

## **APPENDIX Y**

# **Hazardous Materials Management Plan**

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# Appendix Y

## Hazardous Materials Management Plan Mountain Valley Pipeline Project

*Prepared by:*



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## ACRONYMS AND ABBREVIATIONS

BLM	U.S. Department of the Interior, Bureau of Land Management
BMPs	best management practices
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
Certificate	Certificate of Public Convenience and Necessity
CFR	Code of Federal Regulations
EPMS	Environmental Protection Measures
FERC	Federal Energy Regulatory Commission
FS	U.S. Forest Service of the U.S. Department of Agriculture
HWM	West Virginia Division of Environmental Protection; Office of Waste Management; Hazardous Waste Management Act
JNF	Jefferson National Forest <sup>1</sup>
MSDS	material safety data sheets
MVP	Mountain Valley Pipeline, LLC
OSHA	Occupational Safety and Health Administration
POD	Plan of Development
Procedures	FERC Wetland and Waterbody Construction and Mitigation Procedures
Project	Mountain Valley Pipeline Project
SPCC	Spill Prevention, Containment, and Countermeasures
Transco	Transcontinental Gas Pipe Line Company, LLC
TSCA	Toxic Substances Control Act
USACE	U.S. Army Corps of Engineers
USDOT	U.S. Department of Transportation
VHWMR	Virginia Hazardous Waste Management Regulations
Weston and Gauley Turnpike	Weston and Gauley Bridge Turnpike Trail

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<sup>1</sup> Jefferson National Forest refers to the southern portion of the current George Washington & Jefferson National Forests throughout this document. Originally two separate national forests, the JNF and the George Washington National Forest were administratively combined in 1995 and are administered as a single national forest unit.

# Mountain Valley Pipeline Project Hazardous Materials Management Plan

## 1.0 INTRODUCTION

Mountain Valley Pipeline, LLC (MVP), a joint venture between EQM Midstream Partners, LP; NextEra Capital Holdings, Inc.; Con Edison Gas Midstream LLC; WGL Midstream; and RGC Midstream, LLC (collectively referred to as MVP), was issued a Certificate of Public Convenience and Necessity (Certificate) from the Federal Energy Regulatory Commission (FERC) on October 13, 2017, pursuant to Section 7(c) of the Natural Gas Act authorizing it to construct and operate the Mountain Valley Pipeline Project (Project) located in 17 counties in West Virginia and Virginia. The Project is an approximately 303-mile, 42-inch-diameter natural gas pipeline to provide timely, cost-effective access to the growing demand for natural gas for use by local distribution companies, industrial users, and power generation in the Mid-Atlantic and southeastern markets, as well as potential markets in the Appalachian region.

The pipeline extends from the existing Equitrans, L.P. transmission system and other natural gas facilities in Wetzel County, West Virginia to Transcontinental Gas Pipe Line Company, LLC's (Transco) Zone 5 compressor station 165 in Pittsylvania County, Virginia. In addition to the pipeline, the Project includes approximately 171,600 horsepower of compression at three compressor stations along the route, as well as measurement, regulation, and other ancillary facilities required for the safe and reliable operation of the pipeline. The pipeline is designed to transport up to 2.0 million dekatherms per day of natural gas.

A 3.5-mile long segment of the Project crosses portions of the Jefferson National Forest (JNF) in Monroe County in southern West Virginia and in Giles, Craig, and Montgomery counties in southwestern Virginia. The JNF is managed by the U.S. Forest Service (FS) of the U.S. Department of Agriculture. Another 60-foot segment of the Project crosses the Weston and Gauley Bridge Turnpike Trail (Weston and Gauley Turnpike) in Braxton County, West Virginia, which is administered by the U.S. Army Corps of Engineers (USACE). Approval to cross land managed by two or more federal agencies is the responsibility of the U.S. Department of the Interior, Bureau of Land Management (BLM) through issuance of a Right-of-Way Grant. Project-wide construction environmental compliance is the responsibility of the FERC. The FS and USACE will also ensure compliance across lands managed or administered by those agencies. Because the majority of federal lands crossed are managed by the FS, this plan focuses on the JNF, noting any additional or different requirements that are specific to the crossing of the Weston and Gauley Turnpike.

Construction of the Project segment that crosses the Weston and Gauley Turnpike was completed in 2018. Construction of the Project segments across the JNF began in 2018 but were not completed and progress is on hold due to a July 27, 2018, order by the U.S. Court of Appeals for the Fourth Circuit vacating and remanding the Right-of-Way Grant and a subsequent Stop Work Order issued by FERC.

