

PORT EVERGLADES FRANCHISE APPLICATION

An application will not be deemed complete and ready for processing until all required documents and fees are received.

A separate application must be filed for each type of franchise applied for.

FRANCHISE TYPE

CHECK ONE

STEAMSHIP AGENT

STEVEDORE

CARGO HANDLER

TUGBOAT & TOWING

VESSEL BUNKERING

VESSEL OILY WASTE REMOVAL

VESSEL SANITARY WASTE WATER REMOVAL

MARINE TERMINAL SECURITY

MARINE TERMINAL SECURITY

FIREARMS CARRYING SECURITY PERSONNEL

NON-FIREARMS CARRYING SECURITY PERSONNEL

Note: Applicant is the legal entity applying for the franchise. If the Applicant is granted the franchise, it will be the named franchisee. All information contained in this application shall apply only to the Applicant, and not to any parent, affiliate, or subsidiary entities.

Applicant's

Name Triumvirate Environmental Service, Inc.

(Name as it appears on the certificate of incorporation, charter, or other legal documentation as applicable, evidencing the legal formation of the Applicant)

Applicant's Business Address 3701 SW 47th Avenue, Suite 109 Davie, FL 33314

Number /

Street

City/State/Zip

Phone # (954) 583-3795

E-mail address

@

Fax #: (954) 583-8017

Name of the person authorized to bind the Applicant (This person's signature must appear on Page 13.)

Name John Lennon

Title General Manager, Davie Facility

Business Address 3701 SW 47th Avenue, Suite 109 Davie, FL 33314

Number /

Street

City/State/Zip

Phone # (954) 583-3795

E-mail address JLennonjr

@

Triumvirate.com

Fax #: (954) 583-8017

Provide the Name and Contact Information of Applicant's Representative to whom questions about this application are to be directed (if different from the person authorized to bind the Applicant):

Representative's Name Randy Troy

Representative's Title EHS & Compliance Specialist

Representative's Business Address 10100 Rocket Blvd. Orlando, FL 32824

Number /

Street

City/State/Zip

Representative's Phone # (407) 859-4441

Representative's E-mail address RTroy

@

Triumvirate.com

Representative's Fax #: (407) 218-6703

PLEASE COMPLETE THIS APPLICATION AND LABEL ALL REQUIRED BACKUP DOCUMENTATION TO CLEARLY IDENTIFY THE SECTION OF THE APPLICATION TO WHICH THE DOCUMENTATION APPLIES (I.E., SECTION A, B, C, etc.).

Section A

1. List the name(s) of Applicant's officers, including, CEO, COO, CFO, director(s), member(s), partner(s), shareholder(s), principal(s), employee(s), agents, and local representative(s) active in the management of the Applicant.

Officers:

Title Chief Executive Officer

✓ First Name John Middle Name _____

Last Name McQuillan

Business Street Address 200 Innerbelt Road

City, State, Zip Code Somerville, MA 02143

Phone Number (617) 628-8098 Fax Number (617) 628-8099

Email Address JMcQuillan @ Triumvirate.com

Title President

First Name Douglas Middle Name _____

Last Name Youngen

✓ Business Street Address 200 Innerbelt Road

City, State, Zip Code Somerville, MA 02143

Phone Number (617) 628-8098 Fax Number (617) 628-8099

Email Address DYoungen @ Triumvirate.com

Title Chief Operating Officer

First Name Timothy Middle Name _____

Last Name Mooney

Business Street Address 200 Innerbelt Road

City, State, Zip Code Somerville, MA 02143

Phone Number (617) 628-8098 Fax Number (617) 628-8099

Email Address TMooney @ Triumvirate.com

* Title Chief Financial Officer

First Name William Middle Name _____

Last Name Lyons

Business Street Address 200 Innerbelt Road

City, State, Zip Code Somerville, MA 02143

Phone Number (617) 628-8098 Fax Number (617) 628-8099

Email Address WLyons @ Triumvirate.com

Attach additional sheets if necessary.

2. RESUMES: Provide a resume for each officer, director, member, partner, shareholder, principal, employee, agent, and local representative(s) active in the management of the Applicant, as listed above.

Section B

1. Place checkmark to describe the Applicant:
() Sole Proprietorship Corporation () Partnership () Joint Venture () Limited Liability Company
2. Provide copies of the documents filed at the time the Applicant was formed including Articles of Incorporation (if a corporation); Articles of Organization (if an LLC); or Certificate of Limited Partnership or Limited Liability Limited Partnership (if a partnership). If the Applicant was not formed in the State of Florida, provide a copy of the documents demonstrating that the Applicant is authorized to conduct business in the State of Florida.

Section C

1. Has there been any change in the ownership of the Applicant within the last five (5) years? (e.g., any transfer of interest to another party)
Yes___ No If "Yes," please provide details in the space provided. Attach additional sheets if necessary.
2. Has there been any name change of the Applicant or has the Applicant operated under a different name within the last five (5) years?
Yes No___ If "Yes," please provide details in the space provided, including: Prior name(s) and Date of name change(s) filed with the State of Florida's Division of Corporations or other applicable state agency. Attach additional sheets if necessary.

See Attached

3. Has there been any change in the officers, directors, executives, partners, shareholders, or members of the Applicant within the past five (5) years?
Yes No___ If "Yes," please provide details in the space provided, including:
Prior officers, directors, executives, partners, shareholders, members
Name(s) John McQuillan , President; Douglas Youngen, Chief Operating Officer; Donna McLean
New officers, directors, executives, partners, shareholders, members
Name(s) John McQuillan, CEO; Vaughan Harry, VP Mid-Atlantic and Southeast, Douglas Youngen, President
Also supply documentation evidencing the changes including resolution or minutes appointing new officers, list of new principals with titles and contact information, and effective date of changes. Attach additional sheets if necessary.
The changes occurred in conjunction with the filing of the change of name for the company dated 21 November 2017 (attached).

Section D

Provide copies of all fictitious name registrations filed by the Applicant with the State of Florida's Division of Corporations or other State agencies. If none, indicate "None" NONE.

Section E

1. Has the Applicant acquired another business entity within the last five (5) years?
Yes ___ No If "Yes," please provide the full legal name of any business entity which the Applicant acquired during the last five (5) years which engaged in a similar business activity as the business activity which is the subject of this Port Everglades Franchise Application.
If none, indicate "None" NONE.

2. Indicate in the space provided the date of the acquisition and whether the acquisition was by a stock purchase or asset purchase and whether the Applicant herein is relying on the background and history of the acquired firm's officers, managers, employees and/or the acquired firm's business reputation in the industry to describe the Applicant's experience or previous business history. Attach additional sheets if necessary.

N/A

3. Has the Applicant been acquired by another business entity within the last five (5) years?
Yes ___ No If "Yes," provide the full legal name of any business entity which acquired the Applicant during the last five (5) years which engaged in a similar business activity as the business activity which is the subject of this Port Everglades Franchise Application.
If none, indicate "None" NONE.

4. Indicate in the space provided the date of the acquisition and whether the acquisition was by a stock purchase or asset purchase and whether the Applicant herein is relying on the background and history of the parent firm's officers, managers, employees and/or the parent firm's business reputation in the industry to describe the Applicant's experience or previous business history. Attach additional sheets if necessary.

N/A

Section F

Provide the Applicant's previous business history, including length of time in the same or similar business activities as planned at Port Everglades.

Section G

1. Provide a list of the Applicant's current managerial employees, including supervisors, superintendents, and forepersons.
2. List the previous work history/experience of the Applicant's current managerial employees, including their active involvement in seaports and length of time in the same or similar business activities as planned at Port Everglades.

Section I

1. Provide a description of all past (within the last five (5) years) and pending litigation and legal claims where the Applicant is a named party, whether in the State of Florida or in another jurisdiction, involving allegations that Applicant has violated or otherwise failed to comply with environmental laws, rules, or regulations or committed a public entity crime as defined by Chapter 287, Florida Statutes, or theft-related crime such as fraud, bribery, smuggling, embezzlement or misappropriation of funds or acts of moral turpitude, meaning conduct or acts that tend to degrade persons in society or ridicule public morals.

The description must include all of the following:

- a) The case title and docket number
- b) The name and location of the court before which it is pending or was heard
- c) The identification of all parties to the litigation
- d) General nature of all claims being made

If none, indicate "None" NONE.

2. Indicate whether in the last five (5) years the Applicant or an officer, director, executive, partner, or a shareholder, employee or agent who is or was (during the time period in which the illegal conduct or activity took place) active in the management of the Applicant was charged, indicted, found guilty or convicted of illegal conduct or activity (with or without an adjudication of guilt) as a result of a jury verdict, nonjury trial, entry of a plea of guilty or nolo contendere where the illegal conduct or activity (1) is considered to be a public entity crime as defined by Chapter 287, Florida Statutes, as amended from time to time, or (2) is customarily considered to be a white-collar crime or theft-related crime such as fraud, smuggling, bribery, embezzlement, or misappropriation of funds, etc. or (3) results in a felony conviction where the crime is directly related to the business activities for which the franchise is sought.

Yes No

If you responded "Yes," please provide all of the following information for each indictment, charge, or conviction:

- a) A description of the case style and docket number
- b) The nature of the charge or indictment
- c) Date of the charge or indictment
- d) Location of the court before which the proceeding is pending or was heard
- e) The disposition (e.g., convicted, acquitted, dismissed, etc.)
- f) Any sentence imposed
- g) Any evidence which the County (in its discretion) may determine that the Applicant and/or person found guilty or convicted of illegal conduct or activity has conducted itself, himself or herself in a manner as to warrant the granting or renewal of the franchise.

Section J

The Applicant must provide a current certificate(s) of insurance. Franchise insurance requirements are determined by Broward County's Risk Management Division and are contained in the Port Everglades Tariff No. 12 as amended, revised or reissued from time to time. The Port Everglades Tariff is contained in the Broward County Administrative Code, Chapter 42, and is available for inspection on line at: <http://www.porteverglades.net/development/tariff>.

Section K

1. The Applicant must provide its most recent audited or reviewed financial statements prepared in accordance with generally accepted accounting principles, or other documents and information which demonstrate the Applicant's creditworthiness, financial responsibility, and resources, which the Port will consider in evaluating the Applicant's financial responsibility.

2. Has the Applicant or entity acquired by Applicant (discussed in Section E herein) sought relief under any provision of the Federal Bankruptcy Code or under any state insolvency law filed by or against it within the last five (5) year period?

Yes ___ No

If "Yes," please provide the following information for each bankruptcy or insolvency proceeding:

- a) Date petition was filed or relief sought
- b) Title of case and docket number
- c) Name and address of court or agency
- d) Nature of judgment or relief
- e) Date entered

3. Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer been appointed in the last five (5) year period by a court for the business or property of the Applicant?

Yes ___ No

If "Yes," please provide the following information for each appointment:

- a) Name of person appointed
- b) Date appointed
- c) Name and address of court
- d) Reason for appointment

4. Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer been appointed in the last five (5) year period by a court for any entity, business, or property acquired by the Applicant?

Yes ___ No

If "Yes," please provide the following information for each appointment:

- a) Name of person appointed
- b) Date appointed
- c) Name and address of court
- d) Reason for appointment

Section L

List four (4) credit references for the Applicant, one of which must be a bank. Use this format:

Name of Reference SEE ATTACHED REFERNCES Nature of Business _____

Contact Name _____ Title _____

Legal Business Street Address _____

City, State, Zip Code _____

Phone Number () _____

(Provide on a separate sheet.)

Section M

1. Security: Pursuant to Port Everglades Tariff 12, Item 960, all Franchisees are required to furnish an Indemnity and Payment Bond or Irrevocable Letter of Credit drawn on a U.S. bank in a format and an amount not less than \$20,000 as required by Broward County Port Everglades Department.
2. Has the Applicant been denied a bond or letter of credit within the past five (5) years?
Yes ___ No
If "Yes," please provide a summary explanation in the space provided of why the Applicant was denied. Use additional sheets if necessary.

Section N

1. Provide a list and description of all equipment currently owned and/or leased by the Applicant and intended to be used by the Applicant for the type of service(s) intended to be performed at Port Everglades including the age, type of equipment and model number.
2. Identify the type of fuel used for each piece of equipment.
3. Indicate which equipment, if any, is to be domiciled at Port Everglades.
4. Will all equipment operators be employees of the Applicant, on the payroll of the Applicant, with wages, taxes, benefits, and insurance paid by the Applicant?
Yes No ___
If "No," please explain in the space provided who will operate the equipment and pay wages, taxes, benefits, and insurance, if the franchise is granted. Use additional sheets if necessary.

Section O

Provide a copy of the Applicant's current Broward County Business Tax Receipt (formerly Occupational License).

Section P

1. Provide a copy of Applicant's safety program.
2. Provide a copy of Applicant's substance abuse policy.
3. Provide a copy of Applicant's employee job training program/policy.
4. Provide information regarding frequency of training.
5. Include equipment operator certificates, if any.

Section Q

1. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or fines from any federal, state, or local environmental regulatory agencies?
Yes ___ No

2. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or civil penalties from the U.S. Coast Guard?
Yes ___ No

3. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or fines from the Occupational Safety and Health Administration?
Yes ___ No

If you responded "Yes" to any of this section's questions 1, 2, or 3 above, please provide a detailed summary for each question containing the following information:

- a) Name and address of the agency issuing the citation or notice
- b) Date of the notice
- c) Nature of the violation
- d) Copies of the infraction notice(s) from the agency
- e) Disposition of case
- f) Amount of fines, if any
- g) Corrective action taken

Attach copies of all citations, notices of violations, warning notices, civil penalties and fines issued by local, state, and federal regulatory agencies, all related correspondence, and proof of payment of fines.

4. Provide a statement (and/or documentation) which describes the Applicant's commitment to environmental protection, environmental maintenance, and environmental enhancement in the Port.

Section R

Provide written evidence of Applicant's ability to promote and develop growth in the business activities, projects or facilities of Port Everglades through its provision of the services (i.e., stevedore, cargo handler or steamship agent) it seeks to perform at Port Everglades. For first-time applicants (stevedore, cargo handler and steamship agent), the written evidence must demonstrate Applicant's ability to attract and retain new business such that, Broward County may determine in its discretion that the franchise is in the best interests of the operation and promotion of the port and harbor facilities. The term "new business" is defined in Chapter 32, Part II of the Broward County Administrative Code as may be amended from time to time.

If you have checked an Applicant box for VESSEL BUNKERING, VESSEL OILY WASTE REMOVAL, VESSEL SANITARY WASTE WATER REMOVAL, OR MARINE TERMINAL SECURITY, then the following additional information is required:

VESSEL BUNKERING

Section T- A Letter of Adequacy from the U.S. Coast Guard and a copy of the applicant's operations manual approved by the U.S. Coast Guard.

Section V- A copy of the applicant's Oil Spill Contingency Plan for Marine Transportation Related Facilities approved by the U.S. Coast Guard.

Section W- A Terminal Facility Discharge Prevention and Response Certificate with a copy of an approved Oil Spill Contingency Plan from the Florida Dept. of Environmental Protection.

Section Z- An approved Discharge Cleanup Organization Certificate from the Florida Dept. of Environmental Protection which has been issued to the applicant or to its cleanup contractor with a copy of the cleanup contract showing the expiration date.

VESSEL OILY WASTE REMOVAL

Section S - Certificate of Adequacy in compliance with the Directives of MARPOL 73/75 and 33 CFR 158, if applicable.

Section T- A Letter of Adequacy from the U.S. Coast Guard and a copy of the Applicant's operations manual approved by the U.S. Coast Guard.

Section U- A Waste Transporter License from the Broward County Environmental Protection Department identifying the nature of the discarded hazardous (or non-hazardous) material to be transported.

Section V- A copy of the Applicant's Oil Spill Contingency Plan for Marine Transportation Related Facilities approved by the U.S. Coast Guard.

Section W- A Terminal Facility Discharge Prevention and Response Certificate with a copy of an approved Oil Spill Contingency Plan from the Florida Dept. of Environmental Protection.

Section X- A Used Oil Collector, Transporter, and Recycler Certificate from the Florida Dept. of Environmental Protection.

Section Y- An Identification Certificate from the U.S. Environmental Protection Agency.

Section Z- An approved Discharge Cleanup Organization Certificate from the Florida Dept. of Environmental Protection which has been issued to the Applicant or to its cleanup contractor with a copy of the cleanup contract showing the expiration date.

VESSEL SANITARY WASTE WATER REMOVAL

Section U- A Waste Transporter License from the Broward County Environmental Protection Department identifying the nature of the discarded hazardous (or non-hazardous) material to be transported.

Section Z1- A copy of the Applicant's operations manual.

Section Z2- A Septage Receiving Facility Waste Hauler Discharge Permit from the Broward County Water and Wastewater Services Operations Division.

MARINE TERMINAL SECURITY

Section N1- A list of all metal detection devices, walk-through and hand held, as well as all luggage and carryon x-ray machines owned or leased, to be used or domiciled at Port Everglades. Listing must include brand name and model.

Section N2- A copy of all manufacturers recommended service intervals and name of company contracted to provide such services on all aforementioned equipment.

Section N3- A description of current method employed to assure all equipment is properly calibrated and functioning.

Section N4- current training requirements and training syllabus for employees operating

x-ray equipment. Highlight emphasis on weapon and contraband identification.
Include equipment operator certificates, if any.

Section O1- Provide copies of all local, state and federal licenses, including:

- a. A copy of the Applicant's State of Florida Business License.
- b. A copy of security agency's Manager's "M" or "MB" License and a copy of the security agency's "B" or "BB" License issued by the Florida Department of Agriculture and Consumer Services.

Section P3- SECURITY GUARDS / SUPERVISORS

- a. Provide Applicant's background requirements, education, training etc., for personnel hired as security guards.
- b. Provide historic annual turnover ratio for security guards.
- c. Provide a copy of Applicant's job training program/policy including a copy of training curriculum and copies of all manuals and take-home materials made available to security guards. Include information regarding frequency of training.
- d. Provide background requirements, experience, licensing and any and all advanced training provided to supervisory personnel.
- e. Provide present policy for individual communication devices either required of security guards or supplied by the employer.
- f. Provide procurement criteria and source as well as Applicant's certification requirements for K-9 workforce.
- g. Provide information on the number of security guards / supervisors currently employed or expected to be employed to provide security services at Port Everglades.

Supervisors _____
Class D Guards _____
Class G Guards _____
K-9 Handlers _____

Port Everglades Tariff 12

References to the Port Everglades Tariff 12 as amended or reissued: <http://www.porteverglades.net/development/tariff>

Application Fees

The following fees have been established for franchised businesses at Port Everglades. Initial processing fees are nonrefundable. A franchise is required for each category of business.

Stevedore

Initial processing fee, assignment fee, or reinstatement fee \$ 11,000.00
Annual Fee

\$ 4,000.00

Cargo Handler

Initial processing fee, assignment fee, or reinstatement fee \$ 11,000.00
Annual Fee

\$ 4,000.00

Steamship Agent

Initial processing fee, assignment fee, or reinstatement fee \$
4,000.00
Annual Fee

\$ 2,250.00

Tugboat and Towing

Initial processing fee, assignment fee, or reinstatement fee \$ 26,000.00
Annual Fee

By Contract

Vessel Bunkering, Vessel Oily Waste Removal,

Vessel Sanitary Waste Water Removal

Initial processing fee, assignment fee, or reinstatement fee \$ 4,000.00
Annual Fee

\$ 2,250.00

For first-time franchise Applicants, both the initial application fee and the annual fee must be submitted at time of application. Thereafter, annual franchise fees are due and payable each year on the franchise anniversary date, which is defined as the effective date of the franchise.

Note: Check(s) should be made payable to:

BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS and be mailed with this application to:
Port Everglades Business Administration Division
1850 Eller Drive, Fort Lauderdale, FL 33316

Required Public Hearing

Staff review of this application will not commence until such time as all of the above requested information and documentation has been provided and the franchise application has been determined by staff to be complete. All of the above requested information and Sections are required to be completed prior to the scheduling of the public hearing. Staff will request that the Broward County Board of County Commissioners set a public hearing to consider the franchise application and hear comments from the public. The Applicant will be notified of the Public Hearing date and must plan to attend the Public Hearing.

By signing and submitting this application, Applicant certifies that all information provided in this application is true and correct. Applicant understands that providing false or misleading information on this application may result in the franchise application being denied, or in instances of renewal, a franchise revoked. Applicant hereby waives any and all claims for any damages resulting to the Applicant from any disclosure or publication in any manner of any material or information acquired by Broward County during the franchise application process or during any inquiries, investigations, or public hearings.

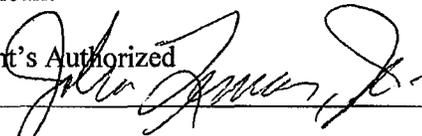
Applicant further understands that if there are any changes to the information provided herein (subsequent to this application submission) or to its officers, directors, senior management personnel, or business operation as stated in this application, Applicant agrees to provide such updated information to the Port Everglades Department of Broward County, including the furnishing of the names, addresses (and other information as required above) with respect to persons becoming associated with Applicant after its franchise application is submitted, and any other required documentation requested by Port Everglades Department staff as relating to the changes in the business operation. This information must be submitted within ten (10) calendar days from the date of any change made by the Applicant.

Applicant certifies that all workers performing functions for Applicant who are subject to the Longshore and Harbor Workers' Act are covered by Longshore & Harbor Workers' Act, Jones Act Insurance, as required by federal law.

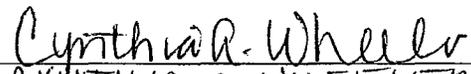
This application and all related records are subject to Chapter 119, F.S., the Florida Public Records Act.

By its execution of this application, Applicant acknowledges that it has read and understands the rules, regulations, terms and conditions of the franchise it is applying for as set forth in Chapter 32, Part II, of the Broward County Administrative Code as amended, and agrees, should the franchise be granted by Broward County, to be legally bound and governed by all such rules, regulations, terms and conditions of the franchise as set forth in Chapter 32, Part II, of the Broward County Administrative Code as amended.

The individual executing this application on behalf of the Applicant, personally warrants that s/he has the full legal authority to execute this application and legally bind the Applicant

Signature of Applicant's Authorized Representative  Date Signed 5/29/18

Signature name and title - typed or printed John Lennon Jr. General Manager

Witness Signature (*Required*) 
Witness name-typed or printed CYNTHIA A. WHEELER

Witness Signature (*Required*) 
Witness name-typed or printed MIRIAM MCKEE-JON

If a franchise is granted, all official notices/correspondence should be sent to:

Name Randy Troy Title EHS & Compliance Specialist

Address 10100 Rocket Blvd., Orlando, FL 32824 Phone (407) 859-4441

Executive Vice President

Thomas Aicardi

200 Innerbelt Road, Sumerville, MA 02143

Telephone: 618-628-8098 Fax: 617-628-8099

TAicardi@Triumvirate.com

Director of Health and Safety

Michael Lombardi

200 Innerbelt Road, Sumerville, MA 02143

Telephone: 617-628-8098 Fax: 617-628-8099

MLombardi@Triumvirate.com

Director of Environmental Compliance

Richard Barry

200 Innerbelt Road, Sumerville, MA 02143

Telephone: 617-628-8098 Fax: 617-628-8099

RBarry@Triumvirate.com

Vice President, Mid-Atlantic and Southeast Region

Vaughan Harry

1500 Carbon Avenue, Baltimore, MD 21226

Telephone: 410-636-3700 Fax: 410-636-0260

VHarry@Triumvirate.com

John McQuillan

200 Inner Belt Road Somerville, MA 02143
Phone: (617) 369-1943 Email: jmcquillan@triumvirate.com

PROFESSIONAL EXPERIENCE

Triumvirate Environmental, Inc. (1988-Present)

President, CEO (1988- Present): Mr. McQuillan serves or has served as director, trustee, or patron for more than fifty mission-driven organizations, concentrated in the areas of: excellence in transportation, healthcare and education; sustainable workforce development; and protection of the environment.

- Advisor to life sciences, teaching hospitals, Fortune 500 companies, and universities
- Under his leadership, Triumvirate Environmental has developed and implemented more than 50,000 complex environmental solutions, benefitting over \$200 billion in customer assets.

Next Step Living (June 2010 – Present)

Director

Not Your Average Joe's (May 2007 – Present)

Investor

Harb Howey (January 2007 - Present)

Partner

Stylefeeder (June 2007 - January 2010)

Advisor, Investor

Bowdoin College (October 2006 - Present)

Trustee

Shawmut Design and Construction (January 2006 - June 2010)

Director

Harvard University Program on Science, Technology and Society (February 2005 - Present)

Advisor, Investor

Boston College High School (July 2003 - Present)

Trustee

Estate Carolina (August 2003 – Present)

Partner

EDUCATION

Harvard University: Kennedy School of Government Cambridge, MA (2004-2005)

- MPA, Public Administration

Douglas Youngen, COO

200 Inner Belt Road Somerville, MA 02143

Phone: (617) 529-4700 Email: dyoungen@triumvirate.com

PROFESSIONAL EXPERIENCE

Triumvirate Environmental, Inc. (1988-Current)

Chief Operating Officer (1988- Present): Doug has been experienced in management since 1988 and the hazardous waste industry since 1993.

- Manages Triumvirate Environmental's day-to-day operations: coordinates with sales manager all sales figures, facilitates communication and operation of large internal issues with sales consultants, and acts as a liaison between departments involved in coordinating appropriate facilities
- Oversees various departments, including Operations, Information Technology, Marketing, Sales, Compliance, Human Resources, and Finance
- Develops firm policies, employee benefits, facility relationships, and supervises all office management
- Works closely with the operations department: sits in and advises weekly meetings, continues to build structure and increase accountability, assists project managers with pricing, costing, and overall issues and concerns of each job
- Works with finance to coordinate all weekly, monthly, and yearly numbers
- Assists with company compliance; meet with respective agencies such as DOT, EPA, and DEP as necessary
- Responsible for all legal contracts and negotiations of the entire company
- Maintains the firm's banking, bonding, and insurance relationships
- Has extensive training in both professional development and emotional intelligence
- Has taught numerous internal and external courses and seminars on these subjects
- Has a passion for soft skills in the workplace, and as a result, has spent much of his time ensuring that his employees demonstrate not only IQ, but EQ as well

EDUCATION

MIT Sloan School of Management Program Boston, MA

Bowdoin College Brunswick, ME

- B.S., Biochemistry, Economics

CERTIFICATIONS AND SKILLS

- Spearheads the training and management programs
- Serves on the Board of Directors for the Environmental Business Council of New England
- HAZWOPER 29 CFR 1910.120(e)
- Site Operations – 40 hour
- HAZWOPER 29 CFR 1910.120(q)
- Emergency Response – 24 hour Technician
- First Aid and CPR
- American Managers Association
- Small Business Association of New England Member



Timothy Mooney, REM, HEM, CHMM
200 Inner Belt Road Somerville, MA 02143
Phone: (617) 592-7298 Email: tmooney@triumvirate.com

PROFESSIONAL EXPERIENCE

Triumvirate Environmental, Inc. (1993-Present)

Vice President of Operations and Services (2002- Present)

- Oversee all of Triumvirate's client services: laboratory packs, field services, onsite support, consulting, bulk/drum transportation and disposal, and wastewater services
- Oversee all four vertical markets in New England: life sciences, healthcare, higher education, and industrial
- Develop programs to promote technical expertise and quality of service
- Responsible for New England branch operations
- Manage client services, operations, and safety & compliance
- Serve as a member of the Executive Team to develop and implement corporate growth strategy and direction
- Oversee departmental scheduling, client contact, and employee development
- Serve as top technical advisor and plays an integral part in our operations training program and employee mentoring program
- Responsible for the safety and compliance of our service lines

Director of Operations (1998 – 2002)

Lab Pack Manager (1996 – 1998)

EDUCATION

MIT Sloan Executive Education Boston, MA (2009)

- Executive Leadership Series

Bentley College Waltham, MA (1994-1995)

- Certificate, Environmental Management

University of Massachusetts – Amherst Amherst, MA (1989-1993)

- B.S., Environmental Science

CERTIFICATIONS AND SKILLS

- Registered Environmental Manager certified by the National Registry of Environmental Professionals
- Healthcare Environmental Manager
- Certified Hazardous Materials Manager



Michael Lombardi, CIH

200 Inner Belt Road Somerville, MA 02143

Phone: (617) 715-8908 Email: mlombardi@triumvirate.com

PROFESSIONAL EXPERIENCE

Triumvirate Environmental, Inc. (2013-Present)

Director of Health and Safety (April 2013- Present):

- Responsible for corporate health and safety compliance for
- Provides guidance for a variety of waste management and disposal, field services, and technical services activities
- Develops strategic health and safety direction to a growing company with niches in the Education, Healthcare, Life Science and Industrial markets

Dow Chemical Company (2009-2013)

Industrial Hygiene and Safety Technical Focal Point (October 2009 - April 2013): Marlborough, MA

- Provided industrial hygiene and safety technical guidance and developed best practices for a global audience
- Managed and developed global emergency response planning guidelines to meet internal process safety requirements
- Conducted corporate audits throughout North America

Rohm and Haas Chemical Company (2000-2009)

Health and Safety Manager (July 2000 – October 2009): Marlborough, MA

- Managed the health and safety department and the emergency response team
- Responsible for program development and implementation of health and safety programs

M/A-COM (June 1993 – July 2000)

EHS Manager and Technician (June 1993 – July 2000): Lowell, MA

- Managed EHS department spread over multiple locations in a semiconductor manufacturing environment, staff included industrial hygienists, environmental engineers, and wastewater treatment personnel

EDUCATION

University of Massachusetts, Lowell, MA (1993)

- Master of Science, Industrial Hygiene

University of Massachusetts, Amherst, MA (1985)

- Bachelor of Science, Environmental Science

CERTIFICATIONS AND SKILLS

- American Board of Industrial Hygiene-Certified Industrial Hygienist #7219
- American Industrial Hygiene Association - Laboratory Health and Safety Committee
- Past New England American Industrial Hygiene Association Board of Directors

**TRIUMVIRATE
ENVIRONMENTAL**

Rich Barry
Director of Compliance
(617) 799-2511
rbarry@triumvirate.com

As the Director of Compliance, Rich leads a team of environmental, health & safety specialists with a mission to ensure that all of Triumvirate's service-related activities are carried out in strict adherence to local, state, and federal regulations and requirements, including the Department of Transportation (DOT), Environmental Protection Agency (EPA), and the Occupational Safety and Health Administration (OSHA). He develops corporate EH&S standards and implements them company-wide through training and the development of specific policies.

Rich received a B.S. in industrial technology from the University of Massachusetts at Lowell, is a Certified Hazardous Materials Manager (CHMM), and has over twenty years of diverse industry experience as an environmental professional.

Vaughan Harry, CHMM
1500 Carbon Avenue Baltimore, MD 21226
Phone: (347) 907-4417 Email: vharry@triumvirate.com

PROFESSIONAL EXPERIENCE

Triumvirate Environmental, Inc. (2006-Present)

Vice President of Mid-Atlantic Operations (August 2006 – Present):

- Oversees all of Triumvirate's client services including onsite support services, laboratory packs, field services, bulk/drum disposal, and wastewater treatment
- Manages all four vertical markets in Mid-Atlantic region: life sciences, healthcare, higher education, and industrial
- Heads Triumvirate's Mid Atlantic Sales and Operations group
- Responsible for the development and implementation of innovative environmental service solutions
- Works closely with executive management and successfully integrates client services
- Oversees departmental scheduling, client contact, and employee development
- Responsible for personnel and account transition and business development

Teris/Ensco (1995 – 2006)

Regional Business Manager

- Began start-up operations for Teris locations in Seattle WA, Benicia CA, and Norristown PA
- Worked in field operations, marketing, business development, and sales
- Served as Eastern Regional Sales Manager, responsible for territory with revenue in excess of \$40 million

EDUCATION

Southern Illinois University, Carbondale Carbondale, IL (1988 – 1995)

- B.A./M.S., Biological Sciences
- Worked as graduate assistant in the Environmental Health & Safety Department

CERTIFICATIONS AND SKILLS

- Certified Hazardous Materials Manager



Thomas Aicardi, VP

200 Inner Belt Road Somerville, MA 02143
Phone: (617) 921-4411 Email: taicardi@triumvirate.com

PROFESSIONAL EXPERIENCE

Triumvirate Environmental, Inc. (1989-Current)

Executive Vice President (1989 – Present): As the executive vice president of Triumvirate Environmental, Inc. he oversees its business strategy. Tom is dedicated to developing our people. He works to ensure that we have a focused strategy, clear mission, and that we invest in our people and hire the best. Tom is an expert in federal and state hazardous waste regulations as well as an industry leader in personalized service for more than two decades. He practices superior customer care and motivates Triumvirate's personnel. He forges many of our client relationships and develops long-term partnerships that fulfill our clients' needs. He ensures that Triumvirate maintains its position as a leading environmental services provider.

- Began his career at Triumvirate as one of six employees and was responsible for the higher education niche and introducing our on-site support program, first used at Harvard University.
- In charge of sales training at Triumvirate and oversees mentoring and coaching
- Mentored more than 100 employees at Triumvirate.
- Member of the Executive Team and an environmental presenter specializing in current environmental affairs

Robert Stone Real Estate (January 1987 – March 1989)

- Commercial Real Estate Broker

EDUCATION

Massachusetts Institute of Technology Cambridge, MA (2006 – 2006)

- Sloan School of Management
- Center for Management Research Programs on Leadership for Senior Executives, and the Greater Boston Executive Program in Business Management

Curry College Milton, MA (1983 – 1987)

- B.A., Business Management

MEMBERSHIPS AND SKILLS

- Spearheaded the customer service philosophy at Triumvirate
- Lead training for Triumvirate's account managers
- Former board member on "Clean Charles Steering Committee"

Emily Duquette
200 Inner Belt Road, Somerville, MA 02143
617.715.9019 eduquette@triumvirate.com

Professional Experience

Contracts Manager ▪ 2008 - Present

Triumvirate Environmental, Inc.

- Leads the Contracts Department at Triumvirate Environmental, Inc.
- Reviews, negotiates, and drafts the various agreements Triumvirate Environmental, Inc. enters with its clients and partners, as well as the legal agreements Triumvirate Environmental, Inc. puts in place with its independent contractors, consultants, and vendors.
- Responsible for negotiating all real property leases and finance leases.
- Manages the company's liability insurance and bonding program.
- Works closely with all departments, including Sales, Compliance, Finance, and Information Technology, to assist with their legal inquiries and obligations.
- Provides training to internal departments with regard to minimizing and managing Triumvirate Environmental, Inc.'s risk and liability.

Education

Northeastern University – Boston, Massachusetts
B.A., *summa cum laude*, Political Science

Boston College Law School – Boston, Massachusetts
J.D.

DONALD H. SIEGEL, PC

Prudential Tower
800 Boylston Street 32nd floor
Boston, MA 02199
617-973-6147 • dsiegel@pbl.com

Professional Experience

Partner, Posternak Blankstein & Lund LLP

Donald Siegel is a founding member of the firm and was managing partner from 1991 to 2000 and continues to serve on the firm's Executive Committee. He has practiced as a corporate lawyer for over 42 years and is the Senior Partner in the firm's Corporate Department. Don acts as a general counsel and advisor to corporate and other clients in a wide range of industries including software, internet consumer products, technology, telecommunications, retail and other industries representing both private business, venture capital and private equity backed companies and publicly traded entities. Don's practice focuses on middle market public and private company mergers and acquisitions where the consideration has involved cash, as well as publicly traded securities, representing venture backed companies with multiple classes of securities, ESOP participants and other complexities.

EDUCATION

Harvard Law School, JD, 1972, cum laude

Harvard University, AB, 1969, cum laude

ARTICLE V - REGISTERED OFFICE AND AGENT

The street address of the registered office of the Corporation is:

1201 Hays Street
Tallahassee FL 32301 US

The name of the registered agent of the Corporation at that address is:

Corporation Service Company

ARTICLE VI - BOARD OF DIRECTORS

A. The Corporation shall initially have one (1) director. The number of directors may be either increased or decreased from time to time in accordance with the Bylaws, but shall never be less than one (1).

B. The name and address of the current director of the Corporation are as follows:

<u>Name</u>	<u>Street Address</u>
John F. McQuillan, Jr.	61 Inner Belt Road Somerville, MA 02143

ARTICLE VII-- OFFICERS

The names, offices and addresses of the current officers of the Corporation are as follows:

<u>Name</u>	<u>Office</u>	<u>Address</u>
John F. McQuillan, Jr.	President, Treasurer, and Secretary	61 Inner Belt Road Somerville, MA 02143
Douglas Youngen	Chief Operating Officer and Assistant Secretary	61 Inner Belt Road Somerville, MA 02143
James Green	Vice President	3701 SW 47TH Avenue Suite 109 Davie FL 33314
Emily Duquette	Assistant Secretary	61 Inner Belt Road Somerville, MA 02143

ARTICLE VII- BYLAWS

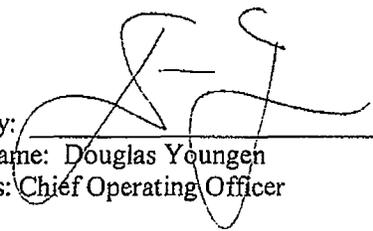
The power to adopt, alter, amend or repeal Bylaws shall be vested in the Board of Directors and the shareholders.

ARTICLE VIII - AMENDMENT

The Corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation, or any amendment hereto, and any right conferred upon the shareholders is subject to this reservation.

[Remainder of page intentionally left blank; signature page follows]

IN WITNESS WHEREOF, the undersigned has executed these Amended and Restated Articles of Incorporation of Triumvirate Environmental (Florida), Inc. effective as of this 12th day of August, 2011.

By: 
Name: Douglas Youngen
Its: Chief Operating Officer

FLORIDA FILING & SEARCH SERVICES, INC.
P.O. BOX 10662 TALLAHASSEE, FL 32302
155 Office Plaza Dr Ste A Tallahassee FL 32301
PHONE: (800) 435-9371; FAX: (866) 860-8395

DATE: 11/27/17

NAME: TRIUMVIRATE ENVIRONMENTAL (FLORIDA), INC.

TYPE OF FILING: AMENDMENT

COST: 35.00

RETURN: PLAIN COPY PLEASE

ACCOUNT: FCA000000015

AUTHORIZATION: ABBIE/PAUL HODGE



COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: TRIUMVIRATE ENVIRONMENTAL (FLORIDA), INC.

DOCUMENT NUMBER: 1138590

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

JACKIE BILLARD
Name of Contact Person

POSTERNAK BLANKSTEIN & LUND LLP
Firm/ Company

800 BOYLSTON STREET
Address

BOSTON, MA 02199
City/ State and Zip Code

jbillard@pbl.com
E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

JACKIE BILLARD at (617) 973-6185
Name of Contact Person Area Code & Daytime Telephone Number

Enclosed is a check for the following amount made payable to the Florida Department of State:

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> \$35 Filing Fee | <input type="checkbox"/> \$43.75 Filing Fee &
Certificate of Status | <input type="checkbox"/> \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed) | <input type="checkbox"/> \$52.50 Filing Fee
Certificate of Status
Certified Copy
(Additional Copy
is enclosed) |
|--|--|---|--|

Mailing Address
Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address
Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

Articles of Amendment
to
Articles of Incorporation
of

TRIUMVIRATE ENVIRONMENTAL (FLORIDA), INC.

(Name of Corporation as currently filed with the Florida Dept. of State)

1138590

(Document Number of Corporation (if known))

Pursuant to the provisions of section 607.1006, Florida Statutes, this *Florida Profit Corporation* adopts the following amendment(s) to its Articles of Incorporation:

A. If amending name, enter the new name of the corporation:

TRIUMVIRATE ENVIRONMENTAL SERVICES, INC.

The new name must be distinguishable and contain the word "corporation," "company," or "incorporated" or the abbreviation "Corp.," "Inc.," or "Co.," or the designation "Corp.," "Inc.," or "Co.". A professional corporation name must contain the word "chartered," "professional association," or the abbreviation "P.A."

B. Enter new principal office address, if applicable:

(Principal office address MUST BE A STREET ADDRESS)

N/A

C. Enter new mailing address, if applicable:

(Mailing address MAY BE A POST OFFICE BOX)

N/A

D. If amending the registered agent and/or registered office address in Florida, enter the name of the new registered agent and/or the new registered office address:

Name of New Registered Agent N/A

(Florida street address)

New Registered Office Address: N/A

(City)

Florida

(Zip Code)

New Registered Agent's Signature, if changing Registered Agent:

I hereby accept the appointment as registered agent. I am familiar with and accept the obligations of the position.

Signature of New Registered Agent, if changing

FILED
NOV 27 P 2 35

If amending the Officers and/or Directors, enter the title and name of each officer/director being removed and title, name, and address of each Officer and/or Director being added:

(Attach additional sheets, if necessary)

Please note the officer/director title by the first letter of the office title:

P = President; V = Vice President; T = Treasurer; S = Secretary; D = Director; TR = Trustee; C = Chairman or Clerk; CEO = Chief Executive Officer; CFO = Chief Financial Officer. If an officer/director holds more than one title, list the first letter of each office held. President, Treasurer, Director would be PTD.

Changes should be noted in the following manner. Currently John Doe is listed as the PST and Mike Jones is listed as the V. There is a change. Mike Jones leaves the corporation, Sally Smith is named the V and S. These should be noted as John Doe, PT as a Change, Mike Jones, V as Remove, and Sally Smith, SV as an Add.

Example:

Change PT John Doe

Remove V Mike Jones

Add SV Sally Smith

Type of Action (Check One)	Title	Name	Address
1) <input checked="" type="checkbox"/> Change	<u>CEO/ST</u>	<u>McQuillan, John F., Jr.</u>	<u>200 Inner Belt Road</u> <u>Somerville, MA 02143</u>
<input type="checkbox"/> Add			
<input type="checkbox"/> Remove			
2) <input checked="" type="checkbox"/> Change	<u>P</u>	<u>Youngen, Douglas</u>	<u>200 Inner Belt Road</u> <u>Somerville, MA 02143</u>
<input type="checkbox"/> Add			
<input type="checkbox"/> Remove			
3) <input type="checkbox"/> Change	<u>N/A</u>	<u>McLean, Donna L.</u>	<u>3701 SW 47th Ave.</u> <u>#109</u> <u>Davie, FL 33314</u>
<input type="checkbox"/> Add			
<input checked="" type="checkbox"/> Remove			
4) <input type="checkbox"/> Change	<u>VP</u>	<u>Harry, Vaughan</u>	<u>200 Inner Belt Road</u> <u>Somerville, MA 02143</u>
<input checked="" type="checkbox"/> Add			
<input type="checkbox"/> Remove			
5) <input type="checkbox"/> Change	<u>N/A</u>		
<input type="checkbox"/> Add			
<input type="checkbox"/> Remove			
6) <input type="checkbox"/> Change	<u>N/A</u>		
<input type="checkbox"/> Add			
<input type="checkbox"/> Remove			

The date of each amendment(s) adoption: N/A, if other than the date this document was signed.

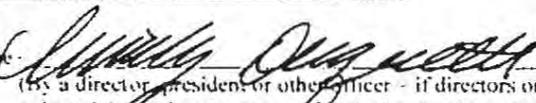
Effective date if applicable: N/A
(no more than 90 days after amendment file date)

Note: If the date inserted in this block does not meet the applicable statutory filing requirements, this date will not be listed as the document's effective date on the Department of State's records.

Adoption of Amendment(s) (CHECK ONE)

- The amendment(s) was/were adopted by the shareholders. The number of votes cast for the amendment(s) by the shareholders was/were sufficient for approval.
- The amendment(s) was/were approved by the shareholders through voting groups. *The following statement must be separately provided for each voting group entitled to vote separately on the amendment(s)*
 - "The number of votes cast for the amendment(s) was/were sufficient for approval by N/A (voting group)"
- The amendment(s) was/were adopted by the board of directors without shareholder action and shareholder action was not required.
- The amendment(s) was/were adopted by the incorporators without shareholder action and shareholder action was not required.

Dated NOVEMBER 21, 2017

Signature: 
(by a director, president or other officer - if directors or officers have not been selected, by an incorporator - if in the hands of a receiver, trustee, or other court appointed fiduciary by that fiduciary)

EMILY DUQUETTE

(Typed or printed name of person signing)

SECRETARY

(Title of person signing)

Save Form Reset Form Print Form



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

DEP Form # 62-701.0005, F.A.C.
Form Title: Permit Transfer Form
Effective Date: January 6, 2010
Incorporated in Rule: 62-701.320(11), F.A.C.

APPLICATION FOR TRANSFER OF PERMIT OR NOTIFICATION OF NAME CHANGE

GENERAL REQUIREMENT: Permit transfers for Solid Waste Management Facilities shall be permitted in accordance with Florida Administrative Code (F.A.C.) Rule 62-701.320(11). A transfer of permit is required upon the sale or transfer of a facility. A transfer of permit is also required if a new or different person takes ownership or control of the facility. A transfer of permit is not required if the facility or permittee simply changes its name, although the permittee must notify the Department of such a change. Two copies of this form shall be submitted to the Department District Office having jurisdiction over the facility for either the Notification of Name Change or Transfer of Permit.

PART I. GENERAL INFORMATION TO BE COMPLETED BY THE CURRENT PERMITTEE

Permit No. 0288830-005-SO-MM Date Issued: 10/22/2015 Date Expires: 12/04/2018
Existing Facility Name: Triumvirate Environmental (Florida), Inc. County: Orange
Facility Location: 10100 Rocket Blvd. City: Orlando
(Street or Road - Do Not Use P.O. Box)
Permittee: Triumvirate Environmental (Florida), Inc.
(Company or Legal Entity Name as Listed on the Permit)
Authorized Representative or Permittee: John McQuillan
(Print or Type Name of Person)
Title: CEO Email: jmcquillan@triumvirate.com Telephone: (800) 966-9282
Mailing address: 200 Inner Belt Rd. Somerville, MA 02143
(Street or P.O. Box) (City, State and Zip)

PART II. CHECK ALL BOXES THAT APPLY AND COMPLETE AS DIRECTED

1. **Permit requires financial assurance documentation.** You must attach a copy of documentation to this form indicating that the financial assurance mechanism has been or will be modified to reflect proposed name changes (facility or legal entity name) of the current permittee or if the permit is to be transferred, the applicant (proposed new permittee) must provide new proof of financial assurance. Send original signature financial assurance documentation with a copy of this form to:

Solid Waste Financial Coordinator
Department of Environmental Protection
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

For further financial assurance information, visit www.dep.state.fl.us/waste/categories/swfr/ or call the financial coordinator at 850-245-8732. If box 1 is checked and you believe financial assurance does not need to be modified, attach an explanation of why no modification is required.

2. **The current Permittee (Owner or Operator) will remain the same, however the facility name and / or name of the permittee (company or legal entity name) will change. Complete Part III.**

Northwest District
160 Governmental Center
Pensacola, FL 32501-6794
850-595-8300

Northeast District
7825 Baymeadows Way, Ste. B200
Jacksonville, FL 32256-7590
904-807-3300

Central District
3319 Maguire Blvd., Ste. 232
Orlando, FL 32803-3787
407-694-7555

Southwest District
3804 Coconut Palm Dr.
Tampa, FL 33618
813-632-7800

South District
2285 Victoria Ave., Ste. 364
Fort Myers, FL 33901-3681
239-332-6075

Southeast District
400 North Congress Ave.
West Palm Beach, FL 33401
561-881-6800

3. The permit will be transferred. Control of facility has changed or will change (e.g., sale of facility; sale of more than 50% of stock; merger where permittee does not survive) or real property has been or will be transferred by sale or devise. Both the current permittee and the applicant (proposed new permittee), must complete and sign Part IV. A fee of \$50 shall be submitted with the application for Transfer of Permit by check made payable to the Department of Environmental Protection (DEP).

PART III. NOTIFICATION OF NAME CHANGE (You checked Box 2.)

TO BE COMPLETED BY CURRENT PERMITTEE (Fill in changes or "no Change" as appropriate.)

New Facility Name: Triumvirate Environmental Services, Inc.

New Permittee Name: Triumvirate Environmental Services, Inc.
(Company or Legal Entity Name)

Signature: *John McQuillen, Jr.* Date: 05/03/2018
(Authorized Representative or Current Permittee)

PART IV. TRANSFER OF PERMIT (You checked Box 3.)

A. TO BE COMPLETED BY THE CURRENT PERMITTEE

The undersigned hereby affirms, under penalty of perjury, that ownership or control of this facility has been or will be transferred to the applicant below, and also agrees to assign his/her rights as permittee (or authorized representative of the permittee) to the applicant below if the Department agrees to the transfer of the permit.

Signature: _____ Date: _____
(Authorized Representative or Current Permittee)

Type or Print Name: _____ Title: _____

B. TO BE COMPLETED BY THE APPLICANT (PROPOSED NEWPERMITTEE)

The undersigned hereby affirms, under penalty of perjury, that he/she has or intends to acquire title to or control of this facility; that he/she has examined the application and documents submitted by the current permittee on which the permit was based and states that they accurately and completely describe the permitted activity or project; that he/she is familiar with the permit, agrees to comply with its terms and conditions, and agrees to assume the rights and liabilities set forth in the permit; and that he/she understands that any substantial changes in the design or operation of the facility will require a separate permit modification. He/she also agrees to promptly notify the Department of any future changes in ownership of, or responsibility for, the permitted activity or project. **Attach a letter of authorization if you are other than the owner or corporate officer.**

New Permittee: _____
(Company or Legal Entity Name)

Facility name: _____
(As given by Applicant - May remain the same)

Signature: _____ Date: _____
(Authorized Representative or Applicant)

Type or Print Name: _____ Title: _____

Mailing address: _____
(Street or P.O. Box) (City, State and Zip)

Email: _____ Telephone: (____) _____

Triumvirate Environmental, Inc. (Triumvirate) began servicing the hazardous waste industry on April 19, 1988. By the following year, Triumvirate established its headquarters in Quincy, MA. Within 6 years, Triumvirate expanded rapidly and had to relocate to Somerville, MA. It was that same year, 1994, that the mission statement and guiding principles were developed. Now, TEI is a company that has locations across the United States and Canada, servicing 4 different niches. As a pioneer in innovation, Triumvirate opened a recycling plant that turns medical waste into plastic lumber. The company has grown from one man with an idea to a company employing over 620 employees.

Triumvirate Environmental, Inc. (Triumvirate) began servicing the hazardous waste industry on April 19, 1988. By the following year, Triumvirate established its headquarters in Quincy, MA. Within 6 years, Triumvirate expanded rapidly and had to relocate to Somerville, MA. It was that same year, 1994, that the mission statement and guiding principles were developed. Now, TEI is a company that has locations across the United States and Canada, servicing 4 different niches. Triumvirate now has facilities in New York, New Jersey, Massachusetts, Maine, Rhode Island, Connecticut, Pennsylvania, Maryland, Virginia, North Carolina, Florida, and Canada. For more than 29 years, Triumvirate has continued a steady growth to its current position as the leading provider of environmental services. As a pioneer in innovation, Triumvirate opened a recycling plant that turns medical waste into plastic lumber. The company has grown from one man with an idea to a company employing over 620 employees.

Alongside our team of industry experts, we have built a network of facilities and offices across North America, enabling us to provide our clients with a focused local service, yet with the support of a national service provider. Our team of over 620 employees, over 200 service vehicles, and 13 regional operations hubs, including several RCRA Part-B TSDFs, give us the resources and flexibility to easily meet the diverse needs of our clients on a routine basis, whilst retaining the capacity to shift resources where needed on demand. Currently Triumvirate services 210 Higher Education clients, 187 Healthcare clients, 568 Industrial clients, 353 Life Science clients, and 303 non-niche clients.

Triumvirate Environmental (Florida) Inc. (TEI) predecessor was Perma-Fix of Ft. Lauderdale Inc., (PFFL) whose predecessor was Integrated Resource Recovery Inc. Integrated Resource Recovery, Inc was started in 1984 as a wholesale distributor of motor oil and automotive equipment. In 1985, the company began to collect and dispose of waste oil as a service to its customers. In response to rapid growth in demand for waste oil collection services and the profit potential associated with fuel oil sales, the wholesale distribution of motor oil was discontinued and waste oil collection was expanded.

With the installation of a waste water treatment unit in 1987, TEI expanded its waste removal treatment capabilities to include non-hazardous and oil wastewaters. Coinciding with the installation of wastewater treatment unit, TEI expanded its waste removal services to include hazardous waste, oil filters, and non-hazardous sludge's. Following the promulgation of the Toxic Characteristic rule in 1990, the company was grand fathered as a RCRA Part A facility for the treatment of D018-D043 hazardous waste. In 1990, TEI expanded into industrial waste removal services by the purchase of two mobile vacuum units.

In May 1993 Integrated Resource Recovery, Inc. was purchased by Quadrex Environmental Services, Inc. (Quadrex) headquartered in Gainesville, Florida. Under the ownership of Quadrex, Intergrated Resource Recovery terminated its RCRA Part A status and initiated design and permitting activities necessary to support a \$2,000,000 dollar facility expansion and upgrade. This expansion and upgrade focused on improved processing and treatment technologies to support Integrated Resource Recovery's primary business activity, the transportation and reclamation of used oil and oily wastewaters.

In July 1994, Quadrex and all subsidiaries (e.g. Integrated Resource Recovery Inc.) were purchased by Perma-Fix Environmental Services Inc. In December 1994 Integrated Resource Recovery changed its legal name to Perma-Fix of Ft. Lauderdale, Inc. In December 1994 PFFL received its Letter-of-Adequacy from the U.S. Coast Guard. In August 2011 Perma-Fix of Fort Lauderdale was purchased by Triumvirate Environmental (Florida) Inc., and the name change also occurred in that month. Since receiving the Letter-of-Adequacy from the U.S. Coast Guard TEI has successfully removed and reclaimed millions of gallons of oily waste from vessels throughout southeast Florida without discharge or release to the environment. Additionally, TEI currently provides hazardous waste removal and disposal services for various cruise lines based out of Port Everglades.

Mission/Vision

Our company mission is: "Build the most productive, long-term, customer intimate environmental services firm by 'Wowing' each employee and each client every day."

Our guiding principles are:

- We provide superb service because we understand our customers;
- Through training, we are committed to the growth of our employees;
- We build our business through repeat customers;
- We operate to safeguard our employees and customers from harm;
- Through hard work, efficiencies and education, we provide superior services; and
- As professionals, we respect one another.

Management Philosophy

Triumvirate has built and managed hazardous waste management, collection and disposal programs for clients in specialty chemical and life sciences, healthcare, higher education and industrial niches for more than 26 years. We pride ourselves on aligning our services and outcomes with the strategic organizational imperatives of our customers. As the leader in providing hazardous waste disposal services to a number of the most important organizations in the USA, we realize that customer service/customer intimacy is vital to build a long-term partnership with our clients.

At all times, we continuously strive to:

- **Create sustainable partnerships** – We seek to partner with our clients, anticipating their waste management needs and working with them closely to find the most cost-effective, high quality, safe and regulatory compliant solutions for them;
- **Provide constant innovation** – We study our client's waste management operations and seek sustainable ways to improve efficiencies, and reduce programmatic costs;
- **Engage in continuous measurement** - We will frequently measure the impact of our process innovations to demonstrate to you the value of our services; and
- **Take a creative approach** – We will take creative steps to meet our client's needs. We will seek out new transfer station and waste disposal solutions that will help lower their waste management costs, and, in addition, continuously review alternative strategies (including process changes and new technology to favorably impact sustainability, quality and green stewardship).

Guiding Principles

- We provide superb service because we understand our customers.
- Through training we are committed to the growth of our employees.
- We build our company through repeat customers that match our profile.
- We operate to safeguard our employees from physical harm
- Through hard work, efficiency, and dedication, we provide superior services.
- Profit provides security to our customers and allows us to reinvest in our people, our company, and our community.
- As professionals, we respect one another.

Facility Fact Sheet:



Address: 3670 SW 47th Ave, Davie, FL 33314

Phone Number: 954-583-3795

Type: Used Oil and Material Processing Facility; 10-Day Transfer Facility; Bio-Medical Waste Storage; Universal Waste Storage; United States Coast Guard Permitted

Overview: Triumvirate's capabilities in Davie, FL include the ability to process used oil in our 10,000 and 20,000 gallon processing tanks on-site. Proprietary physical and chemical methodologies are used to treat incoming oil and create a quality recycled product for sale; used oil and processed wastes are stored within the tank farm. Conversely, non-hazardous drummed waste are stored within the warehouse, and processed and solidified wastes are comingled inside of a roll-off container. Hazardous wastes are held in the 10-day transfer area and are tracked using a proprietary electronic tracking system. Biomedical wastes are stored in a specific section of the drum storage building, treatment facility.

Permit Information

EPA ID:	FLD980559728		
Treatment Storage Disposal Facility:	26916-HO-008	Issued – 01/08/2014	Expires – 11/06/2018
Solid Waste:	0288830-003-SO-31	Issued – 01/10/2014	Expires – 12/04/2018
Used Oil Transport & Storage:	FLD980559728	Issued – 05/01/2013	Expires – 06/30/2016
Universal Waste Transport & Storage:	FLD980557728	Issued – 01/08/2014	Expires – 03/01/2016
Bio Waste Transport & Storage:	48-64-1374849	Issued – 08/12/2013	Expires – 09/30/2015
Rx Drug Handling:	5326	Issued – 02/10/2014	Expires – 12/31/2015

Capabilities

Certificate of Insurance:

Expires – 12/31/2015

Triumvirate Davie can process used oil with the resulting product being sold as a fuel. This process involves the collection of used oil from car dealerships, automotive business, and other used oil generating activities. The storage capacity of the facility is over 365,000 gallons with an additional 30,000 gallons of processing space. As part of the processing, solid waste is generated and disposed of in accordance with the Solid Waste permit.

Triumvirate Davie also operates a 10-day transfer facility and can accept bio-hazardous waste, universal waste, and non-hazardous waste. These wastes are stored inside the warehouse, and the non-hazardous waste can be solidified and comingled inside the roll-off container. Incompatible waste items are kept separate from one another while in storage.

Solvents: Permitted	Cyanides & Sulfides: Permitted	Chemotherapy Wastes: Permitted
Wastewater Treatment Sludge: Permitted	Metal Bearing Solids: Permitted	Universal Wastes: Permitted
Oil: Permitted	Air/Water Reactives: Permitted	Regulated Recyclable Materials: Permitted
Oily Solids: Permitted	Compressed Gases: Permitted	Radioactives: Prohibited
Class 1 A Flammables: Permitted	PCB Items: Permitted	Explosives: Prohibited
Corrosives: Permitted	Pharmaceutical Wastes: Permitted	Medical/Infectious Wastes: Permitted

US Coast Guard Approved

DOT HAZMAT Certificate of Registration; Hazardous Waste Transportation Permit; Universal Waste Transporter; Used Oil Transporter; Biomedical Waste Transporter Permit; Broward County Waste Transporter permit; Miami-Dade County Waste Transporter Permit

Triumvirate Environmental Services, Inc.
Davie, FL facility Managers/Supervisors

Kevin Coulon
General Manager, Southeast Division
Year with Company: 12 Years

John Lennon
General Manager, Davie Facility
Years with Company: 32 Years

Alex Keller
Program Manager (Lab & Onsite Support Services)
Years with Company: < 1 year

Kevin Coulon, CHMM
200 Inner Belt Road Somerville, MA 02143
Phone: (617) 594-6142 Email: kcoulon@triumvirate.com

PROFESSIONAL EXPERIENCE

Triumvirate Environmental, Inc. (2005-Present)

Regional Service Director – Field Services and Industrial (2015-present)

- Directs and oversees field services, wastewater, and industrial operations in the New England region
- Works to develop new working relationships with current and prospective clients based on project history and preventative maintenance assessments
- Manages emergency response program and performance for New England
- Provides assessments of facilities from a regulatory standpoint and provides a detailed report of findings to help clients reach full environmental and safety compliance

Preventative Maintenance Services & Emergency Response Manager (June 2013 – 2015)

- Managed the wastewater department, routine field service decontamination and onsite support
- Managed the Emergency Response program for all of New England overseeing the program and responses
- Provided assessments of facilities from a regulatory standpoint and provides a detailed report of findings to help clients reach full environmental and safety compliance

General Branch Manager (2010 - 2013)

- Responsible for managing and expanding the operations in the Connecticut branch for Triumvirate
- Managed the RCRA/DOT training program for all customers

Operations Specialist (2008-2010)

Environmental Specialist (2005-2010)

EDUCATION

Bridgewater State University

- B.S., Geography (Environmental & Geotechnology)

CERTIFICATIONS AND SKILLS

- OSHA 40hr HAZWOPER
- RCRA
- DOT
- CPR/First Aid
- CHMM

Alex P. Keller

M: 651.233.0855

E: alexkeller04@gmail.com

905 Carlee Circle
Boynton Beach, FL 33426

[linkedin.com/in/alexkeller04](https://www.linkedin.com/in/alexkeller04)

Specialties

Project Management, Contract Administration,
and Environmental Sustainability

Experience

Program Manager – Triumvirate Environmental
Feb 2018 to present Davie, FL

- Solve waste disposal challenges for highly demanding customers in the life science, healthcare, education and industrial sectors.
- Manage and train staff for the safe collection, disposal and shipping of hazardous wastes and materials.
- Train environmental specialists on EPA, DOT and OSHA rules and regulations including; inspections, storage, transportation, packaging, and safety information records.
- Research Federal Code of Regulations regarding the EPA, DOT and OSHA for implications on customer activities including; manufacturing, research, and healthcare.
- Aid in maintaining compliance with federal, state and local laws regarding operation and training for staff.

Assistant Project Manager
Nov 2011 to Feb 2018

Lynn University
Boca Raton, FL

Completed Projects

- Perper Residence Hall - managed purchase orders, project documentation and invoicing for a 49,750 square foot residence hall opened August 2017 – *total spending of \$18.4 million*
- Lynn University Center - managed purchase orders, project documentation and invoicing for a 62,000 square foot facility with cafeteria, servery, kitchen, bookstore and office spaces, construction began May 2017 to be completed December 2018. – *total spending \$34 million*
- Florida Power & Light campus wide infrastructure upgrade; completed June 2017, coordinated design and engineering, managed GC and purchase orders – *total spending of \$1 million.*
- Lynn University Greenhouse Gas Inventory for 2015-2016; oversee student intern, teach research methodology and compose analysis and implications for the University.
- Lynn Lakes - coordinated the reshaping and dredging of a campus lake improving campus storm water retention. Oversaw permitting process through Lake Worth Drainage District. - *total spending \$550k, completed August 2016*
- Snyder Sanctuary - facilitated construction of a new 3,900 square foot spiritual center through schedule reminders, budget updates, and documentation reviews. – *total spending of \$3.3 million, completed in fall of 2015*
- Energy Performance Contract – managed invoices and purchase orders, day to day construction activities upgrading campus wide lighting, HVAC systems, and natural gas services. – *guaranteed savings of \$17.6 million over 20 years, total spending of \$10.6 million, completed spring 2015.*

- Central Energy Plant – Responsible for budget tracking, close-out documentation and meeting minutes for project meetings during planning and construction.
- Revised Main Campus Entrance, in 2012 - coordinated contractors, engineers and architects during construction.
- Pool Upgrades - managed the selection, purchasing and construction, of (3) 500 MBTU heat exchangers for Lynn’s swimming facilities. – *total spending of \$125k*, completed in 2012
- 2012 Presidential Debate - prepared planning documents (plans, layouts, and diagrams).

Educational Events

- J-term Citizenship projects; an annual hands-on environmental educational experience for more than 500 students annually. - Created planning documents, coached project leaders, and wrote educational messaging. (2013-2017)
- Sustainability Speaker Series; a lunch and learn series on environmental sustainability topics. – organized speakers, facilities and marketing for four events annually. (2013-2017)
- Sustainability Day, an annual Sustainability Education Fair for 250 - 300 attendees annually. Organized more than 30 presenters, event advertising, catering, and sponsors. (2014-2016)

Field Chemist

April 2011 to Dec 2017 (Previously with CH Minnesota from 2009 to 2010)

Clean Harbors Environmental

Broward, FL

- Ensure safe collection, identification and packing of household hazardous wastes (e.g., chemicals, electronics, oils, etc.) dropped off by Broward residents.
- Utilize knowledge of DOT regulations to label hazardous materials accordingly.
- Educate visitors on services offered and importance of proper collection of hazardous wastes.

Sustainable Business Services Coordinator

Aug 2010 to March 2011

Minnesota Waste Wise

Saint Paul, MN

- Conducted environmental sustainability assessments focusing on waste reduction, energy efficiency, and resource conservation for large and small businesses.
- Managed membership services, invoices, and wrote articles for monthly educational newsletters.

Technical Skills

- Procore Project Management – Expert
- Microsoft Office Suite – Expert
- Adobe Creative Suite – Expert
- AutoCAD – Intermediate
- Microsoft Project – Intermediate



PORT EVERGLADES DEPARTMENT – Business Administration Division
1850 Eller Drive, Fort Lauderdale, Florida 33316-4201 • 954-523-3404 • FAX 954-525-1910

June 29, 2018

Via E-Mail: JLennonjr@Triumvirate.com

John Lennon, General Manager
Triumvirate Environmental Services, Inc.
3701 SW 47th Avenue, Suite 109
Davie, FL 33314

Dear Mr. Lennon:

We are in receipt of the application of Triumvirate Environmental Services, Inc. for renewal of its Vessel Oily Waste Removal Service Franchise at Port Everglades. The following items are needed to complete the application, and shall be received no later than **Monday, July 9, 2018**.

Page 2, Section A.1 – Officers. William Lyons, Michael Lombardi, and Richard Barry are listed on the application as Officers. However, they are not listed as officers with the Florida Department of State, Division of Corporations. Don Siegel and Emily Duquette are registered as officers with the Florida Department of State, Division of Corporations. However, they are not listed as officers on the application.

Page 2, Section A.2 – Resumes for each Officer. Please submit a resume for Don Siegel and Emily Duquette.

Page 4, Section G.2. – Managerial Employees. Alex Keller's resume was missing from the application. Please submit resume.

Page 9, Section R – Promoting Growth at Port Everglades. Please submit a statement addressing how the company will promote and develop growth at Port Everglades.

Page 10, Section U – Waste Transporter Certificate. Please provide the Waste Transporter Certificate issued by Broward County Environmental Protection Department.

Page 10, Section W – Terminal Facility Discharge Prevention and Response Certificate. Please provide a copy of Triumvirate Environmental Service, Inc. current Terminal Facility Discharge Prevention and Response Certificate from the Florida Dept. of Environmental Protection.

Page 10, Section Z – Discharge Cleanup Certificate. Please submit an approved Discharge Cleanup Organization Certificate form the Florida Dept. of Environmental Protection.

Page 13 – Application Signature. Please have one of the officers listed with the Florida Department of State, Division of Corporations execute this application and legally bind the Applicant or add John

Lennon Jr. as an officer. You can also, provide a corporate resolution or documents authorizing John Lennon Jr. to legally bind the Applicant.

As soon as we receive these items, we can continue processing your company's application. If you have questions, please contact me at (954) 468-0112, or by e-mail at aosornobelleme@broward.org.

Sincerely,

Ángela Osorno Belleme

Ángela Osorno Belleme
Franchise and Business Permit Manager

Cc: Jorge Hernández, Enterprise Director of Administration
Mitch Cohen, Enterprise Assistant Director of Administration

John Lennon, Jr.

General Manager

954-583-3795

Jlennon@triumvirate.com

John Lennon serves at the General Manager of Triumvirate Environmental (Florida) and is responsible for profit/losses, compliance, operations, sales and personnel. In his current role John ensures that the largest clients are being serviced at the highest level, and that the all of the employees are exhibiting the WoW level of service.

John has been in the waste oil and waste disposal industry since 1975. For ten years John owned and operated an oil truck disposal and delivery service in New England. From 1985 to date John has worked at the facility that is currently Triumvirate Environmental (Florida). During his tenure before his role as General Manager John had been in charge of Product Sales and Service, Sales Manager, and Operations Manager.

Client#: 1036089

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/26/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER USI Insurance Services LLC-CL 75 John Roberts Road, Building C South Portland, ME 04106 855 874-0123	CONTACT NAME: PHONE (A/C, No, Ext): 855 874-0123 FAX (A/C, No): 877-775-0110 E-MAIL ADDRESS:														
	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : Ironshore Specialty Insurance Co</td> <td>25445</td> </tr> <tr> <td>INSURER B : New Hampshire Insurance Company</td> <td>23841</td> </tr> <tr> <td>INSURER C : National Union Fire Ins Pittsburgh, PA</td> <td>19445</td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Ironshore Specialty Insurance Co	25445	INSURER B : New Hampshire Insurance Company	23841	INSURER C : National Union Fire Ins Pittsburgh, PA	19445	INSURER D :		INSURER E :		INSURER F :
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INSURED Triumvirate Environmental Services, Inc. 3701 SW 47th Ave, Suite 109 Davie, FL 33314															

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> BI/PD Ded:100000 GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:		002615002	12/31/2017	12/31/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$25,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
C	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> MCS90		CA2820176 AOS CA2820177 MA	12/31/2017 12/31/2017	12/31/2018 12/31/2018	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		002615102	12/31/2017	12/31/2018	EACH OCCURRENCE \$25,000,000 AGGREGATE \$25,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/ <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		WC028250882 FL	12/31/2017	12/31/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A	Contractors Poll. Professional Liab		002615002 002615002	12/31/2017 12/31/2017	12/31/2018 12/31/2018	\$1,000,000 Per Occ. \$1,000,000 Each Claim

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Environmental Package (General Liability, Professional, Contractors Pollution and Site Pollution)

Coverages Limits of Insurance/Deductible

Each Occurrence Limit:

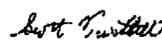
COVERAGE PART I: Coverage A, B, C Inclusive \$1,000,000/\$100,000

Coverage A: General Bodily Injury and Property Damage Liability

(See Attached Descriptions)

CERTIFICATE HOLDER

CANCELLATION

Triumvirate Environmental Services, Inc. 10100 Rocket Blvd. Orlando, FL 32824	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Client#: 1036089

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DATE (MM/DD/YYYY)

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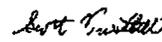
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 Coverage A: General Bodily Injury and Property Damage Liability
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CERTIFICATE HOLDER Insurance Verification Only	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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**Triumvirate Environmental, Inc. and
Subsidiaries**

**Consolidated Financial Statements
Years Ended December 31, 2016 and 2015**

The report accompanying these financial statements was issued by
BDO USA, LLP, a Delaware limited liability partnership and the U.S. member of
BDO International Limited, a UK company limited by guarantee.

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Triumvirate Environmental, Inc. and Subsidiaries

Consolidated Financial Statements
Years Ended December 31, 2016 and 2015

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Triumvirate Environmental, Inc. and Subsidiaries

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Consolidated Financial Statements	
Balance Sheets	6-7
Statements of Income and Retained Earnings	8
Statements of Cash Flows	9-10
Notes to Financial Statements	11-29

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Tel: 617-422-0700
Fax: 617-422-0909
www.bdo.com

Two International Place
Boston, MA 02110-1745

Independent Auditor's Report

To the Board of Directors
Triumvirate Environmental, Inc. and Subsidiaries
Somerville, Massachusetts

We have audited the accompanying consolidated financial statements of Triumvirate Environmental, Inc. and Subsidiaries, which comprise the consolidated balance sheet as of December 31, 2016, and the related consolidated statements of income and retained earnings and cash flows for the year then ended, and the related notes to the consolidated financial statements.

Management's Responsibility for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

BDO USA, LLP, a Delaware limited liability partnership, is the U.S. member of BDO International Limited, a UK company limited by guarantee and forms part of the International BDO network of independent member firms.

BDO is the brand name for the BDO network and for each of the BDO Member Firms.

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Opinion

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of Triumvirate Environmental, Inc. and Subsidiaries as of December 31, 2016, and the results of their operations and their cash flows for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

Other Matter - 2015 Consolidated Financial Statements

The 2015 consolidated financial statements were audited by Feeley & Driscoll, P.C., whose partners and professional staff joined BDO USA, LLP as of May 1, 2016, and whose report dated April 27, 2016, expressed an unmodified opinion on those consolidated financial statements.

BDO USA, LLP

May 12, 2017

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Consolidated Financial Statements

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Triumvirate Environmental, Inc. and Subsidiaries
Consolidated Balance Sheets

<i>December 31,</i>	2016	2015
Assets		
Current Assets:		
Cash and equivalents	\$ 290,710	\$ 56,157
Accounts receivable, net of allowance for doubtful accounts of \$809,618 and \$589,199 in 2016 and 2015, respectively	19,430,828	15,162,465
Supplies inventory	785,172	666,026
Inventory	640,904	1,059,301
Current maturities of notes receivable, employees	25,000	25,000
Prepaid expenses and other current assets	2,407,266	2,384,389
Total Current Assets	23,579,880	19,353,338
Property and Equipment:		
Construction-in-process	17,317,675	8,085,538
Motor vehicles	9,819,229	7,555,084
Equipment	9,768,749	6,724,173
Buildings and improvements	9,118,245	9,020,511
Computer software	2,615,990	2,606,147
Computer equipment	1,830,573	1,761,949
Leasehold improvements	1,793,228	1,722,459
Furniture and fixtures	807,448	727,046
Land	4,437,762	4,403,187
	57,508,899	42,606,094
Less accumulated depreciation and amortization	19,167,499	16,991,688
Net Property and Equipment	38,341,400	25,614,406
Other Assets:		
Investments, restricted	95,158	109,298
Security deposits	207,451	218,311
Intangible assets, net	1,262,369	1,928,558
Goodwill, net	2,618,480	2,945,665
Notes receivable, employees, less current maturities	250,000	150,000
Cash surrender value of officers' life insurance	1,349,674	1,130,873
Closure funds and other assets	1,212,829	1,210,087
Total Other Assets	6,995,961	7,692,792
Total Assets	\$ 68,917,241	\$ 52,660,536

See accompanying independent auditor's report and notes to consolidated financial statements.

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Triumvirate Environmental, Inc. and Subsidiaries
Consolidated Balance Sheets

<i>December 31,</i>	2016	2015
Liabilities and Stockholder's Equity		
Current Liabilities:		
Current maturities of long-term debt	\$ 2,486,191	\$ 1,599,443
Current portion of capital lease obligation	414,244	-
Current acquisition liabilities	473,461	449,445
Cash overdraft	2,373,774	2,905,700
Accounts payable	5,693,863	4,415,422
Accrued distributions to stockholder	187,645	200,000
Accrued expenses and other current liabilities	8,768,831	5,891,129
Current portion of supplemental retirement agreements	-	200,000
Total Current Liabilities	20,398,009	15,661,139
Long-Term Liabilities:		
Note payable, line of credit	10,049,212	8,465,673
Long-term debt, less current maturities	17,023,926	14,661,741
Capital lease obligation, less current portion	1,640,855	-
Long-term acquisition liabilities	750,930	1,146,162
Deferred tax liability	555,000	285,000
Supplemental retirement agreements, less current portion	1,907,047	1,591,696
Deferred compensation	520,158	484,298
Total Long-Term Liabilities	32,447,128	26,634,570
Stock Appreciation Rights Liability	6,830,635	4,405,046
Commitments and Contingencies (Notes 10, 11, 12, 13, 14, 21)		
Stockholder's Equity:		
Common stock; no par value; 15,000 shares authorized; 100 shares issued and outstanding	100	100
Retained earnings	9,241,369	5,959,681
Total Stockholder's Equity	9,241,469	5,959,781
Total Liabilities and Stockholder's Equity	\$ 68,917,241	\$ 52,660,536

See accompanying independent auditor's report and notes to consolidated financial statements.

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Triumvirate Environmental, Inc. and Subsidiaries
Consolidated Statements of Income and Retained Earnings

<i>Years ended December 31,</i>	2016	2015
Revenues	\$ 101,980,004	\$ 85,097,459
Cost of revenues	71,876,805	60,791,631
Gross Profit	30,103,199	24,305,828
Selling, general and administrative expenses	23,412,829	20,219,721
Income from operations	6,690,370	4,086,107
Other (Expenses) Income:		
Other income	80,015	142,569
Gain on sale of property and equipment	5,969	8,501
Loss on investments, restricted	(14,140)	(15,440)
Interest expense	(1,224,817)	(778,818)
Income before state income tax expense	5,537,397	3,442,919
State income tax expense	345,091	192,330
Net Income	5,192,306	3,250,589
Stockholder Distributions	(1,910,618)	(1,804,645)
Retained Earnings, beginning of year	5,959,681	4,513,737
Retained Earnings, end of year	\$ 9,241,369	\$ 5,959,681

See accompanying independent auditor's report and notes to consolidated financial statements.

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Triumvirate Environmental, Inc. and Subsidiaries

Consolidated Statements of Cash Flows

<i>Years ended December 31,</i>	2016	2015
Cash Flows from Operating Activities:		
Net income	\$ 5,192,306	\$ 3,250,589
Adjustments to reconcile net income to net cash provided by operating activities:		
Bad debt expense (recovery)	194,739	(72,235)
Depreciation and amortization	3,401,234	2,790,309
Deferred tax expense	270,000	97,000
Loss on investments, restricted	14,140	15,440
Gain on sale of property and equipment	(5,969)	(8,501)
Stock appreciation rights compensation	2,425,589	1,068,800
Increase in cash surrender value of officers' life insurance	(218,801)	(243,561)
Increase (decrease) from a change in:		
Accounts receivable	(4,463,102)	(1,577,433)
Supplies inventory	(119,146)	(33,586)
Inventory	418,397	(29,643)
Prepaid expenses and other current assets	(22,877)	1,699,102
Accounts payable	1,278,441	2,145,491
Accrued expenses and other current liabilities	2,877,702	99,412
Supplemental retirement agreements	115,351	259,078
Deferred compensation liability	35,860	34,560
Net Cash Provided by Operating Activities	11,393,864	9,494,822
Cash Flows from Investing Activities:		
Issuances of notes receivable, employee	(100,000)	(25,000)
Purchases of property and equipment	(9,448,176)	(4,785,424)
Business combination, net cash expended	-	(100,000)
Proceeds from sale of property and equipment	71,256	10,000
(Decrease) increase in closure funds and other assets	(2,742)	1,105
Refund from (payments on) security deposits	10,860	(56,185)
Net Cash Used in Investing Activities	(9,468,802)	(4,955,504)

See accompanying independent auditor's report and notes to consolidated financial statements.

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Triumvirate Environmental, Inc. and Subsidiaries

Consolidated Statements of Cash Flows

<i>Years ended December 31,</i>	2016	2015
Cash Flows from Financing Activities:		
Net borrowings from note payable, line of credit	\$ 1,583,539	\$ 1,028,517
Payments on capital lease obligations	(187,336)	(4,146)
Payments on long-term debt	(1,831,265)	(863,477)
Proceeds from long-term debt	1,600,000	780,000
Financing fees paid	(29,332)	-
Payments on acquisition liabilities	(371,216)	(340,674)
Decrease in cash overdraft	(531,926)	(1,121,000)
Increase in financing costs	-	(143,404)
Distributions paid to stockholder	(1,922,973)	(3,881,193)
Net Cash Used in Financing Activities	(1,690,509)	(4,545,377)
Net Increase (Decrease) in Cash and Equivalents	234,553	(6,059)
Cash and Equivalents, beginning of year	56,157	62,216
Cash and Equivalents, end of year	\$ 290,710	\$ 56,157

Supplemental Disclosures of Cash Flow Information:

Cash paid during the year for:

Interest	\$ 1,238,430	\$ 792,431
Income Taxes	\$ 301,999	\$ 298,830

Supplemental Disclosures of Non-Cash Investing and Financing Activities:

During the years ended December 31, 2016 and 2015, the Company purchased \$3,355,249 and \$4,831,868 of property and equipment that was financed through a note payable with a bank, respectively.

During the year ended December 31, 2016, the Company acquired motor vehicles through capital leases totaling \$2,242,435.

Accrued stockholder distributions were \$187,645 and \$200,000 for the years ended December 31, 2016 and 2015, respectively.

See accompanying independent auditor's report and notes to consolidated financial statements.

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Triumvirate Environmental, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

1. Business Operations

Triumvirate Environmental, Inc. and Subsidiaries (the "Company") are environmental contractors specializing in providing a broad range of environmental services throughout the United States of America.

2. Significant Accounting Policies

A summary of the significant accounting policies followed by the Company in the preparation of the accompanying consolidated financial statements is set forth below:

Estimates

The preparation of consolidated financial statements in accordance with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the consolidated financial statements. Estimates also affect the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Basis of Consolidation

The accompanying consolidated financial statements include the accounts of Triumvirate Environmental, Inc. ("TEI") and its seven wholly-owned subsidiaries: Triumvirate Environmental (NYC), LLC ("TEI NYC"); Triumvirate Environmental (Baltimore), LLC ("TEI MD"); Enviro-Safe Corporation (NE) ("TEI NE"); TEI Windsor Properties, Inc. ("TEI Windsor"); Triumvirate Environmental (Florida), Inc. ("TEI FL"); Triumvirate Environmental (Pittsburgh), LLC ("TEI PITT"); and Commonwealth Recycling Services, Inc. ("CRS"). All intercompany profits, transactions, and balances have been eliminated.

Revenue Recognition

The Company provides environmental and industrial services through three segments: Waste Management and Disposal Services, Field Services, and Technical Services. The Company recognizes revenue when persuasive evidence of an arrangement exists, delivery has occurred or services have been rendered, the price is fixed or determinable, and collection is reasonably assured. Revenue is recognized net of estimated allowances for discounts and performance. The Company's revenues are generated by short-term projects, most of which are governed by master service agreements that are long-term in nature. The master service agreements are typically entered into with the Company's larger customers and outline the pricing and legal frameworks for such arrangements.

Waste Management and Disposal Services revenue is generated from fees charged for hazardous material management and disposal services, including onsite environmental management services, collection and transportation, packaging, recycling, and the treatment and disposal of hazardous and non-hazardous waste. Services are provided based on purchase orders or agreements with the customer and include prices based upon units of volume of waste, transportation, and other fees. Collection and transportation along with packaging revenues are recognized when the transported waste is received at the disposal facility. Revenues for treatment and disposal of hazardous waste

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are recognized when the waste is shipped to a third party for processing and disposal. Revenues for onsite environmental management services are recognized over the term of the agreements.

Field Service provides lab packing and other waste cleanup services on customer sites or other locations on a scheduled or emergency response basis, as well as oil and oil products recycling and PCB disposal. The Company's services are provided based on purchase orders or agreements with the customer and include prices based upon daily, hourly, or job rates for equipment, materials, and labor. Revenues are recorded as services are performed. The Company recognizes revenue from time-and-material arrangements as the services are provided and collectability is reasonably assured.

Technical Services revenue is generated from consulting, licensing support, environmental health and safety compliance, and wastewater services. These services are provided based on purchase orders or agreements with the customer and include prices based upon daily, hourly, or job rates for equipment, materials, and personnel. Revenue for wastewater services is recognized over the term of the agreements or as the service is performed. All other revenue for Technical Services is recognized when services are rendered.

Accounts Receivable and Allowance for Doubtful Accounts

The Company provides an allowance for doubtful accounts equal to estimated bad debt losses. The estimated losses are based on historical collection experience together with a review of the current status of the existing receivables. Normal receivables are due 30 days from issuance of the invoice.

Supplies Inventory

Inventory consists of supplies on hand and is valued at the lower of cost or market. Cost is determined on a first-in, first-out (FIFO) basis.

Inventory

Inventories are valued at the lower of cost (determined using the FIFO method) or market. Inventories consist of raw materials that will be used to create plastic lumber, and finished goods.

Investments

Debt and equity securities are presented in three categories for financial statement purposes. Debt or equity securities bought and held principally for the purpose of selling them in the near future are classified as "trading securities." If the Company intends to hold the security to maturity, then the classification is "held-to-maturity." Finally, if neither category is applicable, the securities are classified as "available-for-sale."

Trading securities are reported at fair value on the balance sheets with the corresponding unrealized gains and losses recorded in current year's earnings. Available-for-sale securities are also reported at fair value on the balance sheets, and unrealized gains and losses are also reported in current year's earnings because the Company made a generally accepted accounting principles election for this treatment instead of reporting any unrealized gains and losses as a separate component of stockholder's equity. Held-to-maturity securities are recorded at

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amortized cost. The Company determined the appropriate classification of its securities as trading in the years ended December 31, 2016 and 2015. See Note 5 for fair value disclosures related to investments.

Property and Equipment

All property and equipment are stated at cost. Major renewals, additions, and betterments are charged to the property accounts while replacement, maintenance, and repairs, which do not improve or extend the lives of the respective assets, are expensed in the year incurred. During the construction and development period of an asset, the costs incurred, including applicable interest costs, are classified as construction-in-process. The Company is in the process of outfitting a manufacturing facility in Pennsylvania that has not yet been placed in service at December 31, 2016.

Depreciation and Amortization

Depreciation and amortization are computed using the straight-line method over the estimated useful lives of the related assets as follows:

<u>Assets</u>	<u>Life in Years</u>
Motor Vehicles	5-7
Equipment	5-10
Buildings and improvements	39
Computer software	3-5
Computer equipment	3-5
Leasehold improvements	*
Furniture and fixtures	5-7

*Lessor of the Life of the Lease or the Estimated Useful of the Asset

Depreciation and amortization expense on property and equipment was \$2,254,078 and \$1,513,978 for the years ended December 31, 2016 and 2015, respectively.

Investments Restricted

The Company has investments administratively restricted for the payment of deferred compensation related to non-qualified deferred compensation agreements that the Company has with key employees (see Note 8).

The Company has elected to include the change in fair value on restricted investments as a component of current year's earnings.

Security Deposits

The Company has security deposits for existing lease agreements.

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Notes to Consolidated Financial Statements

Intangible Assets, including Goodwill

The Company accounts for its customer lists, permits, and non-compete agreements as intangible assets and amortizes their cost over their estimated useful life. In addition, the Company assesses qualitative factors in order to determine whether it is more likely than not that the fair value of the intangible asset is less than its carrying amount. In the event the Company determines it is more likely than not the assets may be impaired, then certain quantitative factors must be assessed to determine the fair value of the assets. If the fair market value becomes less than the carrying amount of intangible assets, an adjustment to reduce the carrying amount of intangible assets to fair market value will be made at that time (see Note 9).

The Company follows Accounting Standards Update (ASU) 2014-02, *Accounting for Goodwill, A Consensus of the Private Company Council*. Under ASU 2014-02, the Company has elected to amortize its existing goodwill over 10 years on a straight-line basis. The Company will test goodwill for impairment only when a triggering event occurs, instead of annually. In that situation, entities will elect to perform the test either at an entity-wide level or the reporting level. The amount of impairment, if any, would be determined by comparing the fair value of the entity or reporting unit to its carrying amount. The Company has elected to perform the test at the entity-wide level. The Company has determined that no triggering events have occurred during fiscal years 2016 or 2015.

Impairment of Long-lived Assets

Long-lived assets to be held and used are tested for recoverability whenever events or changes in circumstances indicate that the related carrying amount may not be recoverable. When required, impairment losses on assets to be held and used are recognized based on the excess of the asset's carrying amount over the fair value of the asset. Certain long-lived assets to be disposed of by sale are reported at the lower of carrying amount or fair value less cost to sell. During 2016 and 2015, there were no impairment losses recognized for long-term assets.

Income Taxes

The Company has elected to tax TEI, TEI Windsor, TEI NE, TEI PITT, and CRS as Subchapter S corporations, as provided in Section 1362(a) of the Internal Revenue Code. The Company has elected to treat TEI FL, TEI MD, and TEI NYC as sole member LLCs. As such, the corporate income or loss and credits are passed through to the stockholder and combined with his income and deductions to determine taxable income on his individual federal return. The state income tax results from income being recognized and taxed at the corporate level under some state tax regulations.

Provisions for income taxes are based on taxes payable or refundable for the current year and deferred taxes on temporary differences between the amount of taxable income and pretax financial income and between the tax basis of assets and liabilities and their reported amounts in the financial statements. Deferred tax assets and liabilities are included in the financial statements at currently enacted income tax rates applicable to the period in which the deferred tax assets or liabilities are expected to be realized or settled. As changes in the tax laws are enacted, deferred tax assets and liabilities are adjusted through the provision for income taxes.

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The Company recognizes tax benefits only in the event that a position is more likely than not to be sustained upon examination by the applicable taxing authority. There are currently no income tax audits in progress at December 31, 2016, and the Company does not believe they have any uncertain tax positions.

Newly Adopted Accounting Pronouncements

In November 2015, the FASB issued Accounting Standards Update ("ASU") No. 2015-17, *Income Taxes (Topic 740): Balance Sheet Classification of Deferred Taxes*, which requires that all deferred tax assets and liabilities along with any related valuation allowance, be classified as noncurrent in the balance sheet. The amendments in this accounting standard are effective for non-public companies for interim and annual reporting periods beginning after December 15, 2018, with early application permitted. The Company has chosen to early adopt ASU No. 2015-17 as of December 31, 2016, on a retrospective basis.

In April 2015, the FASB issued ASU 2015-03, *Interest - Imputation of Interest (Subtopic 835-30) Simplifying the Presentation of Debt Issuance Costs* ("ASU 2015-03"). ASU 2015-03 states that entities that have historically presented debt issuance costs as an asset, related to a recognized debt liability, are required to present those costs as a direct deduction from the carrying amount of that debt liability. ASU 2015-03 does not change the recognition, measurement, or subsequent measurement guidance for debt issuance costs. The guidance was effective for the Company as of January 1, 2016, and was adopted. This new guidance reduced total assets and total long-term debt on its consolidated balance sheets by amounts classified as intangible assets, financing costs, but did not have any other effect on its consolidated financial statements when adopted. As of December 31, 2016 and 2015, the Company included \$188,173 and \$313,122, respectively, of unamortized financing fees as a reduction of debt (see Note 12).

Advertising

Advertising costs are expensed in the year incurred. Advertising expense was \$336,890 and \$317,075 for the years ended December 31, 2016 and 2015, respectively.

Reclassification of Prior Year's Balances

Certain account balances as of December 31, 2015, have been reclassified to enhance financial statement comparability.

Subsequent Events

Management has evaluated events and transactions subsequent to the consolidated balance sheet date for potential recognition or disclosure in the consolidated financial statements through May 12, 2017, which is the date the consolidated financial statements were available for issuance.

3. Acquisitions

On February 18, 2015, TEI acquired substantially all the assets of Around the Clock Compliance, Inc. The acquisition was accounted for using the purchase method of accounting in accordance with FASB Accounting Standards Codification 805, *Business Combinations*.

See accompanying independent auditor's report.

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The purchase price was assigned to the assets acquired based on their fair values. The following table represents the allocation of the purchase price:

Assets and Liabilities

Assets:	
Customer list	\$ 65,000
Employee agreement	34,000
Equipment	1,000
Goodwill	60,000
<hr/>	
Total Assets	160,000
<hr/>	
Acquisition liability	(60,000)
<hr/>	
Total Cash Purchase Price	\$ 100,000

Acquisition Liability - Earnout

In addition to the cash consideration paid to Around the Clock Compliance, Inc., the Company is required to make earnout payments based upon gross sales revenue. The earnout period commenced on February 18, 2015, and ends on February 17, 2018. If the gross sales revenue generated and collected by the Company for services provided to the acquired customers for each of the 12 month periods commencing on the day after the closing date through February 17, 2018, is greater than \$1,000,000, then the Company shall pay 1.748% of the gross sales revenue from the first dollar for each such 12 month period. Earnout payments shall be calculated yearly, after the first, second, and third anniversaries of the closing date and paid within 45 days of the anniversary of the closing date. The contingent consideration liability was \$30,555 and \$60,000 at December 31, 2016 and 2015, respectively.

4. Cash and Equivalents

The Company considers its holdings to be cash equivalents if the instruments mature within 90 days from the date of acquisition and have no penalty for early withdrawal.

The Company has a potential concentration of credit risk in that it sometimes maintains deposits with financial institutions in excess of amounts insured by the Federal Deposit Insurance Corporation (FDIC). The maximum deposit insurance amount is \$250,000, which is applied per depositor, per insured bank for each account ownership category. As of December 31, 2016 and 2015, the Company did not have holdings in excess of FDIC limits.

