

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
Case Type: PERSONAL INJURY-FELA
FOURTH JUDICIAL DISTRICT

Scott Kowalewski,

Case No.: 27-CV-17-145

Plaintiff,

Judge: Amy Dawson

v.

**AFFIDAVIT OF PATRICK J. SWEENEY IN
SUPPORT OF DEFENDANT'S MEMORANDUM
FOR CONSIDERATION TO REOPEN AND
SUPPLEMENT THE RECORD ON PLAINTIFF'S
MOTION IN SUPPORT OF MONETARY
SANCTIONS**

BNSF Railway Company,
a Delaware corporation,
Defendant.

STATE OF MINNESOTA)
) SS.
COUNTY OF RAMSEY)

Patrick J. Sweeney, being first duly sworn upon oath deposes and states as follows:

1. I am one of the attorneys representing Defendant BNSF Railway Company ("BNSF") in the above-entitled matter.
2. Attached hereto as Exhibit A is a true and correct copy of the January 30, 2018 letter from Joseph Sayler to the Court;
3. Attached hereto as Exhibit B is a true and correct copy of Plaintiff's Exhibit 152;
4. Attached hereto as Exhibit C is a true and correct copy of Plaintiff's Revised Exhibit 152;
5. Attached hereto as Exhibit D is a true and correct copy of Clay Reid's February 2, 2018 affidavit;

6. Attached hereto as Exhibit E is a true and correct copy of Derrick Johnson's February 2, 2018 affidavit;

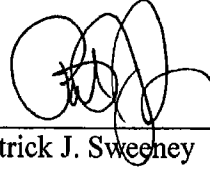
7. Attached hereto as Exhibit F is a true and correct copy of the April 23, 2018 email from Serita McKoy, Data Operations Coordinator Risk, Data & Program Management, (PHH-61) Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation and true and correct copy of the February 1, 2018 email from Patrick Brady, General Director, Hazardous Materials Safety, BNSF Hazmat;

7. Attached hereto as Exhibit G is a true and correct copy of the PDFs attached to the April 23, 2018 email from Ms. McKoy;

8. Attached hereto as Exhibit H is a true and correct copy of the BNSF – UN3295 Excel spreadsheet attached to the April 23, 2018 email from Ms. McKoy;

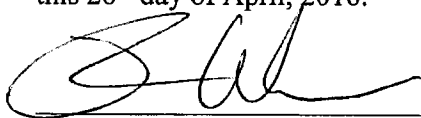
9. Attached hereto as Exhibit I is a true and correct copy of a Reproduction of Plaintiff's Revised Exhibit 152 based on an April 25, 2018 search of the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration ("PHMSA") database of Hazardous Materials Incident Reports. The reproduction was made using the search parameters detailed in Plaintiff's February 2, 2018 Supplemental Memorandum Supporting Sanctions and in Response to BNSF's Motion to Exclude Experts and includes the same fields included in his Revised Exhibit 152. The information in Exhibit I can be accessed online at: <https://hazmatonline.phmsa.dot.gov/IncidentReportsSearch/IncrSearch.aspx>

Further affiant sayeth not.



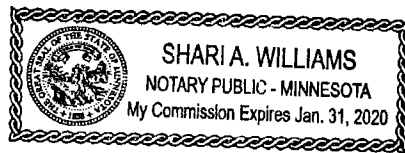
Patrick J. Sweeney

Subscribed and sworn to before me
this 26th day of April, 2018.



Notary Public

4818-8663-3315, v. 1



BOLT HOFFER BOYD
L A W F I R M

January 30, 2018

District Court Judge Amy Dawson
Hennepin County District Court
300 South Sixth Street
MC 332
Minneapolis, MN 55487-0332

RE: Scott Kowalewski v. BNSF Railway Company, a Delaware corporation,
Court File No.: 27-cv-17-145

Dear Honorable Amy Dawson:

We wish to bring to this Court's attention recently discovered information that concerns the pending expert and sanctions motions before this Court. The information in issue was submitted yesterday as Plaintiff's Exhibit 152.

Plaintiff's counsel is reluctant to submit new documents, but feels the importance of this newly discovered documentation is vitally important to the pending motions before this Court. BNSF's experts and its arguments in motions has been that Plaintiff cannot prove that the product in the 11 hydrocarbon cars was casinghead gasoline (identified on BNSF's own bill of lading). Casinghead gasoline also goes by the synonyms of natural gas condensate and wellhead casing gasoline. Both BNSF and its experts deny that the product in the 11 hydrocarbon cars was natural gas condensate/casinghead gasoline, but rather equate it to "gas at the pump" that anyone filling their care is exposed to on a daily basis.

Recently unearthed documentation, however, shows that between October 15, 2013, and May 5, 2015, BNSF reported to the federal government six different unintentional releases of the same product involved in Kowalewski's exposure. All six venting or leaking incidents involved the same generator of the product (Occidental Petroleum), from the same location (Levelland, Texas), all with BNSF as the rail carrier reporting the event, with four of the cars having the same "Hydrocarbon N.O.S." designation and "3295" product ID as the "reconstituted" waybills BNSF produced in this case. Of those four, all four list "Natural Gas Condensate" under the field of "Technical/Trade Name."

2150 Third Avenue North, Suite 350, Anoka, MN 55303
Phone (763) 406-7000 • Facsimile (763) 208-3607
www.bolthoffer.com



In short, BNSF made reports to the federal government identifying venting/leaking rail cars with the same product, from the same producer, and originating from the same location as the cars involved in Kowalewski's exposure. BNSF has not produced any of the information from these events, including that information that the product being transported was "Natural Gas Condensate." It also did not produce any documents informing Kowalewski that two of these events occurred at the same location as Kowalewski's exposure, approximately three months before Kowalewski was exposed.

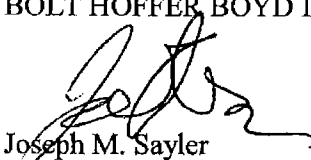
Kowalewski respectfully asks that this newly discovered evidence be considered in conjunction with both the pending expert and sanctions motions. For the expert motions, the exhibit clearly contradicts BNSF's and its experts assertions that Kowalewski was exposed to something akin to gas from the pump and that there is no proof (beyond BNSF's bill of lading and Plaintiff's experts) that Kowalewski was exposed to casinghead gasoline/natural gas condensate. BNSF went so far as to bring a motion in limine (BNSF MIL NO. 15) to preclude reference to the natural gas condensate/casinghead gasoline. Likewise, the also evidence confirms Kowalewski's assertions that he was exposed to casinghead gasoline/natural gas condensate. It is not "gas at the pump" like BNSF has had its experts contend (presumably without showing its experts the previous events with Natural Gas Condensate that originated from the same producer and same location).

For the sanctions motion, this newly discovered evidence is relevant because it proves that BNSF has additional documents concerning the product that Kowalewski was exposed to, kept and preserved those documents that it reported to the federal government, and has not provided those documents to Kowalewski. The document also contradicts BNSF's repeated statements on the record that product Kowalewski was exposed to was not natural gas condensate or casinghead gasoline. BNSF also did not inform Kowalewski of the two events that occurred in the same yard—with the same supplier and from the same location—three months before Kowalewski was exposed. BNSF was also ordered to produce evidence of the unintentional release of hazardous chemicals, yet did not include any of these six events. The document also provides recommendations for corrective measures, such as: "Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings" and "additional training and improving operating procedures." None of these training or safety procedures were discussed in discovery by BNSF.

Further, BNSF counsel signed pleadings, including the summary judgment motion, expert affidavits, its response to the sanction motion, and submitted expert reports claiming that it was not reasonably foreseeable that an incident like this could have occurred. Yet, the BNSF knew that this very kind of incident had happened in the very location. Furthermore, BNSF and its counsel have claimed that it had no way of knowing that something like this could happen and that is why they did not allegedly investigate the 11 hydrocarbon cars. Yet, this very kind of venting incident had happened, with the same product, and at the same location within three months of Kowalewski's injury.

Sincerely,

BOLT HOFFER BOYD LAW FIRM



Joseph M. Sayler
joseph.sayler@bolthoffer.com

JMS/smf

cc: Patrick J. Sweeny (Via Odyssey File & Serve)
Daniel A. Haws (Via Odyssey File & Serve))
Paula M. Jossart (Via Odyssey File & Serve))

27-CV-17-145

XML	Report Number	Multiple Rows per Incident	Report Type	Date of Incident	Time of Incident	NRC Number	Incident City	Incident County	Incident State	Incident Postal Code	Incident Country	Mode of Transportation	Transportation Phase	Carrier/Reporter Name
XML	X-2015060222	No	A hazardous material incident	5/25/2015	1400		TULSA	TULSA	OK	74107	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY
XML	X-2014100357	No	A hazardous material incident	10/11/2014	1315		Bartow	SAN BERNARDINO	CA	92311	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY
XML	X-2013100293	No	A hazardous material incident	10/17/2013	1220		Minneapolis	ANOKA	MN	55421	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY
XML	X-2008100183	No	A hazardous material incident	10/12/2008	553		BURLINGTON	DES MOINES	IA	52601	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY
XML	X-2015060278	No	A hazardous material incident	5/26/2015	1700	111764.1	Rawia	JOHNSTON	OK	73455	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY
XML	X-2013100289	No	A hazardous material incident	10/15/2013	1115		Minneapolis	ANOKA	MN	55421	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY
XML	X-2007110410	No	A hazardous material incident	10/29/2007	330	852936	CLARA CITY	CHIPPENVA	MN	56222	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY
XML	X-2014100201	No	A hazardous material incident	9/19/2014	1700		Dilworth	CLAY	MN	55529	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY
XML	X-2011070423	No	A hazardous material incident	6/21/2011	50		Kansas City	CLAY	MO	64116	US	Rail	IN TRANSIT	BNSF RAILWAY COMPANY

EXHIBIT

152

.59999

EXHIBIT

B

.59999

27-CV-17-145

Carrier/Reporter Street Name	Carrier/Reporter City	Carrier/Reporter State	Carrier/Reporter Postal Code	Carrier/Reporter DOT ID	Carrier/Reporter FED HAZMAT Reg ID	Carrier/Reporter Country	Shipper Name	Shipper Street Name	Shipper City	Shipper State
2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830	281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLADING LLC	Gusher Road	LEVELLAND	TX
2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830	281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLADING LLC	Gusher Road	LEVELLAND	TX
2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830	281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING INC.	5 GREENWAY PLZ STE 110	HOUSTON	TX
2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830	281683	0707060100150Q	US	OCCIDENTAL CHEMICAL CORPORATION	6200 S RIDGE RD	WICHITA	KS
2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830	281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING INC.	5 GREENWAY PLZ STE 110	HOUSTON	TX
2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830	281683	0707060100150Q	US	OCCIDENTAL CHEMICAL CORPORATION	6200 S RIDGE RD	WICHITA	KS
2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830	281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLADING LLC	Gusher Road	LEVELLAND	TX
2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830	281683	051909004014RT	US	OCCIDENTAL CHEMICAL CORPORATION	6200 S RIDGE RD	WICHITA	KS

27-CV-17-145

Shipper Postal Code	Shipper Country	Shipper Vessel/Shipping Paper	Shipper HAZMAT Registration ID	Origin City	Origin State	Origin Postal Code	Origin Country	Destination City	Destination State	Destination Postal Code	Destination Country	Commodity Short Name
79336	US	BNSF47387	N/A	LEVELAND	TEXAS	79336	US	BROWNSVILLE	TEXAS	78521	US	HYDROCARBONS LIQUID N.
79336	US	BNSF406914	N/A	LEVELAND	TEXAS	79336	US	ANACORTES	WASHINGTON	98221	US	PETROLEUM GASES LIQUEFI
77046-0521	US	BNSF775541		LEVELAND	TEXAS	79336	US					GASOLINE INCLUDES GASOLI
67215-8822	US	BNSF241669	N/A	WICHITA	KANSAS	67215	US	EDDYVILLE	IOWA	52553	US	HYDROCHLORIC ACID SOLUT
79336	US	BNSF258732	N/A	LEVELAND	TEXAS	79336	US	BROWNSVILLE	TEXAS	78521	US	HYDROCARBONS LIQUID N.
77046-0521	US	BNSF832082		LEVELAND	TEXAS	79336	US					HYDROCARBONS LIQUID N.
67215-8822	US	BNSF314376	N/A	WICHITA	KANSAS	67215	US	WAHPETON	NORTH DAKOTA	58075	US	HYDROCHLORIC ACID SOLUT
79336	US	BNSF829907	N/A	LEVELAND	TEXAS	79336	US					HYDROCARBONS LIQUID N.
67215-8822	US	BNSF654944	N/A	WICHITA	KANSAS	67215	US	SOUTH GATE	CALIFORNIA	90280	US	HYDROCHLORIC ACID SOLUT

27-CV-17-145

Commodity/Long Name	Technical/Trade Name	Identification Number	Hazardous Class Code	Hazardous Class	Packing Group	Quantity Released	Unit of Measure	HAZMAT Waste Indicator	HMS Toxic by Inhalation Ind	Material Shipment Approval Ind	Undeclared HAZMAT Shipment Ind	Packaging Type
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	3	FLAMMABLE - COMBUSTIBLE LIQUID	I	0.125	LGA	No	No	No	No	Tank Car
PETROLEUM GASES LIQUEFIED OR LIQUEFIED PETROLEUM GAS	BUTANE	UN1075	2.1	FLAMMABLE GAS		0.01671	GCF	No	No	No	No	Tank Car
GASOLINE INCLUDES GASOLINE MIXED WITH ETHYL ALCOHOL WITH NOT MORE THAN 10% ALCOHOL		UN1203	3	FLAMMABLE - COMBUSTIBLE LIQUID	II	1	LGA	No	No	No	No	Tank Car
HYDROCHLORIC ACID SOLUTION	SMART	UN1789	8	CORROSIVE MATERIAL	II	1	LGA	No	No	No	No	Tank Car
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	3	FLAMMABLE - COMBUSTIBLE LIQUID	I	0.125	LGA	No	No	No	No	Tank Car
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	3	FLAMMABLE - COMBUSTIBLE LIQUID	I	0.125	LGA	No	No	No	No	Tank Car
HYDROCHLORIC ACID SOLUTION	SMART	UN1789	8	CORROSIVE MATERIAL	II	24500	LGA	No	No	No	No	Tank Car
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	3	FLAMMABLE - COMBUSTIBLE LIQUID	I	0.125	LGA	No	No	No	No	Tank Car
HYDROCHLORIC ACID SOLUTION	SMART	UN1789	8	CORROSIVE MATERIAL	II	1	LGA	No	No	No	No	Tank Car