The FS is responsible for enforcement of the terms and conditions of the BLM's Right-of-Way Grant on National Forest System lands during the term of the Right-of-Way Grant for the Mountain Valley Pipeline project. Compliance will be monitored on the JNF portion of this project by the FS Project Manager and the Authorized Officer's designated compliance monitors. FS will have stop work authority per terms outlined in the BLM right-of-way grant. FS will also have stop work authority if unsafe work conditions are encountered during construction.

The Project has potential to impact sensitive environmental resources and, as a result, environmental protection measures have been developed to minimize potential impacts on these resources and will be applied, as applicable, to the Project.

## 2.0 PLAN OUTLINE

Implementation of the measures outlined in this plan will reduce the risks associated with the use, storage, transportation, production, and disposal of hazardous materials (including hazardous substances and wastes) on the JNF. This plan provides a template for a detailed Final Hazardous Materials Management Plan to be developed by the construction contractor for the portion of the Project that crosses the JNF.

In conjunction with the Hazardous Materials Management Plan, a Final Spill Prevention, Containment, and Countermeasures (SPCC) Plan will be developed to identify specific legal requirements and practices to achieve identified goals. Refer to Appendix D of the Plan of Development (POD) (i.e., the SPCC Plan) for more information.

The term "hazardous material," as presented in this plan, will refer to hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, and materials designated as hazardous for transportation as defined in 49 Code of Federal Regulations (CFR) § 171.8.

The Final Hazardous Materials Management Plan will clearly identify which legal requirements apply to specific types of hazardous materials and will identify best management practices (BMPs) that, although not legally required, will be followed to reduce risks associated with hazardous materials. Nothing in this Plan or in the Final Hazardous Materials Management Plan (to be developed by the construction contractor) shall be construed as an admission regarding the legal applicability of requirements or practices to any particular class of hazardous material.

The objectives of this plan are to: 1) minimize the potential for a spill of fuel or other hazardous material to occur on the JNF; 2) contain any spill to the smallest possible area; 3) protect environmentally sensitive areas; and 4) provide a template for the development of a detailed Final Hazardous Materials Management Plan (to be developed by the construction contractor). This plan includes the following components:

- A list of relevant regulations;
- A framework for developing the Final Hazardous Materials Management Plan;
- Spill control, response, and cleanup methods;
- An overview of the notification and documentation procedures to be followed in the event of a spill; and
- Operation and maintenance considerations.

In addition, sample hazardous materials management forms (which may be used as examples by the construction contractor) are provided in Attachment Y-1 of this plan.

In general, hazardous materials, hazardous wastes, and cleanup equipment will be stored in approved containers until they can be properly transported and disposed of at an approved treatment, storage, and disposal facility. Persons responsible for handling or transporting hazardous materials for the Project will be trained in the proper use/management of the materials and should be familiar with all applicable laws, policies, and procedures, as well as BMPs and Project-specific Environmental Protection Measures (EPMs) related to such handling or transportation.

It is the responsibility of the construction contractor to maintain records of proper training/certification for any individual(s) who may potentially handle hazardous materials for the Project. MVP reserves the right to audit any contractors and/or subcontractors to ensure compliance with these requirements.

### **3.0 REGULATORY FRAMEWORK**

Major legislation pertaining to hazardous materials includes the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act, Clean Air Act, and Clean Water Act.

Numerous other federal, state, and local regulations also govern the use, storage, transportation, production, and disposal of hazardous materials. Some of the key requirements of these laws are found in the following regulations.

#### **3.1 Occupational Safety and Health Administration (OSHA) Regulations**

- 29 CFR Parts 1900-1910 OSHA Regulations
- 29 CFR Part 1904 Recording and Reporting Occupational Injuries and Illness
- 29 CFR § 1910.120 Hazard Communication
- 29 CFR Part 1926 Safety and Health Regulations for Construction

#### **3.2 Clean Water Act and Safe Drinking Water Act Regulations**

- 40 CFR Part 110 Discharges of Oil
- 40 CFR Part 112 Oil Pollution Prevention
- 40 CFR Part 116 Designation of Hazardous Substances
- 40 CFR Part 117 Determination of Reportable Quantities for Hazardous Substances
- 40 CFR Part 129 Toxic Pollutant Effluent Standards
- 40 CFR Part 131 Water Quality Standards
- 40 CFR Parts 141-149 Safe Drinking Water Act Regulations

### **3.3 Clean Air Act Regulations**

- 40 CFR Part 50 National Ambient Air Quality Standards
- 40 CFR Parts 61-63 National Emissions Standards for Hazardous Air Pollutants