5. Fair Value Measurements

The Financial Accounting and Standards Board (FASB) has defined three levels of inputs that may be used to measure fair value:

- Level 1 - Quoted prices in active markets for identical assets or liabilities;
 - Level 2 - Observable inputs other than Level 1 prices, such as quoted prices for similar assets or liabilities; quoted prices in markets that are not active; or other inputs
- See accompanying independent auditor's report.*

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Triumvirate Environmental, Inc. and Subsidiaries

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that are observable or can be corroborated by observable market data for substantially the full term of the assets or liabilities;
Level 3 - Unobservable inputs that are supported by little or no market activity and that are significant to the fair value of the assets or liabilities.

The following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in methodologies at December 31, 2016 and 2015.

Assets

Investments, restricted: The Company uses quoted market prices to determine the fair value of money market, debt, and equity securities, which are publicly-traded and are included in Level 1.

Fair value measurements on a recurring basis: Financial assets and liabilities are classified in their entirety based on the lowest level of input that is significant to the fair value measurements. The Company's assessment of the significance of a particular input to the fair value measurements requires judgment and may affect the valuation of the assets and liabilities being measured and their placement within the fair value hierarchy.

The following table presents the asset balance measured at fair value on a recurring basis by level as of December 31, 2016:

	Level 1	Level 2	Level 3	Total
Investments, restricted:				
Cash equivalents	\$ 15,908	\$ -	\$ -	\$ 15,908
Equities:				
Small core	38,970	-	-	38,970
Mid growth	8,900	-	-	8,900
Real estate investment trust	31,380	-	-	31,380
Total equities	79,250	-	-	79,250
Total Investments, restricted	\$ 95,158	\$ -	\$ -	\$ 95,158

The following table presents the asset balance measured at fair value on a recurring basis by level as of December 31, 2015:

	Level 1	Level 2	Level 3	Total
Investments, restricted:				
Cash equivalents	\$ 16,308	\$ -	\$ -	\$ 16,308
Equities:				
Small core	39,090	-	-	39,090
Mid growth	8,140	-	-	8,140
Real estate investment trust	45,760	-	-	45,760
Total equities	92,990	-	-	92,990
Total Investments, restricted	\$ 109,298	\$ -	\$ -	\$ 109,298

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6. Notes Receivable, Employees

The Company has an executed note receivable from an employee. The balance of the note is \$175,000 and \$75,000 at December 31, 2016 and 2015, respectively. The note was amended in 2016 to increase the loan by \$100,000 and amend the due date to July 1, 2026. Interest was 4% per annum at December 31, 2016, and the note is unsecured.

The Company also has another executed note receivable with a different employee. The note is to be collected on November 8, 2018, for \$100,000 plus the amount of all accrued interest due under the note. The note includes interest of 3% and is unsecured.

The balance of the notes receivable was \$275,000 and \$175,000 at December 31, 2016 and 2015, respectively.

7. Cash Surrender Value of Life Insurance

The Company is the owner of two insurance policies (the "Policies") for two active executives of the Company, for which the executives designate the beneficiary.

Upon death of the executive, the Company has the right to retain the greater of (a) the total amount of premiums paid under these Policies or (b) the cash surrender value of the Policies, reduced by any loans against the Policies. The balance of death benefit is payable to the executives' designated beneficiary. The Policies are terminated if and upon employment termination.

The Company shall pay the full amount of the annual premiums to the insurers on or before the due date of each policy premium. The cumulative amount of premiums paid by the Company, through the years ended December 31, 2016 and 2015, was \$1,320,000 and \$1,150,000, respectively. The cash surrender value on these policies as of December 31, 2016 and 2015, was \$1,349,674 and \$1,130,873, respectively. The Company reports, as an asset, the cash surrender value of the policies.

8. Investments, Restricted

The following is a summary of investments, restricted and unrealized appreciation of investments, related to deferred compensation (see Note 19) as of December 31, 2016:

	Fair Value	Cost	Cumulative Unrealized Loss
Investments, restricted:			
Cash equivalents	\$ 15,908	\$ 15,908	\$ -
Equities	79,250	149,997	(70,747)
	\$ 95,158	\$ 165,905	\$ (70,747)

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The following is a summary of investments, restricted and unrealized appreciation of investments, related to deferred compensation (see Note 19) as of December 31, 2015:

	Fair Value	Cost	Cumulative Unrealized Loss
Investments, restricted:			
Cash equivalents	\$ 16,308	\$ 16,308	\$ -
Equities	92,990	149,997	(57,007)
	<u>\$ 109,298</u>	<u>\$ 166,305</u>	<u>\$ (57,007)</u>

The unrealized investment loss for the years ended December 31, 2016 and 2015, was \$14,140 and \$15,440, respectively.

9. Intangible Assets and Goodwill

Intangible assets were comprised of the following at December 31, 2016:

	Amortization Period	Cost	Accumulated Amortization	Net Book Value
Related to the Acquisition of TEI NE:				
Customer lists	3 - 7 years	\$ 1,565,000	\$ 1,532,342	\$ 32,658
Employee agreements	3 years	34,000	20,777	13,223
Total Intangible Assets - TEI NE		<u>1,599,000</u>	<u>1,553,119</u>	<u>45,881</u>
Related to the Acquisition of TEI FL:				
Customer lists	7 years	2,500,000	1,904,762	595,238
Related to the Acquisition of TEI PA:				
Permits	5 years	850,000	233,750	616,250
Domain name	-	5,000	-	5,000
		<u>\$ 4,954,000</u>	<u>\$ 3,691,631</u>	<u>\$ 1,262,369</u>

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Intangible assets were comprised of the following at December 31, 2015:

	Amortization Period	Cost	Accumulated Amortization	Net Book Value
Related to the Acquisition of TEI NE:				
Customer lists	3 - 7 years	\$ 1,565,000	\$ 1,518,056	\$ 46,944
Employee agreements	3 years	34,000	9,444	24,556
Total Intangible Assets - TEI NE		1,599,000	1,527,500	71,500
Related to the Acquisition of TEI FL:				
Customer lists	7 years	2,500,000	1,547,619	952,381
Permits	5 years	1,549,509	1,351,582	197,927
Total Intangible Assets - TEI FL		4,049,509	2,899,201	1,150,308
Related to the Acquisition of TEI PA:				
Permits	5 years	850,000	148,750	701,250
Domain name	-	5,500	-	5,500
		\$ 6,504,009	\$ 4,575,451	\$ 1,928,558

Goodwill was comprised of the following at December 31, 2016:

	Cost	Accumulated Amortization	Net Book Value
Related to the acquisition of TEI NE	\$ 359,826	\$ 71,966	\$ 287,860
Related to the acquisition of AES	464,750	92,950	371,800
Related to the acquisition of TEI PITT	1,500,000	300,000	1,200,000
Related to the acquisition of CRS	887,276	177,456	709,820
Related to the acquisition of ATCC	60,000	11,000	49,000
	\$ 3,271,852	\$ 653,372	\$ 2,618,480

See accompanying independent auditor's report.

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Triumvirate Environmental, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Goodwill was comprised of the following at December 31, 2015:

	Cost	Accumulated Amortization	Net Book Value
Related to the acquisition of TEI NE	\$ 359,826	\$ 35,984	\$ 323,842
Related to the acquisition of AES	464,750	46,475	418,275
Related to the acquisition of TEI PITT	1,500,000	150,000	1,350,000
Related to the acquisition of CRS	887,276	88,728	798,548
Related to the acquisition of ATCC	60,000	5,000	55,000
	<u>\$ 3,271,852</u>	<u>\$ 326,187</u>	<u>\$ 2,945,665</u>

Amortization expense was \$992,875 and \$1,118,891 for the years ended December 31, 2016 and 2015, respectively, including goodwill amortization of \$327,185 and \$326,187 for the years ended December 31, 2016 and 2015, respectively. Amortization expense will be \$327,185 for the years ended 2017 - 2021, and \$982,555 thereafter.

10. Closure Funds and Other Assets

Included in other assets are cash reserves the Company is required to maintain by the states of New York and Massachusetts. The Company is required to maintain minimum cash reserves to ensure the Company has the funds available to process the hazardous materials and transport the waste to the final destination in the event the Company's operations ceased. As of December 31, 2016 and 2015, the cash reserves totaled \$647,829 and \$645,087, respectively. The remaining balance is insurance escrow funds of \$565,000 at December 31, 2016 and 2015.

11. Note Payable, Line of Credit

The Company has a long-term agreement with a bank for a revolving note payable, line of credit with a maximum borrowing availability of \$16,500,000 and \$13,500,000 at December 31, 2016 and 2015, respectively. The Company may borrow advances not to exceed the lesser of (a) the sum of 90% of all eligible accounts subject to credit insurance acceptable to lender, plus 85% of all other eligible accounts receivable, 40% of all eligible lumber inventory (not to exceed \$2,000,000), and 80% of all eligible burner fuel inventory (not to exceed \$1,000,000) or (b) the maximum borrowing availability less the face amount of any undrawn letters of credit issued on behalf of the Company. The note payable, line of credit expires in September 2018. See Note 13 for letters of credit totaling \$1,805,559 and \$1,795,559, reducing maximum availability to \$14,694,441 and \$11,704,441 at December 31, 2016 and 2015, respectively.

The note payable, line of credit bears interest at the London Interbank Offered Rate ("LIBOR") plus 2.50%. The interest rate was 3.27% and 2.93% at December 31, 2016 and 2015, respectively. The note payable, line of credit is collateralized by substantially all the business assets of the Company and is subject to certain financial covenants measured on a consolidated basis. At December 31, 2016 and 2015, the Company had outstanding borrowings of \$10,049,212 and \$8,465,673, respectively, and the Company was in compliance with all covenants. The line is not expected to be paid down in 2017 and is classified as a long-term liability.

See accompanying independent auditor's report.

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Triumvirate Environmental, Inc. and Subsidiaries
Notes to Consolidated Financial Statements

12. Long-term Debt

The following is a summary of long-term debt:

<u>December 31,</u>	<u>2016</u>	<u>2015</u>
Mortgage note payable to a bank, in the original amount of \$3,200,000, refinanced in 2016 to \$4,000,000 at the LIBOR rate plus 2.50%. Payable in monthly principal installments of \$16,667, plus interest through September 2026 when a balloon payment for the remaining principal and interest is due. The note is collateralized by the related building and substantially all the business assets of the Company.	\$ 3,960,000	\$ 2,520,000
Mortgage note payable to a bank, in the original amount of \$1,066,000, at the LIBOR Rate plus 2.50%. Payable in monthly principal installments of \$4,441, plus interest through April 2021 when a balloon payment for the remaining principal and interest is due. The note is collateralized by the related building and substantially all the business assets of the Company.	777,219	830,514
Note payable, equipment, to a bank, in the original amount of \$1,500,000, due in monthly principal installments of \$15,465, plus interest at the LIBOR rate plus 2.50%. The note was collateralized by the related equipment of the Company and was paid off in April 2016.	-	61,859
Note payable to a bank, in the original amount of \$750,000, due in monthly principal installments of \$12,500, plus interest at the LIBOR rate plus 2.50%. The note is collateralized by substantially all the business assets of the Company and matured in April of 2016.	-	50,000
Note payable, equipment, to a bank, in the original amount of \$125,350, due in monthly principal installments of \$2,089, plus interest at the LIBOR rate plus 3.01%. The note is collateralized by the related equipment of the Company and matures in August of 2017.	16,713	41,783

See accompanying independent auditor's report.

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Triumvirate Environmental, Inc. and Subsidiaries
Notes to Consolidated Financial Statements

<p>Note payable, equipment, to a bank, in the original amount of \$136,909, due in monthly principal installments of \$2,282, plus interest at the LIBOR rate plus 2.50%. During 2015 and 2014, there was a total of \$3,441,729 and \$419,198, respectively, in additions for this note. The note is now interest only until 2016, when monthly principal installments of \$66,631 are due. The note is collateralized by the related equipment of the Company and matures in April of 2021.</p>	\$ 3,398,161	\$ 3,997,836
<p>Note payable, equipment, to a bank, in the original amount of \$33,698, due in monthly principal installments of \$562, plus interest at the LIBOR rate plus 2.50%. The note is collateralized by the related equipment of the Company and matures in March of 2018.</p>	8,424	15,164
<p>Note payable, equipment, to a bank, in the original amount of \$1,500,000, due in monthly principal installments of \$25,000, plus interest at the LIBOR rate plus 2.50%. The note is collateralized by the related equipment of the Company and matures in October of 2020.</p>	775,000	1,075,000
<p>Note payable, equipment, to a bank, in the original amount of \$1,055,638, due in monthly principal installments of \$17,500, plus interest at the LIBOR rate plus 2.50%. The note is collateralized by the related equipment of the Company and matures in October of 2020.</p>	633,383	844,511
<p>Note payable, equipment, to a bank, related to an equipment line of credit with maximum borrowings of \$9,000,000, due in monthly principal installments of \$64,900, plus interest at the LIBOR rate plus 2.50%. The Company refinanced the agreement in 2016 with additional borrowings of \$3,355,249. The note is collateralized by the related equipment of the Company and matures in March 2023.</p>	4,420,890	1,390,139
<p>Mortgage note payable to a bank, in the original amount of \$780,000, at the LIBOR rate plus 2.50%. Payable in monthly principal installments of \$3,250, plus interest through February 2035. The note is collateralized by the related building and substantially all the business assets of the Company.</p>	708,500	747,500

See accompanying independent auditor's report.

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Triumvirate Environmental, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

Note payable to a bank, in the original amount of \$5,000,000, plus interest at a rate of 10% payable in monthly installments. The principal of the note is due in full on or before June 2022. The note is collateralized by substantially all the business assets of the Company. This note is subordinated to all other long-term debt.	\$ 5,000,000	\$ 5,000,000
	19,698,290	16,574,306
Less current maturities	2,486,191	1,599,443
Less unamortized financing fees	188,173	313,122
	\$ 17,023,926	\$ 14,661,741

Amortization expense on the financing fees was \$154,281 and \$157,440 for the years ended December 31, 2016 and 2015, respectively.

Various notes payable listed above are subject to certain financial covenants. The Company was in compliance with all covenants at December 31, 2016 and 2015.

Aggregate maturities of long-term debt are as follows:

<u>Years ending December 31,</u>	
2017	\$ 2,486,191
2018	2,553,753
2019	4,927,068
2020	4,540,940
2021	1,216,095
Thereafter	3,974,243
	\$ 19,698,290

13. Letters of Credit

The Company had ten and nine irrevocable letters of credit with a bank at December 31, 2016 and 2015, respectively. One of the letters of credit was issued to secure potential liabilities related to contingencies and has a maximum credit limit, if needed, of \$1,178,874 at December 31, 2016 and 2015. The remaining letters of credit were issued as a requirement to operate in various states and have a maximum credit limit totaling \$626,685 and \$616,685 at December 31, 2016 and 2015, respectively. A commitment fee of 2.75% of the outstanding balance is charged annually.

See accompanying independent auditor's report.

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Triumvirate Environmental, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

14. Capital Lease Obligations

The Company leases equipment under capital lease arrangements. The assets are included in property and equipment. The leases require monthly rental payments ranging from \$382 to \$5,468, with terms varying from 48 to 72 months.

Property under capital leases consisted of the following for the:

<i>Years ended December 31,</i>	2016	2015
Equipment	\$ 2,242,435	\$ 54,467
Less accumulated amortization	154,955	54,467
Net Book Value of Equipment	\$ 2,087,480	\$ -

Amortization expense relating to the capital lease assets for the years ended December 31, 2016 and 2015, was \$154,955 and \$8,893, respectively.

Minimum lease payments under capital lease agreements are as follows:

<i>Years ending December 31,</i>		
2017	\$	469,706
2018		469,705
2019		469,705
2020		450,740
2021		363,255
Thereafter		140,140
Total future minimum lease payments		2,363,251
Less amount representing interest		(308,152)
Present value of minimum lease payments		4,418,350
Less current portion		(414,244)
Long Term	\$	1,640,855

15. Income Taxes

The provision for state income taxes consists of the following:

<i>Years ended December 31,</i>	2016	2015
Current expense	\$ 75,091	\$ 95,330
Deferred expense	270,000	97,000
Total State Income Tax Expense	\$ 345,091	\$ 192,330

See accompanying independent auditor's report.

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Triumvirate Environmental, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

The following represents the approximate amount of each significant type of temporary difference giving rise to the deferred state income tax liability at:

<i>December 31,</i>	2016	2015
Stock appreciation rights liability	\$ 340,000	\$ 218,000
Supplemental retirement agreements	95,000	90,000
Deferred compensation	26,000	24,000
R&D equipment expense	(470,000)	(200,000)
Cash method	(422,000)	(380,000)
Other deferred tax liabilities	(124,000)	(37,000)
Net Deferred Tax Liability	\$ (555,000)	\$ (285,000)

The gross amount of deferred income resulting from temporary differences related to the cash method of accounting for income tax purposes was approximately \$8,450,000 and \$7,592,000 at December 31, 2016 and 2015, respectively.

The Company makes distributions to the stockholder to cover the federal and state income taxes on his individual return. The federal and state taxes are a result of the corporate taxable income that has passed through to the stockholder as a result of the Subchapter S status. The Company accrued distributions of \$187,645 and \$200,000 at December 31, 2016 and 2015, respectively, to cover these taxes.

16. Lease Commitments

The Company has leases for its office and warehouse facilities in various locations under non-cancelable operating leases expiring at various dates through 2025.

Rent expense for the years ended December 31, 2016 and 2015, under these leases amounted to approximately \$2,122,001 and \$1,765,368, respectively.

The Company is obligated under various operating leases for equipment and vehicles. The lease terms range from 12 to 84 months. Monthly payments under each individual lease arrangement range from \$32 to \$6,277. The Company also leases equipment for various job sites on an as needed basis. Lease expense for the years ended December 31, 2016 and 2015, under these equipment and vehicle lease agreements was \$1,097,715 and \$579,781, respectively.

See accompanying independent auditor's report.

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Triumvirate Environmental, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

The future minimum lease payments for all leases are as follows:

Years ending December 31,

2017	\$ 2,846,570
2018	2,509,295
2019	2,123,601
2020	1,765,786
2021	1,273,149
Thereafter	2,136,858
	\$ 12,655,259

17. Retirement Plan

The Company has a defined contribution plan under Section 401(k) of the Internal Revenue Code. The plan has a discretionary matching feature. The Company, at its discretion, may elect to make a supplemental contribution. For the years ended December 31, 2016 and 2015, the Company made supplemental contributions of \$204,514 and \$189,783 respectively, which is included in employee benefits and 401(k) contribution.

18. Stock Appreciation Rights Liability

The Company has stock appreciation rights plans with three key executives. Under the terms of these agreements, the executives are eligible to receive 42.5% of either (a) the net book value of the Company (as defined in the agreements) upon meeting vesting requirements or (b) the net consideration received from a change of control event. For 2016 and 2015, the liability was determined based on the net book value of the Company (as defined in the agreements). These executives are 100% vested in the plans. The stock appreciation rights are to be paid upon a change of control or termination from service. The stock appreciation rights are subordinate to the debt obligations held by the creditors described in Notes 11 and 12. The compensation expense incurred by the Company under this plan, during the years ended December 31, 2016 and 2015, amounted to \$2,425,589 and \$1,068,800, respectively.

The stock appreciation rights liability under this plan, as of December 31, 2016 and 2015, amounted to \$6,830,635 and \$4,405,046, respectively.

19. Deferred Compensation Plan

The Company has a non-qualified deferred compensation agreement with two key executives. The agreement provides for annual contributions to an investment account in the Company's name equal to a percentage of net income before taxes, as defined, subject to a maximum contribution of \$25,000 per year, per employee. The liability also increases or decreases to reflect the changes in the market value of the investment accounts. The Company maintains control over the investment account. The executives are 100% vested in the investment accounts immediately. The deferred compensation is to be paid upon a change of control, termination from service, or at the discretion of the stockholder. The Company made no contributions to the investment accounts related to this plan for the years ended December 31, 2009 through 2016, and a payment of \$425,000 and \$375,000 is required to fund this plan at December 31, 2016 and 2015, respectively.

See accompanying independent auditor's report.

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Mail original completed form to: Department of Environmental Protection For assistance call: 850-245-8707
2600 Blair Stone Road, Mail Station 4560
Tallahassee, Florida 32399-2400

**STATE OF FLORIDA
CERTIFICATE OF LIABILITY INSURANCE
HAZARDOUS WASTE TRANSPORTER AND USED OIL HANDLER**

1. NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA
(Name of Insurer)

(the "Insurer"), of 175 Water Street, New York, NY 10038
(Address of Insurer)

hereby certifies that it has issued liability insurance covering bodily injury and property damage including environmental restoration for sudden accidental occurrences to

Triumvirate Environmental (Florida), Inc.
(Name of Insured)

(the "Insured"), of 3701 SW 47th Avenue, Suite 109, Davie, FL 33314
(Physical Address of Insured)

in connection with the insured's obligation to demonstrate financial responsibility under Florida Administrative Code Rule 62-710.600(2) and 62-730.170. The coverage applies at:

<u>EPA/DEP I.D. No.</u>	<u>Name</u>	<u>Physical Address</u>
FLD980559728	Triumvirate Environmental Services, Inc.	10100 Rocket Blvd, Orlando, FL
FLD981018773	Triumvirate Environmental Services, Inc.	3670 SW 47th Ave, Davie, FL
MAC300016672	Triumvirate Environmental, Inc.	200 Inner Belt Road, Somerville, FL

(If coverage is for multiple facilities, identify each facility insured.)

This insurance is primary and the company shall not be liable for amounts in excess of \$ 2,000,000 for each accident, exclusive of legal defense costs. The coverage is provided under policy number CA2820176 AOS, issued on 12/31/2017 (date).

The effective date of said policy is 12/31/2017 (date) and the expiration date of said policy is 12/31/2018 (date).

This insurance is excess and the company shall not be liable for amounts in excess of \$ 2,000,000 for each accident in excess of the underlying limit of \$ 2,000,000 for each accident, exclusive of legal defense costs. The coverage is provided under policy number _____, issued on _____ (date). The effective date of said policy is _____ (date) and the expiration date of said policy is 12/31/2018 (date).

Mail original completed form to: Department of Environmental Protection For assistance call: 850-245-8707
2600 Blair Stone Road, Mail Station 4560
Tallahassee, Florida 32399-2400

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:
- (a) Bankruptcy or insolvency of the insured shall not relieve the Insurer of its obligations under the policy.
 - (b) The Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the Insurer.
 - (c) Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Protection (FDEP), the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.
 - (d) Cancellation of the insurance, whether by the Insurer or the Insured and any other termination of the insurance (e.g., expiration, non-renewal), will be effective only upon written notice and only after the expiration of thirty (30) days after a copy of such written notice is received by the Secretary of the FDEP as evidenced by certified mail return receipt.
 - (e) The Insurer shall not be liable for the payment of any judgment or judgments against the Insured for claims resulting from accidents which occur after the termination of the insurance described herein, but such termination shall not affect the liability of the Insurer for the payment of any such judgment or judgments resulting from accidents which occur during the time the policy is in effect.

I hereby certify that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one of more States including Florida.

Tom Thompson
(Signature of Authorized Representative of Insurer)

Tom Thompson
(Typed name)

Senior Underwriter
(Title)

Authorized Representative of

NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA
(Name of Insurer)

(Address of Representative)

Mail original completed form to: Department of Environmental Protection For assistance call: 850-245-8707
2600 Blair Stone Road, Mail Station 4560
Tallahassee, Florida 32399-2400

**STATE OF FLORIDA
CERTIFICATE OF LIABILITY INSURANCE
HAZARDOUS WASTE TRANSPORTER AND USED OIL HANDLER**

1. NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA
(Name of Insurer)
(the "Insurer"), of 175 Water Street, New York, NY 10038
(Address of Insurer)

hereby certifies that it has issued liability insurance covering bodily injury and property damage including environmental restoration for sudden accidental occurrences to

Triumvirate Environmental (Florida), Inc.
(Name of Insured)
(the "Insured"), of 3701 SW 47th Avenue, Suite 109, Davie, FL 33314
(Physical Address of Insured)

in connection with the insured's obligation to demonstrate financial responsibility under Florida Administrative Code Rule 62-710.600(2) and 62-730.170. The coverage applies at:

<u>EPA/DEP I.D. No.</u>	<u>Name</u>	<u>Physical Address</u>
FLD980559728	Triumvirate Environmental Services, Inc.	10100 Rocket Blvd, Orla, FL
FLD981018773	Triumvirate Environmental Services, Inc.	3670 SW 47th Ave, Davie, FL
MAC300016672	Triumvirate Environmental, Inc.	200 Inner Belt Road, Somerville, FL

(If coverage is for multiple facilities, identify each facility insured.)

This insurance is primary and the company shall not be liable for amounts in excess of \$ 2,000,000 for each accident, exclusive of legal defense costs. The coverage is provided under policy number CA2820177 MA, issued on 12/31/2017.
(date)

The effective date of said policy is 12/31/2017 and the expiration date of said policy is 12/31/2018.
(date)

This insurance is excess and the company shall not be liable for amounts in excess of \$ 2,000,000 for each accident in excess of the underlying limit of \$ 2,000,000 for each accident, exclusive of legal defense costs. The coverage is provided under policy number _____, issued on _____. The effective date of said policy is _____ and the expiration date of said policy is 12/31/2018.
(date)

Mail original completed form to: Department of Environmental Protection For assistance call: 850-245-8707
2600 Blair Stone Road, Mail Station 4560
Tallahassee, Florida 32399-2400

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:
- (a) Bankruptcy or insolvency of the insured shall not relieve the Insurer of its obligations under the policy.
 - (b) The Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the Insurer.
 - (c) Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Protection (FDEP), the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.
 - (d) Cancellation of the insurance, whether by the Insurer or the Insured and any other termination of the insurance (e.g., expiration, non-renewal), will be effective only upon written notice and only after the expiration of thirty (30) days after a copy of such written notice is received by the Secretary of the FDEP as evidenced by certified mail return receipt.
 - (e) The Insurer shall not be liable for the payment of any judgment or judgments against the Insured for claims resulting from accidents which occur after the termination of the insurance described herein, but such termination shall not affect the liability of the Insurer for the payment of any such judgment or judgments resulting from accidents which occur during the time the policy is in effect.

I hereby certify that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one of more States including Florida.

Tom Thompson
(Signature of Authorized Representative of Insurer)

Tom Thompson
(Typed name)

Senior Underwriter
(Title)

Authorized Representative of

NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA
(Name of Insurer)

(Address of Representative)

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Triumvirate Environmental, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

The deferred compensation liability under the agreement as of December 31, 2016 and 2015, was \$520,158 and \$484,298, respectively.

Employees are entitled to benefits under this plan in the amount of the fair market value of investments held by the related account, adjusted for any appreciation or depreciation in fair value up to the time of a distribution, plus the amount of any unremitted annual contribution to the related investment account. The Company is responsible for any income taxes on the income and gain or loss on sale of these investments.

Deferred compensation expense each year under these agreements is the amount of required contribution plus or minus the investment income from the account, including change in fair market value. Deferred compensation expense was \$50,000 for the years ended December 31, 2016 and 2015. The market value impact to the liability was a loss of \$14,140 and \$15,440 for the years ended December 31, 2016 and 2015, respectively.

A summary of the activity for the deferred compensation plan liability is shown below:

<i>December 31,</i>	2016	2015
Balance, beginning of year	\$ 484,298	\$ 449,738
Deferred Compensation Expense:		
Accrual of cash to fund into plan	50,000	50,000
Decrease in benefit due to decrease in market value on investment, restricted	(14,140)	(15,440)
	<u>\$ 520,158</u>	<u>\$ 484,298</u>

20. Supplemental Retirement Agreements

The Company has two supplemental retirement arrangements with current executives. The Company created these unfunded arrangements primarily to provide deferred compensation benefits for these executives.

The annual retirement benefits are allocated to the executives' retirement account in accordance with the schedule provided in the agreement. The benefits are allocated each year as the executives render services to the Company. The Company recorded an expense for these agreements during the years ended December 31, 2016 and 2015, of \$215,351 and 209,078, respectively.

The executives vest on December 31, 2018, assuming the executives have rendered full-time and continued services at all times between the effective date of the arrangement (January 1, 2009) and the vesting date. Prior to the vesting date, the executives shall be paid the full value of the accrued benefit in the event of a change of control, as defined in the agreement. The executives have elected to be paid out in a single lump-sum payment which is due and payable on or before the first day of the third month following the date that the executive is fully vested in the arrangement. The liability related to the supplemental retirement agreement accounts as of December 31, 2016 and 2015, was \$1,557,047 and \$1,341,696, respectively.

See accompanying independent auditor's report.

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Triumvirate Environmental, Inc. and Subsidiaries

Notes to Consolidated Financial Statements

The Company also has an incentive bonus plan with another key employee. The Company created this unfunded arrangement primarily to provide deferred compensation benefits for this employee.

The annual incentive benefit is allocated to the employee's bonus account in accordance with the schedule provided in the agreement. The Company recorded an expense for this agreement during the years ended December 31, 2016 and 2015, of \$100,000.

The employee will be entitled to receive a second lump-sum payment of \$750,000 if still employed by the Company in a full-time capacity on December 31, 2019, which will be paid on or before January 31, 2020. The employee received a first lump-sum payment of \$250,000, of which the employee received \$200,000 and \$50,000 during 2016 and 2015, respectively. The liability related to the incentive bonus plan as of December 31, 2016 and 2015, was \$350,000 and \$450,000, respectively.

21. Self Insurance Plan

The Company sponsors a self insurance plan, which provides to eligible employees certain medical and disability benefits. Under the plan, the Company is responsible for paying all claims covered by the plan up to a maximum amount of \$85,000 per family member, per plan year through December 31, 2016 and 2015. Claims in excess of the maximum amount are covered under a stop-loss insurance coverage provision. The plan is administered by an outside brokerage corporation, which receives a monthly fee for the administration of the plan and the processing of claims. Any amounts to be assessed to the Company based upon losses experienced in excess of losses allowed under the plan are accrued in the period they become known. Any amounts refundable to the Company are recorded in the premium period when such refundable amounts are reasonably assured of being realized. The accrual was \$242,500 and \$150,000 at December 31, 2016 and 2015, respectively.

22. Contingencies

The Company has been identified by the Environmental Protection Agency (EPA) as a Potentially Responsible Party at a certain Superfund Site (the "Site"). The EPA has issued over 2,000 Notices of Potential Liability for the Site. The Company is alleged to have transported certain waste to the Site. The Company believes that it has certain meritorious defenses to the EPA's claims and intends to vigorously defend its position. The Company has recorded a liability for the approximate amount of this potential claim of \$1,200,000, which is included in accrued expenses and other current liabilities at December 31, 2016 and 2015, respectively.

23. Concentrations

Transactions with one vendor accounted for approximately 23% and 21% of the Company's total disposal costs incurred during the years ended December 31, 2016 and 2015, respectively.

See accompanying independent auditor's report.

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Credit Information

Company Name: Triumvirate Environmental, Inc.
Bill to: 200 Inner Belt Road
Somerville, MA 02143
Attention: Accounts Payable

Telephone: (617) 628-8098
(800) 966-9282
Fax: (617) 628-8099

Bank Name: Webster Bank
Address: 100 Franklin Street
Boston, MA 02110

Phone: (617) 717-6841
Cell: (617) 680-4506
Fax: (617) 471-9203
Contact: Debra J. Drapalla
Account #: ABA #211370231
Account #1918002205
Email: ddrapalla@websterbank.com

Federal ID#: 04-3017601
Dun#: 19-634-9492

Trade References:

Ross Environmental Services Inc.
150 Innovation Drive
Elyria, OH 44035
Wendy Newton
t: (440) 366-2018
f: (440) 366-2309
wnewton@rossenvironmental.com
Account: Triumvirate

Complete Recycling Solutions
1075 Airport Road
Fall River, MA 02720
Keith Boyea
c: (508) 245-8963
o: (508) 402-7700 x703

Seljan Company
100 S.C.P. Ave
Lake Mills, WI 53551
Dru Laws
o: (920) 648-3402

Champion Container
75 Gilmore Drive
Sutton, MA 01590
Paul Alexander
o: (781) 910-8450
paula@championcontainer.com



Webster Bank, N.A.
185 Asylum Street
5th Floor
Hartford, CT 06103
WebsterBank.com

IRREVOCABLE STANDBY LETTER OF CREDIT NO. 10575

Date of issue: July 28, 2011

Beneficiary:
Broward County, Board of County Commissioners
Port Director, Broward County's Port Everglades Department
c/o Director of Business Administration
1850 Eller Drive
Fort Lauderdale, Florida 33316

Applicant :
Triumvirate Environmental, Inc.
61 Innerbelt Rd.
Sommerville, MA 02143

We hereby establish our irrevocable Standby Letter of Credit No. 10575 in favor of Broward County and for the account of Triumvirate Environmental, Inc., available by Broward County's drafts drawn on Webster Bank, N.A. payable at sight up to an aggregate amount of U.S. Dollars Forty Thousand and 00/100 (\$40,000.00) when accompanied by the following documents:

1. the original Letter of Credit
2. a signed statement from the Port Director of Broward County that the amount of the drawing represents amounts due and unpaid to BROWARD COUNTY arising from:

- (a) failure of Triumvirate Environmental, Inc. to pay to BROWARD COUNTY, when due, any and all tariff or other charges that have accrued at Port Everglades (whether relating to the furnishing of services or materials to Triumvirate Environmental, Inc., its principals, agents, servants or employees at Port Everglades; or, due to injury to property of Port Everglades; or, stemming from the use of Port Everglades facilities by Triumvirate Environmental, Inc., its principals, agents, servants or employees; or, otherwise); or
- (b) costs, expenses, losses, damages or injury sustained by BROWARD COUNTY from non-compliance by Triumvirate Environmental, Inc., its principals, agents, servants or employees with applicable laws, ordinances, rules and regulations of the federal, state and local governmental units or agencies (including but not limited to the terms and provisions of the BROWARD COUNTY Code of Ordinances, Administrative Code, and all procedures and policies of the Port Everglades Department), as amended from time to time; or

RECEIVED
2011 JUL 29 AM 10 10
PORT EVERGLADES DEPT.
BUSINESS ADMIN.

PAGE TWO IS AN INTEGRAL PART HEREOF

Page Two
RE: L/C No. 10575

- (c) costs, expenses, losses, damages or injury sustained by BROWARD COUNTY from any act, omission, negligence or misconduct of Triumvirate Environmental, Inc., its principals, agents, servants or employees in Port Everglades (whether causing injury to persons or otherwise).

Draft(s) and documents must be dated and presented to Webster Bank, N.A., CityPlace II, 5th Floor, 185 Asylum Street, Hartford, CT 06103 Attention: International Department not later than July 27, 2012.

This Letter of Credit shall be renewed for successive periods of one (1) year each unless we provide the Broward County Board of County Commissioners, through the Port Director of Broward County's Port Everglades Department at the above stated address, with written notice of our intent to terminate the Letter of Credit, which notice must be provided at least ninety (90) calendar days prior to the expiration date of the original term hereof or any extended one (1) year term.

Any draft drawn under this Letter of Credit shall bear the clause "Drawn under Webster Bank, N.A. Irrevocable Standby Letter of Credit No. 10575 dated July 28, 2011." The original Letter of Credit must accompany any drawing and the date and amount of each drawing paid must be endorsed on the reverse side of this Letter of Credit.

All bank charges and commissions incurred are for the account of Triumvirate Environmental, Inc.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision) International Chamber of Commerce Publication No. 600 and to the provisions of Florida law. If a conflict between the Uniform Customs and Practice for Documentary Credits and Florida law should arise, Florida law shall prevail. If a conflict between the law of another state or country and Florida law should arise, Florida law shall prevail.



Dana E. Jositas
Vice President

RECEIVED BY
PORT EVERGLADES DEPT.
BUSINESS ADMINISTRATION

2015 MAY -4 PM 2:23



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CityPlace II
185 Asylum Street, 5th Floor
Hartford, CT 06103-3944
860-692-1614 Fax
860-692-1635 Tel
Global Trade Service

May 1, 2015

Broward County, Board of County Commissioners
Port Director, Broward County's Port Everglades Department
c/o Director of Business Administration
1850 Eller Drive
Fort Lauderdale, Florida 33316

RE: Our Irrevocable Standby Letter of Credit No. 10575
Applicant: Triumvirate Environmental (Florida), Inc.

Gentlemen:

Please find, herewith, our Amendment to the subject Standby Letter of Credit along with a copy. Kindly sign the copy indicating your acceptance of the Amendment and then return it to the attention of the undersigned at the address showing on the letterhead.

Thank you.

A handwritten signature in blue ink, appearing to read 'D E Jositas', written over a horizontal line.

Dana E. Jositas
Vice President

RECEIVED BY
PORT EVERGLADES DEPT.
BUSINESS ADMINISTRATION

2015 MAY -4 PM 2: 23



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185 Asylum Street, 5th Floor
Hartford, CT 06103-3944
860-692-1614 Fax
860-692-1635 Tel
Global Trade Service

IRREVOCABLE STANDBY LETTER OF CREDIT NO. 10575

May 1, 2015

Beneficiary:

Broward County, Board of County Commissioners
Port Director, Broward County's Port Everglades Department
c/o Director of Business Administration
1850 Eller Drive
Fort Lauderdale, Florida 33316

Applicant:

Triumvirate Environmental (Florida), Inc.
3701 SW 47th Avenue
Suite 109
Davie, FL 33314

Available Amount:

U.S. Dollars 40,000.00 (*prior to this Amendment*)

We hereby amend our irrevocable Standby Letter of Credit No. 10575 as follows:

- The available amount is reduced by U.S. Dollars 20,000.00

All other terms remain the same.

A handwritten signature in blue ink, appearing to read 'D E Jositas', written over a horizontal line.

Dana E. Jositas
Vice President

RECEIVED BY
PORT EVERGLADES DEPT.
BUSINESS ADMINISTRATION

2015 MAY -4 PM 2: 23



WebsterBank®

LIVING UP TO YOU

CityPlace II
185 Asylum Street, 5th Floor
Hartford, CT 06103-3944
860-692-1614 Fax
860-692-1635 Tel
Global Trade Service

IRREVOCABLE STANDBY LETTER OF CREDIT NO. 10575

May 1, 2015

Beneficiary:

Broward County, Board of County Commissioners
Port Director, Broward County's Port Everglades Department
c/o Director of Business Administration
1850 Eller Drive
Fort Lauderdale, Florida 33316

Applicant:

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Davie, FL 33314

Available Amount:

U.S. Dollars 40,000.00 (*prior to this Amendment*)

We hereby amend our irrevocable Standby Letter of Credit No. 10575 as follows:

- The available amount is reduced by U.S. Dollars 20,000.00

All other terms remain the same.

A handwritten signature in black ink, appearing to read 'D E Jositas'.

Dana E. Jositas
Vice President

Accepted:

A handwritten signature in black ink, appearing to read 'Stan M. C...'.

Broward County, Board of County Commissioners
Port Director, Broward County's Port Everglades Dept.

From: (860) 692-1635
Dana Jositas
WEBSTER BANK
185 Asylum Street
Hartford, CT 06103

Origin ID: KXAA



Ship Date: 01MAY15
Act/Wgt: 0.5 LB
CAD: 103611514/INET3610

Delivery Address Bar Code



SHIP TO: (954) 523-3404 BILL SENDER
Director of Business Administration
Broward County Port Everglades Dept
1850 Eller Drive

Ref #
Invoice #
PO #
Dept # 00171

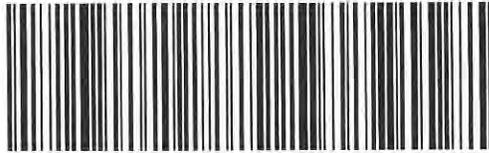
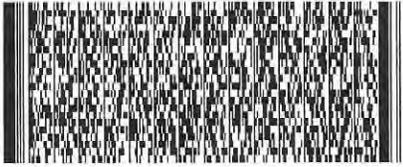
FORT LAUDERDALE, FL 33316

MON - 04 MAY AA
STANDARD OVERNIGHT

TRK# 7735 0753 4347
0201

33316
FL-US
FLL

SH HWOA



537J1/26E2/EE4E

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our ServiceGuide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Osorno-Belleme, Angela

From: Stupi, Edward
Sent: Tuesday, May 05, 2015 3:17 PM
To: Osorno-Belleme, Angela
Cc: Suli, Ecaterina; Jackson-Graves, Meoshi; Brasso, Leah; Fink, Judith; Hernandez, Jorge
Subject: RE: Triumvirate Environmental - LC 10575

In that case, the \$20,000 letter of credit is acceptable for the remaining franchise.

From: Osorno-Belleme, Angela
Sent: Tuesday, May 05, 2015 2:17 PM
To: Stupi, Edward
Cc: Suli, Ecaterina; Jackson-Graves, Meoshi; Brasso, Leah; Fink, Judith; Hernandez, Jorge
Subject: RE: Triumvirate Environmental - LC 10575

Ed,

I found the letter attached acknowledging the company's voluntary surrender of their vessel sanitary waste water services franchise effective March 28, 2014. They currently hold only one franchise at the Port to provide vessel oily waste removal services, expiring 10-13-2018.

Please advise how we should proceed.

Thanks,



Angela Osorno Belleme

Franchise Manager
Port Everglades Department
Business Administration Division
1850 Eller Drive, Suite 603, Ft Lauderdale, FL 33316-4201
954-468-0112 – Fax 954-525-1910
aosornobelleme@broward.org

From: Stupi, Edward
Sent: Tuesday, May 05, 2015 1:07 PM
To: Osorno-Belleme, Angela
Cc: Suli, Ecaterina; Jackson-Graves, Meoshi; Brasso, Leah
Subject: RE: Triumvirate Environmental - LC 10575

No, they did not. They have 2 franchises. There is a \$20,000 letter of credit for each franchise, for a total of \$40,000. It should not be reduced.

From: Osorno-Belleme, Angela
Sent: Tuesday, May 05, 2015 1:01 PM
To: Stupi, Edward
Cc: Suli, Ecaterina; Jackson-Graves, Meoshi
Subject: Triumvirate Environmental - LC 10575

Good afternoon Ed,

We received the attached document requesting the Port's acceptance of an amendment to reduce the LC in reference from \$40,000 to \$20,000. Did the company contact the finance division regarding this issue?

Thanks,



Angela Osorno Belleme

Franchise Manager

Port Everglades Department

Business Administration Division

1850 Eller Drive, Suite 603, Ft Lauderdale, FL 33316-4201

954-468-0112 – Fax 954-525-1910

aosornobelleme@broward.org



DEPARTMENT OF PORT EVERGLADES – Business Administration Division
1850 Eller Drive, Fort Lauderdale, Florida 33316-4201 • 954-523-3404 • FAX 954-525-1910

April 11, 2014

James Green, Vice President
Triumvirate Environmental (Florida), Inc.
3701 S.W. 47th Avenue, Suite 109
Davie, FL 33314

Via E-Mail: jgreen@triumvirate.com
and E-certified Mail

Dear Mr. Green:

Acknowledged is your letter which was e-mailed to the Port's Business Permit Manager on April 10, 2014. The letter states that Triumvirate Environmental (Florida), Inc. (Triumvirate) wishes to surrender its franchise agreement with Broward County to provide vessel sanitary waste water services at Port Everglades (Port), effective March 28, 2014. (The five-year franchise has an expiration date of March 28, 2017.) Accordingly, staff confirms that it will treat this franchise as being voluntarily surrendered by Triumvirate and of no further force or effect as of **March 28, 2014**.

We will request the Port's Finance Division to rescind Invoice #2014020093 for the annual franchise fee of \$2,250 (covering the annual franchise period ending March 29, 2015). Finance will also be requested to confirm that all outstanding financial obligations with the Port under the franchise have been met. Letter of credit #10575, in the amount of \$40,000, will be retained in our Business Administration Division as security for the remaining franchise (vessel oily waste removal service) held by Triumvirate.

Please feel free to contact Faye Janofsky, Business Permit Manager, at (954) 468-0114 (or by e-mail at fjanofsky@broward.org) with any questions.

Sincerely,

A handwritten signature in black ink that reads "Alan Hill".

Alan Hill
Director of Business Administration

Enclosure

cc: Judith Fink, Assistant Director of Business Administration
Faye Janofsky, Business Permit Manager
cc: John Lennon, General Manager; John Wyluda, Compliance Coordinator (Triumvirate)
Via E-Mail: jlennon@triumvirate.com; jwyluda@triumvirate.com

H:\wpdocs\fran:Triumvirate Volun Surr Sanitary Waste Franchise 2014.doc



Faye M. Janofsky
Business Permit Manager
Broward County Port Everglades Dept.
Business Administration Division
1850 Eller Drive
Fort Lauderdale, FL 33316

To whom it may concern,

Triumvirate Environmental (Florida), Inc. is voluntarily surrendering Triumvirate Environmental (Florida), Inc.'s vessel sanitary waste water removal service franchise at Port Everglades. The effective date for this is March 28th, 2014.

Sincerely,

A handwritten signature in blue ink that reads "James Green".

James Green
Vice President

TEI UNIT #	YEAR	VEHICLE ID#	CATEGORY	VEHICLE TYPE	MAKE	HAULER	REG # / STATE	
1080	1999	1FTWX32F8XEE38416	Pickup	Pick Up Truck	Ford		ARJX03	FL
2080	2007	1GDT8F43X7F414354	Vac	Pump Truck	GMC	TRUE	N0398M	FL
2081	2007	1GDT8F4307F414198	Vac	Pump Truck	GMC	TRUE	N0381M	FL
2084	2009	1FVACXB549HAH9919	Class B	Box Truck	Freightliner		N2486Q	FL
2085	2013	3ALACXB56DDFE3808	Class B	Box Truck	Freightliner		N14801	FL
4081	2001	1FUJAHBD71LH94023	Class A	Tractor	Freightliner	FALSE	HRCF31	FL
4090	2014	3AKJGEBG8E5F59323	Class A	Tractor	Freightliner	FALSE	CBRV38	FL
4091	2015	3AKJGEBGXFSGR8020	Class A	Tractor	Freightliner	FALSE	DCZA90	FL
4092	2015	3AKJGEBG1FSGR8021	Class A	Tractor	Freightliner	FALSE	DCYX99	FL
5080	1991	1C9UU28LXMC440046	Trailer	Trailer	Calen	TRUE	ARJX12	FL
5081	1984	1A9SMT125DC002243	Tank Tlr	Tank Trailer	Alliance	TRUE	0044CA	FL
5090	2001	1PMA2442111024154	Tank Tlr	Tank Trailer	Polar	TRUE	AZH22	FL
5091	2001	1PMA2442311024155	Tank Tlr	Tank Trailer	PTTI	TRUE	AZH223	FL
5094	1978	829790	Tank Tlr	Tank Trailer	Prog	TRUE	AYGU45	
5096	1979	96478	Trailer	Trailer	Great Dane	TRUE	AYGU44	
6080	1989	1A9114222K1005063	Tank Tlr	Tank Trailer	Arco	TRUE	4751CH	FL
6082	1970	F40589	Tank Tlr	Tank Trailer	Transmobile	TRUE	4748CH	FL
6083	1987	108GU5217HF008434	Tank Tlr	Tank Trailer	Brenner	TRUE	4749CH	FL
6085	1981	1PMS14124B1005515	Tank Tlr	Tank Trailer	Polar	TRUE	4253CE	FL
6087	1988	1B9271435K0008032	Tank Tlr	Tank Trailer	Brenner	TRUE	ARJX02	FL
6091	1976	MX789914	Tank Tlr	Tank Trailer	Fruehauf	TRUE	4746CH	FL
7081	1997	1M2P267C1VMQ29353	Vac	Vacuum Truck	Mack	TRUE	N31285	FL
7082	1999	1NKDXU0X1XJ820589	Vac	Vacuum Truck	Kenworth	TRUE	N2429X	FL
7086	2010	JL6FJJ1E8AK009212	Vac	Pump Truck	Mitsubishi	TRUE	N8735R	FL

BROWARD COUNTY LOCAL BUSINESS TAX RECEIPT

115 S. Andrews Ave., Rm. A-100, Ft. Lauderdale, FL 33301-1895 – 954-831-4000
VALID OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018

DBA:
Business Name: TRIUMVIRATE ENVIROMENTAL FLORIDA
 INC

Receipt #: 377-2649
Business Type: OFFICE/SALES/BUSINESS/ADMN
 (ADMINISTRATIVE OFFICE)

Owner Name: TRIUMVIRATE ENVIROMENTAL FLORIDA INC **Business Opened:** 12/19/1994
Business Location: 3701 SW 47 AVE 109 **State/County/Cert/Reg:**
 FT LAUDERDALE **Exemption Code:**
Business Phone: 954-583-3795

Rooms Seats Employees Machines Professionals

For Vending Business Only						
Number of Machines:			Vending Type:			
Tax Amount	Transfer Fee	NSF Fee	Penalty	Prior Years	Collection Cost	Total Paid
45.00	0.00	0.00	0.00	0.00	0.00	45.00

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS

**THIS BECOMES A TAX RECEIPT
 WHEN VALIDATED**

This tax is levied for the privilege of doing business within Broward County and is non-regulatory in nature. You must meet all County and/or Municipality planning and zoning requirements. This Business Tax Receipt must be transferred when the business is sold, business name has changed or you have moved the business location. This receipt does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.

Mailing Address:

TRIUMVIRATE ENVIROMENTAL FLORIDA I
 3701 SW 47 AVE 109
 FORT LAUDERDALE, FL 33314

Receipt # 1CP-16-03013145
paid 07/17/2017 45.00

2017 - 2018

BROWARD COUNTY LOCAL BUSINESS TAX RECEIPT

115 S. Andrews Ave., Rm. A-100, Ft. Lauderdale, FL 33301-1895 – 954-831-4000

VALID OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018

DBA: TRIUMVIRATE ENVIROMENTAL FLORIDA INC
Business Name: TRIUMVIRATE ENVIROMENTAL FLORIDA INC
Receipt #: 372-21
Business Type: WHOLESALE PETROLEUM (PETROLEUM PRODUCTS)

Owner Name: TRIUMVIRATE ENVIROMENTAL FLORIDA INC
Business Location: 3670 SW 47 AVE 211 FT LAUDERDALE
Business Phone: 954-583-3795
Business Opened: 12/16/1994
State/County/Cert/Reg:
Exemption Code:

Rooms Seats Employees Machines Professionals

For Vending Business Only						
Number of Machines:				Vending Type:		
Tax Amount	Transfer Fee	NSF Fee	Penalty	Prior Years	Collection Cost	Total Paid
112.50	0.00	0.00	0.00	0.00	0.00	112.50

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS

**THIS BECOMES A TAX RECEIPT
WHEN VALIDATED**

This tax is levied for the privilege of doing business within Broward County and is non-regulatory in nature. You must meet all County and/or Municipality planning and zoning requirements. This Business Tax Receipt must be transferred when the business is sold, business name has changed or you have moved the business location. This receipt does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.

Mailing Address:

TRIUMVIRATE ENVIROMENTAL FLORIDA I:
3670 SW 47 AVE 211
FORT LAUDERDALE, FL 33314

Receipt # WWW-16-00154980
Paid 09/21/2017 112.50

2017 - 2018

TRIUMVIRATE
ENVIRONMENTAL

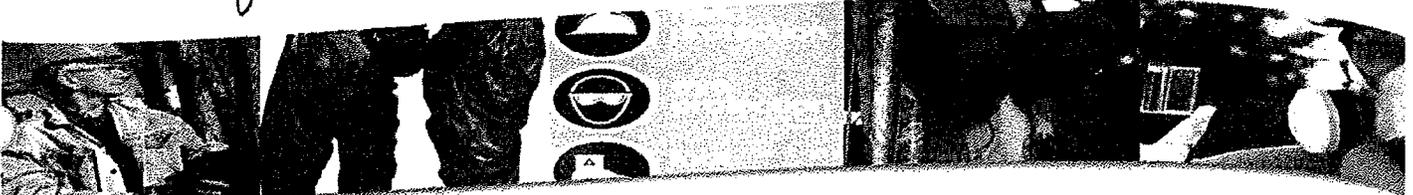
Triumvirate Environmental, Inc. Environmental, Health, and Safety Policy

Triumvirate Environmental, Inc. is a leading environmental services firm for hazardous and non-hazardous waste management and transport. One of our guiding principles is "We operate to safeguard our employees from physical harm." As such, we remain committed to providing a safe and healthful workplace for all of our employees and to conducting our business in an environmentally responsible manner. This Environmental Health and Safety ("EHS") Policy provides the framework for our EHS Management System.

Triumvirate Environmental, Inc. is committed to:

- Establishing and maintaining a safe and healthful working environment for our employees.
- Complying with all laws and regulations that are applicable to our business, as well as all Triumvirate Environmental EHS Programs and Procedures.
- Improving our EHS performance and our EHS Management System (EHSMS) by conducting regular reviews and audits of our programs and operations in order to identify and implement improvement opportunities.
- Making efforts to reduce our environmental impact and conserving our natural resources by minimizing waste and emissions, practicing energy conservation and reusing and recycling material where feasible.
- Communicating this policy and educating our managers on our "Essentials for Safety Leadership" so that they understand their responsibilities within our EHSMS framework.

Signed: John McQuillan, Jr. Date: 7/31/2012
John McQuillan, Jr., President/CEO



TRIUMVIRATE
ENVIRONMENTAL

Triumvirate Environmental, Inc. Essentials for Safety Leadership

I Believe...

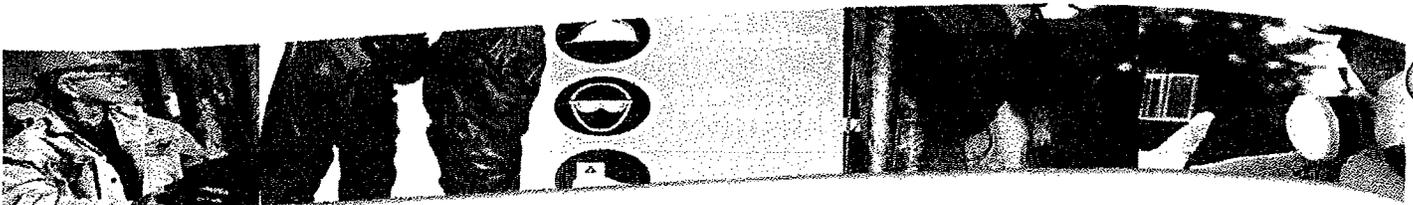
1. The safety and health of myself and my fellow employees cannot be measured, and should be held above all else.
2. Although human error is unavoidable, I can reduce its likelihood and severity.
3. The safety performance of my employees is a direct indicator of my leadership effectiveness.
4. I am accountable not only for my own safety but for the safety of those around me.

I Know...

1. I must constantly strive to ensure that the scope of work is defined clearly and monitored for change, and that the hazards of all work are continually analyzed.
2. We all have "Stop Work" authority, and are expected to use it when necessary.
3. How to motivate others to change at-risk behavior and reduce the likelihood and severity of events caused by human error.
4. How to respond appropriately in the event of an emergency.

I DO the following...

1. Communicate performance expectations to my employees regularly, consistently and sincerely.
2. Hold managers and employees accountable for compliance with safety requirements.
3. Ensure there are adequate resources to accomplish work safely.
4. Lead by example. I strive to practice safe behaviors at all times so that my employees will do the same.
5. Regularly conduct formal and informal observations and provide feedback, both positive and corrective, when needed.
6. Reinforce safe behavior and reward safety excellence.





Safety Program

Revision History:

Date	Author	Description



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1.0 Purpose

Safety and our employees' well-being is of the utmost importance and should be considered first above all else. One of Triumvirate Environmental's guiding principles is "We operate to safeguard our employees from physical harm."

2.0 Responsibilities and Reporting Requirements

The health and safety of employees and others on Triumvirate's property are of critical concern to the company. We strive to attain the highest possible level of safety in all activities and operations. Triumvirate also intends to comply with all health and safety laws applicable to our business.

To this end, Triumvirate must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees should be conscientious about workplace safety, including proper operating methods and known dangerous conditions or hazards. Employees should report any unsafe conditions or potential hazards to the Health & Safety Department immediately; even if the employee believes he/she has corrected the problem. If an employee suspects a concealed danger is present on Triumvirate's or a client's premises, or in a product, facility, piece of equipment, process, or business practice for which Triumvirate is responsible, he/she is responsible to report this to the Health & Safety Department and to the COO immediately. The Health & Safety Department will arrange for the correction of any unsafe condition or concealed danger immediately.

In case of an accident or injury, an employee must report the incident to the Health & Safety Department and complete an accident/injury form. These forms are analyzed, used for training purposes, and filed and also used for analysis, training purposes.

Periodically, Triumvirate may issue rules and guidelines governing workplace safety and health. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected. Health & Safety can be contacted for copies of current rules and guidelines. Failure to comply strictly with rules and guidelines regarding health and safety or negligent work performance that endangers health and safety will not be tolerated.

3.0 Safety Training

3.1 Initial Safety Training

Each employee is required to attend a new employee orientation complete with a health and safety orientation. We utilize an employee's job description and the duties required of the job in order to develop the training program. Then, we tailor the safety program to relate to the specific aspects of the job. In addition to initial safety training, we also have in place an Employee Short Service Program.

3.2 Ongoing Safety Training

Employee training is one of Triumvirate's major areas of investment. Our ongoing safety training encompasses regulatory training as required within the areas of OSHA, RCRA, DOT, IATA, and state and local regulations. Depending on the person's role, s/he may also receive additional training such as training to work with radioactive waste. Please see below the kinds of safety trainings we perform. In addition, we also conduct update trainings within operational and departmental meetings.

After an incident or near incident, we hold an after action review with the crew and then inform other staff of how to avoid a similar situation. We also incorporate this information into our training programs. In addition, we set annual safety, health and environmental corporate goals that are communicated to the employees and that we work together to achieve. Triumvirate measures each employee's performance in areas of safety and general compliance as well as through our compliance incentive program.

3.3 Number of Hours of Training

Triumvirate's goal is to have each employee trained to an average of 100 hours per year. We actually meet this goal and in some cases exceed the 100 hours of annual training. We have designed a custom application to track an employee's training history complete with dates, course titles, instructors, hours received, type of training (regulatory, refresher, etc.), and next training date.

3.4 Types of Safety Meetings

Triumvirate Environmental has many different safety meetings. Triumvirate holds weekly safety meetings with our safety committee which includes the Health & Safety Officer, Operations Supervisor, Vice President of Operations, Chief Operating Officer, QA Manager, Risk Manager, and Field Services Manager. We also perform random site inspections to ensure safety and train our employees. We also have in place a compliance incentive program which motivates all our operations employees to think safety first.

Prior to individual job commencement, the crew supervisor together with the crew writes a Health & Safety Plan specific to the job requirements. This Plan is reviewed with the onsite crew and filed after the job for later review.

4.0 Disciplinary Policy for Violation of Safety Rules

Failure to comply strictly with rules and guidelines regarding health and safety or negligent work performance that endangers health and safety will not be tolerated. We track daily operational compliance and discuss the results with our operational

staff. If there is an infraction or depending on the infraction, we will discipline the employee in written form and put in place a performance improvement plan. We then measure the employee's progress. Triumvirate measures each employee's performance in areas of safety and general compliance as well as through our compliance incentive program.

5.0 Employee Training Retention & Comprehension Practices

Triumvirate Environmental uses various techniques to ensure training retention and comprehension. First, Triumvirate utilizes written or oral examinations. Second, Triumvirate uses a demonstration approach. This technique requires that the trainee actually demonstrate the skill or method that was taught. If the employee is having difficulty, the trainer will work with the employee until s/he can demonstrate the skill. The other technique we utilize is on the job performance. Our safety specialists perform unannounced site inspections where they witness employees performing work. If the specialist sees an issue, the employee's action is corrected and noted. This information is then captured in our database and used for our incentive program.

6.0 Driving on Company Business

An employee's position at Triumvirate may require an employee to drive in order to complete certain tasks related to an employee's job. Should this be the case, an employee must possess a current, valid driver's license, an acceptable driving record, and adequate personal automobile insurance.

Employees are required to carry their own personal insurance policy for their vehicle to provide coverage for you in the event of a liability or physical damage claim. In the event of an accident or damage to your vehicle while using it on company business, Triumvirate may reimburse you for your deductible, up to a maximum of \$500 per loss, for the cost to repair such damage. Employees are expected to report such accidents to the Health & Safety Department, and the HR Department. Employees are expected to carry adequate personal automobile insurance at a minimum of \$100,000 - \$300,000 of bodily injury coverage, and a minimum of \$100,000 of property damage coverage. Each employee is requested to provide a copy of their personal automobile policy to the HR Department upon request. Any employee who doesn't have the required coverage must notify the HR Manager immediately. The rate that we utilize to reimburse you for the use of your automobile on company business includes compensation to you for carrying the proper insurance.

Triumvirate reserves the right to check the driving records of any employee who will drive to conduct business on behalf of the company. Should an employee's driving record not be acceptable by Triumvirate's standards, or by the company's insurance company, the employee may be terminated. Any change in license status,

driving record, or insurance coverage must be reported to an employee's manager and to the HR Manager immediately.

A valid driver's license must be in an employee's possession while operating a vehicle on company business. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety and parking laws or regulations. Drivers should demonstrate safe driving habits, comply with all local, state and federal applicable laws and not drive too fast or recklessly. Employees are expected to observe the above policies while on Triumvirate business, even if driving the employee's own personal vehicle.

Employees are expected to obey the law in each state, with regards to use of a cell phone while operating a motor vehicle. This policy applies to company owned and personal vehicles that are being used for business purposes. Employee's are required to pull over before making, or answering a call in these instances, or are expected to use a hands-free headset if acceptable under state law.

All employees are expected to wear a seat belt while driving on company business, regardless of operating a company vehicle, or a personal vehicle, and regardless of the law in the state the employee is in. Any violation of this policy is grounds for discipline, up to and including termination.

7.0 Behavior Based Safety

In order to have a sustainable safety culture, TEI has instituted a Behavior Based Safety (BBS) Program, DuPont's STOP (Safety Training Observation Program). This program concentrates on the methodology of observing safety behaviors to aid in eliminating unsafe acts, increasing supervisor and employee safety awareness, building positive safety attitudes and increasing employee communication skills concerning safety. The goal of this program is to build positive safety attitudes. Any necessary punitive measures are not utilized within this program and are best administered under the TEI Disciplinary Policy.

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- 8.7 Hand Washing SOP
- 8.8 Work Boot Allotment Protocol

- 8.9 Mask Box, Label Box, and Emergency Response Bag Protocol
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- 8.45 CPR & First Aid Training Program
- 8.46 Short Service Employee Policy
- 8.47 Vehicle Inspection Policy



Behavioral Based Safety Program

Revision History:

Date	Author	Description
November 2017	K. Govil	Document created



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Appendix A: Stakeholder Roles, Responsibilities, and Expectations

Appendix B: Sample STOP Grading Template

Appendix C:

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1.0 Scope

The Behavioral Based Safety Program has been established to protect the health and safety of Triumvirate Environmental (TEI's) employees and encourage routine safety conversations in the company culture. TEI strives to apply a proactive approach to safety, increasing hazard recognition and dialogue before injuries occur. The program is available for review by employees, supervisors, and managers.

2.0 Applicability

This program applies to TEI employees that participate in the STOP program, their direct manager, ETSCs and Corporate EHS Compliance. It is designed to provide clarity about (1) Management of the STOP program (2) The roles, responsibilities, and expectations each stakeholder group.

3.0 Definitions

3.1 STOP

3.1.1 Is large enough and so configured that an employee can bodily enter and perform assigned work; and

3.1.2 Has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry.); and

3.1.3 Is not designed for continuous employee occupancy.

3.2 ABC Model is a methodology for understanding human behavior¹.

3.2.1 Antecedent:

3.2.2 Behavior:

3.2.3 Consequence:

3.3 Reinforcement

3.3.1 Positive Reinforcement

3.3.2 Negative Reinforcement

3.4 Feedback is information about your performance which helps your improve your performance.

3.5 Work Ticket is an issue raised by an employee in a STOP audit requiring an action to occur. ie. Purchasing new equipment, PPE, client conversations.

4.0 Roles and Responsibilities

4.1 Designation of Personnel

All TEI employees play an active roles in ensuring each other's safety at various client and in-house locations. The hazards encountered during, and associated with our work, providing environmental and hazardous waste management services to our clients, can cause bodily injury, illness, and death. The below designation of roles, responsibilities, and expectations outlines the role auditors, managers, and

the compliance department play in making safety a priority every day. Refer to Appendix A: Stakeholder Roles and Responsibilities for detail.

4.1.1 STOP Auditor

4.1.1.1 TEI employees who perform front line field work for 50% or more of their job responsibilities.

4.1.1.2 Is trained in basics of behavioral based safety (BBS)

4.1.2 STOP Leader

4.1.2.1 These employees are liaisons between field staff and management in the STOP program

4.1.2.2 Drives the peer-to-peer element of the STOP program by coaching and mentoring peers in BBS.

4.1.3 Manager

4.1.3.1 Knows the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences

4.1.4 ETSCs

4.1.5 Compliance Department

4.1.5.1 These employees shall enforce the confined space entry procedures outlined in this program.

5.0 Management Process (Insert diagram)

4.2 Initial STOP Training

4.3 STOP Leader Training

4.4 Behavioral Audits vs. Work Tickets

New client facing operating employees who spend minimum 50% of their time in the field are eligible to receive STOP Training.

Initial training is provided to abovementioned employees during week 2 of onboarding. TEI shall provide the training prior to an employee being assigned goals.

The following elements should be considered during the job scope and pre-entry planning;

4.3 Grading Audits

The purpose of grading audits is to provide a quantitative KPI for measuring improvements in the quality of STOP audits submitted. These five key categories outline the basic elements of a well written STOP audit.

1. The audit tells a complete story- A complete story includes a setting (location and individuals being audited) and a description of task. Think WHO, WHAT, WHEN, WHERE, and WHY. The audit should be described in such a way that someone who has not performed the task will

understand what the task is. If you have to ask what is going on in this audit, then it does not tell a complete story.

A bad example would be "saw employee was not wearing the right type of glove". In this scenario, we do not know what the employee was doing, what the type of glove is or why they were wearing the wrong type.

2. Multiple categories are discussed- Two or more sections from table of contents are utilized or the auditor mentions multiple topics in the summarization. A STOP audit is often triggered by hazard recognition, but the auditor should stop and look around for other potential issues once they decide to conduct a STOP audit.

For example, if an employee recognizes an unsafe behavior in a coworker they should stop the employee but also take a moment to evaluate their reaction, housekeeping, PPE, etc.

3. The audit includes a photo or a vivid description- Photos included must add to the quality of the audit and be relevant. Some clients do not allow for photos or it may not be practical to take a photo. If there is not a photo, that is fine but the audit should then use a vivid description that paints a clear picture in your mind.
4. The audit suggests a corrective action or shows that a corrective action took place- The audit should clearly state if a corrective action was completed. If it wasn't, then the employee should include a suggested corrective action. If they cannot complete the corrective action they should elevate it by checking ETSC follow up required or stating that they will need assistance. The corrective action should help bring closure to the audit. If there is no possible corrective action then the audit is not a behavior based audit.
5. The audit is linked to a TEI employee behavior- Since STOP is TEI's behavioral based safety program, this key point is probably the most important and also the most misunderstood. The audit can explicitly or implicitly be linked to a behavior. An auditor does not necessarily have to say "the behavior in this case is improper ergonomics". They could say "a coworker was lifting with his back instead of his legs while moving 5 gallon carboys". It is obvious that the behavior was an improper lift so it does not have to be explicit. Often times, employees work by themselves or just with clients. In this case, an audit should be a self-audit on our own behavior. This does not mean we cannot audit our clients but we want to link it back to a behavior by a TEI employee.

For example "lab employee was storing incompatible wastes together". This by itself does not link to a TEI employee behavior. If you also state "I segregated the waste before transferring waste on lab cart and discussed with the lab employee why segregation is important" that shows a TEI employee behavior.

6.0 FAQs

6.1 Clarifying STOP

The following frequently asked questions clarify common misconceptions around STOP.

What is the objective of a behavioral safety program?

When can I do a STOP audit?

What are the elements of a good STOP audit?

Can I do a STOP audit on myself?

How do I do a STOP audit on myself?

Can I do a STOP audit on a client?

What should I do if someone asks to do a STOP audit on me?

How does a normal everyday safety discussion differ from putting in a STOP audit?

How can I report a safety related work ticket?

What happens to the STOP data submitted with the app?

Will I get someone in trouble for doing a STOP audit on them?

7.0 Equipment

8.0 Employees are expected to install the Canvas application on their personal smart devices. Employees without smart phones have access to ETSC ipads or are encouraged to login on a coworker's phone.

9.0 Troubleshooting Canvas

11.0 Training

11.1 Training Overview

11.1.1 Training is given at no cost to the employee during initial on-boarding. Each regional ETSC determines when new employees added are trained, in line with their respective branch participation goals.

11.2 STOP Auditor Training

11.2.1 Purpose and function of the behavioral based safety program prior to

11.3 STOP Leader Training

11.3.3 Purpose and function of the behavioral based safety program,

11.3.3 Review of BBS theory and application of concepts from the book 'Removing Obstacles to Safety' provides context for use of BBS.

11.3.4 Learn process for doing 360 observations and telling a good story in an audit.

11.3.4 Practice reviewing mock audits and providing feedback to teammates.

11.3 Retraining

11.3.1 Retraining shall also be provided when periodic inspections reveal unrecognized hazards, or when there are inadequacies in the employee's knowledge or use of the confined space program.

11.4 Training Documentation

11.4.1 Records of all training activities containing the names of employees, trainers, and dates shall be submitted to the Training Department for recordkeeping purposes and will be available for inspection by employees and authorized representatives for the period of time that the employee is employed at TEI

Appendix A

Stakeholder Roles, Responsibilities, and Expectations

	Auditor	Leader	Manager	ETSC	Corporate Compliance
Role	<ul style="list-style-type: none"> Peer-to Peer feedback loop Safety and TEI ambassador Eyes of the business 	<ul style="list-style-type: none"> Peer leader in safety Key player in cultural shift Obtain auditor buy-in Conduit to elevate concerns 	<ul style="list-style-type: none"> Interface for "work ticket" type audits and the client/ETSC 	<ul style="list-style-type: none"> Be "the glue" of the program Address major safety and/or compliance concerns 	<ul style="list-style-type: none"> Program oversight Provide technical expertise
Responsibility	<ul style="list-style-type: none"> Have regular safety conversations with peers and clients See something say something 2x 360 Observations per month documented as STOP audits 	<ul style="list-style-type: none"> Facilitate peer-to-peer feedback Read and provide timely feedback on how to do a good audit Coaching and mentoring on quality 	<ul style="list-style-type: none"> Read audits and provide feedback on content of audits (the what) Communicate and resolve client facing issues Timely submission of audits 	<ul style="list-style-type: none"> Incident management Support managers in resolving issues Review audits elevated by managers/leaders Manager STOP leaders success Review STOP cases 	<ul style="list-style-type: none"> Employee registration and administration Data analysis and presentation Provide support to branch ETSCs
Expectations	<ul style="list-style-type: none"> Submit timely audits Behavioural > Conditional audits Tell a good story 	<ul style="list-style-type: none"> Lead by example Communicate regularly with your auditors, and compliance Teach new auditors the ropes 	<ul style="list-style-type: none"> Work closely with ETSCs to address employee safety concerns Check in with direct reports regularly 	<ul style="list-style-type: none"> Support resolve issues quickly Lead STOP leader meetings STOP audit training Oversee program at branch level 	<ul style="list-style-type: none"> Implement program consistently across regions Communicate program activities at SCTA

*1 point awarded for each section properly completed. A maximum of 5 points may be awarded per audit.



Appendix B
Sample Grading Form Template

 TRIUMVIRATE ENVIRONMENTAL					Stop Audit Grading Form		STOP Grader:	
							Total Points	
Auditor	Date and time submitted	The audit tells a complete story	Multiple categories are discussed	The audit includes relevant photo or a vivid description	The audit suggests a corrective action or shows that a corrective action took place	The audit is linked to a TEI employee behavior		
						STOP Average		

*1 point awarded for each section properly completed. A maximum of 5 points may be awarded per audit.





5S Program

Revision History:

Date	Author	Description
June 2017	M. Siegel	Program development

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	5S Audit Form.....	Error! Bookmark not defined.

1.0 Scope

The 5S Program has been established to protect the health and safety of Triumvirate Environmental (TEI) employees and significantly reduce the risk of injury or death when performing operations within TEI facilities. This program is written to comply with multiple regulations including, but not limited to: 29 CFR 1910.22 Walking-Working Surfaces, 29 CFR 1910.35 Means of Egress, and 29 CFR 1910 Subpart J – General Environmental Controls. This program is available for review by employees, supervisors, and managers.

2.0 Applicability

The requirements in this program are applicable to TEI employees, contract employees, and visitors who work within TEI facilities owned or leased.

3.0 Definitions

- 3.1 5S is a term used to describe a workplace organization method. Each "S" is defined below.
 - 3.1.1 **Sort:** Determine which items are needed in the area and remove all excess items.
 - 3.1.2 **Set in Order:** Clearly identify locations for items and arrange the items so that they are easy/ready to use
 - 3.1.3 **Shine:** Clean the area on a daily basis to maintain standards and identify defects.
 - 3.1.4 **Standardize:** Revisit the first three standards frequently and apply for all work areas or processes.
 - 3.1.5 **Sustain:** Implementing behaviors and habits to maintain the established standards over the long term, and making the workplace organization the key to managing the process for success.
- 3.2 **Zone** describes a work area that employees are assigned to audit and or manage.
- 3.3 **Zone Owner** describes the Manager or Supervisor responsible for managing and auditing a designated zone.
- 3.4 **5S Audit** describes the process of evaluating a work area (zone) based upon the checklist developed in Appendix A.
- 3.5 **Audit Team** describes the individuals completing the audit. This team must always include the Zone Owner and a non-managerial employee.
- 3.6 **Corrective Action** describes the action or task taken to fix any deficiencies noted within the audit.

- 3.7 5S Score describes the overall score provided to the zone based upon the weekly audit checklist.
- 3.8 Compliance Audit describes an audit where the ETSC partners with the selected Zone Owner to ensure the quality of the audit meets the standards detailed within this document.

4.0 Responsibilities

4.1 Compliance Department

- 4.1.1 Determine the 5S Zones.
- 4.1.2 Select and approve Zone Owners.
- 4.1.3 Provide training to employees.
- 4.1.4 Review weekly audits and track completion of corrective actions.
- 4.1.5 Complete Compliance Audit with selected Zone Owners as needed.
- 4.1.6 Communicate 5S scores and trends weekly to branch management.

4.2 Operations Department

- 4.2.1 Ensure tools and equipment are stored in designated locations.
- 4.2.2 Ensure any waste and trash is properly disposed of.
- 4.2.3 Participate in 5S audits as requested.

4.3 Managers and Supervisors

- 4.3.1 Ensure operations employees are adhering to 5S standards daily.
- 4.3.2 Complete weekly 5S audits.
- 4.3.3 Track corrective actions based upon deficiencies noted in 5S audit.
- 4.3.4 Alternate employees involved in completing weekly 5S audit.

5.0 5S Standards Implementation

5.1 Facility Layout

- 5.1.1 Each facility will utilize colored tape to indicate where equipment can be stored or operated. The color tape designation is as follows:
 - 5.1.1.1 Green: Pedestrian aisle ways.
 - 5.1.1.2 Orange: Powered industrial truck (PIT) traffic lanes.
 - 5.1.1.3 Blue: General equipment storage.
 - 5.1.1.4 Red: Defective equipment (red-tag).

5.1.1.5 Red/White: Safety Compliance Clearances – electrical, fire, safety showers, eyewashes, etc.

5.1.1.6 Yellow: Cleaning Supplies.

5.1.1.7 White: PIT and powered equipment parking.

5.1.2 Audit Procedures

5.1.2.1 Each Zone Owner is required to complete a 5S audit weekly on their assigned zone utilizing the audit checklist in Appendix A.

5.1.2.2 The audit team must consist of an employee and the Zone Owner. The Zone Owner must select a new employee each week to complete the audit with.

5.1.2.3 At the beginning of each audit, the Zone Owner must review the basics of the 5S program with the employee assisting with the audit.

5.1.2.4 Utilizing the checklist in Appendix A, the Zone Owner and employee will complete each question by checking one of the options: "Yes", "No", or "N/A"

5.1.2.4.1 When selecting "Yes" it means the criteria is met completely. Ex. If there are 5 trash bins in the area and only 4 of them are placed within the designated yellow tape, the criteria is not met and therefore the answer is "No".

5.1.2.4.2 When selecting "No", an explanation must be provided in the comments section.

5.1.2.4.3 When selecting "No", a corrective action to address the issue must be provided.

5.1.2.5 Once all the audit is completed, it will be submitted via 

5.1.3 Post Audit Procedures

5.1.3.1 The compliance team will collect all the data from the previous week's audit and will be distribute the 5S scores to all employees via email weekly.

5.1.3.2 Additionally, the 5S score from the previous week will be posted in each work area in a conspicuous area.

5.1.3.3 The compliance team will compile a list of corrective actions from the previous weeks audit into a corrective action tracker.

- 5.1.3.3.1 The tracker will be sent out to all zone owners and managers displaying all open and closed corrective actions for each zone.
- 5.1.3.3.2 Managers must provide a weekly status update on the items listed in the Corrective Action Tracker.
 - 5.1.3.3.2.1 Any items deemed "closed" are subject to verification by the branch ETSC.

6.0 Training

6.1 Training Content

6.1.1 Training shall consist of a combination of formal instruction (e.g., lecture, discussion, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee) and evaluation of the participant's performance in the workplace (Compliance Audits).

6.2 Refresher Training

6.2.1 Refresher or remedial training shall be provided yearly.

6.3 Training Documentation

6.3.1 Record of all training activities shall be submitted to the training department for recordkeeping purposes.

Appendix A
5S Audit Form

AUDITOR 1 NAME:

AUDITOR 2 NAME:

DATE:

ZONE:

Check "Yes" if criteria is met, "No" if criteria is not met, "N/A" if criteria is not applicable.

Section	Yes	No	N/A	Comments	Corrective Action
Section 1. Safety					
1.1. Are there any trip hazards present in the area?					
1.2. Are all items properly secured (bolted to floor, chained up, etc.)?					
1.3. Are emergency exits free of obstructions?					
1.4. Do all electrical panels have 30 inches of clearance in front of them?					
1.5. Are fire extinguishers clearly visible and accessible?					
Section 2. Sort					
2.1. Are unnecessary items removed from the area?					
2.2. Are tools and equipment in the most convenient location?					
2.3. Is there a sufficient amount of supplies in the area?					
Section 3. Set In Order					
3.1. Are labels and signs clear and easy to read?					
3.2. Is equipment stored in its designated location?					
3.3. Is damaged equipment removed from the work area and placed in the Red Tag area?					

3.5. Are items stacked correctly (heavier items on bottom)?

Section 4. Shine

4.1. Are floors clean and free of debris?

4.2. Is equipment clean and free of debris?

4.3. Are cleaning supplies available and in their designated location?

4.4. Are trash bins emptied so that they are not overflowing?

4.5. Are workstations clean and organized?

Section 5. Standardize

5.1. Are 5S scores from the previous week posted and visible?

5.2. Are actions taken to correct deficiencies?

Section 6. Sustain

6.1. Are 5s audits being discussed regularly with all employees?

Score: %



Hazard Communication Program

Revision History:

Date	Author	Description
June 2013	M. Lombardi, C. Scott	Reviewed GHS timeline for compliance with modified provisions of final rule; modified term MSDS to SDS.
May 2014	M. Lombardi, J. Wyluda	Reviewed GHS timeline
June 2015	M. Lombardi	Reviewed GHS timeline for compliance with modified provisions of final rule.
June 2016	M. Lombardi	Reviewed program
October 2017	M. Lombardi, M. Lee-Bullock	Reviewed program and revised section on labelling portable containers that have been transferred from the original container. Added GHS training to Training section. Addressed multi-employer workplace requirements.
February 2018	M. Lombardi	Clarified procedure for non-routine tasks

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Appendix A: Contractor Confirmation of Information Hazard Communication Program

1.0 Scope

The Hazard Communication (Hazcom) Program has been established to protect the health and safety of Triumvirate Environmental (TEI's) employees and significantly reduce the risk of injury or death when working with chemicals. This program is written to comply with 29 CFR 1910.1200 Hazard Communication standard, available electronically at each workplace for review by employees, supervisors, and managers.

2.0 Applicability

This program applies to TEI employees that work with chemicals or have the potential to work with chemicals. The program describes the methods used to convey information on hazardous chemicals including training, labels and other forms of warning, Safety Data Sheets (SDSs), and onsite contractor considerations.

3.0 Responsibilities

3.1 Director of Health and Safety

The Health and Safety Director is responsible for reviewing the Hazcom Program annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure.

3.2 Directors, Managers, and Supervisors

Directors, Managers, and Supervisors are responsible for ensuring their employees understand and comply with the Hazcom Program and that contractors brought on site, or that are used as subcontractors for offsite work, comply with elements of this program. Access shall be provided to safety data sheets for each hazardous chemical other employer(s) employees may be exposed to while working, methods Triumvirate will use to inform the other employer(s) of any precautionary measures that need to be taken to protect employees during the workplace's normal operating conditions and in foreseeable emergencies, and the labeling system used by Triumvirate in the workplace.

3.3 Employees

Employees are responsible for attending Hazcom training and following the chemical labeling system.

4.0 Chemical Labeling

4.1 Requirements

- 4.1.1 No unmarked containers containing chemicals may be used at TEI, unless the container is portable and under the control of an individual for their immediate use and only within the work shift.
- 4.1.2 Chemical labels from suppliers of incoming hazardous chemicals shall not be defaced or removed.
- 4.1.3 If a container is not properly identified or the chemical label on the container is damaged when it enters the facility, the supplier shall be notified and proper labeling will be requested. The material shall not be released into the facility until the container is properly labeled.

- 4.1.4 Rating systems such as National Fire Protection Association (NFPA) diamonds or DOT labeling formats if they are consistent with the requirements of the Hazard Communication Standard and employees have immediate access to hazard information. Labels may also provide all the required information that is on the label from the chemical manufacturer or, the product identifier and words, pictures, symbols or a combination thereof, which in combination with other information immediately available to employees, provide specific information regarding the hazards of the chemicals.
- 4.1.5 NFPA labels shall include the chemical name and the appropriate hazard rating for each of the following categories: Health, Flammability, Reactivity and required PPE.
- 4.1.6 All chemical labels will be in English, and other languages may be added as applicable to the workplace.
- 4.1.7 TEI shall provide chemical labels for employees who may be required to affix these labels to chemical containers.
- 4.1.8 Employees shall contact their supervisor to obtain the appropriate hazard rating and chemical information that is required on the label.
- 4.1.9 Managers, with assistance from the Compliance team, shall inform employees of the hazards of non-routine tasks (for example, the cleaning of vacuum trucks), and the hazards associated with chemicals contained in unlabeled pipes in their work areas,
- 4.1.10 The Hazcom Standard does not require the labeling of pesticides, foods and food additives, cosmetics, distilled spirits, wine or beer and consumer end products.
- 4.1.11 Chemical containers which are labeled as hazardous waste shall be labeled as such and do not require Hazcom chemical labels.

5.0 Safety Data Sheets

5.1 Evaluation and Maintenance

- 5.1.1 TEI shall develop a list of hazardous chemicals and obtain and maintain SDSs.
- 5.1.2 SDSs shall be kept for a period of 30 years from issuance.
- 5.1.3 Updated SDSs supplied by the manufacturer or distributor shall be filed in the current chemical SDS file. Obsolete sheets shall be retained in a manner that allows them to be referenced for a period of 30 years from issuance.
- 5.1.4 New chemical products shall not be allowed in our facilities until an SDS for the product has been supplied by the manufacturer or distributor and a review of the material has been completed by the Compliance or respective Operations Department.

5.2 Distribution

- 5.2.1 Master copies of the SDSs shall be kept in the Compliance Department.
- 5.2.2 Working (Right-to-Know) copies of SDSs shall be available to employees.
- 5.2.3 Workplace copies of the required safety data sheets for each hazardous chemical shall be readily accessible during each work shift to employees when they are in their work area(s). (Electronic access and other alternatives to maintaining paper copies of the safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by such options.)
- 5.2.4 On jobs that require chemicals to be brought to a client's site, a copy of the SDSs for those chemicals shall accompany them and remain on site if the chemicals are in use at that location.

6.0 Contractor Information

Contractors, including field subcontractors and long-term contract firms, shall be provided a list of hazardous chemicals that are used in the areas where they will be working.

- 6.1.1 Contractors shall be informed of the location of the SDSs and provided any other information that they choose to review.
- 6.1.2 Pre-work meetings shall be held to ensure that the contractors are aware of safety precautions that must be observed during their work, including the location of emergency exits and evacuation routes and rally points.
- 6.1.3 Contractor shall to provide a list of all materials and SDSs that will be brought onsite to the TEI representative. This exchange of information shall be documented with the Contractor Conformation of Information form (Appendix A) or similar document.

7.0 Requests for Information

To protect trade secrets, chemical manufacturers may withhold certain specific information in the SDS concerning their product, such as key chemical ingredients or the percentage of each component of the product. To ensure the safety of our employees, TEI, when necessary, shall obtain any information that is not presented in an SDS from the supplier. Chemical products shall not be used at TEI if the required controls (such as PPE) cannot be determined from the information provided in the SDS. The following conditions apply:

7.1.1 Emergency Situations

If a medical emergency exists and the specific chemical identity of a chemical is necessary for proper treatment of the patient, TEI suppliers are required by law to disclose the information requested concerning the trade secret material to the treating physician or nurse.

7.1.2 Non-Emergency Situations

When a request for information on a trade secret ingredient is made by TEI, the request shall be provided in writing to the supplier with an explanation of why the disclosure of the specific chemical identity is essential. If required, a non-disclosure or confidentiality agreement that asserts the information shall not be used for any purpose other than health and safety needs and agree not to release that information to any other entity other than OSHA, as identified in the Hazcom standard.

Non-emergency situations where obtaining proprietary information may be necessary include:

- 7.1.3 Conducting air sampling to determine employee exposure levels,
- 7.1.4 Providing medical treatment to exposed employees,
- 7.1.5 Selecting proper PPE for exposed employees,
- 7.1.6 Selecting engineering or administrative controls for exposed employees,
- 7.1.7 Conducting studies to assess the hazards and determine the health effects of exposures to which employees may be exposed.

8.0 Program Evaluation

The Hazard Communication Program shall be evaluated annually. The written program and the Hazcom Training Program shall be updated to reflect changes in standard and regulations as well as changes to Triumvirate operations. The chemical inventory shall be reviewed and updated as necessary.

9.0 Training

9.1 TEI shall provide employees with information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new chemical is introduced into their work area that presents a potential hazard. The training shall include:

- 9.1.1 Requirements of the Hazcom Standard (29 CFR 1910.1200),
- 9.1.2 Requirements of the Globally Harmonized System adopted by OSHA,
- 9.1.3 Operations where hazardous chemicals are present,
- 9.1.4 Location and availability of the written Hazcom Program,
- 9.1.5 An explanation of the labeling system used at Triumvirate,
- 9.1.6 An explanation of SDSs and how employees can obtain and use this chemical specific hazard information.
- 9.1.7 Certification of training shall be maintained in the employees' personnel file.

9.2 Training Documentation

9.2.1 Training shall be documented by the Training Department and documentation includes training dates, content, instructor, and attendance sheets.

Appendix A

Contractor Confirmation of Information
Hazard Communication Program

As required by the Hazard Communication Standard (29 CFR 1910.1200), Triumvirate Environmental, Inc. has developed and implemented an effective written Hazard Communication Program. As part of this program, all contractor, service and sales organizations with personnel onsite shall be made aware of the locations of pertinent SDSs, a description of the chemical labeling system, and the locations of hazardous chemicals.

This program requires that contactors provide SDSs for all chemicals that they plan to bring onsite to the TEI site representative before commencing work. A pre-work meeting shall be held to discuss the processes to be followed while using the chemicals with TEI and contractor personnel involved in the project.

I have been informed and agree to the requirements listed above. I also agree to train my employees on the requirements of TEI's written Hazard Communications Program prior to the start of any onsite work.

Date: _____

Signed: _____

Company: _____

Address: _____

Telephone: _____

6.10 Random Drug & Alcohol Testing Policy

All full-time and part-time Triumvirate employees working in a Field Service, Wastewater, Engineering, ETSC, or Environmental Specialist role, and all other employees who work in our TSDFs and oil management facilities, or in any related or associated facility or location (i.e., "10-Day", warehouse, or maintenance shop) and who are not already taking part in a DOT mandated Random Drug & Alcohol testing program, will be subject to Random Drug & Alcohol Testing per this policy effective December 1, 2012. This policy excludes employees who are serving in an exclusively administrative role.

The purpose of this policy is to promote the safety and well-being of all Triumvirate employees and the general public.

This policy is designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by employees.

Process

The process described below shall be followed in order to ensure that all random drug & alcohol tests are administered in a consistent and uniform manner.

Upon notification by the Director of Transportation Safety that an employee in his/her branch has been selected for a random drug or drug & alcohol test, the General Manager, or official designee, will do the following:

1. When you are ready to send him/her, inform the selected employee of the random test requirement. Do not give prior notice!
2. Provide the employee the pre-completed Chain of Custody and Control form.
3. Instruct the employee to report immediately and directly to the testing clinic for his/her random drug or drug and alcohol test. Employees may be selected for a drug test only, or both a drug and alcohol test.
4. For alcohol tests, instruct the employee to bring back to you the Chain of Custody and Control Form containing the result upon completion of the test (by the end of their work day).

An employee who refuses to submit to random testing, or fails to appear for testing as instructed, will be considered to have tested positive. A positive drug/alcohol test will result in disciplinary action up to and including termination.

Applicability

This policy applies to all full-time and part-time Triumvirate employees working in a Field Service, Wastewater, Engineering, ETSC, or Environmental Specialist role, and all other employees who work in our TSDFs and oil management facilities, or in any related or associated facility or location (i.e., "10-Day", warehouse, or maintenance shop) and who are not already taking part in a DOT mandated Random Drug & Alcohol testing program. This policy excludes employees serving in an exclusively administrative role.

This policy is designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by employees.

Enforcement

All members of the Triumvirate Executive Team, Compliance, Human Resources, Managers and Supervisors will enforce this policy.

Business Rationale

It is a core belief of Triumvirate that the safety of our employees and the general public is paramount and our policies reflect that belief. No other aspect of our operation and business supersedes the importance of safety.

Any questions about this policy should be addressed to the Director, Transportation Safety.

Random Drug & Alcohol Testing FAQ

- Q. Which drugs are tested for during the Random Drug Test?
- A. *This Drug test mirrors the drug tests for CDL Random, Pipeline, Reasonable Suspicion, Pre-Employment, and Post-Collision and tests for the below substances:*
- *Marijuana*
 - *Cocaine*
 - *Opiates*
 - *Amphetamines/Methamphetamines*
 - *PCP*
- Q. What happens if someone is taking a prescription medication, like Tylenol with codeine; could this affect the test results?
- A. *Yes; a prescription, such as Tylenol with codeine, may affect the test result. In this case, the MRO (Medical Review Officer) will contact the employee letting him/her know that a positive result has occurred and ask the employee if he/she is taking any prescription medications. At that time the employee has the opportunity to provide copies of any prescriptions he/she is taking. If such prescriptions taken as directed could cause the positive test result the MRO will release a negative result to Triumvirate.*
- Q. What if I do not have a prescription because the medication I'm taking belongs to a family member or friend?
- A. *Taking someone else's prescription is illegal. The MRO would not consider the prescription and would release a positive test result.*
- Q. What is the limit for alcohol?
- A. *For individuals who do not hold a CDL, 0.08 is considered over the limit.*
- Q. What happens if someone has a result between 0.01-0.07?
- A. *Similar to the CDL policy, if an individual has an alcohol concentration not considered "over the limit", 0.01-0.07, that employee would NOT have been considered to have tested positive for alcohol and will simply be sent home for the day.*
- Q. What if an employee has a cold and takes an over the counter medication, such as cough drops; could this affect the alcohol concentration?
- A. *No. Over the counter drugs will not contain any of the five drugs tested for.*
- Q. Will the employee be paid when he/she is sent home for an alcohol concentration of 0.01-0.07?
- A. *No.*

- Q. Can the employee use PTO when he/she is sent home for an alcohol concentration of 0.01-0.07?
- A. *No.*

6.11 Random Drug & Alcohol Testing Policy Acknowledgement

Random Drug & Alcohol Testing Policy Acknowledgement

By signing below, I acknowledge I have received, read, understand and agree to comply with the Random Drug & Alcohol Testing Policy.

