Appendix 13-D
Existing Ellenburg Wind Facility
Operational SPCC Plan

Ellenburg Wind Repowering Project
Matter No. 23-03033

Spill Prevention, Control and Countermeasure (SPCC) Plan

Ellenburg Windpark
Ellenburg, NY

Last Revised October 2023

Prepared for:
AES NY Wind
23 Lost Nation Road
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AES NY Wind – Ellenburg Windpark

Emergency Notification Phone List

- Robbie LaBombard, Team Lead (primary contact) — Work (518) 497-0818
- Police / Fire / Medical Response — 911
- New York State Emergency Management Office (SEMO) — (518) 292-2200
- New York State Department of Environmental Conservation (NYSDEC) Spill Hotline — (800) 457-7362
- National Response Center (NRC) and Terrorist Hotline[1] — (800) 424-8802 or http://www.nrc.uscg.mil/fixedreport.html

- Emergency Response Contractor – (Safety Kleen) — (802) 479-1200
  23 West 2nd Street, Barre, VT 05641 — Fax (802) 476-8006
- Emergency Response Contractor – (Republic Services) — (800) 899-4672
  2525 George Urban BLVD, Depew, NY 14043 — Fax (315) 437-6973
- Transformer Service Contractor –(Black and McDonald) — Paul Kolodzie 315-264-9254
  66518 Fremont Rd, East Syracuse. NY 13057 — Brandon Domicolo 315-720-2088

[1] NRC will contact U.S. Coast Guard and U.S. EPA Region 2.

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1.0 OVERVIEW

1.1 Applicability

Per 40 CFR 112, a Spill Prevention Control and Countermeasure (SPCC) Plan is required for all facilities that could be reasonably expected to discharge oil into the navigable waters of the United States[2] and that meet one of the following criteria:

- Above ground oil storage capacity in excess of 1,320 gallons, or
- Below ground oil storage capacity in excess of 42,000 gallons.

An SPCC Plan is required for AES NY Wind - Ellenburg Windpark ("the Facility") since its above ground oil storage capacity exceeds 1,320 gallons.

The purpose of an SPCC Plan is to minimize the potential for oil discharge into or upon the navigable waters of the United States and their adjoining shorelines. "Oil" means oils of any kind including petroleum, fuel oil, oil sludge, etc as well as substances that meet these criteria:

1. Exhibits limited water solubility
2. Possesses a specific gravity less than 1.0 (*i.e.*, exhibits a sheen or surface residue on water)

"Discharge" means spilling, leaking, pumping, pouring, emitting, etc. of oil. Discharge does not include an oil discharge authorized under a current National Pollutant Discharge Elimination System (NPDES) permit.

1.2 Plan Contents

This Plan is written to conform to the federal requirements under 40 CFR 110 (Discharge of Oil) and 40 CFR 112 (Oil Pollution Prevention). The facility will also maintain compliance with any other applicable Federal, State and local laws that are outside the scope of this Plan. The facility does not hold any other permits that authorize a discharge of oil to navigable waters. Section 112.7(a) of 40 CFR 112 details the required contents of an SPCC Plan. This SPCC has the following required elements:

- Assured compliance with all 40 CFR 112.1-112.5, 112.7 and 112.8;
- Site plans and facility layouts showing pertinent oil storage areas and potential spill routes;
- Contact lists for facility response personnel and SPCC coordinator;
- Spill response and reporting procedures;

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2 Navigable waters of the United States include most water (oceans, lakes, rivers, streams, etc.) and the wetland systems adjacent to navigable waters.

- Descriptions of containment and diversionary structures;
- Inspections, tests, records, schedules and documentation;
- Personnel training and discharge prevention procedures;
- Description of site security;
- Loading/Unloading/Spill Prevention standard operating procedures (SOPs).

Table 1-1 shows a list of these requirements and the section within this SPCC Plan in which each is addressed.

1.3 Designated Accountable Person

It is the policy of AES NY Wind to conduct operations in an environmentally safe and responsible manner. This policy is implemented through compliance with environmental, health and safety regulations, well-designed and maintained facilities, trained employees and detailed release prevention and response planning.

The goal of this SPCC Plan is to minimize the potential for discharge of oil (or any sheen producing material) into the navigable waters of the United States. However, in the event of a release, the SPCC Plan also provides procedures to ensure immediate and effective response to minimize potential impacts from a spill. It is the responsibility of AES NY Wind to ensure that the necessary employees, including but not limited to all oil-handling employees, are familiar with this Plan, use the systems described within, and, in the event of an incident, use the emergency and notification procedures.

The individual below has been designated as being accountable for discharge prevention at Ellenburg Windpark, and reports directly to facility management. This individual is also responsible for the expenditure of funds to promptly respond to any spill at the facility.

