdivision (b) of Section 25270.6, to report spills as required by Section 25270.8, or otherwise to comply with the requirements of this chapter, is subject to a civil penalty of not more than five thousand dollars ($5,000) for each day on which the violation continues. If the owner or operator commits a second or subsequent violation, a civil penalty of not more than ten thousand dollars ($10,000) for each day on which the violation continues may be imposed.

(b) (1) The civil penalties provided by this section may be assessed and recovered in a civil action brought by the city attorney or district attorney on behalf of the UPA.

(2) Fifty percent of all penalties assessed and recovered in a civil action brought on behalf of a UPA pursuant to this subdivision shall be deposited into a unified program account established by the UPA for the purpose of carrying out the functions of the unified program and 50 percent shall be paid to the office of the city attorney or district attorney, whoever brought that action.

(c) (1)The civil penalties provided in this section may be assessed and recovered in a civil action brought by the Attorney General on behalf of the board or a regional board, or on behalf of the people of the State of California.

(2) All penalties assessed and recovered in a civil action brought pursuant to this subdivision shall be deposited in the Waste Discharge Permit Fund. These moneys shall be separately accounted for, and shall be expended by the board, upon appropriation by the Legislature, to assist regional boards and other public agencies with authority to clean up waste or abate the effects of the waste, in cleaning up or abating the effects of the waste on waters of the state, or for the purposes authorized in Section 13443.

(d) The city attorney, district attorney, or the Attorney General may seek to enjoin, in any court of competent jurisdiction, any person believed to be in violation of this chapter.

(e) The penalties specified in this section are in addition to any other penalties provided by law.

25270.13. (a) This chapter does not preempt local storage tank ordinances, in effect as of August 16, 1989, that meet or exceed the standards prescribed by this chapter.

(b) This chapter does not preempt the authority granted to the board and the regional boards under the Porter Cologne Water Quality Control Act (Division 7 (commencing with Section 13000) of the Water Code).