Print Name

Signature

Date

6.12 Alcohol and Drugs; Drug-Free Workplace

In order to protect the health and safety of our employees and to assure continued high quality service to our customers, Triumvirate is committed to providing a workplace that is free of drug and alcohol abuse.

No employee may report to work, or perform work for Triumvirate on or off Company premises, while under the influence of alcohol or an illegal drug. Employees are also prohibited from using illegal drugs on or off Company premises. Consumption of alcohol on Company premises or while on Company business of any kind is prohibited. Any purchase or possession of alcohol or drugs by an employee, on Company property, on in a Company vehicle is strictly prohibited.

In addition, the possession, sale, purchase or other transfer of illegal drugs in any quantity on Company premises or while engaged in Company business, on or off Company premises, is prohibited. This prohibition includes the transfer of a prescription medication from one individual to another. An "illegal drug" is any drug that cannot be legally obtained or that, although available legally (*i.e.*, by prescription), has been obtained illegally.

An employee who violates this policy is subject to disciplinary action, up to and including termination of employment. Triumvirate will notify the proper authorities in accordance with the law.

In appropriate circumstances, as determined by Triumvirate, an individual who has been, or is under suspicion of being under the influence of alcohol or to have used illegal drugs in violation of this policy may be required to undergo drug and alcohol screening. Additionally, at a reasonable request from an account we service, an employee may be subjected to a drug screen to meet initial or on-going support of their operations. The employee may be disciplined, up to and including termination, and may be required to participate in a rehabilitation program approved by Triumvirate as an alternative to termination. Generally, this opportunity will not be offered to an individual who has previously violated this policy, or who is involved in the sale or transfer of illegal drugs, or whose record of service with Triumvirate is otherwise not satisfactory.

Off the job conduct by an employee involving illegal drugs or abuse of alcohol may affect job performance or otherwise have an impact on Triumvirate and its reputation. Triumvirate will deal with these situations on a case-by-case basis.

Drug Testing

Triumvirate is determined to eliminate the use of illegal drugs, alcohol, and controlled substances at any of its work sites. The purpose of this program is to improve job safety. This program is designed solely for the benefit of our employees to provide reasonable safety on the job and protection from offending individuals. In addition, this program attempts to meet our responsibility to the public, whom we serve.

Drugs and alcohol tests shall be administered under the following conditions:

- When an employee shows signs of impairment on the job;
- When a manager has reasonable suspicion;
- After any accident or occurrence that results in an injury on the job beyond that of a First Aid as defined by the Occupational Safety and Health Administration;
- After any vehicular accident when it appears that the employee might reasonably have avoided the accident or minimized the consequences, but did not do so;
- At hiring time, when all Operations new hires will be required to pass a pre-employment drug-screening test as a condition of employment.
- At the request of a client;
- In accordance with Triumvirate's Random Drug & Alcohol Testing Program.

Employees who refuse to submit to drug and alcohol testing may be disciplined, up to and including termination immediately.

Positive Dilute Drug Tests

Per 40.197(1), in the event of a positive dilute drug test result, Triumvirate will treat the test as a verified positive result. Triumvirate may not request or allow the employee/perspective employee to return for a subsequent drug test because the specimen was dilute.

Negative Dilute Drug Tests

Per 40.197(2), in the event of a negative dilute drug test result, if the MRO directs a recollection under direct observation, Triumvirate will require the employee/prospective employee to return for a subsequent drug test. Otherwise, Triumvirate may but is not required to direct the employee to take another test. Upon notification, a current employee must return to the clinic immediately. Prospective employees will be required to return to the clinic within 24 hours of notification. Failure/refusal to submit to a subsequent test will be treated as a positive test result.

Triumvirate Drug Free Workplace Policy

It is Triumvirate's policy to provide and maintain a drug-free workplace. Therefore, employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. An employee who violates this policy is subject to disciplinary action, up to and including termination of employment.

Drug abuse in the workplace is dangerous to the health and safety of everyone.

Legalized Marijuana

While some states have legalized marijuana, it is still a prohibited substance in the workplace and our Drug-Free Policy remains unchanged and in full effect. Triumvirate, both as a Government Contractor and an Affirmative Action Employer follow the guidelines as established by the Federal Government. These guidelines still consider marijuana illicit and we defer to that consideration as it relates to your employment.

If a candidate tests positive for marijuana, they will not be considered for hire. If a current employee is subjected to any of the above screens and tests positive for marijuana they will be subjected to our progressive discipline policy which includes the possibility of an immediate termination.

Beyond the Federal considerations, and as always, it is safety first at Triumvirate! No one should be working under the influence of anything that could impair their ability to work or their judgment.

Please direct questions regarding this policy to the Director of Environmental Compliance or the Vice President of Human Resources.

Unum Work-Life Balance Employee Assistance Program

The following Employee Assistance Program is available to Triumvirate employees that are seeking programs for substance abuse issues and/or concerns:

Toll-free, 24-hour access

- 1-800-854-1446: English
- 1-877-858-2147: Spanish
- 1-800-999-3004: TTY/TDD

Online access

- www.lifebalance.net
- user ID: lifebalance
- password: lifebalance

Employees are required to notify Triumvirate of any conviction of, or plea of guilty or *nolo contendere* to, any violation of a drug abuse prevention and control statute or of any controlled substance law of the United States or any state for a violation occurring in the workplace no later than five (5) days after such conviction.

As a condition of performing work for Triumvirate, on or off company premises, employees must abide by the terms of this policy.

6.13 Drug Free Workplace Acknowledgement

By signing this statement, I acknowledge that I have received, read, understand and agree to comply with the Triumvirate Drug-Free Workplace Policy.

Employee Signature: _____

Name(Print): _____

Date: _____

Triumvirate University Learning and Development Program: Field Services Division

Triumvirate strives to hire and build the best and brightest people in the industry. In order to accomplish this, we have developed and implemented a rigorous hiring process. For over 20 years, Triumvirate has used the Predictive Index in its hiring and management processes. This tool gives hiring managers insight into the behavior and promise of people working on their teams, increasing the ability to motivate these employees and recognize their growth potential. It has also assisted us in finding the most appropriate candidates by identifying the inclinations, interests, and drives necessary to excel in specific positions. In other words, it helps to put a candidate in the right position by matching personality with job profile.

We spend a significant amount of time in the hiring process to ensure we hire both emotionally and intellectually intelligent people who continually strive to be the best. For example, when hiring into our field services team, we look for driven, service oriented candidates with strengths such as an attention to detail and the ability to juggle a variety of tasks. These traits are strongly and objectively evident in the Predictive Index. The fact that many in our services team have a bachelor's degree further distinguishes Triumvirate from the competition.

We recognize our employees are our most valuable asset, and the continued success of Triumvirate is directly impacted by the successful implementation of our learning and performance program, Triumvirate Learning Center. After hiring the best talent the industry has to offer, we put these individuals through a rigorous training program, including a three week orientation process designed to orient the new employee to the company, to their service group, as well as to the regulatory environment they will be working in. Our commitment to education requires an annual budget of \$1,500,000, or approximately \$3,750 per employee on average, and we devote more than 100 hours of training to each Field Technician in the first year alone. Records are kept in the individual's training file with documentation verifying attendance.

Our training program is the cornerstone of Triumvirate. Our Field Services Technicians receive annual training in accordance with all federal, state, and local requirements, including but not limited to EPA, OSHA and DOT. As safety is our highest priority, the Field Services team receives regular and specialized instructions on a variety of function specific topics and must regularly demonstrate and train others to these competencies. These regulatory and technical trainings are designed to give employees the ability to recognize and manage a diverse array of hazards common to the industry.

In addition to the regulatory and technical schools, Triumvirate Learning Center has implemented a supplemental training program designed to foster the supervisory, leadership, and interpersonal skills in our Field Technicians that are essential in making technical expertise actionable. Field Technicians are required to pass written exams designed to analyze their ability to apply their regulatory expertise in complex situations. Furthermore, employees must complete quarterly performance reviews, and are subject to regular field evaluations by managers as they advance through our Field Services Advancement Program. The data gleaned from these processes is then fed back into the training cycle, thus closing the loop between learning and performance.

In summation, Field Technicians at Triumvirate are highly trained and skilled individuals whose primary job function is to provide a diverse array of decontamination and remediation services. We consider our training program to be part and parcel to the technical operations of this company, without which we could not expect our employees to perform at the high level necessary to successfully execute on the wide variety of environmental management services required by our clients.

TRAINING	REGULATORY CITATION	Technical	Leadership
One Time Only Programs			
HAZWOPER 40 Hour Training	29 CFR 1910.120		
DOT - FMCSR	49 CFR 380		
Corporate Onboarding Program		X	X
Safety Orientation		X	
CDL Driver Safety Training Program		X	
Anti-Harassment and Behavioral Training	X	X	
Initial and Recurrent Programs			
Hazard Communication	29 CFR 1910.1200		
Personal Protective Equipment	29 CFR 1910.132		
Respiratory Protection	29 CFR 1910.134		
Bloodborne Pathogens	29 CFR 1910.1030		
Confined Space Entry and Rescue	29 CFR 1910.146		
Fall Protection	29 CFR 1910.22		
Lock Out Tag Out	29 CFR 1910.147		
10 Hour Construction Safety	29 CFR 1926		
Electrical Safety Awareness	29 CFR 1910.332		
HAZWOPER Refresher of 1910.120	29 CFR 1910.120		
Incident Commander	29 CFR 1910.120		
First Aid/CPR	29 CFR 1910.120		
DOT Hazardous Materials General Awareness	49 CFR 172.700		
DOT Hazardous Materials Security Initial Awareness	49 CFR 172.800		
DOT In-Depth Security Plan	49 CFR 172.800		
RCRA – Hazardous Waste Management (State Specific)	40 CFR 265.16		
STOP for Supervision		X	
Emergency Response Team Training		X	
Ergonomics Awareness and Materials Handling		X	
Hand, Electric, and Gas Powered Tools		X	
Health and Safety Program and Policy Reviews		X	
Asbestos Awareness		X	
Biohazards Control		X	
Regulated Medical Waste Management		X	
Materials of Trade		X	
Mercury Handling and Decontamination		X	
Sampling and Monitoring		X	

First Line Supervision Topics include: Emotional Intelligence; Supervisory Skills and Responsibilities; Leadership; Listening; Training; Delegation; Client Interactions & Customer Service; Difficult Conversations; Coaching; Behavioral Based Safety Leadership; Business Strategy and Project Management.			X
Monthly Programs			
Health & Safety Reviews		X	
Industry and Niche Specific Training		X	
Departmental Best Practices		X	
On-Going Programs			
On the Job Training	X	X	X

Triumvirate Learning Center extends beyond the classroom and offers a variety of professional development opportunities, such as the Hazardous Materials Manager (CHMM) certification. In fact, Triumvirate has over 20 CHMM's currently on staff, as well as over a dozen Certified Healthcare Environmental Managers (CHEM), five Registered Environmental Managers (REM), Professional Engineers (PE), Licensed Site Professionals (LSPs). We employ several high hazard specialists, who have attended a Fundamentals of Explosives Course at the University of Rhode Island among other courses. We maintain a database of all of our training records and certifications, which our clients can request at any time. Triumvirate also offers a generous Tuition Reimbursement Program whereby all of our employees are eligible for up to \$8,000 in tuition reimbursement for qualifying programs.

Should you have any questions or require additional information, please contact Ashley Cole at 1-800-966-9282.

Regards,

Ashley Cole

Training Manager

Triumvirate University Learning and Development Program: Drivers

Triumvirate strives to hire and build the best and brightest people in the industry. In order to accomplish this, we have developed and implemented a rigorous hiring process. For over 20 years, Triumvirate has used the Predictive Index in its hiring and management processes. This tool gives hiring managers insight into the behavior and promise of people working on their teams, increasing the ability to motivate these employees and recognize their growth potential. It has also assisted us in finding the most appropriate candidates by identifying the inclination, interests, and drives necessary to excel in specific positions. In other words, it helps to put a candidate in the right position by matching personality with job profile.

We spend a significant amount of time in the hiring process to ensure we hire both emotionally and intellectually intelligent people who continually strive to be the best. For example, when hiring into our Transportation group, we look for candidates with strengths such as an attention to detail and the ability to focus for long periods of time. These traits are strongly and objectively evident in the Predictive Index. The fact that we strive to hire only experienced drivers further distinguishes Triumvirate from the competition.

We recognize our employees are our most valuable asset, and the continued success of Triumvirate is directly impacted by the successful implementation of our learning and performance program, Triumvirate University. After hiring the best talent the industry has to offer, we put these individuals through a rigorous training program, including a three week orientation process designed to orient the new employee to the company, to their service group as well as to the regulatory environment they will be working in. Our commitment to education requires an annual budget of \$1,800,000, or approximately \$5,000 per employee and on average, and we devote more than 100 hours of training annually to each Environmental Specialist. Records are kept in the individual's training file with documentation verifying attendance.

Our training program is the cornerstone of Triumvirate. Our Drivers receive annual training in accordance with all federal, state, and local requirements, including but not limited to EPA, OSHA and DOT. In addition to the training required by these regulatory bodies, Drivers also attend regular safety and performance meetings during which they review new programs, current events and performance gaps. These meetings are further complemented by technical trainings designed to give employees the ability to recognize and manage a diverse array of hazards and compliance issues common to the industry.

In addition to the regulatory and technical schools, Triumvirate University has implemented a supplemental training program designed to foster in our Drivers the interpersonal skills that are essential in making technical expertise actionable. Furthermore, employees must complete quarterly performance reviews, and are subject to regular site and paperwork audits by managers as they advance through our Driver Advancement Program. This data is then fed back into the training cycle, thus closing the loop between learning and performance.

In summation, Drivers at Triumvirate are highly trained and skilled individuals whose primary job function is the safe and compliant packaging and transportation hazardous and non-hazardous waste. We consider our training program to be part and parcel to the technical operations of this company, without which, we could not expect our employees to perform at the high level necessary to successfully execute the transportation component of an environmental management program on behalf of our clients.

TRAINING	REQUIRED BY REGULATORY CITATION	COMPANY REQUIREMENT
One Time Only Programs		
HAZWOPER 40 Hour Training	29 CFR 1910.120	
DOT - FMCSR	49 CFR 380	
Corporate Onboarding Program		X
Safety Orientation		X
CDL Training (Preparation for Road Test)		X
Anti-Harassment and Behavioral Training		X
Initial and Recurrent Programs		
Hazard Communication	29 CFR 1910.1200	
Personal Protective Equipment	29 CFR 1910.132	
Respiratory Protection	29 CFR 1910.134	
Bloodborne Pathogens	29 CFR 1910.1030	
HAZWOPER Refresher of 1910.120	29 CFR 1910.120	
First Aid/CPR	29 CFR 1910.120	
DOT Hazardous Materials General Awareness	49 CFR 172.700	
DOT Hazardous Materials Security Initial Awareness	49 CFR 172.800	
DOT In-Depth Security Plan	49 CFR 172.800	
RCRA – Hazardous Waste Management (State Specific)	40 CFR 265.16	
Ergonomics Awareness and Materials Handling		X
Asbestos Awareness		X
Regulated Medical Waste Management		X
Placarding and Segregation		X
Emotional Intelligence		X
Biannual Programs		
Customer Service		X
Monthly Programs		
Health & Safety Reviews		X
Industry and Niche Specific Training		X
Departmental Best Practices		X
On-Going Programs		
On the Job Training		X

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We maintain all of our training records and certifications in a database, which our clients can request at any time. Should you have any questions or require additional information, please contact Ashley Cole at 1 - 800-966-9282.

Regards,

Ashley Cole, Training Department Manager



The Learning Center at Triumvirate Environmental

Triumvirate strives to hire and build the best and brightest people in the industry. In order to accomplish this, we have developed and implemented a rigorous hiring process. For over 20 years, Triumvirate has used the Predictive Index in its hiring and management processes. This tool gives hiring managers insight into the behavior and promise of people working on their teams, increasing the ability to motivate these employees and recognize their growth potential. It has also assisted us in finding the most appropriate candidates by identifying the inclination, interests, and drives necessary to excel in specific positions. In other words, it helps to put a candidate in the right position by matching personality with job profile.

We spend a significant amount of time in the hiring process to ensure we hire both emotionally and intellectually intelligent people who continually strive to be the best. For example, when hiring Environmental Specialists, we look for candidates with strengths such as an attention to detail and the ability to juggle a variety of tasks. These traits are strongly and objectively evident in the Predictive Index. The fact that all of our Environmental Specialists have a bachelor's degree further distinguishes Triumvirate from the competition.

We recognize our employees are our most valuable asset, and the continued success of Triumvirate is directly impacted by the successful implementation of our learning and performance program, Triumvirate Learning Center. After hiring the best talent the industry has to offer, we put these individuals through a rigorous training program, including a three week orientation process designed to orient the new employee to the company, to their service group as well as to the regulatory environment they will be working in. Our commitment to education requires an annual budget of \$1,500,000, or approximately \$3,750 per employee on average, and we devote more than 125 hours of training to each Environmental Specialist in the first year alone.

Our learning and development programs are the cornerstone of Triumvirate. As working and learning are closely intertwined, we take a blended approach to learning and include traditional classroom training, online learning, and on the job training. Every member of our staff has a learning plan specific to their role and region. All learning and development information is housed in a cloud-enabled Learning Management System (LMS). This database allows for administrative control of the training processes as well learner access to training information. Our Learning and Development staff work closely with members of the operations and compliance teams to develop a deep understanding of an employee's job function and the competencies commensurate with any and all required trainings. As departmental and regional learning plans are updated, the Learning team utilizes the reporting aspect of the LMS to forecast time sensitive training dates and update the training calendar across the enterprise. The LMS provides employees with access to job aids, online learning, assessments, a learning calendar, and their learning transcript.

Our Environmental Specialists receive annual training in accordance with all federal, state, and local requirements, including but not limited to EPA, OSHA and DOT. In addition to the training required by these regulatory bodies, Environmental Specialists also receive specialized instructions on the management and safe handling of a variety of exotic materials including unknown materials, highly hazardous compounds, DEA regulated materials, Select Agents, and toxins. These regulatory and technical trainings are designed to give employees the ability to recognize and manage a diverse array of hazards common to the industry and various niches we serve.

In addition to the regulatory and technical schools, Triumvirate Learning Center has implemented a supplemental training program designed to foster the supervisory, leadership and interpersonal skills in our Environmental Specialists that are essential in making technical expertise actionable. Environmental Specialists are required to pass written exams designed to analyze their ability to apply their regulatory expertise in complex situations. Furthermore, employees must complete quarterly performance reviews, and are subject to regular quality control protocols and site audits by operations and safety staff as they advance through our Environmental Specialist Advancement Program. The auditing staff shares the collected data with the learning and development team to improve on current training solutions.

Triumvirate Learning Center extends beyond the classroom and offers a variety of professional development opportunities, such as the Hazardous Materials Manager (CHMM) certification. In fact, Triumvirate has over 20 CHMM's currently on staff, as well as dozens of individuals designated as Certified Healthcare Environmental Managers (CHEM), Registered Environmental Managers (REM), Certified Industrial Hygienists, Certified Safety Professionals, and Licensed Site Professionals. We employ several high hazard specialists, who have attended a Fundamentals of Explosives Course at the University of Rhode Island among other courses. We maintain all of our training records and certifications in a database, which our clients can request at any time. Triumvirate also offers a generous Tuition Reimbursement Program whereby all of our employees are eligible for up to \$8,000 in tuition reimbursement for qualifying programs.

In summation, Environmental Specialists at Triumvirate are highly trained and skilled individuals whose primary job function is the safe and compliant management, storage and disposal of hazardous and non-hazardous waste. We consider our training program to be part and parcel to the technical operations of this company, without which we could not expect our employees to perform at the high level necessary to successfully execute an environmental management program on behalf of our clients.

Types and Hours of Training Offered:

The trainings outlined below are typical of those received by Triumvirate Environmental operations team members, but not necessarily all-inclusive.

Safety Training – 30-70 Hours Annually

OSHA 40-Hour HAZWOPER and 8-Hour Refresher, Emergency Response Team Training, Bloodborne Pathogens, Hazard Communication/GHS, Personal Protective Equipment, Respiratory Protection, SCBA Training, Confined Space Entry Awareness, CPR and First Aid, Back Safety, Materials Handling, Ergonomics, Knife and Hand Tool Safety, Fire Extinguisher Safety, Triumvirate Safety Orientation, Behavioral Based Safety Program

Department of Transportation Training – 20 Hours Annually

Hazardous Materials General and Function Specific Training, Hazardous Materials Safety Training, Hazardous Materials Security and In-Depth Security Plan Training, Federal Motor Carrier Safety Regulations, Entry Level Drivers, Pre and Post Trip Inspections, On the Job Driver Safety Training

Environmental Training – 8 Hours Annually

RCRA 40 CFR 265.16

Technical Training – 20 Hours Annually

Triumvirate Environmental Programs and Policies, Onsite Support Services, Onsite RCRA Lab Waste I & II, Onsite Radiation Safety, Onsite Biological Safety, Onsite Client Safety Programs, Onsite Environmental Management Systems, Healthcare and Life Science Waste Generating Processes, Understanding Waste Disposal Facilities, Chemistry for the Non-Chemist, WOWing the EHS Professional, Lab Pack Boot Camp, Unknowns Testing Protocols

Leadership and Business Acumen Training – 20 Hours Annually

Triumvirate Mission and Values, Emotional Intelligence, Listening, Delegation, Difficult Conversations, The Four-Step Training Method, First Line Supervision, Safety Expectations for Supervisors, Leadership

Section R: Promoting Growth at Port Everglades

Triumvirate's customers are among the most reputable and demanding life science, universities, hospitals and industrial firms in the United States. Triumvirate Environmental Services offers cost-effective solutions with better results, improved compliance, and peace of mind that allows our clients to focus on what's most important to their business'.

Triumvirate Environmental Services understands the importance of corporate stewardship and therefore offers a wide range of services to our clients, that includes:

- Waste transportation and disposal
- Consulting and onsite support
- Waste minimization and recycling
- Chemical inventory and SDS management
- Waste compliance and reporting

As part of being good stewards Triumvirate also provides on-demand and live seminars to the public at large via its website (<https://www.triumvirate.com/webinar-archive>). These seminars are provided free of charge to all who wish to attend or view them. Triumvirate also provides, at no charge, the ability for the public at large to subscribe an EHS Newsletters and an EHS Blogs that covers a wide variety of Environmental, Health, Safety and Compliance topics.

Through these training and outreach opportunities Triumvirate is able to educate thousands of personnel each year in a variety of topics around Environmental, Health, Safety and Compliance issues. The sharing of this knowledge helps all of those working in any field where the protection of the environment and personnel safety are concerns. This in turn helps to ensure that not only are Triumvirate's employees performing their jobs in the correct manner but also that others, outside of our company, are also working in a safe and responsible manner. By having this culture of safety it will help to ensure that Port Everglades is considered to be one of the safest places to do business as well encourage others to want to do business there.

At Triumvirate, we've developed a culture and mission to consistently WOW our customers by exceeding their expectations.

MARPOL Facility Details:

Facility Name: Perma Fix Environmental Services
Address: 3701 SW 47 Ave #109
City: Davie
State: Florida
Zip Code: 33314
Phone: 954-583-3795
Port: Tampa
COTP Zone: St Petersburg
COTP Sector Phone: N/A

← Acquired By
Triumvirate in 2011

MARPOL Services Available:

MARPOL Type: I

Capacity (Metric Tons): 100
This Facility Accepts: Oily Bilge Water
Sludge from Fuel Oil Purifier

This facility must be capable of receiving oily mixtures from oceangoing ships within 24 hours after notice by that ship; completing the reception of ballast water containing oily mixtures from the ship in less than 10 hours after waste transfer operations begin; and completing the reception of other oily mixtures in less than 4 hours after the transfer operation begins.

Reception facilities for ship repair yards must be capable of completing transfer of oily mixtures from each oceangoing ship before the ship departs from the ship repair yard.

MARPOL Type: V

This facility is approved for MARPOL V.

Is capable of receiving APHIS regulated garbage at a port or terminal no later than 24 hours after notice under 33 C.F.R. Section 151.65 is given to the port or terminal unless it only receives ships that operate exclusively within the navigable waters of the United States; Operate exclusively between ports or terminals in the continental United States; or operate exclusively between continental United States ports or terminals and Canadian ports or terminals.

This facility must be capable of receiving medical wastes or hazardous wastes defined in 40 CFR 261.3, unless the port or terminal operator can provide to the master, operator, or person in charge of a ship, a list of persons authorized by federal, state, or local law or regulation to transport and treat such wastes.

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Sector Miami

100 MacArthur Causeway
Miami Beach, FL 33139-5101
Phone: (305) 695-2344
Fax: (305) 535-8731

16471/17-0111
February 08, 2017

MISLE#: 6083843
FIN#: MIAMOB18

FACILITY RESPONSE PLAN APPROVAL LETTER #17-0111

Triumvirate Environmental (Florida), Inc
Attn: Brooke Rabe
3701 SW 47th Ave Suite 109
Davie, FL 33314

Dear Madam,

My staff has determined that the Triumvirate Environmental (Florida) Inc Facility Response Plan meets Title 33 Code of Federal Regulations Part 154 (33 CFR 154) and it is hereby approved. **This approval is valid until February 08, 2022.**

You are reminded that Triumvirate Environmental Inc is prohibited from handling, storing, transporting, transferring, or lightering oil unless it is operating in full compliance with this plan. Compliance includes ensuring that the required resources are in place and available through contract or other approved means.

You are required to resubmit an updated plan every five years in accordance with 33 CER 154.1030 and 33 CFR 154.1060. If you make any changes outlined in 33 CFR 154.1065(b), such as changing the types of oil handled or your OSRO, you must submit revisions to this office within 30 days. Finally, you must notify this office if you make revisions to personnel and telephone number lists included in the response plan.

Please refer to the facility identification number MIAMOB18 in any future correspondence. If you have any questions, please contact the Sector Miami Prevention Department, Facilities and Containers Branch at (305) 695-2344.

Sincerely,

A handwritten signature in black ink, appearing to read "B. W. CLARE".

B. W. CLARE
Commander, U. S. Coast Guard
Captain of the Port, Miami
By direction

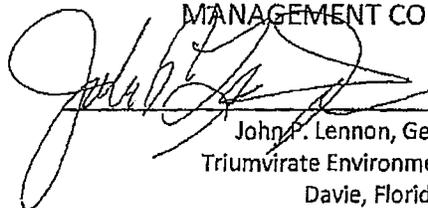
Port Operations Manual
(33 CFR 154 & 156)
TRIUMVIRATE ENVIRONMENTAL (FLORIDA), INC.

3701 SW 47TH AVENUE
SUITE 109
DAVIE, FL 33314
954-583-3795

FACILITY LOCATION:
3670 SW 47TH AVENUE
DAVIE, FLORIDA 33314

January 16, 2017

MANAGEMENT CONCURRENCE BY:

 Date: 1/16/17
John P. Lennon, General Manager
Triumvirate Environmental (Florida), Inc.
Davie, Florida 33314

EXAMINED BY
US COAST GUARD

FEB 09 2017

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- A - Applicable Regulations
- B - Declaration of Inspection Form
- C - Spill Response Vendor Capabilities
- D - Certified MTRF Operator
- E - COTP Notification Form
- F - Material Safety Data Sheets
- G - Health and Safety Training Program (contents only)
- H - Triumvirate Environmental (Florida), Inc. Response Equipment
- I - Fire Extinguisher Use Instructions
- J - Acronyms and Definitions

1.0 INTRODUCTION

The Operations Manual has been written to comply with the regulatory standards established in 33 CFR 154 and 156. The intent of the operation manual is to effectively and safely transfer the contents of the fuel tanks, fuel oil slop tanks, or other petroleum material to or from a vessel and a mobile transportation-related facility (MTRF). For the purpose of this manual, a MTRF shall be defined as a tanker trailer or vacuum truck, and a "vessel" such as a ship, barge, or related floating structure.

The following records shall be maintained at the TEI, FL's fixed facility located at 3670 S.W. 47th Avenue in Davie Florida:

- a) A copy of the Letter of Intent for the operation of the MTRFs,
- b) The name of each person currently designated as a MTRF operator and in charge of transfer operations,
- c) Required hose information, except marked on the hose,
- d) Record of all examinations of the facility by the COTP within the past 3 years, and
- e) Declaration of Inspection.

2.0 OPERATIONS MANUAL

2.1 Geographic Location-

Triumvirate Environmental (Florida), Inc. (TEI, FL) owns/operates MTRFs from a fixed facility located one half mile south of U.S. Interstate I-595 and State road 441. MTRFs operate pier side in ports throughout southern Florida. Primary port facilities include the Port of Miami, Port Everglades, Port of Dania, Port of West Palm Beach, Port Canaveral, and Port of Tampa.

2.2 Physical Description of Facility-

TEI, FL owns/operates seven tanker trailers. The tanker trailers have a capacity of 7,000 gallons and have been fitted with a submerge fill system which utilizes a combination of pipes, manifolds, filters, and pumping stations. The operational performance of the pumping system has been rated at 45 PSIG with a pump speed of 450 rpms (60gpm) given a material viscosity of approximately 32 S.U.S.

Each truck has been constructed with a single tank staged and fitted atop a steel chassis. Each tank has been subdivided with internal bulkheads creating two or three separate compartments within the tank. Each compartment is filled by the submerged fill system. Access to the tank can be accomplished by manways located in the top of the tank. Each manway has been fitted with a matching hatch and latch for securing the opening(s).

Additionally, TEI, FL owns/operates two vacuum trucks. Both vacuum trucks have a strong capacity of approximately 3,000 gallons and are configured similar to the tank trucks. Utilizing vacuum pumps, the trucks can remove viscous material from any location on a vessel.

Each MTRF is equipped with a 2 and/or 3 inch diameter hose with a MAWP of 150 psi and a MDBP of 450 psi. Each hose is made of hard rubber with re-enforcing rings and fitted with camlock type couplers. Additionally, each MTRF is equipped with 2- 10 pound or 1-20 lb. (Class A, B, C) fire extinguisher.

Because the TEI, FL facility at the port is mobile and the permanent facility does not fall under the Coast Guard jurisdiction, no drawing of the permanent facility is being provided.

2.3 Hours of Operation

Operation of the MTRFs is 24 hours a day, seven days a week, and 365 days a year.

2.4 Size, Types, and Number of Vessels

As discussed in 2.2, TEI, FL currently has nine fully operable MTRFs. Although TEI, FL has nine MTRFs (i.e., vehicles) no more than two vessels are to be serviced at any one time. This is based on equipment and man power availability at any one time. The size of the vessels serviced is unlimited due to the fact that multiple trips by each MTRF (i.e., vehicle) can be conducted.

2.5 Description of Material Transferred

It is anticipated that materials transferred will include, but are not limited to, three general categories, i.e. HEAVY FUEL OIL, GAS OIL, and LUBRICATING OIL. The character of the material transferred is anticipated to be that as identified above with the possible introduction of varying amounts of fresh or salt water. It shall be understood that there are multiple grades of fuels and oils available to vessels and that the above named material represent categories of materials. Other materials are anticipated with various specific gravities that will fall within the range of the above stated. SDSs found in Appendix F are representative of the material transferred and are within the range stated above.

The following summarizes the range of characteristics for the materials transferred by the MTRFs:

2.5.i. – 2.5 ii(a)-(d) Product Cargo Information Transferred at the MTRF

1. IFO 380 (Max 380 cst)/Heavy Fuel Oil

Generic Name: Residual Fuel Oil

Specific Gravity: 0.988

Appearance: Oily, black liquid

Odor: Characteristic, petroleum odor

Hazards involved in Handling the Cargo: Refer to Appendix F, MSDS for Residual Fuel Oil

Instructions for Safe Handling the Cargo: Refer to Appendix F, MSDS for Residual Fuel Oil

2. Marine Diesel Oil (IFO 40)/Gas Oil

Generic Name: Shell Melina 30

Specific Gravity: 0.845

Appearance: Oily, amber to clear liquid

Odor: Characteristic, petroleum odor

Hazards involved in Handling the Cargo: Refer to Appendix F, MSDS for Shell Melina 30

Instructions for Safe Handling the Cargo: Refer to Appendix F, MSDS for Shell Melina 30

3. Lubricating Oil

Generic Name: Shell Marine Fuel Oil

Specific Gravity: 0.89

Appearance: Oily, brown to black

Odor: Characteristic, petroleum odor

Hazards involved in Handling the Cargo: Refer to Appendix F, MSDS for Shell Marine Fuel Oil

Instructions for Safe Handling the Cargo: Refer to Appendix F, MSDS for Shell Marine Fuel Oil

2.5(ii)(e): Instructions for Safe Handling of the Cargo

The Instructions for the safe handling of the cargo is found in Appendix F.

2.5(ii)(f): The Procedures to be Followed if the Cargo Spills or Leaks or if a Person is Exposed to the Cargo

The procedures in this section will be the same for each product transferred at the MTRF.

No material shall be transferred to or from an unmanned vessel. In the event of an emergency shutdown, communication with the person in charge of the vessel shall be conducted by intrinsically safe two-way radios. All operations shall be immediately stopped. This can be accomplished by disengaging the clutch and deactivating the PTO lever, located on the vehicle unless the vessel is pumping to the MTRF in which case the vessel shall stop pumping. The person in charge of the MTRF shall be familiar with this procedure and ensure that crew members are familiar with the same.

In the event of an oil spill, initial containment and cleanup shall be first attempted by the person in charge of the MTRF. A list of equipment owned by TEI, FL and immediately available to the person-in-charge of the MTRF is provided in APPENDIX H. Training in the proper use of equipment listed in Appendix H is provided by TEI, FL's Health and Safety Training Program. Spills beyond the person in charge's ability to contain and/or cleanup shall be immediately addressed by the engagement of known professional sub-contracted cleanup vendor(s). The following vendor has been deemed capable and qualified to attend to oil spill situations:

SWS Environmental Services

6900 NW 12th Avenue
Fort Lauderdale, Florida 33309
Point of Contact: Steven Wade
Telephone: (954) 957-7271 (24 Hours)
Response Time: Port of Miami, Port Everglades = 1 Hour

A listing of the spill response contractor's equipment and capabilities is provided in APPENDIX C. Additionally, copies of "Letters of Agreements" for service are provided in APPENDIX C.

2.5(ii)(g): Fire Fighting Procedures and Extinguishing Agents Effective with Fires Involving the Cargo.

The procedures listed in this section will be the same for each product transferred at the MTRF.

Each MTRF is fitted with two, 10 lb. or one, 20 lb. (Class A, B, C) fire extinguisher that are fully charged and serviceable. Extinguishers shall be located in the cab of the truck. In the event a fire cannot be "put out" utilizing a fire extinguisher within two minutes, initiate the Response Plan immediately. Training on the proper use of fire extinguishers is provided in TEI, FL's Health and Safety Plan (see APPENDIX G). All MTRF operators and the qualified individual are required to successfully complete the training program which includes classroom lessons, written tests, and on-the-job training. SEE APPENDIX I FOR Fire Extinguisher INSTRUCTIONS.

2.6 The Minimum Number of Persons on Duty During Transfer Operations and Their Duties.

It is the policy of TEI, FL that all personnel involved in the transfer of material be certified MTRF operators. At a minimum, a two man crew shall be utilized during all transfers. The person in charge shall assume responsibility for the MTRF, all other crew members, and the following items:

- a) To meet with the Master, Chief Officer, Chief Engineer, or other person otherwise designated as the person-in-charge of the vessel and under employment of the vessel and discuss the basic parameters of the intended transfer;
- b) To ensure that the Declaration of Inspection and other applicable forms are properly filled out;
- c) To ensure that all items on this declaration are fully understood and agreed upon by the person-in-charge of the vessel and himself prior to the commencement of the transfer operation. Any discrepancies are to be noted in writing;
- d) To read, understand, and implement procedures in this manual
- e) To expedite transfer of material without causing any damage to the vessel and/or the mobile shore facility, their equipment, or the environment;
- f) To notify the proper person(s) and agencies in case of a spill; and
- g) Properly secure the equipment upon termination of material transfer which includes: securing all hatches, valves, fittings and other appurtenances connected to or leading from the mobile shore facility and to instruct and direct the assistant as necessary to accomplish all of the previously stated goals.
- h) Remain within the immediate vicinity of the transfer area.

No person may connect or disconnect a hose, top off a tank, or engage in any other critical procedures during transfer operation unless the person in charge of the MTRF supervises that activity and the person in charge of the vessel is aware of such activity.

No person may transfer material to or from a vessel unless the person in charge of the MTRF is immediately available and the person in charge of the vessel is aware of such activity.

2.7 Emergency Contacts-

The person in charge of the MTRF is responsible for reporting spills or other emergency situations to the appropriate officials. A list of contacts as may be required during an emergency is provided as follows:

Qualified Individual:

Shawn Lennon (954) 538-3795 (office) (954) 296-3873 (mobile)

Alternate Qualified Individual

Kyle Lopic (407) 859-4441 (office) (954) 459-1143 (mobile)

National Response Center (800) 424-8802
State Warning Point (800) 320-0519
Sector Miami (786) 777-0775
USCG Duty Officer (305) 732-0160
Sector Key west (305)292-8727
Region 4 Reporting Center (904) 564-7513
FL Dept of Env Protection (850)488-1234
Miami Dade Police Dept (305)571-3000
Dade Dept Env Resource Mgt (305)519-1260
Fire/Rescue Squad (305) 579-2587
Port Security (305)347-4880
Port Security Emergencies (305)372-7742
Local Police/Fire/Medical 911

2.8 Duties of Watchmen for Unmanned Vessels Moored at the Facility

A watchmen is not required because the Facility is a MTRF and not a fixed facility.

2.9 Communication Systems

Communication is accomplished by intrinsically safe 2-way radios, cell phones and/or verbal communication when applicable.

2.10 Location and Facilities of Each Personnel Shelter

The cab of the tanker trailer or vacuum truck will provide personnel shelter if needed.

2.11. Description and Instructions for Use of Drip and Discharge Collection and Vessel Slop Reception Facilities

The following procedures should be used by company personnel when delivering material to or receiving material from a vessel.

TEI, FL is aware that the COPT requires a MTRF operator to notify the COTP of the time and place of each transfer operation at least 4 hours before it begins. A copy of the notification form is provided in **APPENDIX E**.

Prior to transferring material to or from a vessel, the MTRF operator shall complete and sign the Declaration of Inspection form provided in **APPENDIX B**.

The Vessel and MTRF operator shall have a signed copy of the Declaration of Inspection available for inspection by the COTP during the transfer operation.

TEI, FL shall retain a signed copy of the Declaration of Inspection at its fixed facility for a minimum of one month from the date of signature.

TEI, FL adopts the regulatory requirements for making connections for transfer operations by reference. These regulatory requirements shall be adhered to during the transfer of material between vessels and MTRF operated by TEI, FL.

- A. Each person who makes a connection for transfer operations shall:
1. Use suitable material in joints and couplings to ensure a leak-free seal;
 2. Use a bolt in at least every other hole, and in no case less than four bolts, in each temporary bolted connection that uses a flange that meets American National Standards Institute (ANSI) standard flange requirements under 33 CFR 154.500(d)(2).
 3. Use a bolt in each hole in each temporary bolted connection that uses a flange other than one that meets ANSI standards;
 4. Use a bolt in each hole of each permanently connected flange;
 5. Use bolts of the correct size in each bolted connection; and
 6. Tighten each bolt and nut uniformly to distribute the load and sufficiently to ensure a leak free seal.
- B. A person who makes a connection for transfer operations must not use any bolt that shows signs of strain or is elongated or deteriorated.
- C. Except as provided in paragraph (d) of this section, no person may use a connection for transfer operations unless it is:
1. A bolted or full threaded connection; or
 2. A quick-connect coupling acceptable to the Commandant.
- D. No person may transfer oil or hazardous material to a vessel that has a fill pipe for which containment cannot practically be provided unless an automatic back pressure shutoff nozzle is used.

2.11.1 Discharging from a MTRF to a Vessel-

Step 1: Initiate transfer with Declaration of Inspection

Step 2: Clearly Place a "NO SMOKING" and "No Open Lights" sign on each side of the MTRF.

Step 3: Connect portable hose to discharge valve of the MTRF and place a 5 gallon bucket beneath the coupling for drip and discharge collection.

Step 4: Connect portable hose to fill valve of the vessel and place a 5 gallon bucket beneath the coupling for drip and discharge collection.

Step 5: Close manifold split valve and connect hose to vessel.

Step 6: Insure that the hose is properly connected to the vessel and the vessel is ready to take delivery of material.

Step 7: Open appropriate tank line fill valve.

Step 8: Engage clutch/PTO to commence pumping material. (Note: for tankers, engage the PTO pump switch)

NOTE: 5 gallon buckets used to collect drips and discharge are pumped out upon completion of material transfer.

2.11.2 Discharging from a Vessel to a MTRF-

Step 1: Clearly place a "NO SMOKING" and "No Open Lights" sign on each side of the MTRF.

Step 2: Close all manifold valves.

Step 3: Connect portable hoses to vessel line.

Step 4: Spot end of portable hose to tanker manway and tie off the hose end with two lengths of sash cord.

NOTE: Vessel will supply pumping force to effect discharge: In the event vessel cannot provide pumping force, the MTRF has pumping capability in which case the portable hose shall be connected to the suction lines of the MTRF.

2.11.3 Breaking Down Transfer Equipment-

Step 1: Close tank valves and discharge suction valve.

Step 2: Crack ears on hose coupler to permit intake of air hence, disconnect hose while operating pump until hose and lines are clear. Insert plug to end of hose and wire hose ears are shut.

Step 3: Disengage pump.

Step 4: Close all discharge line valves.

Step 5: Disconnect and stow all hoses.

2.12 Emergency Shutdown System

Transfer operations shall be stopped whenever material is discharged in the transfer operation work area or into the water or upon the adjoining shoreline in the transfer area.

Unless authorized by the COTP, transfer operations shall not resume until the material discharged is cleaned up.

The emergency shutdown systems are located on the MTRFs. The clutch is disengaged and the PTO lever is deactivated on the MTRF to terminate the flow of material. When the vessel is pumping to the MTRF, the vessel crew will be alerted to halt pumping.

NOTE: For information on reporting and initial containment of oil or hazardous material discharges refer to pages two and three.

2.13 Required Monitoring Devices

This section is not applicable as the MTRFs are not fixed facilities.

2.14 Gaining Access to Containment Equipment

Each MTRF providing transfer operations will have the following containment equipment in a side box located on the side of the MTRF and/or in the cab of the MTRF and is immediately accessible:

- 100 feet of hose (2 inch diameter)
- Three bales of absorbent pads (100pads/bale)
- 20ft. Absorbent Boom
- 2-1-ft Flexibooms

The following equipment is either located at TEI, FL's facility in Davie, Florida or available by radio for immediate dispatch to the MTRF location:

- Seven tanker trailers (7,000 gallon capacity)
- Two vacuum trucks (3,000 gallon capacity)
- Two box trucks
- Two diaphragm pumps with 200 feet of hose (2 Inch diameter)
- 500 pounds of oil absorbent material (land use only)

For large releases, the OSRO, SWS will be contacted. Their equipment is located at their facility in Fort Lauderdale, Florida and have a response time of approximately an hour.

2.15 Fire Extinguishing Equipment

Each MTRF providing transfer operations will have the following fire extinguishing equipment:

- Two 10 pound or one 20 pound fire extinguisher

Instructions for the use of the fire extinguishers is found in Appendix I.

2.16 Maximum Allowable Working Pressure

The operations performance of the pumping system for every MTRF has been rated at 45 PSIG with a pump speed of 450 rpms (60 gpm) given the transfer material viscosity is about 32 S.U.S. Each MTRF is also equipped with 2 and/or 3 inch diameter hose with a MAWP of 150 psi and a MDBP of 450 psi.

2.17.(i)&(j)Procedures

The following procedures should be used by company personnel when delivering material to or receiving material from a vessel. No person may use any equipment unless the vessel or MTRF operator (as appropriate) tests and inspects the equipment. Specific equipment items include:

- b) Nonmetallic transfer hoses,
- c) Transfer system relief valves,

- d) Pressure gauges,
- e) Loading arms and transfer pipe systems,
- f) Remote operating or indicating equipment, and
- g) Hose in underwater service.

Facility test and inspections are required on an annual basis.

Discharging from a MTRF to a Vessel-

Step 1: Initiate transfer with Declaration of Inspection

Step 2: Clearly Place a "NO SMOKING" and "No Open Lights" sign on each side of the MTRF.

Step 3: Connect portable hose to discharge valve of the MTRF and place a 5 gallon bucket beneath the coupling for drip and discharge collection.

Step 4: Connect portable hose to fill valve of the vessel and place a 5 gallon bucket beneath the coupling for drip and discharge collection.

Step 5: Close manifold split valve and connect hose to vessel.

Step 6: Insure that the hose is properly connected to the vessel and the vessel is ready to take delivery of material.

Step 7: Open appropriate tank line fill valve.

Step 8: Engage clutch/PTO to commence pumping material. (Note: for tankers, engage the PTO pump switch)

NOTE: 5 gallon buckets used to collect drips and discharge are pumped out upon completion of material transfer.

Discharging from a Vessel to a MTRF-

Step 1: Clearly place a "NO SMOKING" and "No Open Lights" sign on each side of the MTRF.

Step 2: Close all manifold valves.

Step 3: Connect portable hoses to vessel line.

Step 4: Spot end of portable hose to tanker manway and tie off the hose end with two lengths of sash cord.

NOTE: Vessel will supply pumping force to effect discharge: In the event vessel cannot provide pumping force, the MTRF has pumping capability in which case the portable hose shall be connected to the suction lines of the MTRF.

2.17.(iii) Breaking Down Transfer Equipment-

Step 1: Close tank valves and discharge suction valve.

Step 2: Crack ears on hose coupler to permit intake of air hence, disconnect hose while operating pump until hose and lines are clear. Insert plug to end of hose and wire hose ears are shut.

Step 3: Disengage pump.

Step 4: Close all discharge line valves.

Step 5: Disconnect and stow all hoses.

2.17.(iv) Emergency Shutdown System

Upon detection of a spill (after notification), the person in charge will immediately use the emergency shutdown systems located on the MTRFs. The clutch is disengaged and the PTO lever is deactivated on the MTRF to terminate the flow of material. When the vessel is pumping to the MTRF, the vessel crew will be alerted to halt pumping. If after the emergency shutdown is complete and material is still being released, the person in charge will take appropriate measures to stop the flow of material which could include reconnecting the hose, plugging a hole, shutting off a valve or transferring the liquid to an empty 5 gallon bucket.

Once emergency shutdown is complete, the person in charge will don proper personal protective equipment (PPE), which at a minimum includes chemical-resistant gloves and quickly estimate the magnitude of the spill. Absorbent booms and flexibooms will be used for containment purposes by placing them around the spill and blocking off drainage ways. Absorbent pads will be used to soak up the material released.

The released material will be recovered and containerized into a drum or container and disposed of properly into a landfill permitted to accept such material or to a recycler capable of processing and/or disposing of the material.

After the release has been contained and cleaned up, the Facility Manager (or designee) must ensure that all spill response equipment is restocked and ready for use.

If it is determined that a release is uncontrollable, the person in charge will obtain assistance from the OSRO, SWS Environmental.

2.18 Procedures for Reporting and Initial Containment

In the event of a discharge, the following TEI, FL personnel (in descending order) serve as the Spill Management Team Manager (Also Qualified Individual) and Alternate Spill Management Team Managers (Also Alternate Qualified Individual). These personnel are authorized to commit the necessary resources to respond to a spill. These individuals shall be contacted in the event of a release via phone.

Facility Phone: (954)583-3795 Facility Fax: (954)583-8017

<u>Name</u>	<u>Position</u>	<u>Facility</u>	<u>Cell</u>
Shawn Lennon	Qualified Individual	(954)583-3795	(954)296-3873
Kyle Lopic	Alternate Qualified Individual	(407)859-4441	(954)459-1143

Spill management support crews shall consist of facility operations personnel.

Spill Response Oil Spill Removal Organization Contractors

SWS Environmental Services
6900 NW 12th Ave
Fort Lauderdale, Florida 33309
Point of Contact: Steven Wade
Telephone: (954)957-7271 (24 Hours)
Response Time: Port of Miami, Port Everglades = 1 Hour

Regulatory Contacts

National Response Center	(800) 424-8802
USCG, Sector Miami	(786) 777-0775
USCG, Sector Key West	(305) 292-8727
FL Dept. Environmental Protection	(850) 488-1234
Dade Dept Environmental Resources Mgt	(305) 372-6820
Broward Environmental Resource Mgt	(954) 519-1260
Miami Dade Police Department	(305) 571-3000
Fire and Rescue Squad	(305) 579-2487
Port Security	(305) 347-4880
Port Security Emergencies	(305) 372-7742

Figure 1 shall be used in the initial and follow-up notification to the Federal, State and Local agencies identified above. A copy of Figure 1 shall be placed at the location from which the notification is made. Initial notification shall not be delayed pending collection of information.

In the event of a release during the transfer of material between a MTRF and a vessel or malfunction of either a MTRF or a vessel, all operations shall immediately stop. The person-in-charge of the MTRF shall be familiar with the procedures necessary to stop the transfer of material and shall ensure that crew members assigned during the transfer operation are familiar with the same.

The following is a list of general response guidelines the person-in-charge will implement:

- A. Shutdown
 1. Shutdown MTRF systems to terminate flow of material by disengaging the clutch and deactivating the PTO lever, located on the vehicle. If the vessel is pumping to the MTRF, alert the vessel to halt pumping.
- B. Equipment Evaluation
 1. Check the position and condition of valves.
 2. Check and replace hoses, piping, gaskets, etc (i.e., transfer system) if failed ruptured, leaking, or damaged.
 3. If tank overflows or fails, transfer remaining contents to alternate MTRF.
- C. Mitigation and Prevention Procedures
 1. Use drip pans, absorbent material, absorbent pads, and containment booms to contain and clean-up spilled material on the pier.
 2. If spilled material enters the water, contain with booms and use vacuum trucks to suck up floating material while maintaining with containment booms.
 3. If explosion or fire occurs within the vicinity of the MTRF, relocate the MTRF to a safe distance from the fire or explosion. If the tractor portion of the MTRF is on fire, extinguish the fire with fire extinguishers. If tanker portion of MTRF is on fire, evacuate the area immediately.

4. Immediately notify the Qualified Individual or Alternate Qualified Individual of location and status of the above scenarios and actions taken. Note all actions taken.
5. If the situation is not immediately controlled, immediately contact the OSRO spill response contractor identified above.

A copy of the above procedures shall be maintained in each MTRF. All mitigation practices shall be conducted in accordance with TEI, FL's Health and Safety Plan.

2.19 Summary of Applicable Federal, State and Local Oil Pollution Regulations

A brief summary of applicable Federal, state and local oil or hazardous material pollution laws and regulations are found in Appendix A.

2.20 Procedures for Shielding Portable Lighting

MTRFs (i.e., vacuum units, tanker trailers, and supporting tractors) are equipment with permanently mounted lights for use during the night time transfer of material. These lights are directed at the MTRF. Hand held intrinsically safe flashlights may be utilized for supplemental lighting. No portable lights are utilized. TEI, FL minimizes (to the fullest extent possible) material transfers during the night time hours.

2.21 Description of the Training and Qualification Program for Persons in Charge

It is TEI, FL's policy to employ and effectively train skilled individuals for all transfer operations. Said individuals shall have successfully completed a company sponsored, 40-hour HAZWOPER and annual 8 hour Health and Safety Training Program designed to accomplish the following goals:

- a) To educate individuals concerning the basic properties and characteristics of materials handled including fire and health hazards;
- b) To educate individuals concerning the proper first aid techniques relevant to the above named fire and health hazards;
- c) To instruct individuals in the proper method to both right and disassemble the various fittings, hoses, and/or appurtenances utilized in the transfer procedures;
- d) To instruct individuals in the proper method to operate the MTRF during transfer procedures; and
- e) To instruct individuals in the proper method to handle spill and emergency situations in the remote event that such an occurrence should occur.

Each person who successfully completes the program as outlined above shall be considered a "Certified Mobile Transportation-Related Facility Operator."

Individuals which have been qualified as Certified MTRF Operators and may be designated as the person-in-charge of transfer operations are identified in APPENDIX D. Persons so designated have met the following qualification standards:

- a) Have completed a company sponsored training program and are experienced in transfer operations with the type of MTRF utilized by TEI, FL, and
- b) Have demonstrated they are well versed in the following:
 - The hazards of each material to be transferred
 - The rules of 33 CFR 154 & 156
 - Facility operating procedures as described in this operations manual
 - Each MTRF transfer control system to be used
 - Local discharge reporting procedures
 - Response plan for discharge reporting, containment and cleanup

No person may serve as the person in charge for more than one vessel at a time. All personnel involved in the transfer of material must be certified MTRF operators. Any person identified in Appendix C may be assigned the responsibility as the person in charge

2.22 Hazardous Materials Transfer Hoses

Because TEI, FL engages in the removal of oily wastes from ships and because all materials that are moved by bulk transport are compatible mixtures of water and oil, there is no color code designation for different, non-compatible materials. However, TEI, FL has chosen to color code transfer hoses which have been pressure rated, tested, and approved for use in over the water transfers. These hoses have been marked with an OSHA fluorescent yellow painted dot at either end of the hose.

2.23 Description of Procedures for Facilities that Conduct Tank Cleaning or Stripping Operations

This section is not applicable as the MTRFs do not perform tank cleaning or stripping operations.

3. Facility Vapor Collection System

This section is not applicable as the MTRFs do not collect vapors emitted from vessel cargo tanks for recovery, destruction, or dispersion.

FIGURE 1:

Reporting Information Form

Figure 1: Information on discharge *

Involved Parties:

* It is not necessary to wait for all information before calling NRC. National Response Center?1-800-424-8802 or direct telephone: 202-267-2675.

(A) Reporting party	(B) Suspected responsible party
Name	Name
Phones	Phones
Company	Company
Position	Organization Type:
Address	Private citizen
Address	Private enterprise
	Public utility
	Local government
	State government
	Federal government
City	City
State	State
Zip	Zip
Were materials Discharged (Y/N)	
Calling for Responsible Party (Y/N)	
Incident Description	
Source and/or Cause of Incident	
Date--Time:	
Cause	
Incident Address/Location Nearest City	
Distance from City	
Storage Tank Container Type?Above ground (Y/N) Below ground (Y/N) Unknown	
Facility Capacity	
Tank Capacity	
Latitude Degrees	
Longitude Degrees	
Mile Post or River Mile	
Materials	
Discharge Unit of Quantity Measure Discharged Material Quantity in Water	

Response Action
Actions Taken to Correct or Mitigate Incident
Impact
Number of Injuries Number of Fatalities
Were there Evacuations (Y/N/U) Number Evacuated
Was there any Damage (Y/N/U) Damage in Dollars
Additional Information
Any information about the Incident not recorded elsewhere in the report
Caller Notifications
USCG EPA State Other

APPENDIX A:

APPLICABLE REGULATIONS

Summary of Applicable Laws

Per the requirement of the US Coast Guard, this section includes a brief summary of applicable Federal, State, and Local laws or hazardous materials pollution laws and regulations.

Laws and Regulations Regarding Oil Pollution

Federal Laws

Refuse Act of 1899 (33 USCA 407)

It is unlawful for any person (on a vessel or ashore) to throw, discharge, or deposit any refuse matter of any kind or description (including oil) into the navigable waters of the United States.

Violation of this act can result in fines ranging from \$500 to \$2,500, prison terms from 30 days to one year, or both. The Master of vessel may have his license suspended or revoked if he knowingly or willfully violates this statute (Sec. 412).

Clean Water Act (33 USCA 1321)

It is unlawful to discharge oil or hazardous substances into or upon the navigable waters of the United States , 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 which may affect the natural resources and fisheries of these areas.

Failure to report a spill immediately to the Coast Guard can result in a maximum fine of \$10,000 and/or one year in prison. Any owner, operator, or person in charge of an onshore terminal or a vessel shall be fined not more than \$5,000 for each offense of discharge of oil or hazardous substance.

Oil Pollution Act, 1961 (33 USCA 1001-1015)

It is unlawful, with certain exceptions, to discharge oil or an oil mixture exceeding 60 liters per mile from vessels of US registry or nationality within the "prohibited zone" of fifty miles or more from the mean low water line of the US coastline.

Ports and Waterways Safety Act of 1972 (133 USCA 122-1227)

This act authorizes the US Coast Guard to prevent damage to structures on or in the navigable waters of the US and to land structures in adjacent shore areas, and to protect the resources in such waters. It also authorizes the US Coast Guard to require navigational and communications equipment for vessels entering US ports, and to establish minimum standards for tank ships such as inert gas systems, crude oil washing, segregated ballasts, etc.

This act provides civil penalties of up to \$25,000 per violation of this law or its regulations, where each day constitutes a separate violation. Criminal penalties are up to \$50,000 and/or up to 5 years in prison. If a violation results in threatened or actual bodily injury to any officer authorized to enforce these provisions, the maximum criminal fine is \$100,000 and or 10 years in prison.

Marine Protection Research and Sanctuaries Act of 1976 (33 USC 1401)

Prohibits ocean dumping that could be deleterious to the marine environments. Provides civil penalties of up to \$50,000 and/or criminal penalties of up to \$50,000 and one year imprisonment for willful violation.

Comprehensive Environmental Response Act (42 USC 9605)

Prohibits the discharge of reportable quantities of designated hazardous substances in US waters. Provides a civil penalty of up to \$50,000 and criminal penalty of up to \$25,000 and one year imprisonment for willful violation. Provides for a criminal penalty of up to \$10,000 an/or one year for failure to notify.

International Convention for the Prevention of Pollution from Ships (33 USC 1901-1911)

Requires US ships and ships visiting US ports to have on board certain oil pollution equipment and to follow certain operating procedures to reduce the discharge into the sea of oil and oily waste from normal shipboard operations. Provides a civil penalty of up to \$50,000 and/or 5 years imprisonment.

Oil Pollution Act, 1990

Amended the Federal Water Pollution Control Act (33 USC 1251), establishing minimum statutory requirements and criteria for oil spill contingency plans and programs, and establish statutory deadlines for submission of oil spill contingency plans (February 18, 1993) and full implementation of the plans and associated programs.

The act requires that owners and/or operators identify and ensure by contract or other means that availability of personnel and equipment sufficient to remove, to the maximum extent practicable, a worst case discharge and to mitigate or prevent substantial threat of such a discharge.

Florida State Laws

The State of Florida Oil Spill Prevention and Control Regulations, Chapter 376, requires the licensing of oil transfer facilities operating within the State. They also require the containment and removal of pollution resulting from oil transfer operations. The discharge of oil into or upon any coastal waters or lands adjoining the seacoast of the State is strictly prohibited.

Government Code

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Government Code Sections 8574.1 through 8670.72, and Public Resources Code Sections 8750 through 8760) created a new and comprehensive state oil spill program for marine waters. The new law greatly expands the authority, responsibilities, and duties of the Department of Fish and game under the direction of the administrator for oil spill response.

This act requires that the existing state oil spill plan be upgraded to include the state hierarchy for command and control of oil spill response, provisions for regional and local response planning, and enhanced protection of sensitive areas.

This act requires every marine facility and vessel operating in Florida to have an approved oil spill contingency plan.

This act requires that the state and vessel/facility contingency plans meet a generic Best Achievable Protection standard.

The plan sets up harbor safety committees to review and advise on harbor safety elements and issues.

This act makes owners and operators of vessels and facilities absolutely, jointly, and severally liable for damage from oil spills and requires them to demonstrate proof of financial capability to pay for damages from a spill.

This act establishes an Administrative Fund and a Trust Fund for oil spill prevention and response activity.

This act requires the party responsible for an oil spill to rehabilitate any damaged resources to Department of Fish and Game standards.

APPENDIX B

DECLARATION OF INSPECTION FORM

Triumvirate Environmental (Florida), Inc
3701 S.W. 47TH AVENUE, SUITE 109 • DAVIE, FL 33314
BROWARD (954) 583-3795 FAX (954) 583-8017
TOLL FREE (800) 959-9543

DECLARATION OF INSPECTION PRIOR TO BULK CARGO TRANSFER

Vessels:	START OF TRANSFER
Transfer Facility:	
Location	DATE:

The following list refers to requirements set forth in detail in CFR 156.150 and 46 CFR 35.35-30 (printed in reverse).
The spaces adjacent to items on the list are provided to indicate that the detailed requirement has been met

	DELIVERER	RECEIVER
1. Communication System/Language Fluency. (156.120 (M) (P)) System tested.		
2. Warning Signs and red Warning Signals. (35.35-30)		
3. Vessels Moorings. (156.120 (a))		
4. Transfer System Alignment. (156.120 (d))		
5. Transfer System; unused components. (156.120 (c))		
6. Transfer System; fixed piping. (156.120 (f))		
7. Overboard Discharges/Sea Suction Valves. (156.120 (g))		
8. Hoses or Loading Arms condition. (156.120 (h) (156.170))		
9. Hoses; length and support. (156.120 (b) (c))		
10. Connections. (156.130)		
11. Discharge Containment System. (156.120 (j) (l)) Drain Holes closed.		
12. Scuppers or Drains. (156.120 (k))		
13. Emergency Shutdown. (156.120 (n))		
14. Repair Work Authorization. (35.35-30)		
15. Boiler and Galley Fires Safety. (35.35-30)		
16. Fires or Open Flames. (35.35-30)		
17. Lightning (sunset to sunrise). (156.120 (i))		
18. Safe Smoking Spaces. (35.35-30)		
19. Spill and Emergency shutdown procedures. (156.120 (q))		
20. Sufficient Personnel. (156.120 (o) (s))		
21. Transfer Conference. (156.120 (q))		
22. Agreement to begin transfer. (156.120 (r))		
23. Vessel. Have all fuel tanks been sounded or visually checked prior to transfer;		

I DO CERTIFY THAT I HAVE PERSONALLY INSPECTED THIS FACILITY OR VESSEL WITH REFERENCE TO THE REQUIREMENTS SET FORTH IN SECTION 35.35-30 AND THAT OPPOSITE EACH OF THE ITEMS I HAVE INDICATED THAT THE REGULATIONS HAVE BEEN COMPLIED WITH.

RECEIVING UNIT	DELIVERING UNIT
Person in Charge	Person in Charge X
Title	Title X
Time and Date	Time and Date X

APPENDIX C

SPILL RESPONSE VENDOR CAPABILITIES



Emergency Response
Remediation
Field Services
Waste Services

1615 Mayfield Road
Coral Gables, Florida 33134
Phone: 850 231 8128
Fax: 850 231 2451
www.swsenvironmental.com

May 25, 2016

Mr. Kyle Lopic
Triumvirate Environmental
10100 Rocket Boulevard
Orlando, Florida 32824

Re: SWS Environmental Services OSRO Letter of Intent

Dear Mr. Lopic:

This letter serves as an agreement between Progressive Environmental Services, Inc. d/b/a SWS Environmental Services, ("SWS"), and Triumvirate Environmental of Florida, Incorporated (Triumvirate Environmental) that SWS will provide emergency response services, including personnel and available equipment to contain and remediate product releases as needed. SWS is an approved Oil Spill Response Organization ("OSRO") for the United States Coast Guard and we comply with the Oil Pollution Act of 1990 and applicable National Preparedness for Response Exercise Program ("PREP") guidelines. SWS and Triumvirate Environmental currently have signed an Agreement for Emergency Response Services dated June 15, 2012. SWS agrees to provide emergency response services on a 24-hour per day, 365-day per year basis pursuant to this agreement at the following Ports:

- *Port Everglades*
- *Port of Miami*
- *Port of Tampa*
- *Port Canaveral*
- *Port Jacksonville*

In the event that SWS' resources are already committed to another incident, SWS will assist you in obtaining response services from another contractor. SWS looks forward to a growing relationship and we are proud to be a part of the Triumvirate Environmental team. If you require additional information, please feel free to contact us at (877) 742-4215.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Marsh", written over a large, stylized scribble.

Harry Marsh
Senior VP of Operations
harry.marsh@swsenvironmental.com



4.8.16 Updated TTX

INTERNAL EXERCISE DOCUMENTATION FORM

Incident Management Team Tabletop Exercise

1. Date (s) performed: April 13, 2016 (H.R. Lewis Petroleum WCD)

2. Exercise Actual response (Check one)

Announced Unannounced (Check one)

3. Location of tabletop (Include Address and Sector): Sector Jacksonville
St. Johns River at Green Cove Springs Docks

4. Time started: 11:00 Time completed: 15:51

5. Response plan scenario used (check one)

Average most probable discharge _____

Maximum most probable discharge _____

Worst case discharge X

Size of (simulated) spill 6,500-Gallonsbbl/gals

6. Describe how the following objectives were exercised:

a) Incident management team's knowledge of response plan:

H.R. Lewis Petroleum provided scenario to SWS. SWS provided response tasks associated with source control, staff mobilization, personnel support, and transportation.

b) Proper notifications:

It is the understanding of SWS that proper notifications were completed and/or facilitated by H.R. Lewis Petroleum.

c) Communications system:

Communications system were established / implemented by H.R. Lewis Petroleum. SWS was informed of the WCD scenario via phone and email.



4.8.16 Updated TTX

d) Ability to access contracted resource providers:
SWS was contacted via phone and email. There was no delay in the
ability for H.R. Lewis Petroleum to contact SWS for assistance with
this Tabletop Exercise.

e) Ability of organization personnel to coordinate spill response applicable parties:
Spill response coordination for parties involved were limited to
internal SWS coordination with H.R. Lewis Petroleum.

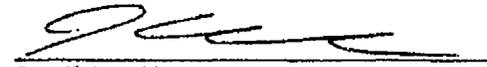
f) Ability to access sensitive site and resource information in the Area Contingency Plan:
SWS was able to access sensitive site and resource information based
on available data (Environmental Sensitivity Index Maps) included
in an on-site Mobile Facility Response Plan.

7. Identify which of the 15 core components of your response plan were exercised during this particular exercise:

- | | | |
|--|--|---|
| <input type="checkbox"/> Notification | <input checked="" type="checkbox"/> Staff Mobilization | <input type="checkbox"/> Operate in RMS |
| <input checked="" type="checkbox"/> Source Control | <input type="checkbox"/> Assessment | <input type="checkbox"/> Containment |
| <input type="checkbox"/> Mitigation | <input type="checkbox"/> Protection | <input type="checkbox"/> Disposal |
| <input type="checkbox"/> Communications | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Personnel Support |
| <input type="checkbox"/> Equipment Maintenance | <input type="checkbox"/> Procurement | <input type="checkbox"/> Documentation |

8. Attach a description of lesson(s) learned and person(s) responsible for follow up of corrective measures.

Multiple transit routes were evaluated to determine the most efficient route for this response. It was concluded that mobilization to the incident location would occur via I-295 to US-17. No corrective measures were applicable given the scenario provided and SWS involvement.



Certifying Signature



4.8.16 Updated TTX

Legend for #7:

- 1) **Notifications:** Test the notifications procedures identified in the response plan being exercised.
- 2) **Staff Mobilization:** Demonstrate the ability to assemble the response organization identified in the response plan being exercised.
- 3) **Operate Within the Response Management System (RMS) Described in the Plan:**
 - a) **Unified Command:** Demonstrate the ability of the response organization to work within a UC.
Ex. Federal, State, Local, and Responsible Party Representation.
 - b) **Response Management System:** Demonstrate the ability of the response organization to operate within the framework of the response management system identified in their respective plans.
Ex. Operations, Planning, Logistics, Finance, Public Affairs, Safety Affairs, and Legal Affairs.
- 4) **Source Control:** Demonstrate the ability of the response organization to control and stop the discharge at the source, and to effectively coordinate source control activities within the response management system used for the overall incident. (Salvage, Marine Firefighting (vessels), Lightering, and Well Control).
- 5) **Assessment:** Demonstrate the ability of the response organization to provide an initial assessment of the discharge or potential discharge and provide continuing assessments of the effectiveness of the tactical planning.
- 6) **Containment:** Demonstrate the ability of the response organization to contain the discharge at the source or in various locations for recovery operations.
- 7) **Mitigation (formerly Recovery):** Demonstrate the ability of the response organization to mitigate the discharged product through the use of oil spill countermeasures, including, but not limited to, dispersants, *in-situ* burning, and bioremediation, in addition to mechanical oil recovery.
- 8) **Protection:** Demonstrate the ability of the response organization to protect the environmentally and economically sensitive areas identified in the Area Contingency Plan and the respective industry response plan.
Ex. Protective Booming, Water Intake Protection, Wildlife Recovery and Rehabilitation, Population Protection (Protect Public Health and Safety).
- 9) **Disposal:** Demonstrate the ability of the response organization to dispose of the recovered material and contaminated debris.
- 10) **Communications:** Demonstrate the ability to establish effective communications system for the response organization (Internal Communications, External Communications).
- 11) **Transportation:** Demonstrate the ability to provide effective multimode transportation, both for execution of the discharge and support functions.
Ex. Land Transportation, Waterborne Transportation, Airborne Transportation.
- 12) **Personnel Support:** Demonstrate the ability to provide the necessary support of all personnel associated with the response.
Ex. Management, Berthing, Messing, Operations and Admin. Spaces, Emergency Procedures.
- 13) **Equipment Maintenance and Support:** Demonstrate the ability to maintain and support all equipment associated with the response. (Response Equipment, Support Equipment)
- 14) **Procurement:** Demonstrate the ability to establish an effective procurement system. (Personnel, Response Equipment, Support Equipment)
- 15) **Documentation:** Demonstrate the ability of the response organization to document all operational and support aspects of the response and provide detailed records of decisions and actions taken.



SWS/OPA-90

INTERNAL EXERCISE DOCUMENTATION FORM

Spill Management Team Tabletop Exercise

- 1. Date (s) performed: 3/17/14
- 2. Exercise or actual response? Exercise
If an exercise: Announced or Unannounced? Announced
- 3. Location of tabletop: 909 SE 24th St. Ft. Lauderdale FL 33316 (Spangler Terminal)
- 4. Time started: 1030 am
Time completed: 1330 pm

5. Response plan scenario used (check one)

- Average most probable discharge _____
- Maximum most probable discharge _____
- Worst case discharge _____

Size of (simulated) spill 4.7 M bbl(gals) (Etanol)

6. Describe how the following objectives were exercised:

- a) Spill management team's knowledge of oil-spill response plan:
Marathon Personal along with SWS + Cliff Berry Reviewed all
Aspects of the Response Plan for Spangler Terminal.
- b) Proper notifications:
Scenario would have to follow under Fire department ICS plan.
Notifications would fall under Marathon
- c) Communications system:
Cell Phones would be used



SWS/OPA-90

d) Spill management team's ability to access contracted oil spill removal organizations:
Marathon would contact its OSRO Companies (SWS + Cliff Berry)
Marathon would also dispatch there internal Teams to
the site

e) Spill management team's ability to coordinate spill response with on-scene oil spill removal organizations:
Marathon personal had good knowledge what needed to be
done after the spill.

f) Spill management team's ability to access sensitive site and resource information in the Area Contingency Plan:
Marathon personal understood where the sens. tive areas where at
AND what needed to be done to protect them

7. Identify which of the 15 core components of your response plan were exercised during this particular exercise:

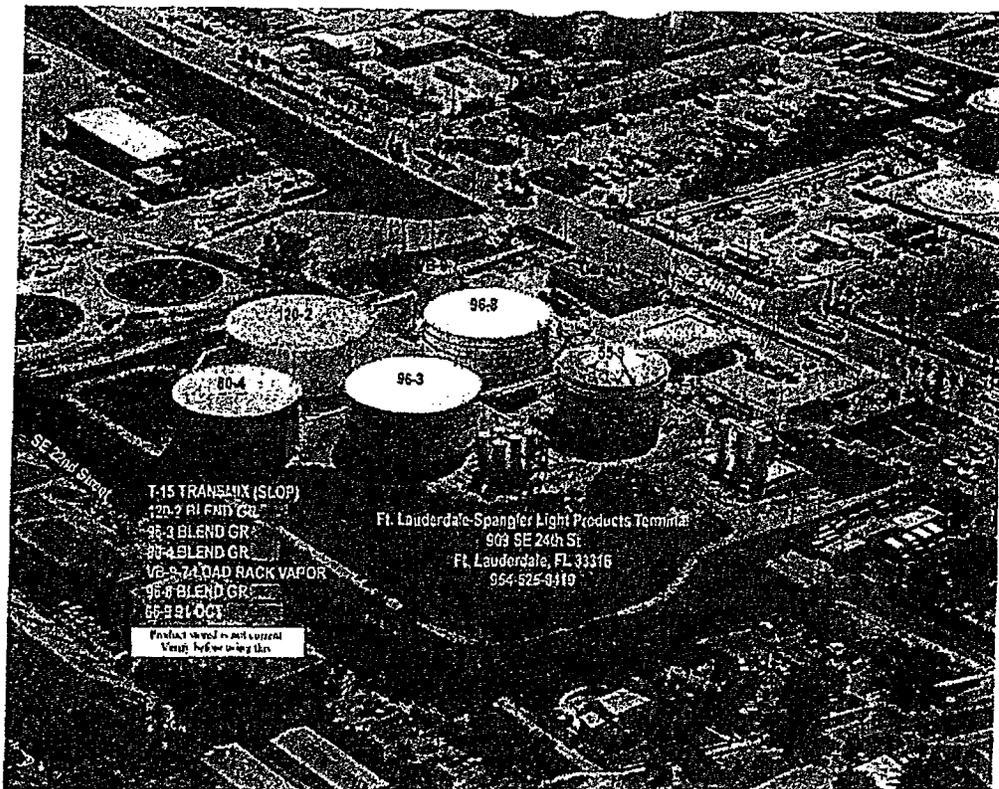
- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Notification | <input checked="" type="checkbox"/> Staff Mobilization | <input type="checkbox"/> Operate in RMS |
| <input checked="" type="checkbox"/> Discharge Contained | <input checked="" type="checkbox"/> Assessment | <input checked="" type="checkbox"/> Containment |
| <input checked="" type="checkbox"/> Recovery | <input checked="" type="checkbox"/> Protection | <input checked="" type="checkbox"/> Disposal |
| <input checked="" type="checkbox"/> Communications | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Personnel Support |
| <input type="checkbox"/> Equipment Maintenance | <input checked="" type="checkbox"/> Procurement | <input checked="" type="checkbox"/> Documentation |

8. Attach a description of lesson(s) learned and person(s) responsible for follow up of corrective measures.

- * Check with Coast Guard about closing the port. what would be needed to do so if the fuel reached the water ways
- * UPDATE there plans if there was a large spill. Resources needed, placement of crews, evacuation of homes + other business close by
- * Determine where waste fuel + waste will need to be disposed of. Volumes may be to heavy for local disposal companies

Certifying Signature

Retain this form for a minimum of 3 years (for USCG) or 5 years (for EPA).



Fort Lauderdale - Spangler Terminal

Worst Case Discharge Tabletop

March 17, 2016



**Marathon
Petroleum Company**

Fort Lauderdale Spangler Terminal Worst Case Discharge Tabletop Exercise

Introduction

You will be participating in a tabletop exercise that will provide you with an opportunity to consider emergency response and spill management practices, plans, and procedures.

The exercise is intended to meet PREP requirements. This hypothetical situation has the potential to disrupt and seriously impact terminal operations, the surrounding public, and the environment.

This exercise encourages participation and collaboration, so please stay present and take your role in the exercise seriously. The response team should consider the following throughout the course of this tabletop exercise:

- Worst-case discharge details as written in FRP;
- Fort Lauderdale- Spangler Light Products Terminal FRP--Tactical Response Plan;
- Emergency Preparedness Procedure & Plan;
- Response plans of other surrounding organizations and/or agencies;
- Applicable federal, state, and local regulations.

Agenda:

8:00-8:30 am	Safety Moment, Introductions & Opening Comments
8:30 – 11:00	WCD Exercise
11:00-12:00	Working Lunch: Hot Wash

Fort Lauderdale Spangler Terminal Worst Case Discharge Tabletop Exercise

MPC Response Structure

MPC's Tiered Response Structure



~5 people - Local, e.g. Terminal

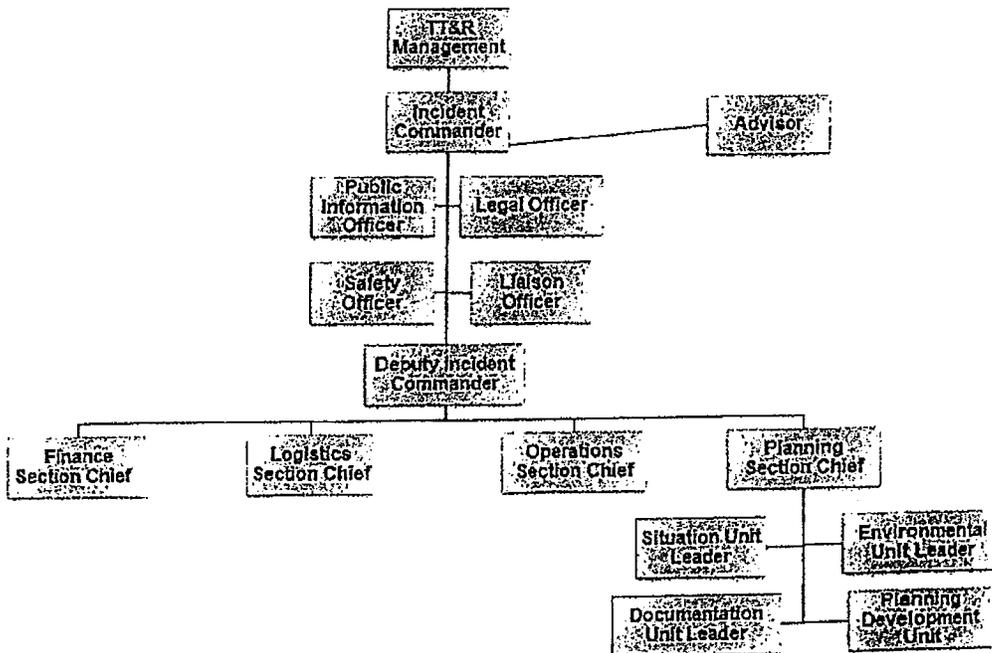


~20 people - Regional Response Team or Refinery Management Team



>50 people - CERT Response (Emergency Strike Team)

MPC Incident Command Structure



Fort Lauderdale Spangler Terminal Worst Case Discharge Tabletop Exercise

Objective: *Pose a hypothetical worst-case discharge scenario at the Fort Lauderdale-Spangler Light Products Terminal in order to gage efficacy of the facility response plan and the ability of terminal employees to execute.*

PREP Specific Objectives:

1. Staff Mobilization – I want my team to understand the 3 response teams and Home Team Concept.
2. Unified Command – I want my team to understand the concept of Unified Command.
3. Discharge Control – I want my team to explore way that a spill could leave our facility
4. Assessment – I want my team to be able to effectively assess an incident and prioritize.
5. Containment – I want my facility to understand facility drainage patterns.
6. Protection – Discuss the need to protect neighborhoods and businesses.
7. Transportation – I want my team to understand the shipping requirements of recovered product.
8. Procurement – I want my team to know what equipment the OSRO has on hand.

PREP Components to Consider:

- **Notifications** - Who to call and in what order/what MPC employee makes the calls? Role of the QI.
- **Staff Mobilization** – Discuss 3 tiered response structure and Home Team concepts.
- **Unified Command** – How it works here and in MPC.
- **Discharge Control** – SPCC plan and how spills get off-site.
- **Assessment** – Discuss the severity of an incident.
- **Containment** – Discuss booming strategies.
- **Recovery** – How might we safely recover a spill?
- **Protection** – Impact on environment and wildlife.
- **Disposal** – Once recovered, how to dispose of product.
- **Communications** – Common terminology and how we're expected to report-out status.
- **Personnel Support** – Roles and responsibilities of employees.
- **Equipment Maintenance** – Discuss how terminal/OSRO maintains and tests equipment.
- **Procurement** – How would we go about getting needed supplies/additional resources?
- **Documentation** – Who documents and using what tools?

Fort Lauderdale Spangler Terminal Worst Case Discharge Tabletop Exercise

Scenario:

On March 17, 2016, at 10:30 am, Operators in the terminal observed a small two-seater plane has lost control and crashed into Tank 120-2. There is damage to surrounding tanks and piping. 4.7M gallons of Blend Grade ^{Emangi} has spilled onto the ground and has caught fire due to the wreckage. Due to wreckage, the dike was partially compromised and allowed product to flow into ditches. The ditches are flowing due to heavy rain in the past few days and is flowing into Port Everglades public storm system. The valve gate is open and the product has entered into the 60" public storm water system. Operators can see there is damage to piping and additional tanks but cannot confirm product releases due to the fire.

- Operator initial actions
- Delegation of tasks
 - Terminal safety – evacuation? Shelter in place?
 - Terminal operations
 - Documentation
 - OSRO point of contact
- Notifications made and in what order?
 - What information do you provide over the phone?
- Local responder response times



SWS/OPA-90

INTERNAL EXERCISE DOCUMENTATION FORM

Spill Management Team Tabletop Exercise

1. Date (s) performed: 2-17-16

2. Exercise or actual response? Exercise
If an exercise: Announced or Unannounced? Announced

3. Location of tabletop: 2394 Vandolah Rd, Wacahola FL

4. Time started: 900am
Time completed: 1300

5. Response plan scenario used (check one)

Average most probable discharge _____

Maximum most probable discharge _____

Worst case discharge Yes

Size of (simulated) spill 5000 bbl/gals

6. Describe how the following objectives were exercised:

a) Spill management team's knowledge of oil-spill response plan:

Vandolah Employee's understood all portions of the drill, they knew what needed to be done and how to contain the spill.

b) Proper notifications:

911, Control room, FDEP, SWP and H&S department.

c) Communications system:

Hand Held Radios all communication went through control & site management.



SWS/OPA-90

d) Spill management team's ability to access contracted oil spill removal organizations:

The drill was set up by Email a week ahead of time and a set time was implered for the drill to begin

e) Spill management team's ability to coordinate spill response with on-scene oil spill removal organizations:

Coordination of the drill was great, good communication between vandolah employees, Fire Department, Sherrif Department & SWS. A sit down with leads of each afterwards went over the scenario, and talked about what each department needs & concerns were.

f) Spill management team's ability to access sensitive site and resource information in the Area Contingency Plan:

All groups had no problems in this section

7. Identify which of the 15 core components of your response plan were exercised during this particular exercise:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Notification | <input checked="" type="checkbox"/> Staff Mobilization | <input type="checkbox"/> Operate in RMS |
| <input checked="" type="checkbox"/> Discharge Contained | <input checked="" type="checkbox"/> Assessment | <input checked="" type="checkbox"/> Containment |
| <input checked="" type="checkbox"/> Recovery | <input checked="" type="checkbox"/> Protection | <input checked="" type="checkbox"/> Disposal |
| <input checked="" type="checkbox"/> Communications | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Personnel Support |
| <input type="checkbox"/> Equipment Maintenance | <input checked="" type="checkbox"/> Procurement | <input checked="" type="checkbox"/> Documentation |

8. Attach a description of lesson(s) learned and person(s) responsible for follow up of corrective measures.

Follow up. Calvin Bates (863) 767-5528

Mike Lea
Certifying Signature

Retain this form for a minimum of 3 years (for USCG) or 5 years (for EPA).



SWS/OPA-90

Legend for Exercise #7

- 1) **Notifications:** Test the notifications procedures identified in the Area Contingency Plan and the associated Responsible Party Response Plan.
- 2) **Staff Mobilization:** Demonstrate the ability to assemble the spill response organization identified in the Area Contingency Plan and associated Responsible Party Response Plan.
- 3) **Operate in RMS:**
Unified Command:
Federal Representation, State Representation, Local Representation, Responsible Party Representation
Response Management System:
Operations, Planning, Logistics, Finance, Public Affairs, Safety Affairs, Legal Affairs
- 4) **Discharge Contained:**
Salvage, Firefighting, Lightering, Other salvage equipment and devices
- 5) **Assessment:** Demonstrate the ability of the spill response organization to provide an initial assessment of the discharge and provide continuing assessments of the effectiveness of the tactical operations.
- 6) **Containment:** Demonstrate the ability of the spill response organization to contain the discharge at the source or in various locations for recovery operations.
- 7) **Recovery:** Demonstrate the ability of the spill response organization to recover, mitigate, and remove the discharged product. Includes mitigation and removal activities; e.g. dispersant use, ISB use, and bioremediation use. (On-Water Recovery, Shore-Based Recovery)
- 8) **Protection:** Demonstrate the ability of the spill response organization to protect the environmentally and economically sensitive areas identified in the Area Contingency Plan and the respective industry response plan.
Protective Booming, Water Intake Protection, Wildlife Recovery and Rehabilitation, Population Protection (Protect Public Health and Safety)
- 9) **Disposal:** Demonstrate the ability of the spill response organization to dispose of the recovered material and contaminated debris.
- 10) **Communication:** Demonstrate the ability to establish an effective communications system for the spill response organization (Internal Communications, External Communications)
- 11) **Transportation:** Demonstrate the ability of the spill response organization to dispose of the recovered material and contaminated debris to provide effective multi-mode transportation both for execution of the discharge and support functions. (Land Transportation, Waterborne Transportation, Airborne Transportation)
- 12) **Personnel Support:** Demonstrate the ability to provide the necessary support of all personnel associated with the response. (Management, Berthing, Messing, Operations and Administrative Spaces, Emergency Procedures)
- 13) **Equipment Maintenance and Support:** Demonstrate the ability to maintain and support all equipment associated with the response. (Response Equipment, Support Equipment)
- 14) **Procurement:** Demonstrate the ability to establish an effective procurement system. (Personnel, Response Equipment, Support Equipment)
- 15) **Documentation:** Demonstrate the ability of the spill response organization to document all operational and support aspects of the response and provide detailed records of decisions and actions taken.



SWS/OPA-90

C

d) Spill management team's ability to access contracted oil spill removal organizations:

EXCELLENT DISCUSSED STAGING LOCATIONS WHERE ORO CONTRACTOR SHOULD GO.

e) Spill management team's ability to coordinate spill response with on-scene oil spill removal organizations:

GOOD. TALKED ABOUT THE DRAINAGE PIPES UNDER R/R TRACKS ON PROPERTY AND OTHER PIPES THAT THEY HAVE THE RIGHT SIZE PIPE PIG (RUGS) TO CONTAIN THE RELEASE TO AN AREA IF POSSIBLE.

f) Spill management team's ability to access sensitive site and resource information in the Area Contingency Plan:

EXCELLENT WELL RESEARCHED IN RFP AND ALSO DAYS PRIOR WENT TO SITE TOOK PHOTOS OF THE AREA.

7. Identify which of the 15 core components of your response plan were exercised during this particular exercise:

- Notification
- Discharge Contained
- Recovery
- Communications
- Equipment Maintenance

- Staff Mobilization
- Assessment
- Protection
- Transportation
- Procurement

- Operate in RMS
- Containment
- Disposal
- Personnel Support
- Documentation

8. Attach a description of lesson(s) learned and person(s) responsible for follow up of corrective measures.

STAGING SITES, RECOVERY POINTS, DRAINAGE PIPE RUGS AVAILABLE



Certifying Signature

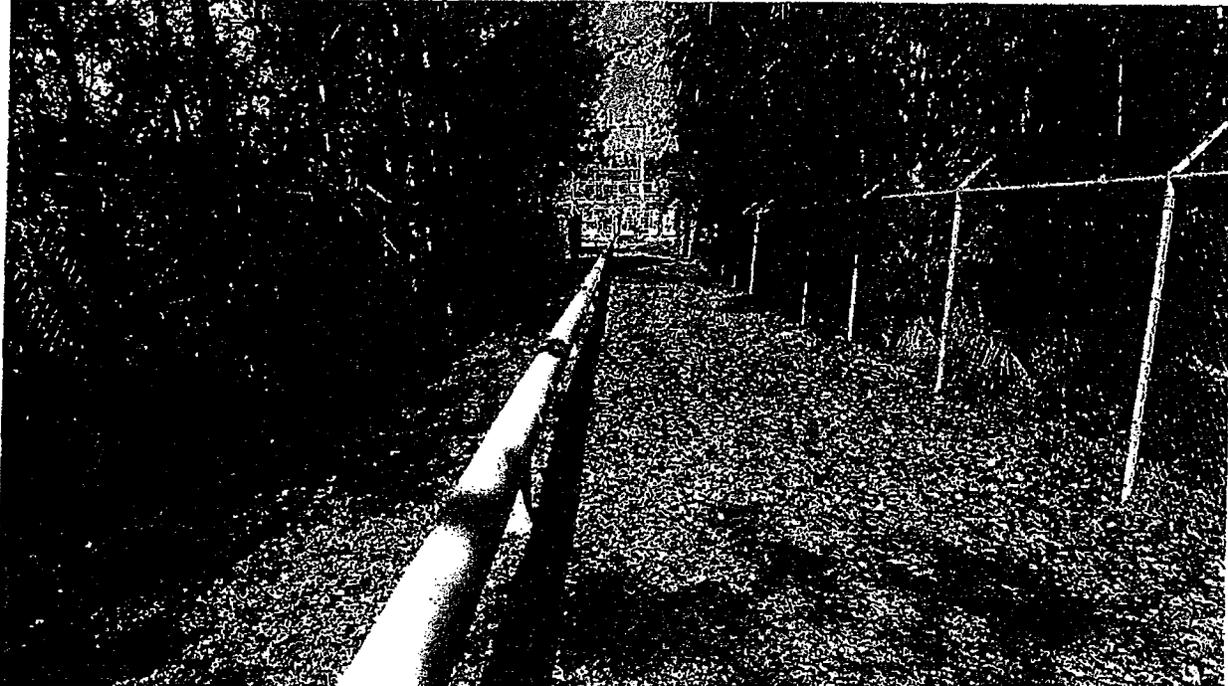
Retain this form for a minimum of 3 years (for USCG) or 5 years (for EPA).