27-CV-17-145

What Failed Code	What Failed Description	How Failed Code	How Failed Description	Failure Cause Code	Failure Cause Description	Identification Markings	Cont. Package Capacity	Cont. Package Capacity UOM	Cont. Package Amount	Cont. Package Amount UOM	Cont. Pkg Number in Shipment	Cont. Pkg Shipment Failed	Cont. Package Manufacturer	Cont. Pkg Manufacturer Date
137	Manway or Dome Cover	308	Leaked	515	Human Error	111A100W1	0		0				TRINITY	11/21/2013 0:00
134; 134	Liquid Valve; Liquid Valve	308; 308	Leaked; leaked	535; 526	Valve Open; Loose Closure Component or Device	112J340W	0		0				UTZBG	4/1/2005 0:00
134; 134	Liquid Valve; Liquid Valve	308; 308	Leaked; leaked	535; 526	Valve Open; Loose Closure Component or Device	112J340W	20187.5	LGA	19585.125	LGA	1	1	PROZBN	7/1/1980 0:00
119	Frangible Disc	308	Leaked	528	Missing Component or Device	111AW	25675	LGA	24593.75	LGA	1	1	TNNO23	8/20/1998 0:00
137	Manway or Dome Cover	313	Vented	526	Loose Closure Component or Device	111A100W1	0		0				TRINITY	11/21/2013 0:00
158; 109	Vapor Valve; Closure (e.g. Cap, Top or Plug)	308; 306	Leaked; Failed to Operate	528; 528	Missing Component or Device; Missing Component or Device	111S100W1	0		0				UTLA	9/18/2012 0:00
103	Basic Material	309	Punctured	509	Derailment	111AW	25412.5	LGA	24550	LGA	1	1	GAT098	11/1/1980 0:00
137; 121	Manway or Dome Cover; Gasket	313; 306	Vented; Failed to Operate	508; 508	Defective Component or Device; Defective Component or Device	111A100W1	0		0				UTZBG	11/1/2006 0:00
143	Pressure Relief Valve or Device - Non-Reclosing	308	Leaked	528	Missing Component or Device	111A100W5	25362.5	LGA	24087.5	LGA	1	1	GAT098	1/1/1981 0:00

27-CV-17-145

Conti Package Serial Number	Conti Package Last Test Date	Conti Test Material Of Const	Conti Pkg Design Pressure Rptd	Conti Design Pressure UOM Rptd	Conti Pkg Shell Thickness Rptd	Conti Shell Thickness UOM Rptd	Conti Head Thickness Reported	Conti Head Thickness UOM Rptd	Conti Valve or Device Fail Ind	RAM Package Certification
HSRX3235	11/21/2013 0:00	carbon steel	100	PSI					No	FALSE
PROX33073	4/1/2005 0:00	AAR TC-128 Gr. B	340	PSI	0.618	INCH	0.687	INCH	No	FALSE
PROX98351	5/6/2010 0:00	AAR TC-128 Gr. B	340	PSI	0.625	INCH	0.625	INCH	No	FALSE
GATX62590	8/12/2008 0:00	ASTM A516 Gr. 70	100	PSI	0.437	inch	0.437	inch	No	FALSE
HSRX3321	11/21/2013 0:00	carbon steel	100	PSI					No	FALSE
PROX45665	9/18/2012 0:00	CARBON STEEL	100	PSI					No	FALSE
UCLX30002	10/18/2002 0:00	STEEL	100	PSI					No	FALSE
PROX44085	11/1/2006 0:00	AAR TC-128 Gr. B	100	PSI	0.437	INCH	0.468	INCH	No	FALSE
UCLX30078		ASTM A515 Gr. 70	100	PSI	0.437	inch	0.437	inch	No	FALSE

[illegible]

27-CV-17-145

Material Loss	Carrier Damage	Property Damage	Response Cost	Remediation Cleanup Cost	Damage Other (Old Form)	Total Amount of Damages	HAZMAT Fatality Indicator	HAZMAT Fatilities Employees	HAZMAT Fatilities Responders	HAZMAT Fatality General Public	Total Hazmat Fatilities	Non-HAZMAT Fatality Indicator	Non- HAZMAT Fatilities	HAZMAT Injury Indicator	HAZMAT Hospitalize d Employees	HAZMAT Hospitalized Responders
0	0	0	0	0	0	0	No	0	0	0	0	No	0	No	0	0
0	0	0	0	0	0	0	No	0	0	0	0	No	0	No	0	0
0	0	0	0	0	0	0	No	0	0	0	0	No	0	No	0	0
5	0	0	2000	0	0	2005	No	0	0	0	0	No	0	No	0	0
0	0	0	2945	0	0	2945	No	0	0	0	0	No	0	No	0	0
0	0	0	0	0	0	0	No	0	0	0	0	No	0	No	0	0
20000	0	0	10000	200000	0	230000	No	0	0	0	0	No	0	No	0	0
0	0	0	1600	0	0	1600	No	0	0	0	0	No	0	No	0	0
1	0	0	1300	100	0	1401	No	0	0	0	0	No	0	No	0	0

[illegible]

27-CV-17-145

Employees Evacuated	Total Evacuated	Total Evacuation Hours	Major Artery/ Closed	Major Artery Hours Closed	Material Involved in Accident	Estimated Speed	Weather Conditions	Vehicle Overturn	Vehicle Left Roadway/Track	Passenger Aircraft Indicator	Shipphase Aircraft Transported Ind	Shipphase Aircraft Flight Ind
0	0	0	No	0	No	0		No	No	No	No	No
0	0	0	No	0	No	0		No	No	No	No	No
0	0	0	No	0	No	0		No	No	No	No	No
0	0	0	No	0	No	0		No	No	No	No	No
0	33	5	No	0	No	0		No	No	No	No	No
0	0	0	No	0	No	0		No	No	No	No	No
5	405	11	Yes	11	Yes	35	Clear 40 deg.	Yes	Yes	No	No	No
0	0	0	No	0	No	0		No	No	No	No	No
0	0	0	No	0	No	0		No	No	No	No	No
0	0	0	No	0	No	0		No	No	No	No	No

27-CV-17-145

Shipphase Air Subflight Ind	Shipphase Int Transport Ind	Shipphase Transfer Indicator	Contact Name	Contact Title	Contact Business Name	Contact Street	Contact City	Contact State	Contact Postal Code	Contact Non-US State	Contact Country
No	No	No	CLAY REID	ASSISTANT DIRECTOR HAZARDOUS MATERIALS	BNSF Railway Company	4200 Deen Road	Fort Worth TX		76106		US
No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY	4200 DEEN ROAD	FORT WORTH TX		76106		US
No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY	4200 DEEN ROAD	FORT WORTH TX		76106		US
No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY	4200 DEEN ROAD	FORT WORTH TX		76106		US
No	No	No	CLAY REID	ASSISTANT DIRECTOR HAZARDOUS MATERIALS	BNSF Railway Company	4200 Deen Road	Fort Worth TX		76106		US
No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY	4200 DEEN ROAD	FORT WORTH TX		76106		US
No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY	4200 DEEN ROAD	FORT WORTH TX		76106		US
No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY	4200 DEEN ROAD	FORT WORTH TX		76106		US
No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY	4200 DEEN ROAD	FORT WORTH TX		76106		US

27-CV-17-145

Preparer of Incident Report	Description of Events
Carrier	car was discovered leaking in the Tulsa Yard during operations. The mainway bolts were tightened and the leak was stopped.
Carrier	Tank car PROX 33073 in the railyard was reported emanating an odor. BNSF mechanical/hazardous material responders immediately inspected PROX 33073 and reported finding the A-end liquid valve approximately 1/4 turn open with its closure plug 1/4 turn from a tool tight condition. The responders closed the liquid valve and tool tightened its closure plug which ending any further vapor release. Intact shipper seal B6712109 at the protective housing cover was replaced by seal BNSF321352.
Carrier	Tank car PROX 98351 was reported emanating a gasoline odor in the railyard. Inspection of PROX 98351 by a BNSF mechanical/hazardous material responder revealed both liquid valves and the vapor valve partially open with all of their closure plugs not tool tight. Commodity witness was observed at the base of the B-end liquid valve. The responder closed all the valves and tool tightened their closure plugs. The spillage around the B-end liquid valve was wiped. Afterwards no further commodity odor was detectable. Intact shipper seal numbered 0000100 at the valve housing cover was replaced by seal BNSF 03954884.
Carrier	A BNSF train crew reported entrained GATX 62590 (DOT 111A100W5 tank car) with a small vapor cloud emanating from the top of this tank car after arrival in the railyard. GATX 62590 was cordoned-off awaiting inspection from a BNSF contract responder. No vapor cloud was observed after GATX 62590 remained motionless. The contract responder inspected GATX 62590 and reported finding the frangible disc housing's top closure cap not applied and the frangible disc missing. Also a portion (approx. 1/3) of the hard plastic threaded base for securing the top closure cap had broken off. The responder did not have a suitable replacement disc and the shipper arranged for another contractor to bring in a suitable 165 psi replacement frangible disc. The new 165 psi frangible disc was installed. No free liquid product was observed on the tank car shell only a small dried residue stain. No ground impact was evident. Response was concluded by 1530 hrs. CDT 10/12/08.
Carrier	The security seal (T1X865903) was wedged in between the mainway cover and the mainway nozzle thus preventing a seal and allowing vapors to escape. The mainway cover bolts were loosened the mainway cover was opened the tail of the seal was removed the mainway cover was closed and the nuts tightened. This sealed the car. Once repair work commenced it required 15 minutes to mitigate the release.
Carrier	Tank car PROX 45665 was reported emanating a "gasoline" type odor in the railyard. Inspection of PROX 45665 by a BNSF mechanical/hazardous material responder revealed all valves appeared closed and no liquid commodity release was observed. The vapor valve's closure plug was found not properly applied. This closure plug was resting atop the vapor valve's closure orifice with no plug threads threaded. The responder properly applied the vapor valve's closure plug and tool tightened this plug into its threaded closure orifice. Afterwards the commodity odor dissipated and became non-detectable. Intact shipper seal numbered 0000050 at the valve housing cover was replaced by seal BNSF HAZMAT 001777.
Carrier	A BNSF southbound train taking siding off the single main track derailed several railcars in the siding with some fouling the single main track. Shortly afterwards a BNSF northbound train on the main track struck the rail equipment fouling the single main track which resulted in the derailment of the northbound train's two locomotive units and its head 22 railcars. Included in this derailment of the northbound train was UCXL 30002 (DOT 111A100W5 tank car) that came to rest in a slanted upright position atop other derailed rail equipment and sustained several breaches to its tank car shell. The B-end head sustained a large dent in the upper left head quadrant with a large peel tear in the head metal which allowed a large volume of product to escape. Also in the B-end head were two one inch puncture holes within the lower right head quadrant. The A-end side shell sustained a 3 inch by 3 inch puncture hole as well. It was estimated that the majority of the commodity within UCXL 30002 was lost. UCXL 30002 was cleaned and purged on site. BNSF contract responders applied lime to the ground spillage to neutralize the acid spill. Neutralized impacted soil was later excavated and staged for appropriate disposal. Approximately 350 to 400 residents in the southwest portion of Clara City were evacuated. The evacuation ended at 1600 hrs. CDT 10/29/07. An overpass (MN State Highway 7) which runs over and is perpendicular to the main track and siding was closed until MN DOT officials inspected this structure for damages.
Carrier	Entrained tank car PROX 44085 was reported emanating a commodity odor prior to its train departure from the railyard. BNSF and contract responders inspecting PROX 44085 reported finding the applied mainway nozzle gasket deteriorated and partially torn; thusly not providing a good seal. A new mainway nozzle gasket was installed and the mainway cover was re-secured which ended the commodity odor/vapor release. No liquid commodity release was observed but a very small dried residue stain near the mainway nozzle was wiped. All other valves and fittings were inspected and found secure. Intact shipper seals removed were replaced by Wenck seal 2586 at the mainway closure and Wenck seal 2585 at the protective housing cover. Response was concluded by 2115 hrs. CDT 9/19/2014.
Carrier	During movement in the railyard to a repair track to correct an air brake defect, tank car UCXL 30078 was reported emanating a vapor plume from the top fitting area. Movement was stopped and UCXL 30078 was cordoned off awaiting inspection from a hazardous material response contractor. Responders reported that the Salco Quick Inspect safety vent with its Quick Inspect Body (QIB) and its top inspection cap (plug) not applied but still attached to the safety vent assembly. The frangible disc was also missing from the interior of this safety vent. The responders properly applied a new 165 psi frangible disc into the safety vent. The QIB with top inspection cap (plug) was applied and appropriately tightened. All observed spillage was neutralized and no ground impact from spillage was reported.

27-CV-17-145

Recommendations/Actions Taken	HMIS Serious Incident	HMIS Serious Fatality	HMIS Serious Injury	HMIS Serious Plan	HMIS Serious Flight	HMIS Serious Evacuations	HMIS Serious Major Artery	HMIS Serious Bulk Release	HMIS Serious Pollutant	HMIS Serious Marine	HMIS Serious Radioactive
additional training and improving operational procedures	No	No	No	No	No		No	No	No		No
Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	No	No	No	No	No		No	No	No		No
Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	No	No	No	No	No		No	No	No		No
No additional comments.	No	No	No	No	No		No	No	No		No
additional training and improving operating procedures	Yes	No	No	No	Yes		No	No	No		No
Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	No	No	No	No	No		No	No	No		No
No additional comments.	Yes	No	No	No	Yes		Yes	Yes	No		No
Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	No	No	No	No	No		No	No	No		No
No additional comments.	Yes	No	No	No	Yes		Yes	Yes	No		No
Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	No	No	No	No	No		No	No	No		No
Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	No	No	No	No	No		No	No	No		No
Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	No	No	No	No	No		No	No	No		No

27-CV-17-145

HMIS General Package Type	HMIS Container Code	HMIS Container Description	HMIS Bulk Incident Indicator	Undeclared Shipment
OHMIR_Ref_Con	111A100W		Yes	No
OHMIR_Ref_Con	112J340W		Yes	No
OHMIR_Ref_Con	112J340W		Yes	No
OHMIR_Ref_Con	111A1W	Non-pressure	Yes	No
OHMIR_Ref_Con	111A100W		Yes	No
OHMIR_Ref_Con	111S100W		Yes	No
OHMIR_Ref_Con	111A1W	Non-pressure	Yes	No
OHMIR_Ref_Con	111A100W		Yes	No
OHMIR_Ref_Con	111A100W		Yes	No

27-CV-17-145

Filed in Fourth Judicial District Court
2/2/2018

Report Type	Date of Incident	Incident City	Incident State	Carrier/ Reporter Name	Shipper Name	Shipper State	Origin City	Origin State
A hazardous material incident	5/25/2015	TULSA	OK	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLADING LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	10/11/2014	Bartow	CA	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLADING LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	10/17/2013	Minneapolis	MN	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING INC.	TX	LEVELLAND	TEXAS
A hazardous material incident	5/26/2015	Ravenna	OK	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLADING LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	6/1/2015	Memphis	TN	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLADING LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	10/15/2013	Minneapolis	MN	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING INC.	TX	LEVELLAND	TEXAS
A hazardous material incident	9/19/2014	Dinwiddie	MN	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLADING LLC	TX	LEVELLAND	TEXAS



