

DIVISION OF ENVIRONMENTAL MANAGEMENT

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OCT 1 1982

NRCD
OFFICE OF LEGAL AFFAIRS

MEMORANDUM

TO: William Ross, Director
Office of Legal Affairs

FROM: W. Lee Fleming, Chief *WLF*
Water Quality Section

SUBJECT: Paraxylene Spill Report
Koch Fuels
Wilmington, NC
New Hanover County

BF

ACTION		MEDIA	REGION	
<input type="checkbox"/> Enforcement	<input type="checkbox"/> Review/Comment	<input type="checkbox"/> Air	<input type="checkbox"/> ASH	<input type="checkbox"/> WAS
<input type="checkbox"/> Civil	<input type="checkbox"/> SOC	<input type="checkbox"/> Water	<input type="checkbox"/> FAY	<input checked="" type="checkbox"/> WIL
<input type="checkbox"/> Criminal	<input type="checkbox"/> NOV/AO	<input checked="" type="checkbox"/> Oil	<input type="checkbox"/> MOR	<input type="checkbox"/> W-S
<input type="checkbox"/> Injunctive	<input checked="" type="checkbox"/> Other	<input type="checkbox"/> GW	<input type="checkbox"/> RAL	

ROUTING INITIALS DATE RECOMMENDATIONS/COMMENTS (Reg'l Rec. Encl.)

E&ER *AW* 9/23/82 *Concern in no action*
 TM 9/24 *F&E only*

CHIEF *WLF* 10/1/82 *WLF CONCERN*

E&ER *AW* 10/1/82 *OK*

OLA *RWL* 10/1/82 *Concern*

cc: Regional Supervisor

September 16, 1982

RECEIVED

SEP 22 1982

Enforcement And
Emergency Response

MEMORANDUM

To: W. Lee Fleming, Jr., Chief
Water Quality Section

Through: Ted Mew, Coordinator
Enforcement and Emergency Response

From: ^{FOR} Charles Wakild, Regional Supervisor
Wilmington Regional Office



Subject: Paraxylene Spill Report
Koch Fuels
Wilmington, NC
New Hanover County

Please find attached oil discharge investigation report dated June 30, 1982. An investigation was performed by the Wilmington Regional Office on June 21, 1982. No enforcement actions are recommended because:

1. It did not have an adverse affect on the environment.
2. The company took the initiative to pump out the line and stop the leak as soon as possible.
3. The leak was not caused by a willful act or a result of negligence.

CW:WC:cb

OIL DISCHARGE INVESTIGATION FORM

Investigating Official Bill Cochran Date of Report 6/21/82
Field Office Wilmington. Date of Discharge 6/21/82
Location of Spill (enterprise(if any) street, city, county)
Koch Fuels - River Road Date of Investigation 6/21-
Wilmington, NC, New Hanover County 23/82

If any company involved is a subsidiary of another company, give parent company's name and address N/A

Time spill occurred approximately 2130 Hrs 6/21/82

I. All party(s) involved and witnesses (name, address and employer)

A. T. E. Smith - Koch Fuels, River Road, Wilmington, NC

B. _____

C. _____

(Attach additional sheet if necessary)

II. Notice

A. Date and time notice received by DNER 2204 Hrs 6/21/82

B. From (name, address, representing) Lt. Dick Blais, USCG MSO Wilmington, NC

C. If person(s) named in II. B. NOT the party(s) involved, Investigating Official should trace the complete chain of notice back to the first person reporting discharge including names, addresses, and times of notice Major Best of the N.C. State Ports Authority police contacted the U.S. Coast Guard, MSO, Wilmington, NC, Lt. Dick Blais, USCG contacted Bill Cochran-DEM, Wilmington

D. Did the party(s) involved notify anyone? No If so, which party, whom notified, address, when _____

E. When party(s) involved became aware of discharge when Koch Fuels was called by the State Ports Police Dept.

III. Spill or Discharge

- A. Type of oil spilled Paraxylene
- B. Amount spilled Unknown
- C. All waters affected (more than one category may apply) N/A

	<u>Name</u>	<u>Classification</u>	<u>Amount of oil Reaching Waters</u>	<u>Area and Distance Affected</u>
Dry ditch	_____	_____	_____	_____
Intermittent Stream	_____	_____	_____	_____
Swamp	_____	_____	_____	_____
Stream	_____	_____	_____	_____
River	_____	_____	_____	_____
Lake	_____	_____	_____	_____
Ocean	_____	_____	_____	_____
Other	_____	_____	_____	_____

- D. Water Quality Standards violated. Yes _____ No X. (If yes, attach Section from Water Quality Violation Investigation Form).
- E. Public and private property affected Pipeline leak affected the land owned by the State Ports Authority and Koch Fuels
- F. Fish and wildlife affected N/A
- G. Ground Water affected (also, attach Ground Water Section's comments) N/A

IV. Detailed description of oil discharge (including actions of all parties and complete chronology of events, including a description of the cause of the spill) _____