C

C

Scenario

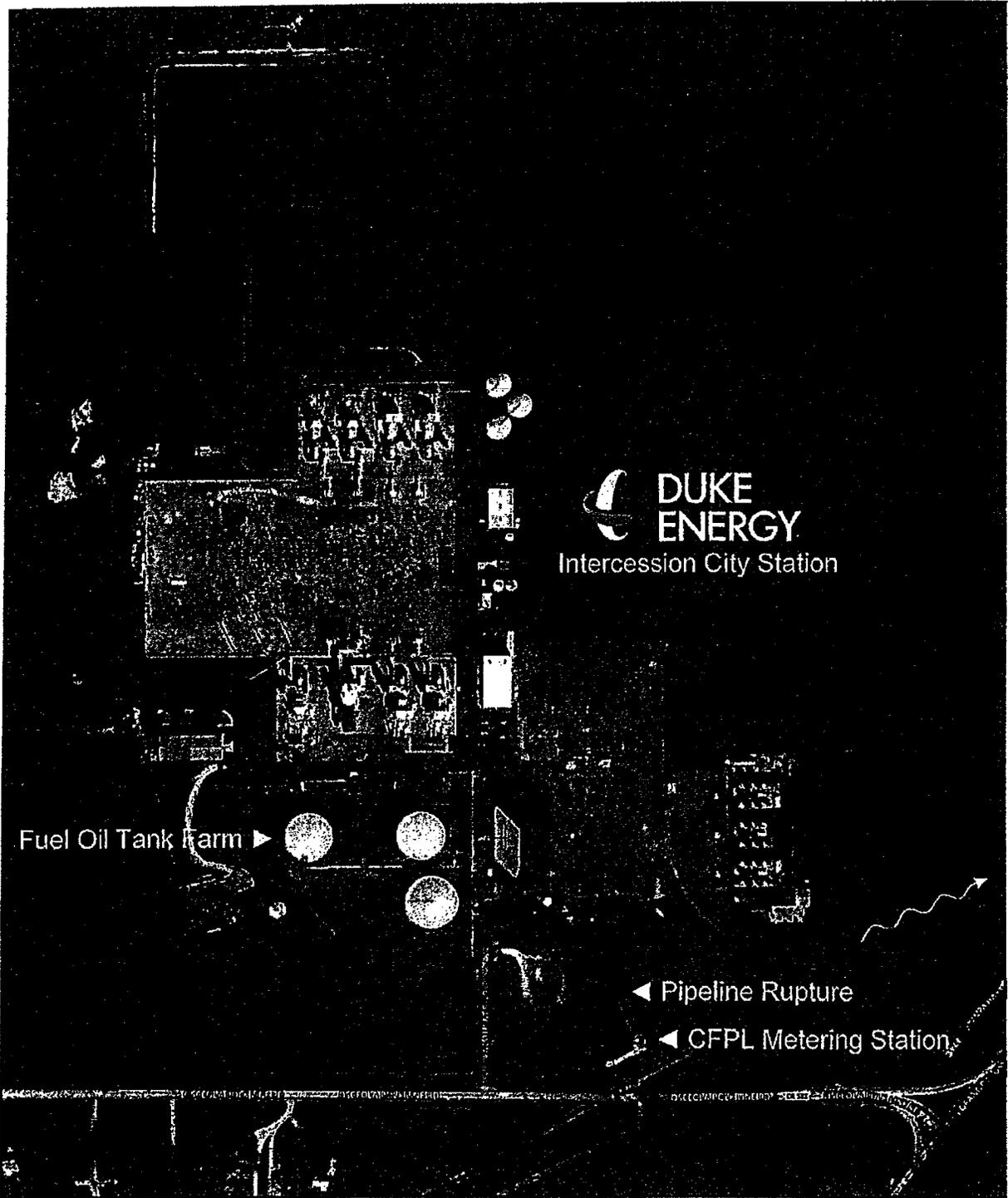
At 0830 hours on Thursday, December 10th, the 8-inch fuel oil supply line at the Intercession City Station ruptures during a scheduled transfer. The rupture occurs between the fuel oil tank farm and Central Florida Pipeline Co. metering station, adjacent to the drainage swale (tributary of Reedy Creek).



Weather conditions at the time of the incident are characterized by partly cloudy skies, air temperature of 48° F, and northerly winds at 5 to 10 mph. A cold front passed through the region on Wednesday afternoon, with areal rainfall amounts between 1.5 and 2 inches.

Note: The 8-inch fuel oil supply line has a maximum pumping rate of 1,500 bbls/hour.

Scenario





SWS/OPA-90

Legend for Exercise #7

- 1) **Notifications:** Test the notifications procedures identified in the Area Contingency Plan and the associated Responsible Party Response Plan.
- 2) **Staff Mobilization:** Demonstrate the ability to assemble the spill response organization identified in the Area Contingency Plan and associated Responsible Party Response Plan.
- 3) **Operate in RMS:**
Unified Command:
Federal Representation, State Representation, Local Representation, Responsible Party Representation
Response Management System:
Operations, Planning, Logistics, Finance, Public Affairs, Safety Affairs, Legal Affairs
- 4) **Discharge Contained:**
Salvage, Firefighting, Lightering, Other salvage equipment and devices
- 5) **Assessment:** Demonstrate the ability of the spill response organization to provide an initial assessment of the discharge and provide continuing assessments of the effectiveness of the tactical operations.
- 6) **Containment:** Demonstrate the ability of the spill response organization to contain the discharge at the source or in various locations for recovery operations.
- 7) **Recovery:** Demonstrate the ability of the spill response organization to recover, mitigate, and remove the discharged product. Includes mitigation and removal activities; e.g. dispersant use, ISB use, and bioremediation use. (On-Water Recovery, Shore-Based Recovery)
- 8) **Protection:** Demonstrate the ability of the spill response organization to protect the environmentally and economically sensitive areas identified in the Area Contingency Plan and the respective industry response plan.
Protective Booming, Water Intake Protection, Wildlife Recovery and Rehabilitation, Population Protection (Protect Public Health and Safety)
- 9) **Disposal:** Demonstrate the ability of the spill response organization to dispose of the recovered material and contaminated debris.
- 10) **Communication:** Demonstrate the ability to establish an effective communications system for the spill response organization (Internal Communications, External Communications)
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- 12) **Personnel Support:** Demonstrate the ability to provide the necessary support of all personnel associated with the response. (Management, Berthing, Messing, Operations and Administrative Spaces, Emergency Procedures)
- 13) **Equipment Maintenance and Support:** Demonstrate the ability to maintain and support all equipment associated with the response. (Response Equipment, Support Equipment)
- 14) **Procurement:** Demonstrate the ability to establish an effective procurement system. (Personnel, Response Equipment, Support Equipment)
- 15) **Documentation:** Demonstrate the ability of the spill response organization to document all operational and support aspects of the response and provide detailed records of decisions and actions taken.



SWS/OPA-90

INTERNAL EXERCISE DOCUMENTATION FORM

Spill Management Team Tabletop Exercise

1. Date (s) performed: 12-3-2015
2. Exercise or actual response? Exercise
If an exercise: Announced or Unannounced? Announced
3. Location of tabletop: 6697 N County Road 663 Bowling Green, Florida 33834
4. Time started: 12:00 pm
Time completed: 13:30

5. Response plan scenario used (check one)

Average most probable discharge _____
Maximum most probable discharge _____
Worst case discharge Yes

Size of (simulated) spill 2.5 millions bbl/gals

6. Describe how the following objectives were exercised:

a) Spill management team's knowledge of oil-spill response plan:

Seminole employees were very up to date on all SOP's and the steps they need to complete. They all had knowledge of where the valves were to close containments and also where oil boom locations were.

b) Proper notifications:

Control Room, 911, SWS, HES, state warning point, and FDEP

c) Communications system:

ICS system



SWS/OPA-90

d) Spill management team's ability to access contracted oil spill removal organizations:

Seminole Elec placed a call to the 24 hour EP Response # for SWS. SWS had the first rep on site within 1 hour to do assessment and call for additional resources

e) Spill management team's ability to coordinate spill response with on-scene oil spill removal organizations:

management was great and had the knowledge of where the spill was, what caused the spill, and helped with any other questions, and needs SWSSES had.

f) Spill management team's ability to access sensitive site and resource information in the Area Contingency Plan:

SWSSES and Seminole Elec had no problem with this section.

7. Identify which of the 15 core components of your response plan were exercised during this particular exercise:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Notification | <input checked="" type="checkbox"/> Staff Mobilization | <input type="checkbox"/> Operate in RMS |
| <input checked="" type="checkbox"/> Discharge Contained | <input checked="" type="checkbox"/> Assessment | <input checked="" type="checkbox"/> Containment |
| <input checked="" type="checkbox"/> Recovery | <input checked="" type="checkbox"/> Protection | <input checked="" type="checkbox"/> Disposal |
| <input checked="" type="checkbox"/> Communications | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Personnel Support |
| <input type="checkbox"/> Equipment Maintenance | <input checked="" type="checkbox"/> Procurement | <input checked="" type="checkbox"/> Documentation |

8. Attach a description of lesson(s) learned and person(s) responsible for follow up of corrective measures.

Follow up - Doug Dean: dDean@seminole-electric.com
Mary Henderson: mHenderson@seminole-electric.com

Certifying Signature

Retain this form for a minimum of 3 years (for USCG) or 5 years (for EPA).



SWS/OPA-90

INTERNAL EXERCISE DOCUMENTATION FORM

Spill Management Team Tabletop Exercise

1. Date (s) performed: 12/3/15
2. Exercise or actual response? Exercise
If an exercise: Announced or Unannounced? Announced
3. Location of tabletop: McKillop AFB
4. Time started: 0800
Time completed: 1530
5. Response plan scenario used (check one)

Average most probable discharge _____
Maximum most probable discharge _____
Worst case discharge X

Size of (simulated) spill 2.2 mil bbl/gals

6. Describe how the following objectives were exercised:

a) Spill management team's knowledge of oil-spill response plan:

better than average

b) Proper notifications:

yes, placed on hold by NRC

c) Communications system:

cell phone, radios



SWS/OPA-90

d) Spill management team's ability to access contracted oil spill removal organizations:

Contract in place w/ SWS

e) Spill management team's ability to coordinate spill response with on-scene oil spill removal organizations:

SWS assisted IC

f) Spill management team's ability to access sensitive site and resource information in the Area Contingency Plan:

good, team has good knowledge of surrounding areas

7. Identify which of the 15 core components of your response plan were exercised during this particular exercise:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Notification | <input checked="" type="checkbox"/> Staff Mobilization | <input type="checkbox"/> Operate in RMS |
| <input checked="" type="checkbox"/> Discharge Contained | <input type="checkbox"/> Assessment | <input checked="" type="checkbox"/> Containment |
| <input checked="" type="checkbox"/> Recovery | <input type="checkbox"/> Protection | <input checked="" type="checkbox"/> Disposal |
| <input type="checkbox"/> Communications | <input type="checkbox"/> Transportation | <input type="checkbox"/> Personnel Support |
| <input type="checkbox"/> Equipment Maintenance | <input type="checkbox"/> Procurement | <input type="checkbox"/> Documentation |

8. Attach a description of lesson(s) learned and person(s) responsible for follow up of corrective measures.

1. Better coms with off base EOC
2. Identify more than 1 staging area

[Signature]
Certifying Signature

Retain this form for a minimum of 3 years (for USCG) or 5 years (for EPA).



SWS/OPA-90

INTERNAL EXERCISE DOCUMENTATION FORM

Spill Management Team Tabletop Exercise

1. Date (s) performed: OCTOBER 29TH 2015

2. Exercise or actual response? EXERCISE
If an exercise: Announced or Unannounced? ANNOUNCED (10-21-2015)
CSX RICE YARD

3. Location of tabletop: 2ND FLOOR CONFERENCE ROOM A-TOWNE (LOCATED AT 84 HIGHWAY WAUCROSS, GA. 31503)

4. Time started: 0830am
Time completed: 1200 NOON

5. Response plan scenario used (check one)

Average most probable discharge _____

Maximum most probable discharge _____

Worst case discharge _____

Size of (simulated) spill 500K bbl/gals

6. Describe how the following objectives were exercised:

a) Spill management team's knowledge of oil-spill response plan:
SPILL TEAM (SWS) WAS VERY FAMILIAR WITH RESPONSE PLAN
THIS WAS SAME SCENARIO AS THE YEAR BEFORE 500 GALLONS
OF DIESEL FUEL

b) Proper notifications:
ALL NOTIFICATIONS WERE MADE BY CSX AND (CONSULTANT)
(ARCADIS)

c) Communications system:
PHONE, RADIO, AND VERBAL



SWS/OPA-90

d) Spill management team's ability to access contracted oil spill removal organizations:
SWS was listed as primary responder, HULLS ENVIRO as secondary,
MOZAN, 3rd and ERS 4th.

e) Spill management team's ability to coordinate spill response with on-scene oil spill removal organizations:
Very Good, Arcadis made all notifications for CSX.

f) Spill management team's ability to access sensitive site and resource information in the Area Contingency Plan:
very well, mostly verbal discussions

7. Identify which of the 15 core components of your response plan were exercised during this particular exercise:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Notification | <input checked="" type="checkbox"/> Staff Mobilization | <input checked="" type="checkbox"/> Operate in RMS |
| <input checked="" type="checkbox"/> Discharge Contained | <input checked="" type="checkbox"/> Assessment | <input checked="" type="checkbox"/> Containment |
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| <input checked="" type="checkbox"/> Communications | <input checked="" type="checkbox"/> Transportation | <input type="checkbox"/> Personnel Support |
| <input type="checkbox"/> Equipment Maintenance | <input type="checkbox"/> Procurement | <input checked="" type="checkbox"/> Documentation |

8. Attach a description of lesson(s) learned and person(s) responsible for follow up of corrective measures.

Lesson Learned
1) Best Access Points
2) Temp waste Storage area's
3) Storm drains and Valve systems
along Rice yard,

[Signature]
Certifying Signature

Retain this form for a minimum of 3 years (for USCG) or 5 years (for EPA).



SWS/OPA-90

Legend for Exercise #7

- 1) **Notifications:** Test the notifications procedures identified in the Area Contingency Plan and the associated Responsible Party Response Plan.
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Salvage, Firefighting, Lightering, Other salvage equipment and devices
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- 14) **Procurement:** Demonstrate the ability to establish an effective procurement system. (Personnel, Response Equipment, Support Equipment)
- 15) **Documentation:** Demonstrate the ability of the spill response organization to document all operational and support aspects of the response and provide detailed records of decisions and actions taken.



EQUIPMENT DEPLOYMENT REPORT

Documentation of SWS equipment used during spill response, drills, or training:

RESPONSIBLE PARTY (RP): Key West Pipeline

RP CONTACT: Dan Silvestro

RP PHONE #: 305-294-4812

RP FAX #: _____

SWS SUPERVISOR: Mike Team

SWS JOB #: FL3-604-1143

INCIDENT / DEPLOYMENT DATE: 4-7-2014

SWS SERVICE CENTER: FTL

SWS PHONE #: 727-224-8534

COTP SECTOR: Keys

EXERCISE CONDUCTED (CIRCLE ONE): ANNOUNCED UNANNOUNCED

ENVIRONMENT (CIRCLE ONE): PROTECTED SHELTERED UNSHELTERED

GEOGRAPHIC DESCRIPTION: (Facility, Body of Water, Miles of Shore, etc.)

Key West Fleming Channel

EQUIPMENT DEPLOYED:

1000 feet of Boom

SWS PERSONNEL INVOLVED: Include Name and Category (supervisor, equipment operator, technician, etc.)

Mike Team (S) Nick Sosay (operator) Betch Potts (operator) Diego Mejia (tech) Lenny Dennis (tech) David Appenot (tech)

ADDITIONAL COMMENTS/REMARKS:

SWS CERTIFIES THAT: 1) The equipment is in good working order and was properly operated in the environment indicated.
2) Involved personnel demonstrated competency in deployment and operation of the equipment.

4-8-14
DATE

Mike Team
SWS SUPERVISOR

[Signature]
SUPERVISOR SIGNATURE

This report is used to document SWS compliance for OSRO equipment deployment under the Preparedness for Response Exercise Program (PREP) guidelines. All deployments, whether during an actual spill response, training, or exercise / drill must be properly documented.

Corporate Headquarters
1619 Moylan Road
Panama City Beach, Florida 32407



EQUIPMENT DEPLOYMENT REPORT

Documentation of SWS equipment used during spill response, drills or training

RESPONSIBLE PARTY: Kinder Morgan

RP CONTACT: Chris Fleck

RP PHONE #: 813-415-1698

RP FAX #: _____

SWS SUPERVISOR: Eric Cooper

SWS JOB #: FC3-506-1457

START DATE OF PROJECT 6/18/15

SWS SERVICE CENTER: Tampa

SWS PHONE #: 813-241-0282

MSO (COTP SECTOR) St. Petersburg

ENVIRONMENT (CHECK ONE)

PROTECTED

SHELTERED

UNSHELTERED

GEOGRAPHICAL DESCRIPTION (Facility, Body of Water, Miles of Shore)

Bert 222 Tampa Port

EQUIPMENT DEPLOYED: 1,100 Feet Harbor Boom; 2 Response Trucks; 1 28' Boat with motor and trailer

SWS PERSONNEL: List by category (supervisor, foreman, equipment operator, technician, etc.)

Supervisor-Eric Cooper; Boat Operator-Andrew Bange; Technicians-Doug Uhrig, Anthony Foster, Rick Smith

ADDITIONAL REMARKS: SWS deployed 1,100 feet of Kinder Morgan harbor boom into the channel

SWS CERTIFIES THAT: 1) The equipment is in good working order and was properly operated in the environment indicated;
2) Involved personnel demonstrated competency in deployment and operation of the equipment.

6/19/15
DATE

Eric Cooper
SWS SUPERVISOR

SUPERVISOR SIGNATURE

This report is used for crediting SWS's client response plan holders for OSRO equipment deployment under the Preparedness exercise Program (PREP), all deployments, whether during actual spill response, training or exercise / drills must be properly documented.

Corporate Headquarters
600 Grand Panama Boulevard (Suite 200)
Panama City Beach, Florida 32407



EQUIPMENT DEPLOYMENT REPORT

Documentation of SWS equipment used during spill response, drills, or training:

RESPONSIBLE PARTY (RP): UPS FREIGHT

RP CONTACT: MILTON WALL

RP PHONE #: 800-229-5252

RP FAX #: _____

SWS SUPERVISOR: FRED CORRELL

SWS JOB #: ORL-507-1213

START DATE OF PROJECT: July 11, 2015

SWS SERVICE CENTER: ORL

SWS PHONE #: 407-854-5733

MSO / COTP SECTOR: JAX

ENVIRONMENT (CIRCLE ONE): PROTECTED SHELTERED UNSHelterED

GEOGRAPHIC DESCRIPTION: (Facility, Body of Water, Miles of Shore, etc.)

LAKE LOCATED BEHIND 4300 CLARA CONA DOORE RD. ORLANDO FL.

EQUIPMENT DEPLOYED:

1000 FT. OF BOOM, BOOM TRAILER, ROLL OFF TRUCK, ROLL OFF BOX
MINI EXCAVATOR

SWS PERSONNEL INVOLVED: List by category (supervisor, foreman, equipment operator, technician, etc.)

FRED CORRELL - SUP / JUAN LEBRON EQ. OP / STACEY MURPHY - EQ OP / JONAH CORLEY - TECH

ADDITIONAL COMMENTS/REMARKS:

SWS CERTIFIES THAT: 1) The equipment is in good working order and was properly operated in the environment indicated.
2) Involved personnel demonstrated competency in deployment and operation of the equipment.

12-10-15
DATE

Reward Markley
SWS SUPERVISOR

[Signature]
SUPERVISOR SIGNATURE

This report is used for crediting SWS client response plan holders for OSRO equipment deployment under the Preparedness for Response Exercise Program (PREP). All deployments, whether during an actual spill response, training, or exercise / drills must be properly documented.



EQUIPMENT DEPLOYMENT REPORT

Documentation of SWS Environmental Services equipment used during spill response, drills or training.

PLEASE PROVIDE THE FOLLOWING INFORMATION UPON COMPLETION OF THE PROJECT

PROJECT DATE(S): OCT 28, 2015 SWS JOB#: LW3-501-1026
NAME OF SUPERVISOR: STEVE WADE / K. STRAUB PHONE/FAX: 863-289-9199
RESPONSIBLE PARTY: FLORIDA POWER + LIGHTS SERVICE CENTER FTL / LKW
MSO/COTP ZONE MIAMI

ENVIRONMENT (CIRCLE ONE)

PROTECTED

SHELTERED

UNSHelterED

GEOGRAPHICAL DESCRIPTION (FACILITY, BODY OF WATER, MILES OFFSHORE)

TIMER POWERS PARK @ 14000 SW CITRUS BLVD INDIANTOWN, FLA. ST. LUCIE CANAL
500' OFF SHORELINE

EQUIPMENT DEPLOYED [Types of boom, boats, temporary storage devices, Command/Communications Center.

(4) WORK BOATS - 23', 24', 19' AND 25'
(2) MOBILE COMMAND TRAILERS
1000' FEET HARD BOOM w/ 24" SKIRT

PERSONNEL: [List by category]

(1) SUPERVISOR, (1) FOREMAN, (4) BOAT OPERATORS, (2) DECON, (2) TECH'S

ADDITIONAL REMARKS:

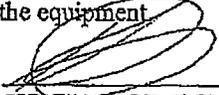
SET-UP DECONTAMINATION AREA ALSO FOR DRILL

FTL POC - MELANIE ROGER - 561-697-6936

I certify that: 1) The equipment is in good working order and was properly operated in the environment indicated;
2) Involved personnel demonstrated competency in deployment and operation of the equipment

11.2.15
DATE

PRINT NAME OF SUPERVISOR


SUPERVISOR SIGNATURE

This report is used for crediting SWS's client response plan holders for OSRO equipment deployment under the Preparedness Response Exercise Program (PREP), all deployments, whether during actual spill response, training or exercise / drills must be properly documented. SWS must certify that: 1) Response equipment is operational; 2) Personnel are capable of deploying and operating the equipment in a spill response; and 3) Response resources participate in annual deployment drills.



EQUIPMENT DEPLOYMENT REPORT

Documentation of SWS equipment used during spill response, drills, or training:

RESPONSIBLE PARTY (RP): <u>FP & L</u>	RP CONTACT: <u>Sec File</u>
RP PHONE #: <u>Sec File</u>	RP FAX #: <u>N/A</u>
SWS SUPERVISOR: <u>Eric Cooper</u>	SWS JOB #: <u>FC3-501-1041</u>
START DATE OF PROJECT: <u>11/17/2015</u>	SWS SERVICE CENTER: <u>Tampa</u>
SWS PHONE #: <u>800 852 8878</u>	MSO / COTP SECTOR: <u>St. Petersburg</u>

ENVIRONMENT (CIRCLE ONE): PROTECTED SHELTERED UNSHELTERED

GEOGRAPHIC DESCRIPTION: (Facility, Body of Water, Miles of Shore, etc.)

Power Plant 40 Acre Lake

EQUIPMENT DEPLOYED:

B-35 (28' work boat) 1200' of 18" boom

SWS PERSONNEL INVOLVED: List by category (supervisor, foreman, equipment operator, technician, etc.)

Eric Cooper, Ed Goodchild, Steve Wade, Jay Wicks, Barry Alspach, Paul McClintock

ADDITIONAL COMMENTS/REMARKS:

SWS CERTIFIES THAT: 1) The equipment is in good working order and was properly operated in the environment indicated.
2) Involved personnel demonstrated competency in deployment and operation of the equipment.

11/17/2015
DATE

Ed Goodchild
SWS SUPERVISOR

SUPERVISOR SIGNATURE

This report is used for crediting SWS client response plan holders for OSRO equipment deployment under the Preparedness for Response Exercise Program (PREP). All deployments, whether during an actual spill response, training, or exercise / drills must be properly documented.

Corporate Headquarters
600 Grand Panama Boulevard (Suite 200)
Panama City Beach, Florida 32407



EQUIPMENT DEPLOYMENT REPORT

Documentation of SWS Environmental Services equipment used during spill response, drills or training

RESPONSIBLE PARTY: Duke Energy RP CONTACT: Terese Dodge

RP PHONE #: 813-480-8635 RP FAX #: _____

SWS SUPERVISOR: Darryl King SWS JOB #: SP3-512-1194

START DATE OF PROJECT: 12-8-15 SWS SERVICE CENTER: STP

SWS PHONE #: 727-546-6193 MSO / COTP SECTOR: ST Pete

ENVIRONMENT (CHECK ONE)

PROTECTED SHELTERED UNSHELTERED

GEOGRAPHICAL DESCRIPTION (Facility, Body of Water, Miles of Shore)

Duke Energy Bayboro facility - Bayboro Harbor.

EQUIPMENT DEPLOYED Boom (minimum 1,000 ft of hard boom), skimmers, vacuum trucks, boats, temporary storage devices, Command/Communications Center.

1000 FT OF 18" HARD BOOM.

SWS PERSONNEL: List by category (supervisor, foreman, equipment operator, technician, etc.)

Darryl King (SWM), Andrew Bonge (Foreman), Ken Mraz

(Boat Op) Chris Smith (Tech/CDL), Kelvin Griffin (Tech/CDL), Paul McEntinock (Tech/CDL)

ADDITIONAL REMARKS:

SWS CERTIFIES THAT:

- 1) The equipment is in good working order and was properly operated in the environment indicated;
- 2) Involved personnel demonstrated competency in deployment and operation of the equipment.

12/8/15 Darryl King

DATE

SWS SUPERVISOR

Darryl King
SUPERVISOR SIGNATURE

This report is used for crediting SWS's client response plan holders for OSRO equipment deployment under the Preparedness

Response Exercise Program (PREP), all deployments, whether during actual spill response, training or exercise / drills must be properly documented.



EQUIPMENT DEPLOYMENT REPORT

Documentation of SWS equipment used during spill response, drills, or training:

RESPONSIBLE PARTY (RP): FPL RP CONTACT: Gary Anderson
 RP PHONE #: 305-793-5976 RP FAX #: _____
 SWS SUPERVISOR: Steven Wade SWS JOB #: FL3-501-1024
 START DATE OF PROJECT: 12-17-15 SWS SERVICE CENTER: FTL
 SWS PHONE #: 727-919-2624 MSO / COTP SECTOR: miami

ENVIRONMENT (CIRCLE ONE): PROTECTED SHELTERED UNSHELTERED

GEOGRAPHIC DESCRIPTION: (Facility, Body of Water, Miles of Shore, etc.)

Tunkay Point Intake Basin, Atlantic Ocean,

EQUIPMENT DEPLOYED:

FPL Munson Boat (25'), 1000' of 18" boom, (1) 2" trash pump, FAST Tank,

SWS PERSONNEL INVOLVED: List by category (supervisor, foreman, equipment operator, technician, etc.)

Steven Wade, Biff Raymond, D. Mejia, Chris Riser, Kevin Arango, Crawford Dennis

ADDITIONAL COMMENTS/REMARKS:

FPL Gary Anderson was satisfied that the drill went well.

SWS CERTIFIES THAT: 1) The equipment is in good working order and was properly operated in the environment indicated.
2) Involved personnel demonstrated competency in deployment and operation of the equipment

12-17-15
DATE

Steven Wade
SWS SUPERVISOR

[Signature]
SUPERVISOR SIGNATURE

This report is used for crediting SWS client response plan holders for OSRO equipment deployment under the Preparedness for Response Exercise Program (PREP). All deployments, whether during an actual spill response, training, or exercise / drills must be properly documented.

APPENDIX D

CERTIFIED MTRF OPERATOR

Certified MTRF Operator/Person In Charge

Shawn Lennon

Enrique Sorvill

Orville McKenzie

Devon DuQuesnay

David DuQuesnay

Victor Perez

APPENDIX E

COTP NOTIFICATION FORM

**U.S. COAST GUARD MARINE SAFETY OFFICE MIAMI
NOTIFICATION OF BUNKERING FAX SHEET**

FAX NUMBER: (786) 777-0791

PHONE NUMBER: (786) 777-0775

Vessel Name:

Name of Facility:

Triumvirate Environmental Inc.

Location of Bunkering:

Truck or Barge:

TRUCK

Date of Bunkering:

Time of Bunkering:

Type(s) of Fuel:

Amount(s) of Fuel:

INSTRUCTIONS: Under 33 CFR 156.118 COTP Miami requires Notification of Bunkering. Notification should be made four (4) hours prior to time of bunkering.

Name of the facility is the name of the Company that is offering the fuel for transfer.

Location should include name of Port and the Pier the vessel is moored.

If more than one type of fuel is being transferred to a vessel, please specify each fuel and each amount.

Separate form is to be used for each notification of bunkering.

APPENDIX F

SAFETY DATA SHEETS



MATERIAL SAFETY DATA SHEET

Residual Fuel Oil

MSDS: 940
REVISION: 12/18/2008

SECTION 1: PRODUCT AND COMPANY IDENTIFICATION

PRODUCT NAME: **Residual Fuel Oil**

SYNONYMS: Residual Fuel Oil, Fuel Oil #6, Bunker C Fuel Oil, IFO-30, IFO-100, IFO-120, IFO-180, IFO-240, IFO-280, IFO-320, IFO-380, IFO-500, IFO-600, IFO-700, ISO Marine Fuels

PRODUCT CODE:	Bunker C Fuel Oil (422010)	IFO-30 (422030)	IFO-100 (422100)	IFO-120 (422120)
	IFO-180 (422180)	IFO-240 (422240)	IFO-280 (422280)	IFO-320 (422320)
	IFO-380 (422380)	IFO-500 (422500)	IFO-600 (422600)	IFO-700 (422700)
	Generic Marine Fuels (429999)			

This Material Safety Data Sheet applies to the listed products and synonym descriptions for Hazard Communication purposes only. Technical specifications vary greatly depending on the product and are not reflected in this document. Consult specification sheets for technical information. This product contains ingredients that are considered to be hazardous as defined by the OSHA Hazard Communication Standard (29 CFR 1910.1200).

IMPORTANT: Read this MSDS before handling or disposing of this product. Pass this information on to employees, customers and product users.

MANUFACTURER: U. S. OIL & REFINING CO.
ADDRESS: 3001 Marshall Ave., Tacoma, WA 98421

EMERGENCY PHONE: (253)-383-1651
FAX PHONE: (253)-272-2495
CHEMTREC PHONE: (800) 424-9300
NATIONAL RESPONSE: (800) 424-8802

CHEMICAL NAME: Residual Fuel Oil
CHEMICAL FAMILY: Hydrocarbon

PRODUCT USE: Residual Fuel Oil is a complex blend of hydrocarbons derived from various refinery streams, usually residue, and can contain hydrogen sulfide and polycyclic aromatic hydrocarbons. Typical streams include atmospheric tower bottoms and vacuum tower bottoms. The composition is complex and varies with the source of crude oil. This product is intended for use as a refinery feedstock, fuel or for use in an engineered process. Use in other applications may result in higher exposures and require additional controls, such as local exhaust ventilation and personal protective equipment.

PREPARED BY: U.S. OIL & REFINING CO.

CAS #: Mixture

5
SECTION 2: COMPOSITION/INFORMATION ON INGREDIENTS

RESIDUAL FUEL OIL CONSISTS OF DISTILLATES AND RESIDUAL FRACTIONS BLENDED TO PRESCRIBED VISCOSITY RANGES. THIS PRODUCT IS LIKELY TO CONTAIN TRACE AMOUNTS OF HYDROGEN SULFIDE.

Name	CAS NUMBER	CONCENTRATION %
Fuel Oil, Residual	68476-33-5	100% (Approx)

5
SECTION 3: HAZARDS IDENTIFICATION

Danger! This product may contain or release Hydrogen Sulfide a highly toxic, highly flammable gas which can be fatal if inhaled at certain concentrations. This product may also contain polycyclic aromatic oils which may be carcinogenic to humans. This product may cause irritation to eyes, skin and respiratory system. Avoid liquid, mist and vapor contact. Harmful or fatal if swallowed. Aspiration hazard, can enter lungs and cause damage. May cause irritation or be harmful if inhaled or absorbed through the skin. Avoid prolonged or repeated skin contact. Contains polycyclic aromatic compounds which have been shown to cause anemia, disorders of the liver, bone marrow and lymphoid tissues in rats following dermal application. Combustible Liquid. Vapors may explode. May cause irritation to eyes, skin and respiratory system. Avoid liquid, mist and vapor contact. Harmful or fatal if swallowed. Aspiration hazard, can enter lungs and cause damage. May cause irritation or be harmful if inhaled or absorbed through the skin. CAUTION: This product is normally shipped hot and may cause burns to skin or eyes.

PHYSICAL STATE: Liquid (Thick, Oily Liquid)

5 ROUTES OF ENTRY: Dermal Contact. Eye Contact. Inhalation. Ingestion.

POTENTIAL HEALTH EFFECTS

EYES: Hot material can cause burns to the eyes. Eye irritation, tearing blurred vision may result from contact with liquid, mists and/or vapors.

SKIN: Hot material can cause burns to the skin. Contact may cause moderate irritation, de-fatting (cracking), redness, itching, inflammation, dermatitis and possible secondary infection. Repeated contact with components in this product may cause harmful effects in other parts of the body.

INGESTION: May cause burns to mouth, throat and stomach. This product may cause nausea, vomiting, diarrhea and restlessness. DO NOT INDUCE VOMITING. May cause harmful central nervous system effects, similar to those listed under "inhalation".

INHALATION: Nasal and respiratory tract irritation, central nervous system effects including dizziness, drowsiness, blurred vision, fatigue, nausea, headache, loss of reflexes or loss of consciousness may occur. Hydrogen sulfide can evolve from this product, which can cause dizziness, nausea, headache or death.

**MEDICAL CONDITIONS
GENERALLY AGGRAVATED**

BY EXPOSURE: Repeated or prolonged contact with spray or mist may produce chronic eye irritation and severe skin irritation. Repeated or prolonged exposure to spray or mist may produce respiratory tract irritation. This product may contain compounds that are possibly carcinogenic to humans.

6 OVER-EXPOSURE
SIGNS/SYMPTOMS: Nasal and respiratory tract irritation, central nervous system effects including dizziness, drowsiness, blurred vision, fatigue, nausea, headache, loss of consciousness, respiratory arrest or sudden death could occur as a result of long term

5 and/or high concentration exposure to vapors.
See toxicological information (section 11)

5

6

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SECTION 4: FIRST AID MEASURES

- EYES:** This product is normally stored and shipped hot (110°F to 200 °F) and thermal burns are a risk. Flush immediately with large amounts of water for at least 15 minutes. Eyelids should be held away from the eyeball to ensure thorough rinsing. Seek medical advice if pain or redness continues.
- SKIN:** This product is normally stored and shipped hot (110°F to 200 °F) and thermal burns are a risk. In case of contact, immediately flush skin with plenty of water. Remove contaminated clothing and shoes. Wash clothing before reuse. Clean shoes thoroughly before reuse. Get medical attention. Wash exposed area thoroughly with soap and water. Remove contaminated clothing promptly and launder before reuse. Contaminated leather goods should be discarded. If irritation persists or symptoms described in the MSDS develop, seek medical attention.
- INGESTION:** This product may cause nausea, vomiting, diarrhea and restlessness. **DO NOT INDUCE VOMITING.** Seek prompt medical attention.
- INHALATION:** If inhaled, remove to fresh air. If breathing is difficult, give oxygen. If not breathing, give artificial respiration. Seek prompt medical attention if breathing is difficult or if not breathing.
- 5

SECTION 5: FIRE-FIGHTING MEASURES

FLAMMABILITY OF THE PRODUCT: Combustible

**FLAMMABLE LIMITS IN AIR,
(% BY VOLUME):** LOWER: Not Determined
UPPER: Not Determined

FLASH POINT: Closed Cup >60° C, (140° F)

AUTOIGNITION TEMPERATURE: Approx 500 F

PRODUCTS OF COMBUSTION: These products are carbon oxides (CO, CO₂), nitrogen and sulfur oxides (NO_x, SO_x), particulate matter, VOC's.

**FIRE HAZARDS IN THE
PRESENCE OF VARIOUS
SUBSTANCES:**

When heated above the flash point, this material will release vapors that can ignite when exposed to open flames, sparks and static discharge. Mists or sprays may be flammable at temperatures below the normal flash point. Keep away from heat and open flame.

**FIRE-FIGHTING MEDIA AND
INSTRUCTIONS:**

Combustible Liquid. Use dry chemical, foam or carbon dioxide to extinguish the fire. Consult foam manufacturer for appropriate media, application rates and water/foam ratio. If a leak or spill has not ignited, ventilate area and use water spray to disperse gas or vapor and to protect personnel attempting to stop a leak. Use water to flush spills away from sources of ignition.

**SPECIAL FIRE FIGHTING
EQUIPMENT:**

Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.

Cool tanks and containers exposed to fire with water. Improper use of water and extinguishing media containing water may cause frothing which can spread the fire over a larger area.

**UNUSUAL FIRE AND EXPLOSION
HAZARDS:**

Moderately combustible. When heated above the flash point, this material will release flammable vapors which if exposed to a source of ignition can burn or be explosive in confined spaces. Mists or sprays may be flammable at temperatures below the normal flash point. Keep away from heat and open flame.

SECTION 6: ACCIDENTAL RELEASE MEASURES

PERSONAL PRECAUTIONS:

Immediately contact emergency personnel. Eliminate all ignition sources and stop spill/release if it can be done without risk. Keep unnecessary personnel away. Use suitable protective equipment (section 8). Do not touch or walk through spilled material. Tanks, vessels or other confined spaces which have contained product should be freed of vapors before entering. The container should be checked to ensure a safe atmosphere before entry. Empty containers may contain toxic, combustible or explosive residues or vapors. Do not cut, grind, drill, weld or reuse empty containers that contained this product. Do not transfer this product to another container unless the container receiving the product is labeled with proper DOT shipping name, hazard class and other information that describes the product and its hazards.

ENVIRONMENTAL PRECAUTIONS:

Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. If facility or operation has an "oil or hazardous substance contingency plan", activate its procedures. Stay upwind and away from spill. Wear appropriate protective equipment including respiratory protection as conditions warrant. Do not enter or stay in area unless monitoring indicates that it is safe to do so. Isolate hazard area and restrict entry to emergency crew. Review Fire Fighting Measures section before proceeding with clean up.

Keep all sources of ignition (flames, smoking, flares, etc.) and hot surfaces away from release. Contain spill in smallest possible area.

Recover as much product as possible. Stop leak if it can be done without risk. Use water spray to disperse vapors. Spilled material may be absorbed by an appropriate absorbent, and then handled in accordance with environmental regulations. Prevent spilled material from entering sewers, storm drains, unauthorized treatment or drainage systems and natural waterways. Contact fire authorities and appropriate federal, state and local agencies. If spill of any amount is made into or upon navigable waters, the contiguous zone, or adjoining shorelines, contact the National Response Center at 800-424-8802. For highway or railway spills, contact Chemtrec at 800-424-9300.

METHODS FOR CLEANING UP:

If emergency personnel are unavailable, contain spilled material. For small spills, use absorbent pads or add absorbent (soil may be used in the absence of other suitable materials) and use a nonsparking or explosion-proof means to transfer material to a sealable, appropriate container for disposal. For large spills, dike spilled material or otherwise contain it to ensure runoff does not reach a waterway. Place spilled material in an appropriate container for disposal.

SECTION 7: HANDLING AND STORAGE

- HANDLING:** Do not ingest. Do not get in eyes, on skin or on clothing. Keep container closed. Use only with adequate ventilation. Avoid breathing vapor or mist. Keep away from heat, sparks and flame. Wash thoroughly after handling. In case of fire, use water spray, foam, dry chemical or carbon dioxide as described in the Fire Fighting Measures section of the MSDS. Do not pressurize, cut, weld, braze, solder, drill on or near this container. "Empty" container contains residue (liquid and/or vapor) and may explode in heat of a fire. Use good personal hygiene practices. After handling this product, wash hands before eating, drinking, or using toilet facilities. Keep out of reach of children. Failure to use caution may cause serious injury or illness.
- STORAGE:** Store in a segregated and approved area. Keep container in a cool, well-ventilated area. Avoid all possible sources of ignition (spark or flame).

SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION

- ENGINEERING CONTROLS:** Provide ventilation to keep the airborne concentrations of vapors below their respective occupational exposure limits.

PERSONAL PROTECTION

- SKIN:** Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product. Flame Retardant Clothing is recommended.
- RESPIRATORY:** Use a properly fitted, air-purifying or air-fed respirator complying with an approved standard if a risk assessment indicates this is necessary. Respirator selection must be based on known or anticipated exposure levels, the hazards of the product and the safe working limits of the selected respirator.
- HANDS:** Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary. Heat-resistant gloves should be used when handling this product at elevated temperatures.
- EYE:** Eye protection (chemical-type goggles and/or face shield), should be worn whenever there is a likelihood of splashing or spraying liquid. Contact lenses should not be worn. Eye wash water should be provided.
- OTHER:** Use good personal hygiene practices. In case of skin contact, wash with mild soap and water or a waterless hand cleaner. Immediately remove soiled clothing and wash thoroughly before reuse. Discard oil-soaked leather goods.

SECTION 8: EXPOSURE CONTROLS/PERSONAL PROTECTION Continued

PROTECTIVE CLOTHING OR EQUIPMENT: Gloves, hardhat, face shield, boots, safety glasses, respirator, FR clothing.

PERSONAL PROTECTIVE EQUIPMENT IN CASE OF A LARGE SPILL: Splash goggles. Full suit. Vapor respirator. Boots. Gloves. Suggested protective clothing might not be adequate. Consult a specialist before handling this product.

Established Occupational Exposure Limits

Substance	Value	Time/Type	Source
OIL MIST, MINERAL	5 MG/M3	8 hr PEL	OSHA
	10 MG/M3	15 min STEL	ACGIH
HYDROGEN SULFIDE	10 PPM	8 hr PEL	OSHA
	15 PPM	15 min STEL	OSHA

Consult local authorities for acceptable exposure limits.

SECTION 9: PHYSICAL AND CHEMICAL PROPERTIES

PHYSICAL STATE: Liquid. (Thick, oily liquid.)

COLOR: Brown to Black Viscous Liquid

ODOR: Strong Petroleum Odor, Asphalt like

BOILING POINT: 175 to 650°C (350 to 1200°F)

SPECIFIC GRAVITY: 0.93 to 1.0 (Water = 1) (@ 60° F)

VISCOSITY: 90 to 700 mm²/s @ 50°C (cSt @ 122°F)

VAPOR PRESSURE: Not Determined

VAPOR DENSITY: >1 (Air = 1)

VOLATILITY: Negligible

EVAPORATION RATE: Negligible

MATERIALS TO AVOID: Strong acids, alkalis, and strong oxidizers.

HAZARDOUS DECOMPOSITION PRODUCTS: Burning or excessive heating may produce carbon monoxide and other harmful gases and vapors including oxides and/or other compounds of sulfur and nitrogen.

SECTION 10: STABILITY AND REACTIVITY

STABILITY AND REACTIVITY:	The product is stable.
INCOMPATIBILITY WITH VARIOUS SUBSTANCES:	Reactive with oxidizing agents, acids, alkalis.
HAZARDOUS DECOMPOSITION PRODUCTS:	These products are carbon oxides (CO, CO ₂), nitrogen and sulfur oxides (NO _x , SO _x), particulate matter, VOC's.
HAZARDOUS POLYMERIZATION:	Will not occur.
CONDITIONS TO AVOID (STABILITY):	Heat and open flame

SECTION 11: TOXICOLOGICAL INFORMATION

TOXICITY DATA

Fuel Oil No. 6 (CAS 68553-00-4)

May contain compounds reported to cause skin cancer and have toxic effects towards liver, kidneys and central nervous system. Risk of cancer depends on duration and level of exposure.

SECTION 12: ECOLOGICAL INFORMATION

ECOLOGICAL INFORMATION:	Not evaluated at this time.
PRODUCTS OF DEGRADATION:	These products are carbon oxides (CO, CO ₂) and water.

SECTION 13: DISPOSAL CONSIDERATIONS

WASTE DISPOSAL: The generation of waste should be avoided or minimized wherever possible. Avoid dispersal of spilled material and runoff and contact with soil, waterways, drains and sewers. Disposal of this product, solutions and any by-products should at all times comply with all applicable federal, state and local environmental regulations.

Consult your state or local authorities.

SECTION 14: TRANSPORT INFORMATION

REGULATORY INFORMATION	UN NUMBER	EMERGENCY RESPONSE GUIDEBOOK	PROPER SHIPPING NAME	CLASS	PACKING GROUP
DOT Classification	NA1993	Guide 128	Fuel Oil	3	III

SECTION 15: REGULATORY INFORMATION

U.S. FEDERAL REGULATIONS:

Extremely Hazardous Substances for Emergency Response and Planning 40 CFR 355 & 40 CFR 370:

NONE

Toxic Release Chemicals for Emission Reporting (SARA 313):

NONE

EPA SARA 311/312 Title III Hazard Categories

Acute Health Hazard: No
Chronic Health Hazard: Yes
Fire Hazard: Yes
Pressure Hazard: No
Reactive Hazard: No

5

SECTION 16: OTHER INFORMATION

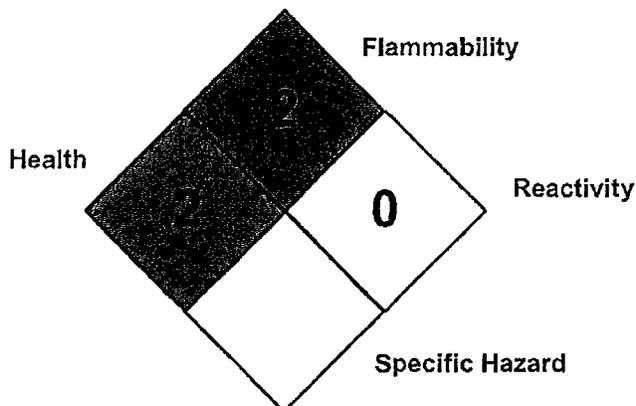
HAZARDOUS MATERIAL INFORMATION SYSTEM (U.S.A.)

HMIS III		
HEALTH	*	2
FLAMMABILITY		2
PHYSICAL HAZARD		0
PERSONAL PROTECTION		

* Chronic Health Hazard

NATIONAL FIRE PROTECTION
ASSOCIATION (U.S.A.)

5



DATE OF PRINTING: Last printed 08/20/2009 2:19:00 PM

DISCLAIMER

The information in this MSDS was obtained from sources which we believe are reliable. **HOWEVER, THE INFORMATION IS PROVIDED WITHOUT ANY REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, REGARDING ITS ACCURACY OR CORRECTNESS.**

The conditions or methods of handling, storage, use and disposal of the product are beyond our control and may be beyond our knowledge. **FOR THIS AND OTHER REASONS, WE DO NOT ASSUME RESPONSIBILITY AND EXPRESSLY DISCLAIM LIABILITY FOR LOSS, DAMAGE OR EXPENSE ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE HANDLING, STORAGE, USE OR DISPOSAL OF THE PRODUCT.**

6

SAFETY DATA SHEET

According to OSHA Hazard Communication Standard, 29 CFR
1910.1200

Version 7.5

Revision Date: 01/15/2016

Print Date: 05/02/2016

SECTION 1. IDENTIFICATION

Product name : Shell Melina 30

Product code : 001A0325

Manufacturer or supplier's details

Manufacturer/Supplier : **Shell Oil Products US**
PO Box 4427
Houston TX 77210-4427
USA

SDS Request : (+1) 877-276-7285

Customer Service :

Emergency telephone number

Spill Information : 877-504-9351

Health Information : 877-242-7400

Recommended use of the chemical and restrictions on use

Recommended use : Engine oil.

SECTION 2. HAZARDS IDENTIFICATION

GHS Classification

Not a hazardous substance or mixture.

GHS label elements

Hazard pictograms : No Hazard Symbol required

Signal word : No signal word

Hazard statements : **PHYSICAL HAZARDS:**
Not classified as a physical hazard under GHS criteria.
HEALTH HAZARDS:
Not classified as a health hazard under GHS criteria.
ENVIRONMENTAL HAZARDS:
Not classified as an environmental hazard under GHS criteria.

Precautionary statements : **Prevention:**
No precautionary phrases.
Response:
No precautionary phrases.
Storage:
No precautionary phrases.
Disposal:
No precautionary phrases.

Other hazards which do not result in classification

Prolonged or repeated skin contact without proper cleaning can clog the pores of the skin resulting in disorders such as oil acne/folliculitis.

SAFETY DATA SHEET

According to OSHA Hazard Communication Standard, 29 CFR 1910.1200

Version 7.5

Revision Date: 01/15/2016

Print Date: 05/02/2016

Used oil may contain harmful impurities.
Not classified as flammable but will burn.

The classification of this material is based on OSHA HCS 2012 criteria.

Under normal conditions of use or in a foreseeable emergency, this product does not meet the definition of a hazardous chemical when evaluated according to the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

SECTION 3. COMPOSITION/INFORMATION ON INGREDIENTS

Chemical nature : Highly refined mineral oils and additives.
The highly refined mineral oil contains <3% (w/w) DMSO-extract, according to IP346.

* contains one or more of the following CAS-numbers: 64742-53-6, 64742-54-7, 64742-55-8, 64742-56-9, 64742-65-0, 68037-01-4, 72623-86-0, 72623-87-1, 8042-47-5, 848301-69-9.

Hazardous components

Chemical name	Synonyms	CAS-No.	Concentration (%)
Interchangeable low viscosity base oil (<20,5 cSt @40°C) *		Not Assigned	0 - 90

SECTION 4. FIRST-AID MEASURES

- General advice : Not expected to be a health hazard when used under normal conditions.
- If inhaled : No treatment necessary under normal conditions of use. If symptoms persist, obtain medical advice.
- In case of skin contact : Remove contaminated clothing. Flush exposed area with water and follow by washing with soap if available. If persistent irritation occurs, obtain medical attention.
- In case of eye contact : Flush eye with copious quantities of water. If persistent irritation occurs, obtain medical attention.
- If swallowed : In general no treatment is necessary unless large quantities are swallowed, however, get medical advice.
- Most important symptoms and effects, both acute and delayed : Oil acne/folliculitis signs and symptoms may include formation of black pustules and spots on the skin of exposed areas. Ingestion may result in nausea, vomiting and/or diarrhoea.
- Protection of first-aiders : When administering first aid, ensure that you are wearing the appropriate personal protective equipment according to the incident, injury and surroundings.
- Immediate medical attention, : Treat symptomatically.

SAFETY DATA SHEET

According to OSHA Hazard Communication Standard, 29 CFR
1910.1200

Version 7.5

Revision Date: 01/15/2016

Print Date: 05/02/2016

special treatment

SECTION 5. FIRE-FIGHTING MEASURES

- Suitable extinguishing media : Foam, water spray or fog. Dry chemical powder, carbon dioxide, sand or earth may be used for small fires only.
- Unsuitable extinguishing media : Do not use water in a jet.
- Specific hazards during fire-fighting : Hazardous combustion products may include:
A complex mixture of airborne solid and liquid particulates and gases (smoke).
Carbon monoxide may be evolved if incomplete combustion occurs.
Unidentified organic and inorganic compounds.
- Specific extinguishing methods : Use extinguishing measures that are appropriate to local circumstances and the surrounding environment.
- Special protective equipment for firefighters : Proper protective equipment including chemical resistant gloves are to be worn; chemical resistant suit is indicated if large contact with spilled product is expected. Self-Contained Breathing Apparatus must be worn when approaching a fire in a confined space. Select fire fighter's clothing approved to relevant Standards (e.g. Europe: EN469).

SECTION 6. ACCIDENTAL RELEASE MEASURES

- Personal precautions, protective equipment and emergency procedures : Avoid contact with skin and eyes.
- Environmental precautions : Use appropriate containment to avoid environmental contamination. Prevent from spreading or entering drains, ditches or rivers by using sand, earth, or other appropriate barriers.

Local authorities should be advised if significant spillages cannot be contained.
- Methods and materials for containment and cleaning up : Slippery when spilt. Avoid accidents, clean up immediately. Prevent from spreading by making a barrier with sand, earth or other containment material.
Reclaim liquid directly or in an absorbent.
Soak up residue with an absorbent such as clay, sand or other suitable material and dispose of properly.
- Additional advice : For guidance on selection of personal protective equipment see Chapter 8 of this Safety Data Sheet.
For guidance on disposal of spilled material see Chapter 13 of this Safety Data Sheet.

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SECTION 7. HANDLING AND STORAGE

- Technical measures** : Use local exhaust ventilation if there is risk of inhalation of vapours, mists or aerosols.
Use the information in this data sheet as input to a risk assessment of local circumstances to help determine appropriate controls for safe handling, storage and disposal of this material.
- Precautions for safe handling** : Avoid prolonged or repeated contact with skin.
Avoid inhaling vapour and/or mists.
When handling product in drums, safety footwear should be worn and proper handling equipment should be used.
Properly dispose of any contaminated rags or cleaning materials in order to prevent fires.
- Avoidance of contact** : Strong oxidising agents.
- Product Transfer** : This material has the potential to be a static accumulator.
Proper grounding and bonding procedures should be used during all bulk transfer operations.
- Storage**
- Other data** : Keep container tightly closed and in a cool, well-ventilated place.
Use properly labeled and closable containers.

Store at ambient temperature.
- Packaging material** : Suitable material: For containers or container linings, use mild steel or high density polyethylene.
Unsuitable material: PVC.
- Container Advice** : Polyethylene containers should not be exposed to high temperatures because of possible risk of distortion.

SECTION 8. EXPOSURE CONTROLS AND PERSONAL PROTECTION

Components with workplace control parameters

Components	CAS-No.	Value type (Form of exposure)	Control parameters / Permissible concentration	Basis
Oil mist, mineral	Not Assigned	TWA ((inhalable fraction))	5 mg/m3	US. ACGIH Threshold Limit Values
		(Mist)	5 mg/m3	OSHA_TRANS

Biological occupational exposure limits

No biological limit allocated.

Monitoring Methods

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Monitoring of the concentration of substances in the breathing zone of workers or in the general workplace may be required to confirm compliance with an OEL and adequacy of exposure controls. For some substances biological monitoring may also be appropriate.

Validated exposure measurement methods should be applied by a competent person and samples analysed by an accredited laboratory.

Examples of sources of recommended exposure measurement methods are given below or contact the supplier. Further national methods may be available.

National Institute of Occupational Safety and Health (NIOSH), USA: Manual of Analytical Methods
<http://www.cdc.gov/niosh/>

Occupational Safety and Health Administration (OSHA), USA: Sampling and Analytical Methods
<http://www.osha.gov/>

Health and Safety Executive (HSE), UK: Methods for the Determination of Hazardous Substances
<http://www.hse.gov.uk/>

Institut für Arbeitsschutz Deutschen Gesetzlichen Unfallversicherung (IFA), Germany
<http://www.dguv.de/inhalt/index.jsp>

L'Institut National de Recherche et de Sécurité, (INRS), France <http://www.inrs.fr/accueil>

Engineering measures : The level of protection and types of controls necessary will vary depending upon potential exposure conditions. Select controls based on a risk assessment of local circumstances. Appropriate measures include:
Adequate ventilation to control airborne concentrations.

Where material is heated, sprayed or mist formed, there is greater potential for airborne concentrations to be generated.

General Information:

Define procedures for safe handling and maintenance of controls.

Educate and train workers in the hazards and control measures relevant to normal activities associated with this product.

Ensure appropriate selection, testing and maintenance of equipment used to control exposure, e.g. personal protective equipment, local exhaust ventilation.

Drain down system prior to equipment break-in or maintenance.

Retain drain downs in sealed storage pending disposal or subsequent recycle.

Always observe good personal hygiene measures, such as washing hands after handling the material and before eating, drinking, and/or smoking. Routinely wash work clothing and protective equipment to remove contaminants. Discard contaminated clothing and footwear that cannot be cleaned.

Practice good housekeeping.

Personal protective equipment

Respiratory protection : No respiratory protection is ordinarily required under normal conditions of use.
In accordance with good industrial hygiene practices, precautions should be taken to avoid breathing of material.
If engineering controls do not maintain airborne concentrations to a level which is adequate to protect worker health, select respiratory protection equipment suitable for the specific conditions of use and meeting relevant legislation.

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Check with respiratory protective equipment suppliers.
Where air-filtering respirators are suitable, select an appropriate combination of mask and filter.
Select a filter suitable for the combination of organic gases and vapours [Type A/Type P boiling point >65°C (149°F)].

Hand protection
Remarks

: Where hand contact with the product may occur the use of gloves approved to relevant standards (e.g. Europe: EN374, US: F739) made from the following materials may provide suitable chemical protection. PVC, neoprene or nitrile rubber gloves. Suitability and durability of a glove is dependent on usage, e.g. frequency and duration of contact, chemical resistance of glove material, dexterity. Always seek advice from glove suppliers. Contaminated gloves should be replaced. Personal hygiene is a key element of effective hand care. Gloves must only be worn on clean hands. After using gloves, hands should be washed and dried thoroughly. Application of a non-perfumed moisturizer is recommended. For continuous contact we recommend gloves with breakthrough time of more than 240 minutes with preference for > 480 minutes where suitable gloves can be identified. For short-term/splash protection we recommend the same, but recognize that suitable gloves offering this level of protection may not be available and in this case a lower breakthrough time maybe acceptable so long as appropriate maintenance and replacement regimes are followed. Glove thickness is not a good predictor of glove resistance to a chemical as it is dependent on the exact composition of the glove material. Glove thickness should be typically greater than 0.35 mm depending on the glove make and model.

Eye protection

: If material is handled such that it could be splashed into eyes, protective eyewear is recommended.

Skin and body protection

: Skin protection is not ordinarily required beyond standard work clothes.
It is good practice to wear chemical resistant gloves.

Protective measures

: Personal protective equipment (PPE) should meet recommended national standards. Check with PPE suppliers.

Environmental exposure controls

General advice

: Take appropriate measures to fulfill the requirements of relevant environmental protection legislation. Avoid contamination of the environment by following advice given in Chapter 6. If necessary, prevent undissolved material from being discharged to waste water. Waste water should be treated in a municipal or industrial waste water treatment plant before discharge to surface water.
Local guidelines on emission limits for volatile substances must be observed for the discharge of exhaust air containing vapour.

SECTION 9. PHYSICAL AND CHEMICAL PROPERTIES

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Appearance : Liquid at room temperature.

Colour : amber

Odour : Slight hydrocarbon

Odour Threshold : Data not available

pH : Not applicable

pour point : -18 °C / -0.40 °F Method: ASTM D97

Initial boiling point and boiling range : > 280 °C / 536 °F estimated value(s)

Flash point : 227 °C / 441 °F
Method: ASTM D93 (PMCC)

Evaporation rate : Data not available

Flammability (solid, gas) : Data not available

Upper explosion limit : Typical 10 %(V)

Lower explosion limit : Typical 1 %(V)

Vapour pressure : < 0.5 Pa (20 °C / 68 °F)
estimated value(s)

Relative vapour density : > 1 estimated value(s)

Relative density : 0.897 (15 °C / 59 °F)

Density : 897 kg/m³ (15.0 °C / 59.0 °F)
Method: ASTM D4052

Solubility(ies)
Water solubility : negligible

Solubility in other solvents : Data not available

Partition coefficient: n-octanol/water : Pow: > 6 (based on information on similar products)

Auto-ignition temperature : >
320 °C / 608 °F

Viscosity
Viscosity, dynamic : Data not available

Viscosity, kinematic : 104 mm²/s (40.0 °C / 104.0 °F)
Method: ASTM D445

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11.8 mm²/s (100 °C / 212 °F)
Method: ASTM D445

Explosive properties : Not classified
Oxidizing properties : Data not available
Conductivity : This material is not expected to be a static accumulator.
Decomposition temperature : Data not available

SECTION 10. STABILITY AND REACTIVITY

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Reactivity : The product does not pose any further reactivity hazards in addition to those listed in the following sub-paragraph.
Chemical stability : Stable.
Possibility of hazardous reactions : Reacts with strong oxidising agents.
Conditions to avoid : Extremes of temperature and direct sunlight.
Incompatible materials : Strong oxidising agents.
Hazardous decomposition products : Hazardous decomposition products are not expected to form during normal storage.

SECTION 11. TOXICOLOGICAL INFORMATION

Basis for assessment : Information given is based on data on the components and the toxicology of similar products. Unless indicated otherwise, the data presented is representative of the product as a whole, rather than for individual component(s).

Information on likely routes of exposure

Skin and eye contact are the primary routes of exposure although exposure may occur following accidental ingestion.

Acute toxicity

Product:

Acute oral toxicity : LD50 (rat): > 5,000 mg/kg
Remarks: Expected to be of low toxicity:
Acute inhalation toxicity : Remarks: Not considered to be an inhalation hazard under normal conditions of use.
Acute dermal toxicity : LD50 (Rabbit): > 5,000 mg/kg
Remarks: Expected to be of low toxicity:

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Skin corrosion/irritation

Product:

Remarks: Expected to be slightly irritating., Prolonged or repeated skin contact without proper cleaning can clog the pores of the skin resulting in disorders such as oil acne/folliculitis.

Serious eye damage/eye irritation

Product:

Remarks: Expected to be slightly irritating.

Respiratory or skin sensitisation

Product:

Remarks: Not expected to be a skin sensitiser.

Germ cell mutagenicity

Product:

: Remarks: Not considered a mutagenic hazard.

Carcinogenicity

Product:

Remarks: Not expected to be carcinogenic.

Remarks: Product contains mineral oils of types shown to be non-carcinogenic in animal skin-painting studies., Highly refined mineral oils are not classified as carcinogenic by the International Agency for Research on Cancer (IARC).

IARC

No component of this product present at levels greater than or equal to 0.1% is identified as probable, possible or confirmed human carcinogen by IARC.

ACGIH

No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by ACGIH.

OSHA

No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by OSHA.

NTP

No component of this product present at levels greater than or equal to 0.1% is identified as a known or anticipated carcinogen by NTP.

Reproductive toxicity

Product:

: Remarks: Not expected to impair fertility., Not expected to be

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a developmental toxicant.

STOT - single exposure

Product:

Remarks: Not expected to be a hazard.

STOT - repeated exposure

Product:

Remarks: Not expected to be a hazard.

Aspiration toxicity

Product:

Not considered an aspiration hazard.

Further information

Product:

Remarks: Used oils may contain harmful impurities that have accumulated during use. The concentration of such impurities will depend on use and they may present risks to health and the environment on disposal., ALL used oil should be handled with caution and skin contact avoided as far as possible.

Remarks: Continuous contact with used engine oils has caused skin cancer in animal tests.

Remarks: Slightly irritating to respiratory system.

SECTION 12. ECOLOGICAL INFORMATION

Basis for assessment : Ecotoxicological data have not been determined specifically for this product.
Information given is based on a knowledge of the components and the ecotoxicology of similar products.
Unless indicated otherwise, the data presented is representative of the product as a whole, rather than for individual component(s).(LL/EL/IL50 expressed as the nominal amount of product required to prepare aqueous test extract).

Ecotoxicity

Product:

Toxicity to fish (Acute toxicity) : Remarks: Expected to be practically non toxic:
LL/EL/IL50 > 100 mg/l

Toxicity to daphnia and other aquatic invertebrates (Acute toxicity) : Remarks: Expected to be practically non toxic:
LL/EL/IL50 > 100 mg/l

Toxicity to algae (Acute toxicity) : Remarks: Expected to be practically non toxic:

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LL/EL/IL50 > 100 mg/l

Toxicity to fish (Chronic toxicity) : Remarks: Data not available

Toxicity to daphnia and other aquatic invertebrates (Chronic toxicity) : Remarks: Data not available

Toxicity to bacteria (Acute toxicity) : Remarks: Data not available

Persistence and degradability

Product:

Biodegradability : Remarks: Expected to be not readily biodegradable. Major constituents are expected to be inherently biodegradable, but contains components that may persist in the environment.

Bioaccumulative potential

Product:

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Bioaccumulation : Remarks: Contains components with the potential to bioaccumulate.

Mobility in soil

Product:

Mobility : Remarks: Liquid under most environmental conditions. If it enters soil, it will adsorb to soil particles and will not be mobile.

Remarks: Floats on water.

Other adverse effects

no data available

Product:

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Additional ecological information : Product is a mixture of non-volatile components, which are not expected to be released to air in any significant quantities. Not expected to have ozone depletion potential, photochemical ozone creation potential or global warming potential.

Poorly soluble mixture.
May cause physical fouling of aquatic organisms.

Mineral oil is not expected to cause any chronic effects to aquatic organisms at concentrations less than 1 mg/l.

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SECTION 13. DISPOSAL CONSIDERATIONS

Disposal methods

Waste from residues : Waste product should not be allowed to contaminate soil or ground water, or be disposed of into the environment.
Waste, spills or used product is dangerous waste.

Disposal should be in accordance with applicable regional, national, and local laws and regulations.
Local regulations may be more stringent than regional or national requirements and must be complied with.

Contaminated packaging : Dispose in accordance with prevailing regulations, preferably to a recognized collector or contractor. The competence of the collector or contractor should be established beforehand.
Disposal should be in accordance with applicable regional, national, and local laws and regulations.

SECTION 14. TRANSPORT INFORMATION

National Regulations

US Department of Transportation Classification (49 CFR Parts 171-180)

Not regulated as a dangerous good

International Regulation

IATA-DGR

Not regulated as a dangerous good

IMDG-Code

Not regulated as a dangerous good

Transport in bulk according to Annex II of MARPOL 73/78 and the IBC Code

Pollution category : Not applicable

Ship type : Not applicable

Product name : Not applicable

Special precautions : Not applicable

Special precautions for user

Remarks : Special Precautions: Refer to Chapter 7, Handling & Storage, for special precautions which a user needs to be aware of or needs to comply with in connection with transport.

Additional Information : MARPOL Annex 1 rules apply for bulk shipments by sea.

SECTION 15. REGULATORY INFORMATION

OSHA Hazards : No OSHA Hazards

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EPCRA - Emergency Planning and Community Right-to-Know Act

CERCLA Reportable Quantity

This material does not contain any components with a CERCLA RQ., Shell classifies this material as an "oil" under the CERCLA Petroleum Exclusion, therefore releases to the environment are not reportable under CERCLA.

SARA 304 Extremely Hazardous Substances Reportable Quantity

This material does not contain any components with a section 304 EHS RQ.

SARA 311/312 Hazards : No SARA Hazards

SARA 302 : No chemicals in this material are subject to the reporting requirements of SARA Title III, Section 302.

SARA 313 : This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 313.

Clean Water Act

This product does not contain any Hazardous Chemicals listed under the U.S. CleanWater Act, Section 311, Table 117.3.

Pennsylvania Right To Know

Distillates (petroleum), solvent-dewaxed heavy paraffinic 64742-65-0

California Prop 65 This product does not contain any chemicals known to State of California to cause cancer, birth defects, or any other reproductive harm.

The components of this product are reported in the following inventories:

EINECS : All components listed or polymer exempt.

TSCA : All components listed.

DSL : All components listed.

SECTION 16. OTHER INFORMATION

Further information

NFPA Rating (Health, Fire, Reactivity) 0, 1, 0

A vertical bar (|) in the left margin indicates an amendment from the previous version.

Abbreviations and Acronyms : The standard abbreviations and acronyms used in this document can be looked up in reference literature (e.g. scientific dictionaries) and/or websites.

ACGIH = American Conference of Governmental Industrial Hygienists

ADR = European Agreement concerning the International Carriage of Dangerous Goods by Road

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AICS = Australian Inventory of Chemical Substances
ASTM = American Society for Testing and Materials
BEL = Biological exposure limits
BTEX = Benzene, Toluene, Ethylbenzene, Xylenes
CAS = Chemical Abstracts Service
CEFIC = European Chemical Industry Council
CLP = Classification Packaging and Labelling
COC = Cleveland Open-Cup
DIN = Deutsches Institut für Normung
DMEL = Derived Minimal Effect Level
DNEL = Derived No Effect Level
DSL = Canada Domestic Substance List
EC = European Commission
EC50 = Effective Concentration fifty
ECETOC = European Center on Ecotoxicology and Toxicology
Of Chemicals
ECHA = European Chemicals Agency
EINECS = The European Inventory of Existing Commercial
Chemical Substances
EL50 = Effective Loading fifty
ENCS = Japanese Existing and New Chemical Substances
Inventory
EWC = European Waste Code
GHS = Globally Harmonised System of Classification and
Labelling of Chemicals
IARC = International Agency for Research on Cancer
IATA = International Air Transport Association
IC50 = Inhibitory Concentration fifty
IL50 = Inhibitory Level fifty
IMDG = International Maritime Dangerous Goods
INV = Chinese Chemicals Inventory
IP346 = Institute of Petroleum test method N° 346 for the
determination of polycyclic aromatics DMSO-extractables
KECI = Korea Existing Chemicals Inventory
LC50 = Lethal Concentration fifty
LD50 = Lethal Dose fifty per cent.
LL/EL/IL = Lethal Loading/Effective Loading/Inhibitory loading
LL50 = Lethal Loading fifty
MARPOL = International Convention for the Prevention of
Pollution From Ships
NOEC/NOEL = No Observed Effect Concentration / No Ob-
served Effect Level
OE_HP V = Occupational Exposure - High Production Volume
PBT = Persistent, Bioaccumulative and Toxic
PICCS = Philippine Inventory of Chemicals and Chemical
Substances
PNEC = Predicted No Effect Concentration
REACH = Registration Evaluation And Authorisation Of
Chemicals
RID = Regulations Relating to International Carriage of Dan-
gerous Goods by Rail
SKIN_DES = Skin Designation
STEL = Short term exposure limit
TRA = Targeted Risk Assessment
TSCA = US Toxic Substances Control Act
TWA = Time-Weighted Average

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vPvB = very Persistent and very Bioaccumulative

Revision Date : 01/15/2016

This information is based on our current knowledge and is intended to describe the product for the purposes of health, safety and environmental requirements only. It should not therefore be construed as guaranteeing any specific property of the product.

Shell Marine Fuel Oil
Version 1.3

Effective Date 16.01.2013

Safety Data Sheet

IMO (International Maritime Organization) MSDS
per SOLAS regulation VI/5-1

1. IDENTIFICATION OF THE SUBSTANCE/PREPARATION AND COMPANY/UNDERTAKING

Material Name : Shell Marine Fuel Oil
Recommended Use / Restrictions of Use : Fuel for use in marine diesel engines, boilers, furnaces and other combustion equipment.
Supplier :
Shell Trading Rotterdam B.V.
Weena 70
3012 CM Rotterdam
Netherlands
+31 10 441 5000
Contact Telephone :
Emergency Telephone Number : +1 703-527-3887
MARPOL Annex I Category : Fuel and Residual Oils (Including Ship's Bunker)
Description on Bill of Lading (B/L)/Bunker delivery note/Shipping document : Oils (Annex I, Appendix I)
Other Information : See Section 14 for transportation information related to the Bill of Lading, other shipping documents.

2. HAZARDS IDENTIFICATION

GHS Classification : Flammable liquids, Category 4
CARCINOGENICITY, Category 1B
ACUTE TOXICITY - INHALATION, Category 4
TOXIC TO REPRODUCTION, Category 2
Specific target organ toxicity - repeated exposure, Category 2,
Blood., Liver., Thymus.
AQUATIC TOXICITY (ACUTE), Category 1
AQUATIC TOXICITY (CHRONIC), Category 1

GHS Label Elements Symbol(s) :



Signal Words : Danger
Hazard Statement : PHYSICAL HAZARDS:
H227: Combustible liquid.

HEALTH HAZARDS:
H332: Harmful if inhaled.
H361: Suspected of damaging fertility or the unborn child.
H373: May cause damage to organs or organ systems through prolonged or repeated exposure.
Blood.
Thymus.
Liver.

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H350: May cause cancer.

ENVIRONMENTAL HAZARDS:

H400: Very toxic to aquatic life.

H410: Very toxic to aquatic life with long lasting effects.

GHS Precautionary Statements

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- Prevention** : P201: Obtain special instructions before use.
P202: Do not handle until all safety precautions have been read and understood.
P260: Do not breathe dust/fume/gas/mist/vapours/spray.
P271: Use only outdoors or in a well-ventilated area.
P273: Avoid release to the environment.
P210: Keep away from heat/sparks/open flames/hot surfaces. - No smoking.
P280: Wear protective gloves/protective clothing/eye protection/face protection.
- Response** : P304+P340: IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing.
P308+P313: IF exposed or concerned: Get medical advice/attention.
P314: Get medical advice/attention if you feel unwell.
P391: Collect spillage.
P370: In case of fire:
P378: Use appropriate media for extinction.
- Storage** : P405: Store locked up.
P403+P235: Store in a well-ventilated place. Keep cool.
- Disposal:** : P501: Dispose of contents and container to appropriate waste site or reclaimer in accordance with local and national regulations.

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Other Hazards which do not result in classification : Repeated exposure may cause skin dryness or cracking.
Contact with hot material can cause thermal burns.
Hydrogen sulphide is highly toxic and may be fatal if inhaled. Hydrogen sulphide (H₂S), an extremely flammable and toxic gas, and other hazardous vapours may evolve and collect in the headspace of storage tanks, transport vessels and other enclosed containers. H₂S has a broad range of effects dependent on the airborne concentration and length of exposure: 0.02 ppm odour threshold, smell of rotten eggs; 10 ppm eye and respiratory tract irritation; 100 ppm coughing, headache, dizziness, nausea, eye irritation, loss of sense of smell in minutes; 200 ppm potential for pulmonary oedema after >20-30 minutes; 500 ppm loss of consciousness after short exposures, potential for respiratory arrest; >1000ppm immediate loss of consciousness, may lead rapidly to death, prompt cardiopulmonary resuscitation may be required. Do not depend on sense of smell for warning. H₂S causes rapid olfactory fatigue (deadens sense of smell). There is no

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evidence that H2S will accumulate in the body tissue after repeated exposure. May dull the sense of smell, so do not rely on odour as an indication of hazard.
May ignite on surfaces at temperatures above auto-ignition temperature.
Electrostatic charges may be generated during pumping.
Electrostatic discharge may cause fire.
Flammable vapours may be present even at temperatures below the flash point. Persistent per IMO criteria.

Additional Information : This product is intended for use in closed systems only.

3. COMPOSITION/INFORMATION ON INGREDIENTS

Mixture Description : Streams obtained from distillation and cracking processes and containing a mixture of saturated, aromatic and olefinic hydrocarbons with carbon numbers predominantly in the C9 to C50 range. Contains cracked components in which polycyclic aromatic compounds, mainly 3-ring but some 4 to 6 ring species, are present. Contains sulphur, oxygen, nitrogen compounds, vanadium and other metals at >10 ppm <500ppm w/w.

CAS No. : 68476-33-5

Hazardous Components

Chemical Identity	CAS	Conc.
Fuel oil, residual	68476-33-5	95.50 - 100.00 %
Sulphur	7704-34-9	0.00 - 4.50 %

Additional Information : Hydrogen sulphide may be present both in the liquid and the vapour. Composition is complex and varies with the source of the crude oil. Residues and their blends with distillates can be used as heavy fuel oils and need to be heated for use. Contains hydrogen sulphide, CAS # 7783-06-4. Contains sulphur, oxygen and nitrogen compounds.

4. FIRST AID MEASURES

General Information : Vaporisation of H2S that has been trapped in clothing can be dangerous to rescuers. Maintain respiratory protection to avoid contamination from the victim to rescuer. Mechanical ventilation should be used to resuscitate if at all possible.

Inhalation : Remove to fresh air. Do not attempt to rescue the victim unless proper respiratory protection is worn. If the victim has difficulty breathing or tightness of the chest, is dizzy, vomiting, or unresponsive, give 100% oxygen with rescue breathing or CPR as required and transport to the nearest medical facility.

Skin Contact : Wash skin with water using soap if available. Contaminated clothing must be removed as soon as possible. It must be relaundered before reuse.

Eye Contact : Flush eye with copious quantities of water. If persistent irritation occurs, obtain medical attention.

Ingestion : If vomiting occurs spontaneously, keep head below hips to

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- Most Important Symptoms/Effects, Acute & Delayed** : prevent aspiration. Give nothing by mouth.
: H2S has a broad range of effects dependent on the airborne concentration and length of exposure: 0.02 ppm odour threshold, smell of rotten eggs; 10 ppm eye and respiratory tract irritation; 100 ppm coughing, headache, dizziness, nausea, eye irritation, loss of sense of smell in minutes; 200 ppm potential for pulmonary oedema after >20-30 minutes; 500 ppm loss of consciousness after short exposures, potential for respiratory arrest; >1000ppm immediate loss of consciousness, may lead rapidly to death, prompt cardiopulmonary resuscitation may be required. Do not depend on sense of smell for warning. H2S causes rapid olfactory fatigue (doadons sonse of smell). There is no evidence that H2S will accumulate in the body tissue after repeated exposure. Defatting dermatitis signs and symptoms may include a burning sensation and/or a dried/cracked appearance.
- Immediate medical attention, special treatment** : Hydrogen sulphide (H2S) - CNS asphyxiant. May cause rhinitis, bronchitis and occasionally pulmonary oedema after severe exposure. CONSIDER: Oxygen therapy. Consult a Poison Control Center for guidance. Exposure to hydrogen sulphide at concentrations above the recommended occupational exposure standard may cause headache, dizziness, irritation of the eyes, upper respiratory tract, mouth and digestive tract, convulsions, respiratory paralysis, unconsciousness and even death. Call a doctor or poison control center for guidance.
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5. FIRE FIGHTING MEASURES

Clear fire area of all non-emergency personnel.

- Specific hazards arising from Chemicals** : Hazardous combustion products may include: A complex mixture of airborne solid and liquid particulates and gases (smoke). Carbon monoxide. Oxides of nitrogen. Oxides of sulphur. Unidentified organic and inorganic compounds. Flammable vapours may be present even at temperatures below the flash point. The vapour is heavier than air, spreads along the ground and distant ignition is possible. Sinks in fresh water, floats on sea water and may reignite on water surface. Hydrogen sulphide (H2S) and toxic sulphur oxides may be given off when this material is heated. Do not depend on sense of smell for warning.
- Suitable Extinguishing Media** : Foam, water spray or fog. Dry chemical powder, carbon dioxide, sand or earth may be used for small fires only.
- Unsuitable Extinguishing Media** : Do not use water in a jet.
- Protective Equipment & Precautions for Fire Fighters** : Wear full protective clothing and self-contained breathing apparatus.
- Additional Advice** : Keep adjacent containers cool by spraying with water. If possible remove containers from the danger zone. If the fire

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cannot be extinguished the only course of action is to evacuate immediately.

6. ACCIDENTAL RELEASE MEASURES

Avoid contact with spilled or released material. For guidance on selection of personal protective equipment see Chapter 8 of this Material Safety Data Sheet. See Chapter 13 for information on disposal. Observe the relevant local and international regulations. Remove contaminated clothing. Evacuate the area of all non-essential personnel. Avoid contact with skin, eyes and clothing. Ventilate contaminated area thoroughly.

- 5
- Personal Precautions, Protective Equipment and Emergency Procedures** : May ignite on surfaces at temperatures above auto-ignition temperature. Do not breathe fumes, vapour. Do not operate electrical equipment.
- Environmental Precautions** : Shut off leaks, if possible without personal risks. Remove all possible sources of ignition in the surrounding area. Use appropriate containment (of product and fire fighting water) to avoid environmental contamination. Prevent from spreading or entering drains, ditches or rivers by using sand, earth, or other appropriate barriers. Attempt to disperse the vapour or to direct its flow to a safe location for example by using fog sprays. Take precautionary measures against static discharge. Ensure electrical continuity by bonding and grounding (earthing) all equipment.
- Methods and Material for Containment and Cleaning Up** : For small liquid spills (< 1 drum), transfer by mechanical means to a labelled, sealable container for product recovery or safe disposal. Allow residues to evaporate or soak up with an appropriate absorbent material and dispose of safely. Remove contaminated soil and dispose of safely. For large liquid spills (> 1 drum), transfer by mechanical means such as vacuum truck to a salvage tank for recovery or safe disposal. Do not flush away residues with water. Retain as contaminated waste. Allow residues to evaporate or soak up with an appropriate absorbent material and dispose of safely. Remove contaminated soil and dispose of safely. Shovel into a suitable clearly marked container for disposal or reclamation in accordance with local regulations.
- Additional Advice** : Notify authorities if any exposure to the general public or the environment occurs or is likely to occur. Local authorities should be advised if significant spillages cannot be contained. Maritime spillages should be dealt with using a Shipboard Oil Pollution Emergency Plan (SOPEP), as required by MARPOL Annex 1 Regulation 26.

7. HANDLING AND STORAGE

- General Precautions** : Avoid breathing vapours or contact with material. Only use in well ventilated areas. Wash thoroughly after handling. For guidance on selection of personal protective equipment see Chapter 8 of this Material Safety Data Sheet. Use the information in this data sheet as input to a risk assessment of

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local circumstances to help determine appropriate controls for safe handling, storage and disposal of this material. Properly dispose of any contaminated rags or cleaning materials in order to prevent fires. Prevent spillages. Use local exhaust ventilation if there is risk of inhalation of vapours, mists or aerosols.

Maintenance and Fuelling Activities - Avoid inhalation of vapours and contact with skin.

Precautions for Safe Handling

: The inherent toxic and olfactory (sense of smell) fatiguing properties of hydrogen sulphide require that air monitoring alarms be used if concentrations are expected to reach harmful levels such as in enclosed spaces, heated transport vessels and spill or leak situations. If the air concentration exceeds 50 ppm, the area should be evacuated unless respiratory protection is in use. Avoid prolonged or repeated contact with skin. When using do not eat or drink. Extinguish any naked flames. Do not smoke. Remove ignition sources. Avoid sparks. Electrostatic charges may be generated during pumping. Electrostatic discharge may cause fire. Earth all equipment.

5

Conditions for Safe Storage

: Drum and small container storage: Drums should be stacked to a maximum of 3 high. Use properly labelled and closeable containers. Prevent ingress of water. Tank storage: Tanks must be specifically designed for use with this product. Bulk storage tanks should be diked (bundled). Locate tanks away from heat and other sources of ignition. Tanks should be fitted with heating coils. Ensure heating coils are always covered with product (minimum 15 cm).

Product Transfer

: Avoid splash filling. Wait 2 minutes after tank filling (for tanks such as those on road tanker vehicles) before opening hatches or manholes. Wait 30 minutes after tank filling (for large storage tanks) before opening hatches or manholes. Keep containers closed when not in use. Do not use compressed air for filling, discharging or handling.

Recommended Materials

: For containers, or container linings use mild steel, stainless steel. Aluminium may also be used for applications where it does not present an unnecessary fire hazard. Examples of suitable materials are: high density polyethylene (HDPE) and Viton (FKM), which have been specifically tested for compatibility with this product. For container linings, use amine-adduct cured epoxy paint. For seals and gaskets use: graphite, PTFE, Viton A, Viton B.

Unsuitable Materials

: Some synthetic materials may be unsuitable for containers or container linings depending on the material specification and intended use. Examples of materials to avoid are: natural rubber (NR), nitrile rubber (NBR), ethylene propylene rubber (EPDM), polymethyl methacrylate (PMMA), polystyrene, polyvinyl chloride (PVC), polyisobutylene. However, some may be suitable for glove materials.

Container Advice

: Containers, even those that have been emptied, can contain explosive vapours. Do not cut, drill, grind, weld or perform similar operations on or near containers.

Other Advice

: Ensure that all local regulations regarding handling and storage facilities are followed. Hydrogen sulphide (H₂S) and toxic

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sulphur oxides may be given off when this material is heated.
Do not depend on sense of smell for warning.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

If the American Conference of Governmental Industrial Hygienists (ACGIH) value is provided on this document, it is provided for information only.

Occupational Exposure Limits

Material	Source	Type	ppm	mg/m3	Notation
Hydrogen Sulphide	ACGIH	TWA	1 ppm		
	ACGIH	STEL	5 ppm		

Biological Exposure Index (BEI) - See reference for full details
No biological limit allocated.

Appropriate Engineering Controls : The level of protection and types of controls necessary will vary depending upon potential exposure conditions. Select controls based on a risk assessment of local circumstances. Appropriate measures include: Use sealed systems as far as possible. Adequate ventilation to control airborne concentrations below the exposure guidelines/limits. Local exhaust ventilation is recommended. Eye washes and showers for emergency use.

Individual Protection Measures : Personal protective equipment (PPE) should meet recommended national standards. Check with PPE suppliers.

Respiratory Protection : If engineering controls do not maintain airborne concentrations to a level which is adequate to protect worker health, select respiratory protection equipment suitable for the specific conditions of use and meeting relevant legislation. Check with respiratory protective equipment suppliers. Where air-filtering respirators are unsuitable (e.g. airborne concentrations are high, risk of oxygen deficiency, confined space) use appropriate positive pressure breathing apparatus. Where air-filtering respirators are suitable, select an appropriate combination of mask and filter. All respiratory protection equipment and use must be in accordance with local regulations.

Hand Protection : Personal hygiene is a key element of effective hand care. Gloves must only be worn on clean hands. After using gloves, hands should be washed and dried thoroughly. Application of a non-perfumed moisturizer is recommended. Suitability and durability of a glove is dependent on usage, e.g. frequency and

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	duration of contact, chemical resistance of glove material, dexterity. Always seek advice from glove suppliers. Contaminated gloves should be replaced. Select gloves tested to a relevant standard (e.g. Europe EN374, US F739). When handling heated product wear heat resistant gloves. When prolonged or frequent repeated contact occurs, Nitrile gloves may be suitable. (Breakthrough time of > 240 minutes.) For incidental contact/splash protection Neoprene, PVC gloves may be suitable.
Eye Protection	: Chemical splash goggles (chemical monogoggles).
Protective Clothing	: Chemical resistant gloves/gauntlets, boots, and apron (where risk of splashing).
Thermal Hazards	: When handling heated product, wear heat resistant gloves, safety hat with visor, and heat resistant coveralls (with cuffs over gloves and legs over boots), and heavy-duty boots, e.g. leather for heat resistance.
Monitoring Methods	: Monitoring of the concentration of substances in the breathing zone of workers or in the general workplace may be required to confirm compliance with an OEL and adequacy of exposure controls. For some substances biological monitoring may also be appropriate.
Environmental Exposure Controls	: Local guidelines on emission limits for volatile substances must be observed for the discharge of exhaust air containing vapour.

9. PHYSICAL AND CHEMICAL PROPERTIES

Appearance	: Brown to black. Liquid.
Odour	: Characteristic
Odour threshold	: Data not available
pH	: Data not available
Initial Boiling Point and Boiling Range	: 150 - 600 °C / 302 - 1,112 °F
	:
Flash point	: > 60 °C / 140 °F (Pensky-Martens Closed Cup)
Upper / lower Flammability or Explosion limits	: Typical 0.50 - 5.00 %(V)
Auto-ignition temperature	: > 220 - 300 °C / 428 - 572 °F
Vapour pressure	: < 0.1 kPa
Relative Density	: 1.01
Density	: < 800 - 900 kg/m ³ at 15 °C / 59 °F
Water solubility	: Negligible.
Solubility in other solvents	: Data not available
n-octanol/water partition coefficient (log Pow)	: Data not available
Dynamic viscosity	: Data not available
Kinematic viscosity	: < 60 mm ² /s
Vapour density (air=1)	: > 5
Evaporation rate (nBuAc=1)	: Data not available
	:
Flammability	: Combustible liquid.

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10. STABILITY AND REACTIVITY

Chemical stability	: Stable under normal conditions of use.
Possibility of Hazardous Reactions	: Data not available
Conditions to Avoid	: Avoid heat, sparks, open flames and other ignition sources.
Incompatible Materials	: Strong oxidising agents.
Hazardous Decomposition Products	: Hazardous decomposition products are not expected to form during normal storage. Thermal decomposition is highly dependent on conditions. A complex mixture of airborne solids, liquids and gases including carbon monoxide, carbon dioxide, sulphur oxides and unidentified organic compounds will be evolved when this material undergoes combustion or thermal or oxidative degradation. Hydrogen sulphide.
Hazardous Polymerisation	: Not applicable.

11. TOXICOLOGICAL INFORMATION

Basis for Assessment	: Information given is based on product data, a knowledge of the components and the toxicology of similar products.
Likely Routes of Exposure	: Skin and eye contact are the primary routes of exposure although exposure may occur through inhalation or following accidental ingestion.
Acute Oral Toxicity	: Low toxicity: LD50 > 5000 mg/kg , Rat
Acute Dermal Toxicity	: Low toxicity: LD50 >2000 mg/kg , Rabbit
Acute Inhalation Toxicity	: Extremely toxic: LC100 = 600ppm(v) , 0.5 h, Man (Hydrogen Sulphide) Harmful if inhaled. LC50 > 1.0 - <= 5.0 mg/l , 4 h, Rat
Skin corrosion/irritation	: Expected to be slightly irritating. Contact with hot material can cause thermal burns which may result in permanent skin damage.
Serious eye damage/irritation	: Expected to be slightly irritating. Hot product may cause severe eye burns and/or blindness.
Respiratory Irritation	: Inhalation of vapours or mists may cause irritation to the respiratory system.
Respiratory or skin sensitisation	: Not expected to be a sensitiser.
Aspiration Hazard	: Not considered an aspiration hazard.
Germ cell mutagenicity	: Positive in in-vitro, but negative in in-vivo mutagenicity assays.
Carcinogenicity	: Causes cancer in laboratory animals.
Reproductive and	: Causes foetotoxicity in animals at doses which are maternally

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- Developmental Toxicity** : toxic.
- Specific target organ toxicity - single exposure** : Not expected to be a hazard.
- Specific target organ toxicity - repeated exposure** : May cause damage to organs or organ systems through prolonged or repeated exposure. Blood. Thymus. Liver.

12. ECOLOGICAL INFORMATION

- Basis for Assessment** : Fuels are typically made from blending several refinery streams. Ecotoxicological studies have been carried out on a variety of hydrocarbon blends and streams but not those containing additives. Information given is based on a knowledge of the components and the ecotoxicology of similar products.
- Acute Toxicity** : Very toxic: LL/EL/IL50 < 1 mg/l (to aquatic organisms) LL/EL50 expressed as the nominal amount of product required to prepare aqueous test extract.
- Fish** : Harmful: LL/EL/IL50 10-100 mg/l
- Aquatic crustacea** : Toxic: LL/EL/IL50 1-10 mg/l
- Algae/aquatic plants** : Very toxic: LL/EL/IL50 < 1 mg/l
- Microorganisms** : Expected to be practically non toxic: LL/EL/IL50 > 100 mg/l
- Mobility** : Partly evaporates from water or soil surfaces, but a significant proportion will remain after one day. Large volumes may penetrate soil and could contaminate groundwater. Sinks in fresh water, but will float on sea water and form a slick. Contains volatile constituents.
- Persistence/degradability** : Persistent per IMO criteria. International Oil Pollution Compensation (IOPC) Fund definition: "A non-persistent oil is oil, which, at the time of shipment, consists of hydrocarbon fractions, (a) at least 50% of which, by volume, distills at a temperature of 340°C (645°F) and (b) at least 95% of which, by volume, distills at a temperature of 370°C (700°F) when tested by the ASTM Method D-86/78 or any subsequent revision thereof."
- Bioaccumulative Potential** : Contains constituents with the potential to bioaccumulate.
- Other Adverse Effects** : Films formed on water may affect oxygen transfer and damage organisms.

13. DISPOSAL CONSIDERATIONS

- Material Disposal** : Recover or recycle if possible. It is the responsibility of the waste generator to determine the toxicity and physical properties of the material generated to determine the proper waste classification and disposal methods in compliance with applicable regulations. Do not dispose into the environment, in drains or in water courses. Do not dispose of tank water bottoms by allowing them to drain into the ground. This will result in soil and groundwater contamination. Waste arising

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from a spillage or tank cleaning should be disposed of in accordance with prevailing regulations, preferably to a recognised collector or contractor. The competence of the collector or contractor should be established beforehand. MARPOL - see International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) which provides technical aspects at controlling pollutions from ships.

- Container Disposal** : Send to drum recoverer or metal reclaimer. Drain container thoroughly. After draining, vent in a safe place away from sparks and fire. Residues may cause an explosion hazard if heated above the flash point. Do not puncture, cut or weld uncleaned drums. Do not pollute the soil, water or environment with the waste container. Comply with any local recovery or waste disposal regulations.
- Local Legislation** : Disposal should be in accordance with applicable regional, national, and local laws and regulations. Local regulations may be more stringent than regional or national requirements and must be in compliance.

14. TRANSPORT INFORMATION

5
Land (as per ADR classification): Regulated

Class : 9
Packing group : III
Hazard identification no. : 90
UN number : 3082
Danger label (primary risk) : 9
Proper shipping name : ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.

IMDG

Identification number : UN 3082
Proper shipping name : ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.
Class / Division : 9
Packing group : III
Environmental hazards: Yes

IATA (Country variations may apply)

UN number : 3082
Proper shipping name : Environmentally hazardous substance, liquid, n.o.s.
Class / Division : 9
Packing group : III

- Additional Information** : This product is being carried under the scope of MARPOL Annex I.
Special Precautions: Refer to Chapter 7, Handling & Storage, for special precautions which a user needs to be aware of or needs to comply with in connection with transport.

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15. REGULATORY INFORMATION

The regulatory information is not intended to be comprehensive. Other regulations may apply to this material.

Classification triggering components : Contains fuel oil, residual.

16. OTHER INFORMATION

Additional Information : This document contains important information to ensure the safe storage, handling and use of this product. The information in this document should be brought to the attention of the person in your organisation responsible for advising on safety matters.

SDS Version Number : 1.3

SDS Effective Date : 16.01.2013

SDS Revisions : A vertical bar (|) in the left margin indicates an amendment from the previous version.

SDS Distribution : The information in this document should be made available to all who may handle the product.

Key Literature References : The quoted data are from, but not limited to, one or more sources of information (e.g. toxicological data from Shell Health Services, material suppliers' data, CONCAWE, EU IUCLID date base, EC 1272 regulation, etc).

Disclaimer : This information is based on our current knowledge and is intended to describe the product for the purposes of health, safety and environmental requirements only. It should not therefore be construed as guaranteeing any specific property of the product.