27-CV-17-145

Filed in Fourth Judicial District Court
2/2/2018 4:41 PM
Hennepin County, MN

Commodity Long Name	Technical/Trade Name	Identification Number	Packaging Type	What Failed Description	How Failed Code	How Failed Description	Failure Cause Code	Failure Cause Description
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	Tank Car	Manway or Dome Cover	308	Leaked	515	Human Error
PETROLEUM GASES LIQUEFIED OR LIQUEFIED PETROLEUM GAS	BUTANE	UN1075	Tank Car	Liquid Valve, Liquid Valve	308, 308	Leaked, Leaked	535, 526	Valve Open, Loose Closure Component or Device
GASOLINE INCLUDES GASOLINE MIXED WITH ETHYL ALCOHOL WITH NOT MORE THAN 10% ALCOHOL		UN1203	Tank Car	Liquid Valve, Liquid Valve	308, 308	Leaked, Leaked	535, 526	Valve Open, Loose Closure Component or Device
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	Tank Car	Manway or Dome Cover	313	Vented	526	Loose Closure Component or Device
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	Tank Car	Bottom Outlet Valve	312	Turn Off or Damaged	509	Derailment
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	Tank Car	Vapor Valve, Closure (e.g. Cap Top or Plug)	308, 306	Leaked, Failed to Operate	528, 528	Missing Component or Device; Missing Component or Device
HYDROCARBONS LIQUID N.O.S.	NATURAL GAS CONDENSATE	UN3295	Tank Car	Manway or Dome Cover, Gasket	313, 306	Vented, Failed to Operate	508, 508	Defective Component or Device; Defective Component or Device

27-CV-17-145

Filed in Fourth Judicial District Court
2/2/2018 4:41 PM
Hennepin County, MN

Gas Dispersion (Refill) Ind	Description of Event	Recommendations/Actions Taken
Yes	car was discovered leaking in the Tulsa Yard during operations. The manway bolts were tightened and the leak was stopped.	additional training and improving operational procedures
Yes	Tank car PROX 33073 in the railyard was reported emanating an odor. BNSF mechanical/hazardous material responders immediately inspected PROX 33073 and reported finding the A-end liquid valve approximately 1/4 turn open with its closure plug 1/4 turn from a tool tight condition. The responders closed the liquid valve and tool tightened its closure plug which ended any further vapor release. Intact shipper seal 186712109 at the protective housing cover was replaced by seal BNSF321352.	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.
Yes	Tank car PROX 98351 was reported emanating a gasoline odor in the railyard. Inspection of PROX 98351 by a BNSF mechanical/hazardous material responder revealed both liquid valves and the vapor valve partially open with all of their closure plugs not tool tight. Commodity witness was observed at the base of the B-end liquid valve. The responder closed all the valves and tool tightened their closure plugs. The spillage around the B-end liquid valve was wiped. Afterwards no further commodity odor was detectable. Intact shipper seal numbered 0000100 at the valve housing cover was replaced by seal BNSF 03954884.	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.
Yes	The security seal (TILX865903) was wedged in between the manway cover and the manway nozzle thus preventing a seal and allowing vapors to escape. The manway cover bolts were loosened the manway cover was opened the rail of the seal was removed the manway cover was closed and the nuts tightened. This sealed the car. Once repair work commenced it required 15 minutes to mitigate the release.	additional training and improving operating procedures
No	0700CT Thayer South Stb Memphis Terminal M TULAMENI 31 while arriving Memphis Terminal detailed. Initial report indicates 07 cars derailed with 01 HAZARDOUS car (HSRX 3124) leaning on the North end of D6 track. Car contains HYDROCARBON LIQUID N.O.S. and is reported to be compromised (BOTTOM VALVE SHEARED OFF AND LEAKING). Local Fire Department and Hazardous Materials Contractor (SWS) responded to the site. No waterways close or thought to be in jeopardy. 1300 car was still leaking after multiple attempts to close valve. Next step was to roll car over onto old adjacent ramp and liquid will be below the bottom valve and allow for further remediation off track. Cause: switch previously run through. 0200 June 2nd - Track back in operation.	No additional comments.
Yes	Tank car PROX 45665 was reported emanating a 'gasoline' type odor in the railyard. Inspection of PROX 45665 by a BNSF mechanical/hazardous material responder revealed all valves appeared closed and no liquid commodity release was observed. The vapor valve's closure plug was found not properly applied. This closure plug was resting atop the vapor valve's closure orifice with no plug threads threaded. The responder properly applied the vapor valve's closure plug and tool tightened this plug into its threaded closure orifice. Afterwards the commodity odor dissipated and became non-detectable. Intact shipper seal numbered 0000050 at the valve housing cover was replaced by seal BNSF HAZMAT 001777.	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.
Yes	Entrained tank car PROX 44085 was reported emanating a commodity odor prior to its train departure from the railyard. BNSF and contract responders inspecting PROX 44085 reported finding the applied manway nozzle gasket deteriorated and partially torn, thusly not providing a good seal. A new manway nozzle gasket was installed and the manway cover was re-secured which ended the commodity odor/vapor release. No liquid commodity release was observed, but a very small dried residue stain near the manway nozzle was wiped. All other valves and fittings were inspected and found secure. Intact shipper seals removed were replaced by Wenck seal 2586 at the manway closure and Wenck seal 2585 at the protective housing cover. Response was concluded by 2115 hrs. CDT 9/19/2014.	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
Case Type: PERSONAL INJURY-FELA

Scott Kowalewski,

Case No.: 27-cv-17-145

Judge: Amy Dawson

Plaintiff,

vs.

AFFIDAVIT OF CLAY REID

BNSF Railway Company, a
Delaware corporation,

Defendant.

STATE OF TEXAS)
) ss.
COUNTY OF TARRANT)

1. I am the Director, Hazardous Materials Field Operations and Emergency Response for BNSF Railway Company ("BNSF").

2. My department prepares the Hazardous Materials Incident Reports (DOT 5800.1) on behalf of BNSF for filing with the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration ("DOT"). BNSF uses "Hazardous Materials Release Reporter" software developed by Industrial Hygiene and Safety Technology, Inc. which files the reports with the DOT in a XML electronic form. These reports are used by the DOT to provide information in the DOT PHMSA database:

(<http://hazmatonline.phmsa.gov/IncidentReportsSearch/IncrSearch.aspx>)

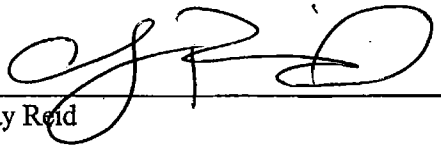
3. BNSF provides information for the DOT 5800.1 through a series of web pages, which the Hazardous Materials Release Reporter software uses to make the XML submission to the DOT. Attached hereto as Exhibit A are printouts of the electronic DOT 5800.1 information



BNSF completed for reports X-2015060222 (5/25/15), X-2015060278 (5/26/15), X-2013100289 (10/15/13) and X-2014100201 (9/19/14).

4. Under the DOT's hazmat regulations, for hazardous materials with identification number UN 3295, a technical/trade name for the material is not required. The XML filings with the DOT using the Hazardous Materials Release Reporter do not include a technical/trade name. Any technical/trade name relating to a BNSF reported incident involving a UN 3295 material that appears on the DOT PMHSA database was not submitted by BNSF.

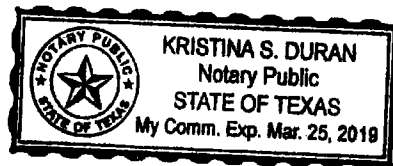
FURTHER YOUR AFFIANT SAYETH NOT.



Clay Reid

Subscribed and sworn to before me
this 2nd day of February 2018


Notary Public

00566785.docx



	Hazardous Materials Incident Report	Form Approval OMB No. 2137-0039
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.		
INSTRUCTIONS: Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at http://hazmat.dot.gov . If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at http://hazmat.dot.gov .		
PART I - REPORT TYPE		
1. This is to report: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input checked="" type="checkbox"/> A) A hazardous material incident <input type="checkbox"/> B) An undeclared shipment with no release </div> <div> <input type="checkbox"/> C) A specification cargo tank 1,000 gallons or greater containing any hazardous materials that (1) received structural damage to the lading retention system or damage that requires repair to a system intended to protect the lading retention system and (2) did not have a release. </div> </div>		
2. Indicate whether this is: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input checked="" type="checkbox"/> An initial report <input type="checkbox"/> A supplemental (follow-up) report <input type="checkbox"/> Additional Pages </div>		
PART II - GENERAL INCIDENT INFORMATION		
3. Date of Incident: <u>05/25/2015</u> 4. Time of Incident (use 24-hour time): <u>14:00</u>		
5. Enter National Response Center Report Number (if applicable): <u>N/A</u>		
6. If you submitted a report to another Federal DOT agency, enter the agency and report number: <u>N/A</u>		
7. Location of Incident: City: <u>Tulsa</u> County: <u>Tulsa</u> State: <u>OK</u> ZIP Code (if known): <u>74107</u> Street Address/Mile Marker/Yardname/Airport/Body of Water/River Mile: <u>1631 West 33rd Place (BNSF Tulsa Rallyard)</u>		
8. Mode of Transportation <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Air <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Rail <input type="checkbox"/> Water </div>		
9. Transportation Phase <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input checked="" type="checkbox"/> In Transit <input type="checkbox"/> Loading <input type="checkbox"/> Unloading <input type="checkbox"/> In Transit Storage </div>		
10. Carrier/Reporter <div style="margin-top: 5px;"> Name: <u>BNSF Railway Company</u> Street: <u>2600 Lou Menk Drive</u> City: <u>Fort Worth</u> State: <u>TX</u> ZIP Code: <u>76131-2830</u> Federal DOT ID Number: <u>281683</u> Hazmat Registration Number: <u>062712 002 010UW</u> </div>		
11. Shipper/Officer <div style="margin-top: 5px;"> Name: <u>Occidental Energy Marketing by Titan Transloading LLC</u> Street: <u>565 Gusher Road</u> City: <u>Levelland</u> State: <u>TX</u> ZIP Code: <u>79336</u> Waybill/Shipping Paper: <u>BNSF 477387</u> Hazmat Registration Number: <u>N/A</u> </div>		
12. Origin (if different from shipper address) <div style="margin-top: 5px;"> Street: <u>Same as shipper</u> City: _____ State: _____ ZIP Code: _____ </div>		
13. Destination <div style="margin-top: 5px;"> Street: <u>11700 Old Highway 48</u> City: <u>Brownsville</u> State: <u>TX</u> ZIP Code: <u>78521</u> </div>		
14. Proper Shipping Name of Hazardous Material: <u>HYDROCARBONS, LIQUID, N.O.S.</u>		
15. Technical/Trade Name: <u>N/A</u>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> 16. Hazardous Class/Division: <u>3</u> </div> <div style="width: 30%;"> 17. Identification Number: <u>UN3295</u> (E.g. UN2764, NA 2020) </div> <div style="width: 30%;"> 18. Packing Group: <u>I</u> (If applicable) </div> <div style="width: 30%;"> 19. Quantity: <u>1</u> Gas - Pound Released: _____ (Include Measurement Units) </div> </div>		
20. Was the material shipped as a hazardous waste? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the EPA Manifest Number: <u>N/A</u>		
21. Is this a Toxic by Inhalation (TIH) material? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the Hazard Zone: <u>N/A</u>		
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the Exemption, Approval, or CA number: <u>N/A</u>		
23. Was this an undeclared hazardous materials shipment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

<input type="checkbox"/> Non-bulk	<input type="checkbox"/> IBC	<input type="checkbox"/> Cargo tank Motor Vehicle (CTMV)	<input checked="" type="checkbox"/> Tank Car
<input type="checkbox"/> Cylinder	<input type="checkbox"/> RAM	<input type="checkbox"/> Portable Tank	<input type="checkbox"/> Other <u>N/A</u>

1. What Failed: 137 How Failed: 308 Causes of Failure: 515

2. What Failed: How Failed: Causes of Failure:

Type: N/A Manufacturer: N/A Model: N/A
(If present and legible) (If present and legible)

Reproduction of this form is permitted

PART IV - CONSEQUENCES

30. Result of Incident (check all that apply): ☐ Spillage ☐ Fire ☐ Explosion ☐ Material Entered Waterway/Storm Sewer
☒ Vapor (Gas) Dispersion ☐ Environmental Damage ☐ No Release

31. Emergency Response : The following entities responded to the incident: (Check all that apply)

☐ Fire/EMS Report # N/A ☐ Police Report # N/A ☐ In-house cleanup ☐ Other Cleanup

32. Damages: Was the total damage cost more than \$500? ☐ Yes ☒ No

If yes, enter the following information: If no, go to question 33.

Material Loss:	Carrier Damage:	Property Damage:	Response Cost:	Remediation/Cleanup Cost:
\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? ☐ Yes ☒ No

If yes, enter the number of fatalities resulting from the hazardous material:

Fatalities: Employees N/A Responders N/A General Public N/A

33b. Were there human fatalities that did not result from the hazardous material? ☐ Yes ☒ No If yes, how many? N/A

34. Did the hazardous material cause or contribute to personal injury? ☐ Yes ☒ No

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only): Employees N/A Responders N/A General Public N/A

Non-Hospitalized: Employees N/A Responders N/A General Public N/A

(e.g.: On site first aid or Emergency Room observation and release)

35. Did the hazardous material cause or contribute to an evacuation? ☐ Yes ☒ No

If yes, provide the following information:

Total number of general public evacuated N/A Total number of employees evacuated N/A Total Evacuated N/A

Duration of the evacuation N/A (hours)

36. Was a major transportation artery or facility closed? ☐ Yes ☒ No If yes, how many? N/A (hours)

37. Was the material involved in a crash or derailment? ☐ Yes ☒ No

If yes, provide the following information: Estimated speed (mph): N/A Weather conditions: N/A

Vehicle overturn? ☐ Yes ☒ No

Vehicle left roadway/track? ☐ Yes ☒ No

PART V - AIR INCIDENT INFORMATION (please refer to § 175.31 to report a discrepancy for air shipments)

38. Was the shipment on a passenger aircraft? ☐ Yes ☒ No

If yes, was it tendered as cargo, or as passenger baggage?

☐ Cargo ☐ Passenger baggage

39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?