According to T. E. Smith, Terminal Manager, at Koch Fuels, the 10" paraxylene line had been blanked off at each of the four paraxylene storage tanks and the line filled with water for over three months. The next day after the line was filled with water, a bull dozer struck the line leaving a small hole in the top of the line. Smith said he knew the line had a hole in it but the line was to be moved and repairs would be made at this time. At 2204 Hrs, Lt. Dick Blais, USCG, called Bill Cochran and said there was a paraxylene leak at the State Ports. Cochran arrived at 2220 Hrs., met with Major Best - State Ports Police,

6/22/82
(Attach additional sheets if necessary)

IV. (Continued)

and he said that Koch Fuels was notified and they had closed the 10" valve and no more product should be entering the line. At 2300 contacted Bill Stenger - E. I. DuPont and Company. Stenger said it was DuPont's product and he would like for us to meet at the spill site. After looking at the site with Stenger, it was determined that clean-up procedures could wait until morning.

Cochran arrived at T. E. Smith's office at the Koch Fuels Terminal at 0820^{6/22/82}. The tanks were inspected and it was determined that the 10" paraxylene had been "blanked off" at each tank. However, there was a leak in an expansion joint at tank T 601. It was leaking product at the time of the inspection. Smith said he still does not know how the product got in the line because the line was filled with water three months ago. The line was pumped out by 2200 Hrs. 6/22/82 and Smith said on 6/29/82 that nothing else had been seen in the line. This was a land spill and no clean-up was necessary.

A. If motor vehicle involved, was a citation issued by Law Enforcement Officer? _____
For what? N/A

B. If mechanical failure or malfunction involved, was it from improper maintenance
or operation? (If either, what evidence do you have of this?) N/A

V. Containment and Removal

A. Detailed description of action taken by each party The pipeline was
pumped out and will be checked to determine if there is some product
still entering the pipe line.

(Attach additional sheets if necessary)

B. Date and time _____

C. Was action taken on parties own initiative or upon DNER directive? _____
their initiative

D. Was action taken effective? Yes If not, why not? _____

E. Funds expended

(1) Party(s) _____

(2) State or Federal \$208.80 (see attached sheet)

(3) Other _____

State Expenses - Koch Spill

Labor	14 hrs. @ \$13.70/hr.	=	\$191.80
Mileage	68 miles @ .25/mile		<u>17.00</u>
			\$208.80

VI. History of previous oil spills (if known)

- A. Date _____
B. Location _____

VII. Oil terminal registration of all parties

- A. Is party(s) required to be registered? Yes
B. If so, is it? (include registration number if known) 65402114
C. If carrier involved, include location of oil storage facilities N/A