SIGNATURE: _____

NAME: Robbie LaBombard

TITLE: Team Leader

DATE: _____

Table 1-1 SPCC Plan Guidelines

Citation	*Description*	*Section of Plan*
40 CFR112.1 - General Applicability		
.1(a-d)	General Applicability	1.1
.1(e)	Compliance with State regulations	1.2, 4.3-4.7
40 CFR112.3 – Requirement to Prepare and Implement SPCC Plan		
.3(a-b)	Date of Commencement of Operation	1..5
.3(c)	Mobile Facilities	n/a
.3(d)	Engineer's certification	1.5
.3(e)	Maintain plan on site, available during business hours	6.3
.3(f)	SPCC deadline extension upon request from EPA	n/a
.3(g)	Optional qualified facility determination if storing under 10kgal oil	n/a
40 CFR112.4 – Amendment of SPCC by Regional Administrator		
.4(a-b)	Written EPA report requirements	4.7
.4(c)	Send copy of EPA report to State	4.7
.4(d-f)	Amend SPCC after notification by EPA	1.5, 4.7
40 CFR112.5 – Amendment of SPCC by Owner or Operator		
.5(a)	Amend SPCC due to facility changes	1.5
.5(b)	Review SPCC every 5 years	1.5
.5(c)	Amendments certified by Engineer	1.5
40 CFR112.6 – Qualified Facility Plan Requirements		
.6 (a)	Self-certification option	n/a
.6 (b)	Certification of technical amendments	n/a
.6 (c)(1)	Environmental equivalent methods are PE-certified	n/a
.6 (c)(2)	Impracticality determinations are PE-certified	n/a
.6 (c)(3)	Alternative security option	n/a
.6 (c)(4)	Alternative tank inspection option	n/a
.6 (d)	PE-certification for required portions	n/a
40 CFR112.7 – General Requirements for SPCC Plans		
.7(a)(1)	Discussion of conformance with requirements	1.2
.7(a)(2)	Descriptions of alternate methods that provide equivalent environmental protection	n/a
.7(a)(3)	Physical layout of Facility	2.1, App. A
.7(a)(3)(i)	Description of oil containers	3.1, Table 2-1
.7(a)(3)(ii)	Discharge prevention for handling, loading and transfers	3.1-3.2
.7(a)(3)(iii)	Discharge controls including secondary containment, and procedures for control	3.1-3.2, 4.3
.7(a)(3)(iv)	Countermeasures for discharge discovery, response and cleanup	4.1-4.5
.7(a)(3)(v)	Methods for disposal of recovered material	4.5
.7(a)(3)(vi)	Contact list in the event of a discharge	Inside Cover
.7(a)(4)	Procedures to relate information upon reporting a discharge	4.6, App. C
.7(a)(5)	Emergency procedures	Section 4
.7(b)	Trajectory, quantity and rate of potential spills	3.1, App. A-B
.7(c)	Containment and diversionary structures – e.g., dikes, curbs, drainage systems (culverts, gutters), barrier systems (weirs, booms), diversion or retention ponds, or sorbent materials	3.1
.7(d)	Impractical containment structures tanks or non-qualified oil-filled equipment	n/a
.7(d)	Periodic integrity and leak testing of valves and piping for bulk storage tanks without containment	n/a
.7(d)(1)	Spill contingency plan in accordance with 40 CFR 109 (for bulk storage tanks or non-qualified oil-filled equipment, with impractical containment)	n/a

Table 1-1 SPCC Plan Guidelines

Citation	*Description*	*Section of Plan*
.7(d)(2)	Description of manpower, equipment and materials required for spill contingency plan (for bulk storage tanks or non-qualified oil-filled equipment, with impractical containment)	n/a
.7(e)	Procedures for conducting inspections and tests	6.0, 6.1
.7(e)	Records to be kept for at least three years	6.3
.7(f)(1)	Training of oil-handling personnel in required topics (pollution control laws, general facility operations, SPCC contents)	5.0
.7(f)(2)	Designation of accountable person	1.3
.7(f)(3)	Annual discharge prevention meetings	5.0
.7(g)	Secure and control access to the oil handling, processing and storage areas	2.2
.7(g)	Secure master flow and drain valves	n/a (see 2.2)
.7(g)	Prevent unauthorized access to starter controls on oil pumps	n/a (see 2.2)
.7(g)	Secure out-of-service and loading/unloading connections of oil pipelines	2.2
.7(g)(5)	Provide appropriate lighting for security and for detection of spills	2.2
.7(h)(1)	Description of oil unloading rack's drainage system	n/a (no rack)
.7(h)(2)	Prevent truck from departing the unloading rack before oil transfer lines are disconnected (e.g., barriers, signs, tire blocks, interlocked warning lights)	n/a (no rack)
.7(h)(3)	Inspection of truck drain prior to filling or departure of unloading rack	n/a (no rack)
.7(i)	Brittle fracture evaluation for field-constructed units	6.1.1
.7(j)	Discussion of conformance with 112.7	1.2, Table 1-1
.7(k)(1)	Designation of qualified oil-filled operational equipment	3.1.2
.7(k)(2)	Implement inspection/monitoring procedures and spill contingency plan for oil-filled operational equipment without containment	3.1.2, 6.1
40 CFR112.8 – SPCC Requirements for Onshore Facilities		
.8(a)	Discussion of conformance with applicable requirements of 40 CFR 112.8	1.2
.8(b)(1)	Restrain drainage from secondary containment, using controls, valves or manually-activated pumps	n/a (see 3.1)
.8(b)(2)	If valves are used in part (1), they must be of open-and-closed design	n/a
.8(b)(2)	Manually inspect collected stormwater for contamination prior to discharge	2.4
40 CFR112.8 – SPCC REQUIREMENTS FOR ONSHORE FACILITIES		
.8(b)(3-4)	Description of drainage or diversion system in undiked areas with a potential for discharge	1.2
.8(b)(5)	Transfer between continually-operating treatment units	n/a (see 3.1)
.8(c)(1)	Bulk storage tanks are compatible with stored oil	3.1
.8(c)(2)	Bulk storage tanks have secondary containment or drainage trench enclosure	3.1.4
.8(c)(3)	Prevent stormwater discharge from diked bulk storage areas into storm drains, bypassing the water treatment facility, except as in Part (i)-(iv)	n/a (see 3.1.4)
.8(c)(3)(i-iii)	Stormwater drains from diked bulk storage areas can only be opened under responsible supervision, and re-sealed following drainage. The stormwater must be inspected for contamination prior to discharge.	n/a – no sw accum in contain
.8(c)(3)(iv)	Keep records of stormwater drainage events from diked bulk storage areas	n/a – no sw accum in contain
.8(c)(4)	Protect from corrosion, and regularly leak test any completely buried storage tanks	n/a
.8(c)(5)	Protect from corrosion any partially buried or bunkered storage tanks	n/a
.8(c)(6)	Conduct regular integrity testing and visual inspections of storage tanks. Keep records.	n/a (see 6.1)
.8(c)(7)	Control leakage due to defective heating coils by monitoring steam lines	n/a