APPENDIX G

**HEALTH AND SAFETY TRAINING PROGRAM
(Contents Only)**

Health and Safety Plan

In lieu of a formal copy of the Triumvirate Environmental (Florida) Inc. Health and Safety Plan, the following identifies categories and topics of training provided to the Triumvirate Environmental (Florida) Inc. employees:

- RCRA 40 CFR 265.16
- Used Oil Transporter Certification and Training Manual
- DOT Hazardous Materials Security Initial Awareness
- DOT Hazardous Materials General Awareness
- DOT In-Depth Security Plan
- Florida Spill Prevention, Control, and Countermeasure (SPCC) Training
- Facility Response and Contingency Plan Training
- Forklift Training
- Blood Borne Pathogen Safety Training
- Florida Biomedical Waste Training
- CPR / First Aid Training
- Ergonomics & Material Handling
- Heat Stress
- OSHA 40-Hour HAZWOPER Training w/annual 8 Hour Refresher including the following:

Introduction and HAZWOPER Overview
Regulatory Overview
Safety and Health Program
Medical Surveillance
Hazardous Materials Recognition and Reference Sources
Toxicology
The Hazard Communication Standard
Physical and Chemical Properties
Site Characterization and Analysis
Site Control
General Safety Hazards
Personal Protective Equipment
Respiratory Protection Program
Chemical Protective Clothing
Medical Consideration for Wearing PPE
Gas Detection Basics
Sampling Methods and Procedures
Handling Containers and Managing Spills

Decontamination
HAZWOPER Emergency Response
Confined Space Overview
Introduction to Respiratory Protection
Types of Respiratory Protection
Respirator Selection and Use
Respirator Medical Evaluation
Respirator Fit Testing
Respirator Training and Program Guidelines
Chemical Protective Clothing
PPE Selection and classification
Donning & Doffing Chemical Protective Clothing
Inspection storage and maintenance of PPE
Meters and Monitors
Types of Gas Detection Systems
Colorimetric Tubes and Diffusion Tubes
Flammability and Combustible Gas Indicators

APPENDIX H

TRIUMVIRATE ENVIRONMENTAL (FLORIDA), INC. RESPONSE EQUIPMENT

Response Equipment

Located on 7 tanker trailers and 2 vacuum trucks:

Two diaphragm pumps with 200 feet of 2 inch hose

200 feet of absorbent boom

Three bales of absorbent pads (100 pads/bale)

500 pounds of oil absorbent material (land use only)

APPENDIX I

FIRE EXTINGUISHER USE INSTRUCTIONS

When To Fight The Fire...

Fight the fire only if all of the following are true:

- Everyone has left or is leaving the building.
- The fire department is being called.
- The fire is small and confined to the immediate area where it started (wastebasket, cushion, small appliance, etc.).
- You can fight the fire with your back to a safe escape route.
- Your extinguisher is rated for the type of fire you are fighting and is in good working order.
- You are trained to use the extinguisher and know you can operate it effectively.

If you have the slightest doubt about whether you should fight the fire — **DON'T!** Instead, get out and close the door behind you.

PROTECT YOURSELF AT ALL TIMES!

Stay low. Avoid breathing the heated smoke and fumes or the extinguishing agent.

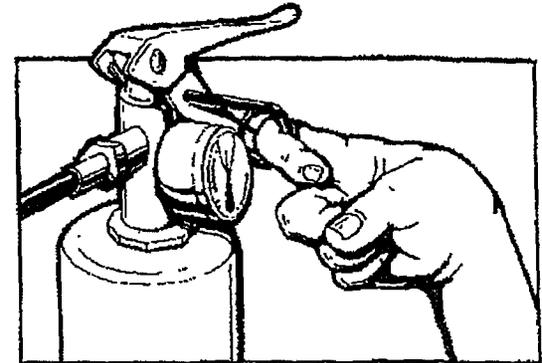
If the fire starts to spread or threatens your escape route, get out immediately!

Remember:

If you are called on to use an extinguisher, just think of the word "P.A.S.S."

PULL

the safety pin at the top of the extinguisher.



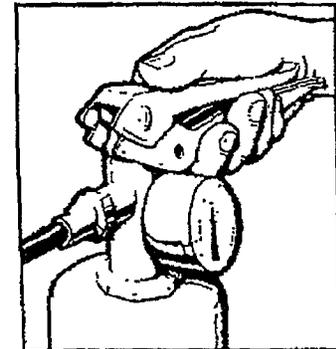
AIM

the nozzle or hose at the base of the flames. Stay between six and eight feet away from the flames.



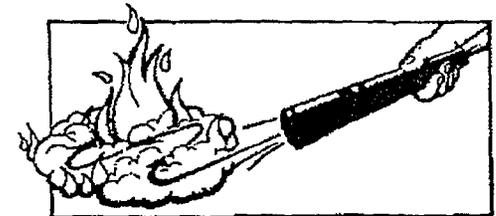
SQUEEZE

or press the handle.



SWEEP

from side to side at the base of the fire until it goes out.



By following these procedures, a fire can be extinguished in the quickest and safest manner possible.

APPENDIX J

Acronyms and Definitions

Acronyms

COTP: Captain of the Port
MTRF: Marine Transportation Related Facility
SWS: Southern Waste Systems Environmental Services
OSRO: Oil Spill Removal Organizations
OSC: On-site Coordinator
PTO: Power Take Off
MAWP: Maximum Allowable Working Pressure
MDBP: Minimum Design Burst Pressure
TEI, FL: Triumvirate Environmental (Florida), Inc.

Definitions

Average Most Probable Discharge means a discharge of 1% of the volume of the worst case discharge (i.e., 70 gallons).

Marine Transportation Related Facility means a tanker truck, vacuum truck, or tanker trailer used to transfer oil from a vessel with a capacity equal or greater than 250 barrels (10,500 gallons).

Maximum Most Probable Discharge means a discharge of 10% of the volume of a worst case discharge (i.e., 700 gallons).

Person-in-charge means the person on-site during, and responsible for, the transfer of material between an MTRF and a vessel. This person must successfully complete TEI, FL's MTRF training program, be familiar with all operational aspects of the MTRF, and know how to respond in the event of a release.

Worst Case Discharge means the loss of the entire contents of a tanker trailer (i.e., 7,000 gallons).

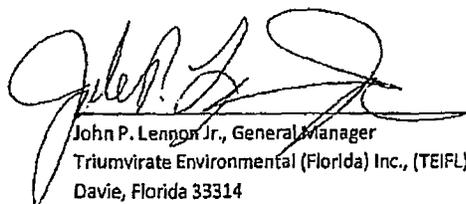
**Facility Response Plan
(33 CFR 154, subpart F)
(Port of Miami & Port Everglades)**

**Triumvirate Environmental (Florida) Inc
3701 S.W. 47th Avenue, Suite 109
Davie, Florida 33314**

**Facility Location:
3670 S.W. 47th Avenue
Davie, Florida 33314**

**January 16, 2017
(Revision 9.0)**

Management Concurrence By:


John P. Lennon Jr., General Manager
Triumvirate Environmental (Florida) Inc., (TEIFL)
Davie, Florida 33314

Date: January 16, 2017

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Appendices

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B-	154.1035(e)(2)	List of Contacts
C-	154.1035(g)	Equipment list, contacts and Notification Form
D-	154.1035(e)(4)	Communication Plan
E-	154.1035(e)(5)	Health & Safety Plan
F-	154.1035(g)(6)	Acronyms and Definitions
G-		Coast Guard Oil / Hazardous Material Contingency Plan
H-		Record of Changes: Not Required
I-		Fire Extinguisher Instructions for Use
J-		Oil Spill Management team in Miami / Fort Lauderdale Area
K-		Environmentally sensitive areas in the Broward and Miami-Dade County Areas
L-		SDS for each product handled, stored or transported in bulk

154.1035(a) - Introduction and Plan Content

154.1035(a)(1) -Triumvirate Environmental (Florida), Inc. (TEI, FL) operates MTRFs from a fixed location:

Facility Address:
3670 S.W. 47th Avenue
Davie, Florida 33314
Broward County
(954) 583-3759 (telephone)
Lat: 26.076835
Long: -80.210188

Mailing Address:
3701 S.W. 47th Avenue, Suite 109
Davie, Florida 33314
Broward County
(954) 583-3759 (telephone)
(954) 583-8017 (telefacsimile)

154.1035(a)(2)- TEI, FL Operates MTRFs from a fixed facility located one half mile south of U.S. Interstate I-595 and State Road 441. MTRFs operate pier side in ports throughout southern Florida. Primary ports include the Port of Jacksonville, Port of Miami, Port Everglades, Port Dania, Port of West Palm Beach, Port Canaveral, and the Port of Tampa.

154.1035(a)(3) Owner/Operator 24 Hour Contact

Shawn Lennon, General Manager

Facility Address:
3670 S.W. 47th Avenue
Davie, Florida 33314
(954) 583 – 3795 (business)*
(954) 296 – 3873 (cell)

Home Address:
9140 S.W. 49th Street
Cooper City, Florida 33328
(954) 296 - 3873 (cell)

* TEI, FL utilizes an after-hours answering service which automatically directs the person calling in to contact "person on-call" in response to after hour calls.

If a discharge occurs during a material transfer, the person-in-charge of the MTRF will call the Owner/Operator business number listed above. If the Owner/Operator is unavailable, the person-in-charge will leave a message and then call the Owner/Operator's cell phone number.

154.1026 Qualified Individual and Alternative Qualified Individual

Primary Qualified Individual: Shawn Lennon, General Manager
9140 S.W. 49 Street
Cooper City, Florida 33328
(954) 583-3795 (business)*
(954) 296-3873 (cell)

* TEI, FL utilizes an after-hours answering service which automatically directs the person calling in to contact "person on-call" in response to after hour calls.

Alternate Qualified Individual: Kyle Lopic, Regional Operations Manager (Secondary Contact)
10100 Rocket Blvd
Orlando, FL 32824
(407) 859-4441 (business)*
(954) 459-1143 (cell)

154.1035(a)(4) - Refer to page i for a Table of Content

154.1035(b)- Emergency Response Action Plan

154.1035(b)(1) - Notification Procedures

154.1035(b)(1)(i)(A) –

The following TEI, FL personnel (in descending order) serve as the Spill Management Team Manager (Also Qualified Individual) and Alternate Spill Management Team Managers (Also Alternate Qualified Individual). These personnel are authorized to commit the necessary resources to respond to a spill. These individuals shall be contacted in the event of a release via phone.

Facility Phone: (954) 583-3795

Facility Fax: (954) 583-8017

<u>NAME</u>	<u>POSITION</u>	<u>FACILITY</u>	<u>CELL</u>
Shawn Lennon	Qualified Individual	(954) 583-3795	(954) 296-3873
Kyle Lopic	Alternate Qualified Individual	(407)859-4441	(954) 459-1143

Spill management support crews shall consist of facility operations personnel.

SPILL RESPONSE OIL SPILL REMOVAL ORGANIZATION CONTRACTORS

SWS Environmental Services
6900 NW 12th Ave
Fort Lauderdale, Florida 33309
Point of Contact: Steven Wade
Telephone: (954) 957-7271 (24 Hours)
Response Time: Port of Miami, Port Everglades = 1 Hour

154.1035(b)(1)(i)(B) –

REGULATORY CONTACTS

National Response Center	(800) 424-8802
USCG, Sector Miami	(786) 777-0775
USCG, Sector Key West	(305) 292-8727
FL. Dept. Environmental Protection	(850) 488-1234
Dade Dept. Environmental Resource Mgt.	(305) 372-6820
Broward Environmental Resource Mgt.	(954) 519-1260
Miami Dade Police Department	(305) 571-3000
Fire and Rescue Squad	(305) 579-2587
Port Security	(305) 347-4880
Port Security Emergencies	(305) 372-7742

154.1035(b)(1)(ii) - Notification Form (i.e., Figure 1.)

Figure 1 shall be used in the initial and follow-up notification to the Federal, State, and Local agencies identified above. A copy of Figure 1 shall be placed at the location from which the notification is made. Initial notification shall not be delayed pending collection of all information.

154.1035(b)(2) - Facility Spill Mitigation Procedures

241.1035(b)(2)(i) - It is anticipated that materials transferred will include but are not limited to, three general categories, i.e. HEAVY FUEL OILS, GAS OIL, and LUBRICATING OIL with the possible introduction of carrying amounts of fresh or salt water. The character of the material transferred is classified as persistent oils. It shall be understood that there are multiple grades of fuels and oils available to vessels and that the above named materials represent categories of materials. Other materials are anticipated with various specific gravities that will fall within the range of the above state.

The following summarizes the range of characteristics for the persistent oils transferred by the MTRFs:

Material Name: IFO 380 (Max 380 cst)	
Specific Gravity:	0.988
Appearance:	Oily, Black Liquid
Odor:	Characteristic fuel; Petroleum odor
Material Name: Marine Diesel Oil (IFO 40)	
Specific Gravity:	0.845
Appearance:	Oily, Gold to clear liquid
Odor:	Characteristic fuel; Petroleum odor
Material Name: Lubricating Oil	
Specific Gravity	0.88
Appearance:	Oily, brown to black
Odor:	Characteristic fuel; Petroleum odor

- 154.1035(b)(2)(i)(A)** - The average most probable discharge from a MTRF is 70 gallons (1%).
- 154.1035(b)(2)(i)(B)**- The maximum most probable discharge from a MTRF is 700 gallons (10%).
- 154.1035(b)(2)(i)(C)**- The worst case discharge from a MTRF is 7,000 gallons (100%).
- 154.1035(b)(2)(i)(D)**- This section is not applicable to this plan and/or MTRFs.

154.1035(b)(2)(ii)- Mitigation and Prevention Procedures

TEI, FL owns/operates seven tanker trailers, and two vacuum trucks. Each tanker trailer has 7,000 gallon capacity and each vacuum truck has a 3,000 gallon capacity.

In the event of a spill during the transfer of material between a MTRF and a vessel or a malfunction of either a MTRF or a vessel, all operations shall be immediately stopped. The person-in-charge of the MTRF shall be familiar with the procedures necessary to stop the transfer of material and shall ensure that crew members assigned during the transfer operation are familiar with the same.

The following is a list of general response guidelines the person-in-charge will implement:

A. SHUTDOWN

1. Shutdown MTRF systems to terminate flow of material by disengaging the clutch and deactivating the PTO lever, located on the vehicle. If the vessel is pumping to the MTRF, alert the vessel to halt pumping.

B. EQUIPMENT EVALUATION

1. Check the position and condition of valves.
2. Check and replace hoses, piping, pumps, gaskets, etc. (i.e., transfer system) if failed ruptured, leaking, or damaged.
3. If tank overflows or fails, transfer remaining contents to alternate MTRF.

C. MITIGATION AND PREVENTION PROCEDURES

1. Use drip pans, absorbent material, absorbent pads, and containment booms to contain and clean-up spilled material on the pier.
2. If spilled material enters the water, contain with booms and use vacuum trucks to suck up floating material while maintaining with containment booms.
3. If explosion or fire occurs within the vicinity of the MTRF, relocate the MTRF to a safe distance from the fire or explosion. If the tractor portion of the MTRF is on fire, extinguish the fire with fire extinguishers. If tanker portion of MTRF is on fire, evacuate the area immediately.
4. Immediately notify the Qualified Individual or Alternate Qualified Individual of location and status of the above scenarios and actions taken. Note all actions taken.
5. If the situation is not immediately controlled, immediately contact the OSRO spill response contractor:

SWS Environmental Services
6900 NW 12th Ave
Fort Lauderdale, Florida 33309
Point of Contact: Steven Wade
Telephone: (954) 957-7271 (24 Hours)
Response Time: Port of Miami, Port Everglades = 1 Hour

A copy of the above procedures shall be maintained in each MTRF. All mitigation practices shall be conducted in accordance with TEI, FL's Health & Safety Plan.

154.1035(b)(2)(iii) -Mitigation of Average Most Probable Discharge

The following is a list of equipment the person-in-charge shall utilize to mitigate an average most probable discharge (i.e., 70 gallons). The following equipment is kept at 3670 SW 47th Avenue, Davie, FL 33314 on all trucks

TEI, FL Spill Response Equipment

- Two vacuum trucks (3,000 gallon capacity)
- Seven tanker trailers (7,000 gallon capacity)
- Two box trucks
- Two diaphragm pumps
- 200 feet of hoses (2 inch)
- 200 feet of absorbent boom
- Three bales absorbent pads (100 pads/bale)
- 500 pounds of oil absorbent material (land use only)

The person-in-charge shall implement the response guidelines identified.

154.1035(b)(3) - Shore Based response activates/spill management team

154.1035(b)(3)(i) – (iii) The person-in-charge of the MTRF shall initiate and supervise actions as necessary to terminate possible discharges and initiate clean-up activities as the Incident Coordinator: These initial actions include, but are not limited to, the general response guidelines. The person-in-charge shall continue the initial actions until the Qualified Individual or Alternate arrives on-site. At such time, the Qualified Individual or Alternate Qualified Individual shall take control and coordinate all on-site activities with the person-in-charge of the MTRF remaining the Incident Coordinator.

The Qualified Individual or Alternate Qualified Individual shall coordinate the Federal OSC responsible for overseeing on-site activities and notify OSRO. Communication may occur by telephone (land-line or mobile), two-way radios (intrinsically safe), and/or direct verbal communication. A chain of command shall be established where spill responders report to the Incident coordinator who communicates and works with the federal agencies. All public information, liaison with government agencies, safety, planning, and finance shall be the Qualified Individual or Alternate Qualified Individual's responsibility. Logistics support will be provided by the spill management team and they are to report to the Qualified Individual or Alternate Qualified Individual.

154.1035(b)(3)(ii) - The following identifies qualified individuals

<u>NAME</u>	<u>POSITION</u>	<u>FACILITY</u>	<u>CELL</u>
Shawn Lennon	Qualified Individual	(954) 583-3795	(954) 296-3873
Kyle Lopic	Alternate Qualified Individual	(407) 859-4441	(954) 459-1143

The individuals listed above speak English fluently, are available 24 hours a day, are familiar with this plan, and are trained in the responsibilities of a qualified individual under this plan. Additionally, these individuals have authority to (1) initiate and coordinate response activities, (2) engage in contracting with spill response contractors, (3) act as liaison with Federal On-Scene Coordinator, and (4) dedicate funds required to carry out response activities. Training for TEI, FL personnel is as follows:

Qualified Individual: Hazardous Materials Management per 29 CFR 1910.120 (40 Hr. HAZWOPER) DOT Hazardous Material Management, Spill Mitigation and Response, Hazardous Communication "Right to Know"

Alternate Qualified Individual: (Same as Above)

Spill Management Team: (Same as Above)

Facility Personnel/Person-in-Charge: Minimum 8 Hr. First Responder, Spill Mitigation and Response, DOT Hazardous Material Management, Hazardous Communication "Right to Know"

154.1035(b)(3)(iv)- Facility Response Activities OSRO: SWS Environmental

6900 NW 12th Ave
Fort Lauderdale, Florida 33309
Point of Contact: Steven Wade
Telephone: (954) 957-7271 (24 Hours)
Response Time: Port of Miami, Port Everglades = 1 Hour

The OSRO is capable of providing the equipment and supplies to meet requirements of 154.1045, 154.1047 or subparts H and I. They have enough trained personnel necessary to continue operations of equipment and staff of the OSRO and spill management team the first seven days of the response. Appendix J is the OSRO Letter of Intent stating that they are an approved OSRO that complies with the Oil Pollution Act of 1990 and applicable Preparedness for Response Exercise Program (PREP) guidelines. Our agreement provides emergency response services on a 24-hour per day, 365 day per year basis pursuant to the agreement at the following Ports:

- *Port Everglades -Port of Miami -Port of Tampa -Port Canaveral -Port Jacksonville*

154.1035(b)(4) - Sensitive Areas

Parts of Miami and the Fort Lauderdale that contain fish and wildlife environmentally sensitive, economically important areas are listed in Appendix K. During operations all efforts will be made to avoid these areas and limit any impact to them. Personnel and equipment will be contracted out through SWS Environmental Services for the required number of days to perform clean up, if required.

A copy of the latest version of the Coast Guard Oil/Hazardous Material (Miami) Contingency Plan is maintained within Appendix G of this response plan. The Coast Guard Plan maintains a detailed list of areas of economic importance and environmental sensitivity within the port serviced by Triumvirate. This includes the distances and calculations as described in paragraph (b)(4)(iii)(B). When conducting response activities, particular care shall be taken to protect areas of economic importance and environmental sensitivity.

154.1035(b)(5) - Disposal Plan

TEI, FL is a resource recovery business that specializes in the collection and recycling of waste oil and oily wastewater mixtures. In the event of a spill, the collected material shall be sent to the Davie, Florida facility for recycling. All material recovered shall be managed in accordance with Federal, State, and Local environmental regulations.

154.1035(c)(1) – Training and Exercises (Training Procedures)

The following trainings are provided and records of the trainings are maintained for, at least, 3 years. Training records are located in a central data base, intelx and can be accessed at any time.

Qualified Individual: Hazardous Materials Management per 29 CFR 1910.120 (40 Hr. HAZWOPER) DOT Hazardous Material Management, Spill Mitigation and Response, Hazardous Communication "Right to Know" and an annual 8 Hr. HAZWOPER Refresher course.

Alternate Qualified Individual: (Same as Above)

Spill Management Team: (Same as Above)

Facility Personnel/Person-in-Charge: Minimum 8 Hr. First Responder, Spill Mitigation and Response, DOT Hazardous Material Management, Hazardous Communication "Right to Know"

Volunteers/Casual Laborers: Will not be used in the event of a release.

154.1035(c)(2)- Training and Exercises (Exercise Procedures)

It is TEI, FL's policy to employ and effectively train skilled individuals to conduct transfer operations. All persons-in-charge and operators of MTRFs shall be required to successfully pass an 8 hour training program designed to accomplish the following goals:

- A) To educate individuals concerning the properties and nature of the materials handled in accordance with 29 CFR 1910.120 through TEI, FL's Health & Safety Program and/or through contract training vendors retained by TEI, FL.

Quarterly Notification Drill [154.1055(a)(1)]

Once a month, facility personnel and qualified individuals shall conduct notification drills. The drill shall consist of document review and checking for effectiveness. Records of the drills shall be maintained for three years.

Semi-Annual Announced Deployment Drill [154.1055(a)(2)]

TEI, FL shall conduct semi-annual announced deployment drills. Deployment drills shall be conducted during the routine service (i.e., transfer of oily water/bilge water) of a vessel or at the Triumvirate land based facility. Records of such drills shall be maintained for three years.

Annual Equipment Deployment (OSRO)

The contracted OSRO, SWS Environmental Services conducts an annual equipment deployment under the Preparedness Response Exercise Program (PREP). During the training or exercise/drills, SWS certifies that the response equipment is operational, personnel are capable of deploying and operating the equipment in a spill response and response resources participate in annual deployment drills.

Annual Table Top Drills [154.1055(a)(3)]

Pursuant to the spill response contractor, SWS Environmental Services shall conduct these drills. The exercise will consist of a possible scenario which tests the following:

1. The spill management team's knowledge of oil-spill response plan.
2. Proper notifications
3. The communications system
4. The spill management team's ability to access contracted oil spill removal organizations
5. The spill management team's ability to coordinate spill response with on-scene oil spill removal organizations
6. The spill management team's ability to access sensitive site and resource information in the Area Contingency Plan.
7. Test any number of the 15 core components of the response plan:
 - a. Notification
 - b. Staff Mobilization
 - c. Operate in RMS
 - d. Discharge Contained
 - e. Assessment
 - f. Containment
 - g. Recovery
 - h. Protection
 - i. Disposal
 - j. Communications
 - k. Transportation
 - l. Personnel Support
 - m. Equipment Maintenance
 - n. Procurement
 - o. Documentation
8. The exercise will also identify any lesson(s) learned and the person(s) responsible for follow up of corrective measures.

TEI, FL shall maintain records of the drills for three years for USCG and five years for EPA.

Annual Unannounced Drill [154.1055(a)(4)]

TEI, FL shall conduct an annual unannounced drill. TEI, FL shall activate this response plan, deploy its major response equipment, and notify its spill response contractor, SWS Environmental Services. If SWS Environmental Services has responded to a spill within the past year, mobilization of their equipment to the facility or staging area is not required. Each type of TEI, FL's response equipment identified in this plan will participate in these drills. This drill shall be conducted during the routine servicing of a vessel or at the Triumvirate land based facility. TEI, FL shall maintain records of the drills for three years.

COTP Unannounced Drills

The facility owner/operator shall participate in unannounced exercises, as directed by the COTP. The objectives of the exercises will be to test notifications and equipment deployment for response to the average most probably discharge. After participating in an unannounced exercise directed by a COTP, the owner/operator will not be required to participate in another COTP Initiated unannounced exercise for at least three years from the date of the exercise.

Implementation of Entire Response Plan [154.1055(b)]

TEI, FL shall conduct a drill that exercises either the components of or the entire response plan every three years. All components of the response plan do not have to be exercised at one time but may be exercised over the three year period through the required exercises or through an Area exercise. TEI, FL shall retain records of drills for three years.

Participation in the PREP Program

TEI, FL's OSRO, SWS participates in the PREP Program as stated in their letter of intent found in Appendix J.

154.1035(d) Plan Review and Update Procedures

This response plan shall be reviewed on an annual basis within one month of the anniversary date of the COTP approval of this plan. This review shall incorporate any revisions to the plan, including listings of fish and wildlife and sensitive environments identified in the ACP in effect 6 months prior to plan review. Amendments to this plan shall be submitted to the COTP for information or approval. A copy of the letter shall be included in the front of the response plan and indicated in the Record of Changes (Appendix C). Any changes to the plan shall be noted in the Record of Change.

Changes to either a previous submitted or approved response plan shall be submitted to the COTP for inclusion in the existing plan or for approval, whichever is appropriate, whenever there is:

1. A change in the MTRFs configuration that significantly affects the information included in this response plan;
2. A change in the type of material handled and/or transported that affects the required response resources;
3. A change in the name(s) , and/or capabilities of the oil spill contractor;
4. A change in the MTRFs emergency response procedures;
5. A change in the MTRFs operating area that includes ports or geographic area(s) not covered by the previously approved plan;
6. Any other change that significantly affects the implementation of this plan; or
7. Five years from the date of the COTP approval a plan will be re-submitted.

The COTP and all holders of the response plan shall be advised of revisions resulting from changes in personnel and telephone numbers listed on this plan. The COTP may require a facility owner/operator to revise a response plan at any time as a result of a compliance inspection If the COTP determines that the response plan does not meet the requirements of this subpart or as a result of inadequacies noted in the response plan during an actual pollution incident at the facility.

Figure 1

Reporting Information Form

Figure 1: Information on discharge *

Involved Parties:

* It is not necessary to wait for all information before calling NRC. National Response Center?1-800-424-8802 or direct telephone: 202-267-2675.

(A) Reporting party	(B) Suspected responsible party
Name	Name
Phones	Phones
Company	Company
Position	Organization Type:
Address	Private citizen
Address	Private enterprise
	Public utility
	Local government
	State government
	Federal government
City	City
State	State
Zip	Zip
Were materials Discharged (Y/N)	
Calling for Responsible Party (Y/N)	
Incident Description	
Source and/or Cause of Incident	
Date--Time:	
Cause	
Incident Address/Location Nearest City	
Distance from City	
Storage Tank Container Type?Above ground (Y/N) Below ground (Y/N) Unknown	
Facility Capacity	
Tank Capacity	
Latitude Degrees	
Longitude Degrees	
Mile Post or River Mile	
Materials	
Discharge Unit of Quantity Measure Discharged Material Quantity in Water	

Response Action
Actions Taken to Correct or Mitigate Incident
Impact
Number of Injuries Number of Fatalities
Were there Evacuations (Y/N/U) Number Evacuated
Was there any Damage (Y/N/U) Damage in Dollars
Additional Information
Any information about the Incident not recorded elsewhere in the report
Caller Notifications
USCG EPA State Other

APPENDIX A

Facility Specific Information

154.1035(e)(1)

Physical Description of Facility

TEI, FL of Ft. Lauderdale, Inc. (Triumvirate Environmental) owns/operates MTRFs in port facilities throughout Florida. Primary ports serviced include the port of Miami, Port Everglades, Port of Dania, Port of West Palm Beach, Port Canaveral, Port of Tampa, and Port Jacksonville.

TEI, FL owns/operates seven tanker trailers. The tanker trailers have a capacity of 7,000 gallons and have been fitted with a submerge fill system which utilizes a combination of pipes, manifolds, filets, and pumping stations. The operations performance of the pumping system has been rated at 45 PSIG with a pump speed of 450 rpms (60gpm) given a material viscosity of approximately 32 S.U.S.

Each truck has been constructed with a single tank staged and fitted atop a steel chassis. Each tank has been subdivided with internal bulkheads creating two or three separate compartments within the tank. Each compartment is filled by the submerged fill system. Accessed to the tank can be accomplished by man-ways located in the top of the tank. Each man way has been fitted with a matching hatch and latch for securing the opening(s).

Additionally, TEI, FL owns/operates two vacuum trucks. Both vacuum trucks have a storage capacity of approximately 3,000 gallons and have been fitted with a submerge fill system which utilizes a combination of pipes, manifolds, filets, and pumping stations. The operations performance of the pumping system has been rated at 45 PSIG with a pump speed of 450 rpms (60gpm) given a material viscosity of approximately 32 S.U.S. Utilizing vacuum pumps, the trucks can remove viscous material from any location on a vessel.

Each MTRF is equipped with 2 and/or 3 inch diameter hose with a MAWP of 150 psi and a MDBP of 450 psi. Hose is made of hard rubber with re-enforcing rings and fitted with camlock type couplers. Additionally, each MTRF is equipped with two 10 pound or one 20 pound (Class A, B, C) fire extinguisher.

MTRFs are capable or operating 24 hours, seven days a week, and 365 days a year.

154.1035(e)(1)(i) - Mooring

TEI, FL operates MTRFs in ports throughout southern Florida. Primary ports include the Port of Miami, Port Everglades, Port of Dania, Port of West Palm Beach, Port Canaveral, Port of Tampa, and Port Jacksonville. Mooring is the responsibility of the vessel's owner/operator

154.1035(e)(1)(i) - Control Stations

Not applicable

154.1035(e)(1)(i) - Location of Safety Equipment

In addition to the MTRF necessary to service the vessel, the following safety equipment is maintained on-site during transfer operations:

- Two 10 Pound or One 20 Pound Fire Extinguisher per MTRF
- 100 feet of hose (2 inch diameter)
- Three bales absorbent pads (100 pads/bale)
- 20 ft. Absorbent Boom
- 2- 10 ft. Flexibooms

The following equipment is either located at TEI, FL's facility in Davie, Florida or available by radio for immediate dispatch to the MTRF location:

- Seven tanker trailers (7,000 gallon capacity)
- Two vacuum trucks (3,000 gallon capacity)
- Two box trucks
- Two diaphragm pumps with 200 feet of hose (2 inch diameter)
- 500 pounds of oil absorbent material (land use only)

Equipment owned by SWS Environmental Services is located at their facility in Fort Lauderdale, Florida.

154.1035(e)(1)(i) - Location and Capacity of Piping and Storage Tanks

TEI, FL equips each MTRF with 2 and/or 3 inch diameter hose. Hose is made of hard rubber with re-enforcing rings and fitted with camlock type couplers in accordance with U.S. Coast Guard regulations. TEI, FL does not utilize storage tanks.

154.1035(e)(1)(ii) - Size, Number, and Type of Vessels

TEI, FL currently has nine fully operable MTRFs. Due to equipment and personnel availability only two vessels can be serviced at any one time. The size of the vessels serviced is unlimited due to the fact that multiple trips by the MTRF can be conducted.

154.1035(e)(1)(iii) - Not applicable

154.1035(e)(1)(iv) - Description of Material Transferred

It is anticipated that materials transferred will include, but are not limited to, three general categories, i.e. HEAVY FUEL OIL, GAS OIL, and LUBRICATING OIL. The character of the material transferred is anticipated to be that as identified above with the possible introduction of varying amounts of fresh or salt water. It shall be understood that there are several grades of fuels and oils available to vessels and the above named material represent categories of materials. Other materials are anticipated with various specific gravities that will fall within the range of the above stated.

The following summarizes the range of characteristics for materials transferred:

Material Name:	IFO 380 (Max 380 (cst)
Specific Gravity:	0.988
Appearance:	Oily, black liquid
Odor:	Characteristic fuel: petroleum odor
Material Name:	Marine Diesel Oil (IFO 40)
Specific Gravity:	0.845
Appearance:	Oily, gold to clear liquid
Odor:	Characteristic fuel; petroleum odor
Material Name:	Lubricating Oil
Specific Gravity:	0.88
Appearance:	Oily, brown to black
Odor:	Characteristic Oil; petroleum odor

Refer to the following Material Safety Data Sheets in Appendix L for information regarding the materials, generic chemical names, appearance and odor, physical and chemical characteristics, hazards associated with handling, fire-fighting procedures and extinguishing agents.

APPENDIX B

List of Contacts

154.1035 (e)(2)

154.1035(e)(2)(i) - TRIUMVIRATE ENVIRONMENTAL (FLORIDA), INC.

The following TEI, FL personnel (in descending order) serve as the Spill Management Team Managers and Alternate Spill Management Team Managers. These personnel are authorized to commit the necessary resource to respond to a spill. These individuals shall be contacted in the event of a release. Priority of Notification is in descending order as listed below.

<u>NAME</u>	<u>POSITION</u>	<u>FACILITY</u>	<u>CELL</u>
Shawn Lennon	Spill Manager	(954) 583-3795	(954) 296-3873
Kyle Lopic	Alternate Manager	(407) 859-4441	(954) 459-1143

Spill management support crews shall consist of facility operations personnel.

SPILL RESPONSE CONTRACTORS

SWS Environmental Services
6900 NW 12th Ave
Fort Lauderdale, Florida 33309
Point of Contact: Steven Wade
Telephone: (954) 957-7271 (24 Hours)
Response Time: Port of Miami, Port Everglades = 1 Hour

REGULATORY CONTACTS

National Response Center	(800) 424-8802
State Warning Point	(800) 320-0519
Sector Miami	(305) 535-8700
Key West	(305) 292-8727
Region 4 Reporting Center	(904) 564-7513
FL Dept. Environmental Protection	(850) 488-1234
Dade Dept. Environmental Protection	(305) 372-6820
Broward Environmental Protection Dept.	(954) 519-1260
Miami Dade Police Department	(305) 571-3000
Fire/Rescue Squad	(305) 579-2587
Port Security	(305) 347-4880
Port Security Emergencies	(305) 372-7742
Local Police/Fire/Medical	911

APPENDIX C

Equipment List and Records
154.1035(e)(3)

154.1035(e)(3)(i) - TRIUMVIRATE ENVIRONMENTAL (FLORIDA), INC.
The following TEI, FL personnel (in descending order) serve as the Spill Management Team Managers and Alternate Spill Management Team Managers. These personnel are authorized to commit the necessary resources to respond to AN AVERAGE MOST PROBABLE DISCHARGE (i.e., 70 gallons). These individuals shall be contacted in the event of a release. **Priority of Notification is in descending order as listed below.**
Facility Phone: (954) 583-3795 Facility Fax: (954) 583-8017

<u>NAME</u>	<u>POSITION</u>	<u>FACILITY</u>	<u>CELL</u>
Shawn Lennon	Spill Manager	(954) 583-3795	(954) 296-3873
Kyle Lopic	Alternate Manager	(407) 859-4441	(954) 459-1143

Spill Management Support Crew shall consist of facility operations personnel.

Location of Safety Equipment

In addition to the MTRF(s) necessary to service the vessel, the following safety equipment is maintained on site during transfer operations:

- Two 10 pound or one 20 pound fire extinguisher per MTRF
- 100 feet of hose (2 inch diameter)
- 200 feet absorbent boom
- Three bales absorbent pads (100 pads/bale)
- 2-10 ft. Flexibooms

The following equipment is either located at TEI, FL's facility in Davie, Florida or available by radio for immediate dispatch to the MTRF location:

- Seven tanker trailers (7,000 gallon capacity)
- Two vacuum trucks (3,000 gallon capacity)
- Two box trucks
- Two diaphragm pumps with 200 feet of hose (2 inch diameter)
- 500 pounds of oil absorbent material (land use only)

154.1035(e)(3)(ii) - Equipment owned by SWS Environmental Services Is located at their facility in Fort Lauderdale, Florida. Equipment that SWS Environmental Services owns is maintained by them.

Average Most Probable Discharge: 70 gallons
Maximum Most Probable Discharge: 700 gallons
Worst Case Discharge: 7,000 gallons

APPENDIX D
Communication Plan
154.1035(e)(4)

In the event of a discharge, primary and alternate methods of communication with TEI, FL's facility (Davie, Florida), MTRFs, and the area covered by this plan include the following:

- Telephone (land lines)
- Mobile telephones
- Two-way radios (intrinsically safe)

APPENDIX E

Health & Safety Plan

154.1035(e)(5)

See Attached.

Health and Safety Plan

In lieu of a formal copy of the Triumvirate Environmental (Florida) Inc. Health and Safety Plan, the following identifies categories and topics of training provided to the Triumvirate Environmental (Florida) Inc. employees:

- RCRA 40 CFR 265.16
- Used Oil Transporter Certification and Training Manual
- DOT Hazardous Materials Security Initial Awareness
- DOT Hazardous Materials General Awareness
- DOT In-Depth Security Plan
- Florida Spill Prevention, Control, and Countermeasure (SPCC) Training
- Facility Response and Contingency Plan Training
- Forklift Training
- Blood Borne Pathogen Safety Training
- Florida Biomedical Waste Training
- CPR / First Aid Training
- Ergonomics & Material Handling
- Heat Stress
- OSHA 40-Hour HAZWOPER Training w/annual 8 Hour Refresher including the following:

Introduction and HAZWOPER Overview
Regulatory Overview
Safety and Health Program
Medical Surveillance
Hazardous Materials Recognition and Reference Sources
Toxicology
The Hazard Communication Standard
Physical and Chemical Properties
Site Characterization and Analysis
Site Control
General Safety Hazards
Personal Protective Equipment
Respiratory Protection Program
Chemical Protective Clothing
Medical Consideration for Wearing PPE
Gas Detection Basics
Sampling Methods and Procedures
Handling Containers and Managing Spills

Decontamination
HAZWOPER Emergency Response
Confined Space Overview
Introduction to Respiratory Protection
Types of Respiratory Protection
Respirator Selection and Use
Respirator Medical Evaluation
Respirator Fit Testing
Respirator Training and Program Guidelines
Chemical Protective Clothing
PPE Selection and classification
Donning & Doffing Chemical Protective Clothing
Inspection storage and maintenance of PPE
Meters and Monitors
Types of Gas Detection Systems
Colorimetric Tubes and Diffusion Tubes
Flammability and Combustible Gas Indicators

APPENDIX F

Acronyms and Definitions

154.1035(e)(6)

Acronyms

COTP: Captain of the Port
MTRF: Marine Transportation Related Facility
SWS: Southern Waste Systems Environmental Services
OSRO: Oil Spill Removal Organizations
OSC: On-site Coordinator
TEI, FL: Triumvirate Environmental (Florida), Inc.

Definitions

Average Most Probable Discharge means a discharge of 1% of the volume of the worst case discharge (i.e., 70 gallons).

Marine Transportation Related Facility means a tanker truck, vacuum truck, or tanker trailer used to transfer oil from a vessel with a capacity equal or greater than 250 barrels (10,500 gallons).

Maximum Most Probable Discharge means a discharge of 10% of the volume of a worst case discharge (i.e., 700 gallons).

Person-in-charge means the person on-site during, and responsible for, the transfer of material between an MTRF and a vessel. This person must successfully complete TEI, FL's MTRF training program, be familiar with all operational aspects of the MTRF, and know how to respond in the event of a release.

Worst Case Discharge means the loss of the entire contents of a tanker trailer (i.e., 7,000 gallons).

APPENDIX J

Oil Spill Management team in the Miami / Fort Lauderdale Area

In case of spill in the Port Everglades or Port of Miami area, the oil spill management team is SWS Environmental Services. They are located at:

6900 NW 12th Ave
Fort Lauderdale, Florida 33309

24-Hour Emergency Response: 877.742.4215
Phone: (954) 957-7271
Fax: (954) 957-7807

APPENDIX K

ENVIRONMENTALLY SENSITIVE AREAS IN THE MIAMI / FORT LAUDERDALE AREA

Attached are parts of the Miami / Fort Lauderdale Area containing fish and wild life environmentally sensitive areas, economically important areas, and maps. During operations all efforts will be made to avoid these areas and limit any impact to them. Personnel and equipment will be contracted out through SWS Environmental Services for the required number of days to preform clean up, if required.

		8700-12FL - FLORIDA NOTIFICATION OF REGULATED WASTE ACTIVITY DEP Waste Management Division—HWRS, MS4560 2600 Blair Stone Rd. Tallahassee, FL 32399-2400 (850) 245-8707		RECEIVED Florida Department of Environmental Protection (for Permitting Use Only) APR 16 2018 Permitting & Compliance Assistance Program	
EPA ID: F L D 9 8 1 0 1 8 7 7 3		Please use the instructions document to complete this form			
1. Reason for Submittal (all submitters must complete pages 1 and 2 and sign page 5 Pages 3 and 4, - complete as applicable)		Mark 'X' in the correct box: <input type="checkbox"/> To provide initial notification (to obtain an EPA ID Number for hazardous waste, universal waste, used oil activities, or PCW activities). <input checked="" type="checkbox"/> To provide subsequent notification (to update status and facility identification information) <input type="checkbox"/> To provide the final notification (closing) for the facility (see instructions—must complete pages 1,2,5) FL Registration(s) <input type="checkbox"/> UW Mercury (see page 3) <input checked="" type="checkbox"/> HW Transporter (see page 4) <input checked="" type="checkbox"/> Used Oil (see page 4)			
2. Facility or Business Name		Triumvirate Environmental Services, Inc.			
3. Facility Operator (List additional Operators in the comments section).		Name of Operator: Triumvirate Environmental Services, Inc.		Date became Operator: <u>10</u> / <u>14</u> / <u>2011</u>	
		Street or P.O. Box: 3701 SW 47th Avenue Suite 109		Phone Number: 407-859-4441	
		City or Town: Davie		State: FL	
				Zip Code: 33314	
				Country (if not USA):	
		Operator Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> Federal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> Other _____			
4. Facility Physical Location Information (No P.O. Boxes) <input checked="" type="checkbox"/> Same address as #3 above or:		Physical Street Address: <input type="checkbox"/> Vessel 3670 SW 47th Avenue City or Town: Davie State: FL Zip Code: 33314 County: Broward Country (if not USA):			
5. Facility North American Industry Classification System (NAICS) Code(s) (at least 5 digits)		A. <u>5</u> <u>6</u> <u>2</u> <u>1</u> <u>1</u> <u>1</u> (required)		B. _____	
		C. _____		D. _____	
6. Facility or Business Mailing Address		<input checked="" type="checkbox"/> Same address as #3 above or: Street or P.O. Box: City or Town: _____ State: _____ Zip/Postal Code: _____ Country (if not USA): _____			
7. Facility or Business RCRA Contact Person		First Name: Randy		Last Name: Troy	
		Title: EHS & Transportation Compliance Specialist			
		Phone Number: 407-859-4441		Extension: _____ E-Mail: rtroy@triumvirate.com	
		Fax: 954-583-8017			
		Street or P.O. Box: _____			
<input checked="" type="checkbox"/> Same address as #3 above or:		City or Town: _____		State: _____ Zip Code: _____ Country (if not USA): _____	
8. Real Property (FL Land) Owner of the Facility's Physical Location (List additional owners in the comments section.) <input checked="" type="checkbox"/> Same address as #3 above or:		Name of Owner: Triumvirate Environmental Services, Inc.		Date became Owner: <u>10</u> / <u>14</u> / <u>11</u> <input type="checkbox"/> New Owner mm dd yy	
		Street or P.O. Box: _____		Phone Number: _____	
		City or Town: _____		State: _____ Zip Code: _____ Country (if not USA): _____	
		Owner Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> Federal <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> Other _____			

RCRA Hazardous Waste Status Notification or Out of Business Notification				EPA ID No. FLD981018773			
9. RCRA Hazardous Waste Activities at this Facility: (Mark 'X' in all that apply):							
(A) (1) Generator of Hazardous Waste <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Do not include Universal Waste or Used Oil) If YES. Choose only one of the following three categories. <input type="checkbox"/> a. Large Quantity Generator (LQG): Generates in any calendar month 1,000 kilograms or greater per month (kg/mo) (2,200 lbs.) of non-acute hazardous waste; or Greater than 1 kg (2.2 lbs) of acute hazardous waste (at least once a year) <input type="checkbox"/> b. Small Quantity Generator (SQG): Generates in any calendar month greater than 100kg/mo but less than 1,000 kg/mo (>220 to <2,200 lbs.) of non-acute hazardous waste and/or 1 kg (2.2 lbs) or less of acute hazardous waste (at least once a year) <input checked="" type="checkbox"/> c. Conditionally Exempt SQG (CESQG): Generates in any calendar month 100 kg/mo or less (220 lbs.) of non-acute hazardous waste and 1 kg (2.2 lbs) or less of acute hazardous waste In addition, indicate other generator activities that apply. <input type="checkbox"/> d. Short-Term Generator (one-time, not on-going) <input type="checkbox"/> e. Episodic: Not more than one-time per year: __SQG__LQG <input type="checkbox"/> f. United States Importer of hazardous waste <input type="checkbox"/> g. Mixed Waste (hazardous and radioactive) Generator			For Items 2 through 7, mark 'X' in all that apply. (2) Treater, Storer, or Disposer of Hazardous Waste (at your facility) Note: A hazardous waste permit may be required for this activity. <input type="checkbox"/> a. Operating Commercial TSD <input type="checkbox"/> b. Operating Non-Commercial TSD <input type="checkbox"/> c. Non-Operating: Postclosure or Corrective Action Permit or Order (HSWA, etc.) (3) Recycler of Hazardous Waste (at your facility) Specify: <input type="checkbox"/> Commercial <input type="checkbox"/> Non-Commercial. Note A permit is required for storage prior to recycling. (4) Exempt Boiler and/or Industrial Furnace <input type="checkbox"/> a. Small Quantity On-site Burner Exemption <input type="checkbox"/> b. Smelting, Melting, and Refining Furnace Exemption (5) Person Authorized to Manage Conditionally Exempt Waste Generated at Other Facilities Choose this management activity ONLY if you attach EITHER a copy of your application for such authorization OR the authorization you received from FDEP. (6) Receives Hazardous Waste from Off-Site (7) Underground Injection Control				
10. Waste Codes for Federally Regulated Hazardous Wastes: List the waste codes of the Federal hazardous wastes handled at your facility. List them in the order they are presented in the regulations (e.g., D001, D003, F007, K019, P012, U112). Hazardous waste transporters list codes routinely or usually transported. Use comments or an additional page if more spaces are needed.							
¹ D001	² D002	³ D003	⁴ D004	⁵ D005	⁶ D006	⁷ D007	
⁸ D008	⁹ D009	¹⁰ D010	¹¹ D011	¹² D012	¹³ D013	¹⁴ D014	
¹⁵ D015	¹⁶ D016	¹⁷ D017	¹⁸ D018	¹⁹ D019	²⁰ D020	²¹ See attached	
11. Other Status Changes (If no longer handling waste or closed, sections 9 and 10 should be blank and skip Section 12-16):							
(A) Non-Handler of Regulated Waste at This Facility (Sections 9, 10 and 12-16 should be blank.) <input type="checkbox"/> (1) Business no longer generates, transports, treats, stores, disposes of, or otherwise handles any regulated waste. (B) Facility Closed (Complete this section only if <u>all</u> business activities at this facility have ceased.) <input type="checkbox"/> (1) Closed at this location and moved or moving to another - Submit a new Form 8700-12FL for the new location if you will <input type="checkbox"/> (2) Out of Business - Business closed on _____ (date)							
<input type="checkbox"/> (C) Property Tax Default			<input type="checkbox"/> (D) Petition for Bankruptcy Protection				
12-14 — Registration Activities Contact Information (only if this submission is a registration or registration information update):							
<input checked="" type="checkbox"/> Same as Facility RCRA Contact on page 1 or enter Contact for: <input type="checkbox"/> HW Transporter <input type="checkbox"/> Used Oil Handler <input type="checkbox"/> Universal Waste	First Name: Randy		Last Name: Troy		Title: EHS & Transportation Compliance Specialist		
	Phone Number:		Extension:	E-Mail:			
	Street or P.O. Box:						
	City or Town:		State:(Country):		Zip Code:		

Universal Waste Notification and Mercury Transporter/Handler Registration		EPA ID No. DLD981018773
12. Universal Waste (UW) Activities (Mark 'X' and complete all that apply) :		
A. Federal Notification	<input type="checkbox"/> Federally Defined Large Quantity Handler (LQH) = Generate/Accumulate: <u>5,000 kg (11,000 lb) or more</u> of any combination of UW accumulated (at any one time) Accumulates: <input checked="" type="checkbox"/> a. UW Batteries <input checked="" type="checkbox"/> b. Pesticides <input checked="" type="checkbox"/> c. Pharmaceuticals <input checked="" type="checkbox"/> d. Mercury Containing Devices <input checked="" type="checkbox"/> e. Mercury Containing Lamps <input type="checkbox"/> Destination Facility for UW Note: For this activity, a facility must treat, dispose or recycle a UW. A permit is required for storage prior to recycling.	
B. Florida Universal Pharmaceutical Waste (UPW): one-time registration		
<input type="checkbox"/> Pharmaceuticals LQH = 5,000 kg or more of Universal Pharmaceutical Waste (UPW) accumulated (at any one time) <input type="checkbox"/> Pharmaceuticals Acute LQH = more than 1 kg (2.2 lb) of acutely hazardous ("P-listed") pharmaceutical waste (UPW) accumulated <input type="checkbox"/> Reverse Distributor of Universal Pharmaceutical Waste (UPW) (must be registered with the Florida Department of Health [DOH])		
C. Florida Annual Mercury Handler Registration:		
<p>For-hire transporters, transfer facilities, handlers, reclamation and recovery facilities of Mercury-Containing Lamps and Devices operating in the State of Florida are required to register annually with the Department using this section of the form [Chapter 62-737, F.A.C.]. A one-time fee of \$1,000 is required for first time registration as a Large Quantity for-hire Handler of Mercury-Containing Lamps and Devices as detailed in 62-737.400(3)(a)3. (please contact FDEP first).</p> <p>If you <u>only</u> generate lamps and/or devices or manage pharmaceuticals, do not register or complete the information below.</p>		
(1) This form is being submitted as a Florida Registration of Universal Waste Transporter/Handler <u>for-hire</u> Activities		
<input type="checkbox"/> First time registering <input type="checkbox"/> Renewal <input type="checkbox"/> One-time \$1,000 fee for Mercury for-hire first time LQH registration is attached		
<input type="checkbox"/> For-hire Transporter of Universal Waste Mercury-Containing Lamps or Devices <input type="checkbox"/> For-hire Transfer Facility of Universal Waste Mercury-Containing Lamps or Devices <input type="checkbox"/> Mercury-Containing Devices (thermostats, etc) SQH = less than 100 kg accumulated by for-hire handler <input type="checkbox"/> Mercury-Containing Lamps SQH = less than 2,000 kg (8,000 lamps) accumulated by for-hire handler	Annual Registration Required	
<input type="checkbox"/> Mercury-Containing Devices LQH = 100 kg (220 lb) or more accumulated at any one time by for-hire handler <input type="checkbox"/> Mercury-Containing Lamps LQH = 2,000 kg (4400 lbs/8,000 lamps) or more accumulated by for-hire handler	Annual Registration + one-time \$1,000 fee+ More Requirements (contact FDEP)	
(2) Mercury Recovery and/or Reclamation Facility (A hazardous waste permit is required for this activity)		
<input type="checkbox"/> First time registering <input type="checkbox"/> Renewal		
Briefly Describe your Universal Waste Activities: <input type="checkbox"/> We use Drum Top Bulb Crusher(s).		
13. Other State Regulated Waste Activities: Petroleum Contact Water (PCW) <input type="checkbox"/> Recovery <input checked="" type="checkbox"/> Transport [62-740 F.A.C.]		
Note: A water facility permit may be required for this activity. An annual report is required for a recovery facility pursuant to Rule [62-740.300(5)]		

Hazardous Waste and Used Oil Transporter Registrations	EPA ID No. FLD981018773
14. HW Transporter Activities: (Mark 'X' and complete all that apply if you need to register your HW Transporter activities)	
<p>Transporters of and Transfer Facilities for Hazardous Waste in the State of Florida are required to register and annually renew their registration. Evidence of casualty/liability insurance pursuant to 62-730.170(2)(a) is required in addition to this registration. Transfer facilities must submit several additional documents as detailed on page 5 the first time they register and when the information changes. Registered transporters and transfer facilities may only begin operations after receiving approval from the Department. Generators of hazardous waste who transport waste only within the boundaries of their facility should not register.</p>	
A. HW Transporter Registration Information (must be completed annually and when this information changes)	
<p>This facility is a registered transporter of hazardous waste.</p> <p>This form is: <input type="checkbox"/> Initial Registration <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Notification of changes <input type="checkbox"/> Cancel Registration</p> <p><input type="checkbox"/> 1. For own waste only <input type="checkbox"/> 2. For commercial purposes <input type="checkbox"/> 3. Both commercial and own waste</p> <p>4. Transportation Mode <input type="checkbox"/> Air <input type="checkbox"/> Rail <input type="checkbox"/> Highway <input type="checkbox"/> Water <input type="checkbox"/> Other - specify _____</p>	
B. HW Transfer Facility Registration Information (must be completed annually and when this information changes)	
<p><input checked="" type="checkbox"/> This facility is a Hazardous Waste Transfer Facility: (at this location) Storage Volume <u>300 DRUMS</u></p> <p>This form is: <input type="checkbox"/> Initial Registration <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Notification of changes <input type="checkbox"/> Cancel Registration</p> <p>Note: Hazardous Waste transfer facilities must comply with the requirements of Rule 62-730.171, F.A.C., and Rule 62-730.182, F.A.C.</p> <p>The Transfer Facility records required under the provisions of Rule 62-730.171(6), F.A.C., are kept at (check one):</p> <p><input checked="" type="checkbox"/> Our mailing (business) address <input type="checkbox"/> The site (facility) address</p> <p>Please enter the EPA ID Number of the HW Transporter who carries the insurance for this Transfer Facility: FLD981018773</p> <p>Please see the top of page 5 for additional items that must be submitted in addition to the above registration for Hazardous Waste Transfer Facilities [Rule 62-730.171(3), Florida Administrative Code (F.A.C.)]:</p>	
15. Used Oil and Oil Filter Activities: (Mark 'X' and complete all that apply if you need to register your used oil activities),	
<p>Transporters (exemptions in 40 CFR 279.40(a)(1-4), transfer facilities, processors, off-specification burners, and/or marketers <u>must annually register</u> with the Department using this form. All except Florida used oil (UO) Processors and collection centers must pay an annual \$100 registration fee.</p> <p>This form is: <input type="checkbox"/> Initial Registration <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Notification of changes <input type="checkbox"/> Cancel Registration</p> <p><input type="checkbox"/> If applicable, a check or money order, in the amount of \$100, payable to Florida Department of Environmental Protection is enclosed.</p>	
<p>(1) Used Oil Transporter - mark activities: (occurring in Florida)</p> <p><input checked="" type="checkbox"/> a. Transporter (off-site) and noncontiguous locations</p> <p><input checked="" type="checkbox"/> b. Transfer Facility</p> <p>(2) <input checked="" type="checkbox"/> Collection Center (From businesses, no more than 55 gal per shipment)</p> <p>(3) <input checked="" type="checkbox"/> Used Oil Processor (A permit is required.)</p> <p>(4) <input type="checkbox"/> Off-Specification Used Oil Burner</p> <p>(5) Used Oil Fuel Marketer <input checked="" type="checkbox"/> On-Spec <input checked="" type="checkbox"/> Off-Spec</p>	<p>(6) Used Oil Filter Management (must annually register)</p> <p><input checked="" type="checkbox"/> a. Transporter</p> <p><input checked="" type="checkbox"/> b. Transfer Facility</p> <p><input checked="" type="checkbox"/> c. Processor (Annual Report Required)</p> <p><input type="checkbox"/> d. End User</p> <p>(7) The records required under the provisions of Rule 62-710.510, FAC. are kept at (check one):</p> <p><input checked="" type="checkbox"/> Our mailing (business) address <input type="checkbox"/> The site (facility) address</p>
<p>Please see the top of page 5 for additional items that must be submitted in addition to the above registration and fees required for non-exempt Used Oil Transporters.</p>	



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

HAZARDOUS WASTE TRANSPORTER CERTIFICATE OF APPROVAL

This is to certify that the carrier specified below has been approved as a hazardous waste transporter in Florida. The terms and conditions of this certificate require that the holder comply with all applicable portions of Chapter 62-730, Florida Administrative Code. This certificate shall be rendered null and void if any information contained within becomes obsolete. The certificate shall remain valid through the expiration date specified below.

TRANSPORTER: **Triumvirate Environmental Florida Inc**

FACILITY ID NO: FLD981018773

FACILITY ADDRESS: 3670 SW 47th Ave #109
Davie, FL 33314

EXPIRATION DATE: **June 30, 2019**

APPROVED TRANSFER FACILITY: YES

APPROVAL ISSUED BY: *Susan L Horlick* _____ DATE: May 16, 2018

Susan Horlick
Environmental Specialist III
Hazardous Waste Regulation Section
850/245-8778



**Florida Department of
Environmental Protection**

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

May 16, 2018

Randy Troy
Triumvirate Environmental Florida Inc
3701 SW 47th Ave Ste 109
Davie, FL 33314

BE IT KNOWN THAT

Triumvirate Environmental Florida Inc
3670 SW 47th Ave #109
Davie, FL 33314

IS HEREBY REGISTERED AS A USED OIL

Transporter, Transfer Facility, Processor, Marketer, Collection Center, Filter Transporter, Filter Transfer Facility, Filter Processor

pursuant to Chapter 62-710, Florida Administrative Code (F.A.C)

For regulatory guidance, go to:

http://www.dep.state.fl.us/waste/categories/used_oil/default.htm

The Department of Environmental Protection hereby issues

Registration Number **FLD981018773** on May 16, 2018

Transporter Type: **FH**

This registration will expire on 6/30/2019

This certificate documents receipt of your annual registration and annual report. It shall be displayed in a prominent place at your facility. This certificate and your cancelled check are your receipts.

A handwritten signature in cursive script that reads "Janet K. Ashwood".

**Janet Ashwood
Environmental Consultant
Waste Compliance Assistance Program**



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mail Station 4560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

DEP Form #62-710.901(3)
Form Title Annual Report by Used Oil and Used Oil Filter Handlers
Effective Date 4-23-13
Incorporated in Rule 62-710.510(5)

Annual Report by Used Oil and Used Oil Filter Handlers*

(*Handlers are any persons subject to the registration requirements of rule 62-710.500 and 62-710.850, F.A.C. See Section A, Box 5 below.)

For the reporting period January 1, 2017 through December 31, 2017

Use the information recorded in your **Record Keeping Form [62-710.901(2)]** or equivalent to complete this document.

SECTION A TO BE COMPLETED BY ALL REGISTERED PERSONS

1. Company Name: Triumvirate Environmental Services, Inc 2. Telephone No. () 954-583-3795
Site Address: 3670 SW 47th Ave, Davie, FL 33314
3. EPA ID No. FLD981018773

Check box if any of the above items (1-3) have changed since your last registration

4. Name of person preparing report (please print) Karl Kumli
Title: Compliance Specialist Phone number (if different from #2, above) 817-715-8929

5. Type of operation (check as many as apply to your operations)
Used Oil: Transporter Transfer Facility Collection Center/Aggregation Point Processor Marketer Burner (of off-specification used oil)
Used Oil Filter: Transporter Transfer Facility Processor End User

SECTION B USED OIL (TO BE COMPLETED BY ALL REGISTERED USED OIL HANDLERS. USED OIL FILTER HANDLERS SEE SECTION C)

1. Amount (in gallons) of Used Oil and Oily Wastes collected (type code)	Automotive	Industrial	Mixed	Total
a. In Florida	1,530,655	1,423,865		2,954,520
b. From out of State		605,143		605,143
c. Beginning Inventory				74,059
d. Total (sum of totals from Lines a + b + c)				3,633,722

2. Amount (in gallons) of Used Oil and Oily Wastes managed (end use code)	In State	Out of State
N - Transferred to another facility (not an end use).....		
O - Marketed as an on-specification used oil fuel.....	1,905,010	
F - Marketed as an off-specification used oil fuel.....		
I - Marketed for an industrial process.....		
B - Burned as an off-specification used oil fuel.....		
D- Disposed of: Landfilled.....		
Treated at a wastewater treatment unit.....	1,558,644	
Incinerated.....		
3. Total amount (in gallons) of Used Oil managed	3,463,654	
4. End of year, on hand estimate (difference between Line 1d and Line 3).....	170,068	

DEP Form #62-710.901(3)
Form Title Annual Report by
Used Oil and Used Oil Filter Handlers
Effective Date 4-23-13
Incorporated in Rule 62-710.510(5)

SECTION C USED OIL FILTERS (OPTIONAL) (USE TABLE BELOW FOR CONVERSIONS)

CHECK COLUMN IF OUT OF STATE ↓

1. Number of filters on hand from previous year	11,504	<input type="checkbox"/>
2. Number of used oil filters collected	185,477	<input type="checkbox"/>
3. Total number of used oil filters to manage (Line 1 plus Line 2)	196,981	<input type="checkbox"/>
4. Disposition of used oil filters collected:		
a. Transferred to another registered facility	183,770	<input type="checkbox"/>
b. Burned for energy recovery at a Waste-To-Energy facility		<input type="checkbox"/>
c. Transferred directly to a metal foundry for recycling		<input type="checkbox"/>
d. TOTAL	183,770	<input type="checkbox"/>
5. End of year, on hand estimate (Line 3 minus Line 4d)	13,211	<input type="checkbox"/>
6. Gallons of used oil collected as a result of filter processing		<input type="checkbox"/>
7. Gallons of used oil transferred to a used oil handler (transporter or processor)		<input type="checkbox"/>
8. Volume of oily waste collected and managed as a result of filter processing <input type="checkbox"/> gallons <input type="checkbox"/> cubic yards		<input type="checkbox"/>
9. Description of oily waste management	<u>Oily rags sent to landfill.</u>	

DIRECTIONS FOR SECTION C

Conversion Table

One 55-gallon drum of <u>crushed</u> used oil filters = approximately <u>400</u> used oil filters
One 55-gallon drum of <u>uncrushed</u> used oil filters = approximately <u>250</u> used oil filters
One <u>ton</u> of drained used oil filters = approximately <u>2,350</u> used oil filters

1. Enter the number of Used Oil Filters on hand, from previous year's inventory.
2. Enter the number of Used Oil Filters collected.
3. Enter the sum of Line 1 + Line 2.
4. Enter the number of filters managed by your facility in blocks 4a-c. Enter the sum of 4a-c in block 4d.
5. Enter the number of filters on hand at your site as of December 31, last year.
6. Fill in the number of gallons of used oil collected by your filter operation.
7. Enter the number of gallons transferred to a used oil transporter or processor.
8. List the volume (gallons or cubic yards) of the oily wastes collected through your filter handling. Oily wastes are identified in Florida Administrative Code Rule 62-710.201(1), and include wastewaters, filter residues or sludges, tank bottoms, sorbents, wipes, etc.
9. Describe how oily wastes were managed (sent to a WTE, hazardous waste facility, landfilled after appropriate testing, etc.).

For assistance with this form, please call the Used Oil Coordinator at 850-245-8707.

Mail original completed form to: Department of Environmental Protection
2600 Blair Stone Road, Mail Station 4560
Tallahassee, Florida 32399-2400

RECEIVED
Florida Department of Environmental
Protection
MAY 10 2018
Permitting & Compliance
Assistance Program

STATE OF FLORIDA
CERTIFICATE OF LIABILITY INSURANCE
HAZARDOUS WASTE TRANSPORTER AND USED OIL HANDLER

1. NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA
(Name of Insurer)

(the "Insurer"), of 175 Water Street, New York, NY 10038
(Address of Insurer)

hereby certifies that it has issued liability insurance covering bodily injury and property damage including environmental restoration for sudden accidental occurrences to

Triumvirate Environmental (Florida), Inc.
(Name of Insured)

(the "Insured"), of 3701 SW 47th Avenue, Suite 108, Davie, FL 33314
(Physical Address of Insured)

in connection with the insured's obligation to demonstrate financial responsibility under Florida Administrative Code Rule 62-710.600(2) and 62-730.170. The coverage applies at:

EPA/DEP I.D. No.	Name	Physical Address
FLD980559728	Triumvirate Environmental Services, Inc.	10100 Rocket Blvd, Orla
FLD981018773	Triumvirate Environmental Services, Inc.	3670 SW 47th Ave, Davie
MAC300016672	Triumvirate Environmental, Inc.	200 Inner Belt Road, Somerville

(If coverage is for multiple facilities, identify each facility insured.)

This insurance is primary and the company shall not be liable for amounts in excess of \$ 2,000,000 for each accident, exclusive of legal defense costs. The coverage is provided under policy number CA2820176 AOS, issued on 12/31/2017 (date).

The effective date of said policy is 12/31/2017 (date) and the expiration date of said policy is 12/31/2018 (date).

This insurance is excess and the company shall not be liable for amounts in excess of \$ 2,000,000 for each accident in excess of the underlying limit of \$ 2,000,000 for each accident, exclusive of legal defense costs. The coverage is provided under policy number _____, issued on _____ (date). The effective date of said policy is _____ (date) and the expiration date of said policy is 12/31/2018 (date).

Mail original completed form to: Department of Environmental Protection For assistance call: 850-245-8707
2600 Blair Stone Road, Mail Station 4560
Tallahassee, Florida 32399-2400

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:
- (a) Bankruptcy or insolvency of the insured shall not relieve the Insurer of its obligations under the policy.
 - (b) The Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the Insurer.
 - (c) Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Protection (FDEP), the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.
 - (d) Cancellation of the insurance, whether by the Insurer or the Insured and any other termination of the insurance (e.g., expiration, non-renewal), will be effective only upon written notice and only after the expiration of thirty (30) days after a copy of such written notice is received by the Secretary of the FDEP as evidenced by certified mail return receipt.
 - (e) The Insurer shall not be liable for the payment of any judgment or judgments against the Insured for claims resulting from accidents which occur after the termination of the insurance described herein, but such termination shall not affect the liability of the Insurer for the payment of any such judgment or judgments resulting from accidents which occur during the time the policy is in effect.

I hereby certify that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one of more States including Florida.

Tom Thompson
(Signature of Authorized Representative of Insurer)

Tom Thompson
(Typed name)

Senior Underwriter
(Title)

Authorized Representative of

NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA

(Name of Insurer)

(Address of Representative)

Mail original completed form to: Department of Environmental Protection
2600 Blair Stone Road, Mail Station 4560
Tallahassee, Florida 32399-2400

For assistance call 850-245-8707
RECEIVED
Florida Department of Environmental
Protection
MAY 10 2018
Permitting & Compliance
Division

STATE OF FLORIDA
CERTIFICATE OF LIABILITY INSURANCE
HAZARDOUS WASTE TRANSPORTER AND USED OIL HANDLER

1. NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA
(Name of Insurer)

(the "Insurer"), of 175 Water Street, New York, NY 10038
(Address of Insurer)

hereby certifies that it has issued liability insurance covering bodily injury and property damage including environmental restoration for sudden accidental occurrences to

Triumvirate Environmental (Florida), Inc.
(Name of Insured)

(the "Insured"), of 3701 SW 47th Avenue, Suite 109, Davie, FL 33314
(Physical Address of Insured)

in connection with the insured's obligation to demonstrate financial responsibility under Florida Administrative Code Rule 62-710.600(2) and 62-730.170. The coverage applies at:

<u>EPA/DEP I.D. No.</u>	<u>Name</u>	<u>Physical Address</u>
FLD980559728	Triumvirate Environmental Services, Inc.	10100 Rocket Blvd, Orlando
FLD981018773	Triumvirate Environmental Services, Inc.	3670 SW 47th Ave, Davie
MAC300016672	Triumvirate Environmental, Inc.	200 Inner Belt Road, Somerville

(If coverage is for multiple facilities, identify each facility insured.)

This insurance is primary and the company shall not be liable for amounts in excess of \$ 2,000,000 for each accident, exclusive of legal defense costs. The coverage is provided under policy number CA2820177 MA, issued on 12/31/2017 (date)

The effective date of said policy is 12/31/2017 (date) and the expiration date of said policy is 12/31/2018 (date)

This insurance is excess and the company shall not be liable for amounts in excess of \$ 2,000,000 for each accident in excess of the underlying limit of \$ 2,000,000 for each accident, exclusive of legal defense costs. The coverage is provided under policy number _____, issued on _____ (date). The effective date of said policy is _____ (date) and the expiration date of said policy is 12/31/2018 (date)

Mail original completed form to: Department of Environmental Protection For assistance call: 850-245-8707
2600 Blair Stone Road, Mail Station 4560
Tallahassee, Florida 32399-2400

2. The Insurer further certifies the following with respect to the insurance described in Paragraph 1:
- (a) Bankruptcy or insolvency of the insured shall not relieve the Insurer of its obligations under the policy.
 - (b) The Insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the Insurer.
 - (c) Whenever requested by the Secretary (or designee) of the Florida Department of Environmental Protection (FDEP), the Insurer agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.
 - (d) Cancellation of the insurance, whether by the Insurer or the Insured and any other termination of the insurance (e.g., expiration, non-renewal), will be effective only upon written notice and only after the expiration of thirty (30) days after a copy of such written notice is received by the Secretary of the FDEP as evidenced by certified mail return receipt.
 - (e) The Insurer shall not be liable for the payment of any judgment or judgments against the Insured for claims resulting from accidents which occur after the termination of the insurance described herein, but such termination shall not affect the liability of the Insurer for the payment of any such judgment or judgments resulting from accidents which occur during the time the policy is in effect.

I hereby certify that the Insurer is licensed to transact the business of insurance, or eligible to provide insurance as an excess or surplus lines insurer, in one of more States including Florida.

Tom Thompson
(Signature of Authorized Representative of Insurer)

Tom Thompson
(Typed name)

Senior Underwriter
(Title)

Authorized Representative of

NATIONAL UNION FIRE INSURANCE CO. OF PITTSBURGH, PA
(Name of Insurer)

(Address of Representative)

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**TRIUMVIRATE ENVIRONMENTAL
FLORIDA INC**

Handler ID: FLD981018773

3670 SW 47TH AVE #109
DAVIE, FL 33314-0000

County Name: BROWARD

Latitude: 26.077175

Longitude: -80.20931

Hazardous Waste Generator: Conditionally
Exempt Small Quantity Generator

Owner Name: MICHAEL HAYNES



**You can navigate within the map with your mouse.*

BIENNIAL REPORT SUMMARY

REPORT YEAR	GENERATION (Tons)	MANAGEMENT (Tons)	WASTE RECEIVED (Tons)	WASTE SHIPPED (Tons)	INCINERATION (Tons)	DISPOSAL (Tons)	ACUTE GENERATION (Tons)
2003	47.4			47.4			284.7

LIST OF FACILITY CONTACTS

<u>NAME</u>	<u>STREET</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP CODE</u>	<u>PHONE</u>	<u>TYPE OF CONTACT</u>
BROOKE RABE	3701 SW 47TH AVE STE 109	DAVIE	FL	33314-2830	954-583-3795	Public
JOHN LENNON	SW 47TH AVE #109	DAVIE	FL	33314-2830	954-583-3795	Permit
SARA GILBERT	ROCKET BLVD	ORLANDO	FL	32824-8565	407-859-4441	Permit
JOHN WYLUDA	SW 47TH AVE STE 109	DAVIE	FL	33314-2830	954-583-3795	Permit
KYLE LAPIC	3701 SW 47TH AVENUE STE 109	DAVIE	FL	33314-0000	954-583-3795	Permit
KYLE LAPIC	SW 47TH AVENUE STE 109	DAVIE	FL	33314	954-583-3795	Permit
JOHN LENNON					954-583-3795	Permit
BROOKE RABE	3701 SW 47TH AVE STE 109	DAVIE	FL	33314-2830	954-583-3795	Permit
GARY L MOORE					305-583-3795	Permit
JOHN WYLUDA	SW 47TH AVE	DAVIE	FL	33314-2830	954-583-3795	Permit

HANDLER / FACILITY CLASSIFICATION

<u>HANDLER TYPE</u>	<u>LAND DISPOSAL</u>	<u>INCINERATOR</u>	<u>BOILER AND OR INDUSTRIAL FURNACE</u>	<u>STORAGE</u>	<u>TREATMENT</u>
Permit Progress				Y	

<u>HANDLER TYPE</u>
Conditionally Exempt Small Quantity Generator
Transporter
Used Oil Program

LIST OF PROCESS UNIT INFORMATION FOR GROUP CONTAINR01

<u>PROCESS CODE / DESCRIPTION</u>	<u>LEGAL OPERATING STATUS</u>	<u>UNIT OF MEASUREMENT TYPE / DESCRIPTION</u>	<u>CAPACITY TYPE / DESCRIPTION</u>	<u>QUANTITY</u>	<u>CAPACITY</u>	<u>EFFECTIVE DATE</u>
S01 - CONTAINER	PERMITTED - INACTIVE/CLOSING, BUT NOT YET RCRA CLOSED	G - GALLONS	-	1	1925	29-OCT-91
S01 - CONTAINER	PERMIT TERMINATED/PERMIT EXPIRED, NOT CONTINUED - CLEAN CLOSED	G - GALLONS	-	1	1925	30-NOV-04

LIST OF PROCESS UNIT INFORMATION FOR GROUP STORTANK01

<u>PROCESS CODE / DESCRIPTION</u>	<u>LEGAL OPERATING STATUS</u>	<u>UNIT OF MEASUREMENT TYPE / DESCRIPTION</u>	<u>CAPACITY TYPE / DESCRIPTION</u>	<u>QUANTITY</u>	<u>CAPACITY</u>	<u>EFFECTIVE DATE</u>
S02 - TANK STORAGE	PERMIT TERMINATED/PERMIT EXPIRED, NOT CONTINUED - CLEAN CLOSED	G - GALLONS	-	1	12000	30-NOV-04
S02 - TANK STORAGE	PERMITTED - INACTIVE/CLOSING, BUT NOT YET RCRA CLOSED	G - GALLONS	-	2	12000	29-OCT-91

LIST OF PROCESS UNIT INFORMATION FOR GROUP TRETTANK01

<u>PROCESS CODE / DESCRIPTION</u>	<u>LEGAL OPERATING STATUS</u>	<u>UNIT OF MEASUREMENT TYPE / DESCRIPTION</u>	<u>CAPACITY TYPE / DESCRIPTION</u>	<u>QUANTITY</u>	<u>CAPACITY</u>	<u>EFFECTIVE DATE</u>
T01 - TANK TREATMENT	PERMITTED - INACTIVE/CLOSING, BUT NOT YET RCRA CLOSED	U - GALLONS PER DAY	-	1	72000	29-OCT-91
T01 - TANK TREATMENT	PERMIT TERMINATED/PERMIT EXPIRED, NOT CONTINUED - CLEAN CLOSED	U - GALLONS PER DAY	-	1	72000	30-NOV-04

LIST OF NAICS CODES AND DESCRIPTIONS

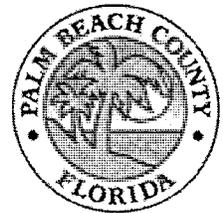
<u>NAICS CODE</u>	<u>NAICS DESCRIPTION</u>
324199	ALL OTHER PETROLEUM AND COAL PRODUCTS MANUFACTURING
4471	GASOLINE STATIONS
92411	ADMINISTRATION OF AIR AND WATER RESOURCE AND SOLID WASTE MANAGEMENT PROGRAMS
562111	SOLID WASTE COLLECTION
48811	AIRPORT OPERATIONS
562112	HAZARDOUS WASTE COLLECTION
811121	AUTOMOTIVE BODY, PAINT, AND INTERIOR REPAIR AND MAINTENANCE
324121	ASPHALT PAVING MIXTURE AND BLOCK MANUFACTURING
339111	LABORATORY APPARATUS AND FURNITURE MANUFACTURING
42272	PETROLEUM AND PETROLEUM PRODUCTS WHOLESALERS (EXCEPT BULK STATIONS AND TERMINALS)
32511	PETROCHEMICAL MANUFACTURING

LIST OF WASTE CODES AND DESCRIPTIONS

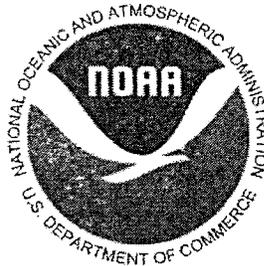
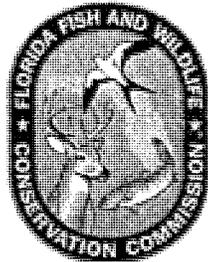
<u>WASTE CODE</u>	<u>WASTE DESCRIPTION</u>
D001	IGNITABLE WASTE
D002	CORROSIVE WASTE
D003	REACTIVE WASTE
D006	CADMIUM
D007	CHROMIUM
D008	LEAD
D009	MERCURY

D011	SILVER
D018	BENZENE
D035	METHYL ETHYL KETONE
D039	TETRACHLOROETHYLENE
F001	THE FOLLOWING SPENT HALOGENATED SOLVENTS USED IN DEGREASING: TETRACHLOROETHYLENE, TRICHLOROETHYLENE, METHYLENE CHLORIDE, 1,1,1-TRICHLOROETHANE, CARBON TETRACHLORIDE AND CHLORINATED FLUOROCARBONS; ALL SPENT SOLVENT MIXTURES/BLENDS USED IN DEGREASING CONTAINING, BEFORE USE, A TOTAL OF TEN PERCENT OR MORE (BY VOLUME) OF ONE OR MORE OF THE ABOVE HALOGENATED SOLVENTS OR THOSE SOLVENTS LISTED IN F002, F004, AND F005; AND STILL BOTTOMS FROM THE RECOVERY OF THESE SPENT SOLVENTS AND SPENT SOLVENT MIXTURES.
F002	THE FOLLOWING SPENT HALOGENATED SOLVENTS: TETRACHLOROETHYLENE, METHYLENE CHLORIDE, TRICHLOROETHYLENE, 1,1,1-TRICHLOROETHANE, CHLOROBENZENE, 1,1,2-TRICHLORO-1,2,2-TRIFLUOROETHANE, ORTHO-DICHLOROBENZENE, TRICHLOROFLUOROMETHANE, AND 1,1,2, TRICHLOROETHANE; ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, A TOTAL OF TEN PERCENT OR MORE (BY VOLUME) OF ONE OR MORE OF THE ABOVE HALOGENATED SOLVENTS OR THOSE SOLVENTS LISTED IN F001, F004, AND F005; AND STILL BOTTOMS FROM THE RECOVERY OF THESE SPENT SOLVENTS AND SPENT SOLVENT MIXTURES.
F003	THE FOLLOWING SPENT NONHALOGENATED SOLVENTS: XYLENE, ACETONE, ETHYL ACETATE, ETHYL BENZENE, ETHYL ETHER, METHYL ISOBUTYL KETONE, N-BUTYL ALCOHOL, CYCLOHEXANONE, AND METHANOL; ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, ONLY THE ABOVE SPENT NONHALOGENATED SOLVENTS; AND ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, ONE OR MORE OF THE ABOVE NONHALOGENATED SOLVENTS, AND A TOTAL OF TEN PERCENT OR MORE (BY VOLUME) OF ONE OR MORE OF THOSE SOLVENTS LISTED IN F001, F002, F004, AND F005; AND STILL BOTTOMS FROM THE RECOVERY OF THESE SPENT SOLVENTS AND SPENT SOLVENT MIXTURES.
F005	THE FOLLOWING SPENT NONHALOGENATED SOLVENTS: TOLUENE, METHYL ETHYL KETONE, CARBON DISULFIDE, ISOBUTANOL, PYRIDINE, BENZENE, 2-ETHOXYETHANOL, AND 2-NITROPROPANE; ALL SPENT SOLVENT MIXTURES/BLENDS CONTAINING, BEFORE USE, A TOTAL OF TEN PERCENT OR MORE (BY VOLUME) OF ONE OR MORE OF THE ABOVE NONHALOGENATED SOLVENTS OR THOSE SOLVENTS LISTED IN F001, F002, OR F004; AND STILL BOTTOMS FROM THE RECOVERY OF THESE SPENT SOLVENTS AND SPENT SOLVENT MIXTURES.

SOUTHEAST FLORIDA AREA CONTINGENCY PLAN



U.S. DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD
JUNE 2012



U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Sector Miami
United States Coast Guard

100 MacArthur Causeway
Miami Beach, FL 33139
Phone: (305) 535-4472
Fax: (305) 535-4491

16465
30 Jun 12

From: Commander, Coast Guard Sector Miami
To: Distribution

Subj: PROMULGATION OF THE 2012 SOUTHEAST FLORIDA AREA
CONTINGENCY PLAN (ACP)

Ref: (a) Southeast Florida Area Contingency Plan dated 31 October 2008
(b) 40 CFR 300, National Contingency Plan
(c) National Incident Management System dated 01 March 2004
(d) Oil Pollution Act of 1990
(e) 42 USC 9675 Comprehensive Environmental Response Compensation and Liability Act (CERCLA)
(f) COMDTINST 16000.27, Alignment with the National Incident Management System and National Response Plan

1. PURPOSE. This plan provides for coordinated response by federal, state, local and non-governmental forces to discharges of oil and hazardous substances. It is designed to be used in conjunction with national, regional, state and other plans. The ACP is supported by other documents maintained at Sector Miami. The boundaries for this plan include those counties that share jurisdiction with Sector Miami.
2. PUBLICATIONS AFFECTED. This plan supersedes reference (a).
3. DISCUSSION. Although this plan is not an inter-agency agreement, each agency has agreed to a coordinated approach to operations, information sharing, and to the use of operations centers, communications systems, and messing berthing, transportation, and other capabilities in support of effective response to oil or hazardous substance discharges. All amendments shall be developed and implemented with the cooperation of the below agencies:
 - a. U. S. Coast Guard, Sector Miami (Area Committee Chair)
 - b. National Oceanic Atmospheric Administration, Scientific Support Coordinator, Office of Response and Restoration
 - c. State of Florida, Department of Environmental Protection, Bureau of Emergency Response, Southeast District
 - d. U. S. Fish and Wildlife Service, Southeast Region, South Florida Ecological Services Office
 - e. U. S. Park Service, Biscayne National Park
 - f. Local Emergency Planning Council 10

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ENVIRONMENTAL TRIUMVIRATE

- g. Local Emergency Planning Council 11
 - h. Miami-Dade County Office of Emergency Management
 - i. Broward County Emergency Management Agency
 - j. Palm Beach County Division of Emergency Management
 - k. Martin County Emergency Management Agency
 - l. St. Lucie County Dept of Emergency Management
 - m. Indian River County Dept of Emergency Management
 - n. Brevard County Office of Emergency Management
 - o. Seminole Tribe of Florida, Office of Emergency Management
 - p. Miccosukee Tribe, Office of Emergency Management
4. The Area Committee will continue to revise and improve the Area Contingency Plan. Comments and recommendations regarding these changes are welcome and should be addressed to the Sector Miami Contingency Planning Division at (305) 535-8757.

C. P. Scraba
Captain U. S. Coast Guard
Sector Miami
Chairman, Area Committee

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1000 INTRODUCTION

1100 INTRODUCTION / AUTHORITY

Multi-agency (public agencies, nongovernmental organizations, industry, and general public) and multi-discipline responses are the norm in today's environment. The ability of local responders to conduct multi-agency response operations is absolutely essential to minimizing loss of life and damage to the environment, and to protecting property.

Pursuant to the National Contingency Plan (NCP; 40 CFR Part 300), Area Committees have been established for each area of the United States that has been designated by the President. The Area Committees are comprised of personnel from Federal and State agencies that coordinate response actions with tribal and local governments and with the private sector. Area Committees, under the coordinated direction of the Federal On-Scene Coordinators (FOSC), are responsible for developing Area Contingency Plans (ACP) for their respective designated areas. Area Committees are also required to work with the response community to develop procedures to expedite decisions for the use of alternative response measures.

The NCP also establishes the National Response Team (NRT) and 13 Regional Response Teams (RRT) who are responsible for the national and regional planning and preparedness activities before a response action and support the FOSC and State On-Scene Coordinator (SOSC) when activated during a response. RRT membership consists of designated representatives from key federal response and support agencies together with affected states. Florida is within the RRT 4 area of responsibility.

Membership in the Southeast Florida Area Committee has grown to over 150 partner agencies, industry representatives, and environmental concerns. Figure 1100-1 depicts the general Area Committee membership and broad roles in which they provide input to the Captain of the Port (COTP) and Southeast Area Contingency Plan.

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FIGURE 1100-1 SE Florida Area Committee

Refer to Section 1300 Area Committee for a detailed description of the Southeast Florida Area Committee.

The national importance of the Southeast Florida Port Complex and environmentally sensitive areas throughout Commander, Sector Miami's Area of Responsibility requires strong partnerships between jurisdictional governments and industry to respond and, if necessary, prevent to incidents threatening the port.

Many Region Response Team IV (RRT4) / Southeast Florida Area Committee member agencies have specific responsibilities during and following a WMD incident or other terrorist act. No one document or plan can serve as a response guide for a WMD/terrorist incident. The SFACP is designed to ensure that the initial actions taken in response to a hazardous substance release, oil spill, radiological or biological incident that occurs in the maritime environment are effectively managed from the start and incorporate other agency plans and operating procedures as those agencies arrive on-scene. However incidents, like fingerprints, are never identical and once initial actions have been taken responders will assess the incident and tailor their strategies and match the reality of the situation on the ground.

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1100.1 U.S. Coast Guard

Executive Order 12777 of 22 October 1991 designated responsibilities for the Commandant of the U.S. Coast Guard (through the Secretary of Homeland Security (DHS)) for the coastal zone, and for the Administrator of the Environmental Protection Agency (EPA) for the inland zone. The term “coastal zone” is defined in the National Contingency Plan (NCP) (40 CFR 300.5) to mean all United States waters subject to the tide, United States waters of the Great Lakes, specified ports and harbors on inland rivers, and the waters of the Exclusive Economic Zone (EEZ). The Coast Guard has designated as areas, those portions of the Captain of the Port (COTP) zones, which are within the coastal zone, for which Area Committees will prepare Area Contingency Plans. The COTP zones are described in Coast Guard regulations (33 CFR 3).

The U.S. Coast Guard has enforcement and investigative authority for a significant array of potential federal violations, as well as enforcement actions under applicable international treaties. Federal laws and regulations associated with a discharge (or substantial threat of a discharge) of oil include applicable components of the Clean Water Act as amended; the Oil Pollution Act of 1990; the Ports and Waterways Act; The Port and Tanker Safety Act; The Act to Prevent Pollution from Ships (1980), as amended; and, Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78). In addition, the Coast Guard has authority pursuant to 46 USC 7701 and 46 USC 6101 related to personnel actions (licensed mariners), and marine casualties, respectively. Federal regulations associated with investigative or enforcement interest under these United States Codes include, though are not limited to: applicable sections of 46 CFR with particular attention to 4, 5, 16; 33 CFR 126, 130, 151, 153-160; and 40 CFR 116, and 117. Potential federal enforcement actions associated with a pollution discharge may include, but are not limited to: the collection of statements and evidence to determine the causes of the associated marine casualty, mandatory chemical testing of involved licensed personnel, and the collection of oil samples in the water and on suspect vessels

1100.2 U.S. Environmental Protection Agency

By statute, EPA is the pre-designated FOSC and Scientific Support Coordinators for inland spills of oil or discharges of hazardous materials. In most instances, EPA will not be the first responder on scene. EPA works in cooperation with other responders, but has delegated their authority of FOSC. In all spill situations, it is EPA’s intent to contribute to the response by working with local, state, tribal authorities, general public, and Federal agencies to ensure the information needed to maximize the effectiveness of the response effort is easily accessible. During a response to a release, the potentially responsible party (PRP), if known, available, and willing, is generally given the opportunity to adequately respond. The EPA works closely with PRPs when they are known and willing to take action to ensure the release reaches an adequate and rapid conclusion with a minimum impact on the environment. In the event of a release where the PRP is not identified, does not respond to contain or clean up the contamination, or does an inadequate job responding, EPA authority includes taking over the response or assuming a co-lead role

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in a unified command with state and local responders.

1100.3 Florida Department of Environmental Protection

Chapter 376.021 (4), Florida Statute (F.S.) designates the Florida Department of Environmental Protection (FDEP) as the lead agency in responding to all discharges of pollutants that occur in coastal waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of Florida. Additional information can be found in the Emergency Response Plan, Annex F, Florida Coastal Pollutant Spill Response Plan, which is maintained by the FDEP Office of Emergency Response. (Pollutants include oil of any kind and in any form, gasoline, pesticides, ammonia, chlorine and derivatives thereof, excluding liquefied petroleum gas.) The FDEP has adopted Chapter 62N-16, Florida Administrative Code, to implement Chapter 376, F.S. Chapter 376.041, F.S., prohibits the discharge of pollutants into or upon the coastal waters, estuaries, tidal flats, beaches, and lands adjoining the seacoast. FDEP Office of Emergency Response is a member of the State Emergency Response Team (SERT) under Emergency Support Function 10 (ESF 10) of the National Response Framework (NRF).

1100.4 Establishment of Area Committees and Area Contingency Plans

Section 4202 of the Oil Pollution Act of 1990 (OPA 90) amended Subsection (j) of Section 311 of the Federal Water Pollution Control Act (FWPCA) (33 United States Code 1321 (j)) to address the development of a National Planning and Response System. As part of this system, Area Committees are to be established for each area designated by the President. These Area Committees are to be comprised of qualified personnel from Federal, State, and local agencies.

Each Area Committee, under the direction of the Federal On-Scene Coordinator (FOSC) for the area, is responsible for developing an Area Contingency Plan (ACP) which, when implemented in conjunction with the National Contingency Plan (NCP), shall be adequate to remove a worst case discharge of oil or a hazardous substance, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility operating in or near the geographic area.

Each Area Committee is also responsible for working with State and local officials to pre-plan for joint response efforts, including appropriate procedures for mechanical recovery, dispersal, shoreline cleanup, protection of sensitive environmental areas, and protection, rescue, and rehabilitation of fisheries and wildlife. The Area Committee is also required to work with State and local officials to expedite decisions for the use of dispersants and other mitigating substances and devices.

The Southeast Florida Area Contingency Plan (SFACP) has been designed and written to meet the requirements and intent of the National Oil and Hazardous Substance Pollution Contingency Plan (NCP) (40 CFR 300) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA, 42 U.S.C. 9601), as amended by the Superfund Amendments and Reauthorization Act of

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1986 (SARA). The purpose of the SFACP is to address responses to worst case discharges of oil or hazardous substances and mitigation or prevention of a substantial threat of a discharge from a vessel, and mitigation or prevention of a substantial threat of discharge from a vessel, offshore facility, or onshore facility.

In February 2003, the President of the United States issued Homeland Security Presidential Directive No. 5 (HSPD-5), Management of Domestic Incidents, which directed the Department of Homeland Security (DHS) to develop a National Response Framework (NRF) and a National Incident Management System (NIMS) to ensure coordination at all levels for a response to an incident of national significance. This SFACP been updated to ensure alignment with the NRF incorporating the methodology of the NIMS.