### **3.4 Toxic Substances Control Act (TSCA) Regulations**

- 40 CFR Part 710 TSCA Chemical Inventory Regulations
- 40 CFR Part 761 PCBs Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions

### **3.5 CERCLA/Superfund Amendments and Reauthorization Act Regulations**

- 40 CFR Part 300 National Oil and Hazardous Substances Pollution Contingency Plan
- 40 CFR Part 302 Designation, Reportable Quantities, and Notification
- 40 CFR Part 355 Emergency Planning and Notification
- 40 CFR Part 370 Hazardous Chemical Reporting: Community Right-to-Know
- 40 CFR Part 372 Toxic Chemical Release Reporting: Community Right-to-Know

### **3.6 Solid and Hazardous Wastes Regulations**

- 40 CFR Part 243 Guidelines for the Storage and Collection of Residential, Commercial, and Institutional Solid Waste
- 40 CFR Part 260 Hazardous Waste Management System: General
- 40 CFR Part 261 Identification and Listing of Hazardous Waste
- 40 CFR Part 262 Standards Applicable to Generators of Hazardous Waste
- 40 CFR Part 263 Standards Applicable to Transporters of Hazardous Waste
- 40 CFR Part 273 Standards for Universal Waste Management
- 40 CFR Part 279 Standards for the Management of Used Oil

### **3.7 Hazardous Materials Transportation Act Regulations**

- 49 CFR Part 130 Oil Spill Prevention and Response Plans
- 49 CFR Part 171 General Information, Regulations, and Definitions
- 49 CFR Part 172 Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, Training Requirements, and Security Plans
- 49 CFR Part 177 Carriage by Public Highway
- 157 CSR Part 7 Transportation of Hazardous Wastes upon the Roads and Highways



### **3.8 West Virginia–Specific Regulations (for Weston and Gauley Turnpike)**

- West Virginia Division of Environmental Protection; Office of Waste Management; Hazardous Waste Management Act (HWM) Regulations 33 CSR 20.1 Scope and Authority
- HWM 33 CSR 20.2: Scope and Authority Hazardous Waste Management System: General.
- HWM 33 CSR 20.3: Identification & Listing of Hazardous Waste.
- HWM 33 CSR 20.4: Notification of Hazardous Waste Activity Regulations.
- HWM 33 CSR 20.5: Standards Applicable to Generators of Hazardous Waste.
- HWM 33 CSR 20.6: Standards Applicable to Transporters of Hazardous Waste.
- HWM 33 CSR 20.7: Standards for Owners & Operators of Hazardous Waste Treatment, Storage, & Disposal Facilities.
- HWM Title 33 CSR 20.8: Interim Status Standards for Owners & Operators of Hazardous Waste Treatment, Storage, & Disposal Facilities.
- HWM 33 CSR 20.9: Standards for the Management of Specific Hazardous Waste & Specific types of Waste Management Facilities.
- HWM 33 CSR 20.10: Land Disposal Restrictions.
- HWM 33 CSR 20.11: Hazardous Waste Permit Program.
- HWM 33 CSR 20.12: Deed & Lease Disclosure; Notice in Deed to Property.
- HWM 33 CSR 20.13: Universal Waste Rule.
- HWM 33 CSR 20.14: Standards for the Management of Used Oil.
- HWM 33 CSR 20.15: Appeal Rights.

### **3.9 Virginia-Specific Regulations**

- Virginia Administrative Code, under the Virginia Waste Management Board and the Virginia Department of Environmental Quality, Virginia Hazardous Waste Management Regulations (VHWMR): Chapter 11: Public Participation Guidelines
- VHWMR Chapter 15: Regulation For Dispute Resolution
- VHWMR Chapter 20: Schedule Of Fees For Hazardous Waste Facility Site Certification
- VHWMR Chapter 30: Technical Assistance Fund Administrative Procedures
- VHWMR Chapter 40: Administrative Procedures For Hazardous Waste Facility Site Certification
- VHWMR Chapter 50: Hazardous Waste Facility Siting Criteria
- VHWMR Chapter 60: Virginia Hazardous Waste Management Regulations
- VHWMR Chapter 81: Solid Waste Management Regulations
- VHWMR Chapter 90: Solid Waste Management Permit Action Fees And Annual Fees

- VHWMR Chapter 110: Regulations Governing The Transportation Of Hazardous Materials
- VHWMR Chapter 130: Solid Waste Planning And Recycling Regulations
- VHWMR Chapter 160: Voluntary Remediation Regulations
- VHWMR Chapter 190: Litter Receptacle Regulations

## **4.0 FINAL HAZARDOUS MATERIALS MANAGEMENT PLAN DEVELOPMENT AND IMPLEMENTATION**

The following sections provide information regarding the required content of the Final Hazardous Materials Management Plan and the SPCC Plan (refer to Appendix D of the POD for more information on the SPCC Plan) per 40 CFR Part 112. The construction contractor shall provide MVP with all information requested in the forms included as Attachment Y-1. In addition, the construction contractor shall complete any other required county, state, or federal forms.