<input type="checkbox"/> Air carrier cargo facility	<input type="checkbox"/> Sort center	<input type="checkbox"/> Baggage area
<input type="checkbox"/> By surface to/from airport	<input type="checkbox"/> During flight	<input type="checkbox"/> During loading/unloading of aircraft

40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply)

<input type="checkbox"/> Shipment had not been transported	<input type="checkbox"/> Transported by air (first flight)	<input type="checkbox"/> Transport by air (subsequent flights)
<input type="checkbox"/> Initial transport by highway to cargo facility	<input type="checkbox"/> Transfer at sort center/cargo facility	

PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE

Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary.

car was discovered leaking in the Tulsa Yard during operations. The manway bolts were tightened and the leak was stopped.


PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE

Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary.

additional training and improving operational procedures

PART VIII- CONTACT INFORMATION

Contact's Name (Type or Print): <u>Clay Reid</u>	Telephone Number: (<u> </u>) (817) 740-7226
Contact's Title: <u>Assistant Director Hazardous Materials</u>	Fax Number: (<u> </u>) (817) 740-7250
Business Name and Address: <u>BNSF Railway Company</u>	Hazmat Registration Number (if not already provided):
<u>4200 Deen Road, Fort Worth, TX 76106</u>	<u>062712 002 010UW</u>
E-mail Address: <u>clay.reid@bnsf.com</u>	Date: <u>05/26/2015</u>
Preparer is: <input checked="" type="checkbox"/> Carrier <input type="checkbox"/> Shipper <input type="checkbox"/> Facility <input type="checkbox"/> Other <u> </u>	

	Hazardous Materials Incident Report	Form Approval OMB No. 2137-0039
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.		
INSTRUCTIONS: Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at http://hazmat.dot.gov . If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at http://hazmat.dot.gov .		
PART I - REPORT TYPE		
1. This is to report: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input checked="" type="checkbox"/> A) A hazardous material incident </div> <div> <input type="checkbox"/> B) An undeclared shipment with no release </div> </div> <div style="margin-top: 5px;"> <input type="checkbox"/> C) A specification cargo tank 1,000 gallons or greater containing any hazardous materials that (1) received structural damage to the lading retention system or damage that requires repair to a system intended to protect the lading retention system and (2) did not have a release. </div>		
2. Indicate whether this is: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input checked="" type="checkbox"/> An initial report </div> <div> <input type="checkbox"/> A supplemental (follow-up) report </div> <div> <input type="checkbox"/> Additional Pages </div> </div>		
PART II - GENERAL INCIDENT INFORMATION		
3. Date of Incident: <u>05/26/2015</u> 4. Time of Incident (use 24-hour time): <u>17:00</u>		
5. Enter National Response Center Report Number (if applicable): <u>111-7641</u>		
6. If you submitted a report to another Federal DOT agency, enter the agency and report number: <u>N/A</u>		
7. Location of Incident: City: <u>Ravla</u> County: <u>Johnston</u> State: <u>OK</u> ZIP Code (if known): <u>73455</u> Street Address/Mile Marker/Yardname/Airport/Body of Water/River Mile <u>Siding Track MP 591.9, BNSF Creek Subdiv.</u>		
8. Mode of Transportation <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input type="checkbox"/> Air </div> <div> <input type="checkbox"/> Highway </div> <div> <input checked="" type="checkbox"/> Rail </div> <div> <input type="checkbox"/> Water </div> </div>		
9. Transportation Phase <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input checked="" type="checkbox"/> In Transit </div> <div> <input type="checkbox"/> Loading </div> <div> <input type="checkbox"/> Unloading </div> <div> <input type="checkbox"/> In Transit Storage </div> </div>		
10. Carrier/Reporter <div style="margin-top: 5px;"> Name <u>BNSF Railway Company</u> Street <u>2600 Lou Menk Drive</u> City <u>Fort Worth</u> State <u>TX</u> ZIP Code <u>76131-2830</u> Federal DOT ID Number <u>281683</u> Hazmat Registration Number <u>062712 002 010UW</u> </div>		
11. Shipper/Offeror <div style="margin-top: 5px;"> Name <u>Occidental Energy Marketing by Titan Transloading LLC</u> Street <u>565 Gusher Road</u> City <u>Levelland</u> State <u>TX</u> ZIP Code <u>79336</u> Waybill/Shipping Paper <u>BNSF 258732</u> Hazmat Registration Number <u>N/A</u> </div>		
12. Origin (if different from shipper address) Street <u>Same as shipper</u> City _____ State _____ ZIP Code _____		
13. Destination Street <u>11700 Old Highway 48</u> City <u>Brownsville</u> State <u>TX</u> ZIP Code <u>78521</u>		
14. Proper Shipping Name of Hazardous Material: <u>HYDROCARBONS, LIQUID, N.O.S.</u>		
15. Technical/Trade Name: <u>N/A</u>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 25%;"> 16. Hazardous Class/ Division: <u>3</u> </div> <div style="width: 25%;"> 17. Identification Number: <u>UN3295</u> (E.g. UN2764, NA 2020) </div> <div style="width: 25%;"> 18. Packing Group: <u>I</u> (if applicable) </div> <div style="width: 25%;"> 19. Quantity <u>1</u> Released: <u>Gas - Pound</u> (Include Measurement Units) </div> </div>		
20. Was the material shipped as a hazardous waste? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the EPA Manifest Number: <u>N/A</u>		
21. Is this a Toxic by Inhalation (TIH) material? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the Hazard Zone: <u>N/A</u>		
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the Exemption, Approval, or CA number: <u>N/A</u>		
23. Was this an undeclared hazardous materials shipment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<div style="display: flex; justify-content: space-between;"> Form DOT F 5800.1 (01-2004) Page 1 Reproduction of this form is permitted </div>		

PART III - PACKAGING INFORMATION

24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type:

☐ Non-bulk ☐ IBC ☐ Cargo tank Motor Vehicle (CTMV) ☒ Tank Car
☐ Cylinder ☐ RAM ☐ Portable Tank ☐ Other N/A

25. See Instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI.

1. What Failed: 137 How Failed: 313 Causes of Failure: 526
 2. What Failed: How Failed: Causes of Failure:

26a. Provide the packaging identification markings, if available.

Identification Markings: 111A100W1

(Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)

26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:

Single Package or Outer Packaging:

Packaging Type: N/A

Material of Construction: N/A

Head Type (Drums only): ☐ Removable ☐ Non - Removable

Single Package or Inner Packaging (if any):

Packaging Type: N/A

Material of Construction: N/A

27. Describe the package capacity and the quantity:

Single Package or Outer Packaging:

Package Capacity: 31808 Liquid - Gallon

Amount in Package: 28985 Liquid - Gallon

Number in Shipment: 1

Number Failed: 1

Single Package or Inner Packaging (if any):

Package Capacity: N/A

Amount in Package: N/A

Number in Shipment:

Number Failed:

28. Provide packaging construction and test information, as appropriate:

Manufacturer: TRINITY

Manufacture Date: 11/21/2013

Serial Number: HSRX3321

Last Test Date: 11/21/2013

Material of Construction: carbon steel (If Tank Car, CTMV, Portable Tank, or Cylinder)

Design Pressure: 100 (If Tank Car, CTMV, Portable Tank)

Shell Thickness: N/A (If Tank Car, CTMV, Portable Tank)

Head Thickness: N/A (If Tank Car, CTMV)

Service Pressure: N/A (If Cylinder)

If valve or device failed:

Type: N/A Manufacturer: N/A Model: N/A
(if present and legible) (if present and legible)

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category: ☐ Type A ☐ Type B ☐ Type C ☐ Excepted ☐ Industrial

Packaging Certification: ☐ Self Certified ☐ U.S. Certification Certification Number N/A

Nuclide(s) Present: N/A Transport Index: N/A

Activity: N/A Critical Safety Index: N/A

27-CV-17-145

PART IV - CONSEQUENCES

30. Result of Incident (check all that apply): ☐ Spillage ☐ Fire ☐ Explosion ☐ Material Entered Waterway/Storm Sewer
☒ Vapor (Gas) Dispersion ☐ Environmental Damage ☐ No Release

31. Emergency Response : The following entities responded to the incident: (Check all that apply)

☒ Fire/EMS Report # N/A ☒ Police Report # N/A ☐ In-house cleanup ☐ Other Cleanup

32. Damages: Was the total damage cost more than \$500? ☒ Yes ☐ No

If yes, enter the following information: If no, go to question 33.

Material Loss:	Carrier Damage:	Property Damage:	Response Cost:	Remediation/Cleanup Cost:
\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>2,945</u>	\$ <u>0</u>

(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? ☐ Yes ☒ No

If yes, enter the number of fatalities resulting from the hazardous material:

Fatalities: Employees N/A Responders N/A General Public N/A

33b. Were there human fatalities that did not result from the hazardous material? ☐ Yes ☒ No If yes, how many? N/A

34. Did the hazardous material cause or contribute to personal injury? ☐ Yes ☒ No

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only): Employees N/A Responders N/A General Public N/A

Non-Hospitalized: Employees N/A Responders N/A General Public N/A

(e.g.: On site first aid or Emergency Room observation and release)

35. Did the hazardous material cause or contribute to an evacuation? ☒ Yes ☐ No

If yes, provide the following information:

Total number of general public evacuated 33 Total number of employees evacuated 0 Total Evacuated 33

Duration of the evacuation 5 (hours)

36. Was a major transportation artery or facility closed? ☐ Yes ☒ No If yes, how many? N/A (hours)

37. Was the material involved in a crash or derailment? ☐ Yes ☒ No

If yes, provide the following information: Estimated speed (mph): N/A Weather conditions: N/A

Vehicle overturn? ☐ Yes ☒ No

Vehicle left roadway/track? ☐ Yes ☒ No

PART V - AIR INCIDENT INFORMATION (please refer to § 175.31 to report a discrepancy for air shipments)

38. Was the shipment on a passenger aircraft? ☐ Yes ☒ No

If yes, was it tendered as cargo, or as passenger baggage?

☐ Cargo ☐ Passenger baggage

39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?

<input type="checkbox"/> Air carrier cargo facility	<input type="checkbox"/> Sort center	<input type="checkbox"/> Baggage area
<input type="checkbox"/> By surface to/from airport	<input type="checkbox"/> During flight	<input type="checkbox"/> During loading/unloading of aircraft

40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply)

<input type="checkbox"/> Shipment had not been transported	<input type="checkbox"/> Transported by air (first flight)	<input type="checkbox"/> Transport by air (subsequent flights)
<input type="checkbox"/> Initial transport by highway to cargo facility	<input type="checkbox"/> Transfer at sort center/cargo facility	

PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE

Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary.

The security seal (TILX865903) was wedged in between the manway cover and the manway nozzle thus preventing a seal and allowing vapors to escape. The manway cover bolts were loosened, the manway cover was opened, the "tail" of the seal was removed, the manway cover was closed and the nuts tightened. This sealed the car. Once repair work commenced it required 15 minuets to mitigate the release.


PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE

Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary.

additional training and improving operating procedures

PART VIII- CONTACT INFORMATION

Contact's Name (Type or Print): <u>Clay Reid</u>	Telephone Number: (<u> </u>) (817) 740-7226
Contact's Title: <u>Assistant Director Hazardous Materials</u>	Fax Number: (<u> </u>) (817) 740-7250
Business Name and Address: <u>BNSF Railway Company</u>	Hazmat Registration Number (if not already provided):
<u>4200 Deen Road, Fort Worth, TX 76106</u>	<u>062712 002 010UW</u>
E-mail Address: <u>clay.reid@bnsf.com</u>	Date: <u>05/27/2015</u>
Preparer is: <input checked="" type="checkbox"/> Carrier <input type="checkbox"/> Shipper <input type="checkbox"/> Facility <input type="checkbox"/> Other _____	

	U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration	Hazardous Materials Incident Report	Form Approval OMB No. 2137-0039
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.			
INSTRUCTIONS: Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at http://hazmat.dot.gov . If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at http://hazmat.dot.gov .			
PART I - REPORT TYPE			
1. This is to report: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input checked="" type="checkbox"/> A) A hazardous material incident <input type="checkbox"/> C) A specification cargo tank 1,000 gallons or greater containing any hazardous materials that (1) received structural damage to the lading retention system or damage that requires repair to a system intended to protect the lading retention system and (2) did not have a release. </div> <div> <input type="checkbox"/> B) An undeclared shipment with no release </div> </div>			
2. Indicate whether this is: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input checked="" type="checkbox"/> An initial report </div> <div> <input type="checkbox"/> A supplemental (follow-up) report </div> <div> <input type="checkbox"/> Additional Pages </div> </div>			
PART II - GENERAL INCIDENT INFORMATION			
3. Date of Incident: <u>10/15/2013</u> 4. Time of Incident (use 24-hour time): <u>11:15</u>			
5. Enter National Response Center Report Number (if applicable): <u>N/A</u>			
6. If you submitted a report to another Federal DOT agency, enter the agency and report number: <u>N/A</u>			
7. Location of Incident: City: <u>Minneapolis</u> County: <u>Hennepin</u> State: <u>MN</u> ZIP Code (if known): <u>55421</u> Street Address/Mile Marker/Yardname/Airport/Body of Water/River Mile <u>4059 East River Road (BNSF Minneapolis/Northtown Railyard)</u>			
8. Mode of Transportation <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input type="checkbox"/> Air </div> <div> <input type="checkbox"/> Highway </div> <div> <input checked="" type="checkbox"/> Rail </div> <div> <input type="checkbox"/> Water </div> </div>			
9. Transportation Phase <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input checked="" type="checkbox"/> In Transit </div> <div> <input type="checkbox"/> Loading </div> <div> <input type="checkbox"/> Unloading </div> <div> <input type="checkbox"/> In Transit Storage </div> </div>			
10. Carrier/Reporter <div style="margin-top: 5px;"> Name <u>BNSF Railway Company</u> Street <u>2600 Lou Menk Drive</u> City <u>Fort Worth</u> State <u>TX</u> ZIP Code <u>76131-2830</u> Federal DOT ID Number <u>281683</u> Hazmat Registration Number <u>062712 002 010UW</u> </div>			
11. Shipper/Offendor <div style="margin-top: 5px;"> Name <u>Occidental Energy Marketing Inc. by North Star Gas Ltd. Co.</u> Street <u>5 East Greenway Plaza</u> City <u>Houston</u> State <u>TX</u> ZIP Code <u>77046</u> Waybill/Shipping Paper <u>BNSF 832082</u> Hazmat Registration Number <u>Unavailable</u> </div>			
12. Origin (if different from shipper address) <div style="margin-top: 5px;"> Street <u>N/A</u> City <u>Levelland</u> State <u>TX</u> ZIP Code <u>79336</u> </div>			
13. Destination <div style="margin-top: 5px;"> Street <u>12011-125th Street</u> City <u>Scotford</u> State <u>AB</u> ZIP Code <u>T8L 4G2</u> </div>			
14. Proper Shipping Name of Hazardous Material: <u>HYDROCARBONS, LIQUID, N.O.S.</u>			
15. Technical/Trade Name: <u>NATURAL GASOLINE</u>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;"> 16. Hazardous Class/ Division: <u>3</u> </div> <div style="width: 20%;"> 17. Identification Number: <u>UN3295</u> (E.g. UN2764, NA 2020) </div> <div style="width: 20%;"> 18. Packing Group: <u>I</u> (If applicable) </div> <div style="width: 20%;"> 19. Quantity <u>1</u> Released: <u>Gas - Pound</u> (Include Measurement Units) </div> </div>			
20. Was the material shipped as a hazardous waste? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the EPA Manifest Number: <u>N/A</u>			
21. Is this a Toxic by Inhalation (TIH) material? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the Hazard Zone: <u>N/A</u>			
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the Exemption, Approval, or CA number: <u>N/A</u>			
23. Was this an undeclared hazardous materials shipment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<div style="display: flex; justify-content: space-between;"> Form DOT F 5800.1 (01-2004) Page 1 Reproduction of this form is permitted </div>			

24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type:

25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI.