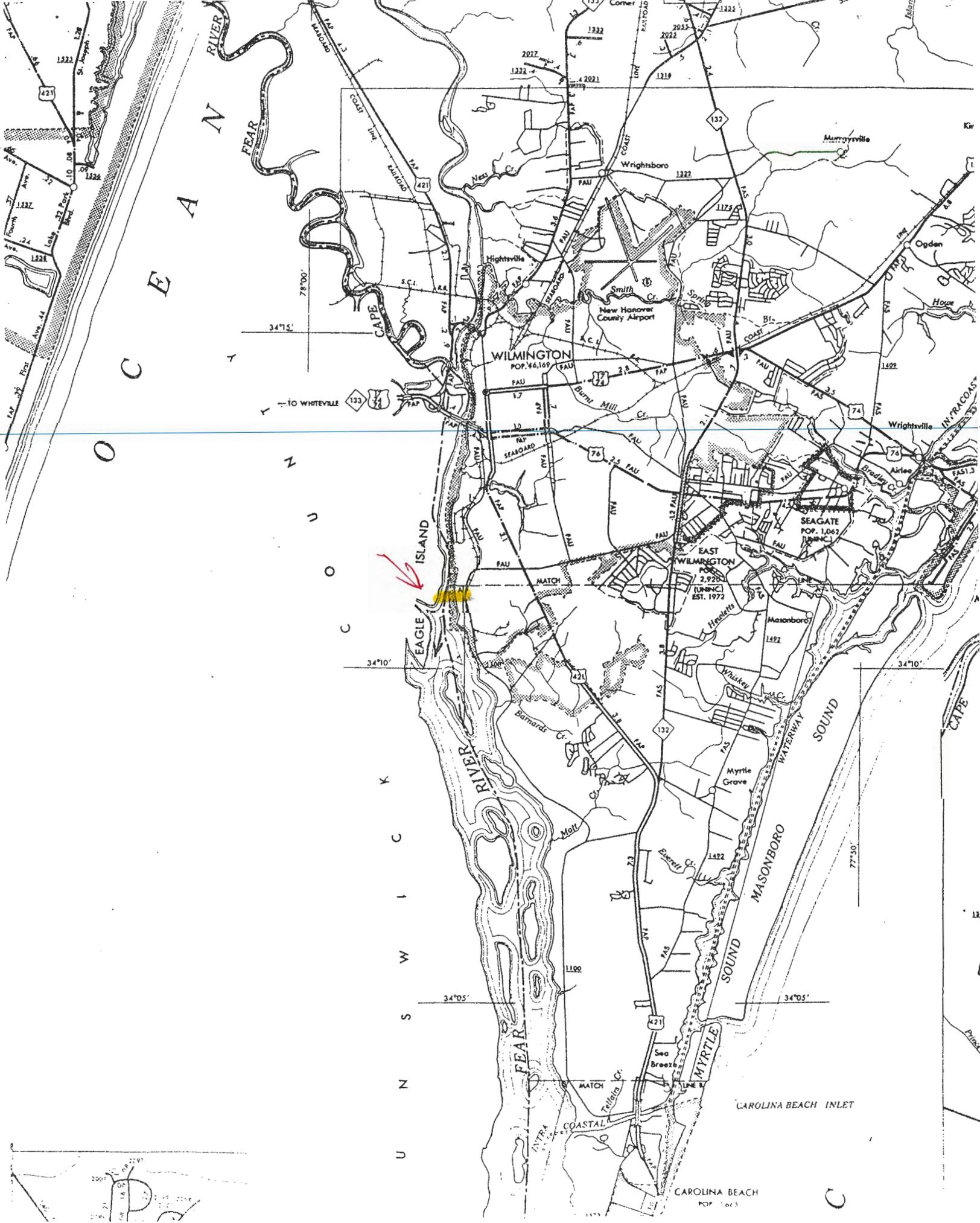
VIII. Documentation

- A. Attach statements of all parties and witnesses (see Statement of Witness form)
B. Attach sketch of scene of discharge including direction and distance of oil flow
C. Attach map of the area
D. Attach photographs or slides
E. Attach Water Quality Standards violated (if applicable)
F. Attach Ground Water Section's comments (if applicable)

IX. Enforcement opinion and recommendation of investigator (submitted on separate form. Include statements as to cooperation of parties, gravity, extenuating and mitigating circumstances).

Signature of Investigating Official M. Cochrane

Date 9/17/02



OIL DISCHARGE INVESTIGATION FORM

Investigating Official Bill Cochran Date of Report 7/6/82
Field Office Wilmington Date of Discharge 6/27/82
Location of Spill (enterprise(if any) street, city, county)
N.C. State Ports, Wilmington Date of Investigation 6/29/82

If any company involved is a subsidiary of another company, give parent company's name and address N/A

Time spill occurred _____

I. All party(s) involved and witnesses (name, address and employer)

A. Lt. Dick Blais, USCG, MSO, Wilmington, NC

B. _____

C. _____

(Attach additional sheet if necessary)

II. Notice

A. Date and time notice received by DNER 0912 6/29/82

B. From (name, address, representing) USCG - MSO, Wilmington

C. If person(s) named in II. B. NOT the party(s) involved, Investigating Official shall trace the complete chain of notice back to the first person reporting discharge including names, addresses, and times of notice _____

D. Did the party(s) involved notify anyone? _____ If so, which party, whom notified, address, when _____

E. When party(s) involved became aware of discharge on a routine harbor patrol

III. Spill or Discharge

- A. Type of oil spilled Unknown
- B. Amount spilled Unknown
- C. All waters affected (more than one category may apply)

	<u>Name</u>	<u>Classification</u>	<u>Amount of oil Reaching Waters</u>	<u>Area and Dist. Affected</u>
Dry ditch	_____	_____	_____	_____
Intermittent Stream	_____	_____	_____	_____
Swamp	_____	_____	_____	_____
Stream	_____	_____	_____	_____
River	<u>Cape Fear</u>	<u>SC</u>	<u>Unknown</u>	<u>Unknown</u>
Lake	_____	_____	_____	_____
Ocean	_____	_____	_____	_____
Other	_____	_____	_____	_____

D. Water Quality Standards violated. Yes No No . (If yes, attach Section from Water Quality Violation Investigation Form).

E. Public and private property affected N/A

F. Fish and wildlife affected N/A

G. Ground Water affected (also, attach Ground Water Section's comments) N/A

IV. Detailed description of oil discharge (including actions of all parties and complete chronology of events, including a description of the cause of the spill)

At 0912 Hrs, Lt. Dick Blais, USCG, contacted Bill Cochran - DEM, and informed him that he thought that some paraxylene was leaking into the Cape Fear River. Mr. Cochran arrived at the ports with Rick Shiver - hydrologist - DEM, and observed a slick coming from a storm drain at the south end of the dock. Cochran and Shiver immediately went to the Koch Fuel Terminal and talked with T. E. Smith, Terminal Manager. He said that the only leak they had recently had was the pipe line leak, DEM investigated on 6/21-22/82. Cochran and Shiver checked the site drawings for the underground piping and could not find any other pipe lines
 (Attach additional sheets if necessary)

IV. Continued

that could leak paraxylene. A sample of the product was taken from the area near the storm drain and sent to the lab for determination of the oil type. Mr. Maurice Canady, Jr., Director of Engineering - State Ports was contacted to determine if any petroleum lines were located under the ports. He said there were no lines under the ports and he gave DEM a copy of the storm sewer system. The investigator feels that the slick is coming from the residue left behind from previous spills.