Table 1-1 SPCC Plan Guidelines

Citation	*Description*	*Section of Plan*
.8(c)(8)(i-iii)	Implement automatic overfill protection (high level pump cutoff, direct audible or code signal between gauge and pump, or high level alarms)	n/a
.8(c)(8)(iv)	Personal monitoring of transfers and level gauges during filling if no automatic overfill protection is used	3.2
.8(c)(8)(v)	Regularly test any liquid level sensing devices	n/a
.8(c)(9)	Frequent observation of effluent treatment units	n/a
.8(c)(10)	Prompt correction and cleanup of visible discharges	4.3, 6.3
.8(c)(11)	Placement of portable storage containers to prevent discharges	3.1.4, 3.1.5
.8(d)(1)	Protect newly installed buried piping. Inspect exposed sections of buried piping for corrosion.	n/a (see 6.0)
40 CFR112.8 – SPCC REQUIREMENTS FOR ONSHORE FACILITIES		
.8(d)(2)	The terminal connections of pipes are capped or blank-flanged when in standby service, and marked as to their origin.	n/a (see 2.2)
.8(d)(3)	Properly design pipe supports to minimize abrasion and corrosion and allow for expansion and contraction.	n/a (see 2.2)
.8(d)(4)	Regularly inspect all aboveground valves, piping and appurtenances.	n/a (see 2.2 and 6.1)
.8(d)(4)	Conduct integrity and leak testing of any buried piping when installed or modified.	n/a (see 6.0)
.8(d)(5)	Prevent vehicles from endangering aboveground piping	2.2
40 CFR112, Appendix C – Substantial Harm Criteria		
App. C	Applicability of Substantial Harm Criteria	App. D

1.4 Non-Compliance Penalties

Owners or operators of facilities that could reasonably be expected to discharge oil in harmful quantities into or upon the navigable waters or adjoining shorelines who violate the requirements of 40 CFR 112 by failing to comply with any of the provisions of the part shall be liable for a civil penalty of not more than $10,000 for each day a violation exists. Additional oil spill related penalties may be levied at the State and local levels.

1.5 Plan Review and Updates

The facility commenced operation in 2008, and the first version of this SPCC Plan was prepared prior to commencement of operation.

This SPCC Plan will be reviewed by facility personnel every five years, or whenever relevant changes or events occur at the Facility, and amended accordingly if necessary. During each five-year review, the prevention and control technology described herein will be reviewed. If necessary, technology and procedures that have been demonstrated and field-proven to significantly reduce the likelihood of a spill event will be used to replace current practices.

Re-certification by a registered professional engineer must take place under ANY of the following circumstances:

- If a change in any standard operating procedure, security measure, site design, construction activity, operation, or maintenance activities affects the facility's potential to discharge oil, or

- If amendments are required by the U.S. EPA as a result of a spill event (see Section 4.7).

Minor changes that do not significantly affect the potential for a discharge to occur, such as changes in names or telephone numbers, do not have to be certified by a Professional Engineer.

Following spill events, amendments proposed by the EPA Regional Administrator must be added to the SPCC Plan within 30 days. In other cases, changes or amendments to components of the SPCC Plan are to be prepared no later than six months after the event(s) that triggered the amendments or changes (*e.g.,* five-year review / evaluation). In all cases, amended Plans are to be implemented as soon as possible, but no later than six months after the amendment has been made (unless another date has been specified by the EPA Regional Administrator.)

Table 1-2 Internal SPCC Plan Reviews

	Review Dates	Type of Review	Plan Will Be Amended	Plan Will Not Be Amended
1	11/2012	Five Year recertification and updates to personnel and operations	X	
2	9/2018	Five Year recertification and updates to personnel and operations	X	
3	10/2023	Five Year recertification, plan updated with contact information updates and updates to personnel	X	
4				
5				
6				
7				
8				

1.5.1 Professional Engineer Approval

In accordance with the requirements of 40 CFR 112.3, and as the signing licensed Professional Engineer, I hereby state the following with respect to the facility and the contents of this Plan, specified as of the date given below:

- I am familiar with the requirements of 40 CFR Part 112.
- I, or my designee, have visited the facility and have conducted reasonable inquiry about the current and proposed conditions at the site prior to signing this Plan.
- The Plan as it is relevant as of the time of signature has been prepared in accordance with good engineering practice, in consideration of the applicable industry standards, and the requirements of 40 CFR 112.
- Procedures for required inspections and testing have been established.
- Based on the current conditons, the Plan is adequate for the facility.

Such certification shall in no way relieve the owner or operator of a facility of his duty to prepare and fully implement such Plan in accordance with the requirements of 40 CFR 112.