26a. Provide the packaging identification markings, if available.

(Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)

Single Package or Inner Packaging (if any):

Packaging Type: N/A

Material of Construction: N/A

27. Describe the package capacity and the quantity:

Single Package or Inner Packaging (if any):

Package Capacity: N/A

Amount in Package: N/A

Number In Shipment: _____

Number Failed: _____

28. Provide packaging construction and test information, as appropriate:

Manufacture Date: 09/18/2012

Last Test Date: 09/18/2012

Service Pressure: N/A (If Cylinder)

Type: N/A Manufacturer: N/A Model: N/A
(if present and legible) (if present and legible)

29. If the packaging is for Radioactive Materials, complete the following:

Activity: N/A Critical Safety Index: N/A

PART IV - CONSEQUENCES

30. Result of Incident (check all that apply): ☐ Spillage ☐ Fire ☐ Explosion ☐ Material Entered Waterway/Storm Sewer
☒ Vapor (Gas) Dispersion ☐ Environmental Damage ☐ No Release

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

☐ Fire/EMS Report # N/A ☐ Police Report # N/A ☐ In-house cleanup ☐ Other Cleanup

32. Damages: Was the total damage cost more than \$500? ☐ Yes ☒ No

If yes, enter the following information: If no, go to question 33.

Material Loss:	Carrier Damage:	Property Damage:	Response Cost:	Remediation/Cleanup Cost:
\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>100</u>	\$ <u>0</u>

(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? ☐ Yes ☒ No

If yes, enter the number of fatalities resulting from the hazardous material:

Fatalities: Employees N/A Responders N/A General Public N/A

33b. Were there human fatalities that did not result from the hazardous material? ☐ Yes ☒ No If yes, how many? N/A

34. Did the hazardous material cause or contribute to personal injury? ☐ Yes ☒ No

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only): Employees N/A Responders N/A General Public N/A

Non-Hospitalized: Employees N/A Responders N/A General Public N/A

(e.g.: On site first aid or Emergency Room observation and release)

35. Did the hazardous material cause or contribute to an evacuation? ☐ Yes ☒ No

If yes, provide the following information:

Total number of general public evacuated N/A Total number of employees evacuated N/A Total Evacuated N/A

Duration of the evacuation N/A (hours)

36. Was a major transportation artery or facility closed? ☐ Yes ☒ No If yes, how many? N/A (hours)

37. Was the material involved in a crash or derailment? ☐ Yes ☒ No

If yes, provide the following information: Estimated speed (mph): N/A Weather conditions: N/A

Vehicle overturn? ☐ Yes ☒ No

Vehicle left roadway/track? ☐ Yes ☒ No

PART V - AIR INCIDENT INFORMATION (please refer to § 175.31 to report a discrepancy for air shipments)

38. Was the shipment on a passenger aircraft? ☐ Yes ☒ No

If yes, was it tendered as cargo, or as passenger baggage?

☐ Cargo ☐ Passenger baggage

39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?

☐ Air carrier cargo facility ☐ Sort center ☐ Baggage area
☐ By surface to/from airport ☐ During flight ☐ During loading/unloading of aircraft

40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply)

☐ Shipment had not been transported ☐ Transported by air (first flight) ☐ Transport by air (subsequent flights)
☐ Initial transport by highway to cargo facility ☐ Transfer at sort center/cargo facility

PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE

Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary.

Tank car PROX 45665 was reported emanating a 'gasoline' type odor in the railyard. Inspection of PROX 45665 by a BNSF mechanical/hazardous material responder revealed all valves appeared closed and no liquid commodity release was observed. The vapor valve's closure plug was found not properly applied. This closure plug was resting atop the vapor valve's closure orifice with no plug threads threaded. The responder properly applied the vapor valve's closure plug and tool tightened this plug into its threaded closure orifice. Afterwards, the commodity odor dissipated and became non-detectable. Intact shipper seal numbered 0000050 at the valve housing cover was replaced by seal BNSF HAZMAT 001777.


PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE

Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary.

Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.

PART VIII- CONTACT INFORMATION

Contact's Name (Type or Print): <u>Richard McMahon</u>	Telephone Number: <u>() (817) 740-7355</u>
Contact's Title: <u>Manager Hazardous Materials Risk Management</u>	Fax Number: <u>() (817) 740-7250</u>
Business Name and Address: <u>BNSF Railway Company</u>	Hazmat Registration Number (if not already provided):
<u>4200 Deen Road, Fort Worth, TX 76106</u>	<u>062712 002 010UW</u>
E-mail Address: <u>rlch.mcmahon@bnsf.com</u>	Date: <u>10/22/2013</u>
Preparer is: <input checked="" type="checkbox"/> Carrier <input type="checkbox"/> Shipper <input type="checkbox"/> Facility <input type="checkbox"/> Other _____	

	Hazardous Materials Incident Report	Form Approval OMB No. 2137-0039
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.		
INSTRUCTIONS: Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at http://hazmat.dot.gov . If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at http://hazmat.dot.gov .		
PART I - REPORT TYPE		
1. This is to report: <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> A) A hazardous material incident <input type="checkbox"/> C) A specification cargo tank 1,000 gallons or greater containing any hazardous materials that (1) received structural damage to the lading retention system or damage that requires repair to a system intended to protect the lading retention system and (2) did not have a release. </div> <div> <input type="checkbox"/> B) An undeclared shipment with no release </div> </div>		
2. Indicate whether this is: <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> An initial report </div> <div> <input type="checkbox"/> A supplemental (follow-up) report </div> <div> <input type="checkbox"/> Additional Pages </div> </div>		
PART II - GENERAL INCIDENT INFORMATION		
3. Date of Incident: <u>09/19/2014</u> 4. Time of Incident (use 24-hour time): <u>17:00</u>		
5. Enter National Response Center Report Number (if applicable): <u>N/A</u>		
6. If you submitted a report to another Federal DOT agency, enter the agency and report number: <u>N/A</u>		
7. Location of Incident: City: <u>Dilworth</u> County: <u>Clay</u> State: <u>MN</u> ZIP Code (if known): <u>56529</u> Street Address/Mile Marker/Yardname/Airport/Body of Water/River Mile <u>511 2nd Avenue SE (BNSF Dilworth Railway)</u>		
8. Mode of Transportation <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Air </div> <div> <input type="checkbox"/> Highway </div> <div> <input checked="" type="checkbox"/> Rail </div> <div> <input type="checkbox"/> Water </div> </div>		
9. Transportation Phase <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> In Transit </div> <div> <input type="checkbox"/> Loading </div> <div> <input type="checkbox"/> Unloading </div> <div> <input type="checkbox"/> In Transit Storage </div> </div>		
10. Carrier/Reporter <div style="display: flex; justify-content: space-between;"> <div> Name <u>BNSF Railway Company</u> Street <u>2600 Lou Menk Drive</u> City <u>Fort Worth</u> State <u>TX</u> ZIP Code <u>76131-2830</u> Federal DOT ID Number <u>281683</u> Hazmat Registration Number <u>062712 002 010UW</u> </div> </div>		
11. Shipper/Offendor <div style="display: flex; justify-content: space-between;"> <div> Name <u>Occidental Energy Marketing by Titan Transloading LLC</u> Street <u>565 Gusher Road</u> City <u>Levelland</u> State <u>TX</u> ZIP Code <u>79336</u> Waybill/Shipping Paper <u>BNSF 829907</u> Hazmat Registration Number <u>N/A</u> </div> </div>		
12. Origin (if different from shipper address) <div style="display: flex; justify-content: space-between;"> <div> Street <u>Same as shipper</u> City _____ State _____ ZIP Code _____ </div> </div>		
13. Destination <div style="display: flex; justify-content: space-between;"> <div> Street <u>205 5th Avenue S.W.</u> City <u>Calgary</u> State <u>AB</u> ZIP Code <u>T2P 2V7</u> </div> </div>		
14. Proper Shipping Name of Hazardous Material: <u>HYDROCARBONS, LIQUID, N.O.S.</u>		
15. Technical/Trade Name: <u>N/A</u>		
<div style="display: flex; justify-content: space-between;"> <div> 16. Hazardous Class/Division: <u>3</u> </div> <div> 17. Identification Number: <u>UN3295</u> (E.g. UN2764, NA 2020) </div> <div> 18. Packing Group: <u>I</u> (if applicable) </div> <div> 19. Quantity <u>1</u> Released: <u>Gas - Pound</u> (Include Measurement Units) </div> </div>		
20. Was the material shipped as a hazardous waste? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the EPA Manifest Number: <u>N/A</u>		
21. Is this a Toxic by Inhalation (TIH) material? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the Hazard Zone: <u>N/A</u>		
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the Exemption, Approval, or CA number: <u>N/A</u>		
23. Was this an undeclared hazardous materials shipment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<div style="display: flex; justify-content: space-between;"> <div>Form DOT F 5800.1 (01-2004)</div> <div>Page 1</div> <div>Reproduction of this form is permitted</div> </div>		

24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type:

25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI.

26a. Provide the packaging identification markings, if available.

Identification Markings: 111A100W1

(Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)

26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:

Single Package or Outer Packaging:

Packaging Type: N/A

Material of Construction: N/A

Head Type (Drums only): ☐ Removable ☐ Non - Removable

Single Package or Inner Packaging (if any):

Packaging Type: N/A

Material of Construction: N/A

27. Describe the package capacity and the quantity:

Single Package or Outer Packaging:

Package Capacity: 30330 Liquid - Gallon

Amount in Package: 27242 Liquid - Gallon

Number in Shipment: 1

Number Failed: 1

Single Package or Inner Packaging (if any):

Package Capacity: N/A

Amount in Package: N/A

Number in Shipment: _____

Number Failed: _____

28. Provide packaging construction and test information, as appropriate:

Manufacturer: UTLZBG

Serial Number: PROX44085

Material of Construction: AAR TC-128, Gr. B (If Tank Car, CTMV, Portable Tank, or Cylinder)

Design Pressure: 100 (If Tank Car, CTMV, Portable Tank)

Shell Thickness: 0.4375 (If Tank Car, CTMV, Portable Tank)

Head Thickness: 0.4688 (If Tank Car, CTMV)

Service Pressure: N/A (If Cylinder)

If valve or device failed:

Type: N/A Manufacturer: N/A Model: N/A

(if present and legible)

(if present and legible)

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category: ☐ Type A ☐ Type B ☐ Type C ☐ Excepted ☐ Industrial

Packaging Certification: ☐ Self Certified ☐ U.S. Certification Certification Number N/A

Nuclide(s) Present: N/A Transport Index: N/A

Activity: N/A Critical Safety Index: N/A

Form DOT F 5800.1 (01-2004)

Reproduction of this form is permitted

PART IV - CONSEQUENCES

30. Result of Incident (check all that apply): ☐ Spillage ☐ Fire ☐ Explosion ☐ Material Entered Waterway/Storm Sewer
☒ Vapor (Gas) Dispersion ☐ Environmental Damage ☐ No Release

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

☐ Fire/EMS Report # N/A ☐ Police Report # N/A ☐ In-house cleanup ☐ Other Cleanup

32. Damages: Was the total damage cost more than \$500? ☒ Yes ☐ No

If yes, enter the following information: If no, go to question 33.

Material Loss:	Carrier Damage:	Property Damage:	Response Cost:	Remediation/Cleanup Cost:
\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>1,600</u>	\$ <u>0</u>

(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? ☐ Yes ☒ No

If yes, enter the number of fatalities resulting from the hazardous material:

Fatalities: Employees N/A Responders N/A General Public N/A

33b. Were there human fatalities that did not result from the hazardous material? ☐ Yes ☒ No If yes, how many? N/A

34. Did the hazardous material cause or contribute to personal injury? ☐ Yes ☒ No

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only): Employees N/A Responders N/A General Public N/A

Non-Hospitalized: Employees N/A Responders N/A General Public N/A
 (e.g.: On site first aid or Emergency Room observation and release)

35. Did the hazardous material cause or contribute to an evacuation? ☐ Yes ☒ No

If yes, provide the following information:

Total number of general public evacuated N/A Total number of employees evacuated N/A Total Evacuated N/A

Duration of the evacuation N/A (hours)

36. Was a major transportation artery or facility closed? ☐ Yes ☒ No If yes, how many? N/A (hours)

37. Was the material involved in a crash or derailment? ☐ Yes ☒ No

If yes, provide the following information: Estimated speed (mph): N/A Weather conditions: N/A

Vehicle overturn? ☐ Yes ☒ No

Vehicle left roadway/track? ☐ Yes ☒ No

PART V - AIR INCIDENT INFORMATION (please refer to § 175.31 to report a discrepancy for air shipments)

38. Was the shipment on a passenger aircraft? ☐ Yes ☒ No

If yes, was it tendered as cargo, or as passenger baggage?

☐ Cargo ☐ Passenger baggage

39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?

<input type="checkbox"/> Air carrier cargo facility	<input type="checkbox"/> Sort center	<input type="checkbox"/> Baggage area
<input type="checkbox"/> By surface to/from airport	<input type="checkbox"/> During flight	<input type="checkbox"/> During loading/unloading of aircraft

40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply)

<input type="checkbox"/> Shipment had not been transported	<input type="checkbox"/> Transported by air (first flight)	<input type="checkbox"/> Transport by air (subsequent flights)
<input type="checkbox"/> Initial transport by highway to cargo facility	<input type="checkbox"/> Transfer at sort center/cargo facility	

PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE

Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary.

Entrained tank car PROX 44085 was reported emanating a commodity odor prior to its train departure from the railyard. BNSF and contract responders inspecting PROX 44085 reported finding the applied manway nozzle gasket deteriorated and partially torn; thusly not providing a good seal. A new manway nozzle gasket was installed and the manway cover was re-secured which ended the commodity odor/vapor release. No liquid commodity release was observed, but a very small dried residue stain near the manway nozzle was wiped. All other valves and fittings were inspected and found secure. Intact shipper seals removed were replaced by Wenck seal 2586 at the manway closure and Wenck seal 2585 at the protective housing cover. Response was concluded by 2115 hrs. CDT, 9/19/2014.

PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE

Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary.

Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.

PART VIII- CONTACT INFORMATION

Contact's Name (Type or Print): <u>Richard McMahon</u>	Telephone Number: (<u> </u>) (817) 740-7355
Contact's Title: <u>Manager Hazardous Materials Risk Management</u>	Fax Number: (<u> </u>) (817) 740-7250
Business Name and Address: <u>BNSF Railway Company</u>	Hazmat Registration Number (if not already provided):
<u>4200 Deen Road, Fort Worth, TX 76106</u>	<u>062712 002 010UW</u>
E-mail Address: <u>rich.mcmahon@bnsf.com</u>	Date: <u>10/13/2014</u>
Preparer is: <input checked="" type="checkbox"/> Carrier <input type="checkbox"/> Shipper <input type="checkbox"/> Facility <input type="checkbox"/> Other <u> </u>	

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT
Case Type: PERSONAL INJURY-FELA

Scott Kowalewski,

Case No.: 27-cv-17-145

Plaintiff,

Judge: Amy Dawson

vs.

AFFIDAVIT OF DERRICK JOHNSONBNSF Railway Company, a
Delaware corporation,

Defendant.

STATE OF TEXAS)
) ss.
COUNTY OF DENTON)

1. I am Vice-President, Operations for Industrial Hygiene and Safety Technology, Inc., headquartered in Carrollton, Texas.

2. I and my company are the developers of the software referred to as "Hazardous Materials Release Reporter" that all the Class I railroads, including BNSF Railway Company ("BNSF"), used from early-2007 to mid-2017 to electronically transmit Hazardous Materials Incident Report (DOT 5800.1) data to the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration ("DOT").

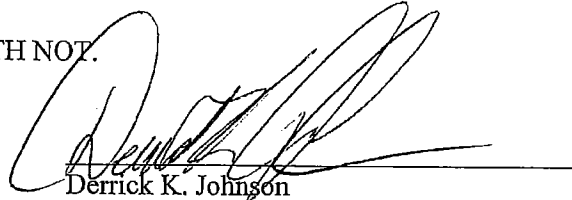
3. When using Hazardous Materials Release Reporter, the railroads provide information for the DOT 5800.1 through a series of web pages, and when they are finished, they execute a command to submit that information to the DOT. The software converts it to an XML electronic submission and transmits data for the fields required by the DOT. A copy of each XML transmission is retained in my company's DOT transmission logs. A copy of the DOT 5800.1 the railroad filled out can be printed by the railroad.



4. Attached hereto as Exhibit A are copies of the XML submissions made to the DOT for BNSF reports X-2015060222 (5/25/15), X-2015060278 (5/26/15), X-2013100289 (10/15/13) and X-2014100201 (9/19/14).

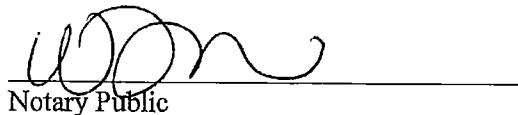
5. "Technical/trade name" is not a field required by the FRA XML protocol, and as such, the Hazardous Materials Release Reporter does not transmit any technical/trade name information to the DOT as part of the XML transmission. None of the XML submissions in Exhibit A include a "technical/trade name."

FURTHER YOUR AFFIANT SAYETH NOT.



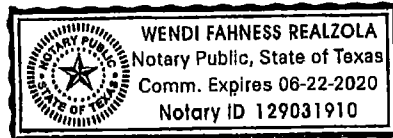
Derrick K. Johnson

Subscribed and sworn to before me
this 5 day of February, 2018



Notary Public

00566780.docx



20150619230002_2015052501.txt

```

<?xml version="1.0"?>
<IncidentReport xmlns="http://hazmat.dot.gov/enforce/spills/spills.htm"
xmlns:xs="http://www.w3.org/2001/XMLSchema">
<ReportType>
<A-ReleaseIncident/>
<InitialReport>
<CustomerTrackingNumber>2015052501</CustomerTrackingNumber>
<RespondToEmailAddress>dotresponse@occumetrics.com</RespondToEmailAddress>
</InitialReport>
</ReportType>
<GeneralIncidentInformation>
<DateOfIncident>2015-05-25</DateOfIncident>
<TimeOfIncident>14:00:00</TimeOfIncident><LocationOfIncident>
<US_Location>
<City>Tulsa</City>
<County>Tulsa</County>
<State>OK - Oklahoma</State>
<PostalCode>74107</PostalCode>
</US_Location>
</LocationOfIncident>
<ModeOfTransportation>Rail</ModeOfTransportation>
<TransportationPhase>In Transit</TransportationPhase>
<Carrier-Reporter>
<Name>BNSF Railway Company</Name>
<Address>
<US_Address>
<Street>2600 Lou Menk Drive</Street>
<City>Fort Worth</City>
<State>TX - Texas</State>
<PostalCode>76131-2830</PostalCode>
</US_Address>
</Address>
<FederalDOTIdNumber>281683</FederalDOTIdNumber>
<HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
</Carrier-Reporter>
<Shipper-Offendor>
<Name>Occidental Energy Marketing by Titan Transloading LLC</Name>
<Address>
<US_Address>
<Street>565 Gusher Road</Street>
<City>Levelland</City>
<State>TX - Texas</State>
<PostalCode>79336</PostalCode>
</US_Address>
</Address>
<Waybill-ShippingPaper>BNSF477387</Waybill-ShippingPaper>
<HazmatRegistrationNumber>N/A</HazmatRegistrationNumber>
<Origin>
<US_Address>
<Street>565 Gusher Road</Street>
<City>Levelland</City>
<State>TX - Texas</State>
<PostalCode>79336</PostalCode>
</US_Address>
</Origin>
<HazardousMaterial>
<ShippingName>HYDROCARBONS, LIQUID, N.O.S.</ShippingName>
<HazardousClass-Division>30</HazardousClass-Division>
<IdentificationNumber>UN3295</IdentificationNumber>
<PackingGroup>I</PackingGroup>
<QuantityReleased>
<Quantity>1</Quantity>
<MeasurementUnit>Gas - Pound</MeasurementUnit>

```

EXHIBIT A

Aff'd Derrick Johnson

20150619230002_2015052501.txt

```

</QuantityReleased>
<HazardousWaste_No/>
<ToxicByInhalation_No/>
<Exemption-Approval-CACertificate_No/>
<UndeclaredShipment_No/>
<Packaging>
<Destination>
<US_Address>
<Street>11700 Old Highway 48</Street>
<City>Brownsville</City>
<State>TX - Texas</State>
<PostalCode>78521</PostalCode>
</US_Address>
</Destination>
<PackagingInformation>
<TankCar>
<IdentificationMarkings>111A100W1</IdentificationMarkings>
<PackageCapacityAndQuantity>
<PackageCapacity>
<Quantity>31808</Quantity>
<MeasurementUnit>Liquid - Gallon</MeasurementUnit>
</PackageCapacity>
<AmountOfMaterialInPackage>
<Quantity>29636</Quantity>
<MeasurementUnit>Liquid - Gallon</MeasurementUnit>
</AmountOfMaterialInPackage>
<NumberOfPackagesInShipment>1</NumberOfPackagesInShipment>
<NumberOfPackagesThatFailed>1</NumberOfPackagesThatFailed>
</PackageCapacityAndQuantity>
<PackagingConstructionAndTestInformation>
<Manufacturer>TRINITY</Manufacturer>
<ManufactureDate>2013-11-21</ManufactureDate>
<SerialNumber>HSRX3235</SerialNumber>
<LastTestDate>2013-11-21</LastTestDate>
<MaterialOfConstruction>carbon steel</MaterialOfConstruction>
<DesignPressure>
<Quantity>100</Quantity>
<MeasurementUnit>psi</MeasurementUnit>
</DesignPressure>
</PackagingConstructionAndTestInformation>
</TankCar><Failure>
<WhatFailed>137 - Manway or Dome Cover</WhatFailed>
<HowFailed>308 - Leaked</HowFailed>
<CausesOfFailure>515 - Human Error</CausesOfFailure>
</Failure>
</PackagingInformation>
</Packaging>
</HazardousMaterial>
</Shipper-Officer>
</GeneralIncidentInformation>
<Consequences>
<ResultsOfIncident>
<Result>Vapor (Gas) Dispersion</Result>
</ResultsOfIncident>
<Damages_No/>
<HumanFatalities>
<FatalitiesFromHazardousMaterial_No/>
<FatalitiesNotFromHazardousMaterial_No/>
</HumanFatalities>
<PersonalInjuries_No/>
<Evacuation_No/>
<TransportationArteryClosed_No/>
<MaterialInvolvedInCrash_No/>

```

20150619230002_2015052501.txt

</Consequences>
<DescriptionOfEventsAndPackageFailure>
<Description>car was discovered leaking in the Tulsa Yard during operations. The manway bolts were tightened and the leak was stopped. </Description>
</DescriptionOfEventsAndPackageFailure>
<RecommendationsTakenToPreventRecurrence>additional training and improving operational procedures</RecommendationsTakenToPreventRecurrence>
<ContactInformation>
<ContactsName>Clay Reid</ContactsName>
<ContactsTitle>Assistant Director Hazardous Materials</ContactsTitle>
<BusinessName>BNSF Railway Company</BusinessName>
<BusinessAddress>
<US_Address>
<Street>4200 Deen Road</Street>
<City>Fort Worth</City>
<State>TX - Texas</State>
<PostalCode>76106</PostalCode>
</US_Address>
</BusinessAddress>
<EmailAddress>clay.reid@bnsf.com</EmailAddress>
<PhoneNumber>(817) 740-7226</PhoneNumber>
<FaxNumber>(817) 740-7250</FaxNumber>
<HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
<Preparer>Carrier</Preparer>
</ContactInformation>
</IncidentReport>

20150623010107_2015052601.txt

```
<?xml version="1.0"?>
<IncidentReport xmlns="http://hazmat.dot.gov/enforce/spills/spills.htm"
xmlns:xs="http://www.w3.org/2001/XMLSchema">
  <ReportType>
    <A-ReleaseIncident/>
    <InitialReport>
      <CustomerTrackingNumber>2015052601</CustomerTrackingNumber>
      <RespondToEmailAddress>dotresponse@occumetrics.com</RespondToEmailAddress>
    </InitialReport>
  </ReportType>
  <GeneralIncidentInformation>
    <DateOfIncident>2015-05-26</DateOfIncident>
    <TimeOfIncident>17:00:00</TimeOfIncident><LocationOfIncident>
      <US_Location>
        <City>Ravia</City>
        <County>Johnston</County>
        <State>OK - Oklahoma</State>
        <PostalCode>73455</PostalCode>
      </US_Location>
    </LocationOfIncident>
    <ModeOfTransportation>Rail</ModeOfTransportation>
    <TransportationPhase>In Transit</TransportationPhase>
    <Carrier-Reporter>
      <Name>BNSF Railway Company</Name>
      <Address>
        <US_Address>
          <Street>2600 Lou Menk Drive</Street>
          <City>Fort Worth</City>
          <State>TX - Texas</State>
          <PostalCode>76131-2830</PostalCode>
        </US_Address>
      </Address>
      <FederalDOTIdNumber>281683</FederalDOTIdNumber>
      <HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
    </Carrier-Reporter>
    <Shipper-Offendor>
      <Name>Occidental Energy Marketing by Titan Transloading LLC</Name>
      <Address>
        <US_Address>
          <Street>565 Gusher Road</Street>
          <City>Levelland</City>
          <State>TX - Texas</State>
          <PostalCode>79336</PostalCode>
        </US_Address>
      </Address>
      <waybill-ShippingPaper>BNSF258732</waybill-ShippingPaper>
      <HazmatRegistrationNumber>N/A</HazmatRegistrationNumber>
      <Origin>
        <US_Address>
          <Street>565 Gusher Road</Street>
          <City>Levelland</City>
          <State>TX - Texas</State>
          <PostalCode>79336</PostalCode>
        </US_Address>
      </Origin>
      <HazardousMaterial>
        <ShippingName>HYDROCARBONS, LIQUID, N.O.S.</ShippingName>
        <HazardousClass-Division>30</HazardousClass-Division>
        <IdentificationNumber>UN3295</IdentificationNumber>
        <PackingGroup>I</PackingGroup>
        <QuantityReleased>
          <Quantity>1</Quantity>
          <MeasurementUnit>Gas - Pound</MeasurementUnit>
        </QuantityReleased>
      </HazardousMaterial>
    </Shipper-Offendor>
  </GeneralIncidentInformation>
</IncidentReport>
```

20150623010107_2015052601.txt

```

</QuantityReleased>
<HazardousWaste_No/>
<ToxicByInhalation_No/>
<Exemption-Approval-CACertificate_No/>
<UndeclaredShipment_No/>
<Packaging>
<Destination>
<US_Address>
<Street>11700 Old Highway 48</Street>
<City>Brownsville</City>
<State>TX - Texas</State>
<PostalCode>78521</PostalCode>
</US_Address>
</Destination>
<PackagingInformation>
<TankCar>
<IdentificationMarkings>111A100W1</IdentificationMarkings>
<PackageCapacityAndQuantity>
<PackageCapacity>
<Quantity>31808</Quantity>
<MeasurementUnit>Liquid - Gallon</MeasurementUnit>
</PackageCapacity>
<AmountOfMaterialInPackage>
<Quantity>28985</Quantity>
<MeasurementUnit>Liquid - Gallon</MeasurementUnit>
</AmountOfMaterialInPackage>
<NumberOfPackagesInShipment>1</NumberOfPackagesInShipment>
<NumberOfPackagesThatFailed>1</NumberOfPackagesThatFailed>
</PackageCapacityAndQuantity>
<PackagingConstructionAndTestInformation>
<Manufacturer>TRINITY</Manufacturer>
<ManufactureDate>2013-11-21</ManufactureDate>
<SerialNumber>HSRX3321</SerialNumber>
<LastTestDate>2013-11-21</LastTestDate>
<MaterialOfConstruction>carbon steel</MaterialOfConstruction>
<DesignPressure>
<Quantity>100</Quantity>
<MeasurementUnit>psi</MeasurementUnit>
</DesignPressure>
</PackagingConstructionAndTestInformation>
</TankCar>
<Failure>
<WhatFailed>137 - Manway or Dome Cover</WhatFailed>
<HowFailed>313 - Vented</HowFailed>
<CausesOfFailure>526 - Loose Closure, Component, or Device</CausesOfFailure>
</Failure>
</PackagingInformation>
</Packaging>
</HazardousMaterial>
</Shipper-Officer>
</GeneralIncidentInformation>
<Consequences>
<ResultsOfIncident>
<Result>Vapor (Gas) Dispersion</Result>
</ResultsOfIncident>
<DamagesMoreThan500_Yes>
<MaterialLoss>$0</MaterialLoss>
<CarrierDamage>$0</CarrierDamage>
<PropertyDamage>$0</PropertyDamage>
<ResponseCost>$2945</ResponseCost>
<Remediation-CleanupCost>$0</Remediation-CleanupCost>
<TotalCost>$2945</TotalCost>
</DamagesMoreThan500_Yes>
<HumanFatalities>