### **4.1 Certifications, Amendments, and Designation of Coordinator/Responsible Person**

#### **4.1.1 Certifications**

The construction contractor shall certify that all of the information provided in the Final Hazardous Materials Management Plan is accurate and complete to the best of its knowledge. The construction contractor will also certify that it is committed to implementing the Final Hazardous Materials Management Plan as written. If an SPCC Plan is required, per 40 CFR Part 112, the construction contractor may be required to have the SPCC Plan reviewed and certified by a registered professional engineer.

#### **4.1.2 Amendments**

The construction contractor shall agree to make all necessary and appropriate amendments to the Final Hazardous Materials Management Plan and submit any and all such amendments to MVP, FERC, and the FS within seven days of finding that an amendment is necessary.

Amendments to the Final Hazardous Materials Management Plan shall be necessary under any of the following circumstances:

- Applicable laws or regulations are revised.
- A 100 percent or more increase of a previously disclosed hazardous material.
- Any handling of a previously undisclosed hazardous material subject to inventory requirements.
- A change in properties of a previously disclosed hazardous material (e.g., solid to liquid).
- A change of business address, name, or ownership.
- A change in the list of emergency coordinators.
- A change in the list of emergency equipment.

The construction contractor may also be required to amend the applicable SPCC Plan, as required by the applicable regulations.

#### **4.1.3 Coordinator/Responsible Person**

The construction contractor shall identify an emergency coordinator/responsible person for hazardous materials management and emergency response. Two alternates shall also be identified. Business, residential, and mobile phone or pager numbers shall be provided for all three persons to allow for contact on a 24-hour basis. Primary and alternate emergency response coordinators shall be knowledgeable of the chemicals and processes involved in construction of the Project and will have the authority to commit construction contractor resources to implement the Final Hazardous Materials Management Plan. They also shall have stop-work authority in case of non-compliance or danger to human health or the environment.

## **4.2 Facilities Description and Inventory of Materials**

### **4.2.1 Site Maps**

The construction contractor will provide site maps or facility maps in the Final Hazardous Materials Management Plan that contain storage and safety precautions for each location containing hazardous materials and hazardous wastes. Maps shall, at a minimum, include the following information:

- Orientation and scale;
- Total land area in square feet;
- Access and egress points;
- Buildings and/or temporary trailers;
- Parking areas;
- Adjacent land uses (if business, indicate business name);
- Surrounding roads, storm drains, and waterways (including streams and wetlands);
- Locations of hazardous materials and hazardous waste storage areas;
- Underground and above-ground storage tanks;
- Containment or diversion structures (dikes, berms, retention ponds);
- Shutoff valves;
- Location of emergency response materials and equipment;
- Location of material safety data sheets (MSDS), the Hazardous Materials Management Plan, and the SPCC Plan; and
- Location of emergency assembly area.

### **4.2.2 Inventory**

The construction contractor shall provide a complete inventory of all hazardous materials. The construction contractor shall be responsible for consulting with the relevant agencies if it handles extremely hazardous substances. All inventory forms shall be provided to

MVP by the construction contractor as a part of the Final Hazardous Materials Management Plan.

## 5.0 HAZARDOUS MATERIAL AND WASTE MANAGEMENT

Construction, operation, and maintenance of the Project will require the use of certain potentially hazardous materials, such as fuels, oils, explosives, and pesticides. By definition, hazardous materials have the potential to pose a significant threat to human health and the environment based upon their quantity, concentration, or chemical composition. When stored, used, transported, and disposed of properly, as described below, the risks associated with these materials can be reduced substantially.

### 5.1 Overview of Hazardous Materials Proposed for Use

Hazardous materials used during Project construction may include petroleum products such as gasoline, diesel fuel, and hydraulic fluid; lubricating oils and solvents; cleansers; explosives; and other substances. Some of these materials will be used in relatively large quantities at material yards and, in rare instances, on the right-of-way to operate and maintain equipment during construction. Explosives may be used for blasting rock where needed to install the pipeline towers (refer to POD Appendix J, the Blasting Plan).