Name		**Signature**		**PE #**		**Date**
Jay Sarker, PE				NY 091067		9/18/2023

2.0 FACILITY AND SITE DESCRIPTION

2.1 Facility Description

Ellenburg Windpark is a wind energy generating project owned and operated by AES NY Wind, consisting of 54 wind turbines and associated infrastructure including electric transformers, transmission lines and an operations/maintenance building. The electric generating infrastructure is distributed throughout a 2,665-acre site in Ellenburg, NY, a rural community in northwestern Clinton County. This area is a mixture of agricultural land, forested land, wetlands and surface waters.

The facility is staffed during regular business hours. At other times, the facility is supervised by AES NY Wind's 24-hour Monitoring Center located at 19435 Ruppert Street, P.O. Box 2190, N. Palm Springs, CA.

Ellenburg Windpark maintains aboveground oil-filled process equipment and auxiliary oil storage with capacities $\geq$ 55 gallons as summarized in Table 2-1. A site plan with tank locations is contained in Appendix A. No fuel oil is used by the facility. The substation for Ellenburg is shared with the Clinton and Chateaugay Windparks which includes identical transformers for its turbines.

Table 2-1 Oil Filled Equipment

Storage Unit	Quantity	Oil Type Stored	Storage Volume (gal)	Secondary Containment
Wind Turbine Gear System	54	Lubrication Oil	80-100 (each)	Turbine Shell
Wind Turbine Transformers	54	Transformer Oil	450 (each)	None
Main Substation Transformer	1	Transformer Oil	11,352	Concrete Foundation (115%)
Grounding Transformers	3	Transformer Oil	728	Concrete Foundation (285%)
Station Service Transformer	1	Transformer Oil	200	Concrete Foundation (110%)

The substation transformer secondary containment structures are equipped with draining systems to remove precipitation. The wind turbine gear systems are not exposed to stormwater.

2.2 Security

The substation perimeter is surrounded by a chain link fence topped with barbed wire, and equipped with a closed circuit security camera. The entrance of most turbine access roads is equipped with gates that can be locked during off hours. Any oil on site will be either inside a secure building or within a temporary secured area.

There are no oil pumps, valves or pipelines in use at the Facility. The turbine gear systems are equipped with low level alarms to prevent leaks (Section 3). All oil-handling personnel will receive required yearly training in safety procedures (Section 5).

All substations and transformer areas are equipped with lighting to deter vandalism and to allow any untrained observer to discover nighttime spills in the vicinity. Before coming on site, any contractors/visitors will be warned of oil storage areas potentially in the path of vehicular traffic.

2.3 Spill History

See Appendix E.

2.4 Wastewater and Stormwater

Ellenburg Windpark does not utilize a wastewater or storm drain system (e.g., ditches and ponds) anywhere in the vicinity of the oil storage areas, and the facility grounds are not served by a municipal sewer system. If a drainage system is required in the future (e.g., a septic system in the Operations Building), it will be inaccessible to a spill from any of the oil storage areas.

The wind turbine gearboxes are fully enclosed, and the drums are located indoors, where they would not accumulate rainwater. For the main substation transformer, the grounding transformers and the station service transformer located in the main substation, the secondary containment structures are equipped with stormwater drainage systems that include membranes which are permeable to water but impermeable to oil. This drainage system complies with 40 CFR 112.8(b)(1) since the system is designed to control the discharge of oil in the unlikely event of a spill.

3.0 OIL STORAGE, DELIVERY AND TRANSFER

Spill control measures have been incorporated into various parts of the site infrastructure to provide for secondary containment and spill protection in the event of a failure in a vessel or conveyance system. This section identifies all storage, delivery and transfer systems located at the facility. Potential discharge pathways and discharge prevention systems are identified for each source.

3.1 Oil Storage Tanks/Oil-Filled Equipment

Details on each oil storage unit are presented in the following sections. All storage units and secondary containment structures are aboveground, compatible with the oil stored at the appropriate temperature and pressure, and are not internally heated. Secondary containment structures, if present, are sufficient to contain at least 110% of the tank capacity. There are no bulk storage tanks in use, other than portable drums and totes (Section 3.1.4).

3.1.1 Wind Turbine Gear Systems

Wind turbines capture the kinetic energy of the wind and convert it into electricity. The Facility has installed fifty-four General Electric, 1.5 MW, SLE, 80-meter, MTS, T-Flange wind turbine generators. Primary components of a wind turbine are the rotor (blade assembly), generator, and tower. Wind spins the rotor, which turns the generator to produce electricity. The generator is mounted at the top of the tower and is enclosed along with the gearbox, controller, and main shaft in the nacelle. The turbine towers are each 80 meters high and the rotors are 77 meters in diameter, resulting in an overall turbine height of 118.5 meters when a rotor blade is at the top of its rotation.

Each gearbox stores an average of 80 gallons of a 320 weight synthetic gear oil lubricant. The gearbox is completely enclosed within the hollow turbine tower, which provides full secondary containment for the gearbox oil. Each gearbox is equipped with a low level alarm visible to site personnel and the 24-hour off-site monitoring center; if the alarm is triggered, the turbine would automatically shut down and a facility employee would be dispatched.

Spills are unlikely but may be caused by turbine malfunction or human error during maintenance. Spilled gearbox oil would be contained within the turbine tower and manually pumped out by facility personnel with the assistance of the hazardous waste contractor (no drain valves are used). If all containment was breached, the oil would follow surrounding ground contours at up to ~1.5 meters per second.