```


20150623010107_2015052601.txt

```

<FatalitiesFromHazardousMaterial_No/>
<FatalitiesNotFromHazardousMaterial_No/>
</HumanFatalities>
<PersonalInjuries_No/>
<Evacuation_Yes>
<GeneralPublicEvacuated>33</GeneralPublicEvacuated>
<EmployeesEvacuated>0</EmployeesEvacuated>
<TotalEvacuated>33</TotalEvacuated>
<DurationOfEvacuation>5 hours</DurationOfEvacuation>
</Evacuation_Yes>
<TransportationArteryClosed_No/>
<MaterialInvolvedInCrash_No/>
</Consequences>
<DescriptionOfEventsAndPackageFailure>
<Description>The security seal (TILX865903) was wedged in between the manway cover
and the manway nozzle thus preventing a seal and allowing vapors to escape. The
manway cover bolts were loosened, the manway cover was opened, the "tail" of the
seal was removed, the manway cover was closed and the nuts tightened. This sealed
the car. Once repair work commenced it required 15 minuets to mitigate the
release.</Description>
<Attachments><Attachment>
    <Description>Report and pictures</Description>
    <MimeType>application/pdf</MimeType>
    <Base64Data>Jl8N6ld6NqN3I8Snek
    </Base64Data>
</Attachment>
</Attachments></DescriptionOfEventsAndPackageFailure>
<RecommendationsTakenToPreventRecurrence>additional training and improving operating
procedures</RecommendationsTakenToPreventRecurrence>
<ContactInformation>
<ContactsName>Clay Reid</ContactsName>
<ContactsTitle>Assistant Director Hazardous Materials</ContactsTitle>
<BusinessName>BNSF Railway Company</BusinessName>
<BusinessAddress>
<US_Address>
<Street>4200 Deen Road</Street>
<City>Fort Worth</City>
<State>TX - Texas</State>
<PostalCode>76106</PostalCode>
</US_Address>
</BusinessAddress>
<EmailAddress>clay.reid@bnsf.com</EmailAddress>
<PhoneNumber>(817) 740-7226</PhoneNumber>
<FaxNumber>(817) 740-7250</FaxNumber>
<HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
<Preparer>Carrier</Preparer>
</ContactInformation>
</IncidentReport>

```

20131022140006_2013101501.txt

```

<?xml version="1.0"?>
<IncidentReport xmlns="http://hazmat.dot.gov/enforce/spills/spills.htm"
xmlns:xs="http://www.w3.org/2001/XMLSchema">
  <ReportType>
    <A-ReleaseIncident/>
    <InitialReport>
      <CustomerTrackingNumber>2013101501</CustomerTrackingNumber>
      <RespondToEmailAddress>dotresponse@occumetrics.com</RespondToEmailAddress>
    </InitialReport>
  </ReportType>
  <GeneralIncidentInformation>
    <DateOfIncident>2013-10-15</DateOfIncident>
    <TimeOfIncident>11:15:00</TimeOfIncident><LocationOfIncident>
      <US_Location>
        <City>Minneapolis</City>
        <County>Hennepin</County>
        <State>MN - Minnesota</State>
        <PostalCode>55421</PostalCode>
      </US_Location>
    </LocationOfIncident>
    <ModeOfTransportation>Rail</ModeOfTransportation>
    <TransportationPhase>In Transit</TransportationPhase>
    <Carrier-Reporter>
      <Name>BNSF Railway Company</Name>
      <Address>
        <US_Address>
          <Street>2600 Lou Menk Drive</Street>
          <City>Fort Worth</City>
          <State>TX - Texas</State>
          <PostalCode>76131-2830</PostalCode>
        </US_Address>
      </Address>
      <FederalDOTIdNumber>281683</FederalDOTIdNumber>
      <HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
    </Carrier-Reporter>
    <Shipper-Offendor>
      <Name>Occidental Energy Marketing Inc. by North Star Gas Ltd. Co.</Name>
      <Address>
        <US_Address>
          <Street>5 East Greenway Plaza</Street>
          <City>Houston</City>
          <State>TX - Texas</State>
          <PostalCode>77046</PostalCode>
        </US_Address>
      </Address>
      <Waybill-ShippingPaper>BNSF832082</Waybill-ShippingPaper>
    </Origin>
    <US_Address>
      <Street>N/A</Street>
      <City>Levelland</City>
      <State>TX - Texas</State>
      <PostalCode>79336</PostalCode>
    </US_Address>
  </Origin>
  <HazardousMaterial>
    <ShippingName>HYDROCARBONS, LIQUID, N.O.S.</ShippingName>
    <HazardousClass-Division>30</HazardousClass-Division>
    <IdentificationNumber>UN3295</IdentificationNumber>
    <PackingGroup>I</PackingGroup>
    <QuantityReleased>
      <Quantity>1</Quantity>
      <MeasurementUnit>Gas - Pound</MeasurementUnit>
    </QuantityReleased>
  </HazardousMaterial>
</IncidentReport>

```

20131022140006_2013101501.txt

```

<HazardousWaste_No/>
<ToxicByInhalation_No/>
<Exemption-Approval-CACertificate_No/>
<UndeclaredShipment_No/>
<Packaging>
<Destination>
<NonUS_Address>
<Street>12011-125th Street</Street>
<City>Scotford</City>
<State>AB - Alberta</State>
<PostalCode>T8L 4G2</PostalCode>
<Country>CAN</Country>
</NonUS_Address>
</Destination>
<PackagingInformation>
<TankCar>
<IdentificationMarkings>111S100W1</IdentificationMarkings>
<PackageCapacityAndQuantity>
<PackageCapacity>
<Quantity>212200</Quantity>
<MeasurementUnit>Liquid - Pound</MeasurementUnit>
</PackageCapacity>
<AmountOfMaterialInPackage>
<Quantity>157053</Quantity>
<MeasurementUnit>Liquid - Pound</MeasurementUnit>
</AmountOfMaterialInPackage>
<NumberOfPackagesInShipment>1</NumberOfPackagesInShipment>
<NumberOfPackagesThatFailed>1</NumberOfPackagesThatFailed>
</PackageCapacityAndQuantity>
<PackagingConstructionAndTestInformation>
<Manufacturer>UTLA</Manufacturer>
<ManufactureDate>2012-09-18</ManufactureDate>
<SerialNumber>PROX45665</SerialNumber>
<LastTestDate>2012-09-18</LastTestDate>
<MaterialOfConstruction>CARBON STEEL</MaterialOfConstruction>
<DesignPressure>
<Quantity>100</Quantity>
<MeasurementUnit>psi</MeasurementUnit>
</DesignPressure>
</PackagingConstructionAndTestInformation>
</TankCar><Failure>
<WhatFailed>158 - Vapor Valve</WhatFailed>
<HowFailed>308 - Leaked</HowFailed>
<CausesOfFailure>528 - Missing Component or Device</CausesOfFailure>
</Failure>
<Failure>
<WhatFailed>109 - Closure (e.g., Cap, Top, or Plug)</WhatFailed>
<HowFailed>306 - Failed to Operate</HowFailed>
<CausesOfFailure>528 - Missing Component or Device</CausesOfFailure>
</Failure>
</PackagingInformation>
</Packaging>
</HazardousMaterial>
</Shipper-Officer>
</GeneralIncidentInformation>
<Consequences>
<ResultsOfIncident>
<Result>Vapor (Gas) Dispersion</Result>
</ResultsOfIncident>
<Damages_No/>
<HumanFatalities>
<FatalitiesFromHazardousMaterial_No/>
<FatalitiesNotFromHazardousMaterial_No/>

```

20131022140006_2013101501.txt

</HumanFatalities>
<PersonalInjuries_No/>
<Evacuation_No/>
<TransportationArteryClosed_No/>
<MaterialInvolvedInCrash_No/>
</Consequences>
<DescriptionOfEventsAndPackageFailure>
<Description>Tank car PROX 45665 was reported emanating a 'gasoline' type odor in the railyard. Inspection of PROX 45665 by a BNSF mechanical/hazardous material responder revealed all valves appeared closed and no liquid commodity release was observed. The vapor valve's closure plug was found not properly applied. This closure plug was resting atop the vapor valve's closure orifice with no plug threads threaded. The responder properly applied the vapor valve's closure plug and tool tightened this plug into its threaded closure orifice. Afterwards, the commodity odor dissipated and became non-detectable. Intact shipper seal numbered 0000050 at the valve housing cover was replaced by seal BNSF HAZMAT 001777. </Description>
</DescriptionOfEventsAndPackageFailure>
<RecommendationsTakenToPreventRecurrence>Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.</RecommendationsTakenToPreventRecurrence>
<ContactInformation>
<ContactsName>Richard McMahon</ContactsName>
<ContactsTitle>Manager Hazardous Materials Risk Management</ContactsTitle>
<BusinessName>BNSF Railway Company</BusinessName>
<BusinessAddress>
<US_Address>
<Street>4200 Deen Road</Street>
<City>Fort worth</City>
<State>TX - Texas</State>
<PostalCode>76106</PostalCode>
</US_Address>
</BusinessAddress>
<EmailAddress>rich.mcmahon@bnsf.com</EmailAddress>
<PhoneNumber>(817) 740-7355</PhoneNumber>
<FaxNumber>(817) 740-7250</FaxNumber>
<HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
<Preparer>Carrier</Preparer>
</ContactInformation>
</IncidentReport>

20141013150003_2014091902.txt

```

<?xml version="1.0"?>
<IncidentReport xmlns="http://hazmat.dot.gov/enforce/spills/spills.htm"
xmlns:xs="http://www.w3.org/2001/XMLSchema">
  <ReportType>
    <A-ReleaseIncident/>
    <InitialReport>
      <CustomerTrackingNumber>2014091902</CustomerTrackingNumber>
      <RespondToEmailAddress>dotresponse@occumetrics.com</RespondToEmailAddress>
    </InitialReport>
  </ReportType>
  <GeneralIncidentInformation>
    <DateOfIncident>2014-09-19</DateOfIncident>
    <TimeOfIncident>17:00:00</TimeOfIncident>
    <LocationOfIncident>
      <US_Location>
        <City>Dilworth</City>
        <County>Clay</County>
        <State>MN - Minnesota</State>
        <PostalCode>56529</PostalCode>
      </US_Location>
    </LocationOfIncident>
    <ModeOfTransportation>Rail</ModeOfTransportation>
    <TransportationPhase>In Transit</TransportationPhase>
    <Carrier-Reporter>
      <Name>BNSF Railway Company</Name>
      <Address>
        <US_Address>
          <Street>2600 Lou Menk Drive</Street>
          <City>Fort Worth</City>
          <State>TX - Texas</State>
          <PostalCode>76131-2830</PostalCode>
        </US_Address>
      </Address>
      <FederalDOTIdNumber>281683</FederalDOTIdNumber>
      <HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
    </Carrier-Reporter>
    <Shipper-Offendor>
      <Name>Occidental Energy Marketing by Titan Transloading LLC</Name>
      <Address>
        <US_Address>
          <Street>565 Gusher Road</Street>
          <City>Levelland</City>
          <State>TX - Texas</State>
          <PostalCode>79336</PostalCode>
        </US_Address>
      </Address>
      <Waybill-ShippingPaper>BNSF829907</Waybill-ShippingPaper>
      <HazmatRegistrationNumber>N/A</HazmatRegistrationNumber>
    </Shipper-Offendor>
    <Origin>
      <US_Address>
        <Street>565 Gusher Road</Street>
        <City>Levelland</City>
        <State>TX - Texas</State>
        <PostalCode>79336</PostalCode>
      </US_Address>
    </Origin>
    <HazardousMaterial>
      <ShippingName>HYDROCARBONS, LIQUID, N.O.S.</ShippingName>
      <HazardousClass-Division>30</HazardousClass-Division>
      <IdentificationNumber>UN3295</IdentificationNumber>
      <PackingGroup>I</PackingGroup>
      <QuantityReleased>
        <Quantity>1</Quantity>
        <MeasurementUnit>Gas - Pound</MeasurementUnit>

```

20141013150003_2014091902.txt

```

</QuantityReleased>
<HazardousWaste_No/>
<ToxicByInhalation_No/>
<Exemption-Approval-CACertificate_No/>
<UndeclaredShipment_No/>
<Packaging>
<Destination>
<NonUS_Address>
<Street>205 5th Avenue S.W.</Street>
<City>Calgary</City>
<State>AB - Alberta</State>
<PostalCode>T2P 2V7</PostalCode>
<Country>CAN</Country>
</NonUS_Address>
</Destination>
<PackagingInformation>
<TankCar>
<IdentificationMarkings>111A100W1</IdentificationMarkings>
<PackageCapacityAndQuantity>
<PackageCapacity>
<Quantity>30330</Quantity>
<MeasurementUnit>Liquid - Gallon</MeasurementUnit>
</PackageCapacity>
<AmountOfMaterialInPackage>
<Quantity>27242</Quantity>
<MeasurementUnit>Liquid - Gallon</MeasurementUnit>
</AmountOfMaterialInPackage>
<NumberOfPackagesInShipment>1</NumberOfPackagesInShipment>
<NumberOfPackagesThatFailed>1</NumberOfPackagesThatFailed>
</PackageCapacityAndQuantity>
<PackagingConstructionAndTestInformation>
<Manufacturer>UTLZBG</Manufacturer>
<ManufactureDate>2006-11-01</ManufactureDate>
<SerialNumber>PROX44085</SerialNumber>
<LastTestDate>2006-11-01</LastTestDate>
<MaterialOfConstruction>AAR TC-128, Gr. B</MaterialOfConstruction>
<DesignPressure>
<Quantity>100</Quantity>
<MeasurementUnit>psi</MeasurementUnit>
</DesignPressure>
<ShellThickness>
<Quantity>0.437</Quantity>
<MeasurementUnit>inch</MeasurementUnit>
</ShellThickness>
<HeadThickness>
<Quantity>0.468</Quantity>
<MeasurementUnit>inch</MeasurementUnit>
</HeadThickness>
</PackagingConstructionAndTestInformation>
</TankCar><Failure>
<WhatFailed>137 - Manway or Dome Cover</WhatFailed>
<HowFailed>313 - Vented</HowFailed>
<CausesOfFailure>508 - Defective Component or Device</CausesOfFailure>
</Failure>
<Failure>
<WhatFailed>121 - Gasket</WhatFailed>
<HowFailed>306 - Failed to Operate</HowFailed>
<CausesOfFailure>508 - Defective Component or Device</CausesOfFailure>
</Failure>
</PackagingInformation>
</Packaging>
</HazardousMaterial>
</Shipper-Officer>