Smaller quantities of other materials such as pesticides and fertilizers, paints, and chemicals (e.g., sulfur hexafluoride) may be used during Project operation and maintenance. Pesticides are hazardous materials and will be used according to labeling (see also POD Appendix S, the Exotic and Invasive Species Control Plan). The construction contractor will maintain an inventory of all hazardous materials used. The construction contractor shall maintain copies of the required MSDS for each hazardous chemical and shall ensure that copies are readily accessible during each work shift to all employees when they are in their work area(s). The MSDS will provide basic emergency response information for small and large releases of hazardous materials. In the case that bulk hazardous materials are used, the Emergency Response Guidebook, produced by the U.S. Department of Transportation (USDOT), is an acceptable reference. The construction contractor should have a well-developed hazardous material program in place and work to use non-hazardous substances in routine construction and maintenance activities to the extent possible.

### 5.2 Refueling and Servicing

Construction vehicles (trucks, bulldozers, etc.), helicopters, and equipment (pumps, generators, etc.) will be fueled and serviced in designated areas at least 100 feet from the bed and bank of streams (including intermittent and perennial) and wetlands (including dry or seasonal wetlands) as required by the FERC *Wetland and Waterbody Construction and Mitigation Procedures* (Procedures). In addition, dispersed campsites and trails on the JNF will not be used to store hazardous materials or to refuel equipment. Refueling locations should generally be flat to minimize the chance of a spilled substance reaching a stream. In most cases, smaller rubber-tired vehicles will be refueled and serviced at local gas stations or material yards. Tracked vehicles will typically be refueled and serviced on site. In some cases, pickup trucks or tankers will be used to refuel and service construction vehicles on the right-of-way. Every effort will be made to minimize

the threat of a fuel spill during refueling and servicing. Fuel/service vehicles will carry a suitable absorbent material to collect approximately 20 gallons of spilled materials. In addition, all vehicles will be inspected for leaks prior to being brought on site and regularly throughout the construction period.

Washing of construction vehicles, such as concrete trucks, will be allowed only in designated areas at least 100 feet from streams and wetlands (as defined above and required by the FERC Procedures). Washing areas will be contained with berms/barriers to prevent migration of wastewater and/or sediments into streams and waterways. Waste concrete material will be removed and properly disposed of once it has hardened. Additionally, all preventive measures identified in Appendix S of the POD (the Exotic and Invasive Species Control Plan) will be followed.

### **5.3 Transportation of Hazardous Materials**

Procedures for loading and transporting fuels and other hazardous materials will meet the minimum requirements established by the USDOT, West Virginia Division of Highways (under the “Transportation of Hazardous Wastes upon the Roads and Highways,” 157 CSR Part 7) for the Weston and Gauley Turnpike, the Virginia Department of Transportation, and other pertinent regulations. Prior to transporting hazardous materials, appropriate shipping papers shall be completed by the hauling company. Transportation of hazardous materials will be performed by a hazardous-materials-transport firm and must be conducted in accordance with applicable regulations. In addition, the construction contractor will ensure all handling or packaging of hazardous materials and all paperwork for transport of hazardous materials is performed by properly trained personnel in accordance with USDOT and applicable state regulations. Shipping containers for hazardous materials will be secured to prevent damage, vandalism, or theft during shipping. All shipping containers will remain sealed during transport.

At all times, all hazardous materials used for the Project will be properly stored in approved containers and labeled, including during transportation. Smaller containers will be used on site to transport needed amounts of hazardous materials to a specific location. Transfer of materials from large to small containers will be performed using appropriate equipment, including pumps, hoses, and safety equipment (hand-pouring techniques will not be utilized). These smaller (service) containers also will be clearly labeled. Note that special provisions apply to the transportation of explosives (refer to POD Appendix J, the Blasting Plan).

### **5.4 Storage of Hazardous Materials**

Hazardous materials will be stored only in designated material yards. Material yards will be located away from perennial and intermittent streams and wetlands (including dry or seasonal wetlands), public wells, and private wells as required by the FERC Procedures. Cleanup materials, including absorbent spill pads and plastic bags, will also be stored in these areas. The construction contractor will specify the appropriate spill kit containing these materials in the Final Hazardous Materials Management Plan. Hazardous materials will not be stored in areas subject to flooding or inundation.

#### 5.4.1 Physical Storage Requirements

**Storage Containers:** Containers holding hazardous waste or materials will be compatible with the wastes or materials stored. If the container is damaged or leaks, the waste must be transferred to a container in good condition. The construction contractor shall inspect containers weekly at a minimum to verify the integrity of the containers and any containment systems. Containers used for transportation must comply with USDOT and applicable state transportation requirements.