3.1.2 *Wind Turbine Transformers*

A pad-mounted transformer is located at the base of each of the 54 wind turbines, to collect electric power generated from the adjacent turbine. The transformers increase the voltage from the turbines, and medium-voltage underground cables deliver the energy to the facility substation. They each contain 450 gallons of mineral oil for cooling and insulation purposes.

Each transformer is situated on a concrete pad without secondary containment. However, they each qualify as oil-filled operational equipment with no spill history, exempting the transformers from secondary containment requirements (re: the December 2006 SPCC rule amendments - http://www.epa.gov/oilspill/spcc_dec06.htm). The wind turbine transformers are each regularly inspected (Section 6) and potential spills are addressed in the Spill Contingency Plan (Section 4). A transformer malfunction would have immediate and obvious effects on facility operation.

Spills are unlikely but may be caused by transformer malfunction or human error during maintenance. In the event of a spill, the oil would follow ground contours at up to ~1.5 meters per second, until reaching the bottom of the slope (or wetland area.) As oil flow progresses, oil will adhere to the soil and vegetation, or pool in depressions, lessening the amount that potentially reaches a wetland area. A table summarizing wetland proximity to each turbine is contained in Appendix B.

3.1.3 *Substation Transformers*

The main substation transformer has a capacity of 11,352 gallons. The three grounding transformers each have a capacity of 728 gallons and one service transformer with a capacity of 200 gallons. These transformers collect electricity from the individual turbine transformers (Section 3.1.2); the voltage is stepped up further and then integrated into the high-voltage transmission system. The station service transformer provides lighting to the buildings at the substation.

The transformers are located outdoors, within a concrete floor berm of sufficient capacity to provide full secondary containment for the stored oil with sufficient volume for precipitation. The containment structures have stormwater drainage systems equipped with membranes that are permeable to water but impermeable to oil; thus maintaining full secondary containment. A transformer malfunction would have immediate and obvious effects on facility operation.

Spills are unlikely but may be caused by transformer malfunction or human error during maintenance. Spilled transformer oil would be contained within the concrete containment area and manually pumped out by facility personnel with the assistance of the hazardous waste contractor (no drain valves are used). If all containment was breached, the oil would leak out of containment and follow surrounding ground contours at up to ~1.5 meters per second.

3.1.4 Oil Storage Drums/Totes

55-gallon drums and 275-gallon totes of lubrication oil, transformer oil and miscellaneous waste oil are located at the indoor drum storage area located within the adjacent Clinton Windpark, and are addressed in that facility's SPCC Plan. Single drums and/or smaller containers of oil are brought from the Clinton Windpark as required and used on an as needed basis. Drums of oil are returned to the drum storage area when their use is completed. All active oil drums are located indoors, where they are not exposed to stormwater. Additional drum storage is located in storage containers on site. These drums/totes are not in active use when stored outside of the maintenance building.

Spills are unlikely but may be caused by cap/body failure or human error during drum movement. Spilled oil would be contained within the containment pallet and manually removed by facility personnel with the assistance of the hazardous waste contractor (no drain valves are used). If all containment was breached, the oil would leak into the environment outside of the drum storage area and follow surrounding ground contours at up to ~1.5 meters per second.

3.1.5 Temporary / Portable Oil Storage

If an oil container is brought on site temporarily for special projects, the container will be placed within a secondary containment structure while it is on site (either an existing structure or a specially installed structure, as appropriate).

3.2 Oil Deliveries and Transfer

Details on oil deliveries and transfer are summarized in the following sections. All oil is delivered to or removed from the Facility via 55-gallon drums, 275-gallon totes or five-gallon pails. To minimize drum/tote handling hazards, clamps are used for transport and all drums/totes are inspected for body and cap integrity prior to being moved. Before new drums/totes are delivered, it is ensured that there is sufficient space in the secondary containment devices. There is no mechanical loading rack or other designated oil loading area in use at the facility.

3.2.1 *Lubrication Oil*

Lubrication oil is delivered to the adjacent Clinton Windpark in 275-gallon totes, 55-gallon drums and 5-gallon containers. When required, one or more drums are then manually transported to Ellenburg by site personnel and the turbine components are manually replenished. Liquid levels are assessed by visual inspection. No piping or automatic delivery system is used.

3.2.2 *Transformer Oil*

Transformer oil is delivered by truck to the adjacent Clinton Windpark in 55-gallon drums. When required, one or more drums are then manually transported to Ellenburg by site personnel and the transformer oil is manually replenished. Liquid levels are assessed by visual inspection. No piping or automatic delivery system is used.

3.2.3 *Waste Oil*

Miscellaneous waste oil is manually collected in small quantities by site personnel and manually transferred to the 55-gallon waste oil drums or 275-gallon totes located at the adjacent Clinton Windpark (as detailed within that facility's SPCC Plan).

4.0 SPILL CONTINGENCY PLAN

The primary goal of a Spill Contingency Plan is to protect the health and safety of personnel and the welfare of the public and to minimize damage to the environment in the event of a release of oil or hazardous material. In spite of the precautions taken to minimize the potential for a discharge of oil, an incident can arise which may result in a release.

4.1 Spill Response Personnel and Equipment

The Plant Superintendent is equipped to direct emergency cleanup and mitigation efforts and make regulatory notifications. The Plant Superintendent will be contacted by Facility employees if a spill is discovered during business hours, using the phone number at the beginning of this Plan. During off-hours, employees will contact the off-site 24-hour Monitoring Center, who will then page the Plant Superintendent or equivalent personnel.