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1200 GEOGRAPHIC BOUNDARIES

1201 USCG Sector Miami, Florida Area of Responsibility and Designated Sub-regions

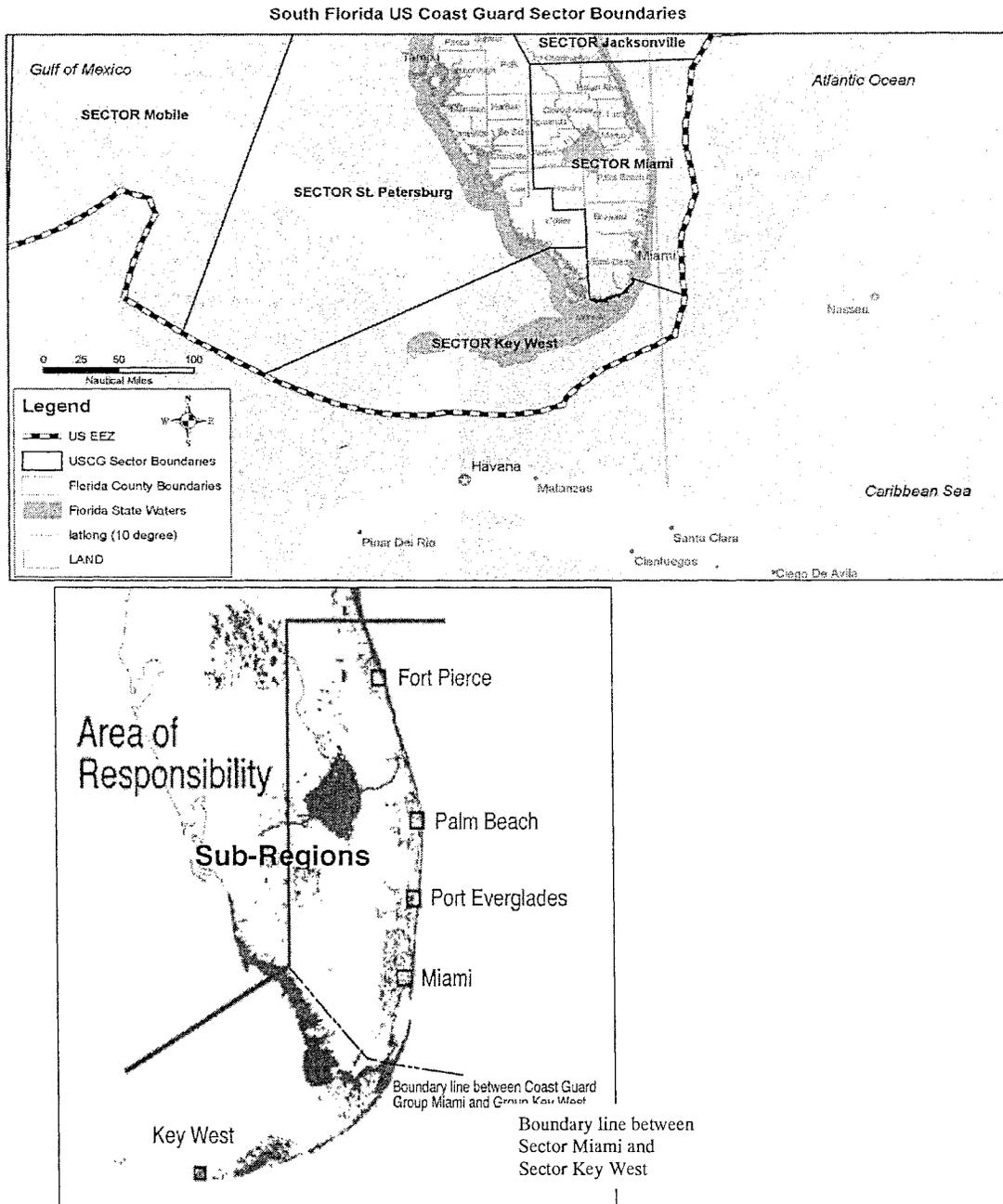


FIGURE 1200-1 Sector Miami Area of Responsibility

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As defined in the 03 November 1999 Memorandum of Understanding (MOU) between US EPA (Region IV) and the Seventh USCG District, the Captain of the Port (COTP), Miami, Florida will be the pre-designated FOSC in the area outlined below. COTP Miami is the pre-designated FOSC for the coastal area and the EPA is responsible for inland areas. When a roadway is used to delineate a boundary, that boundary shall be to, but shall not include, the roadway.

Sector Miami is responsible for all Coast Guard missions in a zone as follows: "the boundary of the Miami Marine Inspection Zone and Captain of the Port Zone starts at the outermost extent of the EEZ at latitude 28° 00' 00" N, longitude 79° 23' 34" W; thence proceeds west to latitude 28° 00' 00" N, longitude 81° 30' 00" W; thence due south to the northern boundary of Collier County, Florida at longitude 81° 30' 00" W; thence following along the boundaries of Collier County easterly along the northern boundary to the eastern boundary and then southerly along the eastern boundary to the southern boundary of Collier County; thence continuing southerly along the western boundary of Miami-Dade County to the sea at latitude 25° 10' 36" N, longitude 80° 51' 29" W; thence continuing easterly along the southern boundary of Miami-Dade County to latitude 25° 24' 52" N, longitude 80° 19' 39" W; thence south easterly to the outermost extents of the EEZ at latitude 25° 11' 34" N, longitude 79° 41' 31" W; thence northerly along the outermost extents of the EEZ to the point of origin

Also included will be responses to discharges and releases from commercial vessels in the Intracoastal Waterway (St. Lucie Canal, Lake Okeechobee, and Okeechobee Waterway) from Stuart, Florida to 81° 30' W longitude (near FL Highway 29 Bridge, La Belle, Florida) and waterfront facilities along the St. Lucie River, the Loxahatchee River and the Miami River to points described above.

1210 Sub-regions

For planning purposes, CG Sector Miami's AOR is further divided into four sub-regions. These sub-regions are referred to in various annexes of the plan. This plan calls for detailed analysis of sensitive areas, strategies, equipment lists, government and private agencies and resources. In order to facilitate the use of this information, it has been organized according to these subregions. CG Sector Miami has arbitrarily set these boundaries as listed below. Coordinates given are the northern and southern boundaries and are measured from the baseline.

(1) Ft. Pierce Sub-region

Coastal areas of Martin, St. Lucie, Indian River, and part of Brevard (south of Malabar) counties from 28° 00' N latitude on the east coast of Florida southward to 26° 57.5' N latitude.

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(2) West Palm Beach Sub-region

Coastal areas of Palm Beach County from 26°57.5'N latitude on the east coast of Florida southward to 26°19.2'N latitude.

(3) Port Everglades Sub-region

Coastal areas of Broward County from 26°19.2'N latitude on the east coast of Florida southward to 25°58.5'N latitude.

(4) Miami Sub-region

Coastal areas of Dade County from latitude 25-58.5N on the east coast of Florida southward to latitude 25-23.5N thence easterly to latitude 25-23.5N, longitude 080-11.5W, thence northeasterly along seaward edge of Hawks Channel to latitude 25-38.5N, longitude 080-07.6W, thence easterly to the seaward boundary of the Florida Keys National Marine Sanctuary.

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1300 SE FLORIDA AREA COMMITTEE AND AREA CONTINGENCY PLAN

1310 Purpose and Objectives

The Southeast Florida Area Committee and Area Contingency Plan are:

- To provide for orderly and effective communication and implementation for response actions to protect the public, natural resources, and property of the coastal and inland zones of Southeast Florida from impacts of a discharge or substantial threat of discharge of oil or a release or substantial threat of a release of a hazardous substance from inland and marine sources.
- To promote the coordination of and describe the strategy for a unified and coordinated federal, state, tribal, local, potential responsible party, response contractor, response cooperative, and community response to a discharge or substantial threat of discharge of oil or a release or substantial threat of a release of a hazardous substance from inland and marine sources.
- To be consistent with the NCP and to seamlessly integrate alongside joint operations conducted in accordance with the Southeast Florida Area Maritime Security Plan (SFAMSP), the State of Florida Comprehensive Emergency Management Plan (CEMP), and the Southeast Regional Domestic Security Task Force (SERDSTF) Terrorism Response Plan.
- To provide guidance to all Facility and Vessel Response Plan reviewers and Plan holders to ensure consistency with the Southeast Florida Area Contingency Plan.
- To be a guidance manual for responders.

1320 Area Committee Organization

The Southeast Florida Area Committee is a multi agency and industry organization whose primary role is to act as a planning body to advise the Sector Commander for a safe, appropriate and timely response to all reports of oil or hazardous substance spills or releases including potential WMD (chemical, biological, and / or radiological), and mitigate the impact of an incident on public health, the environment and the economy. Commander, USCG Sector Miami is the designated Federal On-Scene Coordinator (FOSC) for responding to incidents within the “Coastal Zone” while Environmental Protection Agency (EPA) Region IV, located in the regional office in Atlanta, GA, is designated FOSC for responding to incidents in the “Inland Zone”.¹

Commander, Sector Miami, as FOSC, is the pre-designated Chair of the SF Area Committee. The FOSC shall designate an individual from each agency other than the Coast Guard to serve as vice-chair of the Area Committee. The FOSC may designate multiple vice-chairs, if appropriate. In addition, the FOSC provides general direction and

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guidance for the Area Committee in the continual review and revising of the SFACP to ensure it is comprehensive in applicability and that it is consistent with the NCP and NRF.

Florida State representatives such as FL Dept of Environmental Protection (DEP), FL Fish and Wildlife Conservation Commission (FWCC), FL Division of Historic Properties and Cultural Resources and others participate in the SE FL Area Committee to present and defend state interests in response to related programs, e.g., historic preservation and Coastal Zone Management.

County/City Emergency Managers and first responders' membership are responsible for coordinating environmental issues and emergency response operations within their jurisdictions and neighboring counties/cities via the state-wide mutual aide agreement. Participation with Local Emergency Planning Committees (LEPCs) 10 and 11 and liaison with FL State Emergency Response Team (SERT) is paramount for a successful oil and hazardous substance Area plan. Additional outreach and participation is solicited from federal and Florida agencies of the Regional Response Team (RRT) IV for appropriate planning guidance and response consultations as required by federal and state law.

Additional federal, port, industry, and civilian partners comprise the SE FL Area Committee to provide input to specific and overall environmental response objectives, strategies, and plans/tactics.

A complete listing of SE FL Area Committee membership is updated regularly and posted on <http://homeport.uscg.mil/miami>.

The SE FL Area Committee shall meet at least semi-annually and the functional workgroups shall meet at least annually. The minutes to these meetings shall be posted on <http://homeport.uscg.mil/miami>.

An Executive Advisory Committee assists the FOSC and provides specific direction to the committee. The Executive Advisory Committee are primary reviewers of this plan and as such have a responsibility to stay familiar with the contents of this ACP and participate in regular review workshops for currency. Sub-committees and workgroups are formed, as necessary, to help accomplish committee goals and tasks. While this plan does not function as an inter-agency agreement, each agency has agreed to coordinate operational activities, information exchange, use of operations centers, communications systems, messing and berthing facilities, transportation and other support activities for efficient and effective use of all agencies' resources to respond to an oil discharge. Any and all amendments and changes shall be developed and implemented with the cooperation of the above agencies and in accordance with the procedures specified in the Letter of Promulgation.

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TRIUMVIRATE

1321 Area Committee Executive Advisory Committee Members

NAME	ADDRESS	PHONE NUMBER
U. S. Coast Guard Sector Miami (Area Committee Chair)	100 Macarthur Causeway Miami Beach, Fl. 33139	Tel: (305) 535 – 8705 / 01 Fax: (305) 535 8761
Florida Department of Environmental Protection Bureau of Emergency Response SE District (Area Committee Vice-Chair)	7257 West Palmetto Park Suite 201 Boca Raton, FL 33433	Tel: (561) 393-5877 24 hr: (800) 320-0519 Fax: (561) 393-5868
National Oceanic Atmospheric Administration Scientific Support Coordinator Office of Response and Restoration (Primary DOC/NOAA Trustee Rep) Mr. Brad Benggio	909 SE 1st Avenue, Room 714 Miami, Florida 33131	Tel: (305) 530-7931 Fax: (305) 530 – 7932 24 hr 206-526-4911
U. S. Fish and Wildlife Service Ecological Services Field Supervisor Mr. Paul Souza	1339 20 th St Vero Beach, FL 32960	Tel: (772) 562-3909 Fax: (772) 562-4288
Local Emergency Planning Council 11 Mr. Manny Cela	Miami-Dade, Broward, and Monroe Counties	Tel: (954) 985-4416
Local Emergency Planning Council 10 Ms. Kathryn Boer	Palm Beach, St. Lucie, Martin and Indian River	Tel: (772) 221-4060
Seminole Tribe of Florida Office of Emergency Management	6300 Stirling Road Hollywood, FL 33024	Tel: (800) 683-7800 Fax: (863) 763-1597
Miccosukee Tribe	P.O. Box 440021 Miami, Fl	Tel: (305) 223-8380 Fax: (305) 223-1011

Mr. Rory Feeny	33144	
Petroleum Association of Port Everglades 2012 Annual Representative Mr. John Hester (ExxonMobil Pipeline Co.)		Tel: (954) 713-3302
Florida Fish and Wildlife Conservation Commission Fish and Wildlife Research Institute Senior Research Scientist Mr. George Henderson	100 8 th Ave SE St. Petersburg, FL 33701	Tel: (727) 896-8626 Fax: (727) 893-1679
US Park Service Biscayne National Park Chief Ranger William Lopez	Biscayne National Park 9700 SW 328 St Homestead, FL 33033	Tel: (305) 283-1952 (24 hr)
Miami-Dade County Mr. Troy Johnson Emergency Management Coordinator	Miami-Dade EOC 9300 NW 41 st St Miami, FL 33178	Tel: (305) 468-5416
Broward County Mr. Chuck Lanza Emergency Manager	Broward County EOC 201 NW 84 th Ave Plantation, FL 33324	Tel: (954) 831-3900
Palm Beach County Mr. Bill Johnson Emergency Manager	20 South Military Trail West Palm Beach, FL 33415	Tel: (561) 712-6330
Martin County Ms. Debra McCaughey EM Agency Director	800 SE Monterey Rd Stuart, FL 34994	Tel: (772) 219-4942
St. Lucie County Mr. Tom Daly EM Director	15305 W. Midway Rd Ft. Pierce, FL 34945	Tel: (772) 462-8100
Indian River County Mr. John King EM Director	4225 43rd Avenue Vero Beach, FL 32967	Tel: (772) 226-3859
Brevard County Mr. Ron Ricci EM Director	1746 Cedar Street Rockledge, FL 32955	Tel: (321) 637-6661

1322 Area Committee Functional Workgroups

In addition to the above signatory entities to this Plan the following functional workgroups have been established:

(1) Volunteer Management Workgroup

This workgroup is comprised of the County Volunteer Coordinators and established volunteer groups within the SE FL Area committee region to develop and discuss solicitation, management, coordination and training of volunteers during an incident response. Members include:

- County Volunteer Managers (Miami-Dade, Broward, Palm Beach, Martin, St Lucie, Indian River, and Brevard)
- SPCA Wildlife Care Center
- United Way (Miami-Dade, Broward Counties)
- Wildlife Care Center of Fort Lauderdale
- Miramar Regional Citizen’s Corp’s Task Force
- Monroe County Citizen Corp’s

(2) Oil Spill Response Organization (OSRO) Workgroup

This workgroup is comprised of OSRO industry representatives to review and develop tactics for planning and implementation for future spill responses. Members include:

- National Response Corporation (NRC)
- Marine Spill Response Corporation (MSRC)
- SWS First Response

(3) Marine Firefighting Workgroup

This workgroup is comprised of Municipal Fire Depts to discuss coordination of responding to vessel and facilities fires in the marine environment. Members include:

- Miami-Dade Fire Rescue
- City of Miami Fire Department
- City of Miami Beach Fire Department
- Broward Sherriff’s Office, Fire Rescue Dept
- Fort Lauderdale Fire Dept
- Palm Beach County Fire Rescue
- Resolve Marine Group, Inc (2012)

(4) Marine Mammal Response Workgroup

This workgroup was formed in early 2012 to develop rescue and recovery plans for

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responding to impacted marine mammals (porpoise, manatees, etc.) during an oil/hazmat incident. Members include:

- South Florida Wildlife Center
- NOAA, Marine Mammal Health and Stranding Response Program
- NOAA, Marine Sanctuaries
- US Fish and Wildlife , South FL Ecological Services
- USCG Auxiliary

1330 Southeast Florida Area Response Structure

Historically, the users of the SFACP have been confronted with incidents that were caused by nature (hurricanes, floods, etc.) or from the unintentional actions of individuals (grounding, collision, etc.). In today’s world where terrorism is a greater reality, the intentional release of a hazardous substance, oil, biological agent or radiation poses unique challenges to those who respond. Federal and State rules require oil spills, hazmat releases or responses to weapons of mass destruction (WMDs) be managed with a pre-designated response management organization that accommodates a unified command structure in recognition of federal, state, tribal or local jurisdiction.

This Plan consists of a base plan and five Annexes. The five annexes are:

- Oil
- Hazardous Material
- Biological
- Radiological
- Terrorism

The Average Most Probable Discharge (AMPD) is the size of the average spill based on historical data.

The Maximum Most Probable Discharge (MMPD) is also based on historical spill data; the size of the discharge most likely to occur taking into account such factors as the size of the largest recorded spill, traffic flow within the region, hazard assessment, risk assessment, seasonal considerations, and operating records of facilities and vessels in the region.

The Worst Case Discharge (WCD) for a vessel is a discharge of 1-2 cargo tanks of petroleum from a liquid bulk tank ship in two separate scenarios. In 2011, following the Deepwater Horizon catastrophe, another WCD was added to prepare a discharge from an offshore drilling platform. All scenarios are detailed in Appendix 9440.

This plan is to be used as a framework for response mechanisms to evaluate shortfalls and weaknesses in the response structure before an incident, and as a guide for reviewing vessel and facility response plans required by OPA 90, to ensure consistency. The review for consistency should address, as a minimum, the economically and environmentally

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sensitive areas within the area, the response equipment (quantity and type) available within the area (this includes Federal, State, and local government and industry owned equipment), response personnel available, equipment and personnel needs compared to those available, protection strategies, etc.

Joint planning efforts shall include appropriate procedures for mechanical recovery, dispersal, shoreline cleanup, protection of sensitive areas, disposal of contaminated waste, and protection, rescue, and rehabilitation of fisheries and wildlife.

1340 Southeast Florida Area Response Structure

The Southeast Florida Area Committee member agencies have adopted and will manage spill incidents according to the following principles:

Incident Command System – The signatory agencies will use the National Interagency Management System (NIMS) model Incident Command System (ICS).

Unified Incident Command – When more than one of the signatory agencies arrives on scene to participate in managing a response action, the agencies will utilize a unified command structure to jointly manage the spill incident. At a minimum, a teleconference should be convened with the applicable signatory agencies (county/region) and others as determined to provide a situational update of the incident and discussion of major concerns, response objectives and priorities. In the Unified Incident Command (UC), whenever possible, decisions with regard to the response will be made by consensus and documented through a single Incident Action Plan (IAP). When a consensus cannot be reached, the FOSC has the ultimate decision-making authority.

Unified Area Command – For very large single incidents or multiple, simultaneous incidents involving a large number of resources and/or impacting a large geographic area, a Unified Area Command may be established. The Unified Area Command has responsibility for setting overall response objectives and priorities which are then carried out by field ICS/UC organizations. Additionally, the Unified Area Command has the responsibility to allocate critical resources based on those priorities, ensure the incident/incidents are properly managed, and ensure that the incident objectives are met and do not conflict with each other.

The Unified Command structure allows for a coordinated response, which takes into account the federal, state, tribal, local and responsible party concerns and interests when implementing the response strategy. The FOSC has the ultimate authority in a response operation and will exert this authority only if other members of the unified command are not present or are unable to reach consensus quickly.

Local agencies may be involved as part of the UC, and may provide agency representatives who interface with the command structure through the Liaison Officer or the State OSC. When a UC is used, an Incident Command Post (ICP) and Joint Information Center (JIC) shall be established. The ICP should be as near as practicable

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to the incident site without compromising safety to the incident command staff. All responders (federal, state, tribal, local, and private) should be incorporated into the response organization at the appropriate level. See also Section 1430 NIMS Area Response Structure.

1350 Transition of On-Scene Coordinators (OSCs)

There are occasions when command responsibilities must transition from one OSC to another, from one federal to state OSC, or from a State OSC (SOSC) to a FOSC. This transition of the OSCs is often necessitated by a determination of where the greatest impact of the spill/release is likely to take place. For example, a spill/release may originate in the inland zone where EPA has primary responsibility, but the majority of the impact from the incident may occur in the coastal zone where the USCG has responsibility.

Regardless of the circumstances that necessitate a transition in jurisdictional responsibility, clear and effective communication is essential to an efficient and safe response. Every effort must be made to share all pertinent information. This exchange of information could involve multiple issues and various amounts of detail depending on the complexity of the incident. It should include, but is not limited to:

(1) Current Situation

- Status of the source and spill
- Review of the Incident Action Plan (IAP) and Site Safety Plan
- Review of site communications
- Discuss resources on-scene and en-route

(2) Organizational Structure

- Unified Command
- ICS organization chart review
- Schedule of meetings

(3) Site Visit and Walk-through

(4) On-going Security, Investigation, and Legal Issues

- Site security measures and activities
- Investigation and evidence protocols

(5) Notifications

- What notifications have been made (Stakeholders, Tribal nations, etc.)
- Local issues and economics

(6) Wildlife and Environment

- Wildlife impact issues (Endangered Species Act)
- Environmental sensitive areas
- National/Regional historic sites

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(7) Public Affairs and Media

It is preferred that both OSCs are present through one complete operational period and planning cycle. The transition from one OSC to another should not be considered complete until the oncoming OSC acknowledges they are comfortable and the transition is documented. Further, when transition between federal agencies is necessary after a federal funding account has been opened (Oil Spill Liability Trust Fund, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA / Superfund)) and an account number has been assigned, the transition should be documented in a Pollution/Situation Report (POLREP/SITREP). Both agencies must also submit cost documentation to account for funds expended during their tenure as OSC.

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1400 NATIONAL RESPONSE SYSTEM

1410 National Response Structure (NRS)

The National Response System (NRS) was developed to coordinate all government agencies with responsibility for environmental protection, in a focused response strategy for the immediate and effective clean up of oil or hazardous substance discharge. The NRS is a three tiered response and preparedness mechanism that supports the pre-designated Federal On-scene Coordinator (FOSC) in coordinating national, regional, local government agencies, industry, and the responsible party during response. There are three levels of contingency plans under the national response system: The National Contingency Plan, Regional Contingency Plans, and Area Contingency Plans.

The NRS supports the responsibilities of the FOSC, under the direction of the Federal Water Pollution Control Act's federal removal authority. The FOSC plans and coordinates response strategy on scene, using the support of the National Response Team (NRT), Regional Response Team (RRT), Area Committees, and responsible parties as necessary, to supply trained personnel, equipment, and scientific support to complete an effective response to any oil or hazardous substance discharge.

The NRS is designed to support the FOSC and facilitate responses to a discharge or threatened discharge of oil or a hazardous substance. The NRS is used for all spills, including a Spill of National Significance (SONS). When appropriate, the NRS is designed to incorporate a unified command and control support mechanism (unified command) consisting of the FOSC, the State's OSC, and the Responsible Party's Incident Commander. The unified command structure allows for a coordinated response effort that takes into account the Federal, State, local and responsible party concerns and interests when implementing the response strategy. A unified command establishes a forum for open, frank discussions on problems that must be addressed by all parties with primary responsibility for oil and hazardous substance discharge removal. A unified command helps to ensure a coordinated, effective response is carried out and the particular needs of all parties are taken into consideration. The FOSC has the ultimate authority in a response operation and will exert this authority only if the other members of the unified command are not present or are unable to reach consensus within a reasonable time frame. During hazardous substance release responses in which a local agency assumes a leading role, the local agency may assume one of the unified commander roles when a unified command is used. During responses to oil spills, local agencies are not usually involved in the Unified Command; however they provide agency representatives who interface with the command structure through a Liaison Officer or the State representative. When a Unified Command is used, a Joint Operations Center and Joint Information Bureau shall be established. The Joint Operations Center should be located near and convenient to the site of the discharge. All responders (Federal, State, local and private) should be incorporated into the FOSC's response organization at the appropriate level.

Plans serve to formalize and document activities to be undertaken in the event that a contingency occurs. Plans minimize confusion in emergent conditions by presenting

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information derived through a deliberate planning process. To ensure consistency in preparedness planning, and to allow effective utilization of assets within and between levels, preparedness activities are controlled by a hierarchy of directives. The National Response Framework (old Federal Response Plan) and National Contingency Plan (NCP) address the national response structure and identify requirements for regional and area preparedness development. Regional and Area contingency plans developed under the guidelines of the NCP, address preparedness through a process involving the Area Committee. Composed of federal, state and local governmental representatives, the Area Committee develops an Area Contingency Plan (ACP) for responses to oil discharges and hazardous substance releases within their geographic area. Vessel Response Plans (VRPs) and Facility Response Plans (FRPs), developed by owners and operators, are designed to be consistent with the applicable ACP. Figure 1410.1 depicts the relationship of these plans.

**RELATIONSHIP
OF PLANS**

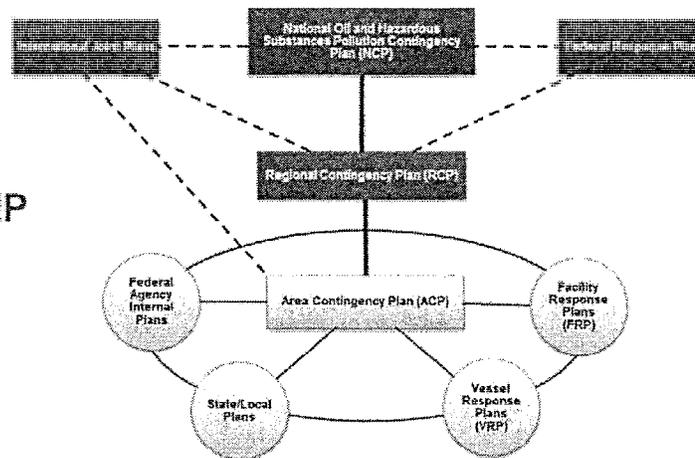


FIGURE 1410-1 Relationship of Plans

1410.1 Spill of National Significance (SONS)

A SONS is a rare, catastrophic oil spill that, due to its severity, size, location, actual or potential impact on the public health and welfare or the environment, or the necessary response effort, is so complex that it requires extraordinary coordination of Federal, state, local, and Responsible Party resources to contain and clean up. A discharge may be classified as a SONS by the EPA Administrator for the inland zone and only by the Coast Guard Commandant for the coastal zone. Classifying an oil spill as a SONS provides additional support to the FOSC to manage national, political, and policy level issues that result from a catastrophic spill or release.

For a SONS in the inland zone, EPA may name a senior EPA official to assist the OSC in communicating with affected parties and the public, and in coordinating Federal, state, local, and international resources at the national level. The strategic coordination will

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involve, as appropriate, the NRT, RRTs, Governors of affected states, and the mayors or other chief executives of local governments.

For a SONS in the coastal zone, the Coast Guard may name a National Incident Commander (NIC) who will assume the role of OSC in communicating with affected parties and the public, and in coordinating Federal, state, local, and international resources at the national level. This strategic coordination will involve, as appropriate, the NRT, RRTs, Governors of affected states, and the mayors or other chief executives of local governments.

If a SONS determination is made, the DHS Secretary and National Response Team (NRT) will be advised of the decision and a Joint Field Office will be set up.

The following factors, alone or in combination, may justify declaring a spill a SONS:

- The actual or potential worst case discharge in Area Contingency Plan (ACP) or Oil Spill Response Plan for offshore facilities is met or exceeded;
- Multiple FOSC zones, Districts, or international borders may be affected;
- Significant impact or threat to the public health and welfare, wildlife, economy and/or property over a broad geographic area;
- Protracted period of significant or substantial discharge and/or expected cleanup;
- Significant public concern and demand for action by associated parties;
- The existence of, or potential for, an unusually high level of national political, media and public interest; and/or
- Additional ongoing incidents or disasters seriously degrading response capability.

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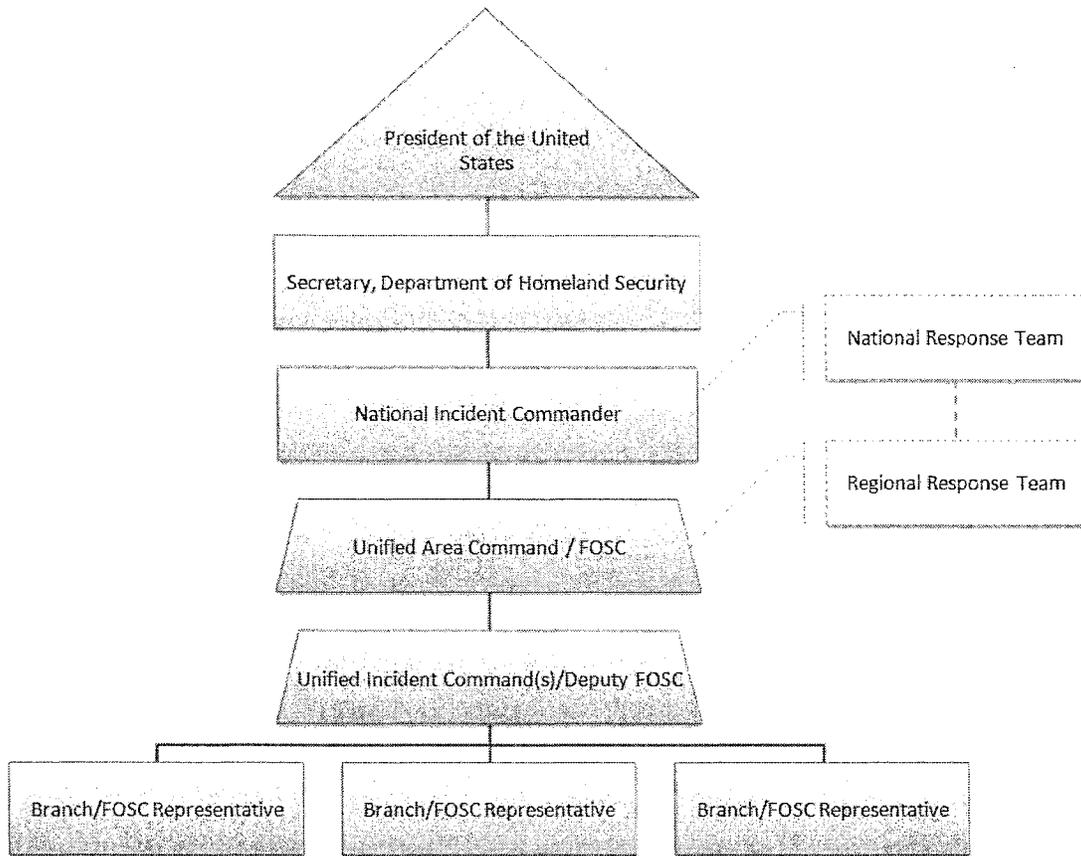


FIGURE 1410-2: SONS Response Organization

The response to a SONS event must be a coordinated response that integrates the FOSC's response organization with the SONS response organization. Initially, the Incident Command System/Unified Command will be established in accordance with the SE Florida Area Contingency Plan. However, as the response progresses, the SONS organizational structure will likely be implemented. The most critical administrative task is getting the representatives from the many government agencies on line and briefed on the circumstances of this disaster so there is a minimum delay in implementing the initial response strategies.

1410.2 National Incident Commander (NIC)

Following the Deepwater Horizon catastrophe, Commandant Instruction 16465.6 promulgated May 23, 2012 updated and further clarified the classification of a SONS within the coastal zone and designating a National Incident Commander. The following contains excerpts of the Instruction.

Where appropriate, the National Incident Commander (NIC) will likely be a Coast Guard Flag Officer/Senior Executive Service (SES) corps member. The NIC can expect to be committed full time to the response.

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The NIC will utilize Clean Water Act § 311 (c) and (e) authorities which allow the NIC to legally direct Responsible Party (RP) actions, authorize removal actions, and approve expenditures against the Oil Spill Liability Trust Fund (OSLTF). The use of these authorities allows the NIC to assist other agencies in carrying out their authorities in directing the RP to execute activities associated with the response (such as well control).

The Commandant will coordinate the NIC designation with the Secretary of Homeland Security, and the President when appropriate. The Coast Guard shall notify the National Response Team (NRT) regarding the SONS declaration and the NIC designation and assume the role as NRT Chair during the response.

General role and responsibilities of the NIC include:

- The NIC is responsible for coordinating national level resource and strategy policy with the White House and DHS leadership to assist the FOSC.
- Although not normally expected, if circumstances warrant, the NIC may provide guidance to the FOSC on operational matters. Any NIC decisions regarding operational or tactical oil spill removal actions should be carefully coordinated with the FOSC to ensure unity of effort.
- The NIC shall maintain a national level strategic communications plan.
- The NIC shall promote unity of effort by:
 - (a) Interfacing with senior Federal, State, territory, tribal officials regarding the overall Federal incident management strategy and execution;
 - (b) Assisting the FOSC in resolving national level policy issues, in consultation with the Secretary of Homeland Security, as appropriate
 - (c) Promoting collaboration and resolving Federal interagency issues that may arise at the national level by leveraging the relationship with the NRT and, if appropriate, the NRT Emergency Support Function Leadership Group (ESFLG);
 - (d) Monitor the need for and support the deployment and application of national assets and resources through the Unified Area Command(s) in support of the FOSC and in collaboration with other Federal officials identified in existing plans;
 - (e) Coordinating international resources, as appropriate, to support the response.

For further information regarding the NIC refer to Commandant Instruction 16465.6 dated May 23, 2012.

1410.3 National Response Team (NRT)

The NRT consists of 15 federal agencies with responsibilities, interests, and expertise in various aspects of emergency response to pollution incidents including WMD. The EPA serves as Chair and the Coast Guard as Vice Chair of the NRT, except when activated for a specific incident, when the lead response agency representative serves as Chair. The NRT is primarily a national planning, policy, and coordination body and does not respond directly to incident. The NRT provides policy guidance prior to an incident and assistance as requested by an FOSC via the Regional Response Team (RRT) during an

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incident. NRT assistance usually takes the form of technical advice, access to additional resources/equipment, or coordination with other RRTs. Additional NRT resources can be found at <http://www.nrt.org>.

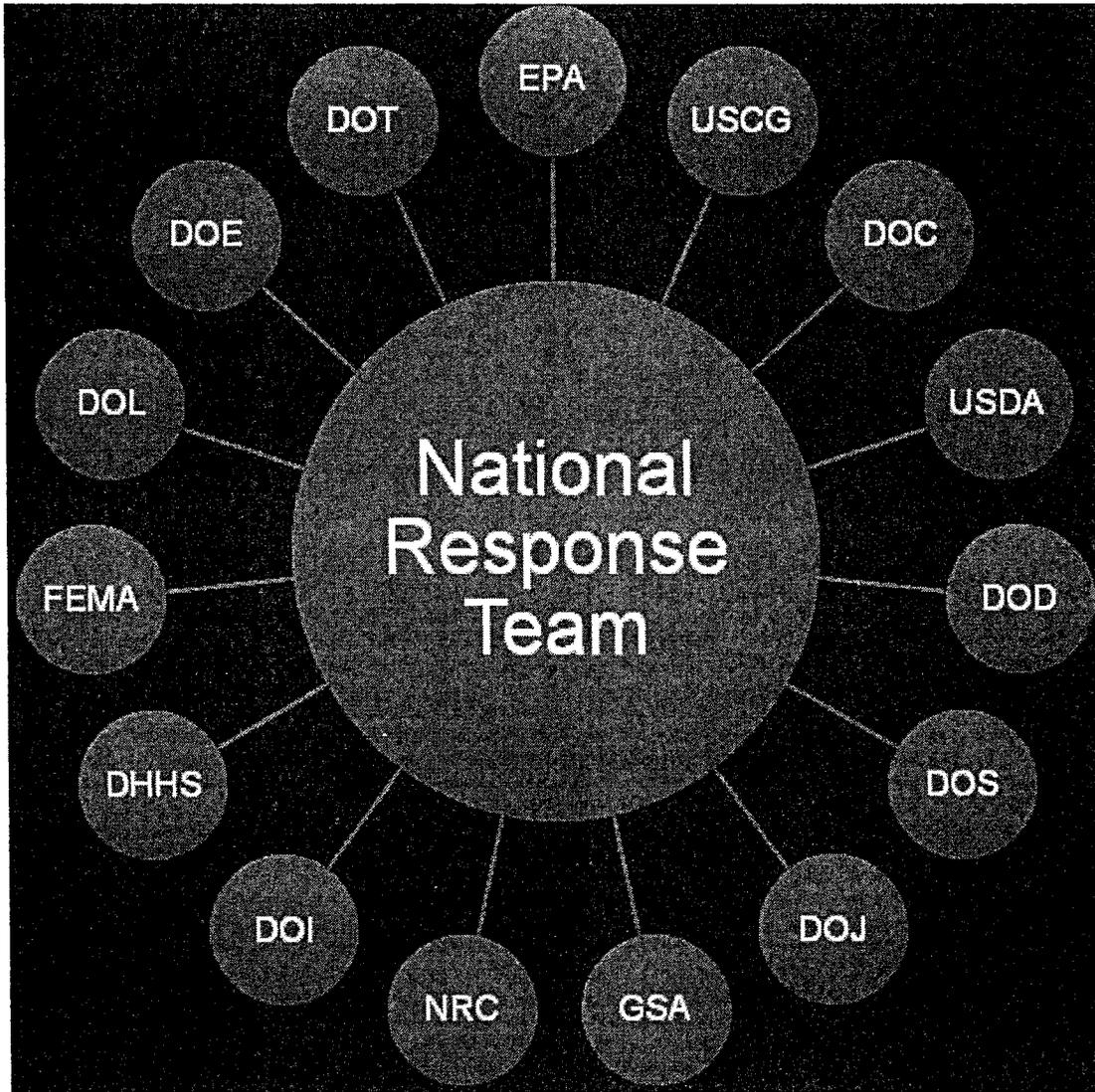


FIGURE 1410-3: National Response Team Membership

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1420 Regional Response Teams (RRT)

There are 13 RRTs, one for each of the ten federal regions and Alaska, the Caribbean, and the Pacific Basin. Each RRT has federal and state representation. EPA and the Coast Guard co-chair the RRTs. Like the NRT, RRTs are planning, policy and coordinating bodies, and may be activated during a major incident to assist the FOSC *with resources*. The RRTs develop Regional Contingency Plans for their regions. These plans address region specific issues and provide guidance to the FOSCs for developing their Area Contingency Plans. The RRTs also provide guidance support and approval for pursuing certain response strategies.

RRTs may be activated for specific incidents when requested by the FOSC. If the assistance requested by the FOSC exceeds an RRT's capability, the RRT may request assistance from the NRT. The cognizant RRTs will also be consulted by the FOSC on the approval/disapproval of the use of alternative response technologies (bio-remediation, dispersants, in-situ burning, etc.) when that decision has not been pre-approved.

The SFACP Area of Responsibility lies within Region IV (4).
(<http://www.rrt4.nrt.org>).

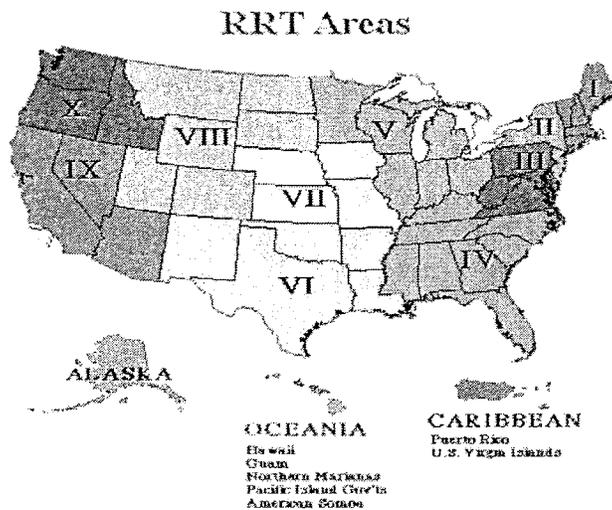


FIGURE 1420-1 Regional Response Team(s) Area(s) of Responsibility

1420.1 Region Response Team IV

It is the policy of RRT 4 that the responding OSC(s) will, when appropriate, integrate into an existing ICS if consistent with requirements of the Regional Contingency Plan and when directing response under the National Response System, provide for meaningful participation of the local, state, and tribal responders and the Responsible Party by establishing a unified command system.

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It is the policy of the RRT 4 that response actions on non-Federal lands should be monitored or implemented by the most immediate level of government with authority and capability to conduct such activities. In the inland zone, the initial response is typically implemented by local government first responders (fire, law enforcement, emergency management agencies). The RRT 4 recognizes that local government is a key emergency response mechanism to protect public health and the environment for most emergencies under the NRS. They are usually the first to arrive at the scene and take immediate actions under their specific authorities to issue evacuation or shelter-in-place orders, initiate fire and law enforcement actions and care for casualties. Local responders are familiar with and will likely establish an incident command system.

1420.2 Regional Response Team IV Structure and Standing Membership

RRT Co-Chairs

- U.S. Coast Guard, District 7
- U.S. Environmental Protection Agency, Region IV

Federal On-Scene Coordinators (FOSC)

The FOSC is a federal official, pre-designated by EPA for inland areas and by the USCG for coastal or major navigable waterways. These individuals coordinate all federal containment, removal, disposal efforts, and resources during an incident. The FOSC also coordinates federal efforts with the local community's response. Anyone responsible for reporting releases should be aware of which FOSC has responsibility for the affected area. For locations near the coast or a major waterway, there may be both a Coast Guard and EPA FOSC with assigned responsibilities within jurisdictional boundaries of various state or local entities.

- **Inland Areas** - Environmental Protection Agency, Region IV (located in Mobile AL, West Palm Beach FL, Atlanta GA, Louisville KY and Jackson TN)
- **Coastal Areas** - U.S. Coast Guard, Sector Miami, Sector Charleston, Sector Jacksonville, Sector St. Petersburg, Sector North Carolina, Sector Mobile, Sector New Orleans, Sector Ohio Valley, Sector Hampton Roads, Sector Key West

Federal RRT Representatives

- Environmental Protection Agency
- USCG, District 5, District 7, District 8 (Department of Homeland Security)
- Department of Agriculture
- Department of Defense (U.S. Navy, U.S. Army Corps of Engineers)
- Department of Energy
- Federal Emergency Management Agency
- General Services Administration
- Dept of Health and Human Service (Center for Disease Control)

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- Department of the Interior
- Department of Justice
- Department of Commerce (NOAA)
- Nuclear Regulatory Commission
- Department of State
- Department of Treasury
- Department of Transportation
- Department of Labor (OSHA)
- Tennessee Valley Authority

State Representatives

- State of Alabama, Department of Emergency Management
- State of Florida, Department of Environmental Protection
- State of Georgia, Department of Natural Resources, Environmental Protection Div
- State of Kentucky, Department of Environmental Protection
- State of Mississippi, Department of Environmental Quality
- State of North Carolina, Department of Environment and Natural Resources
- State of South Carolina, Department of Health and Environmental Control
- Commonwealth of Tennessee, Division of Water Pollution Control

Associated Membership

- Poarch Creek Tribe (Alabama)
- Seminole Tribe (Florida)
- Miccosukee Tribe (Florida)
- Choctaw Tribe (Mississippi)
- Cherokee Tribe (North Carolina)
- Catawba Tribe (South Carolina)

1430 NIMS Area Response Structure

The Area Response Management System is Area level of the National Response System that assists the FOSC with preparing for and responding to pollution incidents. The goal of the Area Response Management System is to identify how those participating in the response management structure can best communicate and coordinate with each other for planning, logistics, finance, operations, and communications to ensure effective response coordination. Because the key players differ from area to area, Area Committees must have the flexibility to tailor systems to their basic organization for the specific area.

The response management structure is a system (e.g., a unified command system), that brings together the functions of the federal government, the state government, and the responsible party to achieve an effective and efficient response, where the FOSC maintains authority. The SE Florida Area Committee shall adopt the National Incident Management System for this purpose.

NIMS Area Commands are established when the complexity of an incident and incident

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management span-of-control considerations so dictate. NIMS Area Commands are distinct from, and not to be confused with, Coast Guard Area Commands. For the purpose of this discussion, the term Area Command refers to the Area Command under NIMS and the NRF. Where both the NIMS and USCG Area Commands are mentioned, an appropriate clarification is included in the text.

Generally, the administrator(s) of the agency having responsibility over the incident make(s) the decision to establish an Area Command. The establishment of this Area Command may not involve activation of the NRF.

The purpose of an Area Command is either to oversee the management of multiple incidents that are being handled by a separate Incident Command System (ICS) organization or to oversee the management of a very large or complex incident that has multiple interagency incident management team assigned.

The NIMS Area Command is generally used when there are a number of incidents in the same geographic area and of the same type, such as multiple HAZMAT releases or fires as these kinds of incidents that may compete for the same resources. When incidents are of different types and/or do not have similar resource demands, they are usually handled as separate incidents or are coordinated through an Emergency Operations Center (EOC). If the incidents under the Area Command span multiple jurisdictions, a Unified Command should be established. This allows each agency or organization involved to have appropriate representation in the Area Command.

For the incidents under its jurisdiction, the NIMS Area Command:

- Sets overall incident-related priorities;
- Allocates critical resources according to established priorities;
- Ensures that incidents are properly managed;
- Ensures effective communications;
- Ensures that incident management objectives are met and do not conflict with each other or with other agency policies;
- Identifies critical resource needs and reports them to the interagency coordination system (i.e., USCG Command Centers, county, and state EOCs, JFO);
- Ensures that short-term “emergency” recovery is coordinated to assist in the transition to full recovery operations; and
- Provides for personnel accountability and a safe working environment.

The NIMS Area Command develops an action plan detailing incident management priorities, needs, and objectives. This plan should clearly state policies, objectives, and priorities; provide a structural organization with clear lines of authority and communications; and identify management functions to be performed by the Area Command (i.e., support, public communications).

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1430.1 Federal Role in Incident Response

The Homeland Security Act of 2002 established DHS to prevent terrorist attacks within the United States; reduce the vulnerability of the United States to terrorism, natural disasters, and other emergencies; and minimize the damage and assist in the recovery from terrorist attacks, natural disasters, and other emergencies. The act also designates DHS as “a focal point regarding natural and manmade crises and emergency planning.”

Figure 1a

National Response System Concepts: Response

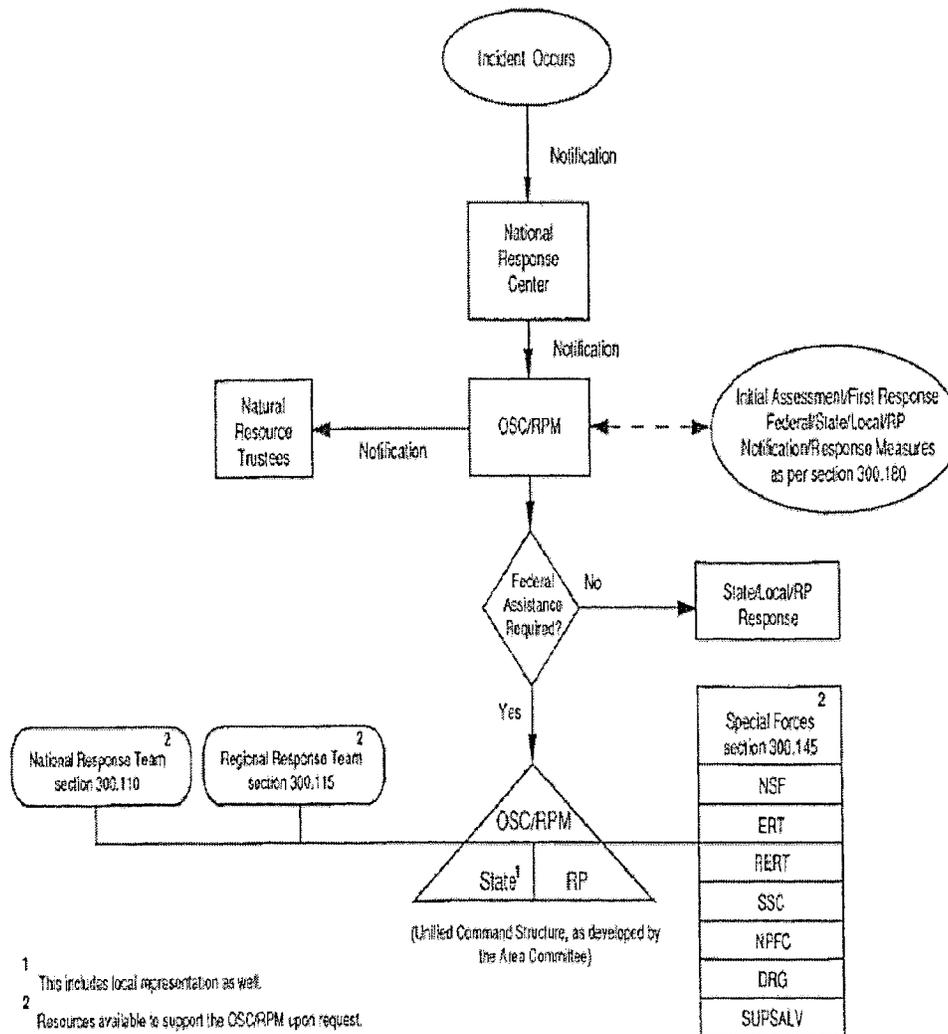


FIGURE 1430-1 National Response System

The Secretary of Homeland Security is responsible for coordinating Federal operations

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within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies when any of the following four conditions applies:

- A Federal department or agency acting under its own authority has requested DHS assistance;
- The resources of State authorities are overwhelmed and Federal assistance has been requested under the Stafford Act;
- More than one Federal department or agency has become substantially involved in responding to the incident; or
- The Secretary has been directed to assume incident management responsibilities by the President. Some Federal agencies with jurisdictional authority and responsibility may participate in the Unified Command at the Incident Command Post (ICP).

Several Federal agencies have independent authorities to declare disasters or emergencies within federal lands and properties. These authorities may be exercised concurrently with or become part of a major disaster or emergency declared under the Stafford Act.

1430.2 State Role in Incident Response

Florida statute Section 376.031(12) designates FDEP as the lead agency in responding to all discharges of pollutants that occur in coastal waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of Florida. Additional information can be found in Florida’s Coastal Pollutant Spill Contingency Plan, which is maintained by Florida Bureau of Environmental Response.

As a State’s chief executive, the Governor is responsible for the public safety and welfare of the people of that State or territory. The Governor:

- Is responsible for coordinating State resources to address the full spectrum of actions to prevent, prepare for, respond to, and recover from incidents in an all-hazards context to include terrorism, natural disasters, accidents, and other contingencies;
- Under certain emergency conditions, typically has police powers to make, amend, and rescind orders and regulations;
- Provides leadership and plays a key role in communicating to the public and in helping people, businesses, and organizations cope with the consequences of any type of declared emergency within State jurisdiction;
- Encourages participation in mutual aid and implements authorities for the State to enter into mutual aid agreements with other States, tribes, and territories to facilitate resource-sharing;
- Is the Commander-in-Chief of State military forces (National Guard when in State Active Duty or Title 32 Status and the authorized State militias); and
- Requests Federal assistance, under the Stafford Act, when it becomes clear that State or tribal capabilities will be insufficient or have been exceeded or exhausted.

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When federal response resources are provided to States under the Stafford Act, all response activity will be coordinated in accordance with the National Response Framework (NRF) (www.fema.gov/nrf).

1440 National Response Framework

In February 2003, the President of the U.S. issued Homeland Security Presidential Directive (HSPD)-5, Management of Domestic Incidents which directed the development of a new National Response Framework (NRF) (www.fema.gov/nrf) to align Federal coordination structures, capabilities, and resources into a unified, *all-discipline, all-hazard* approach to domestic incident management. The NRF incorporates best practices from a wide variety of incident management disciplines to include fire, rescue, emergency management, law enforcement, public works, and emergency medical services. The NRF is built on the template of the National Incident Management System (NIMS), which provides a consistent doctrinal framework for incident management at all jurisdictional levels, regardless of the cause, size, or complexity of the incident. Most incidents will only involve one Incident Command Post; however the following discusses how a NIMS structure will expand to effectively manage larger or growing events.

NRF Coordination Structure

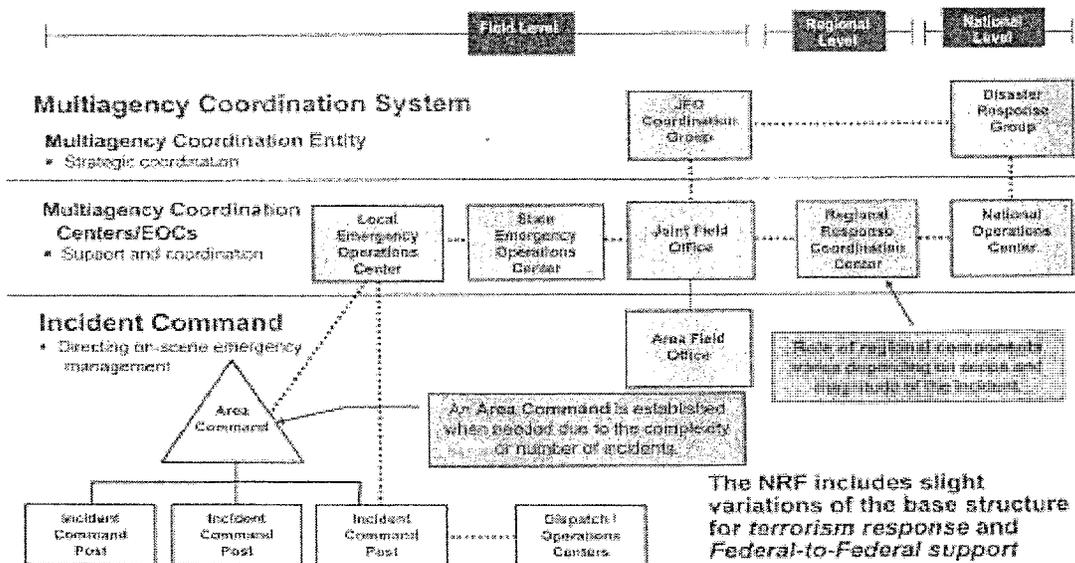


FIGURE 1440-1 National Response Framework Coordination Structure

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Plans under the National Response Framework

The diagram below shows how the primary incident management and security plans support and relate to one another and ultimately support the NRF. The vast majority of incidents the Southeast Florida Area Committee manages are covered in existing plans under the NRF. Only when incidents rise to the level of an Incident of National Significance (INS) does the NRF come to bear. The key thing that must remain consistent within multi-agency plans like the Southeast Florida Area Contingency Plan and Area Maritime Security Plan is how they, and their NIMS management constructs (agencies that support response and security in our ports), are supported by the NRF for Incidents of National Significance.

Note: The Federal Radiological Response Plan was incorporated into and superseded by the NRF.

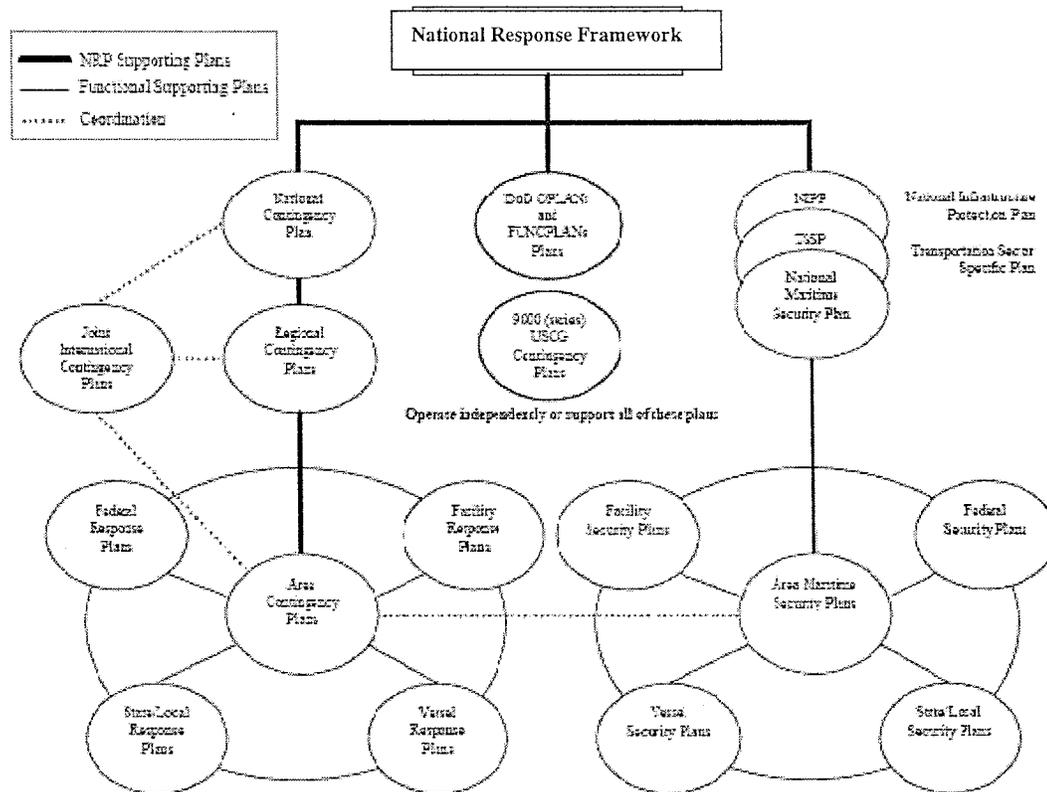


FIGURE 1440-2 National Response Framework

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National Response Framework (NRF) Components

The following text summarizes the content of certain NRF annexes.

- Incident Annexes. The NRF Incident Annexes address contingency or hazard situations requiring specialized incident-specific implementation of the NRF. The Annexes describe the missions, policies, responsibilities, and coordination processes that govern the interaction of public and private entities engaged in incident management and emergency response operations across a spectrum of potential hazards. The Annexes are typically augmented by a variety of supporting plans and operation supplements.
- Support Annexes. The Support Annexes describe the framework through which Federal departments and agencies; State, tribal, and local entities; the private sector; volunteer organizations; and nongovernmental organizations, such as the American Red Cross, coordinate and execute the common functional processes and administrative requirements necessary to ensure efficient and effective incident management. The Support Annexes address procedural, administrative, and financial elements required to support incident management.
- Terrorism Incident Law Enforcement and Investigation Annex. This annex describes interagency actions, responsibilities, and equities in focusing U.S. assets against a terrorist threat under the purview of the FBI as the lead federal agency. It focuses on domestic land threats. The USCG continues to develop and expand its maritime threat and counterterrorism component and capabilities beyond that included in Emergency Support Function-13.

1440.1 Stafford Act

When an incident overwhelms or is anticipated to overwhelm state resources, the governor may request federal assistance. In such cases, the affected local jurisdiction, tribe, state, and federal government will collaborate to provide the necessary assistance. The federal government may provide assistance in the form of funding, resources, and critical services.

When it is clear that state and local capabilities will be exceeded, the governor may request federal assistance, including assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). The Stafford Act authorizes the President to provide financial and other assistance to state and local governments, certain private nonprofit organizations, and individuals to support response, recovery, and mitigation efforts following Presidential emergency or major disaster declarations.

The Stafford Act is triggered by a Presidential declaration of a major disaster or emergency, when an event causes damage of sufficient severity and magnitude to warrant Federal disaster assistance to supplement the efforts and available resources of States, local governments, and the disaster relief organizations in alleviating the damage, loss,

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hardship, or suffering. If a major disaster is declared, funding comes from the President's Disaster Relief Fund, which is managed by FEMA, and the disaster aid programs of other participating Federal departments and agencies.

In Stafford Act incidents, a Federal Coordinating Officer (FCO) is assigned to act as a focal point of coordination within the Unified Coordination Group, ensuring overall integration of Federal emergency management, resource allocation, and seamless integration of Federal activities in support of, and in coordination with, State, tribal, and local requirements. The same individual will *not* serve as the Primary Federal Official (PFO) at the same time for the same incident.

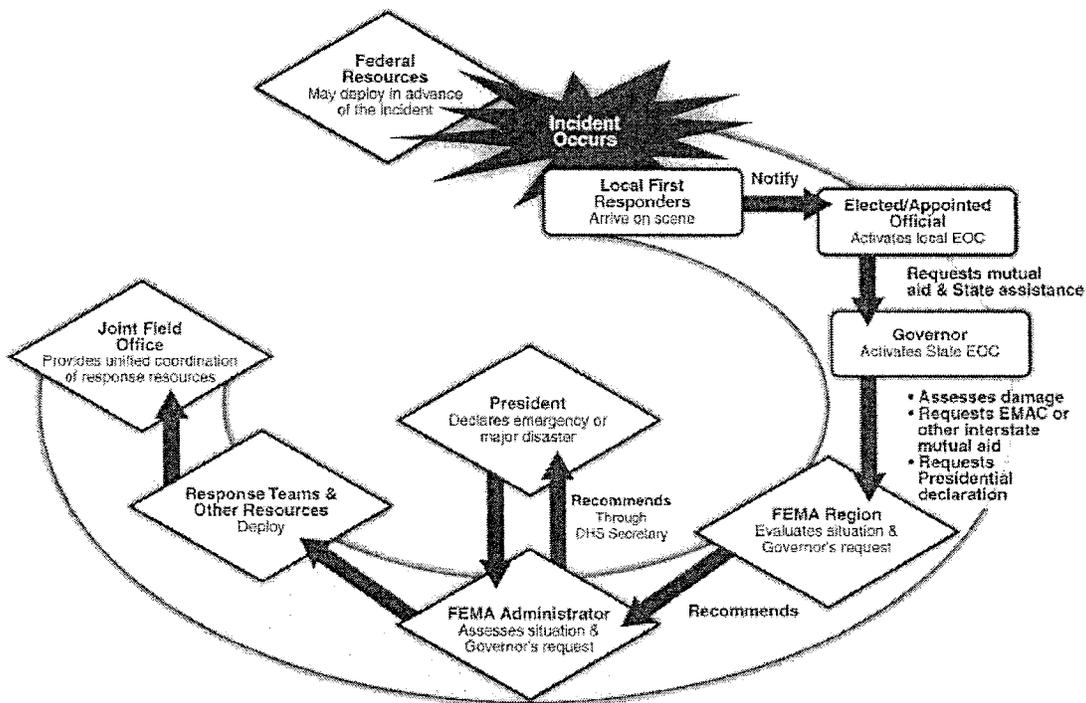


FIGURE 1440-3 Overview of Stafford Act Support to States

1440.2 National Response Framework versus the National Contingency Plan

The response structures used in response to a Stafford Act incident may not be applicable during Non-Stafford Act Federal responses coordinated by the Secretary of Homeland Security. For incidents in which a Stafford Act declaration is not made, the department or agency with primary legal jurisdiction will activate the response structures appropriate to their authorities; these structures are organized around the concepts and principles established in the National Incident Management System (NIMS) which serves as the basis of the NRF. The Secretary of the Department of Homeland Security will coordinate with the head of the department or agency with primary legal jurisdiction, but retains the authority to activate the additional response structures the Secretary determines appropriate. The NCP is for pollution incidents that are not declared Stafford Act

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Disasters or Emergencies. That does not, however, preclude the NCP from being used in conjunction with the NRF. The typical funding stream for NCP oil pollution incidents is the OSLTF. If NRF elements are activated to support the incident there is a possibility that some of those activities that cannot be funded under the OSLTF may be funded under the Stafford Act.

1440.3 Joint Field Office (JFO)

For a potential or actual Incident of National Significance, the Department of Homeland Security (DHS) may activate part or all of the NRF and establish a Joint Field Office (JFO).

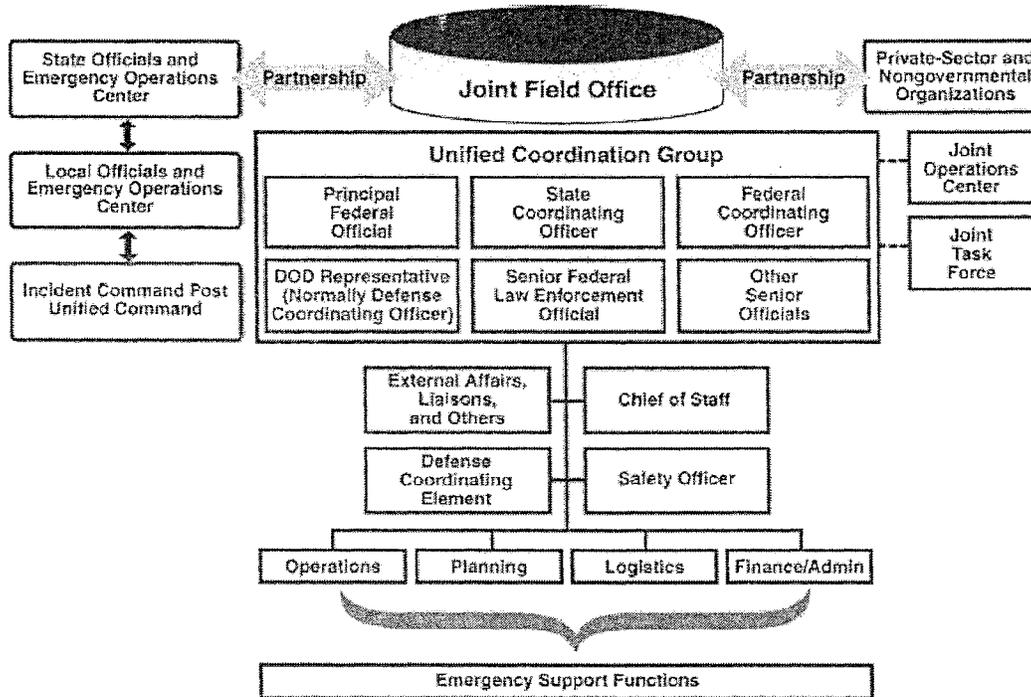


FIGURE 1440-4 Joint Field Office Organization

JFO Description and Functions.

The JFO is a multi-agency coordination system similar to an EOC. JFOs have Operations Sections, and depending on the incident, these Operations Sections have specific incident supporting functions. Another key component of a JFO is the JFO Coordination Group which is typically coordinated by a Principal Federal Official (PFO).

The purpose of the JFO is to provide Federal support to local Incident Command structures and coordinate efforts to address broader regional impacts of the incident. It provides a central location for coordination of federal, state, local, tribal, non-

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governmental, and private sector organizations. The JFO is intended to enable the effective and efficient coordination of federal incident-related prevention, preparedness, response, and recovery actions. It does not supplant the authorities and operational decision-making of field level Incident Commanders or agency-specific authorities; nor does the JFO supplant the Unified Command Incident Command Post (ICP) where coordinated tactical level response and recovery activities are managed.

The NRF provides four examples of possible activation of JFOs. These include organizations for *natural disasters*, *terrorism*, *Federal-to-Federal support*, and *National Special Security Events (NSSE)*.

JFO for Natural Disasters.

A JFO established for a natural disaster is typically the result of a Stafford Act declaration whereby the Federal Emergency Management Agency (FEMA) has authority to stand up appropriate Emergency Support Functions (ESFs) and issue mission assignments to federal and state agencies. The ESFs operating from this JFO serve as the primary mechanism for bringing federal support to an affected region. ESFs engaged by FEMA are led by the primary agency(ies) as per the National Response Framework.

Each agency’s primary support of the JFO would be through the appropriate ESF regardless of where the impacted area is located. ESFs are managed through the Operations Section of the JFO. If the disaster impacts areas of specific federal jurisdiction, (e.g.: coastal areas and US Coast Guard, inland areas and US EPA) that agency should plan to staff the JFO, as appropriate; this might include serving as Senior Federal Official (SFO) and/or working within Planning and/or Logistics and Operations, particularly if the agency is supporting or leading an ESF(s).

JFO for Terrorism Response

This JFO is established when counter-terrorism operations are required and/or response and recovery to an incident caused by terrorism must be supported. The primary purpose of this JFO is to provide coordination between law enforcement actions and incident management operations. The Federal Bureau of Investigation will activate a Joint Operations Center (JOC) under the direction of an FBI Special Agent-in-Charge. Upon establishment of a JFO, the JOC is integrated into the JFO and becomes a Branch under its Operation Section.

The NRF requires the FBI to assign a Unified Command member to the ICP to direct domestic tactical law enforcement operations and ensure that these operations are coordinated with the response and recovery operations.

For a terrorism-caused incident in the coastal zone, the Coast Guard would staff both the ICP field level Unified Command managing the incident(s), and the JFO to

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support the overall incident(s). In most cases, counterterrorism operations will occur within a short time period and it is unlikely a JFO would stand up immediately. Depending on the nature of the incident, increased prevention operations may be required within the affected area.

In this case, the JFO would typically provide guidance and support in coordination with the Intelligence Joint Task Force. The affected Area Maritime Security Committee and Area Maritime Security Plan would play central roles in these efforts.

Agency Plans that potentially involve the deployment of special teams with unique capabilities, such as the CG National Strike Force (NSF), CG Marine Safety and Security Teams (MSST), NOAA National Geodetic Survey, EPA OSC Task Force, Agency Public Information Assist Teams (PIAT), etc., will identify responsibility for subject-matter expert representation of team capabilities to the JOC/Operations Section/Planning Section as appropriate. Keeping classification and need to know in mind, those representatives will also be charged with keeping the CG Senior Federal Official (SFO) informed of their special capabilities and potential areas for employment and must through the SFO with respect to committing Agency special team resources to the operation.

JFO for Federal-to-Federal Support

This type of JFO is used for non-terrorism incidents that, due to their actual or potential impacts to public health, to the environment, or to the economy are so severe that they reach the level that requires federal coordination. The NRF uses the National Contingency Plan (NCP) defined Spill of National Significance (SONS) as an example of this type of event. Other coastal zone incidents that the potential to meet these criteria could include large-scale mass migration, widespread power outages, or significant public unrest brought on by political, social, or economic developments.

As per the NCP and NRF, the Commandant of the Coast Guard retains sole authority for designating a coastal zone oil spill or hazardous substance release a SONS. A SONS is a unique oil or hazardous substance event(s) that overwhelms local or regional capabilities and typically involves issues of national and/or international importance, such as incidents crossing international borders, overlapping federal authorities, impacts to Department of Defense (DOD) facilities and operations, major impacts to maritime commerce, or significant public and/or political pressures.

If a SONS determination is made, the DHS Secretary and National Response Team (NRT) will be advised of the decision and a JFO will be stood up by the CG. In this case, the Commandant will designate a CG District or Area Commander to serve as the SFO.

CG District and Area personnel will staff the NIMS Area Command and/or JFO

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and ensure that appropriate National Response System (NRS) members are apprised of any NIMS and NRF changes. Further guidance on JFO coordination can be found the JFO Standard Operating Procedures (SOP).

JFO for National Special Security Event (NSSE)

NSSEs are designated by the Secretary, Homeland Security (DHS). These events include summits of world leaders, meetings of international organizations, national political party conventions, and major national or international sporting events which, by virtue of their political, economic, social, or religious significance, may be targets of terrorism or other criminal activity. NSSE JFOs develop and implement security and incident recovery plans for these types of events.

DHS and Secret Service have primary responsibility for developing and implementing security. FBI has primary responsibility for law enforcement and intelligence, and DHS/FEMA has primary responsibility for emergency response and recovery planning and coordination. When NSSEs occur within or are near Coast Guard Captain of the Port (COTP) zones, the cognizant CG District and Sector should be engaged, as appropriate, in planning and coordination of these three mission focus areas.

1440.4 Emergency Support Functions (ESF's)

The activation of the NRF and its coordinating structures and protocols – either partially or fully – for specific incidents (SONS, radiological release, biological release, etc.) provides mechanisms for the coordination and implementation of a wide variety of incident management and emergency assistance activities. These assistance activities are organized and managed by 15 common elements called Emergency Support Functions (ESF). While the NRF itself creates no new authorities, it serves to unify and enhance the incident management capabilities and resources of individual agencies and organizations acting under their own authorities and agency operating procedures in response to a wide array of potential threats and hazards.

The Emergency Support Functions provide the structure for coordinating Federal interagency support for incidents. The ESF structure includes mechanisms used to provide Federal support to States and Federal-to-Federal support, both for declared disasters and emergencies under the Stafford Act and for non-Stafford Act incidents. The ESF structure provides mechanisms for interagency coordination during all phases of incident management.

Each ESF Annex identifies the ESF coordinator and the primary and support agencies pertinent to the ESF. Several ESF's incorporate multiple components, with primary agencies designated for each component to ensure seamless integration of and transition between preparedness, prevention, response, recovery, and mitigation activities.

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ESF	SCOPE
<p>ESF #1 – TRANSPORTATION</p> <p><u>ESF Coordinator:</u> Dept of Transportation</p>	<ul style="list-style-type: none"> ▪ Monitor status of and damage to the transportation system and infrastructure (rail, aviation, maritime, surface, and pipeline) ▪ Identify temporary alternative transportation solutions when infrastructure/systems are damaged, unavailable, or overwhelmed ▪ Restoration/recovery of transportation infrastructure
<p>ESF #2 – COMMUNICATIONS</p> <p><u>ESF Coordinator:</u> DHS (National Communications System)</p>	<ul style="list-style-type: none"> ▪ Coordination with telecommunication and information technologies industry ▪ Restoration / Repair of telecommunication infrastructure ▪ Protection, restoration, and sustainment of national cyber and information technology resources ▪ Oversight of communications within Federal incident management and response structures ▪ Addresses cyber security issues
<p>ESF #3 – PUBLIC WORKS AND ENGINEERING</p> <p><u>ESF Coordinator:</u> Dept of Defense (USACE)</p>	<ul style="list-style-type: none"> ▪ Pre-incident and post-incident assessments of public works and infrastructure ▪ Infrastructure protection and emergency repair ▪ Infrastructure restoration ▪ Engineering services, construction management, and consultation
<p>ESF #4 – FIREFIGHTING</p> <p><u>ESF Coordinator:</u> Dept of Agriculture (US Forest Service)</p>	<ul style="list-style-type: none"> ▪ Detecting and suppressing fires on Federal lands ▪ Provide personnel, equipment, and supplies to State, tribal, and local agencies involved in rural and urban firefighting operations
<p>ESF#5 - EMERGENCY MANAGEMENT</p> <p><u>ESF Coordinator:</u> DHS (FEMA)</p>	<ul style="list-style-type: none"> ▪ Coordination of Federal incident management and response efforts ▪ Issuance of Mission Assignments ▪ Resource and human capital to fill positions at various levels of response organizations ▪ Incident action planning
<p>ESF#6 – MASS CARE, EMERGENCY</p>	<ul style="list-style-type: none"> ▪ Mass care

<p align="center">ASSISTANCE HOUSING, AND HUMAN SERVICES</p> <p><u>ESF Coordinator:</u> DHS (FEMA)</p>	<ul style="list-style-type: none"> ▪ Emergency assistance required by communities ▪ Disaster housing ▪ Human services
<p align="center">ESF#7 – LOGISTICS MANAGEMENT AND RESOURCE SUPPORT</p> <p><u>ESF Coordinator:</u> General Services Administration and DHS (FEMA)</p>	<ul style="list-style-type: none"> ▪ Comprehensive national incident logistics planning, management, and sustainment capability for Federal, State, tribal and local governments ▪ Resource support (facility space, office equipment and supplies, contracting services, etc.)
<p align="center">ESF#8 – PUBLIC HEALTH AND MEDICAL SERVICES</p> <p><u>ESF Coordinator:</u> Dept of Health and Human Services</p>	<ul style="list-style-type: none"> ▪ Public health/medical needs and surveillance ▪ Medical care personnel ▪ Mental health services ▪ Veterinary medical support ▪ Mass fatality management
<p align="center">ESF#9 – SEARCH AND RESCUE</p> <p><u>ESF Coordinator:</u> DHS (FEMA)</p>	<ul style="list-style-type: none"> ▪ Structure collapse (Urban Search and Rescue) ▪ Waterborne Search and Rescue ▪ Inland/Wilderness Search and Rescue ▪ Aeronautical Search and Rescue
<p align="center">ESF#10 – OIL AND HAZARDOUS MATERIALS RESPONSE</p> <p><u>ESF Coordinator:</u> Environmental Protection Agency</p>	<ul style="list-style-type: none"> ▪ Prevent, minimize, or mitigate a release ▪ Detect, assess the extent of contamination (oil and hazardous materials (chemical, biological, radiological, etc.)) ▪ Stabilize the release and prevent the spread of contamination ▪ Analyze options of environmental cleanup and waste disposition ▪ Implement environmental cleanup ▪ Store, treat, and disposal of contaminate materials
<p align="center">ESF#11 – AGRICULTURE AND NATURAL RESOURCES</p> <p><u>ESF Coordinator:</u> Dept of Agriculture (USDA)</p>	<ul style="list-style-type: none"> ▪ Provide nutrition assistance ▪ Response to animal/plant diseases and pests ▪ Safety and security of commercial food supply ▪ Natural and cultural response and historic properties protection and restoration

	<ul style="list-style-type: none"> ▪ Safety and well-being of household pets during emergency response or evacuation situation
<p>ESF#12 – ENERGY</p> <p><u>ESF Coordinator:</u> Dept of Energy</p>	<ul style="list-style-type: none"> ▪ Energy infrastructure assessment, repair, restoration ▪ Energy industry utilities coordination ▪ Fuel support for response activities
<p>ESF#13 – PUBLIC SAFETY AND SECURITY</p> <p><u>ESF Coordinator:</u> Dept of Justice</p>	<ul style="list-style-type: none"> ▪ Pre-incident coordination ▪ Specialized public safety and security assessments ▪ General law enforcement assistance ▪ Security planning and technical and resource assistance ▪ Site security / Force protection ▪ Public safety / security support ▪ Support to access traffic, and crowd control
<p>ESF#14 – LONG TERM COMMUNITY RECOVERY AND MITIGATION</p> <p><u>ESF Coordinator:</u> DHS (FEMA)</p>	<ul style="list-style-type: none"> ▪ Social and economic community impact assessment ▪ Long term community recovery assistance to States, Local Governments, and the Private Sector ▪ Mitigation analysis and program implementation
<p>ESF#15 – EXTERNAL AFFAIRS</p> <p><u>ESF Coordinator:</u> DHS (FEMA)</p>	<ul style="list-style-type: none"> ▪ Emergency Alert System and public protective action guidance ▪ Media and community relations ▪ Congressional and international affairs ▪ Tribal and insular affairs

ESF's 1 through 15 annexes can be located in the National Response Framework (www.fema.gov/nrf).

1440.5 Multi-Agency Coordination System (MACS)

Multi-agency coordination is *process* that allows all levels of government and all disciplines to work together more efficiently and effectively. Multi-agency coordination occurs across all the different disciplines involved in incident management, across jurisdictional lines, or across levels of government. Multi-agency coordination can and does occur on a regular basis whenever personnel from different agencies interact in such activities as preparedness, prevention, response, recovery, and mitigation.

Often, cooperating agencies develop a Multi-agency Coordination System (MACS) to better define how they will work together and to work together more efficiently; however, multi-agency coordination can take place without established protocols. MACS may be put in motion regardless of the location, personnel titles, or organizational structure.

Initially the Incident/Unified Command and the Liaison Officer may be able to provide all needed multi-agency coordination at the scene. However, as the incident grows in size and complexity, off-site support and coordination may be required.

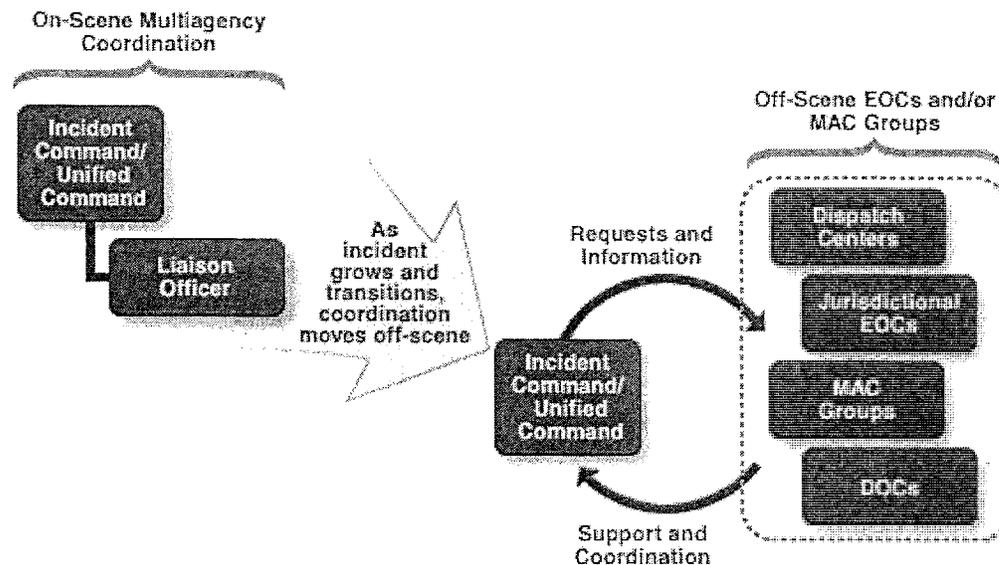


FIGURE 1440-5 Multi-agency Support Coordination Process

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1450 Incident Command System

The ICS is an on-scene management structure suitable for managing any incident. A scalable structure, it encompasses all phases and complexity levels of incident management. ICS consists of five primary management functions (Command, Operations, Planning, Logistics, and Finance) and a Unified Command structure.

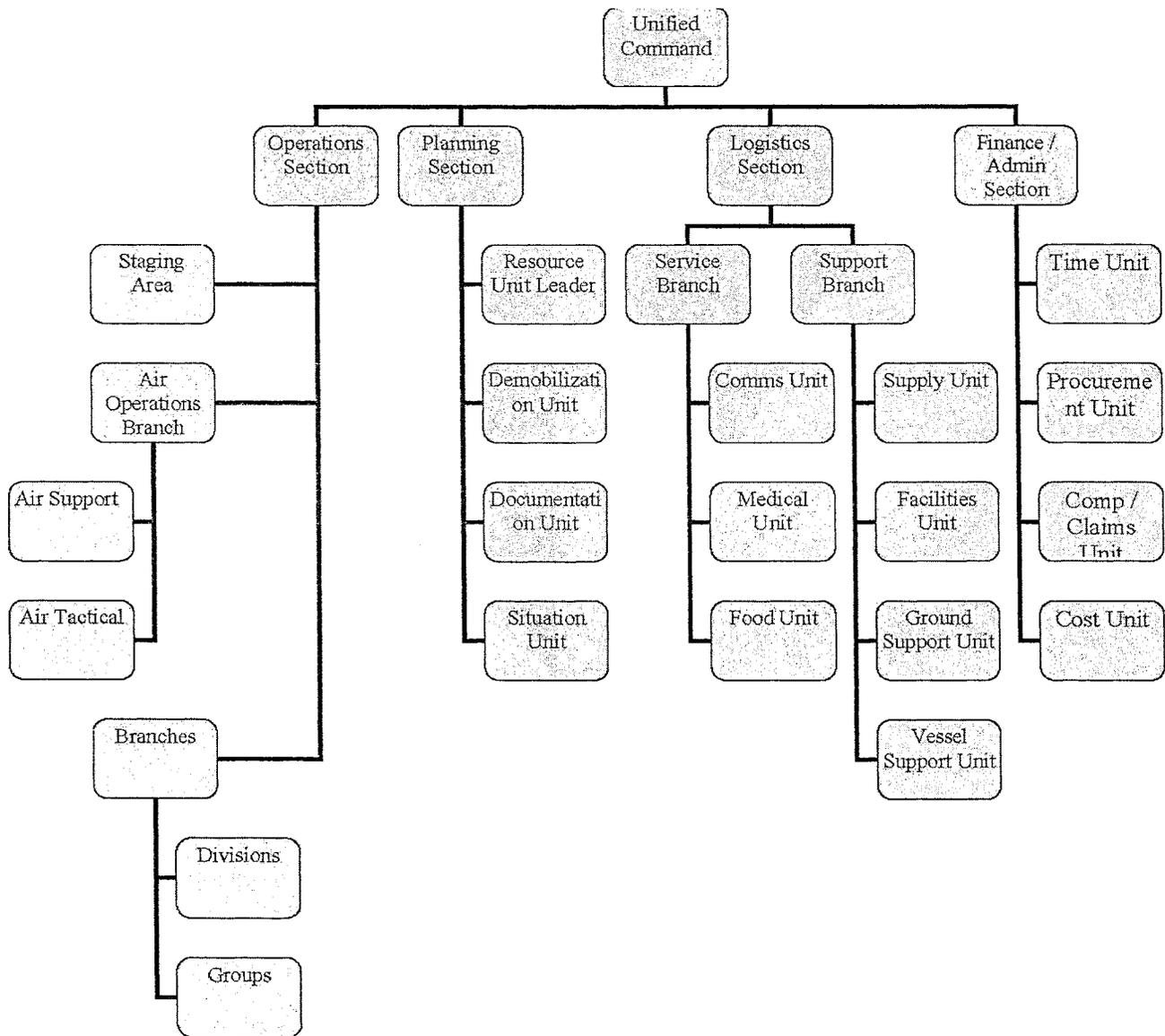


FIGURE 1450-1 Typical NIMS-Incident Command System Organization

1460 Area Exercise Program

(Ref: Chapter 7-1, National Preparedness for Response Exercise (PREP) Guidelines) (<https://homeport.uscg.mil/exercises>)

Coast Guard Sector Miami, as the plan holder, coordinates the administration of the National Preparedness Response and Exercise Program (PREP) in accordance with the requirements set forth in OPA 90. PREP requires ACP's to be exercised annually so that all components of the plan are exercised within a three (3) year cycle. Each exercise shall be evaluated and lessons learned documented. This process assists the Area Committee with identifying shortfalls and/or improvements in the plan and shall be incorporated into future revisions.

Although the PREP guidelines also apply to vessel and facility plan holders, this section specifically discusses the PREP requirements for the SE Florida Area Committee. Area exercises are divided into internal and external classification categories. The internal exercises are Notification Drills (quarterly), Spill Management Team Tabletop Exercises (annually), Equipment Deployment Exercises (annually), and Government Initiated Unannounced Exercises (maximum of 4 per area per year). The external exercises are Government led exercises and Industry-led exercises. The Federal On-scene Coordinator (FOSC) is responsible for planning, designing, and executing the internal exercises. The FOSC will consult with all response partners in exercise development and will participate as appropriate in the Industry led exercises. Members of the Area Committee and response community will be involved in each type of exercise to some degree, varying from the confirmation of a phone number to assisting in the design of the scenario and performing as a controller or evaluator for the exercise. Participation in the PREP and utilization of the PREP guidance will ensure that all federal exercise requirements mandated by OPA 90 have been met. As part of their normal operations, representatives of the Captain of the Port will verify vessel and facility plan holders are conducting and recording required exercises.

EXERCISE	FREQUENCY	INITIATING AUTHORITY	PARTICIPATING ELEMENTS	SCOPE
Notification Exercise	Quarterly	On Scene Coordinator	Key elements of the Unified Command (appropriate federal, state, and local government agencies)	Exercise and test communication between On-Scene Coordinator and key elements of the Unified Command
Spill Management Team Table Top	Annually	USCG Dist 7(p) or EPA Region 4	Spill management team for the area (U.S. Coast Guard and EPA respective response team) and states.	Exercise spill management team's organization, communication, and decision

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				making in managing a spill response.
Equipment Deployment Exercises	Annually	On Scene Coordinator	Local area response community (appropriate federal, state, and local response agencies).	Deploy and operate Coast Guard and EPA "first aid" response equipment and the Coast Guard's pre-positioned equipment. The maintenance program must ensure that the equipment is periodically inspected and maintained in good operating condition
EXERCISE	FREQUENCY	INITIATING AUTHORITY	PARTICIPATING ELEMENTS	SCOPE
Area Exercise	Triennially	USCG, EPA, and Industry	Appropriate federal, state, and local government, and industry and other members of the response community	Area exercises will exercise the Area Response Community.

1500 STATE / LOCAL RESPONSE SYSTEM

1510 Florida State Response System

As part of the regionalized concept, the EPA Region IV Oil and Hazardous Substances Regional Contingency Plan has been developed for application in Florida. Other states under the Region IV Plan include: North Carolina; South Carolina; Georgia; Alabama; Kentucky Tennessee and Mississippi. Within the framework of Region IV, there are separate response plans for coastal, as well as, inland discharges.

In the state of Florida, oil spills in the coastal zone are the responsibility of the Department of Environmental Protection. The U. S. Coast Guard maintains the coastal plan, now titled Southeast Florida Area Contingency Plan (ACP) in an operational status. The inland plan is maintained by the Environmental Protection Agency. The ACP is in compliance with Section 376.07(2)(e), Florida Statutes. It also supports the Region IV Contingency Plan as it relates to spills occurring in coastal waters. The provisions of this plan apply to all state agencies and are designed to complement the established National and Regional Oil Spill Contingency Plans.

It is the policy of the State, to assist the Federal On-Scene Coordinator in response to pollutant spills in Florida. No state funds shall be expended for the removal of a coastal pollutant until federal funds have been used to the maximum extent possible, or until federal authorities have declined to expend federal funds in a cleanup effort. It is the policy of the state to respond immediately to all oil spills, control the source of any oil spill to contain any discharge to the maximum extent possible. Mechanical and other physical control methods shall be the preferred method for removal of oil from the environment with subsequent proper disposal. The option of taking no mitigating actions should be considered when such actions would cause greater environmental damage than the spilled oil alone. The use of oil spill cleanup agents shall be subject to the Administrator of FDEP's best judgment and coordinated with the federal OSC and EPA representative to the RRT.

Whenever it is determined the responsible party for the discharge is taking adequate action to remove and mitigate its effects, the principle role of the state is to observe, monitor and provide advice and counsel, as may be necessary. The FOOSC or FDEP will take steps to access the applicable state or federal fund to ensure adequate cleanup whenever it is determined:

- the responsible party for the discharge was unknown;
- did not act promptly, take proper and appropriate actions to contain, cleanup and dispose of the oil or oily debris; or
- the total clean up costs are beyond those expected to be borne by the responsible party.

In addition, the responsible party must also protect the environment and adhere to safety practices.

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- The State Warning Point is the state of Florida's emergency notification center.
- The State Warning Point can contact the appropriate FDEP office and other emergency responders in the event of an emergency.
See Section 9110 Required Emergency Notifications.

1510.1 The State Response Team (SRT)

The SRT is an emergency response group of pre-designated State agencies that is available on a continuous basis in order to respond to a major coastal pollution incident or discharge. This team shall act independently of the Regional Response Team, but will cooperate with federal authorities in all federal cleanup operations. The SRT shall be responsible for creating and maintaining a contingency plan of response, organization, and equipment for handling emergency cleanup of coastal pollution discharges. Membership on this team shall consist of a primary and alternate representative from each of the following State agencies:

- Department of Environmental Protection (DEP)
- Department of Community Affairs (DCA)
- Department of Commerce (DOC)
- Department of Highway Safety & Motor Vehicles (DHSMV)
- Department of Law Enforcement (DLE)
- Department of Legal Affairs (AG)
- Department of Military Affairs (DMA)
- Department of Transportation (DOT)
- Fish and Wildlife Conservation Commission (FWCC)
- Governor's Office
- Department of Health and Rehabilitative Services (HRS)

The State Response Chairperson is the Executive Director of the Department of Environmental Protection. During a pollution incident, the Chairperson shall be responsible for the overall management and direction of the State Response Team or Hazardous Materials Task Force. They shall have the authority to activate, direct, and deactivate the team. During a response, the Chairperson or designee shall be the principal public spokesperson for the SRT. They shall have the authority and responsibility for all press releases, interviews, and contact with the news media. The Chairperson shall be responsible for advising the Governor regarding the need to make a Declaration of an Emergency Proclamation.

The State Agency Coordinator (SAC) or Regional Oil Spill Coordinator is the State official responsible to the Chairperson of the SRT for the coordination of the team during a coastal pollution incident. This person shall coordinate with the OSC and shall act as an administrative coordinator for routine matters involving the State Response Team.

Notification of a spill from a public or private source will result in the State Agency

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Coordinator (SAC) being called. The SAC shall immediately notify the National Response Center (NRC) (if that was not the source). It shall be the Department of Environmental Protection's responsibility, in conjunction with the USCG, to initially determine the severity of an alleged major discharge or pollution incident within its jurisdiction. The State's reporting requirements and guidelines are detailed in the "Coastal Pollutant Spill Contingency Plan". The Chairperson of the SRT shall make the decision whether or not to activate the State Response Team or recommend to the Governor that a Declaration of an Emergency Proclamation be made.