**Incompatible Materials:** Materials, including hazardous wastes, will not be placed in containers that previously held an incompatible waste or material.

**Ignitable or Reactive Materials:** Containers holding hazardous wastes or materials that are reactive or may ignite must be located at least 50 feet from the material yard's property line. "NO SMOKING" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive material.

**Container Management:** Containers holding hazardous wastes will be kept closed at all times, except when it is necessary to add or remove contents. Before the handling and/or transportation of containers carrying hazardous wastes, the containers should be inspected to ensure they are sealed such that no material spillage occurs.

**Secondary Containment:** Secondary containment will consist of bermed or diked areas that are lined and capable of holding 110 percent of the volume of the stored material and will be provided for liquid hazardous materials stored on site.

**Record Keeping:** The construction contractor will maintain records of stored hazardous waste or materials through the reclamation period. The construction contractor will be required to provide MVP with copies of sample results, shipping manifests, chain-of-custodies, and bills-of-lading for wastes transported for disposal upon request. The documentation will also describe the type and quantity of stored waste material.

**Security:** Hazardous wastes and materials will be stored in secure areas to prevent damage, vandalism, or theft. All storage containers will remain sealed when not in use and storage areas shall be secured (gated, locked, and/or guarded) at night and/or during non-construction periods.

**Explosives:** Storage of explosives is discussed in Appendix J to the POD (the Blasting Plan).

#### 5.4.2 Container Labeling Requirements

The construction contractor shall comply with the following labeling requirements for any container (including tanks) used on site to store accumulated hazardous wastes. Figure 5-1 shows an example of a hazardous waste label for on-site storage. The containers shall be labeled with the information below and as required in 40 CFR Part 262:

- The accumulation start date and/or the date the 90-day storage period began;
- The words: "Hazardous Waste";
- The composition and physical state of the waste;
- Warning words indicating the particular hazards of the waste, such as flammable, corrosive, reactive or toxic; and
- The name and address of the facility that generated the waste.

<b>HAZARDOUS WASTE</b>
Contents: _____
Physical State (gas, liquid, solid): _____
Accumulation Start Date: _____
Hazards: _____
Name and Address of Generator: _____ _____ _____
Contact Person: _____
Telephone: _____
<b>HANDLE WITH CARE!</b>  CONTAINS HAZARDOUS OR TOXIC WASTES

**Figure 5-1. Sample Hazardous Waste Label for On-Site Storage**

## 5.5 Disposal of Hazardous Wastes

Hazardous wastes will be collected regularly and disposed of in accordance with all applicable laws and regulations. The construction contractor shall determine details regarding proper handling and disposal of hazardous waste and shall assign responsibility to specific individuals prior to construction of the Project.

Every effort will be made to minimize the production of hazardous waste during the Project, including, but not limited to, minimizing the amount of hazardous materials needed for the Project; using alternative non-hazardous substances when available; recycling usable material such as oils, paints, and batteries to the maximum extent; and filtering and reusing solvents and thinners whenever possible.

Any generator of hazardous waste must apply for a U.S. Environmental Protection Agency Identification (ID) Number. The ID number is needed to complete the Uniform Hazardous Waste Manifest to ship wastes off site. A generator can accumulate hazardous wastes on site for a period of up to 90 days without having to obtain a permit as a storage facility.

### 5.5.1 Contaminated Containers

Containers that once held hazardous materials as products or held hazardous wastes must be considered as potential hazardous wastes due to the possible presence of residual hazardous material. Regulations specify certain requirements, listed below, for the container to be handled as a non-hazardous waste.

- The containers must be empty, which means as much of the contents have been removed as possible using the practices commonly employed to remove materials from that type of container (e.g., pouring, pumping, and aspirating) so none will pour out in any orientation.

- A container that held compressed gas is empty when the pressure in the container approaches atmospheric.
- If empty containers are less than five gallons, they may be disposed of as a non-hazardous solid waste or scrapped.
- If the empty containers are greater than five gallons, they must be handled in the following manner: 1) returned to the vendor for reuse, 2) sent to a drum recycler for reconditioning, or 3) used or recycled on site.
- All these actions must occur within one year of the container being emptied.

### **5.5.2 Waste Oil Filters**

Used metal canister oil filters can be managed as non-hazardous wastes if:

- They are thoroughly drained of “free flowing” oil (oil exiting drop-by-drop is not considered “free flowing”).
- The filters are accumulated, stored, and transferred in a closed, rainproof container.
- The filters are transferred for the purposes of recycling.
- The filters are not terne-plated (i.e., an alloy of tin and lead).