The Facility maintains emergency response equipment on-site for immediate oil spill response, first aid supplies and personal protective equipment (PPE). Fire extinguishers are clearly marked and located throughout the Facility. In the event of a spill, the Operations/Maintenance Building at the Clinton Windpark will serve as the response center, with communication taking place by radio. One person is sufficient to conduct the initial response to a spill until the Plant Superintendent or equivalent personnel arrive on site. Training is provided to all oil-handling employees on an annual basis (Section 5.0).

A palletized spill kit is located in the Operations/Maintenance Building at the Clinton Windpark, containing sufficient materials to contain the most likely types of spill events.

4.2 Emergency Response and Transformer Service Contractors

Although Ellenburg Windpark personnel will always attempt to contain and clean up a spill, the Emergency Response Contractor will be utilized for any spill response beyond the capabilities of facility personnel. The phone number of the Emergency Response Contractor is provided at the beginning of this SPCC Plan. Contractors provide the following emergency response services:

- Provide properly trained personnel;
- Clean-up or actions in accordance with regulatory requirements (a Licensed Site Professional (LSP) may be needed for certain events);
- Rates;
- Disposal of waste in approved disposal sites;
- Documentation of clean-up activities;
- Equipment that could be provided and time frames for response; and
- Contact person available (24/7).

In the event of a transformer oil spill or a transformer malfunction, the Transformer Service Contractor should be immediately contacted to provide specialized advice and assistance pertaining to the transformer. The phone number of the Transformer Service Contractor is provided at the beginning of this Plan.

4.3 Spill Response Procedures

Spill notifications and response actions must be in accordance with applicable regulations including the New York State Navigation Law, New York State Environmental Conservation Law (ECL) and associated regulations promulgated by the New York State Department of Environmental Conservation (NYSDEC). The Facility may face civil or criminal penalties ranging up to $37,500 per day per violation (including failure to properly report a spill), as well as liability for state costs incurred for the removal and remediation of a release of oil.

In the event of a release or threat of a release of a hazardous material to the environment, the Facility will take immediate action to contain the spill (if possible), to call upon the emergency response contractor if needed and to notify the appropriate agencies. Emergency contact phone numbers can be found at the beginning of this Plan. The person(s) witnessing the release or threat of release condition shall observe the following steps:

4.3.1 General Employees

Immediate action will be taken upon discovery of a release in order to protect human health, the environment and facility safety. These actions may include:

1. Mitigate fire and safety hazards;
2. Evacuate unnecessary personnel from the immediate area or site;
3. Alert the Plant Superintendent (during business hours) or the Monitoring Center (during non-business hours) using the phone number at the beginning of this Plan. The Monitoring Center will summon the Plant Superintendent or equivalent personnel.
4. Perform any additional response actions as directed by the Plant Superintendent or Monitoring Center.

4.3.2 Plant Superintendent

The Plant Superintendent is authorized to direct cleanup and mitigation efforts, summon emergency response crews and make regulatory notifications. They will perform the following actions upon arrival at the site of the spill:

1. Determine the source of the spill and evaluate the response required;
2. If required, evacuate the facility;

3. If required, call local fire/police only if there is either a medical or fire emergency or a substantial spill (e.g., more than 1,000 gallons) and activate alarms;
4. If the spill event is catastrophic enough to escalate beyond the capabilities of local and regional response agencies/authorities to provide adequate response, contact the New York State Emergency Management Office (SEMO) to coordinate emergency response activities among local, state, and federal government organizations.
5. Contact the Emergency Contractor and/or Transformer Service Contractor if additional assistance is required;
6. Stop, plug or contain the release if it can be done without risk to health or personal safety. Wetlands and exposed ground shall be protected to the extent possible, with first priority being the protection of any wetland areas downhill from the source of the spill;
7. If appropriate, deploy spill kit and position absorbent materials to isolate the spill and minimize the migration of the release. The pad-mounted turbine transformers do not have secondary containment. During a spill from these transformers, attempt to contain the oil on the concrete pad by encircling the pad perimeter by oil absorbent booms. Oil should be prevented from flowing downhill toward a wetland area to the extent possible, using oil absorbent materials. Wetland proximity summary, is provided in Appendix B.
8. Direct the prompt containment and clean up of the spill, ensuring that personal protective equipment (PPE) is being used appropriately;

Once the spill has been properly controlled,

9. Evaluate the magnitude of the spill and the pollution potential;
10. Determine if reporting is required based on the best available information. Reporting requirements are discussed in Sections 4.6 and 4.7. Reporting should be coordinated with local fire department, if they are on site.
11. Promptly implement corrections to prevent further loss of oil from the system, including but not limited to seams, gaskets, piping, valves, rivets, and bolts.
12. Implement cleanup of spilled oil (including containment structures), with assistance from the Emergency Contractor as needed.
13. Ensure that spill kit, fire extinguishers and other safety equipment have been returned to their proper locations (and replenished, if necessary).
14. Dispose of hazardous waste in accordance with applicable legal requirements, including proper labeling, handling and usage of approved containers, with assistance from the Emergency Response Contractor.

4.4 Threats of Release

If the Plant Superintendent or equivalent personnel determine that a reportable release of oil may be imminent, the following steps will be taken immediately:

1. If required, call local fire/police assistance only if there is either a medical or fire emergency or a substantial spill (e.g., more than 1,000 gallons);
2. Isolate the expected spill area using spill kit, if possible;
3. Contact Emergency Response Contractor and/or Transformer Service Contractor for advice and assistance;
4. Evaluate the magnitude of the expected spill;
5. Within two hours of discovery, report the threat of release to NYSDEC as described in Section 4.6 of this Plan. Reporting should be coordinated with the local fire department, if they are on site.