Section 376.13 Florida Statutes empowers the Governor to make an Emergency Proclamation whenever any emergency exists or appears imminent. The Governor may by proclamation declare the fact that a state of an emergency exists in all or part of the State. If the Governor is unavailable, the Lieutenant Governor may make the Proclamation. During the period of the Emergency Proclamation, the Governor has the authority to make, amend, and rescind the necessary orders, rules, and regulations that pertain to Chapter 376 Florida Statutes. This action can be taken within the limits of the authority conferred upon him and not inconsistent with the rules, regulations and directives of the President of the United States, or any federal department or agency having specifically authorized emergency functions.

In the event of an Emergency Proclamation, the Governor takes the action he deems necessary as it relates to the State Response Team or Hazardous Materials Task Force. This team can also be activated at the request of the Chairperson. The "Florida Coastal Pollutant Spill Contingency Plan" assigns specific responsibilities to each State agency that is a member of the State Response Team. These duties are detailed in the State plan. Not later than six (6) hours after official activation of the State Response Team the Chairperson shall make known to the OSC the support activities available for implementation in response to the pollution incident.

1520 Local Response System

Local Chief Executive

A mayor or city or county manager, as a jurisdiction's chief executive, is responsible for the public safety and welfare of the people of that jurisdiction. The Local Chief Executive Officer:

- Is responsible for coordinating local resources to address the full spectrum of actions to prevent, prepare for, respond to, and recover from incidents involving all hazards including terrorism, natural disasters, accidents, and other contingencies;
- Dependent upon State and local law, has extraordinary powers to suspend local laws and ordinances, such as to establish a curfew, direct evacuations, and, in coordination with the local health authority, to order a quarantine;
- Provides leadership and plays a key role in communicating to the public, and in helping people, businesses, and organizations cope with the consequences of any type of domestic incident within the jurisdiction;

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- Negotiates and enters into mutual aid agreements with other jurisdictions to facilitate resource-sharing; and
- Requests State and, if necessary, Federal assistance through the Governor of the State when the jurisdiction's capabilities have been exceeded or exhausted.

In the geographical area covered by this plan, the local response system is based on an informal incident command system. Due to the environmental sensitivity of a great portion of Sector Miami's Area of Responsibility, and the number of state and local response entities who are required to report and investigate discharges of oil, a notification and response system based on the concept of cooperation and mutual assistance has been developed and implemented.

The primary organizations involved in response and in both monitoring and directing response efforts are U. S. Coast Guard Sector Miami, Florida Fish and Wildlife Commission (FWCC), local county environmental enforcement agencies as well as local fire departments. The exact nature of the event will dictate the degree of involvement by each organization.

For a maximum most probable or a worst case scenario, the Unified Command System will be utilized. Not all positions may be needed and several positions may be filled by one person.

In the event of a hazardous substance release, USCG Sector Miami has supervisory/ advisory roles as a first responder. Each hazardous substance release must be treated on a case by case basis as the released material, location, weather and amount of released material will drastically affect the FOSC's response. Local fire department HAZMAT teams will typically secure the incident until a commercial team arrives.

Other state, federal and local organizations such as Florida Department of Environmental Protection, Virginia Key Beach Park (City of Miami), Biscayne National Park, Florida Fish and Wildlife Conservation Commission, and National Park Service play significant roles in response to pollution incidents in this area.

1520.1 Floating Drums

(As approved under the July 1995 MOA by the state of Florida and the USCG) Often drums will be found in or near the water that contain hazardous material or unknown materials which must be handled as hazardous material until determined to be otherwise. In accordance with an agreement between the U.S. Coast Guard Seventh District and the FDEP the following guidance applies:

The retrieval, testing, and disposal of drums containing hazardous materials or suspected of containing hazardous materials, found floating on the waters within the FOSC zone will be the responsibility of the USCG.

The retrieval, testing, and disposal of drums containing hazardous materials or

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suspected of containing hazardous materials, found intact on the beach, or on the banks of waters located within the FOSC zone, will be the responsibility of the FDEP.

Drums containing hazardous materials or suspected of containing hazardous materials found to be leaking product onto the beach, or on the banks of waters located within the FOSC zone, will be the responsibility of the USCG.

1520.2 Local Hazmat Teams

The Cities of Miami, Fort Lauderdale, Riviera Beach, and Palm Beach Fire Departments each have certified HAZMAT response teams in Sector Miami’s response zone. The cities have mutual assistance agreements with the surrounding counties and are deployable throughout the state via a statewide mutual assistance agreement. The HAZMAT response teams have Level A, B, and C HAZMAT response entry capabilities and are trained to contain and mitigate any foreseeable hazardous material release in the COTP Miami AOR. See also Section 9237 Hazardous Substance Response Team.

1520.3 USCG National Strike Force (NSF) Hazmat Capabilities

The Marine Safety Manual (MSM) (Vol 9, 5.C.1) suggests the assistance of National Strike Force (NSF) resources (people or equipment) whenever:

- A medium or major discharge has occurred, or
- Response will last over two days.
- In the Federal On Scene Coordinator’s/Incident Commander’s (FOSC’s/ICs) judgment, NSF capabilities are necessary

The FOSC may call Special Team support including the NSF for assistance. In Southeast Florida, the Gulf Strike Team is the lead Strike Team. Their support capabilities include:

- Hazardous Material Response Teams – Level A, B, C, capabilities, air monitoring, hazard detection, hazard containment & removal.
- Oil & Chemical Lightering Response Support – includes dewatering equipment
- Vessel Damage Assessment Support – conduct salvage initial damage assessments
- Incident Management Support – fill critical field and command post ICS positions
- Oil Spill Response Support – Equipment operators for Prepositioned CG equipment, SCAT teams, Dispersant & Insitu burn monitoring
- Command & Control Support – mobile communications support
- Logistics support- Identifying, locating, and assisting in the transportation of specialized equipment needed for response
- Public Information Assist Team (PIAT) Crisis Media relations, establish Joint Information Centers, coordinate press briefings, risk communications, community relations

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1520.4 Other Special Teams

- Marine Safety Center Salvage Engineering Response Team (SERT) (vessel salvage models, salvage issues)
- US Navy SUPSALV provides vessel salvage engineer needed on scene. SUPSALV also maintains one of the world's largest inventories of pollution response equipment. All equipment is staged ready for immediate deployment and is available to all federal agencies. A highly trained team of mechanics, with tremendous experience in the marine response field, performs all maintenance and operations)
- EPA Environmental Response Team (chemical air monitoring & sampling, on site chemical analysis).
- NOAA Scientific Support Coordinator (fate of oil, situation displays, shoreline cleanup expertise, oil spill trajectories, interaction with natural resource trustees)
- EPA Radiological Emergency Response Team conducts environmental monitoring, sampling, and data analysis, assessing the national impact of any release on public health and the environment through the Agency's Environmental Radiation Ambient Monitoring System, providing technical advice on containment and cleanup of the radiological contamination, assisting in site restoration and recovery).
- DOE Radiological Support (DOE Emergency Response Officer.) (For more information see DOE - Federal Radilogical Monitoring & Assessment Center (FRMAC))

The primary organizations involved in monitoring and/or directing response efforts are Coast Guard Sector Miami and the Florida Department of Environmental Protection. The nature of the event will dictate the degree of involvement by each organization. For a hazardous materials release, the chief of the local fire department having a HAZMAT team will be the incident commander. For significant incidents that may involve hazard to the public and/or evacuations, the Emergency Preparedness Division for the county in which the release occurred will also become involved.

1520.5 Local Emergency Planning Committees (LEPC)

As required by the Superfund Amendment and Reauthorization Act (SARA), each of the Local Emergency Planning Committees (LEPCs) within this AOR have created contingency plans for responding to hazardous substance incidents. The fire department is often the lead agency for these incidents, and the person directing countermeasures is known as the Incident Commander. The plans detail response actions and resources for each particular area. The SE Area Committee region lies in LEPC 10 and 11.

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1600 National Policy and Doctrine

Section 4201 of OPA 90 amended Subsection (c) of Section 311 of the FWPCA, to require the Federal On-Scene Coordinator (FOSC) to "in accordance with the National Contingency Plan and any appropriate Area Contingency Plan, ensure effective and immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge, of oil or a hazardous substance

- into or on the navigable waters;
- on the adjoining shorelines to the navigable waters;
- into or on the waters of the exclusive economic zone; or
- that "may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States."
- remove or arrange for the removal of a discharge, and mitigate or prevent a substantial threat of discharge, at any time;
- direct or monitor all Federal, State, and private actions to remove a discharge; and
- recommend to the Commandant that a vessel discharging or threatening to discharge, be removed and, if necessary, "destroyed."

In carrying out these functions, if the discharge or substantial threat of discharge of oil or hazardous substance is of such size or character as to be a substantial threat to the public health or welfare of the United States (including but not limited to fish, shellfish, wildlife, other natural resources, and the public and private beaches and shorelines of the United States), the FOSC may direct all Federal, State, and private actions to remove the discharge or to mitigate or prevent the threat of the discharge.

While guidance for the Area Contingency Plan focuses primarily on oil discharge response at this time, the plan will address response to both oil discharges and hazardous substance releases.

1610 Public Vs. Private Resource Utilization

If the FOSC determines that effective and immediate removal, mitigation, or prevention of a discharge can be achieved by private party efforts, and where the discharge does not pose a substantial threat to the public health or welfare of the United States, determine whether the responsible party or other person is properly carrying out removal. Removal is being done properly when:

- The responsible party is applying the resources called for in its response plan to effectively and immediately remove, minimize, or mitigate threat(s) to public health and welfare and the environment; and
- The removal efforts are in accordance with applicable regulations, including the NCP. Even if the FOSC supplements responsible party resources with government resources, the spill response will not be considered improper, unless specifically

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determined by the FOSC.

The Oil Pollution Act of 1990 reaffirmed the basic principle that the primary source of an oil spill preparedness and response system in the U.S. should be implemented and maintained by the private sector. It is not the Coast Guard's intent to compete with the commercial oil and hazardous materials pollution response industry. The utilization of government resources in lieu of commercial resources can place the government in a competitive environment. This is not the intent of OPA 90, as it defeats the incentive for commercial enterprise to maintain equipment and trained personnel in a competitive market. The Coast Guard's pre-positioned response equipment and other publicly owned response equipment and other initiatives under the Coast Guard's oil spill response program are only intended to supplement the oil and clean up industry's response program or be used if the commercial industry does not have readily available resources, and only until such time that the Federal On-Scene Coordinator or the Unified Command decides to release the resources.

The FOSC has the authority and responsibility in accordance with the National Contingency Plan to contain, control, and carry out response activities for the removal of a discharge where a substantial threat to public health or welfare exists, or where natural resources are endangered. At the direction and discretion of the FOSC and the Unified Command, when the responsible party executes a suitable response, any government equipment deployed should be withdrawn as commercial equipment becomes available and is placed into service. The FOSC may assume total or partial control of removal activities under any of three conditions:

- (1) The polluter's identity is not known or the polluter is not acting responsibly.
- (2) The polluter's removal effort is inadequate.
- (3) Assuming control would prevent the discharge or alleviate the substantial threat of a discharge.

If the OSC intends to assume response activities, he or she notifies the polluter (if known) with a Notice of Federal Assumption of Response Activities.

1620 Best Response Concept

Incident Commander's and their Command and General Staff need to closely monitor how well the incident objectives, strategies, and tactics are addressing "Best Response" and key response functions, and to make appropriate adjustments where necessary to ensure the maximum potential for success.

The term "Best Response" means that a response organization will effectively, efficiently, and safely respond to oil spills, minimizing the consequences of pollution incidents and to protect our national environmental and economic interests.

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“Best Response” equals a successful response based on achievement of certain key success factors (i.e. the things that a response must accomplish to be considered successful) as follows:

HUMAN HEALTH	PUBLIC COMMUNICATION
No public injuries No worker injuries	Positive media coverage Positive public perception
NATURAL ENVIRONMENT	STAKEHOLDER SUPPORT
Source of discharge minimized Source contained Sensitive areas protected Resource damage minimized	Minimize stakeholder impact Stakeholders well informed Positive meetings Prompt handling of claims
ECONOMY	ORGANIZATION
Economic impact minimized	Standard Response Management System Sufficient / efficient resources

1630 Cleanup Assessment Protocol

When spilled oil contaminates shoreline habitats, responders must survey the affected areas to determine the appropriate response. Although general approvals or decision tools for using shoreline cleanup methods can be developed during planning stages, responders’ specific cleanup recommendations must integrate field data on shoreline habitats, type and degree of shoreline contamination, and spill specific physical processes. Cleanup endpoints must be established early so that appropriate cleanup methods can be selected to meet the cleanup objectives. Shoreline surveys must be conducted systematically because they are crucial components of effective decisions. Also, repeated surveys are needed to monitor the effectiveness and effects of ongoing treatment methods (changes in shoreline oiling conditions, as well as natural recovery), so that the need for changes in methodology, additional treatment, or constraints can be evaluated.

Target cleanup endpoints are an integral part of spill-specific cleanup guidelines used for emergency oil-spill response. Endpoints are selected based on cleanup objectives to:

- (1) Minimize exposure hazards to human health;
- (2) Speed recovery of impacted areas; and
- (3) Reduce the threat of additional or prolonged natural resource impacts.

These objectives lead to developing cleanup strategies that do not cause more harm to the environment than good.

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The NOAA Shoreline Assessment Manual outlines methods and provides visual aides for conducting shoreline assessments and incorporating the results into the decision-making process for shoreline assessments and cleanup at oil spills.
(<http://archive.orr.noaa.gov/oilaid/pdfs/SAM.pdf>)

See also Section 4730.1 Cleanup Assessment for additional information regarding Target Endpoints and Hierarchy of Clean-up Points.

1640 Dispersant Approval / Monitoring / Decision Protocol

On October 8, 1996, the Region IV Regional Response Team (RRT) IV signed into effect a policy for dispersant use throughout the RRT IV area of responsibility. This policy replaces any other previous policies, plans, or guidelines in effect throughout RRT IV. It provides the FOSC with pre-authorization to use dispersants in response to oil discharges within the RRT IV area of responsibility under the conditions set forth in this section. The following is the text of that policy:

1640.1 Purpose

This Policy implements Subpart J of the National Oil and Hazardous Substances Contingency Plan (NCP) and provides pre-authorization for the limited use of dispersants by the pre-designated USCG On-Scene Coordinator (OSC) on oil discharges impacting federal waters within Federal Region IV boundaries. The above agencies agree that, in certain circumstances, the complete physical containment, collection, and removal of oil discharges may not be possible. The use of dispersants may therefore be considered to prevent a substantial threat to the public health or welfare, or to minimize serious environmental damage. This policy establishes criteria under which dispersants may be applied to the waters under federal jurisdiction within Federal Region IV or as established by separate state Letters of Agreement.

1640.2 Authority

Subpart J of the National Oil and Hazardous Substances Contingency Plan (NCP) provides that the Regional Response Team (RRT) representatives to the EPA, DOC, DOI and the affected State(s) may pre-approve the use of chemical countermeasures for oil spill response. Commandant, U.S. Coast Guard, has pre-designated the USCG Captains of the Port as On-Scene Coordinators for coastal spills; and has delegated authority and responsibility for compliance with Section 311 of the Federal Water Pollution Control Act, as amended, to them. The EPA, DOI, and DOC have delegated their authority for authorization of pre-approval of dispersants to their Regional Response Team representatives.

RRT IV representatives from the states of North Carolina, South Carolina, Georgia, Florida, Alabama and Mississippi have been delegated authority by their respective agencies or state governments to represent natural resource concerns and to serve as consultants to the OSC on these matters.

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1640.3 Scope

The USCG, EPA, DOI, DOC, and the coastal states of RRT IV have adopted the use of dispersants as an approved tool to respond to spilled or discharged oil on ocean and coastal waters within the jurisdiction of RRT IV. This policy includes protocols under which dispersant use must be conducted by the USCG On-Scene Coordinator on waters off the coasts of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and over special federally managed waters which are within the boundaries of the RRT IV region.

Offshore dispersant application to remediate oil spills occurring in federal Region IV will be conducted in accordance with this policy and, in addition, where applicable, in accordance with Letters of Agreement established between the USCG, EPA, DOI, DOC, and the affected State(s). The pre-approval to authorize the use of dispersants provided by this policy is in effect for the pre-designated USCG On-Scene Coordinator only.

1640.4 Protocols

The following requirements apply to the application of any dispersants under any provision of this policy:

- (1) Dispersants will only be used when they are expected to prevent or minimize substantial threat to the public health or welfare, or to mitigate or prevent environmental damage.
- (2) The USCG agrees that if a decision has been made to use dispersants under the provisions of this agreement, the USCG OSC will immediately notify the Regional Response Team members representing EPA, DOI, DOC, and the affected State(s). Notification will include a copy of the Material Safety Data Sheet (MSDS) of the dispersant product chosen if the MSDS is not already included in this regional Dispersant Plan. Additionally, notification will include, at a minimum:
 - (a) Date, Time and Location of the incident;
 - (b) Type and amount of oil discharged;
 - (c) Area affected;
 - (d) The projected area of impact of the oil if not dispersed;
 - (e) Reasons why mechanical or physical removal of the oil is not feasible, or will not on its own provide the optimal response method;
 - (f) Dispersant to be used; and

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- (g) On-scene weather, wind, and forecasted weather.
- (3) The USCG agrees to make every effort to continuously evaluate the decision to use dispersants by considering the advice of the EPA, DOI, DOC, and the affected State(s), other members of the Region IV Regional Response Team, and any other agencies, groups or information sources which may be available. The use of dispersants will be discontinued if so requested by the RRT representative of the EPA, the affected State(s), DOI or DOC. Such a request may be verbal followed by written documentation.
- (4) The USCG OSC, must comply with all Occupational Health and Safety Administration (OSHA) regulations.
- (5) Barring any unforeseen circumstances (such as time constraints, safety considerations, or logistical concerns) the OSC will make every reasonable effort to provide designated representatives from the USCG, EPA, DOI, DOC and the affected State(s) with an opportunity to observe dispersant application operations. An inability to provide this opportunity will not, however, be cause for immediate cessation of application operations.
- (6) Monitoring will be conducted as feasible in order to help evaluate the decision to continue dispersant application and to document results. Recommended monitoring procedures are addressed in Appendix IV.
- (7) Prior to commencing application operations, an on-site survey will be conducted, in consultation with natural resource specialists, to determine if any threatened or endangered species are present in the projected application area or otherwise at risk from dispersant operations. Measures will be taken to prevent risk of any injury to wildlife, especially endangered or threatened species. Additional and ongoing survey flights in the area of application will be conducted as appropriate. The Right Whale Critical Habitat along portions of coastal Georgia and Florida, as outlined in the Section 7 consultation with National Marine Fisheries Service (NMFS) in Appendix III, is of particular concern during December through March. During this time, the Right Whale Early Warning System should be contacted prior to dispersant operations to determine if there have been recent sightings of whales in the planned operational area. Avoidance procedures as outlined in the consultation must be followed during any dispersant application.
- (8) When dispersant application is proposed in a pre-approved area that is adjacent to or very near a more shallow area (less than 10M), due consideration shall be given to the trajectory of the dispersed oil. If state or federal resources in adjacent shallow areas would be at risk, consultation with the resource trustee must be conducted.
- (9) Any use of dispersants requires that a post-incident report be provided by the OSC, or a designated member of the OSC's staff, within 45 days of dispersant application operations. Recommendations for changes or modification to this Dispersant Use

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policy may be presented in the report, if appropriate. This report will be presented at a Region IV Regional Response Team meeting, if so requested by the RRT.

- (10) Only those products specifically listed in the EPA National Contingency Plan's (NCP's) Product Schedule as dispersants will be considered for use during dispersant application operations. (See Appendix VI)
- (11) Information on the Documentation/Application Form in appendix VII shall be completed for all dispersant applications and provided to RRT IV members in a timely manner for documentation and informational purposes.
- (12) The dispersant use decision elements contained in section VII shall be reviewed by the OSC and used to help guide the decision to use or request the use of dispersants.

Refer to Regional Response Team Region IV Dispersant Use Policy.

(http://www.nrt.org/Production/NRT/RRTHome.nsf/Allpages/rrt_RRTIV_home.htm)

Also refer to Section II (Pre-Authorization of Dispersant Use) Dispersant Use In Region IV.

([http://www.nrt.org/production/NRT/RRTHome.nsf/Resources/DUP/\\$file/3-RRT4DispersantUsePlan.doc](http://www.nrt.org/production/NRT/RRTHome.nsf/Resources/DUP/$file/3-RRT4DispersantUsePlan.doc))

See also Section 3270.1 for Use Pre-Authorization and Application Zones

The use of sinking agents is expressly prohibited by the National Contingency Plan.

1640.5 SMART Monitoring

When dispersants are used during spill response, the Unified Command needs to know whether the operation is effective in dispersing the oil. The dispersant monitoring module of NOAA's Special Monitoring of Applied Response Technologies (SMART) Protocol is designed to provide the Unified Command with real-time feedback on the efficacy of dispersant application. Data collected in Tier III of the SMART dispersant protocol may be useful for evaluating the dilution and transport of the dispersed oil. **SMART does not monitor the fate, effects, or impacts of dispersed oil.**

The SMART Protocol can be found in its entirety at:
<http://response.restoration.noaa.gov/smart>.

The U.S. Coast Guard Gulf Strike Team has personnel trained in the SMART Protocol and maintains SMART monitoring equipment available to deploy in support of dispersant operations at the request of an FOSC.

See also Section 3270.3 for SMART Monitoring

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1650 In-Situ Burning Approval / Monitoring / Decision Protocol

The Region IV Regional Response Team policy statement dated April 1995 explains in detail the factors to be evaluated when the RRT is considering the use of in-situ burning. Appendix VI of the Region IV in-situ Burn Policy provides a decision tree intended for the OSC and SSC to use in evaluating an in situ burn. The Regional Response Team Region IV In-Situ Burn Policy. Information on in-situ burning equipment is found in Appendix V of the In-Situ Burn Plan heading.

The following is text from that policy:

1650.1 Introduction

This is the Region IV Regional Response Team (RRT IV) in-situ burn policy for ocean and coastal waters. It is structured as five sections. Section I defines the purpose, authority and scope of the policy. Section II describes the established ocean and coastal water zones for pre-authorized and conditional in-situ burning. Section III contains protocols for conducting in-situ burning, applicable to all open water burns throughout the RRT IV region. Section IV is a signature page where the RRT IV members representing the United States Coast Guard (USCG), the United States Environmental Protection Agency (EPA), the United States Department of the Interior (DOI), the United States Department of Commerce (DOC), and the coastal states within the RRT IV region have by signature agreed to accept this policy for their respective agency or state. Section V contains appendices and includes:

- A regional map showing pre-authorized burn zones.
- Separate Letters of Agreement for the coastal states within RRT IV region for which this policy covers, which establish specific conditions for conducting any in-situ burning inside state waters and for special federally managed areas if applicable.
- Biological assessments and letters pertaining to section 7 consultations with the National Marine Fisheries Service (NMFS) and the United States Fish and Wildlife Service (USFW) for protection of endangered species during in-situ burning operations.
- The intent of RRT IV to adopt the current monitoring program for in-situ burn operations in the RRT IV region which is supported by the U.S. Coast Guard National Strike Force.
- In-situ burn equipment lists.
- Decision tree and application/checklist form.
- Guidance covering the conditional use of in-situ burning in response to oil discharges occurring on inland waters and lands within the jurisdiction of RRT 4. This guidance

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includes protocols under which the federal On-Scene Commander (OSC) in the Inland Zone may be granted authorization for using ISB.

1650.2 Purpose

The purpose of this Agreement is to provide concurrence of the USCG, EPA, DOC, DOI, and State representatives to the Region IV Regional Response Team for the pre-authorized use of in-situ burning in response to oil discharges occurring in ocean and coastal waters within the jurisdiction of the RRT IV.

RRT IV recognizes that in some instances the physical collection and removal of oil is infeasible or inadequate, and the effective use of in-situ burning as an oil spill response technique must be considered. Pre-authorization within the set guidelines of this agreement allows the On-Scene Coordinator (OSC) to employ in-situ burning to:

- (1) prevent or substantially reduce a hazard to human life;
- (2) minimize the environmental impact of the spilled oil or;
- (3) reduce or eliminate economic or aesthetic losses which would otherwise presumably occur without the use of this technique.

1650.3 Authority

Subpart J of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) provides that the OSC; with the concurrence of the EPA representative to the RRT IV, and with the concurrence of the State(s) with jurisdiction over affected waters, and in consultation with the DOC and DOI trustee representatives to the RRT IV; may authorize the use of in-situ burning on oil spills. Pre-authorization of in-situ burning may be adopted with concurrence from all of the above mentioned RRT IV representatives.

Commandant, U.S. Coast Guard has pre-designated the USCG Captains of the Port as On-Scene Coordinators for coastal oil spills; and has delegated authority and responsibility for compliance with Section 1321 of the Clean Water Act, as amended, to them. The EPA has delegated its authority for authorization of in-situ burning to the EPA representative to the Regional Response Team. RRT IV representatives from the DOC, DOI, and the states of North Carolina, South Carolina, Georgia, Florida, Alabama, and Mississippi have been delegated authority by their respective agencies or state governments to represent natural resource trustee concerns and to serve as consultants to the OSC on these matters.

1650.4 Scope

The USCG, EPA, DOI, DOC, and the coastal states of RRT IV have adopted in-situ burning as an approved tool to remove spilled or discharged oil from ocean and coastal waters within the jurisdiction of RRT IV. This agreement covers protocols under which in-situ burning is pre-authorized for use by the USCG OSC on state and federal coastal and ocean waters. This document also contains decision-making guidance and RRT IV authorization procedures for the potential use of in-situ

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burning on inland waters and land areas under the jurisdiction of the RRT IV.

1650.5 Protocols

The Application\Checklist form in Appendix VI of the In-Situ Burn Plan ([http://www.nrt.org/production/NRT/RRTHome.nsf/Resources/BIP/\\$file/1-RR4In-SituBurnPlan.doc](http://www.nrt.org/production/NRT/RRTHome.nsf/Resources/BIP/$file/1-RR4In-SituBurnPlan.doc)) **shall be completed for all burns and provided to RRT IV members in a timely manner for documentation and informational purposes.**

The following requirements apply to the use of all burning operations under the provisions of this policy:

- (1) Health and Safety Concerns - Operators: Assuring workers' health and safety is the responsibility of employers and the USCG OSC who must comply with all Occupational Health and Safety Administration (OSHA) regulations. Prior to any in-situ burn operations, a site safety plan must be submitted and approved by the OSC. Public: The burning should be stopped if it is determined that it becomes an unacceptable health hazard due to operational or smoke exposure concerns to responders or the general public. If at any time, exposure limits are expected to exceed national federal air quality standards in nearby populated areas, as a result of in-situ burning operations, then in-situ burning operations will immediately cease. The Level of Concern (LOC) for particulates for the general public in the RRT IV region is 150 ug/m3 (PM-10) averaged over 1 hour.
- (2) Monitors representing the USCG, EPA, federal trustee agencies, the affected state(s), OSHA, and the responsible party will have the opportunity to observe in-situ burning operations. Monitoring to establish "Continue/Discontinue" data for input to the OSC will be conducted in accordance with protocols established by the Region IV Regional Response Team and as outlined in the monitoring program contained in appendix VI. Unless smoke plumes are predicted to cross over populated or environmentally sensitive areas, an inability to conduct monitoring operations will not be automatic grounds for discontinuing or prohibiting in-situ burn operations. All burns must incorporate visual monitoring at the burn site to record the disposition of burn residues and to monitor the burn site for potential impact to any natural resource in the area. Samples of the residue will be collected if feasible.
- (3) Prior to any in-situ burning operations, the OSC will apply the decision tree contained in Appendix VI.
- (4) The USCG will make every reasonable effort to continuously evaluate the decision to burn, and allow RRT agencies and affected state(s) the opportunity to comment. Formal requests to discontinue a burn should be presented, in writing, to the OSC for consideration.
- (5) Burning will be conducted in a way that allows for effective control of the burn, to the maximum extent feasible, including the ability to rapidly stop the burn if

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necessary. Contained and controlled burning is recognized as the preferred method of burning using fire-resistant boom. All practical efforts will be made to control and contain the burn and prevent accidental ignition of the source. Generally it is not recommended that the source or adjacent uncontained slicks be allowed to ignite during in-situ burning operations. Certain circumstances, however, may warrant consideration of carefully planned source ignition.

- (6) Mechanical recovery equipment shall be mobilized on-scene, when feasible, for backup and complimentary response capability. Provisions must be made for collection of burn residue following the burn(s).
- (7) In-situ burning will be conducted in accordance with any consultations approved by the USFWS and the NMFS, under Section 7 of the Endangered Species Act. Prior to beginning an in-situ burn, an on-site survey will be conducted to determine if any threatened or endangered species are present in the burn area or otherwise at risk from any burn operations, fire, or smoke. Appropriate natural resource specialists, knowledgeable with any special resource concern in the area and representing the resource trustee, will be consulted prior to conducting any in-situ burn. Measures will be taken to prevent risk of injury to any wildlife, especially endangered or threatened species. Examples of potential protection measures may include: moving the location of the burn to an area where listed species are not present; temporary employment of hazing techniques, if effective; and physical removal of individuals of listed species only under the authority of the trustee agency.
- (8) In-situ burning is advised only when the meteorological and sea conditions are operationally favorable for a successful burn. The OSC will give due consideration to the direction of the wind, and the possibility of the wind blowing precipitate over population centers or sensitive resources onshore. A safety margin of 45 degrees of arc on either side of predicted wind vectors should be considered for shifts in wind direction.
- (9) Any use of in-situ burning requires that a post-incident report be provided by the OSC, or a designated member of the OSC's staff, within 45 days of in-situ burning operations. Recommendations for changes or modification to this policy should be presented in the report, if appropriate. This report will be presented at a Region IV RRT meeting, if requested by the RRT.

See also Section 3280.1 for Use Pre-Authorization and Application Zones

1650.6 SMART Monitoring

In-situ burning of oil may offer a logistically simple, rapid, and relatively safe means for reducing the net environmental impact of an oil spill. Because a large portion of the oil is converted to gaseous combustion products, in-situ burning can substantially reduce the need for collection, storage, transport, and disposal of recovered material. In-situ burning, however, has several disadvantages: burning can take place only when the oil is not

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significantly emulsified, when wind and sea conditions are calm, and when dedicated equipment is available. In addition, in-situ burning emits a plume of black smoke, composed primarily (80-85%) of carbon dioxide and water; the remainder of the plume is gases and particulates, mostly black carbon particulates, known as soot. These soot particulates give the smoke its dark color. Downwind of the fire, the gases dissipate to acceptable levels relatively quickly. The main public health concern is the particulates in the smoke plume.

With the acceptance of in-situ burning as a spill response option, concerns have been raised regarding the possible effects of the particulates in the smoke plume on the general public downwind. NOAA's Special Monitoring of Applied Response Technologies (SMART) Protocol should be used to monitor in-situ burning operations. SMART is designed to address these concerns and better aid the Unified Command in decisions related to initiating, continuing, or terminating in-situ burning.

The SMART Protocol can be found in its entirety at:
<http://response.restoration.noaa.gov/smart>.

The U.S. Coast Guard Gulf Strike Team has personnel trained in the SMART Protocol and maintains SMART monitoring equipment available to deploy in support of in-situ burning operations at the request of an FOSC.

See also Section 3280.3 In-Situ SMART Monitoring

1660 Bioremediation Approval / Monitoring / Decision Protocol

Bioremediation is a treatment technology that utilizes biodegradation to reduce the concentration and/or toxicity of chemical substances such as petroleum products and other hydrocarbons. Because microbes capable of degrading hydrocarbons are commonly found in nature, most untreated hydrocarbon spills eventually are removed from the environment by microbial degradation and other processes. Enhanced bioremediation, however, seeks to accelerate natural biodegradation processes by applying specially chosen nutrients and/or microbes to spilled substances. Although microbes have been used extensively and successfully for many years to treat wastes and wastewater in controlled facilities, their potential as a tool for responding to spills of oil and hazardous substances in uncontrolled environments has only more recently received significant interest.

The RRT IV Bioremediation Plan presents a plan for considering and implementing bioremediation, through either natural attenuation or nutrient/microbe enhancement. It was developed through the coordinated efforts of EPA's Subcommittee on National Bioremediation Spill Response and the members of the Region 4 Regional Response Team (RRT), using EPA's Interim Guidelines for Preparing Bioremediation Spill Response Plans.

The RRT IV Bioremediation Plan can be found at:

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http://www.nrt.org/production/NRT/RRTHome.nsf/Allpages/newrrt_iv-opsmanual.htm.

See also Section 3290 Bioremediation

1670 Natural Resource Acts Compliance

The US Department Of Interior (DOI) will provide, through its Regional Environmental Officer (REO), technical expertise to the FOSC and the RRT with respect to land, fish, wildlife and other resources for which it is responsible. The REO is the designated DOI member to the RRT and can provide information concerning the lands and resources specifically under DOI jurisdiction, as well as offer technical expertise related to geology, hydrology, minerals, fish and wildlife, cultural resources, and recreation resources. Under Executive Order 12580, DOI is among those agencies designated by the NCP as a Federal Trustee for Natural Resources.

DOI has direct jurisdiction for the protection of resources on its own lands, as well as trustee responsibilities for certain natural resources, regardless of location. The DOI natural resource trusteeship that extends beyond DOI site boundaries includes migratory birds, anadromous fish, and endangered or threatened species and their critical habitat.

Within the DOI, individual bureaus have specific responsibilities and capabilities which are listed below. Each bureau may be contacted through the DOI Regional Environmental Officer.

The U.S. Fish and Wildlife Service (USFWS) (<http://www.fws.gov/>) provides expertise on migratory birds, endangered and threatened species, and wildlife habitat. USFS can also advise on fish and wildlife protection methods, endangered and threatened species, waters and wetlands and effects on natural resources. The agency can provide information on national wildlife refuges, national fish hatcheries managed by USFWS, dispersion or capture of birds, and coordination of wildlife rehabilitation activities at spill sites. USFWS issues migratory bird rehabilitation permits to qualified individuals and/or organizations that may be available to assist in rehabilitation operations related to oil spill incidents.

The National Park Service (NPS) (<http://www.nps.gov/>) provides general biological, natural and cultural resource managers to evaluate, measure, monitor and contain threats to park land and resources; historic, archeological, architectural, and recreational resources and sites on the National Register of Historic Places. The NPS can provide information on units of the national park system, including national parks, lake shores, monuments, national historic sites, rivers, and recreation areas.

The U.S. Geological Survey (USGS) (<http://www.usgs.gov/>) provides advice and information concerning geohydrologic, geologic and geochemical data, and ground and surface water data, as well as maps. USGS maintains stream flow gauges in every State and can provide historical stream flow information, assist in predicting the

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time/travel/trajectory of spills, and can collect and analyze surface and groundwater samples.

The Bureau of Indian Affairs (BIA) (<http://www.bia.gov/>) coordinates activities affecting Indian Tribal lands, and provides assistance in identifying Indian Tribal government officials.

The Bureau of Land Management (BLM) (<http://www.blm.gov/wo/st/en.html>) has expertise in minerals, soils, vegetation, archeology, and wildlife habitat.

The Bureau of Reclamation (BOR) (<http://www.usbr.gov/>) has expertise in water management, flow control, and water quality improvement. BOR can perform well drilling and subsurface hydro geological investigation and analysis.

The Bureau of Ocean Energy Management (BOEM) (<http://www.boem.gov>)

BOEM is responsible for managing environmentally and economically responsible development of the nation's offshore resources. Its functions will include offshore leasing, resource evaluation, review and administration of oil and gas exploration and development plans, renewable energy development, National Environmental Policy Act (NEPA) analysis and environmental studies

The Bureau Safety and Environmental Enforcement (BSEE) (<http://www.bsee.gov>)

BSEE is responsible for safety and environmental oversight of offshore oil and gas operations, including permitting and inspections, of offshore oil and gas operations. Its functions include the development and enforcement of safety and environmental regulations, permitting offshore exploration, development and production, inspections, offshore regulatory programs, oil spill response, training and environmental compliance programs.

The following brochure provides a brief overview of the responsibilities of the U.S Department of Interior Protecting America Resources During Pollution Emergencies

See also U.S. Department of the Interior - Office of Environmental Policy and Compliance - Atlanta Region (<http://www.doi.gov/pmb/oepc/atlanta.cfm>)

1670.1 Fish and Wildlife Coordination Act

Requires consultation with the USFWS and State fish and wildlife Agencies in instances in which diversion or other modification to water bodies are proposed, authorized, permitted, or licensed by a Federal agency under a Federal permit or license. It recognizes the vital contribution of fish and wildlife resources to the Nation and requires coordination and equal consideration of fish and wildlife conservation with other water resources development objectives.

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See also Section 4820 Fish and Wildlife Permits

1670.2 Migratory Bird Treaty Act

This act makes it unlawful to pursue, hunt, kill, capture, possess, buy, sell, purchase, or barter any migratory bird, including the feathers or other parts, nests, eggs, or migratory bird products. Public Law 95-616 also ratified a treaty with the Soviet Union specifying that both nations will take measures to protect identified ecosystems of special importance to migratory birds from pollution, detrimental alterations, and other environmental degradations.

See also Section 4820 Fish and Wildlife Permits

1670.3 Bald Eagle Protection Act

Provides for the protection of the bald eagle and the golden eagle by prohibiting the taking, possession and commerce of such birds. The USFWS has lead authority for the Secretary of the Interior within the geographic area covered by the Area Plan to prohibit unauthorized taking or possession of bald or golden eagles.

See also Section 4820 Fish and Wildlife Permits

1670.4 National Wildlife Refuge System Administration Act

Provides directives for the administration and management of all areas (lands and waters) in the National Wildlife Refuge System. The USFWS is responsible for ensuring that all uses of these areas are compatible with the major purposes for which such areas were established.

See also Section 4820 Fish and Wildlife Permits

1670.5 Anadromous Fish Conservation Act

Authorizes the Secretary of the Interior to enter into cooperative agreement with the States and other non-Federal interests for conservation, development, and enhancement of anadromous fish, including those in the Great Lakes. Also authorizes the USFWS to conduct studies and make recommendation to the U.S. EPA concerning measures for eliminating or reducing pollution substances detrimental to fish and wildlife in interstate or navigable waters, or their tributaries.

See also Section 4820 Fish and Wildlife Permits

1670.6 Marine Mammal Protection Act

The Marine Mammal Protection Act of 1972 (MMPA) (As amended 2001) was the first legislation that called for an ecosystem approach to natural resource management and conservation. The MMPA prohibits the take (i.e. hunting, killing, capture and / or

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harassment) of marine mammals, and enacts a moratorium on the import, export, and sale of marine mammal parts and products.

Under the MMPA, jurisdiction over marine mammals under the MMPA is split between two agencies, the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. The U.S. Fish and Wildlife Service has jurisdiction over sea otters, manatees, and dugongs while the National Marine Fisheries Service has jurisdiction over all other marine mammals.

Additional guidance on the permit process can be found in Section 4820 Fish and Wildlife Permits of this plan.

1670.7 Endangered Species Act (ESA)

The purpose of the ESA is to conserve “the ecosystems upon which endangered and threatened species depend” and to conserve and recover listed species. Under the law, species may be listed as either “endangered” or “threatened.” Endangered means a species in danger of extinction throughout all or a significant portion of its range. Threatened means a species is likely to become endangered with the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.

Section 7(a)(1) of the Endangered Species Act (ESA) requires all federal agencies, in consultation with the assistance of the Secretaries of the Interior or Commerce, as appropriate, to review their programs and utilize their authorities in furtherance of the Act for the conservation of listed endangered species and, in consultation with the Service, to ensure that their actions do not jeopardize listed species or destroy or adversely modify critical habitat.

ESA consultations entail the generation of a baseline assessment to describe operations, policies, and environmental impacts. Inter-agency discussions determine if current procedures are sufficient or if additional mitigation is necessary. The scope of the analysis includes all aspects and activities of the response and its actual or potential impacts to the listed marine protected species.

Additional guidance on the ESA consultation process can be found in Section 4830 ESA Consultations of this plan.

1670.8 National Historic Preservation Act

The National Historic Preservation Act requires federal agencies to take into account the effects of response actions on historic properties when responding to spills. As the federal official designated to coordinate and direct response actions, the Federal On-Scene Coordinator (FOSC) is responsible for ensuring historic properties are appropriately considered while planning and during a spill response. Historic properties include any

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prehistoric or historic district, site, building, structure, or object listed in, or eligible for inclusion in, the National Register of Historic Places (36 CFR Part 60).

The listing of these sites is not currently included in this plan; however detailed maps identifying historic sites are available from the Florida Department of Environmental Protection (FDEP), Geographic Information Systems Division. Most historic sites are located on land and are not likely to be impacted by spills of oil or hazardous substances. However, many sites are located near the water, which can be adversely impacted by containment and recovery operations. Heavy equipment is particularly harmful to archeological sites and the FOSC should use other methods of containment and recovery in these areas. Some historic sites are located underwater and may be damaged by an oil or hazardous substance spill. However, even underwater, the sites are more likely to be adversely impacted by containment and recovery operations than the spill itself.

Before conducting containment or recovery operations on a historic site, the FOSC should contact FDEP and/or the Florida Division of Historical Resources to determine the sensitivity of the site. They may also be able to assist in identifying which containment and recovery techniques are least likely to impact the historic site.

Additional guidance on the consultation process can be found in Section 4840 National/State Historical Properties Consultations of this plan.

1671 Permits and Consultations

Referencing the above Natural Resource Acts Compliance listed in Section 1670, see Section 4800 Required Correspondence, Permits and Consultations during USCG maritime activities.

1680 Alternative Response Technology Evaluation System (ARTES)

During an oil or chemical spill, the On-Scene Coordinator (OSC), who directs the response, may be asked to consider using a non-conventional alternative countermeasure (a method, device, or product that hasn't typically been used for spill response). To assess whether a proposed countermeasure could be a useful response tool, it's necessary to quickly collect and evaluate the available information about it.

To aid in evaluating non-conventional alternative countermeasures in particular, the **Alternative Response Tool Evaluation System (ARTES)** was developed. ARTES can also be used to evaluate proposed conventional countermeasures. It is designed to evaluate potential response tools on their technical merits, rather than on economic factors.

Under ARTES, an Alternative Response Tool Team (ARTT) rapidly evaluates a proposed response tool and provides feedback to the OSC in the form of a recommendation. The OSC then can make an informed decision on the use of the proposed tool.

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It should be fully understood and noted that an FOSC need not wait for the ARTES recommendation when deciding whether to use a response tool. ARTES is designed to help, not hinder, the FOSC. It should also be understood that completion of an ARTES evaluation does not mean that a product is pre-approved, recommended, licensed, certified or authorized for use on an incident. The ARTES is solely designed to evaluate a product's appropriateness for use during a specific incident under specific circumstances, or as a pre-evaluation to identify likely conditions which favorable outcomes are anticipated by using a product.

The ARTES may be used both before and during an incident. If an FOSC would like to consider using an alternative response tool for pre-spill planning, the ARTES may help evaluate the tool. ARTES uses an Alternative Response Tool Team (ARTT) to rapidly evaluate a tool and provide feedback to the FOSC in the form of a recommendation. This enables the FOSC to make a well-informed decision on the use of an alternative tool.

One of the advantages of ARTES is that it provides a management system for addressing the numerous proposals submitted by vendors during a spill. Needs of a spill change as the response progresses. ARTES requires evaluations only on an as-needed basis. That is, once an operational need is identified, then an evaluation can be initiated. Having a record of proposals on file will enable the FOSC to address alternatives for any future needs. Subjecting all proposals to the same degree of evaluation ensures that vendors are considered on a "level playing field."

Refer to the following:

Alternative Response Tool Evaluation System (ARTES)

<http://response.restoration.noaa.gov/oil-and-chemical-spills/oil-spills/resources/alternative-response-tool-evaluation-system-artes.html>

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1700 NIMS and NRF Alignment Certification Checklist

NIMS AND NRP ALIGNMENT CERTIFICATION CHECKLIST
(Local reproduction authorized)

Name of Plan: SECTOR MIAMI ACP Date: 9/15/2005

Plan Holder (Unit): SECTOR MIAMI

- Ref: (a) National Incident Management System (NIMS), 1 March 2004
 (b) National Response Plan (NRP), December 2004
 (c) Alignment with the National Incident Management System and National Response Plan, COMDTINST 16600.27 series
 (d) United States Coast Guard National Incident Management System (NIMS) and National Response Plan (NRP) Implementation Plan, 29 December 2004

1. The following actions have been taken to align this plan with references (a) and (b), consistent with the guidance provided by reference (c). (Check boxes as appropriate.)

- This plan prescribes the use of the Incident Command System (ICS) as per the National Incident Management System (NIMS), reference (a).
- This plan meets the requirements of reference (a) or corrections have been made where practicable to address minor changes necessary for consistency with reference (a).
- This plan meets the requirements of reference (a) or corrections have been made where practicable to address minor changes necessary for consistency with reference (b).
- Supplemental pages listed as Attachments to this certification have been prepared and included as attachments to this certification to address NRP alignment issues beyond minor changes.
- This plan is scheduled for a formal revision to be completed by 6/30/07 (insert required completion date) in accordance with reference (d).

2. When this plan is executed, it will supplement the overarching core coordinating structures, processes, and protocols detailed in the NRP. Figure 1 of attachment (a) depicts the NRP coordinating structures specified by reference (a). This figure is included in this revised plan.

Frank V. Cesaris (Name of person responsible for changes)
Planning Division (Title)

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1800 Incorporated Lessons Learned

This below entries will chronicle changes to the SE FL Area Contingency Plan or Area Committee from applying Lessons Learned/Recommendations from previous incidents:

**1801 Incident Specific Preparedness Review (ISPR) M/V COSCO BUSAN
dtd 11,Jan08**

(1) *Planners should develop a uniform approach to the use of convergent volunteers for oil spill response, consistent with local needs, to reflect the use of these volunteers in response operations. Integrate trained, experienced organizations into the ACP and drills to assist with volunteer coordination and to be an outlet for volunteer interest.*

Action taken: SEFL ACP Section 4320 Volunteer Management updated to include basic volunteer management protocols including convergent volunteers, assigned County EOC Volunteer Managers as the Volunteer Coordinator, defined specific roles volunteers and perform in the U/C organization, and training required to perform those functions.

SEFL Area Committee was expanded to include a Volunteer Management Workgroup to discuss, develop and continually improve volunteer management protocols.

NOTE: Volunteer Management Section has been relocated to Section 2450.3 Volunteer Management to coordinate through the Liaison Officer vice Resources Unit Leader to align with 2010 NIMS change.

(2) *Annual unannounced oil spill notification communications exercise in concert with the required unannounced oil spill drills for oil spill response contractors.*

Action taken: Sector Miami conducts quarterly emergency notification drills and archives them in the Coast Guard Contingency Planning System (CPS) exercise database.

**1802 Incident Specific Preparedness Review (ISPR) DEEPWATER HORIZON
dtd 31,Jan11**

(1) I.1.1 - *Area Committees need to meet regularly and consistently to ensure that the ACPs are up to date, complete and reflect current policy and doctrine.*

Action taken: SE FL Area Committee meets twice a year. One section of the ACP is reviewed for review/comment as an agenda item.

(2) I.1.2 - *Undertake an aggressive outreach program to engage State Governors, county, and city officials, tribes, and emergency mangers, local NGOs in the planning process.*

Action taken: Since 2005, the SE FL Area Committee has grown from 4 major trustees to over 150 participants incorporating local, state, federal, and industry stake holders including 2 tribal nations (2012). In 2009, an Executive Advisory Committee was

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established to include FL Dept Environmental Protection (FL DEP), 7 County EOC managers, the two regional Local Emergency Planning Councils (LEPC), and representatives from the Oil Spill Response Organization (OSRO) and Salvage industry rotating on a two year interval through the industry community. Membership is posted on Homeport and is updated/reposted periodically. (see also L/L #4)

(3) I.1.3 – *Archive minutes to Area Committee meetings on Homeport.*

Action taken: SE FL Area Committee meeting minutes are archived on Homeport/Miami under “Contingency Plans”.

(4) I.1.6 – *Identify innovative ways to include local governments to increase participation in Area Committee.*

Action taken: Ref. Sections 1320 thru 1322 Area Committee. SE FL Area Committee membership includes County EOC managers, County environmental managers (DERM), Wildlife Refuge managers, Fl State Dept of Law Enforcement (Environmental Crimes Units), FL Office of Attorney General, County Volunteer Coordinators, County Divisions/Depts of Emergency Management, Municipal Fire Rescue organizations, local tribal nations (Miccosukee, Seminole), Biscayne National Park, FL Dept of Health (FL DOH), FL Fish and Wildlife Conservation Commission (FWCC), US Army Corps of Engineers (South FL region), NOAA, NOAA Navigation Branch (SE US region), FL Dept of Emergency Management, SPCA Wildlife Care Center, and US Fish & Wildlife.

(5) I.2.2 - *ACPs should identify and prioritize of environmentally sensitive and economically important areas; near shore containment strategies; offshore control and removal strategies; the identification of equipment, trained personnel, and response resources to implement the tactics and strategies for a WCD.*

Action taken: In 2011 county specific workshops were convened to ensure currency of Geographic Response Plans (GRPs), Environmental Sensitivity Indexes (ESIs), and Tidal Inlet Protection Strategies. The workgroup consisted of members from county emergency and environmental managers, State/Federal stakeholders within the county, NOAA, FL DEP, and representatives from local OSROs. All documentation was initialed, whether edits were made or not, and results uploaded on the FWCC sharepoint site for updating the electronic copy of CD distribution; Sector Miami retains the manual edited copies for use until a “finished” copy can be created.

Continuing work is ongoing to validate level of OSRO equipment and staffing to respond to a DWH-type WCD.

(6) I.2.4 - *The Coast Guard should ensure that ACP policy provides for improved State and local participation in ACP development, including participation by industry and OSROs, and that it provides for familiarization of ACPs with senior officials in State and local governments.*

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Action taken: Ref Sections 1320 thru 1322 Area Committee. The SE FL Area Committee at large membership is currently over 150 members. The reviewing body for changes to the SE FL ACP is designated as the Executive Advisory Committee comprised of members from FL DEP (Vice Chair), NOAA, US F&W, FL LEPC 10, LEPC 11, Seminole Tribe of FL, Miccosukee Tribe of FL, Petroleum Association of Port Everglades (PAPE), FWCC, US Park Service (Biscayne National Park), Miami-Dade County EOC Manager, Broward County EOC Manager, Palm Beach County EOC Manager, Martin County EOC Manager, St Lucie County EOC Manager, Indian River County EOC Manager, and Brevard County EOC Manager.

(7) I.3.1 - *Ensure ACPs include a fully developed Fish and Wildlife and Sensitive Environments Plan. This review should also include a process to ensure consistency among Gulf ACPs in the identification and protection of ESAs.*

Action taken: In progress. County specific GRP workshops were convened in 2011 to provide a baseline of data. Additional focused workshops will be convened to better develop these supporting plans and ensure consistency with Gulf ACPs.

(8) I.3.3 - *The Coast Guard should develop procedures to ensure stakeholder participation in the identification and prioritization of ESAs.*

Action taken: In 2011 county specific workshops were convened to ensure currency of Geographic Response Plans (GRPs), Environmental Sensitivity Indexes (ESIs), and Tidal Inlet Protection Strategies. Future workshops will be convened to prioritize ESA species within SE Florida. See L/L #5.

(9) I.3.4 & I.3.5 - *Adopt best practices that address identification, prioritization, and protection strategies for ESAs. These strategies should be periodically exercised in full scale exercises.*

Action taken: In 2011 county specific workshops were convened to ensure currency of Geographic Response Plans (GRPs), Environmental Sensitivity Indexes (ESIs), and Tidal Inlet Protection Strategies. Future workshops will be convened to prioritize ESA species within SE Florida. (See L/L #5). These issues are included as injects in table top exercises as well as PREP full scale exercises.

(10) I.5.7 - *Review ACPs to assess the adequacy of planning and preparedness that ensures the availability of resources and response strategies to address an Oil Spill Response Plan WCD (DWH-type spill).*

Action taken: Done. Ref. Section 9441.4. International Offshore Drilling Incident Worst Case Discharge.

(11) I.6.4 - *The Coast Guard should ensure that public affairs policy dictates that information provided to the media on flow rate is based only on fact and not conjecture.*

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In the absence of factual information, public affairs policy should ensure that information providers acknowledge the uncertainty and efforts to obtain reliable information.

Action taken: Updated Section 21401.1 Public Affairs Officer , Section 2310 Media Contacts, Section 2400 Liaison Officer, and Crisis Communication Planning sub-section of Section 9441.4 International Offshore Drilling Incident Worst Case Discharge to include statement.

(12) 1.6.5 - Initial response to future uncontrolled spill events should be based on the predetermined WCD estimate used in the oil spill response plan until an accurate and verifiable flow rate is determined.

Action taken: The newly developed OSRP type WCD scenario described in Section 9441.4. International Offshore Drilling Incident Worst Case Discharge, involves an uncontrolled discharge of 75,000 bbls/day for 30 days.

(13) 1.7.5 - In pre-authorized areas, plan holders should include use of dispersants as a response option, and include the necessary resources to conduct dispersant operations using personnel trained and qualified in the application of dispersants. OSROs should ensure dispersant resources are identified in the RRI.

Action taken: Highly regulated pre-authorized areas in Florida state waters are listed in Sections 3270.1 (Dispersants), Section 3280.1 (In-Situ Burning). Section 3290 (Bioremediation) discusses the use of Bioremediation, however no pre-authorization exists in Florida thus is situation specific requiring consultation and approval process with Natural Resource Trustees.

(14) 1.7.12 - The Coast Guard should ensure that response training course curricula include the use of dispersants as a response tool, including the potential net environmental benefits and the current state of science regarding dispersants.

Action taken: The District Seven NOAA SSC has conducted 2 training sessions on the dispersant decision guide with RRT Region 4 and the SE FL Area Committee.

(15) 1.8.2 & 1.8.4 - Checklists for FOOSC approval of ISB applications should be developed and made available for inclusion to ACPs.

Action taken: Updated links to RRT Region 4 website for access to alternative technologies decision guides to Sections 3270.1 (Dispersants), Section 3280.1 (In-Situ Burning) and Section 3290 (Bioremediation).

(16) 1.8.3 & 1.8.5 - ISB equipment should be identified in the RRI. Personnel and resources needed to conduct ISB operations should also be identified. These resources should include aviation assets for oil spotting and direction, wildlife control and monitoring, safety, air monitoring, and so forth. Plans should also include the location and deployment times to deliver ISB equipment, removal capability of the identified ISB

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equipment, and the means to scale up resources required to be able to quantify the contribution of this tool to meet a WCD scenario. ISB equipment should be periodically exercised in full scale exercises.

Action taken: In progress. Engage with SE FL Area Committee OSRO workgroup to determine. Sections 3000, 4000, 5000.

(17) II.5.1 - Conduct education and outreach programs with State and local governments, familiarizing officials on the NCP preparedness and response construct. Encourage active participation by Governors and county representatives in the Area Committee planning process.

Action taken: All county-specific GRP workshops performed this mission. Also discussed during annual hurricane exercises and conferences.

(18) II.5.3 - The Coast Guard should leverage existing relationships with SOSCs, Local Emergency Preparedness Committees, and State and Local emergency management agencies as a way to facilitate communications between the Federal Government and elected officials at the State, parish, and county level. Encouraging active participation by Governors, parish, and county representatives in the Area Committee planning process is an excellent avenue to establish these lines of communication.

Action taken: Done. Ref Sections 1320 thru 1322 Area Committee, membership and minutes to SE FL Area Committee meetings posted on <http://homeport.uscg.mil>, and L/L #4 and #6 above.

(19) II.5.4 - Encourage States to serve as Co-Chair on their respective Area Committees. Ensure State and local representatives are included in the ICS structure.

Action taken: Done. Ref Sections 1321 Area Committee Executive Advisory Committee. FL DEP is assigned as Co-Chair of SE FL Area Committee.

(20) II.5.5 - The Coast Guard should reevaluate the ICS structure to ensure that State and local representatives are appropriately incorporated in this organization. This structure should be scalable to allow representation according to the geopolitical subdivisions of a particular region.

Action taken: By ICS framework, FL DEP is included as SOSC in any response. Normal Sector Miami policy dictates outreach to local EOC managers via teleconference to keep all informed and participation is invited at various levels/positions within response organization.

(21) II.8.4 - The Coast Guard should encourage all participating agencies and organizations involved in an oil spill response to maintain a commitment to NIMS/ICS training and competency.

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Action taken: State of Florida requires all state, county and municipal responders to have I-100 through I-400 training with additional ICS training courses funded for position specific responsibilities. Sector Miami has provided I-210 training to 2 petroleum companies and regional CG Auxiliary flotillas.

(22) II.8.10 - *During future incidents, the Coast Guard should carefully select the location of ICPs based on proximity to the spill, but also consider geographic, jurisdictional, and/or political ramifications.*

Action taken: Ref Section 5220.1 Incident Command Post Options. Identifies County EOCs as initial Incident Command Posts (ICPs) until a more permanent location can be contracted.

(23) II.8.14 - *Consider including the Request For Information (RFI) Unit as a component of the Situation Unit at appropriate levels within the response organization.*

Action taken: Done. Ref Figure 4100-1 and Section 4290 Request For Information Unit.

(24) III.1.4 - *Ensure that ACPs contain sufficient direction related to the appropriate sizing of spill response organizations.*

Action taken: In progress. General parameters are listed in Section 3130 Scalability of Operations Section. Currently use Section 9400 Area Planning Documentation and Incident Management Handbook for structuring response organization. Convene a workgroup to develop template organization charts for the planning scenarios listed in Section 9400.

(25) III.1.5 - *The Coast Guard should consider providing guidance on the need to use local temporary clean-up personnel and to ensure that ACPs address this issue.*

Action taken: Added phrase "Prioritize resource ordering to local/near region suppliers as practicable" to Section 5110 Logistics Section Chief Responsibilities, Section 5121 First Operational Period, Section 5122 Second Operational Period. Listed potential non-response support that could be contracted and initial considerations for contracting local workers for removal/recovery activities in Section 5210 Summary of Suppliers.

(26) III.1.6 - *Ensure ACPs address conducting response operations in extreme weather conditions or work environments.*

Action taken: In progress. Create template heavy weather plan. Section 9300.

(27) III.2.12 - *Through the ACP process, responders at all levels should be educated regarding the proper use and effectiveness of near-shore skimming devices and their limitations when applied to other operating environments.*

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Action taken: In progress. Section 3000.

(28) III.3.2 - *The Coast Guard should work with the OSRO community to determine types of response equipment that are more easily transported by aircraft.*

Action taken: In progress. Engage with SE FL Area Committee OSRO workgroup to determine. Sections 3000, 5000.

(29) III.4.2 - *Potential Vessel of Opportunity (VoO) Program participants should be pre-identified and pre-trained whenever possible.*

Action: Sector Miami Commercial Fishing Vessel Examination staff maintains a list of VoO owners that were trained for DWH reponse. No currency program of training is established or supported.

NOTE: Added template VoO Plan, Section 9323, for future use.

1900 Reserved for Area / District

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2000 COMMAND

2100 Unified Command

The Unified Command Structure (UCS) provides an organization capable of anticipating and responding to pollution response emergencies.

The UCS is based on the Incident Command System (ICS) and is intended to provide a “common ground” to jointly coordinate command and control for a large number of response agencies. UCS is designed to bring together continuous decision making input from response groups at every level: City, County, State, Federal and the commercial community.

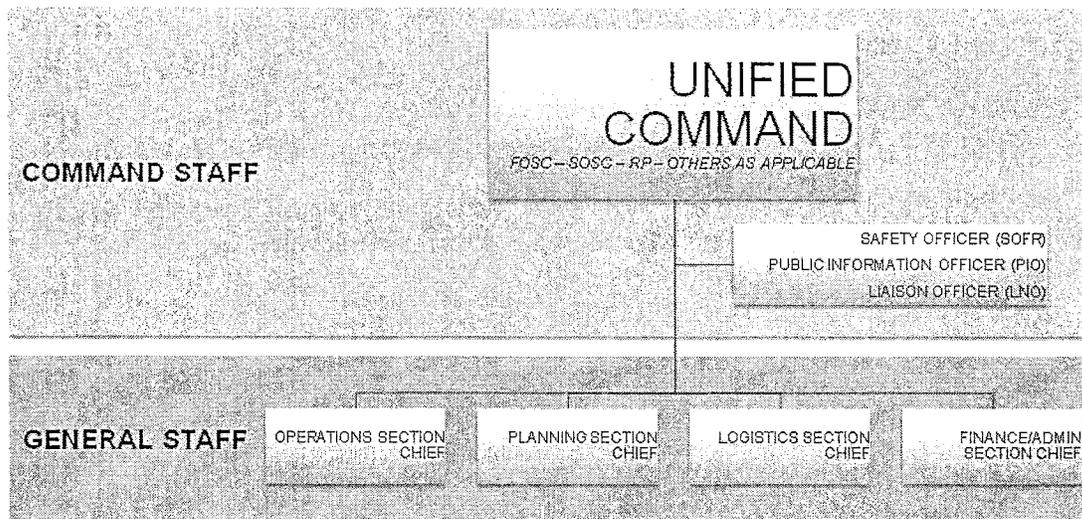


FIGURE 2100-1: Unified Command Structure

Each response agency and group is responsible to participate in UCS at the appropriate decision making level. The UCS is designed to develop proactive consensus building in anticipation of response requirements, making liaison and direct communication between key response decision makers an integral and continuous part of the emergency response process. Each agency retains its own organizational identity, chain of command and direct control of personnel and resource tasking. See Figure 1.

While a single IC normally handles the command function, an ICS organization may be expanded into a UC. As a component of an ICS, the UC is a structure that brings together the “Incident Commanders” of all major organizations involved in the incident to coordinate an effective response while at the same time carry out their own jurisdictional responsibilities. The UC links the organizations responding to the incident and provides a forum for these agencies to make consensus decisions. Under the UC, the various jurisdictions and/or agencies and non-government responders may blend together throughout the organization to create an integrated response team.

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The UC may be used whenever multiple jurisdictions are involved in a response effort. These jurisdictions could be represented by:

- Geographic boundaries (e.g., two States, Indian Tribal Land);
- Governmental levels (e.g., Federal, State, Local,);
- Functional responsibilities (e.g., fire, oil spill, EMS);
- Statutory responsibilities (e.g., Federal Land Managers, RP OPA 90 or CERCLA); or
- Some combination of the above.

Unified Command make-up for a specific incident will be determined on a case-by-case basis taking into account:

- (1) the specifics of the incident;
- (2) determinations outlined in existing response plans; or
- (3) decisions reached during the initial meeting of the UC. The makeup of the UC may change as an incident progresses, in order to account for changes in the situation.

The UC is a team effort, but to be effective the number of personnel should be kept as small as possible. A well-defined process requires the UC to set clear objectives to guide the on-scene response resources.

The UC is responsible for overall management of the incident. The UC directs incident activities, including development and implementation of overall objectives and strategies, and approves ordering and releasing of resources. The UC is not a “decision by committee”. The principals are there to command the response to an incident. Time is of the essence. The UC should develop synergy based on the significant capabilities that are brought by the various representatives. There should be personal acknowledgement of each representative’s unique capabilities, a shared understanding of the situation, and agreement on the common objectives. With the different perspectives on the UC comes the risk of disagreements, most of which can be resolved through the understanding of the underlying issues. Contentious issues may arise, but the UC framework provides a forum and a process to resolve problems and find solutions.

A cooperative attitude and a thorough understanding are essential. So does a thorough understanding of the ICS IAP Cycle. Nevertheless, situations may arise where consensus agreement may not be reachable. In such instances, the UC member representing the agency with primary jurisdiction over the issue would normally be deferred to for the final decision.

The UC has certain responsibilities as noted above. Failure to provide clear objectives for the next operational period means that the Command function has failed. While the UC structure is an excellent vehicle (and the only nationally recognized vehicle) for coordination, cooperation, and communication, the duly authorized representatives must make the system work successfully. A strong Command--a single IC or UC--is essential to an effective response.

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Each UC member may assign Deputy Incident Commander(s) to assist in carrying out IC responsibilities. UC members may also be assigned individual legal and administrative support from their own organizations.

To be considered for inclusion as a UC representative, your organization must:

- Have jurisdictional authority or functional responsibility under a law or ordinance for the incident; and,
- The incident or response operations must have impact on your organization's AOR; and,
- Your organization must be specifically charged with commanding, coordinating or managing a major aspect of the response; and,
- Your organization must have the resources to support participation in the response organization.

UC representatives must be able to:

- Agree on common incident objectives and priorities;
- Have the capability to sustain a 24-hour-7-day-a-week commitment to the incident;
- Have the authority to commit agency or company resources to the incident;
- Have the authority to spend agency or company funds;
- Agree on an incident response organization;
- Agree on the appropriate Command and General Staff position assignments to ensure clear direction for on-scene tactical resources;
- Commit to speak with "one voice" through the IO or JIC, if established;
- Agree on logistical support procedures; and
- Agree on cost-sharing procedures, as appropriate.

It is important to note that participation in a UC occurs without any agency abdicating authority, responsibility, or accountability

What if your agency is not a part of the Unified Command?

Here is how to ensure your organization's concerns or issues are addressed:

- Serve as an agency or company representative.
- Provide input to your agency or company representative, who has direct contact with the LO.
- Provide stakeholder input to the LO (for environmental, economic, or political issues).
- Serve as a Technical Specialist in the Planning Section (reassigned, as appropriate).
- Provide input to a UC member.

Refer to the <http://homeport.uscg.mil/ics> for the Incident Management Handbook (IMH) and specific Job Aids and information on all Command Staff duties and positions including ICS forms.

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2110 Command Representative

Federal, state, and responsible party Incident Commanders should utilize the *Incident Commander Job Aid* found on Homeport (<https://homeport.uscg.mil/ics>) to guide initial actions.

2110.1 Federal Representative

In accordance with the NCP (40 CFR 300.120), the Sector Miami Commander shall serve as the pre-designated Federal On-Scene Coordinator (FOSC)/Incident Commander (IC) for oil discharges, including facilities and vessels under the jurisdiction of another federal agency, within or threatening the coastal zone, except when the sole source of the discharge is from a facility or vessel under the jurisdiction, custody, or control of the Department of Defense (DOD) or Department of Energy (DOE). During such incidents, the DOD or DOE shall serve as the FOSC for responses within their respective jurisdictions.

FOSC authority may be placed on a higher authority within the U.S. Coast Guard during a major oil spill, such as the Worst Case Discharge scenarios in Section 9440, although the Sector Miami Commander may remain as the IC for the local response efforts within the incident specific response organization. The Environmental Protection Agency shall serve as the pre-designated FOSC for oil discharges and hazardous substances releases in the inland zone.

The first federal official affiliated with an NRT member agency to arrive at the scene of a discharge should coordinate activities under the NCP and is authorized to initiate, in consultation with the FOSC, any necessary actions normally carried out by the FOSC until the arrival of the pre-designated FOSC. This official may initiate federal Fund-financed actions only as authorized by the FOSC.

The FOSC shall, to the extent practicable, and as soon as possible after the incident occurs:

- Collect pertinent facts about the discharge, such as its source and cause;
- Identify responsible parties, the nature, amount, and location of discharged materials along with predicting the trajectory of discharged materials;
- Determine whether the discharge is a worst case discharge, the pathways to human and environmental exposure, the potential impact on human health, welfare, safety and the environment and whether the discharge poses a substantial threat to the public health or welfare;
- Identify the potential impact on natural resources and property;
- Discuss priorities for protecting human health, welfare and the environment;
- Ensure appropriate resource documentation;

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- Ensure that the trustees for natural resources are promptly notified of discharges and coordinate all response activities with the affected Natural Resource Trustees and shall consult with the affected trustees on the appropriate removal action to be taken;
- Consult with the Regional Response Team IV (RRT), when necessary, in carrying out the requirements of the NCP and keep the RRT informed of activities under the NCP;
- Notify the Health and Human Services (HHS) representative to the RRT in instances where a public health emergency exists;
- Submit pollution reports to the RRT and other appropriate agencies as significant developments occur during response actions, through communication networks or procedures agreed to by the RRT and covered in the RCP;
- Ensure that all appropriate public and private interests are kept informed and that their concerns are considered throughout a response, to the extent practicable.

A special situation could occur when Biscayne National Park is involved. In addition to the U.S. Coast Guard Sector Miami Commander, a Unified Command may include the National Parks Service due to highly regulated geographic area that may potentially be affected by a discharge or release.

When a Responsible Party (RP) is identified, the FOSC should consult with the RP on all response actions, but should not delay taking action due to the inability to contact the RP or while awaiting a consensus. When a FOSC believes time is a critical factor in a response, he or she is expected to act, although this may require action without conferring with the RP. The FOSC is responsible for taking those actions deemed to be in the environment's best interests, which occasionally may include obtaining resources without prior consultation with the RP. The FOSC is expected to continuously evaluate response action in all cases and be kept informed by the RP of all activities and action plans. In turn, the FOSC should convey the specific response objectives that the RP should accomplish and review and concur with the RP's action plans. Three factors will dictate the degree of the FOSC's direct involvement:

- (1) Severity of the event;
- (2) Complexity of the response operations; and
- (3) The RP's actions.

2110.2 State Representative

Each state governor is requested to designate a lead state agency that will direct state-led response operations. This agency is responsible for designating the lead state response official for federal and/or state-lead response actions, and coordinating/communicating with any other state agencies, as appropriate. For the SE Florida region, this official is from the Florida Department of Environmental Protection, Bureau of Emergency Response and acts as the State On-Scene Coordinator (SOSC) in the Unified Command.

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The SOSOC is responsible to ensure all pertinent resource, cultural, archaeological, environmental and economic issues are discussed and decisions within the UC are based on sound state-specific information. This individual must be able to make decisions with minimal internal agency consultation.

Because state and local public safety organizations may be the first government representatives at the scene of a discharge or release, they are expected to initiate public safety measures that are necessary to protect public health and welfare that are consistent with containment and cleanup requirements in the NCP, and are responsible for directing evacuations pursuant to existing state or local procedures. State and local governments, however, are not authorized to take actions under Subpart D of the NCP that involve expenditures of the Oil Spill Liability Trust Fund (OSLTF) unless a Pollution Removal Funding Authorization (PFRA) has been completed between the FOSC and local government representative.

2110.3 Responsible Party (RP) Representative

Under OPA 90, the responsible party has primary responsibility for cleanup of a discharge. The response shall be conducted in accordance with their applicable response plan. Section 4201(a) of OPA 90 states that an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the NCP and the applicable response plans as required. Section 4202 of OPA 90 states that these response plans shall be consistent with the requirements of the NCP and ACPs. Each owner or operator of a tank vessel or facility required by OPA 90 to submit a response plan shall, do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements, are located in 33 CFR Parts 154 and 155, respectively.

As defined by OPA 90, each responsible party of a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the ACP, and the applicable response plan required by OPA 90. Each responsible party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of a discharge, is liable for removal costs as specified in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. 9601 et seq.).

2120 Guidance for Setting Response Objectives

Criteria for developing response objectives:

Achievable – Realistic; Can the end state be achieved as desired (time, quality, cost, etc.)

Measurable – What are the measures to determine desired progress or the end

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state has been achieved?

Flexible – Can alternative strategic or tactical courses of action be applied to better results?

2120.1 Discovery and Notification

Reports of an actual or potential oil discharge may come from a variety of sources: vessels, facilities, aircraft, private citizens, other government agencies, the news media, or the National Response Center (NRC). The FOSC ensures notification of the appropriate state agency of any state which is, or may reasonably be expected to be, affected by the discharge. Section 9100 and 9120 – Notifications and Initiation of Response provides guidance and contacts in order to alert the SE Florida response community and stakeholders of a discharge or release.

2120.2 Preliminary Assessment and Initiation of Action

Once the spill’s location is ascertained, determination of the pre-designated FOSC should be made in accordance with the RCP. If it is not in the coastal zone, notify the EPA FOSC and be prepared to assist and direct the response until the EPA FOSC arrives on-scene.

After receiving a report of an oil spill and notifying the appropriate entities, the FOSC should begin planning the proper level of response and resource allocation. Use a chart of the area—one which covers the smallest practical area so the greatest detail is visible—and database to evaluate the details. Consult a good road map to determine the best access route for responders.

Evaluate the actual or threatened discharge’s magnitude and severity and assess the effectiveness of possible removal operations. This may require on-scene verification and evaluation, determining a hazard and area environmental vulnerability assessment, and an overflight to determine the size, location, and movement of the discharge. The FOSC should base an assessment on objective consideration of these factors. If a discharge threatens, decide how substantial the threat is according to FWPCA guidelines. Using federal funds may depend on such a determination. The optimum time for completing an evaluation is within one hour of receiving the report of the spill.

After identifying the spill’s geographic area, determine:

- the location of pre-arranged staging areas, command posts, and equipment;
- the availability of boat ramps in the area; and
- vulnerable resources in the area, including water intakes, marina, marshes, and wildlife.

The FOSC must ensure an adequate surveillance of the spill response. If the Responsible Party does not take prompt, efficient action or is unknown, the FOSC must take necessary actions to eliminate the threat or remove the discharge.

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When the FOSC receives a report of a discharge, the following general patterns of response are normally taken:

- (1) Investigate;
- (2) Officially classify the size (i.e., minor, medium, major) and type (i.e., substantial threat to the public health or welfare, worst case discharge) of the discharge and determine the course of action;
- (3) Determine if the Responsible Party can achieve effective removal, mitigation or prevention, and if so, determine whether removal is being done properly;
- (4) Determine, where appropriate, whether a state or political subdivision has the capability to carry out any or all removal actions; and
- (5) Make prompt notifications of the trustees.

If the initial evaluation indicates an actual or potential medium or major discharge, the FOSC should advise the Seventh Coast Guard District Regional Response Team IV (RRT) of the need to initiate further federal response actions. After assessing the hazards the FOSC should advise them of the following:

- Whether cleanup or preventive action is necessary
- Whether RRT activation is required
- Whether additional resources are needed
- Whether the Responsible Party is taking responsibility for the cleanup operation and whether the response is immediate and effective
- Whether containment, countermeasures, cleanup, and disposal are required

The following classifications of oil discharges serve as guidance for the pre-designated Federal OSC as specified under 40 CFR 300.5:

COASTAL WATERS (Coast Guard)	INLAND WATERS (EPA)
Minor: <10,000 gals	Minor: <1,000 gals
Medium: 10,000-100,000 gals	Medium: 1,000-10,000 gals
Major: >100,000 gals	Major: >10,000 gals

NOTE: Any discharge that poses a substantial threat to public health or welfare, or results in a critical public concern shall be classified as a "major discharge."

2120.3 Containment, Countermeasures, Cleanup, and Disposal

Containment, countermeasures, and cleanup are defensive response actions. The FOSC must ensure that initial response action begins as soon as possible after either an actual or

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threatened oil discharge is discovered. The goal of initial response is to protect public health and welfare and may require the following actions:

- controlling the source of the discharge,
- limiting the spread of the pollution, and
- mitigating the effects of the pollution.

Mitigating the pollution's effect may include recovering oil from the water and affected lands, which may require using equipment such as sorbents or oil skimmers, either the cleanup contractor's or prepositioned. The FOSC must ensure that the Responsible Party is cleaning up the spill promptly and effectively and mitigating its effects. If not, the FOSC must assume federal responsibility and hire and directly supervise the cleanup contractor.

The FOSC must recognize that each habitat or milieu possesses unique qualities which may require different cleanup techniques to accomplish the two goals of removing as much pollutant as possible while minimizing environmental damage from the cleanup technique and further weigh these goals against such constraints as the technology, equipment, and personnel available.

While recoverable quantities of oil in the water should be contained and removed if practical, often times immediate containment is not possible, necessitating a shoreline cleanup. Nonetheless cleanup forces should examine the feasibility of open water containment and removal—especially if they can achieve containment before a potential spill becomes an actual one.

Dispersants or chemicals may mitigate pollution damage more effectively than mechanical or physical methods. The NCP's Subpart J describes the criteria for using dispersants and other chemicals. The NCP Product Schedule and product bulletins periodically update the latest list of EPA accepted chemical agents and additives, including technical data, application criteria, effectiveness, and toxicity. The use of any alternative response technologies, including dispersants, must be done in accordance with RRT IV's policy.

If shoreline contamination is expected, the FOSC should ask several questions to determine if cleanup is an appropriate response:

- Will cleanup activities cause more damage than leaving the oil to natural recovery or dissipation?
- Will cleanup activities severely disrupt shoreline bird or mammal colonies?
- Does the oil have a relatively low toxicity?
- Will storms or seasonal erosion cycles remove the oil from the shoreline?
- Does the oil degrade rapidly or slowly?
- Does the shoreline have a high energy level?
- Is the oil present on the surface of the substrate and likely to remain there rather than being incorporated into sediments or buried by seasonal cycles?

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- Is it likely the oil will migrate to adjacent shoreline or near-shore areas?

Whether the polluter or the federal government conducts the removal, the FOSC determines removal completeness (“How clean is clean?”) and authorizes termination of operations. Where uncertainty exists, the FOSC may seek the advice of the RRT in making this determination. Generally, for oil discharges, removal is “complete” when:

- There is no longer any detectable oil present on the water, adjoining shorelines, or places where it is likely to reach the water again; or
- Further removal operations would cause more environmental harm than the oil to be removed; or
- Cleanup measures would be excessively costly in view of their insignificant contribution to minimizing a threat to the public health or welfare, or the environment; and
- Activities required to repair unavoidable damage resulting from removal actions have been performed.

Oil recovered in cleanup operations shall be disposed of in accordance with the RCP, ACP Waste Disposal Plan, and any applicable laws, regulations, or requirements. RRT and ACP guidelines may identify the disposal plans to be followed during a spill response and may address: sampling, testing, and classifying of recovered oil and oiled debris; segregation and stockpiling of recovered oil and oiled debris; prior state disposal approvals and permits; and the routes; methods (e.g., recycle/reuse, on-site burning, incineration, landfilling, etc.); and sites for the disposal of collected oil, oiled debris, and animal carcasses.

2120.4 Documentation and Cost Recovery

All OSLTF users need to collect and maintain documentation to support actions taken under the FWPCA. For a spill in which the federal government assumes responsibility for cleanup operations, documenting federal response efforts is essential so it can recover its costs from parties responsible for the spill to replenish the revolving fund.

Documentation serves several other useful purposes as well.

- Through reports (SITREPS), informs response personnel at other organizational levels and agencies.
- It provides evidence to support imposing civil or criminal sanctions.
- It documents federal expenditures to recover costs from the Responsible Party.
- It documents OSC decisions and actions throughout the incident.
- It forecasts program resource levels needed for pollution response.

2130 Response Objectives by Operational Period

Typical operational objectives for the **initial response (emergency) phase** include (in no particular order):

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- Confirm the existence and extent of the spill/release
- Secure the source of the spill
- Evaluate the extent of contamination
- Confirm/execute all notifications to concerned local, county, state, and federal agencies. (HomePort, State Warning Point, etc.)
- Assemble and establish a unified agency response group on-scene
- Ensure safety to the responders and public
- Assess the need to mobilize additional contract response resources (it is generally better to mobilize early (then release if the asset is not needed) rather than delay for fear of overreaction
- Establish a public information group
- Establish a defined response organization
- Examine key response financial issues (see Section 6000 Finance and Administration)

Typical operational objectives for the **first operational period** include (in no particular order):

- Fully evaluate/reconnaissance the extent of contamination
- Implement the unified command organization and verify operations are being conducted in conformity with the National Incident Management System/Incident Command System
- Begin relocation of Incident Command functions from on-scene unified operations group operations center to off-site/suitable Unified Command Post
- Commence Incident Planning cycle, including initial response strategies, objectives and Incident Action Plan
- Liaison Officer: initiate contact with local municipalities and establish communication channels
- Safety Officer: develop, train on, and deploy initial site-specific safety and health plan (product MSDS if available) by coordinating with contractor and government safety plans
- Information Officer: Define/confirm media relations approach with Unified Command; establish Joint Information Center, prepare first press release and organize first media briefing

Typical operational objectives for the **second operational period** include (in no particular order):

- Transition from immediate operations driven response posture to a pre-planned operations response posture. By 48 hour mark, establish a good understanding of the extent of the spill/release and overall objectives throughout response organization
- Conduct routine situation briefings
- Conduct daily objectives, tactics, and planning meetings in accordance with established response meeting schedule
- Continue developing daily incident action plans.
- Develop Demobilization Plan.

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2135 General Response Priorities

The general response priorities, as outlined in the NCP are:

- (1) **Safety of human life must be given the top priority** during every response action. This includes any search and rescue efforts in the general proximity of the discharge and the insurance of safety of response personnel;
- (2) Stabilizing the situation to preclude the event from worsening is the next priority. All efforts must be focused on saving a vessel that has been involved in a grounding, collision, fire, or explosion, so that it does not compound the problem. Comparable measures should be taken to stabilize a situation involving a facility, pipeline, or other source of pollution. Stabilizing the situation includes securing the source of the spill and/or removing the remaining oil from the container (vessel, tank, or pipeline) to prevent additional oil spillage, to reduce the need for follow-up response action, and to minimize adverse impact to the environment;
- (3) The response must use all necessary containment and removal tactics in a coordinated manner to ensure a timely, effective response that minimizes adverse impact to the environment;
- (4) All parts of this national response strategy should be addressed concurrently, but safety and stabilization are the highest priorities. The FOSC should not delay containment and removal decisions unnecessarily and should take actions to minimize adverse impact to the environment that begins as soon as a discharge occurs, as well as actions to minimize further adverse environmental impact from additional discharges.

These priorities are broad in nature, and should not be interpreted to preclude the consideration of other priorities that may arise on an incident-specific basis.

2140 Command/Command Staff

The Unified Command for an oil discharge in the marine environment includes:

- (1) FOSC – the pre-designated Federal On Scene Coordinator;
- (2) Qualified Individual or Incident Commander representing the Responsible Party;
- (3) The pre-designated SOSOC representing State and local response agencies, and;
- (4) Other federal trustees as applicable by law or regulation.
(See also NOAA Scientific Support Coordinator).

The responsibilities of the Unified Command include:

- Mobilize, implement and manage the UCS organization needed to accomplish

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- response objectives
- Assess incident priorities
 - Determine strategic goals and tactical objectives
 - Develop or approve the Incident Action Plan and ensure each agency implements and accomplishes those actions for which they are responsible
 - Approve access to the Oil Spill Liability Trust Fund (OSLTF) and set response funding ceilings
 - Anticipate response needs and authorize the ordering, deploying, and demobilization of response resources
 - Serve as the ultimate safety authority, approve the Site Safety Plan, and ensure the maximum achievable level of worker health and safety for all responders
 - Authorize information releases to the media and participate in scheduled press conferences

The Command Staff includes:

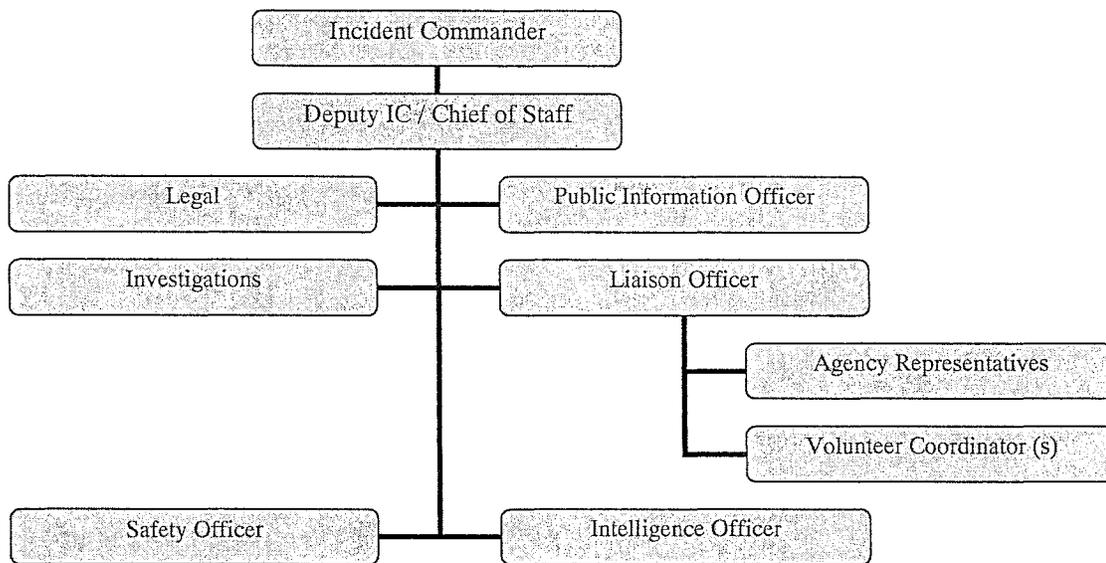


FIGURE 2140-1: Command Staff Structure

2140.1 Deputy Federal On-Scene Coordinator (FOSC)

The responsibilities of the Deputy FOSC include:

- Monitor and direct the Command Staff and the Section Chiefs to accomplish the strategic goals and tactical strategies defined in the Incident Action Plan
- Serve as the OSC, in the absence of the OSC
- Identify and establish priorities related to the internal management and organizational structure of the UCS

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See also ICS Job Aid – Incident Commander

2140.2 Safety Officer

The responsibilities of the Safety Officer and his or her assistant and safety observers include:

- Identify and evaluate safety and health hazards that may impact both response workers and the public, designate exclusion zone boundaries, and determine levels of personal protective equipment required
- Write and update the Site Safety Plan
- Implement and manage the Safety Staff needed to continuously monitor and evaluate safety and health conditions and to prevent unsafe conditions
- Insure that all responders have adequate skills to safely perform assigned tasks and that required levels of training are documented
- Provide or coordinate health and safety training and regular safety briefings required to perform response activities
- Coordinate with public, government, and industry health and safety officials regarding public health concerns, including evacuations, limiting access to public areas, beach closures, and fisheries restrictions
- Resolve and identify to the Unified Command significant safety and health issues
- See also Section 2200 Health and Safety

2140.3 Liaison Officer

The responsibilities of the Liaison Officer and his/her assistants include:

- Serve as the initial point of contact for participating response agencies and groups and identify assignments to appropriate UCS sections
- Receive and coordinate all calls from public and private entities offering assistance or requesting information
- Resolve and identify to the Unified Command public and private concerns related to the status and effectiveness of the response
- Serve as U/C point of contact for Volunteer Coordinator(s)
- Network with Resources Unit Leader for Volunteer tasking through the Volunteer Coordinator
- See also Section 2400 Liaison Officer

2140.4 Public Affairs Officer

The Information Officer is responsible for developing and releasing information about the incident to the news media, to incident personnel, and to other appropriate agencies and organizations.

Only one Information Officer will be assigned for each incident, including incidents

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operating under UC and multi-jurisdictional incidents. The Information Officer may have assistants as necessary, and the assistants may also represent assisting agencies or jurisdictions.

The responsibilities of the Public Affairs Officer and his or her assistants include:

- Serve as the central clearing point for the dissemination of official information representing the UCS to the media
- Implement and manage the Joint Information Center (JIC) as the central location for disseminating official information
- Schedule, organize, and conduct UC media briefings, interviews, and tours
- Develop presentation documentation such as charts, maps and graphics to support both response operation and media briefings
- During major and Offshore oil spill incidents (e.g. Deepwater Horizon), ensure that public affairs policy dictates that information provided to the media on flow rate is based only on fact and not conjecture. In the absence of factual information, public affairs policy should ensure that information providers acknowledge the uncertainty and efforts to obtain reliable information
- Resolve conflicting information and identify media concerns to the Unified Command
- Implement and manage the Public Affairs Staff needed to proactively accomplish Public Affairs tasking
- See also Section 2300 Information Officer

2140.5 Investigation Staff

The responsibilities of the Investigation Staff include:

- Identify and document the source of a discharge and the responsible party
- Secure statements, physical evidence, and samples necessary to establish the cause of a discharge, identify the responsible party
- Gather other information that may be required from the scene of an incident that may be required by the UC, including:
 - (a) the quantity of the discharge;
 - (b) the status of vessels, facilities, or personnel involved in the incident; and
 - (c) evidence of impact, damage or loss.
- Coordinate concurrent investigations and conduct cooperative investigations where appropriate
- Manage the availability of evidence that may be required by separate or divergent investigation
- Inform the Unified Command of the status of investigations
- Implement and manage the Investigation Staff needed to proactively accomplish investigation tasking

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- See also Section 2410 Investigators.

2140.6 Legal Staff

The responsibilities of the Legal Staff include providing legal advice to the Unified Command in support of response decision-making.

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2200 Health and Safety

The **Safety Officer** (SOFR) is responsible for monitoring and assessing hazardous and unsafe situations, and developing measures for assuring personnel safety. The SOFR will correct unsafe acts or conditions through the established line of authority, although the SOFR may exercise emergency authority to stop or prevent unsafe acts when immediate action is required.

The SOFR maintains awareness of active and developing situations, ensures the preparation and implementation of the Site Safety Plan and all safety messages with the IAP. See also Section 9750.1 ICS 208 - Site Safety Plan (SSP) Template for additional information.

A job aid for the SOFR can be found at <https://homeport.uscg.mil/ics>. The U.S. Coast Guard Incident Management Handbook (IMH) provides guidance on implementing the Incident Command System (ICS) and related positions.

The SOFR may assemble a team of Assistant Safety Officers and Safety Observers as/if the response becomes more complex. These additional personnel are assigned to specific components of the response to monitor complex and/or hazardous activities associated with that specific component. These additional personnel may include:

- OSRO Safety Observer
- Dive Team Safety Observer
- Salvage Safety Observer

Regardless of the make-up or size of the Safety Team, there is only one assigned Safety Officer responsible to ensure all support (operations oversight) and administrative (plans/briefs) activities are conducted.

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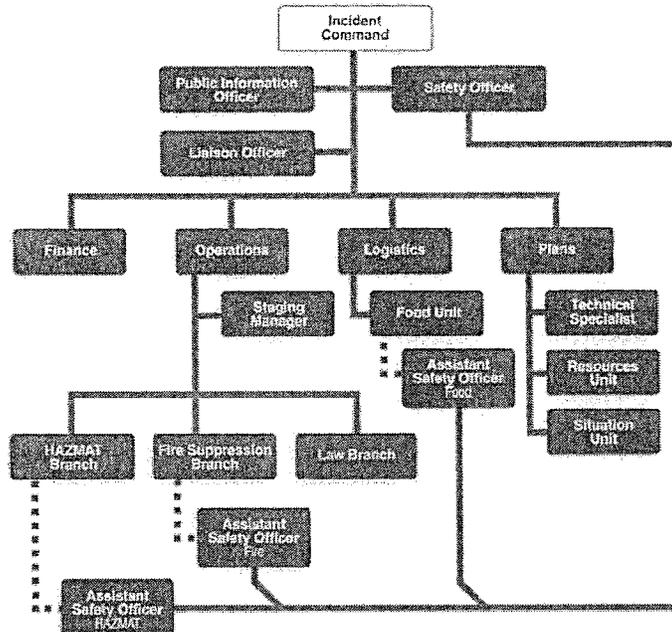


FIGURE 2200-1 Safety Officer and Potential Assistant Safety Officer Assignments

2201 Safety Regulations

All government employees and contract personnel involved in oil spill response activities must comply with all applicable worker health and safety laws and regulations. The primary federal regulations are the Occupational Safety and Health Administrations (OSHA) standards for hazardous waste operations and emergency response found in 29 CFR 1910.120. This rule regulates the safety and health of employees involved in cleanup operations at uncontrolled hazardous waste sites being cleaned up under government mandate and in certain hazardous waste treatment, storage, and disposal operations conducted under the Resource Conservation And Releases Recovery Act of 1976 (RCRA). The regulations also apply to both emergency response and post-emergency cleanup of hazardous substances. The definition of hazardous substance used in these regulations is much broader than CERCLA, encompassing all CERCLA hazardous substances, RCRA hazardous waste, and all DOT hazardous materials listed in 49 CFR Part 172. Thus, most oil and oil spill responses are covered by these regulations. The rules cover employee protection during initial site characterization analysis, monitoring activities, materials handling activities, training, and emergency response.