Terne-plated oil filters are a hazardous waste, exhibiting the hazardous characteristic of lead. Terne-plated oil filters not recycled must be managed as a hazardous waste.

### **5.5.3 Used Lubricating Oil**

Lubrication oil is considered “used oil,” as defined below:

- Any oil that has been refined from crude oil and, as a result of use, has been contaminated with physical or chemical impurities.
- Any oil that has been refined from crude oil and, as a consequence of extended storage, spillage, or contamination with non-hazardous impurities such as dirt, rags, and water, is no longer useful to the original purchaser.
- Spent lubricating fluids that have been removed from a truck, heavy equipment, automobile, or bus.

Used oil may be a hazardous waste if:

- The concentrations of polychlorinated biphenyls exceed 50 parts per million (ppm);
- Total halogens exceed 1,000 ppm; or
- It is mixed with a hazardous waste.

Used oil not being burned or recycled must be managed as a hazardous waste unless it is determined to be nonhazardous through laboratory analysis.



**ATTACHMENT Y-1  
SAMPLE HAZARDOUS MATERIALS  
MANAGEMENT FORMS**

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**CERTIFICATIONS, ACKNOWLEDGMENTS, AND DESIGNATION  
 OF EMERGENCY COORDINATOR**

The construction contractor responsible for managing the material yards shall complete and submit the following information:

**GENERAL INFORMATION**

Business Name \_\_\_\_\_

Facility Street Address \_\_\_\_\_

City	County	Zip Code	Phone ( )
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Mailing Address (if different) \_\_\_\_\_

City	County	Zip Code	Phone ( )
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**EMERGENCY COORDINATOR**

Primary Emergency Coordinator	Business Phone ( )	24-hour Phone ( )	Pager/Cellular Phone ( )
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1 <sup>st</sup> Alternate	Business Phone ( )	24-hour Phone ( )	Pager/Cellular Phone ( )
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2 <sup>nd</sup> Alternate	Business Phone ( )	24-hour Phone ( )	Pager/Cellular Phone ( )
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Note: Certification is only necessary if an SPCC Plan is required (see Appendix D of the Project's Plan of Development).

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## **Spill Prevention, Containment, and Countermeasure**

The construction contractor shall identify all sources of potential spills including tank overflow, rupture, or leakage. Spill Prevention, Containment, and Countermeasure information must be included for all containers with a capacity of 55 gallons or greater that contain oil including petroleum, fuel oil, sludge, oil refuse, and oil mixed with waste.

(1) Material: \_\_\_\_\_ Total Quantity: \_\_\_\_\_  
Location of use: \_\_\_\_\_  
Potential direction of flow: \_\_\_\_\_ Maximum rate of flow: \_\_\_\_\_  
Structures of equipment to contain spills: \_\_\_\_\_  
\_\_\_\_\_

(2) Material: \_\_\_\_\_ Total Quantity: \_\_\_\_\_  
Location of use: \_\_\_\_\_  
Potential direction of flow: \_\_\_\_\_ Maximum rate of flow: \_\_\_\_\_  
Structures of equipment to contain spills: \_\_\_\_\_  
\_\_\_\_\_

(3) Material: \_\_\_\_\_ Total Quantity: \_\_\_\_\_  
Location of use: \_\_\_\_\_  
Potential direction of flow: \_\_\_\_\_ Maximum rate of flow: \_\_\_\_\_  
Structures of equipment to contain spills: \_\_\_\_\_  
\_\_\_\_\_

(4) Material: \_\_\_\_\_ Total Quantity: \_\_\_\_\_  
Location of use: \_\_\_\_\_  
Potential direction of flow: \_\_\_\_\_ Maximum rate of flow: \_\_\_\_\_  
Structures of equipment to contain spills: \_\_\_\_\_  
\_\_\_\_\_

## EMERGENCY CHECKLIST

\*\* DIAL 911 FOR EMERGENCY RESPONSE\*\*

Emergency Coordinator:	( )	( )
	(day phone)	(night phone)
First Alternate:	( )	( )
	(day phone)	(night phone)
Second Alternate:	( )	( )
	(day phone)	(night phone)

Contractor	Telephone Number
Address	

## EMERGENCY NUMBERS

### Emergency Response

**(Ambulance, Fire, Police, Sheriff, State Highway Patrol)** call 911

**Poison Control Center** (800) 456-7707

**Nearest Hospitals (2)** \_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

**Cleanup Contractor** \_\_\_\_\_ Phone: \_\_\_\_\_

**Other (specify)** \_\_\_\_\_ Phone: \_\_\_\_\_

**Other (specify)** \_\_\_\_\_ Phone: \_\_\_\_\_

**AGENCY NOTIFICATIONS** (to be made by MVP's environmental manager or environmental field supervisor or emergency response coordinator)

**FS** (540) 265-5100

**West Virginia Department of Environmental Quality** (304) 926-0499 or 1-800-642-3074

**Virginia Department of Environmental Quality** (804) 698-4201

**National Response Center** (800) 424-8802

**Other (specify)** \_\_\_\_\_ Phone #: \_\_\_\_\_

**Other (specify)** \_\_\_\_\_ Phone # \_\_\_\_\_

Note: The Construction Contractor shall verify and update the emergency numbers on this page before and during Project construction.