4.5 Disposal of Waste

Liquid and solid wastes generated from the cleanup of a spill are to be disposed of expeditiously and legally. MSDS for all materials brought into the site are available to provide information needed to determine the method of disposal. The emergency contractor will conduct the off-site waste disposal. Waste manifests will be prepared and tracked as required. Hazardous wastes must be packed and sealed in undamaged containers and stored in the Facility's designated hazardous waste accumulation area. The containers are to be clearly labeled with the following information:

1. The words "HAZARDOUS WASTE" or "WASTE OIL"
2. The name of the waste (*e.g.*, waste oil)
3. The type of hazard(s) (*e.g.*, ignitable, toxic, corrosive)
4. Date on which accumulation began

4.6 Verbal Notification Requirements

This section summarizes oral notification requirements in the event of an environmental release. Phone numbers of Federal, State and local agencies identified in this Section are listed at the beginning of this SPCC Plan.

4.6.1 Verbal Notification – NYSDEC and Clinton County

All oil spills must be reported to NYSDEC unless they meet all of the following criteria:

1. The spill is known to be less than 5 gallons, ***and***
2. The spill is contained and under the control of the spiller, ***and***

3. The spill has not and will not reach the State's water or any wetland, ***and***

4. The spill is cleaned up within 2 hours of discovery.

If the release does not meet all of the above criteria, contact the following agencies within two hours after obtaining knowledge of the release using the phone numbers at the beginning of this Plan:

1. NYSDEC Spill Hotline, ***and***
2. Local Police/Fire/Medical Response only if there is either a medical or fire emergency or a substantial spill (e.g., more than 1,000 gallons), ***and***
3. Clinton County LEPC Emergency Preparedness

When notifying the above agencies, ensure that the information listed in Appendix C is conveyed.

4.6.2 *Verbal Notification - EPA*

If any quantity of oil or petroleum products has reached any of the navigable waters of the United States, or adjacent shores (*e.g.*, by discharge into a wastewater or stormwater system), evaluate whether the spill has:

1. caused a film or sheen on the receiving waters, ***or***

2. caused a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines, ***or***

3. violated an applicable water quality standard.

If any of these criteria may have been met, immediately contact the National Response Center (NRC) at the phone number at the beginning of this Plan. When notifying the NRC, ensure that the information listed in Appendix C is conveyed.

4.7 Written Notifications

The EPA's Region 1 Administrator must be notified in writing within 60 days of:

1. Any single spill event(s) greater than 1,000 gallons, or
2. Any two or more spills greater than 42 gallons each in a 12 month period.

This notification should include:

- The correspondent's name;
- The name and location of the facility;
- The maximum storage or handling capacity of the facility and normal daily throughput;

- Corrective action and countermeasures that were taken, including a description of equipment repairs and replacements;
- An adequate description of the facility, including maps, data flow diagrams, and topographical maps, as necessary;
- The cause of the spill, including a failure analysis of the system or subsystem in which the failure occurred;
- Additional preventive measures taken or contemplated to minimize the possibility of recurrence, and
- Other information that the Regional Administrator may reasonably require, pertinent to the Plan or the spill event(s).

After reviewing the above information and any comments received from NYSDEC, the EPA Regional Administrator may notify the facility of any proposed amendments to the SPCC Plan necessary to prevent or contain future discharges. The SPCC Plan must be amended accordingly within 30 days, and must be implemented within six months. These materials should be sent to: Regional Administrator, US EPA – Region 2; 290 Broadway, New York, NY 10007-1866.

Any amendment required by the Regional Administrator may be appealed in writing to the EPA National Administrator within 30 days of notification. The National Administrator may be contacted at USEPA Headquarters, Ariel Rios Building, 1200 Pennsylvania Avenue, N. W., Mail Code: 1101A, Washington, DC 20460. A copy of the appeal must be sent to the Regional Administrator.

A copy of any spill notifications sent to EPA must also be sent to NYSDEC within the same time limit.

5.0 TRAINING

Onsite training is provided to each employee prior to handling oil or chemicals. In addition, "refresher" training is conducted through an annual spill prevention meeting for all oil-handling employees. Records of spill prevention meetings and employee training are maintained onsite. Table 5-1 lists topics covered in onsite training; additional training shall be conducted if warranted by a physical or operational change or if a spill event occurs.

Table 5-1 Onsite Training

★	Applicable rules and regulations
★	SPCC Plan Content
★	General facility operations
★	Oil storage locations and potential sources of oil discharge
★	Facility drainage
★	Oil delivery and transfer operations
★	Alarms and monitoring systems
★	Inspection procedures
★	Proper operation and maintenance of equipment to prevent discharges (incl. spill kit)
★	Spill prevention measures
★	Emergency response procedures
★	Known discharges, equipment failures or malfunctions, and any recently developed spill prevention/precautionary measures.
★	Recordkeeping procedures
★	Perimeter security
★	Oil storage in the path of vehicular traffic
★	Possible spill scenarios

6.0 INSPECTIONS AND RECORDS

Ellenburg Windpark conducts a regular inspection program for all oil storage, security, and emergency response equipment.

