

Exhibit 3

Spill Response Procedures

The Town of North Greenbush (Town) expects contractors, businesses, industries and others conducting work within the Town to have a Spill Response Plan (SRP) in place prior to commencing work. The SRP shall be a function of the materials involved and the potential risk associated with an unplanned release. A copy of the SRP should be kept in the vicinity of the work being performed and should also be reviewed with the Fire Marshall/Code Enforcement Officer or local fire department.

In many instances, Town employees are often the first to respond to spills, some of which can be potentially hazardous and may pose a danger to human health and the environment. Ideally, these spills should be contained with prompt and decisive actions to minimize the potential danger and impact. The response to a spill will depend on several factors, including the location, quantity, and type of material discharged. Additionally, spills are classified according to one of three risk categories:

- **Low Risk:** A Low Risk spill is one which meets all of the following: the spilled material is known and is not toxic; the quantity of the spill is small and it can be easily and safely cleaned using conventional materials or a standard spill kit; there is no fire hazard present; and the spill can be completely contained and the material has little or no potential to enter a stormwater system of surface waters of New York State.
- **Minor Risk:** A Minor Risk spill is one that does not pose a risk to human health, or the environment, and has not entered a stormwater system or surface waters of New York State.
- **Major Risk:** A Major Risk spill is one in which: the spilled material is hazardous or unknown; the spill is of a known non-hazardous material but is of a quantity requiring substantial cleanup; poses a risk to the first responder, public or environment; or has entered the stormwater system or surface waters of New York State.

The general procedure for responding to a spill is as follows:

1. Assess the Situation and Secure the Area

- Determine the Risk Category for the spill. Only approach known spills of Low or Minor Risk. Call 911 immediately for High Risk spills and wait for First Responders at a safe distance.
- Keep individuals away from the spill area and implement traffic control as necessary.
- Contact the Building Department.

2. Contain the Spill

- Do not engage in any activity that is potentially harmful. If in question, contact 911 and wait for assistance.
- Wear the appropriate PPE for the situation.
- Establish a safe work zone, considering: the location of the spill; pedestrian and vehicular traffic; material spilled; quantity of spill; potential cleanup effort; and public/municipal safety.

- If the spilled material is known and non-toxic, install countermeasures such as booms, plugs, or other impermeable barriers to contain the flow of material and prevent the spilled material from reaching stormwater systems, waters of New York State or pervious surfaces such as soil or grass.

3. Clean Up the Material

- If possible to do so for Low and Minor Risk spills, clean up the spilled material with granular absorbents, vermiculite, absorbent pads or other appropriate materials. Use materials to their capacity and do not over-saturate. Employ a second application of clean-up materials as necessary.
- Collect, dispose of, and mark/label clean-up material as per industry standards, established protocols, manufacturer's recommendations or regulatory guidelines for the material used.
- Employ professional clean-up services as necessary for any spill beyond a volume that can be handled with available resources, has entered a stormwater system or waters of New York State, or has soaked into a pervious surface.
- If safe to do so, remove work zone and other exclusion area measures.

4. Report the Spill

- For Low Risk spills, contact the Building Department.
- For Minor Risk spills, contact 911 if necessary, the Building Department, and the Fire Marshall or Fire Department. Additional reporting to DEC may be necessary once the spill event has passed.
- For Major Risk spills, contact 911, the Building Department, the Fire Marshall or Fire Department. Additional reporting to DEC and potentially other regulatory agencies will be necessary once the spill event has passed.

For reporting, the following information is required:

- Date, time and location of the spill;
- Type of material spilled;
- Type of clean-up material used;
- Name and contact information of the responsible party; and
- The current status of the incident.

5. Identify the Responsible Party

- If not present, attempt to locate the party responsible for the spill through observations, interviews or source tracing.
- If applicable, collect contact information for the Responsible Party and provide this information to the Building Department.
- Indicate to the Responsible Party that it is responsible for the final and proper removal and disposal of spilled and clean-up materials. If the Responsible Party does not or can not handle this responsibility in a timely manner, the Town may initiate clean-up and

disposal actions and may back-charge the Responsible Party. Activities undertaken by the initial respondents does not relieve or limit the Responsible Party from any obligations.