**WEEKLY HAZARDOUS MATERIALS/WASTE INSPECTION LOG**

For each item listed below, the Construction Contractor shall indicate whether existing conditions are acceptable (A) or unacceptable (U). Resolution of all unacceptable conditions must be documented. The Construction Contractor shall inspect all storage facilities on a regular basis, but not less than weekly. The Construction Contractor shall keep records of all inspections on file.

**I. STORAGE AREAS FOR FUELS, LUBRICANTS, AND CHEMICALS****General****A/U**

- \_\_\_\_\_ Material yard and storage areas secured
- \_\_\_\_\_ National Fire Protection Association 704 system symbol posted in storage area or at material yard entrance
- \_\_\_\_\_ Storage areas properly prepared and signed
- \_\_\_\_\_ No evidence of spilled or leaking materials
- \_\_\_\_\_ Incompatible materials separated
- \_\_\_\_\_ All containers labeled properly
- \_\_\_\_\_ All containers securely closed
- \_\_\_\_\_ All containers upright
- \_\_\_\_\_ No evidence of container bulging, damage, rust, or corrosion
- \_\_\_\_\_ Material Safety Data Sheets available
- \_\_\_\_\_ Hazardous Materials Management and Spill Prevention Plans available

**Secondary Containment Areas****A/U**

- \_\_\_\_\_ Containment berm intact and capable of holding 110 percent of material stored
- \_\_\_\_\_ Lining intact
- \_\_\_\_\_ No materials overhanging berms
- \_\_\_\_\_ No materials stored on berms
- \_\_\_\_\_ No flammable materials used for berms

**Compressed Gases****A/U**

- \_\_\_\_\_ Cylinders labeled with contents
- \_\_\_\_\_ Cylinders secured from falling
- \_\_\_\_\_ Oxygen stored at least 25 feet away from fuel
- \_\_\_\_\_ Cylinders in bulk storage are separated from incompatible materials by fire barriers or by appropriate distance

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## **II. HAZARDOUS WASTE MANAGEMENT**

### **Waste Container Storage**

**A/U**

- No evidence of spilled or leaking wastes
- Adequate secondary containment for all wastes
- Separate containers for each waste stream – no piles
- Waste area not adjacent to combustibles or compressed gases
- All containers securely closed
- Bungs secured tightly
- Open-top drum hoops secured
- All containers upright
- No evidence of container bulging, corrosion
- No severe container damage or rust
- Containers are compatible with waste (e.g., plastic liner for corrosives, metal liner for solvents)
- “No smoking” and general danger/warning signs posted

### **Waste Container Labeling**

**A/U**

- Containers properly labeled
- Name, address, and EPA ID number or ID Number of generator listed
- Accumulation start date listed
- Storage start date listed
- Chemical and physical composition of waste listed
- Hazardous properties listed

### **Nonhazardous Waste Areas**

**A/U**

- No litter in material yard
- No hazardous wastes with trash (e.g., contaminated soil, oily rags, or other oily materials)
- Empty oil and aerosol containers for disposal as non-hazardous waste are completely emptied

**III. EMERGENCY RESPONSE EQUIPMENT**

**A/U**

- \_\_\_\_\_ Shovels
- \_\_\_\_\_ Absorbent material
- \_\_\_\_\_ Personal protective equipment (Tyvek suit, gloves, goggles, and booties, as appropriate)
- \_\_\_\_\_ Fire-fighting equipment
- \_\_\_\_\_ First aid supplies (e.g., medical supplies, squeeze-bottle eye wash)
- \_\_\_\_\_ Communication equipment
- \_\_\_\_\_ Bung wrench (non-sparking)

**IV. CORRECTIVE ACTIONS TAKEN (Required for all unacceptable conditions)**

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**Date:** \_\_\_\_\_ **Company (print):** \_\_\_\_\_  
**Inspected by (print):** \_\_\_\_\_  
**Signature:** \_\_\_\_\_