If any inspection shows that continuation of an operation or practice will result in a release or that any portion of a storage tank system is inadequate, then the operation or practice shall be modified or discontinued. Dysfunctional equipment shall be repaired or replaced as soon as possible, removed from service or temporarily closed. Repairs shall be made to equal or exceed the standard of original construction. All repaired equipment will be inspected for tightness and soundness before it is returned to service. Any oil discharges discovered during inspection will be promptly removed from the secondary container and corrective maintenance will be performed.

No underground oil tanks or piping are installed at the Facility. If any buried piping should be installed in the future, integrity and leak testing will be conducted at that time.

6.1 Regular Inspections

The turbine gearboxes and the transformers are part of oil-filled process systems (as opposed to bulk storage containers), and are therefore not subject to periodic integrity testing. However, they are still inspected on a regular basis in accordance with manufacturer's recommendations as described below, and any malfunction will have immediate and obvious effects on the station's electric generation process.

- The turbines are each subject to a semi-annual preventive maintenance schedule that includes changing of lubricants, testing of lubricants for contaminants, an inspection for oil leaks and testing of low level alarms.
- Transformers are visually inspected on a quarterly basis, which includes an assessment of oil levels in the pad-mounted transformers and an inspection of the main substation transformer's containment area.
- Any drums that may be on site are also visually inspected on a quarterly basis. In addition, the drums are inspected for integrity upon arrival and rotated out of the facility within a maximum of five years. US DOT-approved drums and totes will be used whenever appropriate.
- Quarterly inspection and upkeep of spill response equipment (including spill kit and fire extinguishers); and site security system, (including locks, fences and lighting.)

Completed inspection records are signed by the inspector or supervisor and kept with this SPCC Plan. In addition to the regular inspections described above, inspections are also conducted when material repairs or other construction on a particular component is undertaken.

6.1.1 Brittle Fracture Evaluations

The wind turbines are field-constructed units that may be at risk of brittle fracture under certain conditions. If any wind turbines are repaired, altered, reconstructed, or had a change in service that could affect the risk of a discharge or failure due to brittle fracture, the turbine would then be inspected and/or tested as appropriate to assess its integrity.

6.2 Good Housekeeping Practices

Good housekeeping includes those practices that keep the site clean and well organized in order to reduce spill potential. The following good housekeeping measures are implemented:

- Regular sweeping.
- Immediate clean-up of any spilled oil or other hazardous material.
- Regular pickup of refuse/trash around the site.
- Inspection and upkeep of chemical storage areas, including maintaining a comprehensive labeling program.
- Prevention of stormwater pollution by exposed materials or equipment. .

6.3 Recordkeeping

Original records, or clear photocopies of the original records, shall be kept for at least three years at the site, in one place, under the supervision of the Designated Accountable Person. Records that will be kept include:

- A copy of this SPCC Plan.
- A copy of each revision to this SPCC Plan.
- List of personnel that received initial training on pertinent aspects of this Plan and their responsibilities and duties, including date of training and instructor's name.
- List of personnel that received review/refresher training including the date of the training and instructor's name.
- Completed and signed inspection logs (quarterly and semi-annual)
- Records of regular equipment testing and corrective maintenance
- MSDSs for all chemicals stored onsite.
- Documentation of spill events, including telephone records of spill notifications and any other correspondence with outside agencies.

Appendix A

Site Map

Appendix B

Wetland Proximity

Appendix C

Information Requested by Agencies regarding a Release or a Threat of Release

INFORMATION TO VERBALLY RELAY TO AGENCIES (FILL IN IF NECESSARY)	
Name / Phone Number of Facility	
Location of Spill	
Name / Phone Number of contact person where spill occurred	
Date, Time and Duration of Spill	
Type of Oil or Haz. Mat. Spilled	
Approx. Quantity of Spill	
Source of Spill	
Medium into which Spill Occurred	
Cause of Spill	
Description of Damage	
Amount Spilled into Storm Drains	

INFORMATION TO VERBALLY RELAY TO AGENCIES (FILL IN IF NECESSARY)	
Number and Type of Injuries	
Has an Evacuation Occurred, or Will One Occur?	
Current and Future Cleanup Actions	
Weather Conditions at Spill Location (incl. precipitation, wind direction and velocity)	
Agencies & Contractors Notified or About to be Notified	
Source, speed of movement and destination or probable destination of the discharged hazardous substance.	
Impacts to human health or the environment, including drinking water supplies.	

Appendix D

Substantial Harm Criteria – Applicability Certification

Certification of the Applicability of the Substantial Harm Criteria:

1. Does the facility transfer oil over water to or from vessels ***AND*** does the facility have a total oil storage capacity greater than or equal to 42,000 gallons? – ***No, the facility does not transfer over water.***
2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons ***AND*** does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground oil storage tank area? – ***No, the storage capacity is less than 1 million gallons.***
3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons ***AND*** is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula 1) such that a discharge from facility could cause injury to fish and wildlife and sensitive environments or disrupt operations at a public drinking water intake. To quantify that distance, EPA considered oil transport mechanisms over land and on still, tidal influence, and moving in navigable waters. For further description of fish and wildlife and sensitive environments, see Appendices I, II and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife Sensitive Environments: (see Appendix E to this part, section 10, for availability) and the applicable Area Contingency Plan. – ***No, the storage capacity is less than 1 million gallons.***
4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons ***AND*** is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake? – ***No, the storage capacity is less than 1 million gallons.***
5. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons ***AND*** has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years? – ***No, the storage capacity is less than 1 million gallons.***

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

Signature: _____

Name: Jesse Shantie

Title: Team Leader

Date: _____

Appendix E

Spill History