OSHA classifies an area impacted by oil as an uncontrolled hazardous waste site. However, the regulations do not automatically apply to an oil spill cleanup. There must be an operation that involves employee exposure or the reasonable possibility for employee exposure to safety or health hazards. A typical beach cleanup worker collecting tar balls of weathered oil or deploying sorbents to collect a sheen may not be exposed to a safety or health risk. The role of the site safety and health supervisor is to assess the site, determine the safety and health hazards present, and determine if OSHA regulations

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apply. If an OSHA field compliance officer is on-scene, he or she should be consulted to determine the applicability of OSHA regulations. Disputes should be referred to the Department of Labor representative on the RRT. The individual making the site characterization should communicate the hazards associated with the spill, and provide recommendations for the protection of workers' safety and health through a site safety plan. The responsibility for the health and safety of personnel supporting a pollution response mission ultimately rests with the FOSC.

2202 Training Requirements

Training for emergency response employees shall be completed before they are called upon to perform in real emergencies. Such training shall include the elements of the emergency response plan, standard operating procedures the employer has established for the job, the personal protective equipment to be worn, and procedures for handling emergency incidents.

Training shall be based on the duties and function to be performed by each responder of an emergency response organization. The skill and knowledge levels required for all new responders shall be conveyed to them through training before they are permitted to take part in actual emergency operations on an incident. The following table summarizes the training standards outlined in 29 CFR 1910.120:

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<u>29 CFR 1910.120</u>	<u>WORKER CATEGORY</u>	<u>TRAINING REQUIREMENTS</u>
(q)(4)	Skilled Support Personnel	Site Safety Briefing and Sufficient Training as Determined by SOFR
(q)(6)(i)	First Responder Awareness (FRA)	Sufficient Training and/or Experience
(q)(6)(ii)	First Responder Operations (FRO)	8 Hours
(q)(6)(iii) and (iv)	Hazardous Material Technician/Specialist	24 Hours
(q)(6)(v)	On-Scene Incident Commander	FRO (8 Hours) and 16 Hours of Additional ICS Training
(q)(8)	Annual Refresher Training	Sufficient Training to Maintain Current Competencies
n/a	Volunteers/ Uncompensated Workers <i>*see Section 2450.3 thru 2450.33 for additional information on volunteers</i>	4 Hours

TABLE 2202-1: HAZWOPER TRAINING REQUIREMENTS

OSHA has recognized the need to remove oil from the environment and has empowered the OSHA representative to the RRT to reduce the training requirement to a minimum of 4 hours for responder engaged in post emergency response operations. An example of a post emergency response effort is shoreline cleanup operations. The reduced training applies to all Coast Guard personnel and to the private sector. This information may be found in OSHA Instruction CPL 2-2.51. The level of training required depends on the potential for exposure. Workers required to use respirators must have 40 hours of off-site training. The OSHA field compliance officer should be contacted to ascertain the worker training requirements and develop an implementation plan to minimize the hazards of exposure to workers involved in cleanup operations. Training requirements may vary from State to State. State requirements that are more restrictive will preempt Federal requirements. The FOSC should establish contact with the State OSHA representative, where applicable, to determine the State training requirement for oil spill response.

2210 Site Characterization

Prior to sending responders into the scene of a release of oil or hazardous substances, a site characterization and analysis should be performed by a safety professional to determine the hazards that first responders may face at the incident scene. The site should be characterized by utilizing the following in accordance with 29 CFR 1910.120:

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- (1) Preliminary evaluation. A preliminary evaluation of a site's characteristics shall be performed prior to site entry by a qualified person in order to aid in the selection of appropriate employee protection methods prior to site entry. Immediately after initial site entry, a more detailed evaluation of the site's specific characteristics shall be performed by a qualified person in order to further identify existing site hazards and to further aid in the selection of the appropriate engineering controls and personal protective equipment for the tasks to be performed.

- (2) Hazard identification. All suspected conditions that may pose inhalation or skin absorption hazards that are immediately dangerous to life or health (IDLH), or other conditions that may cause death or serious harm, shall be identified during the preliminary survey and evaluated during the detailed survey. Examples of such hazards include, but are not limited to, confined space entry, potentially explosive or flammable situations, visible vapor clouds, or areas where biological indicators such as dead animals or vegetation are located.

- (3) Required information. The following information to the extent available shall be obtained by the employer prior to allowing employees to enter a site:
 - (a) Location and approximate size of the site
 - (b) Description of the response activity and/or the job task to be performed
 - (c) Duration of the planned employee activity
 - (d) Site topography and accessibility by air and roads
 - (e) Safety and health hazards expected at the site
 - (f) Pathways for hazardous substance dispersion
 - (g) Present status and capabilities of emergency response teams that would provide assistance to hazardous waste clean-up site employees at the time of an emergency
 - (h) Hazardous substances and health hazards involved or expected at the site, and their chemical and physical properties

- (4) Personal protective equipment. Personal protective equipment (PPE) shall be provided and used during initial site entry in accordance with the following requirements:
 - (a) Based upon the results of the preliminary site evaluation, an ensemble of PPE shall be selected and used during initial site entry which will provide protection to a level of exposure below permissible exposure limits and published exposure

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levels for known or suspected hazardous substances and health hazards, and which will provide protection against other known and suspected hazards identified during the preliminary site evaluation. If there is no permissible exposure limit or published exposure level, the employer may use other published studies and information as a guide to appropriate personal protective equipment

- (b) If positive-pressure self-contained breathing apparatus is not used as part of the entry ensemble, and if respiratory protection is warranted by the potential hazards identified during the preliminary site evaluation, an escape self-contained breathing apparatus of at least five minute's duration shall be carried by employees during initial site entry
 - (c) If the preliminary site evaluation does not produce sufficient information to identify the hazards or suspected hazards of the site, an ensemble providing protection equivalent to Level B PPE shall be provided as minimum protection, and direct reading instruments shall be used as appropriate for identifying IDLH conditions. (See Appendix B for a description of Level B hazards and the recommendations for Level B protective equipment.)
 - (d) Once the hazards of the site have been identified, the appropriate PPE shall be selected and used in accordance with paragraph (g) of this section.
- (5) Monitoring. The following monitoring shall be conducted during initial site entry when the site evaluation produces information that shows the potential for ionizing radiation or IDLH conditions, or when the site information is not sufficient reasonably to eliminate these possible conditions:
- (a) Monitoring with direct reading instruments for hazardous levels of ionizing radiation.
 - (b) Monitoring the air with appropriate direct reading test equipment (i.e., combustible gas meters, detector tubes) for IDLH and other conditions that may cause death or serious harm (combustible or explosive atmospheres, oxygen deficiency, toxic substances).
 - (c) Visually observing for signs of actual or potential IDLH or other dangerous conditions.
 - (d) An ongoing air monitoring program in accordance with paragraph (h) of this section shall be implemented after site characterization has determined the site is safe for the start-up of operations.
- (6) Risk identification. Once the presence and concentrations of specific hazardous substances and health hazards have been established, the risks associated with these substances shall be identified. Employees who will be working on the site shall be informed of any risks that have been identified. In situations covered by the Hazard

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Communication Standard, 29 CFR 1910.1200, training required by that standard need not be duplicated.

- (7) *Employee notification.* Any information concerning the chemical, physical, and toxicological properties of each substance known or expected to be present on site that is available to the employer and relevant to the duties an employee is expected to perform shall be made available to the affected employees prior to the commencement of their work activities. The employer may utilize information developed for the hazard communication standard for this purpose.

Additional guidance for site characterization can be found in the NIOSH/OSHA/USCG/EPA *Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities* (aka the Four Agency Guide).

Information collected while characterizing the site should be used to develop a Site Safety Plan (SSP).

2220 Site Safety Plan Development

A Site Safety Plan, which establishes policies and procedures to protect workers and the public from the potential hazards posed by a hazardous waste site, must be developed before site activities can precede. The Site Safety Plan must provide measures to minimize accidents and injuries that may occur during normal daily activities or during adverse conditions such as hot or cold weather. Development of a written Site Safety Plan helps ensure that all safety aspects of site operations are thoroughly examined prior to commencing field work. The Site Safety Plan should be modified as needed for every stage of site activity. Because planning requires information, planning and site characterization should be coordinated. The Site Safety Plan is intended to meet the requirements of the Hazardous Waste Operations and Emergency Response regulation (Title 29, Code of Federal Regulations, Part 1910.120).

An initial Site Safety Plan should be developed so that the preliminary site assessment can proceed in a safe manner. The ICS-208 Site Safety Plan, Form A – Emergency Safety and Response Plan, may be used for this purpose. The information from this assessment can then be used to refine the Site Safety Plan so that further site activities can proceed safely. Plans should be revised whenever new information about site hazards is obtained. Development of a Site Safety Plan should involve both the offsite and onsite management and be reviewed by occupational and industrial health and safety experts, physicians, chemists, or other appropriate personnel.

To ensure that the Site Safety Plan is being followed, the Safety Officer or designated assistants should conduct a safety meeting prior to initiating any site activity and before and after each work day. The purpose of these safety meetings are to:

- Describe the assigned tasks and their potential hazards;
- Coordinate activities;

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- Identify methods and precautions to prevent injuries;
- Plan for emergencies;
- Describe any changes in the Site Safety Plan;
- Get worker feedback on conditions affecting safety and health;
- Get worker feedback on how well the Site Safety Plan is working.

The Site Safety Officer should also conduct frequent inspections of site conditions, facilities, equipment, and activities to determine whether the Site Safety Plan is adequate and being followed.

The ICS-208 Site Safety Plan and sample plans can be found at <https://homeport.uscg.mil/ics>.

2230 Operational Risk Management (ORM)

2230.1 ORM Terms

Operational Risk Management (ORM): A continuous, systematic process of identifying and controlling risks in all activities according to a set of pre-conceived parameters by applying appropriate management policies and procedures. This process includes detecting hazards, assessing risks, and implementing and monitoring risk controls to support effective, risk-based decision-making.

Risk: The chance of personal injury or property damage or loss, determined by combining the results of individual evaluations of specific elements that contribute to the majority of risk concerns. Risk generally is a function of severity and probability. The model in this instruction, however, singles out exposure as a third risk factor.

Severity: An event’s potential consequences in terms of degree of damage, injury, or impact on a mission.

Probability: The likelihood an individual event will occur.

Exposure: The amount of time, number of cycles, number of people involved, and/or amount of equipment involved in a given event, expressed in time, proximity, volume, or repetition.

Mishap: An unplanned single or series of events causing death, injury, occupational illness, or damage to or loss of equipment or property.

Hazard: Any real or potential condition that can endanger a mission; cause personal injury, illness, or death; or damage equipment or property.

Risk Assessment: The systematic process of evaluating various risk levels for specific hazards identified with a particular task or operation. Various models are available to complete this step in the ORM process.

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Risk Rating Scale: A scale of specific risk degrees, determined during the ORM process's risk assessment step. Various response communities and activities should use the safety industry's standard terms low, medium, and high when discussing risk across program lines. However, each community will define low, medium, and high risk in terms meaningful to its own personnel.

GAR Model: A scale of specific risk values, when after calculating, yields results that align with the Green (low), Amber (medium), or Red (High) risk categories. These categories provide the team member with an opportunity to anticipate the risk associated with a specific task and alter contributing factors in order to decrease the final score.

2230.2 ORM Process

The ORM process:

- Is a decision making tool people at all levels use to increase operational effectiveness by anticipating hazards and reducing the potential for loss, thereby increasing the probability of a successful mission.
- Advocates harnessing feedback and input from all organizational levels to make the most informed decisions possible.
- Exists on three levels: time-critical, deliberate and strategic. Risk decisions must be made at levels of responsibility that correspond to the degree of risk, considering the mission significance and the timeliness of the required decision.
- The use of risk management principles can be as simple as addressing the weather before driving without any formal written ORM models, or can be as complex as having a safety brief before executing a complex hazardous materials mission, salvage project, or confined space entry.

2230.3 ORM Decision-Making Principles

Apply these basic decision-making principles before executing any anticipated job, action or mission. As an operation progresses and evolves, personnel should continuously employ risk management principles during the decision-making process:

- (1) **Accept no Unnecessary Risk:** All response operations and daily routines entail risk. Unnecessary risk conveys no commensurate benefit to safety of a mission. The most logical courses of action for accomplishing a mission are those meeting all mission requirements while exposing personnel and resources to the lowest possible risk. ORM provides tools to determine which risk or what degree of risk is unnecessary.
- (2) **Accept Necessary Risk When Benefits Outweigh the Costs:** Compare all identified benefits to all identified costs. The process of weighing risks against opportunities and benefits helps to maximize unit capability. Even high-risk endeavors may be undertaken when decision-makers clearly acknowledge the sum of the benefits exceeds the sum of the costs. Balancing costs and benefits may be a subjective

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process open to interpretation. Ultimately, the appropriate decision authority may have to determine the balance.

- (3) **Make Risk Decisions at the Appropriate Level:** Depending on the situation, anyone can make a risk decision. However, the appropriate level to make those decisions is that which most effectively allocates the resources to reduce the risk, eliminate the hazard, and implement controls. Commanders at all levels must ensure subordinates are aware of their own limitations and when subordinates must refer a decision to a higher level.
- (4) **ORM is just as critical in executing as in planning all activities:** While ORM is critically important in an operation’s planning stages; risk can change dramatically during an actual mission. Every event requires risk to be maintained within acceptable boundaries (e.g., slowing to a safe speed in foggy conditions). Keeping risk in check is therefore very important and a systematic approach to minimize risk should include addressing these tasks:
 - (a) **Define the mission tasks** by reviewing current and planned operations describing the mission at hand. To assist with this step, construct a list or chart depicting major phases of the operation or task. Further break down the operation or task into “bite-size” pieces, while maintaining a big-picture awareness of the relationships among the pieces;
 - (b) **Identify and define the potential hazards.** The key to successfully analyzing risk is carefully defining the hazard. This step involves identifying those things that are “potential failures,” or things that can go wrong. To ensure effective hazard identification, the basic categories of equipment, environment, and personnel should be considered;
 - (c) **Assess the risks** of the hazards identified in relation to the unit and the mission. Individual risk levels must be identified for each specific hazard. Risk assessment is conducted by evaluating specific elements or factors, that when combined, define risk. This risk level must be understood by all as it applies to the task or mission. To assess risk, a Green, Amber, Red (GAR) Model or a Severity, Probability, Exposure (SPE) model may be generated (see procedure below for explanation and use). To avoid potential controversy, consider in advance both the perceived and expected value of a loss;
 - (d) **Identify hazard control options** that may reduce risk. Starting with the highest risk hazards assessed in the above steps, identify as many risk controls options or safeguards as possible. Determine each option’s impact on mission and unit goals and select the best alternative or combination of alternatives. Risk control options include: Spread out, Transfer, Avoid, Accept, and Reduce (STAAR). Effective risk management strategies address the risk’s components of severity, probability, and exposure, and include engineering controls; training, safe work practices, and

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other administrative controls; and personal protective equipment.

(e) **Evaluate risk vs. gain** and determine if benefits of the operation outweigh the risks. If risks outweigh gains, re-examine control options for new or modified controls. If that fails, inform the next level in the chain of command and request assistance with implementing additional controls, modifying or canceling the mission, or accepting the identified risks. All responders share responsibility for the risks taken by the team or asset. A team discussion to understand the risks and how they will be managed is the most important component of the evaluation, not the ability to assign numbers or colors.

(5) **Execute decision and take action.** This may mean increasing, replacing, or reassigning resources (i.e., people, equipment, and/or information), and ensuring the risk controls are known by all and enforced.

(6) **Monitor situation.** Risk management is a continuous process and must be monitored to achieve success. Anticipate and respond to changes in situations and return to step #1, or reassess risk to ensure that all risks have been mitigated or addressed.

	HIGH GAIN	MEDIUM GAIN	LOW GAIN
LOW RISK	Accept the mission. Continue to monitor risk factors, if conditions or mission changes.	Accept the mission. Continue to monitor risk factors, if conditions or mission changes.	Accept the mission. Re-evaluate risk vs gain, should risk factors change.
MEDIUM RISK	Accept the mission. Continue to monitor risk factors and employ control options when available.	Accept the mission. Continue to monitor risk factors and employ control options when available.	Accept the mission. Continue to monitor risk factors and actively pursue control options to reduce risk.
HIGH RISK	Accept the mission only with command endorsement. Communicate risk vs gain to chain of command. Actively pursue control options to reduce risk.	Accept the mission only with command endorsement. Communicate risk vs gain to chain of command. Actively pursue control option to reduce risk.	Do not accept the mission. Communicate to chain of command. Wait until risk factors change or control options warrant.

TABLE 2230-1: EXAMPLE ANALYSIS FOR RISK VS GAIN THRESHOLDS

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2230.4 SPE Risk Assessment Model

The SPE Model assesses risks for specific hazards. In this model, Risk = Severity x Probability x Exposure. Each area is given an overall number one through five and multiplied together. This final product is then correlated with a set of values that assign risk; 1-19 (slight), 20-39 (possible); 40-59 (substantial); 60-79 (high); 80-100 (very high). Attention is needed for possible risk, and action is required for substantial and high risk.

	SEVERITY	PROBABILITY	EXPOSURE
DEFINITION	Severity is an event's potential consequences measured in terms of degree of damage, injury, or impact on a mission. Should something go wrong, the results are likely to occur in one of these areas: Injury or Death Equipment Damage Mission Degradation Reduced Morale Adverse Publicity Administrative and/or Disciplinary Actions	Probability is the likelihood that the potential consequences will occur.	Exposure is the amount of time, number of occurrences, number of people, and/or amount of equipment involved in an event, expressed in time, proximity, volume, or repetition.
RATING SCALE	1 = None or slight 2 = Minimal 3 = Significant 4 = Major 5 = Catastrophic	1 = Impossible or remote under any conditions 2 = Unlikely under normal conditions 3 = About 50% 4 = Greater than 50% 5 = Very likely to happen	1 = None or below average 2 = Average 3 = Above Average 4 = Great

TABLE 2230-2: SPE RISK GUIDANCE AND SCALES

By computing the level of risk, the potential impact on mission effectiveness and execution can be evaluated. After computing the risk values using the formula $Risk = S \times P \times E$, the need to control substantial to very high values is recognized.

VALUES/DEGREE OF RISK GUIDANCE		
SPE Score	Computed Value	Expected Action or Outcome
80 – 100	Very High	Discontinue, Stop Activity
60 – 79	High	Correct Immediately
40 – 59	Substantial	Correction Required
20 – 39	Possible	Attention Needed
1 – 19	Slight	Possibly Acceptable

TABLE 2230-3: FINAL SPE VALUE AND RECOMMENDED ACTION/OUTCOME

2230.5 GAR Risk Assessment Model

We can address more general risk concerns, involving planning operations or reassessing risks as we reach milestones within our plans, by using the GAR model. Often used in cutter or small boat operations, these elements can also be applied to other NSF response operations as well. These elements include:

- (1) Supervision;
- (2) Planning;
- (3) Team selection;
- (4) Team fitness;
- (5) Environment; and
- (6) Event complexity.

To determine the GAR model risk color (e.g., red equals high risk, amber equals caution, and green equals low risk), assign a risk code of 0 (no risk) through 10 (maximum risk). Add the individual risk numbers and compare the color chart.

- Low risk (Green) is between 0 and 23;
- Caution (Amber) is between 23 and 44; and
- High Risk (Red) is 45 to 60.

The GAR model incorporates the following elements:

- (1) **Supervision:** Supervisory control should consider how qualified a supervisor is and his or her level of involvement in the evolution. Even if a person is qualified to perform a task, effective supervision further minimizes risk. The higher the risk, the more a supervisor needs to focus on observing and checking. A supervisor actively involved in another task can be distracted easily and may not be an effective safety observer.

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- (2) **Planning:** Preparation and planning should consider how much information is available, how clear it is, and how much time is available to plan the evolution or evaluate the situation.
- (3) **Personnel Selection:** Personnel selection should consider the experience of the persons performing the specific event or evolution. If an individual is replaced during the event or evolution, assess the new team member's experience.
- (4) **Personnel Fitness:** Personnel fitness should judge the team members physical and mental state, generally a function of how much rest they have had. Quality of rest should consider how a platform rides and its habitability, potential sleep length, and any interruptions. Fatigue normally becomes a factor after 18 hours without rest; however, lack of quality sleep builds a deficit that worsens the effects of fatigue.
- (5) **Environment:** Environment should consider all factors affecting personnel, unit, or resource performance, including time of day, lighting, atmospheric and oceanic conditions, chemical hazards, and proximity to other external and geographic hazards and barriers, among other factors.
- (6) **Event or Evolution Complexity:** Event or evolution complexity considers both the time and resources required to conduct an evolution. Generally, the longer the exposure to a hazard, the greater the risks involved. For example, more iterations of an evolution can increase the opportunity for a mishap. However, depending on the team's experience, it may improve their proficiency and decrease the chance of error. Other factors to consider in this element include how long the environmental conditions will remain stable and the precision and level of coordination needed to conduct the evolution.
- (7) **Calculating Risk:** To compute the total degree of risk for each hazard previously identified, assign a risk code of 0 for no risk through 10 for maximum risk to each of the six elements. Add the risk scores to come up with a total risk score for each hazard.

RISK CALCULATION WORKSHEET	RISK SCORE (1-5)
SUPERVISION	
PLANNING	
PERSONNEL SELECTION	
PERSONNEL FITNESS	
ENVIRONMENT	
EVENT/EVOLUTION COMPLEXITY	
TOTAL SCORE	

TABLE 2230-4: RISK CALCULATION WORKSHEET

GAR EVALUATION SCALE											
0	10	20	23	24	30	40	44	45	50	60	
GREEN (LOW RISK)			AMBER (CAUTION)			RED (HIGH RISK)					

TABLE 2230-5: GAR RISK CALCULATION WORKSHEET

If the total risk value falls within the green zone (0-23), the risk is rated low. A value in the amber zone (24–44) indicates moderate risk; consider adopting procedures to minimize it. If the total value falls within the red zone (45–60), implement measures to reduce the risk and reevaluate before starting the event or evolution.

The GAR model is an effective tool used to assess the overall degree of risk for an operation or mission. If the degree of risk appears unusually high in one or more of the elements, perform a second assessment using the SPE model for each element of concern, since the SPE model is more specific. Rank-order all hazards assessed in the GAR model from the highest to the lowest risk to target areas of greatest concern first.

2230.6 ORM Implementation

The SOFR should ensure that the ORM process is utilized by all responders and reinforce its use whenever possible (i.e. tailgate meetings, operations briefings, etc). ORM models shall be implemented at the initiation of a response and during significant changes within operations.

The ICS-215A Hazard/Risk Analysis Worksheet implements both SPE and GAR models and may be used during a response utilizing ICS. A downloadable version of the form may be found at <https://homeport.uscg.mil/ics>.

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2300 Information Officer

When an incident occurs, it is imperative to give the public prompt, accurate information on the nature of the incident and the actions underway to mitigate the damage. The Federal On-Scene Coordinator (FOSC) and community relations personnel should ensure that all appropriate public and private interests are kept informed and that their concerns considered throughout a response. The FOSC (or community relations personnel) should coordinate with available public affairs/community relations resources to carry out this responsibility by establishing, as appropriate, a Joint Information Center bringing together resources from federal and state agencies and the responsible party (40 CFR 300.155).

The Information Officer is responsible for developing and releasing information about the incident to the news media, incident personnel, and to other appropriate agencies and organizations.

The responsibilities of the Information Officer includes:

- Implement and manage the Information Management Staff needed to facilitate the availability of response information in the UC.
- Coordinate information management system within the UCS to ensure the proper routing and availability of response information.
- Coordinate standard information display systems, status boards, summary forms, and other methods to effectively manage response information.

NOTES: (1) During the first three operational periods it is recommend embedding field observers/liaisons in the Planning and Operations Sections to relay timely and accurate response information to the JIC organization.
(2) JIC field observers/liaisons should compare various status boards for concurrent situational information. If conflicts are noted, immediately notify the appropriate Unit Leader or Section Chief to clarify.

A job aid for the Public Information Officer can be found at <https://homeport.uscg.mil/ics>. The U.S. Coast Guard Incident Management Handbook (IMH) provides guidance on implementing the Incident Command System (ICS) and related positions.

2310 Media Contacts

When an incident occurs, it is imperative to give the public prompt, accurate information on the nature of the incident and the actions underway to mitigate the damage. OSC's / RPM's and community relations personnel should ensure that all appropriate public and private interests are kept informed and that their concerns are considered throughout a response. They should coordinate with available public affairs/community relations

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resources to carry out this responsibility by establishing, as appropriate, a Joint Information Center bringing together resources from federal and state agencies and the responsible party.

During major and Offshore oil spill incidents (e.g. Deepwater Horizon), public affairs policy dictates that information provided to the media on flow rate is based only on fact and not conjecture. In the absence of factual information, public affairs policy should ensure that information providers acknowledge the uncertainty and efforts to obtain reliable information.

A list of media contacts can be found in Section 9240.2 Media and Agency Public Affairs Contacts.

2320 Protocol for Access / Timing of Media Briefings

The FOOSC is the sole release authority for official statements concerning federal cleanup actions. All official statements shall be approved by the FOOSC.

The goals of all public information efforts in pollution response are to keep the community informed of potential threats to people or the environment; informed of the status of cleanup operations; and to replace rumor with facts. These goals must be met by avoiding speculation, release of inaccurate information, or other actions which could jeopardize the rights of any party involved in the spill.

The key to successful public affairs in pollution response is advance planning and rapid implementation. The PIO should develop guidance for the following:

- (1) Release procedures to be followed by the public affairs personnel assigned to an FOOSC:
 - (a) Prepare periodic comprehensive news release updates for FOOSC approval.
 - (b) Respond factually to all media inquiries as they are received.
 - (c) Conduct media and community relations programs.

- (2) Guidelines for responders when dealing with reporters on-scene:
 - (a) Responders should understand that they may be perceived as official spokespersons.
 - (b) Individuals may explain to reporters what their specific jobs are.
 - (c) Media questions which do not pertain to an individual's job should be referred to the PIO.

- (3) Release procedures/relationships between Area Command, if established, and FOOSC:

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- (a) Procedures must be established to ensure that all information released pertaining to the cleanup is approved by the FOSC regardless of the geographic location of the person making the release.

- (4) Coordination with other agencies.
- (5) Request additional public affairs support as needed.

Information concerning Natural Resource Damage Assessment (NRDA) activities shall be coordinated through lead administrative trustee.

2321 Press Releases

It is the policy of the SE Florida Area Committee to quickly issue a press release regarding the nature of the incident and any response efforts being initiated. The release also serves to establish the FOSC’s Public Information Officer as the response’s primary media contact. Future releases and announcements should be coordinated through the Unified Command with appropriate approvals. All press releases should have sequence numbers (i.e. *Incident Name* Release #1), contact numbers for all appropriate parties, date, and time issued.

The initial press release should convey:

- If an Incident Command (Post) has been established;
- Which agencies are involved in response;
- The location, time, and additional confirmed information about the incident, to include the type of pollution and how far away the incident is from shore;
- Whether volunteers are being sought at this time;
- If volunteers are sought, who should they contact for more information; and
- Phone number and website for media inquiries.

2322 In-Person Press Releases

The PIO must decide what interview format is most appropriate: individual interviews or briefing an entire group. PIOs will report verified information only and not speculate on cause or quantities. A media advisory should be sent out in advance of the press conference to help maximize media attendance.

The following items should be considered when setting-up for a press conference:

- Work with spokespersons to agree upon key messages
- Determine venue for media conference
- Issue an advisory alerting media as to time/place
- Be sure to notify appropriate management/spokespersons
- Check on sufficient electrical outlets/accessibility
- Parking arrangements
- Identify location for individual interviews afterward
- Prepare media kits, if required

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- Set up site - chairs, audiovisuals, etc.
- Tape recorder to document the conference or for playback to personnel who couldn't attend
- "Unified Command" logo for backdrop visual, if appropriate
- Security (not in uniform)
- Check credentials of media attending and sign in
- Request that beepers and cellular phones be turned off as a courtesy to others recording, videotaping
- Brief media prior to main presenters arrival
- Establish time limitations with media before main presenters arrive
- Explain that for the sake of time, reporters will be limited to one question until others have had a chance to ask their own (an exception may be clarifying follow-up questions)
- Ensure the opening remarks of presenters are brief and focused

2323 Telephone Press Conferences

The following items should be considered when setting-up for a telephone press conference:

- Work with spokespersons to agree upon key messages
- Determine time of event
- Arrange for moderated conference call
 - Ensure ample number of participant lines (for reporters), and lines for leaders (spokespersons/PIO)
 - Select password or passcode for call leaders (spokespersons/PIO) and participants (reporters)
 - Determine if you want the call to be recorded for archive purposes
 - Schedule pre-press conference call one hour earlier with call leaders (spokespersons and PIO) to go over messaging and call format
 - Have press conference call moderated by operator
 - Call participants (reporters) must have passcode/password, and identify themselves by name and news outlet. Reporters' information will be provided to call leader at end of press conference
 - Reporters to be placed on mute until end of initial presentation, at which time they may request to ask questions.
- Issue an advisory alerting media as to time of the telephone press conference; determine if the media advisory will include the passcode/password, or if reporters must contact the PIO for such information
- Be sure to notify appropriate management/spokespersons
- Once press conference starts, brief participants on the format and introduce spokespersons
- Ensure the opening remarks of presenters are brief and focused

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2324 Town Meetings

Unified Command should give careful consideration as to whether a town meeting has value for a specific incident. The town meeting is for directly addressing concerns of members of the community. It is important to allow them an opportunity to express those concerns. In many instances, the community is not as interested in the type of mechanical response being used to cleanup the oil as they are in what's being done to resolve the problems caused by the oil. Town meetings allow for face-to-face communication between the Liaison Officer (LNO) and community members and leaders. They are intended to provide an opportunity for the community to have its concerns heard and to help educate and inform the community about the spill response efforts. They can, however, turn into media events with little value added.

Town meetings are generally of great interest to the media and they should be invited to attend. However, this is not a news conference and media representatives should be requested to cover the event rather than participate in it. The focus of attention should be on community members and their concerns. Reporters can be accommodated following the formal meeting by being provided with one-on-one interviews or other briefings. News packets should also be available for media representatives with up-to-date information and backgrounders on the spill response effort. Panelists participating in the community meeting should be apprised of the fact that reporters may request interviews following the meeting. As appropriate, assistance should be provided to the panelists in preparing for the interviews.

2325 Media Logs

A log should be maintained to track inquiries by reporters. Include basic information such as names, news organization, time of call, and information sought. Media requests that require follow up action should be highlighted and assigned to proper personnel to ensure that questions are answered in a timely manner (in consideration of deadlines). The logs will also serve as background information for new members to the JIC during shift changes.

2326 Standard Questions Asked by the Media

Experience has shown that the following questions are often asked by the media during press conferences. The answer to all of them should be addressed in the initial statement prior to opening the floor to questions.

- How much oil has spilled
- Has it been contained?
- What was the cause?
- What time did the incident occur?
- Who's fault was it?
- What is the name and address of the responsible party?
- What is the name and address of the owner/operator?

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- Who will assume responsibility for cleanup?
- What's being done to clean it up?
- Were there any injuries?
- Is there any threat to environment?
- Was the ship's captain intoxicated? (tanker incident)
- How would you classify this spill? Large? Small?
- How long will it take to cleanup?
- How much will it cost to cleanup?
- Will people who suffer losses because of the spill be reimbursed?
- How many people will be involved in the response?
- What is the flag of this vessel? What nationality is the crew?
- Will you use dispersants or *in-situ* burning?
- What is the trajectory of the oil? How long before it hits the shoreline?
- Are there aircraft surveillance operations ongoing? How many?
- What wildlife or marine life is being threatened?
- What kind of insurance do you have to cover this?
- What are your biggest fears?
- Is this an environmental disaster?
- How old is this vessel?
- If a tank ship, was it tanker double-hulled?
- When was it last inspected?
- Will the captain and crew be tested for drugs?
- What happens if they test positive for drugs? Will they be fired?
- Are there any other contingencies you are planning for? Is this your worst nightmare? If not, what is?

2330 Joint Information Center (JIC)

During a major oil spill when media activity is expected to last several days, the lead Public Information Officer (PIO) should establish a Joint Information Center (JIC) to coordinate the Public Affairs activities of participating agencies and parties. The primary role of the JIC is to establish coordinated and consistent information dissemination across all facets of the response organization. The JIC provides a centralized location for multiple phone lines for incoming calls staffed by knowledgeable individuals; and ensure State and Federal Government Public Affairs Officers (PAOs) are available to the media. The JIC also develops joint news releases under the UC, and schedules, organizes, and facilitates news conferences. It is recommended that the JIC be in the same building as the Incident Command Post (ICP), but in a room separate from other sections. PAOs need to be close to the UC and other sections for effective communication, but not so close as to disturb response operations.

Equipment needs for the JIC vary, dependent on the size and impact of the incident, and media and public interest levels. If possible, a separate "Press Room" should be established for reporters' use at spills that attract a great deal of media interest. This room may be used by reporters covering the story, and would ideally be equipped with several phone lines, electrical outlets, and a couple of desks, tables and chairs. There should be a

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way to display maps, status boards, and other visual aids that could be used on-camera, and a table near the door for the latest news releases, fact sheets, and advisories. If there is room for seating and a podium with PA system, the press room is a good site for all formal news conferences. This allows TV news crews to set-up cameras in advance, and reporters to do stand-ups and call-ins from an easy, central location.

It is the responsibility of the JIC to monitor ongoing news for accuracy and to take corrective measures if misinformation is being reported.

A list of Agency Public Affairs contacts can be found in Section 9240.2 Media and Agency Public Affairs Contacts.

2350 Homeland Security Information Network (HSIN)

CG District Seven and Sector Miami will use the Homeland Security Information Network (HSIN) to manage internal information. HSIN is a national secure and trusted web-based portal for information sharing and collaboration between federal, state, local, tribal, territorial, private sector, and international partners engaged in the homeland security mission.

HSIN is made up of a growing network of communities, called Communities of Interest (COI). COIs are organized by state organizations, federal organizations, or mission areas such as emergency management, law enforcement, critical sectors, and intelligence. Users can securely share within their communities or reach out to other communities as needed. HSIN provides secure, real-time collaboration tools, including a virtual meeting space, instant messaging and document sharing. HSIN allows partners to work together instantly, regardless of their location, to communicate, collaborate, and coordinate.

HSIN offers many dynamic capabilities including:

- 24/7 availability
- Document Libraries
- Instant-messaging tool
- Web conferencing
- Incident reporting
- Common Operational Picture (COP) provides situational awareness and analysis
- Integrated Common Analytical Viewer (iCAV) gives geographical visualization
- Announcements
- Discussion Boards
- Task Lists
- Requests For Information/For Your Information (RFIs/FYIs)
- Calendars
- Really Simple Syndication (RSS) Feeds
- Online training materials

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You may obtain an application by sending a request to HSIN.Outreach@hq.dhs.gov. Once nominated, the COI Validating Authority will review your membership application and approve or deny your admission to the COI. If the application is approved, an email will be sent to you with instructions on how to log onto HSIN for the first time.

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2400 Liaison Officer

Only one primary Liaison Officer will be assigned for each incident including incidents operating under UC and multi-jurisdictional incidents

The Liaison Officer may have assistants as necessary, and the assistants may also represent assisting agencies or jurisdictions.

A job aid for the Liaison Officer can be found at <https://homeport.uscg.mil/ics>. The U.S. Coast Guard Incident Management Handbook (IMH) provides guidance on implementing the Incident Command System (ICS) and related positions.

Major duties of the Liaison Officer are:

- Be a contact point for Agency Representatives
- Maintain a list of assisting and cooperating agencies and Agency Representatives, including name, and contact information. Monitor check-in sheets daily to ensure that all Agency Representatives are identified.
- Assist in establishing and coordinating interagency contacts.
- Keep agencies supporting the incident aware of incident status. See also Section 2350 Homeland Security Information Network (HSIN).
- Monitor incident operations to identify current or potential inter-organizational problems.
- Participate in planning meetings, provide limitations and capability of assisting agency resource.
- Coordinate response resource needs for Natural Resource Damage Assessment and Restoration activities with the On-Scene Coordinator during oil and HAZMAT response.
- Coordinate response resource needs for incident investigation activities with the On-Scene Coordinator.
- Coordinate activities of visiting dignitaries.
- Ensure that all required agency forms, reports, and documents are completed prior to demobilization.
- Brief command on agency issues and concerns.
- Have debriefing session with the Incident Commander prior to demobilization.
- Maintain Unit Log (ICS 214-CG)

During major and Offshore oil spill incidents (e.g. Deepwater Horizon), information release policy dictates that information provided to the media and other stakeholders on flow rate is based only on fact and not conjecture. In the absence of factual information, ensure that information providers acknowledge the uncertainty and efforts to obtain reliable information.

2410 Investigators

While many if not all spills and releases are marine casualties over which the Coast

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Guard has jurisdiction under Title 46 Code of Federal Regulations part 4, the National Transportation Safety Board (NTSB) often investigates accidents resulting in large oil or hazardous substance discharges. Accordingly, relationships between investigators will be governed by the Memorandum of Understanding between the Coast Guard and the NTSB, as well as side-bar agreements on investigation between state and local investigators. The FOSC will normally group the investigation as a separate entity from the response through the Liaison Officer. The Liaison will normally appoint an assistant solely to handle the investigators during a large response or complex investigation; this assistant should immediately contact the Coast Guard's Office of Investigation and Analysis in Washington DC through the Coast Guard chain of command to discuss the details of the investigation/response relationship in the particular case at hand.

2420 Trustees

Trustee means an official of a federal natural resources management agency designated in subpart G of the NCP or a designated state official or Indian tribe or, in the case of discharges covered by the OPA, a foreign government official, who may pursue claims for damages under section 107(f) of CERCLA or section 1006 of the OPA.

Upon notification or discovery of injury to, destruction of, loss of, or loss of use of, natural resources, or the potential for such, resulting from a discharge of oil, the trustees, pursuant to section 1006 of the OPA, are to take the following actions:

- In accordance with OPA section 1006(c), determine the need for assessment of natural resource damages, collect data necessary for a potential damage assessment, and, where appropriate, assess damages to natural resources under their trusteeship; and
- As appropriate, and subject to the public participation requirements of OPA section 1006(c), develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources under their trusteeship.

When circumstances permit, the FOSC shall share the use of federal response resources (including but not limited to aircraft, vessels, and booms to contain and remove discharged oil) with the trustees, providing trustee activities do not interfere with response actions. The lead administrative trustee facilitates effective and efficient communication between the FOSC and the other trustees during response operations and is responsible for applying to the FOSC for non-monetary federal response resources on behalf of all trustees. The lead administrative trustee is also responsible for applying to the NPFC for funding for initiation of damage assessment for injuries to natural resources.

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2420.1 Federal Trustees

In SE Florida, the federal trustees include:

- (a) Department of Commerce:
 - NOAA – National Marine Fisheries Service
- (b) Department of Defense:
 - Naval Station Fort Lauderdale
- (c) Department of Interior:
 - National Park Service – Biscayne and Everglades National Parks
 - U.S. Fish and Wildlife Service

2420.2 State Trustees

State officials designated by the Governor to act as trustee for natural resources within the State’s boundaries or for resources belonging to, controlled by, or appertaining to the State of Florida.

State trustees shall act on behalf of the public as trustees for natural resources, including their supporting ecosystems, within the boundary of a state or belonging to, managed by, controlled by, or appertaining to such state. The state's lead trustee would designate a representative to serve as contact with the FOSC. This individual should have ready access to appropriate state officials with environmental protection, emergency response, and natural resource responsibilities.

In SE Florida, the state trustees include:

- (a) Florida Wildlife Conservation Commission (FWCC)
- (b) Florida Department of Environmental Protection (FDEP)

Examples of resources under the state trusteeship:

- State forest lands;
- State-owned minerals;
- State parks and monuments;
- State rare, threatened, and endangered species; and
- State wildlife refuges and fish hatcheries

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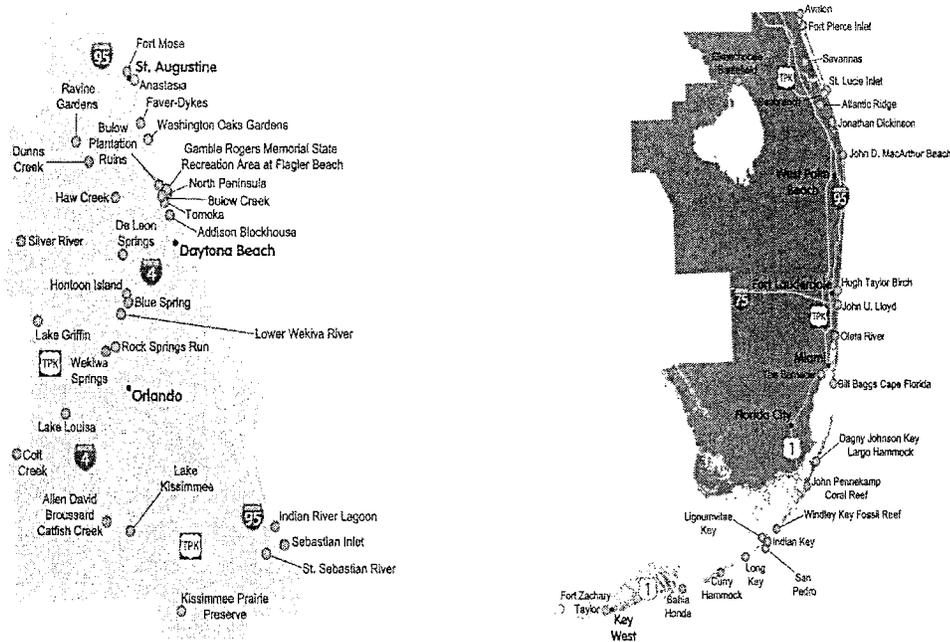


TABLE 2420-1: <http://www.floridastateparks.org/findapark/stateparksmmap.cfm>

2420.3 Local Trustees

Any lands or areas assigned to local trustees will be coordinated through the State Trustee.

2420.4 Tribal Nations

Tribal nation officials designated by the governing body of any tribe may act as trustee on behalf of the tribe. The Department of the Interior may act as trustee if requested by a tribe:

- a) Miccosukee Tribe
- b) Seminole Tribe of Florida

Examples of resources under the trusteeship:

- Ground and surface water resources on Tribal lands; and
- Any other natural resources found on Tribal land

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2421 Identification of Lead Administrative Trustee (LAT)

Lead administrative trustee means a natural resource trustee who is designated on an incident-by-incident basis for the purpose of pre-assessment and damage assessment and chosen by the other trustees whose natural resources are affected by the incident. The lead administrative trustee facilitates effective and efficient communication during response operations between the FOSC and the other natural resource trustees conducting activities associated with damage assessment, and is responsible for applying to the FOSC for access to response operations resources on behalf of all trustees for initiation of a damage assessment.

The trustees shall assure, through the lead administrative trustee, that the FOSC is informed of their activities regarding natural resource damage assessment that may affect response operations in order to assure coordination and minimize any interference with such operations. The trustees shall assure, through the lead administrative trustee, that all data from the natural resource damage assessment activities that may support more effective operational decisions are provided in a timely manner to the FOSC.

The Natural Resource Trustee will notify the U.S. Coast Guard of the LAT as soon as possible after an oil spill. As required by E.O. 12777 (October 22, 1991), the Federal Natural Resource Trustee must select a LAT. Depending on the resources at risk and other relative factors, it might be appropriate for the LAT to be a non-federal agency. In such cases, the Federal Natural Resource Trustees would still select a Federal LAT for the purpose of coordination with the representatives of the Oil Spill Liability Trust Fund (OSLTF) to initiate the damage assessment. The non-federal LAT will coordinate all other damage assessment activities.

The Natural Resource Trustees intend to execute a general Memorandum of Agreement (MOA) to coordinate damage assessment and restoration activities. Among other things, the MOA will identify trustees, establish criteria for selecting a LAT, and provide procedures for decision making and handling monetary recovery efforts.

See also Fact Sheet Natural Resource Trustees (Federal)

[http://www.nrt.org/Production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-51FRNT/\\$File/FNRT.pdf?OpenElement](http://www.nrt.org/Production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-51FRNT/$File/FNRT.pdf?OpenElement)

2430 Natural Resource Damage Assessment (NRDA) Representative

The Natural Resource Damage Assessment (NRDA) Representatives are responsible for coordinating NRDA needs and activities of the trustee team. NRDA activities generally do not occur within the structure, processes, and control of the ICS. However, particularly in the early phases of a spill response, many NRDA activities overlap with the environmental assessment performed for the sake of spill response. Therefore, NRDA Representatives should remain coordinated with the spill response organization through the LNO, and they may need to work directly with the UC, Planning Section, Operations

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Section, and the NOAA SSC to resolve any problems or address areas of overlap. This includes close coordination with the LNO for obtaining timely information on the spill and injuries to natural resources.

While NRDA resource requirements and costs may fall outside the responsibility of the Logistics and Finance/Administrative Sections, coordination is important. The NRDA Representative will coordinate NRDA or injury determination activities.

2430.1 NRDA Funding Through Responsible Party

The Responsible Party (RP) should be the primary funding source for the Natural Resource Damage Assessment (NRDA). The trustees will need early access to representatives of the RP to determine the availability of funding, personnel, and equipment for damage assessment activities. The LAT will first notify the appropriate U.S. Coast Guard representative and request that a meeting be arranged between the Natural Resource Trustees and the RP's representative. Should the U.S. Coast Guard fail to arrange a meeting in a timely fashion, the Natural Resource Trustees will establish contact directly with the RP's representative. When the RP is unknown, contacting the RP is not feasible, or the RP is unwilling or unable to provide funds, the LAT may request funding from the Oil Spill Liability Trust Fund (OSLTF).

2430.2 NRDA funding Through the Oil Spill Liability Trust Fund (OSLTF)

The Federal LAT must submit a request for initiation of a NRDA to the National Pollution Fund Center (NPFC) to secure a funding obligation following an oil spill. The request must include: the amount requested, the plan for fund use, an estimated completion date, an agreement for subrogation of all cost recovery actions, an agreement to comply with NPFC documentation requirements, and a certification of lead trustee status. Based on the request for initiation, an Interagency Agreement (IAG) will be executed for each OPA incident, establishing the amount of funds authorized for initiation. The NPFC will assign a document control number to track costs.

The Federal LAT is responsible for documenting expenditures and submitting the documentation to the NPFC. In order for the trustee agencies to be funded for their activities all operations must be conducted in compliance with the procedures set forth by the NPFC in Chapter 5, Initiate Requests and NRD Claims, of the NPFC User Reference Guide.

The Federal LAT is expected to manage the funds available for initiation of NRDA. Whenever it appears that actual costs may exceed the amount of the IAG, the LAT should promptly request supplemental funding in the same manner as the original request. Until the IAG is amended to reflect supplemental funding, the LAT must take action to prevent exceeding the obligated amount.

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2430.3 Contacts with the Responsible Party (RP)

The RP should be the primary funding source for the Natural Resource Damage Assessment (NRDA). The trustees will need early access to representatives of the RP to determine the availability of funding, personnel, and equipment for damage assessment activities. The LAT will first notify the appropriate U.S. Coast Guard representative and request that a meeting be arranged between the Natural Resource Trustees and the RP's representative. Should the U.S. Coast Guard fail to arrange a meeting in a timely fashion, the Natural Resource Trustees will establish contact directly with the RP's representative. When the RP is unknown, contacting the RP is not feasible, or the RP is unwilling or unable to provide funds, the LAT may request funding from the OSLTF.

2440 Agency Representatives

For incidents involving multiple jurisdictions, an agency or jurisdiction will send a representative to assist with coordination efforts. An Agency Representative is an individual assigned to an incident from an assisting or cooperating agency who has been delegated authority to make decisions on matters affecting that agency's participation at the incident.

Agency Representatives report to the Liaison Officer or to the Incident Commander in the absence of the Liaison Officer.

2450 Stakeholders

A Stakeholder is a group or organization that has a vested interest in a specific area that may be affected by a pollution incident. Many of these groups are government agencies that are responsible for the management and the upkeep of a specific area but are not the designated trustee. See Section 9250 Stakeholders for a listing of stakeholder contact information.

2450.1 Economic

Reserved for Area Committee Development

2450.2 Political

Reserved for Area Committee Development

2450.3 Volunteer Management

After a major pollution incident, especially one that receives extensive press coverage, members of the local communities have demonstrated their concern by arriving at the sites of oil spills and volunteering to participate in efforts to clean up affected areas. The volunteers often arrive in large numbers and are usually untrained in oil spill response and clean up. Utilization of volunteers is subject to the guidance in National

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Contingency Plan (NCP), 40 CFR 300.185. Generally, volunteers will not be used during federally funded responses without the permission of the OSC. A volunteer's unknown background, a potentially confusing chain of command, and liability issues preclude the use of volunteers in most situations. Should the Unified Command decide to use volunteers obtain Coast Guard or other legal counsel. State and local agencies may utilize volunteers in accordance with their own policies.

In 2011, an MOU was signed between the USCG, EPA and Corporation for National and Community Service (see Section 9510.11). This MOU established the resource support to the FOSC by the Corporation for National and Community Service (CSNS). The CSNS, a wholly-owned US government corporation and federal agency of the US, supports service and volunteering at the national, state, and local levels, overseeing three major initiatives:

- AmeriCorps (including state/national, Volunteers in Service to Serve America (VISTA), and National Civilian Community Corps (NCCC));
- Learn to Serve America; and
- Senior Corps.

CNCS programs provide vital support, especially human capital, to the national, state and local voluntary organizations and public agencies that lead response, relief and recovery efforts when an incident occurs. In addition, CNCS has specific responsibilities as a support agency within the National Response Framework (NRF). Pursuant to the Stafford Act and other legal authorities, CNCS and its grantees have a record of collaborating with state and local agencies and organizations to support response and recovery efforts.

Non Governmental Organizations (NGO) collaborate with first responders, governments at all levels, and other agencies and organizations providing relief services to sustain life, reduce physical and emotional distress, and promote recovery of disaster victims when assistance is not available from other sources. The American Red Cross is an NGO that provides relief at the local level and also coordinates the Mass Care element of Emergency Support Function #6. The National Voluntary Organizations Active in Disaster (NVOAD) (<http://www.nvoad.org/>) is a consortium of more than 30 recognized national organizations of volunteers' active in disaster relief. Such entities provide significant capabilities to incident management and response efforts at all levels. Community-Based Organizations (CBO's) receive government funding to provide essential public health services. For example, the wildlife rescue and rehabilitation activities conducted during a pollution emergency are often carried out by local nonprofit organizations and individuals working with natural resource trustee agencies.

A gratuitous service is provided without any expectation of compensation. The distinction between individuals providing volunteer services and those providing gratuitous services is important primarily in determining the type of governmental liability of injury to the individuals and accountability for harms caused by the individuals. Federal law contains two important prohibitions regarding governmental use

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of voluntary services. First, it bans government officers and employees from accepting voluntary services for the government except for certain emergencies (Unified Command approval). Second, it bans government officers and employees from employing personal services in excess of that authorized by law defined under 31 US Code 1342. The purpose of the statutory prohibition is to avoid situations that might generate future claims for compensation which might be in excess of a Federal agency's funds.

See Section 9240.7 Volunteer Organizations for a listing of volunteer resource information.

2450.31 Volunteer Coordinator and Responsibilities

The Volunteer Coordinator is responsible for managing and overseeing all aspects of volunteer participation, including recruitment, induction and deployment. The Volunteer Coordinator reports to the Liaison Officer.

Responsibilities include:

- Coordinate with the Liaison Officer to determine where volunteers are needed
- Identify any necessary skills and training needs
- Verify minimum skill/training required for volunteer assignment with the Safety Officer and assigned group leaders
- Identify, if needed, any necessary stand-by contractors for various training needs (example: HAZWOPER, etc.). Order through Logistics Section.
- Coordinate nearby or on-site training as part of the deployment process
- Identify and secure other equipment, materials and supplies, as needed
- Induct (on-scene) convergent volunteers
- Activate other volunteers or organizations on file with SF Area Committee (see Section 9240.7 Volunteer Organizations) as needed
- Recruit additional volunteers (by identified skill sets) through media appeals
- Assess, train, and assign volunteers. Maintain status with Liaison Officer.
- Coordinate with Liaison Officer / Logistics Section for volunteer housing and messing as needed
- Assist volunteers with other special needs

2450.32 Response Assistance Assignments

Utilization of volunteers is subject to guidance in National Contingency Plan (NCP), 40 CFR 300.185 which requires identification of functions for volunteer participation during response actions which should generally not involve physical removal or remedial activities. Volunteers will be assigned based on expertise and interest. The SE Florida Area Committee has identified the following positions and functions suitable for volunteer participation:

- Check-in / Status Recorder (Resources Unit)
- Beach reconnaissance patrols / Notification of injured wildlife (Planning Section)

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- Demobilization Check-out (Demob Unit Leader)
- Community Liaison (Liaison Officer)
- Public relations administrative support (Information Officer)
- Personnel support functions (Logistics Section)
- Facility support functions (ICP, Staging Area, Camps) (Logistics Section)
- Wildlife cleaning and rehabilitation (Operations Section)
- Others as specific incident characteristics allow

Wildlife cleaning and rehabilitation will be supervised and managed by the Dept of Interior or its delegated representative agency/organization as part of the Operations Section.

Where the Operations Section Chief is directing, using, or controlling volunteers, governmental liability for the health and safety of the volunteers is contingent upon such issues as the level of supervision and control exercised by the FOSC over the activities of the volunteer and the status of the individual. The FOSC may face personal liability to the volunteer where the harm or injury was caused by FOSC actions conducted outside the scope of authority.

2450.33 Volunteer Training

In accordance with the guidelines of the NCP, the FOSC is responsible to provide for the health and safety of all workers. OSHA regulations require specific initial training of workers prior to their engagement in hazardous waste operations or emergency response that could cause exposure to safety and health hazards. The level of training may vary with the worker’s job junction and responsibilities. OSHA regulation 29CFR1900.120 dictates the level of HAZWOPER training required for response duties assigned. Volunteers involved in the post-emergency response phases of an oil spill will require hazardous materials awareness training. Volunteers should not be assigned duties in which exposure to gross amounts of oil/hazardous material could be expected. But some support activities may encounter/discover areas of contamination (beach reconnaissance, wildlife rehabilitation, etc.).

Instead, volunteers can fall under a “De Minimis” exception. Under OSHA Directive CPL 2-2.51 and OSHA Standards Interpretation and Compliance Letters (dated 02/13/1992), “a minimum of four hours [training] would be appropriate in most situations.” Ensure any training requirements have consensus review by the Safety Officer and Legal Officer.

Persons completing appropriate training are to be given written certification and documented in the response archive file.

2500 RESERVED

2600 RESERVED

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2700 RESERVED

2800 RESERVED

2900 RESERVED FOR AREA / DISTRICT

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Guard has jurisdiction under Title 46 Code of Federal Regulations part 4, the National Transportation Safety Board (NTSB) often investigates accidents resulting in large oil or hazardous substance discharges. Accordingly, relationships between investigators will be governed by the Memorandum of Understanding between the Coast Guard and the NTSB, as well as side-bar agreements on investigation between state and local investigators. The FOSC will normally group the investigation as a separate entity from the response through the Liaison Officer. The Liaison will normally appoint an assistant solely to handle the investigators during a large response or complex investigation; this assistant should immediately contact the Coast Guard's Office of Investigation and Analysis in Washington DC through the Coast Guard chain of command to discuss the details of the investigation/response relationship in the particular case at hand.

2420 Trustees

Trustee means an official of a federal natural resources management agency designated in subpart G of the NCP or a designated state official or Indian tribe or, in the case of discharges covered by the OPA, a foreign government official, who may pursue claims for damages under section 107(f) of CERCLA or section 1006 of the OPA.

Upon notification or discovery of injury to, destruction of, loss of, or loss of use of, natural resources, or the potential for such, resulting from a discharge of oil, the trustees, pursuant to section 1006 of the OPA, are to take the following actions:

- In accordance with OPA section 1006(c), determine the need for assessment of natural resource damages, collect data necessary for a potential damage assessment, and, where appropriate, assess damages to natural resources under their trusteeship; and
- As appropriate, and subject to the public participation requirements of OPA section 1006(c), develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources under their trusteeship.

When circumstances permit, the FOSC shall share the use of federal response resources (including but not limited to aircraft, vessels, and booms to contain and remove discharged oil) with the trustees, providing trustee activities do not interfere with response actions. The lead administrative trustee facilitates effective and efficient communication between the FOSC and the other trustees during response operations and is responsible for applying to the FOSC for non-monetary federal response resources on behalf of all trustees. The lead administrative trustee is also responsible for applying to the NPFCA for funding for initiation of damage assessment for injuries to natural resources.

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2420.1 Federal Trustees

In SE Florida, the federal trustees include:

- (a) Department of Commerce:
 - NOAA – National Marine Fisheries Service
- (b) Department of Defense:
 - Naval Station Fort Lauderdale
- (c) Department of Interior:
 - National Park Service – Biscayne and Everglades National Parks
 - U.S. Fish and Wildlife Service

2420.2 State Trustees

State officials designated by the Governor to act as trustee for natural resources within the State's boundaries or for resources belonging to, controlled by, or appertaining to the State of Florida.

State trustees shall act on behalf of the public as trustees for natural resources, including their supporting ecosystems, within the boundary of a state or belonging to, managed by, controlled by, or appertaining to such state. The state's lead trustee would designate a representative to serve as contact with the FOSC. This individual should have ready access to appropriate state officials with environmental protection, emergency response, and natural resource responsibilities.

In SE Florida, the state trustees include:

- (a) Florida Wildlife Conservation Commission (FWCC)
- (b) Florida Department of Environmental Protection (FDEP)

Examples of resources under the state trusteeship:

- State forest lands;
- State-owned minerals;
- State parks and monuments;
- State rare, threatened, and endangered species; and
- State wildlife refuges and fish hatcheries

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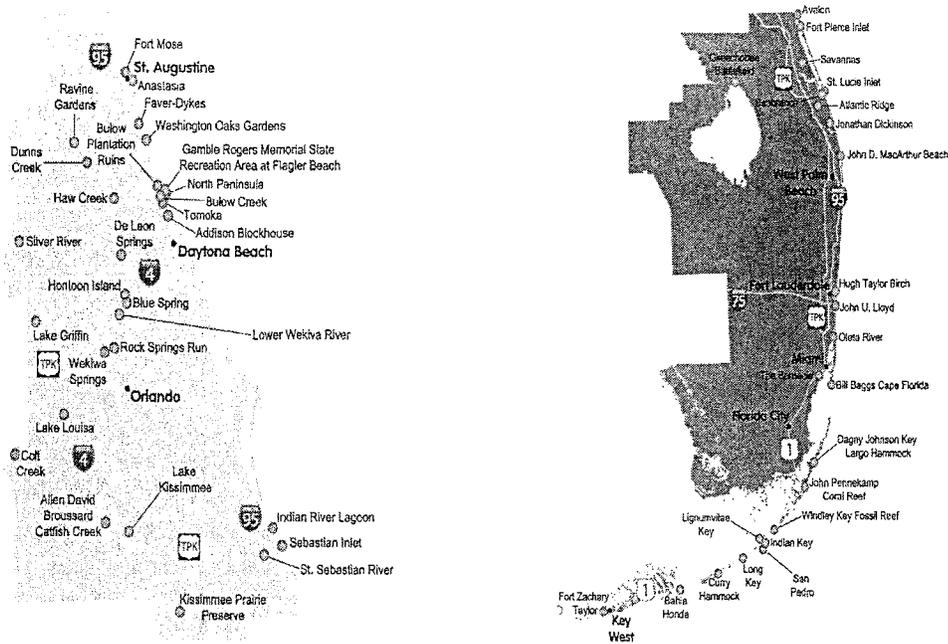


TABLE 2420-1: <http://www.floridastateparks.org/findapark/stateparksmap.cfm>

2420.3 Local Trustees

Any lands or areas assigned to local trustees will be coordinated through the State Trustee.

2420.4 Tribal Nations

Tribal nation officials designated by the governing body of any tribe may act as trustee on behalf of the tribe. The Department of the Interior may act as trustee if requested by a tribe:

- a) Miccosukee Tribe
- b) Seminole Tribe of Florida

Examples of resources under the trusteeship:

- Ground and surface water resources on Tribal lands; and
- Any other natural resources found on Tribal land

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2421 Identification of Lead Administrative Trustee (LAT)

Lead administrative trustee means a natural resource trustee who is designated on an incident-by-incident basis for the purpose of pre-assessment and damage assessment and chosen by the other trustees whose natural resources are affected by the incident. The lead administrative trustee facilitates effective and efficient communication during response operations between the FOSC and the other natural resource trustees conducting activities associated with damage assessment, and is responsible for applying to the FOSC for access to response operations resources on behalf of all trustees for initiation of a damage assessment.

The trustees shall assure, through the lead administrative trustee, that the FOSC is informed of their activities regarding natural resource damage assessment that may affect response operations in order to assure coordination and minimize any interference with such operations. The trustees shall assure, through the lead administrative trustee, that all data from the natural resource damage assessment activities that may support more effective operational decisions are provided in a timely manner to the FOSC.

The Natural Resource Trustee will notify the U.S. Coast Guard of the LAT as soon as possible after an oil spill. As required by E.O. 12777 (October 22, 1991), the Federal Natural Resource Trustee must select a LAT. Depending on the resources at risk and other relative factors, it might be appropriate for the LAT to be a non-federal agency. In such cases, the Federal Natural Resource Trustees would still select a Federal LAT for the purpose of coordination with the representatives of the Oil Spill Liability Trust Fund (OSLTF) to initiate the damage assessment. The non-federal LAT will coordinate all other damage assessment activities.

The Natural Resource Trustees intend to execute a general Memorandum of Agreement (MOA) to coordinate damage assessment and restoration activities. Among other things, the MOA will identify trustees, establish criteria for selecting a LAT, and provide procedures for decision making and handling monetary recovery efforts.

See also Fact Sheet Natural Resource Trustees (Federal)

[http://www.nrt.org/Production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-51FRNT/\\$File/FNRT.pdf?OpenElement](http://www.nrt.org/Production/NRT/NRTWeb.nsf/AllAttachmentsByTitle/A-51FRNT/$File/FNRT.pdf?OpenElement)

2430 Natural Resource Damage Assessment (NRDA) Representative

The Natural Resource Damage Assessment (NRDA) Representatives are responsible for coordinating NRDA needs and activities of the trustee team. NRDA activities generally do not occur within the structure, processes, and control of the ICS. However, particularly in the early phases of a spill response, many NRDA activities overlap with the environmental assessment performed for the sake of spill response. Therefore, NRDA Representatives should remain coordinated with the spill response organization through the LNO, and they may need to work directly with the UC, Planning Section, Operations

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Section, and the NOAA SSC to resolve any problems or address areas of overlap. This includes close coordination with the LNO for obtaining timely information on the spill and injuries to natural resources.

While NRDA resource requirements and costs may fall outside the responsibility of the Logistics and Finance/Administrative Sections, coordination is important. The NRDA Representative will coordinate NRDA or injury determination activities.

2430.1 NRDA Funding Through Responsible Party

The Responsible Party (RP) should be the primary funding source for the Natural Resource Damage Assessment (NRDA). The trustees will need early access to representatives of the RP to determine the availability of funding, personnel, and equipment for damage assessment activities. The LAT will first notify the appropriate U.S. Coast Guard representative and request that a meeting be arranged between the Natural Resource Trustees and the RP's representative. Should the U.S. Coast Guard fail to arrange a meeting in a timely fashion, the Natural Resource Trustees will establish contact directly with the RP's representative. When the RP is unknown, contacting the RP is not feasible, or the RP is unwilling or unable to provide funds, the LAT may request funding from the Oil Spill Liability Trust Fund (OSLTF).

2430.2 NRDA funding Through the Oil Spill Liability Trust Fund (OSLTF)

The Federal LAT must submit a request for initiation of a NRDA to the National Pollution Fund Center (NPFC) to secure a funding obligation following an oil spill. The request must include: the amount requested, the plan for fund use, an estimated completion date, an agreement for subrogation of all cost recovery actions, an agreement to comply with NPFC documentation requirements, and a certification of lead trustee status. Based on the request for initiation, an Interagency Agreement (IAG) will be executed for each OPA incident, establishing the amount of funds authorized for initiation. The NPFC will assign a document control number to track costs.

The Federal LAT is responsible for documenting expenditures and submitting the documentation to the NPFC. In order for the trustee agencies to be funded for their activities all operations must be conducted in compliance with the procedures set forth by the NPFC in Chapter 5, Initiate Requests and NRD Claims, of the NPFC User Reference Guide.

The Federal LAT is expected to manage the funds available for initiation of NRDA. Whenever it appears that actual costs may exceed the amount of the IAG, the LAT should promptly request supplemental funding in the same manner as the original request. Until the IAG is amended to reflect supplemental funding, the LAT must take action to prevent exceeding the obligated amount.

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2430.3 Contacts with the Responsible Party (RP)

The RP should be the primary funding source for the Natural Resource Damage Assessment (NRDA). The trustees will need early access to representatives of the RP to determine the availability of funding, personnel, and equipment for damage assessment activities. The LAT will first notify the appropriate U.S. Coast Guard representative and request that a meeting be arranged between the Natural Resource Trustees and the RP's representative. Should the U.S. Coast Guard fail to arrange a meeting in a timely fashion, the Natural Resource Trustees will establish contact directly with the RP's representative. When the RP is unknown, contacting the RP is not feasible, or the RP is unwilling or unable to provide funds, the LAT may request funding from the OSLTF.

2440 Agency Representatives

For incidents involving multiple jurisdictions, an agency or jurisdiction will send a representative to assist with coordination efforts. An Agency Representative is an individual assigned to an incident from an assisting or cooperating agency who has been delegated authority to make decisions on matters affecting that agency's participation at the incident.

Agency Representatives report to the Liaison Officer or to the Incident Commander in the absence of the Liaison Officer.

2450 Stakeholders

A Stakeholder is a group or organization that has a vested interest in a specific area that may be affected by a pollution incident. Many of these groups are government agencies that are responsible for the management and the upkeep of a specific area but are not the designated trustee. See Section 9250 Stakeholders for a listing of stakeholder contact information.

2450.1 Economic

Reserved for Area Committee Development

2450.2 Political

Reserved for Area Committee Development

2450.3 Volunteer Management

After a major pollution incident, especially one that receives extensive press coverage, members of the local communities have demonstrated their concern by arriving at the sites of oil spills and volunteering to participate in efforts to clean up affected areas. The volunteers often arrive in large numbers and are usually untrained in oil spill response and clean up. Utilization of volunteers is subject to the guidance in National

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Contingency Plan (NCP), 40 CFR 300.185. Generally, volunteers will not be used during federally funded responses without the permission of the OSC. A volunteer's unknown background, a potentially confusing chain of command, and liability issues preclude the use of volunteers in most situations. Should the Unified Command decide to use volunteers obtain Coast Guard or other legal counsel. State and local agencies may utilize volunteers in accordance with their own policies.

In 2011, an MOU was signed between the USCG, EPA and Corporation for National and Community Service (see Section 9510.11). This MOU established the resource support to the FOSC by the Corporation for National and Community Service (CSNS). The CSNS, a wholly-owned US government corporation and federal agency of the US, supports service and volunteering at the national, state, and local levels, overseeing three major initiatives:

- AmeriCorps (including state/national, Volunteers in Service to Serve America (VISTA), and National Civilian Community Corps (NCCC));
- Learn to Serve America; and
- Senior Corps.

CNCS programs provide vital support, especially human capital, to the national, state and local voluntary organizations and public agencies that lead response, relief and recovery efforts when an incident occurs. In addition, CNCS has specific responsibilities as a support agency within the National Response Framework (NRF). Pursuant to the Stafford Act and other legal authorities, CNCS and its grantees have a record of collaborating with state and local agencies and organizations to support response and recovery efforts.

Non Governmental Organizations (NGO) collaborate with first responders, governments at all levels, and other agencies and organizations providing relief services to sustain life, reduce physical and emotional distress, and promote recovery of disaster victims when assistance is not available from other sources. The American Red Cross is an NGO that provides relief at the local level and also coordinates the Mass Care element of Emergency Support Function #6. The National Voluntary Organizations Active in Disaster (NVOAD) (<http://www.nvoad.org/>) is a consortium of more than 30 recognized national organizations of volunteers' active in disaster relief. Such entities provide significant capabilities to incident management and response efforts at all levels. Community-Based Organizations (CBO's) receive government funding to provide essential public health services. For example, the wildlife rescue and rehabilitation activities conducted during a pollution emergency are often carried out by local nonprofit organizations and individuals working with natural resource trustee agencies.

A gratuitous service is provided without any expectation of compensation. The distinction between individuals providing volunteer services and those providing gratuitous services is important primarily in determining the type of governmental liability of injury to the individuals and accountability for harms caused by the individuals. Federal law contains two important prohibitions regarding governmental use

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of voluntary services. First, it bans government officers and employees from accepting voluntary services for the government except for certain emergencies (Unified Command approval). Second, it bans government officers and employees from employing personal services in excess of that authorized by law defined under 31 US Code 1342. The purpose of the statutory prohibition is to avoid situations that might generate future claims for compensation which might be in excess of a Federal agency's funds.

See Section 9240.7 Volunteer Organizations for a listing of volunteer resource information.

2450.31 Volunteer Coordinator and Responsibilities

The Volunteer Coordinator is responsible for managing and overseeing all aspects of volunteer participation, including recruitment, induction and deployment. The Volunteer Coordinator reports to the Liaison Officer.

Responsibilities include:

- Coordinate with the Liaison Officer to determine where volunteers are needed
- Identify any necessary skills and training needs
- Verify minimum skill/training required for volunteer assignment with the Safety Officer and assigned group leaders
- Identify, if needed, any necessary stand-by contractors for various training needs (example: HAZWOPER, etc.). Order through Logistics Section.
- Coordinate nearby or on-site training as part of the deployment process
- Identify and secure other equipment, materials and supplies, as needed
- Induct (on-scene) convergent volunteers
- Activate other volunteers or organizations on file with SF Area Committee (see Section 9240.7 Volunteer Organizations) as needed
- Recruit additional volunteers (by identified skill sets) through media appeals
- Assess, train, and assign volunteers. Maintain status with Liaison Officer.
- Coordinate with Liaison Officer / Logistics Section for volunteer housing and messing as needed
- Assist volunteers with other special needs

2450.32 Response Assistance Assignments

Utilization of volunteers is subject to guidance in National Contingency Plan (NCP), 40 CFR 300.185 which requires identification of functions for volunteer participation during response actions which should generally not involve physical removal or remedial activities. Volunteers will be assigned based on expertise and interest. The SE Florida Area Committee has identified the following positions and functions suitable for volunteer participation:

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- Demobilization Check-out (Demob Unit Leader)
- Community Liaison (Liaison Officer)
- Public relations administrative support (Information Officer)
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2700 RESERVED

2800 RESERVED

2900 RESERVED FOR AREA / DISTRICT

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3700 RESERVED

3800 RESERVED

3900 RESERVED for AREA / DISTRICT

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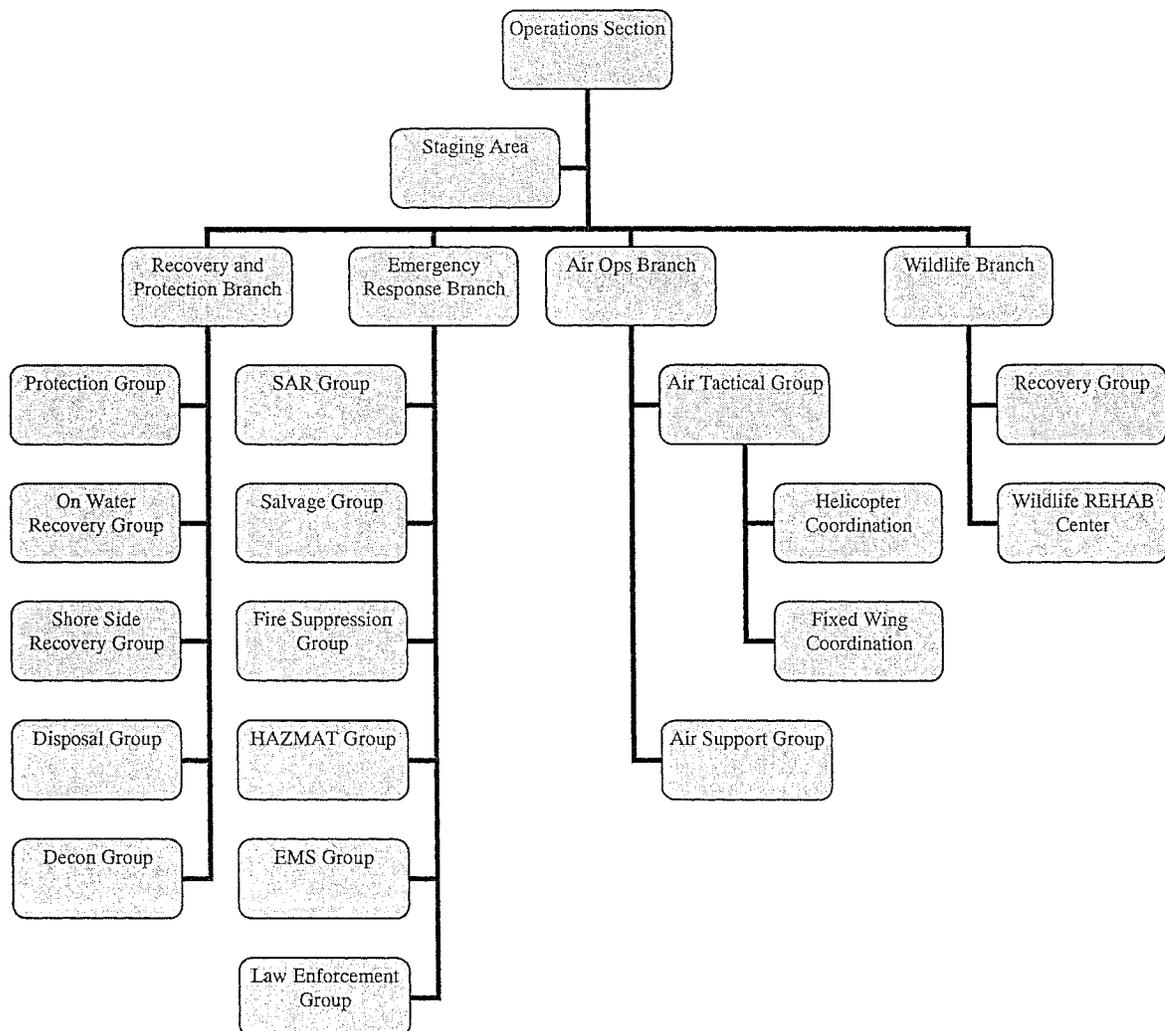
3000 OPERATIONS SECTION

The Operations Section is responsible for directing the tactical actions to meet incident objectives. See Chapter 7 of the Incident Management Handbook COMDTPUB P3120.17 and Operation Section Chief Job Aid located at (<https://homeport.uscg.mil/ics>) for duties and responsibilities.

In general, the following response priorities will be followed:

- Protect human life and health.
- Minimize ecological impacts.
- Minimize economic and public impacts.

3100 Operations Section Organization



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The Ops Section is responsible for all field activities directly applicable to the primary mission. The section also directs the preparation of unit operational plans, requests or releases resources makes expedient changes to the Incident Action Plan as necessary and reports such to the Incident Commander (IC/UC). The Ops Section is comprised of the Recovery and Protection Branch, Emergency Response Branch, Air Operations Branch, and Wildlife Branch, each with subordinate units. The IC/UC will determine the need for a separate Operations Section at an incident or event. Until Operations is established as a separate Section, the IC/UC will have direct control of tactical resources. See Appendices 9100 Required Emergency Notifications and 9200 Personnel and Services Directory for response resources and additional information including Geographic Response Plans and Chemical Countermeasures

3110 Operations Section Chief

The Operation Section Chief is responsible for the management of all operations directly applicable to the primary mission. The Operations Chief activates, supervises and directs elements in accordance with the IAP and the Site Safety Plan. In addition, the Ops Section Chief directs the preparation of unit operational plans, requests and releases resources makes changes to the IAP as necessary and reports to the Incident Commander. Other Ops Section Chief responsibilities include:

- Implement and manage the Operations Section branches, divisions, and groups needed to proactively accomplish Operations Section actions.
- Assist the Planning Section in defining strategic response goals and tactical operational objectives detailed in the Incident Action Plan.
- Develop detailed mission assignments, sortie schedules, duty lists, and operational assignments to accomplish the strategic response goals and tactical operational objectives.
- Identify additional response resources required or recommend the release of resources to the Unified Command.
- Evaluate and report on response counter measure efficiency.

3120 Operations Section Preliminary Objectives

3120.1 0-4 Hours (Initial Response (Emergency) Phase)

- Confirm the spill and determine if the pollution source can be secured and direct operations to secure.
- Confirm all necessary emergency notifications have been made (State Warning Point, USCG Sector Miami Command Center, Area Committee, and Tribal Nations as applicable (see Section 9111 Notifications for contact info).
- Assess the situation, using ICS 201, including any grounding, firefighting, salvage or additional problems. Determine immediate objectives, priorities, and strategies.
- Request Emergency Medical Services assistance as necessary.

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- Coordinate with the Qualified Individual / Responsible Party response team.
- Conduct Hazardous Materials situation assessment including site surveys and air monitoring. Analyze any HAZMAT problems detected.
- Institute Operational Risk Management (ORM) in accordance with Section 9000 of this plan for all personnel involved in the response, including civilian OSRO personnel.
- Deploy field response teams as soon as possible. Activate special teams as necessary.
- Deploy containment boom as close to the source as reasonably possible.
- Estimate current, tide, and weather effects on the situation and product movement.
- Identify high-priority areas for early protection and select appropriate response strategies (see Section 3200 Recovery and Protection Branch of this plan).
- If salvage, lightering, or dewatering operations will be required, provide tasking to those on scene and to support personnel ashore. Provide tasking to divers as necessary.
- Request marine inspector / surveyor for vessel incident.
- Identify potential staging areas ASAP and sites for immediate pre-cleaning and assign personnel.
- Continuously order personnel and equipment required for initial response as the needed. Do not wait to submit an organized or forward-projected estimate for the next operational period. Keep track of all call-ups using ICS 201.
- Direct the delivery and deployment of the first equipment to arrive on-scene.
- Establish well-qualified on-scene supervisors.
- Activate Oil Spill Recovery Vessels and D7 (drm) Equipment Specialist for VOSS support as necessary (see Section 9111 Notifications for contact info). (Consider use of USCG WLIC as potential vessel of opportunity)
- Contact USCG/State officials to commence drug and alcohol testing (in conjunction with marine investigators and other investigators).
- Monitor personnel for signs of exhaustion and need for relief/replacement at the 4 hour mark.

3120.2 4-24 Hours (First Operational Period)

- Transition from “emergency phase” driven response posture to a “pre-planned operation” response posture.
- Continue primary containment activities.
- Identify safety hazards that may be present and report observations to the Safety Officer.
- Continue gathering information on the extent of the spill and assist the Planning Section with situation and resource information.
- Arrange for initial over-flight with appropriate observers / Situation Unit Leader. Consider IR camera and video link to help tailor the response effort.
- Determine organization and staffing for the Operations Section.
- Obtain response objectives and priorities from Incident Commander / Unified Command.
- Estimate personnel and equipment required for objectives/priorities; adjust resources ordered as needed.

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- Consider dispatching liaison assistants to involved Oil Spill Response Organizations (OSROs).
- Commence Incident Planning Process “P” with Planning Section Chief to develop response tactics for the Incident Action Plan.
- Review trajectory models from Environmental Unit/SSC, identify future impacted areas and deploy protective measures (boom, pre-treatment (if approved), etc.).
- Conduct oil recovery operations as able.
- Initiate incident documentation NOW. Identify and document the discharge source, responsible party, and preserve this information for the document unit and finance/administration section.
- Establish a restricted airspace, as needed (see section 3410.3 of this plan).
- Review results of over-flight with Unified Command and determine future air operations needs with the Planning Section Chief.
- Anticipate the need for replacement personnel.

3120.3 24-48 Hours (Second Operational Period)

- Continue to assist Planning Section with information gathering and documentation.
- Continue Incident Planning Process “P” with the Planning Section to maintain the Incident Action Plan per op-period.
- Assist Environmental Unit Leader with data collection and evaluation of options to use alternative countermeasures such as dispersants or in-situ burning.
- Continuously monitor resource allocation to ensure that the most effective use is being made of personnel and equipment.
- Execute the completion and delivery of the following federal and state forms:
 - (1) Notice of Federal Interest;
 - (2) Letter of Designation of Source;
 - (3) Administrative Order (as needed); and
 - (4) Letter of Federal Assumption (as needed).

3130 Scalability of the Operations Section

The Operations Section will naturally evolve based on the needs of the incident. The following Modular Development list illustrates a typical method of expanding the Incident Organization at an oil spill incident. This list is not meant to be restrictive, nor imply that this is the only way to build an ICS organizational structure from an initial response to a multi-branch organization.

Refer to Incident Management Handbook COMDTPUB P3120.17A located at (<https://homeport.uscg.mil/ics>) for incident specific example organizations.

Initial Response Organization - Initial Response resources are managed by the IC who will handle all Command and General Staff responsibilities. A unified command is established.

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Reinforced Response Organization - The UC has established a Protection Group and a Recovery Group to manage on-water activities and a shoreline division to manage land-based resources. An SO and IO have been assigned.

Multi-Division/Group Organization - The UC has assigned all Command Staff positions and established a number of Divisions and Groups as well as an OPS and PSC. Some Logistic Units are established.

Multi-Branch Organization -The UC has established all Command and General Staff positions and has established four branches.

3140 Operational Risk Management (ORM)

Human error causes a significant number of mishaps every year that result in the loss of personnel, cutters, boats, aircraft, and equipment. Many times faulty risk decisions place our personnel at greater risk than necessary. After four major marine casualties between 1991 and 1993, including the capsizing and sinking of the F/V SEA KING, the National Transportation Safety Board issued two recommendations documenting the need for Coast Guard risk assessment training.

The application of Operational Risk Management (ORM) is not limited to Coast Guard operations as the Coast Guard usually defines them. All response missions and daily activities require decisions managing risk. In ORM "operational" refers not solely to a rated person or operator, but includes any response personnel who contribute to the overall goal of safe and effective clean up. All organizational levels contribute either directly or indirectly to operational mission success. Therefore, ORM's target audience includes all those involved in operations, maintenance, and support activities.

Traditional risk management practices assert risk is "bad". In reality, that may not be so. Taking calculated risk is essential for an organization to grow and capitalize on its capabilities. ORM's aim is to increase mission success while reducing the risk to personnel, resources, and the environment to a level acceptable for a particular response in a given situation. Responders should identify risk using the same disciplined, organized, logical thought processes that govern all other aspects of response operations. ORM provides the framework to minimize risk, show concern for colleagues, and maximize the unit's mission capabilities, helping to achieve the Unified Command's direction. Additional benefits include safeguarding our responders' health and welfare and conserving vital resources and support equipment.

3141 Risk Terminology

Responders need to understand terms clearly and communicate risk effectively in order to use the ORM process. Understandably, each facility and activity will differ in how it interprets risk assessment and risk management results due to unique mission differences and its members' varying degrees of knowledge, skill, experience, and maturity. All personnel shall use the common key terms when communicating risk across program and

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Detail by Entity Name

Florida Profit Corporation
TRIUMVIRATE ENVIRONMENTAL SERVICES, INC.

Filing Information

Document Number	H38590
FEI/EIN Number	59-2480377
Date Filed	01/18/1985
Effective Date	01/15/1985
State	FL
Status	ACTIVE
Last Event	AMENDMENT AND NAME CHANGE
Event Date Filed	11/27/2017
Event Effective Date	NONE

Principal Address

3701 SW 47TH AVENUE
#109
DAVIE, FL 33314

Changed: 11/17/2017

Mailing Address

3701 SW 47TH AVENUE
#109
DAVIE, FL 33314

Changed: 11/17/2017

Registered Agent Name & Address

CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE, FL 32301

Name Changed: 10/06/2015

Address Changed: 05/27/2002

Officer/Director Detail

Name & Address

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McQUILLAN, JOHN F., JR.

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 SOMERVILLE, MA 02143

Title PRESIDENT, ASSISTANT SECRETARY

YOUNGEN, DOUGLAS W.
 200 INNER BELT ROAD
 SOMERVILLE, MA 02143

Title VICE PRESIDENT, ASSISTANT SECRETARY

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Annual Reports

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2017	11/17/2017
2018	01/24/2018

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Florida Department of Environmental Protection

Hazardous Waste Facilities Search Results

Selection Criteria for This Handler Search:

EPAID: % ; **Name:** TRIUMVIRATE ENVIRONMENTAL SER% ; **Address:** % ; **City:** % ; **County:** %

For Facility Data Links:

Activities -- provides a list of RCRA compliance activities and violations.

For a Generator Status History:

click on the **Status**. - **NOT** indicates a facility is a Non-Notifier and may not have been issued the associated EPAID - **Check with DEP before using that EPAID!**

Mapping in GIS -- this opens a **[NEW IMPROVED]** GIS mapping tool focused on the facility.

[Legend of Status Types](#)

Documents -- this provides a list of electronic documents available online.

Error Reporting -- send us feedback to address data errors.

County Verification -- County or RPC verification of Facility and Waste for this site.

EPA ID	Name	County	Address	Contact	Status	As of	Data Links
Search has retrieved 0 Facilities							

Legend of Status Types:

- LQG - Large Quantity Generator
- SQG - Small Quantity Generator
- CES - Conditionally Exempt Small Quantity Generator
- UOT - Used Oil Transporter
- TRA - Hazardous Waste Transporter
- TSD - Treatment/Storage/Disposal Facility
- CLO - Closed
- NHR - Non-Handler of Hazardous Waste



Search County Government

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ENVIROS

Enforcement Action Advanced Search

Search Reset

No information was found matching your selection criteria. Please try again.

Enforcement Action Number:

House Number: To:

Street:
Direction Street Name Street Type Suite

City: Zip:

Section: Township: Range:

Respondent:

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Establishment Search

Reflects inspection data through 06/15/2018

This page enables the user to search for OSHA enforcement inspections by the name of the establishment. Information may also be obtained for a specified inspection or inspections within a specified SIC.

Note: Please read important information below regarding interpreting search results before using.

Search By:

Your Establishment search returned 0 results.

Establishment **Triumvirate Environmental Services, Inc**

(This box can also be used to search for a State Activity Number for the following states: NC, SC, KY, IN, OR and WA)

State All States Fed & State

OSHA Office All Offices

Case Status All Closed Open

Violation Status All With Violations Without Violations

Inspection Date

Start Date January 1 2014

End Date June 18 2018

Can't find it?

- [Wildcard use %](#)
- [Basic Establishment Search Instructions](#)
- [Advanced Search Syntax](#)

NOTE TO USERS

The Integrated Management Information System (IMIS) was designed as an information resource for in-house use by OSHA staff and management, and by state agencies which carry out federally-approved OSHA programs. Access to this OSHA work product is being afforded via the Internet for the use of members of the public who wish to track OSHA interventions at particular work sites or to perform statistical analyses of OSHA enforcement activity. It is critical that users of the data understand several aspects of the system in order to accurately use the information.

events occur in the course of agency activities. Until cases are closed, IMIS entries concerning specific OSHA inspections are subject to continuing correction and updating, particularly with regard to citation items, which are subject to modification by amended citations, settlement agreements, or as a result of contest proceedings. THE USER SHOULD ALSO BE AWARE THAT DIFFERENT COMPANIES MAY HAVE SIMILAR NAMES AND CLOSE ATTENTION TO THE ADDRESS MAY BE NECESSARY TO AVOID MISINTERPRETATION.

The Integrated Management Information System (IMIS) is designed and administered as a management tool for OSHA to help it direct its resources. When IMIS is put to new or different uses, the data should be verified by reference to the case file and confirmed by the appropriate federal or state office. Employers or employees who believe a particular IMIS entry to be inaccurate, incomplete or out-of-date are encouraged to contact the OSHA field office or state plan agency which originated the entry.

UNITED STATES
DEPARTMENT OF LABOR

Occupational Safety and Health Administration
200 Constitution Ave NW
Washington, DC 20210
☎ 800-321-6742 (OSHA)
TTY
www.OSHA.gov

FEDERAL GOVERNMENT

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Commandant
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Stop 7501
Washington, DC 20593-7501
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Phone: (202) 372-1283
Fax: (202) 372-8354
Email: Ternia.r.pipkins@uscg.mil

5720
FOIA 2018-CGFO-01954
July 26, 2018

Ms. Angela Osorno-Belleme, PMP
Broward County Port Everglades Department.
1850 Eller Dr., Suite 603
Ft. Lauderdale, FL 33316-4202

Dear Ms. Osorno-Belleme:

This letter is in response to your Freedom of Information Act (FOIA) request of June 14, 2018, to the U.S. Coast Guard for any environmental infractions, fines, penalties, or resolutions involving the entities/organizations provided in your listing during the period June 1, 2013 through June 30, 2018. This office received your request on June 27, 2018.

Enforcement Report (Activity number) 5752301 is open and therefore cannot be released at this time. On July 9, 2018, you agreed to contact this office in (90) days for the closure status and release of this Enforcement Report.

A search of the Marine Information for Safety and Law Enforcement (MISLE) database found no environmental infraction, fines, penalties, or resolutions involving the organizations Triumvirate Environmental (Florida), Inc. and SOS Security LLC June 1, 2013 through June 30, 2018. The search looked for any environmental infraction, fines, penalties, or resolutions involving the organizations Triumvirate Environmental (Florida), Inc. or SOS Security LLC June 1, 2013 through June 30, 2018. The search was conducted on keywords: Triumvirate Environmental (Florida), Inc., SOS Security LLC, and environmental infraction, fines, penalties, or resolutions occurring June 1, 2013 through June 30, 2018. This records search was conducted on July 2, 2018 by Ms. Ternia Pipkins, IT Specialist, of Commandant (CG-INV-3). We conducted a reasonable search for records responsive to your request and conclude there are no responsive records.

This is not a denial. You may appeal the adequacy of our search. Your appeal must be made in writing and you must submit it within 90 days from the date of receipt of this letter. Your letter should indicate that you are making an appeal based on a "no records" determination of a request made under the Freedom of Information Act and the envelope should be prominently marked "FOIA Appeal." Include in your appeal the reason(s) why you believe the search was inadequate and a copy of this letter. Send your appeal to:

Commandant (CG-611)
U.S. Coast Guard
Attn: FOIA/PA Officer
2703 Martin Luther King Jr. Ave., SE, STOP 7710
Washington, DC 20593-7710

While an adequate search was conducted, if you need any further assistance or would like to discuss any aspect of your request, please contact the (Unit/Directorate) that processed your request. You may send an e-mail to efoia@uscg.mail, call 202-475-3522, or you may contact our FOIA Public Liaison in the same manner. Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives

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July 26, 2018

and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Per your written correspondence on June 14, 2018, it is our understanding that you do not request the following information: Home addresses, names of persons who are third parties or witnesses and the names of junior Coast Guard personnel.

We are granting your request under the FOIA, Title 5 U.S.C. § 552, as amended, and DHS' implementing regulations, 6 CFR Chapter I and Part 5. After carefully reviewing the responsive documents for any environmental infractions, fines, penalties, or resolutions involving the entities/organizations provided in your listing during the period June 1, 2013 through June 30, 2018, I determined that they are appropriate for public release.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below \$14 minimum, there is no charge.

We have enclosed all of the available information requested in your letter of June 14, 2018. If this does not reflect your understanding, please advise me in writing within twenty days from the receipt of this letter. You may send an email to efoia@uscg.mil, call 202-475-3522, or you may contact our FOIA Public Liaison in the same manner.

Sincerely,



D. PATTERSON
Chief, Data Administration Division
U.S. Coast Guard
By direction

Enclosure: (1) Marine Information for Safety and Law Enforcement data printouts
(2) Enforcement Report 5063750
(3) (06) pages

Copy: CG-DCO Directorate FOIA Coordinator