6. Document the Response

- Details of the spill shall be sent to the Building Department that include:
 - The time, location, type and quantity of spilled material, and type and quantity of absorbent material used;
 - A description of the spill event and if the spill entered any stormwater systems or waters of New York State;
 - The Responsible Party, including contact information;
 - The spill respondent and other clean-up entities;
 - The party who disposed of the spill and clean-up materials;
 - Any known property damage or personal injuries; and
 - The regulatory entities (DEC, ACOE, etc) contacted as part of the spill.

The Town will retain submitted records in an attempt to establish a spill database.

As an additional resource, the following New York State Department of Environmental Conservation document is included with this Exhibit:

- Chemical and Petroleum Spills



Chemical and Petroleum Spills

[The Problem](#) | [The Response](#)

Accidental releases of petroleum, toxic chemicals, gases, and other hazardous materials occur frequently throughout New York State. Even small releases have the potential to endanger public health and contaminate groundwater, surface water, and soils. What is being done about this problem? How can concerned citizens help? The information presented here can answer these and other questions.

The Problem

Every year, the New York State Department of Environmental Conservation receives approximately 16,000 reports of confirmed and suspected releases to the environment. Approximately ninety percent of those releases involve petroleum products. The rest involve various hazardous substances, unknown materials, or other materials such as untreated sewage and cooking grease.



Environmental damage from such releases depends on the material spilled and the extent of contamination. Many of these reports are releases of small quantities, typically a few gallons, that are contained and cleaned up quickly with little damage to the environment. In other instances material releases seep through the soil and eventually into the groundwater, which can make water supplies unsafe to drink. Vapors from spilled materials can collect in houses and businesses, creating fire and explosion hazards. Uncontained spills, especially those that impact surface water, can kill or injure plants, fish, and wildlife, and cause damage to their habitats.

The Response

New York State (NYS) responds to reports of petroleum and other hazardous material releases through the Spill Response Program maintained by the NYS Department of Environmental Conservation (DEC). Spill response staff throughout the State investigate such spill reports and take action based on the type of material spilled, the potential environmental damage, and safety risks to the public.

Both immediate response and continued cleanup vary depending on the type of material spilled and the damage caused. Federal and State law require the spiller, or responsible party, to notify government agencies and to contain, clean up, and dispose of any spilled/contaminated material in order to correct any environmental damage.

This may be performed by a qualified contractor hired by the responsible party. Any delay in containing or recovering a release allows contaminants to spread and may result in more extensive damage and more expensive cleanups. DEC can provide additional resources to local agencies during emergencies and will remain involved if continued cleanup of the environment is required. Continued cleanup is the responsibility of the spiller and is required if contamination and environmental damage remain after the initial containment and recovery. Again, this work may be performed by a qualified contractor hired by the responsible party. Continued cleanup may include determining the extent of contamination, selecting a cleanup technology, and completing corrective actions. The DEC will oversee the process to ensure the actions are protective of public safety, health and the environment.



The public can notify DEC of releases to the environment by calling the NYS Spill Hotline. Federal agencies can be notified by calling the National Response Center.

NYS Spill Hotline: 1-800-457-7362

National Response Center: 1-800-424-8802

For further information, contact:

New York State Department of Environmental Conservation

Division of Environmental Remediation

Bureau of Technical Support

625 Broadway - 11th Floor

Albany, NY 12233-7020

(518) 402-9543

More about Chemical and Petroleum Spills:

[Geographic Response Plans \(GRPs\)](#) - These plans are map-based and are used by first responders during the initial stages of an incident that involves the transportation of oil.

[Public Record of Underground Storage Tank Releases](#) - New York State's Public Record of underground storage tank (UST) releases includes the number, sources and causes of UST releases along with data on the number of UST equipment failures in the State.

[Tips for Keeping Gasoline and Household Chemicals Out of Your Water Supply](#) - Gasoline is one of the most dangerous chemicals you will encounter on a regular basis. Here are some suggestions for keeping your water supply safe.

[Spill Response & Remediation FAQ](#) - Division of Environmental Remediation FAQs - Frequently Asked Questions on New York's Oil Spill Response & Remediation Program.