```

20141013150003_2014091902.txt

```

</GeneralIncidentInformation>
<Consequences>
<ResultsOfIncident>
<Result>Vapor (Gas) Dispersion</Result>
</ResultsOfIncident>
<DamagesMoreThan500_Yes>
<MaterialLoss>$0</MaterialLoss>
<CarrierDamage>$0</CarrierDamage>
<PropertyDamage>$0</PropertyDamage>
<ResponseCost>$1600</ResponseCost>
<Remediation-CleanupCost>$0</Remediation-CleanupCost>
<TotalCost>$1600</TotalCost>
</DamagesMoreThan500_Yes>
<HumanFatalities>
<FatalitiesFromHazardousMaterial_No/>
<FatalitiesNotFromHazardousMaterial_No/>
</HumanFatalities>
<PersonalInjuries_No/>
<Evacuation_No/>
<TransportationArteryClosed_No/>
<MaterialInvolvedInCrash_No/>
</Consequences>
<DescriptionOfEventsAndPackageFailure>
<Description>Entrained tank car PROX 44085 was reported emanating a commodity odor
prior to its train departure from the railyard. BNSF and contract responders
inspecting PROX 44085 reported finding the applied manway nozzle gasket deteriorated
and partially torn; thusly not providing a good seal. A new manway nozzle gasket was
installed and the manway cover was re-secured which ended the commodity odor/vapor
release. No liquid commodity release was observed, but a very small dried residue
stain near the manway nozzle was wiped. All other valves and fittings were
inspected and found secure. Intact shipper seals removed were replaced by Wenck seal
2586 at the manway closure and Wenck seal 2585 at the protective housing cover.
Response was concluded by 2115 hrs. CDT, 9/19/2014. </Description>
</DescriptionOfEventsAndPackageFailure>
<RecommendationsTakenToPreventRecurrence>Ensure shipper's pre-trip inspection
process is fully implemented and validated as it relates to the total securement and
mechanical fitness of all valves and
fittings.</RecommendationsTakenToPreventRecurrence>
<ContactInformation>
<ContactsName>Richard McMahon</ContactsName>
<ContactsTitle>Manager Hazardous Materials Risk Management</ContactsTitle>
<BusinessName>BNSF Railway Company</BusinessName>
<BusinessAddress>
<US_Address>
<Street>4200 Deen Road</Street>
<City>Fort Worth</City>
<State>TX - Texas</State>
<PostalCode>76106</PostalCode>
</US_Address>
</BusinessAddress>
<EmailAddress>rich.mcmahon@bnsf.com</EmailAddress>
<PhoneNumber>(817) 740-7355</PhoneNumber>
<FaxNumber>(817) 740-7250</FaxNumber>
<HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
<Preparer>Carrier</Preparer>
</ContactInformation>
</IncidentReport>

```

Subject: Hazmat Release Data
Attachments: Copy of BNSF - UN3295 (002).xls; X-2014100201.pdf; X-2015060222.pdf;
X-2015060278.pdf; X-2015060279.pdf; BNSF - UN3295 - After Fix .xlsx;
X-2013100289.pdf; X-2016030093.pdf; X-2016040061.pdf; X-2018030198.pdf

From: McKoy, Serita (PHMSA) [Serita.Mckoy@dot.gov]
Sent: Monday, April 23, 2018 3:37 PM
To: Brady, Patrick M; Braxton, Yolanda (PHMSA)
Cc: Patrick Sweeney
Subject: RE: Hazmat Release Data

Good afternoon Mr. Patrick,

This email is provided as confirmation that the data made available through the PHMSA website erroneously reported "Natural Gas Condensate" for Hazardous Material UN3295 (Hydrocarbons Liquid NOS).

Hazardous Material UN3295 does not require Technical/Trade Name as a reportable value and PHMSA's 5800.1 schema does not require the Technical/Trade Name value. The data provided by Carrier/Reporter Name "BNSF RAILWAY COMPANY" did not contain "Natural Gas Condensate" as a Technical/Trade Name value. The data provided by BNSF contained UN3295 in the Identification Number, and either blanks or "NATURAL GAS" as the Technical/Trade Name value. However, due to a software bug in our system, the data reported by BNSF was erroneously reported as "Natural Gas Condensate"

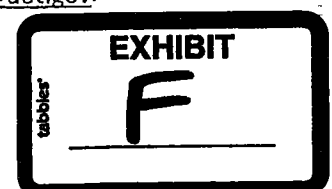
Specifically, for the bug in question, the reporting process incorrectly converted the Technical/Trade Name value to "Natural Gas Condensate" for items that were reported as blank or "NATURAL GAS" Technical/Trade Name. This is what occurred for the BNSF reports. The bug has been identified and fixed. The data in question has been corrected to reflect values as originally reported.

Please see the enclosed Excel sheets and PDFs provided as evidence.

Thanks

Serita McKoy
Data Operations Coordinator
Risk, Data & Program Management, (PHH-61)
Pipeline and Hazardous Material Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, S.E. (E23-474)
East Building, 2nd Floor
Washington, DC 20590
202-366-2033 (office)
202-494-1611 (cell)

From: Brady, Patrick M [mailto:Patrick.Brady@bnsf.com]
Sent: Thursday, February 1, 2018 9:10 AM
To: Braxton, Yolanda (PHMSA) <yolanda.braxton@dot.gov>; McKoy, Serita (PHMSA) <Serita.Mckoy@dot.gov>



Cc: Patrick Sweeney <Sweeney@slfirm.net>; Brady, Patrick M <Patrick.Brady@bnsf.com>
Subject: Hazmat Release Data

I need a little help. From 10/15/13 to 02/05/2016 BNSF submitted 6 DOT 5800.1s for hazmat releases involving the same commodity UN3295, Hydrocarbons Liquid, 3, PGI. For the 5800.1's question 15 (Technical/Trade Name) we either entered N/A or Natural Gasoline. However, reviewing the PHMSA database I see that in Column AA (Technical/Trade Name) it shows NATURAL GAS CONDENSATE. Is this something that the PHMSA database may populate and "override" what the carriers submit?

Attached is a spreadsheet of these releases that we pulled for the PHMSA database along with the 5800.1s that we submitted.

Any help in understanding this is very much appreciated.

Patrick Brady
General Director
Hazardous Materials Safety
817-352-3652 - Office
817-821-1325 - Cell

 **BNSF HAZMAT**
www.BNSFHAZMAT.COM

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.



Hazardous Materials Incident Report

U.S. Department of Transportation
Research and Special Programs
Administration

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

PART I - REPORT TYPE

1. Incident Id: **X-2013100289**
2. This is to report: **Hazardous Material Incident**

PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident: **10/15/2013**
4. Time of Incident (use 24-hour time): **11:15**
5. Enter National Response Center Report Number (if applicable):
6. If you submitted a report to another Federal DOT agency, enter the agency and report number:
7. Location of Incident:
- City: **Minneapolis**
County: **ANOKA**
State: **MN**
Zip Code: (if known): **55421**
- Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:
8. Mode of Transportation: **FRA-RAILWAY**
9. Transportation Phase: **IN TRANSIT**
10. Carrier/Reporter:
- Name: **BNSF Railway Company**
Street: **2600 Lou Menk Drive**
City: **Fort Worth**
State: **TX**
Zip Code: **76131-2830**
- Federal DOT Id Number: **281683** Hazmat Registration Number: **062712002010UW**
11. Shipper/Offeror:
- Name: **OCCIDENTAL ENERGY MARKETING, INC.**
Street: **5 East Greenway Plaza**
City: **Houston**
State: **TX**
Zip Code: **77046**
- Waybill/Shipping Paper: **BNSF832082** Hazmat Registration Number:
12. Origin (if different from shipper address)
- Street: **N/A**
City: **Levelland**
State: **TX**
Zip Code: **79336**
13. Destination:
- Street: **12011-125th Street**
City: **Scotford**
State: **ZZ**
Zip Code: **T8L 4G2**



14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.	
15. Technical/Trade Name:	
16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID	
17. Identification Number: UN3295 (E.g. UN2764, NA 2020)	
18. Packing Group: (if applicable) I	
19. Quantity Released: (Include Measurement Units) .125 Liquid - Gallon	
20. Was the material shipped as a hazardous waste? NO If yes, provide the EPA Manifest Number:	
21. Is this a Toxic by Inhalation (TIH) material? NO If yes, provide the Hazard Zone:	
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? NO If yes, provide the Exemption, Approval, or CA number:	
23. Was this an undeclared hazardous materials shipment? NO	
PART III - PACKAGING INFORMATION	
24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type: Tank Car	
25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI. <div style="margin-left: 150px;"> What Failed: 158; 109 - Vapor Valve; Closure (e.g., Cap, Top, or Plug) How Failed: 308; 306 - Leaked; Failed to Operate Causes of Failure: 528; 528 - Missing Component or Device; Missing Component or Device </div>	
26a. Provide the packaging identification markings, if available. Identification Markings: 111S100W1 (Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN311H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)	
26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Packaging Type: Material of Construction: Head Type (Drums only):	Packaging Type: Material of Construction:
27. Describe the package capacity and the quantity:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Package Capacity: 0 Amount in Package: 0 Number in Shipment: Number Failed:	Package Capacity: Amount in Package: Number in Shipment: Number Failed:
28. Provide packaging construction and test information, as appropriate: <div style="display: flex; justify-content: space-between;"> <div> Manufacturer: UTLA Serial Number: PROX45665 Material of Construction: CARBON STEEL (if Tank Car, CTMV, Portable Tank, or Cylinder) Design Pressure: 100 (if Tank Car, CTMV, Portable Tank) </div> <div> Manufacture Date: 09/18/2012 Last Test Date: 09/18/2012 </div> </div>	

Shell Thickness: (if Tank Car, CTMV, Portable Tank)

Head Thickness: (if Tank Car, CTMV)

Service Pressure: (if Cylinder)

If valve or device failed: NO

Type:

Model:

Manufacturer:

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category:

Packaging Certification:

Certification Number:

Nuclide(s) Present:

Transport Index:

Activity:

Critical Safety Index:

PART IV - CONSEQUENCES**30. Result of Incident (check all that apply):**

- Spillage: NO

- Fire: NO

- Explosion: NO

- Material Entered Waterway/Storm Sewer: NO

- Vapor (Gas) Dispersion: YES

- Environmental Damage: NO

- No Release: NO

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

Fire/EMS Report #: NO

Police Report #:

In-house cleanup:

Other Cleanup:

32. Damages Was the total damage cost more than \$500? NO

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 0

Carrier Damage: \$ 0

Property Damage: \$ 0

Response Cost: \$ 0

Remediation/Cleanup Cost: \$ 0

(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? NO

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0

Responders: 0

General Public: 0

33b. Were there human fatalities that did not result from the hazardous material? NO

If yes, how many? 0

34. Did the hazardous material cause or contribute to personal injury? NO

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only):

Employees: 0

Responders: 0

General Public: 0

Non-Hospitalized:

(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0

Responders: 0

General Public: 0

35. Did the hazardous material cause or contribute to an evacuation? NO If yes, provide the following information: Total number of general public evacuated: 0 Total number of employees evacuated: 0 Total evacuated: 0 Duration of the evacuation: 0	
36. Was a major transportation artery or facility closed? NO If yes, how many? 0	
37. Was the material involved in a crash or derailment? NO If yes, provide the following information: Estimated speed (mph): 0 Weather conditions: Vehicle overturned? NO Vehicle left roadway/track? NO	
PART V - AIR INCIDENT INFORMATION (please refer to S 175.31 to report a discrepancy for air shipments)	
38. Was the shipment on a passenger aircraft? If yes, was it tendered as cargo, or as passenger baggage?	
39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?	
40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply) <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;">- Shipment had not been transported</div> <div style="width: 50%;">- Transported by air (first flight)</div> <div style="width: 50%;">- Transport by air (subsequent flights)</div> <div style="width: 50%;">- Initial transport by highway to cargo facility</div> <div style="width: 50%;">- Transfer at sort center/cargo facility</div> </div>	
PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE	
- Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary. Describe: Tank car PROX 45665 was reported emanating a 'gasoline' type odor in the railyard. Inspection of PROX 45665 by a BNSF mechanical/hazardous material responder revealed all valves appeared closed and no liquid commodity release was observed. The vapor valve's closure plug was found not properly applied. This closure plug was resting atop the vapor valve's closure orifice with no plug threads threaded. The responder properly applied the vapor valve's closure plug and tool tightened this plug into its threaded closure orifice. Afterwards, the commodity odor dissipated and became non-detectable. Intact shipper seal numbered 0000050 at the valve housing cover was replaced by seal BNSF HAZMAT 001777.	
PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE	
- Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary. Describe: Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	
PART VIII – CONTACT INFORMATION	
Contact's Name:	RICHARD MCMAHON
Contact's Title:	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT
Business Name and Address:	BNSF RAILWAY COMPANY 4200 DEEN ROAD FORT WORTH TX 76131
E-mail Address:	RICH.MCMAHON@BNSF.COM
Telephone Number:	(817)740-7355
Fax Number:	(817)740-7250
Hazmat Registration Number:	
Date:	null
Preparer is:	Carrier



Hazardous Materials Incident Report

U.S. Department of Transportation
Research and Special Programs
Administration

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

PART I - REPORT TYPE

1. Incident Id: **X-2014100201**

2. This is to report: **Hazardous Material Incident**

PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident:
09/19/2014

4. Time of Incident (use 24-hour time):
17:00

5. Enter National Response Center Report Number
(if applicable):

6. If you submitted a report to another Federal DOT agency,
enter the agency and report number:

7. Location of Incident:

City: Dilworth
County: CLAY
State: MN
Zip Code: (if known): 56529

Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:

8. Mode of Transportation: FRA-RAILWAY

9. Transportation Phase: IN TRANSIT

10. Carrier/Reporter:

Name: BNSF Railway Company
Street: 2600 Lou Menk Drive
City: Fort Worth
State: TX
Zip Code: 76131-2830

Federal DOT Id Number: 281683

Hazmat Registration Number: 062712002010UW

11. Shipper/Officer:

Name: OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC
Street: 565 Gusher Road
City: Levelland
State: TX
Zip Code: 79336

Waybill/Shipping Paper: BNSF829907

Hazmat Registration Number: N/A

12. Origin (if different from shipper address)

Street: 565 Gusher Road
City: Levelland
State: TX
Zip Code: 79336

13. Destination:

Street: 205 5th Avenue S.W.
City: Calgary
State: ZZ
Zip Code: T2P 2V7

14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.	
15. Technical/Trade Name:	
16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID	
17. Identification Number: UN3295 (E.g. UN2764, NA 2020)	
18. Packing Group: (if applicable) I	
19. Quantity Released: (Include Measurement Units) .125 Liquid - Gallon	
20. Was the material shipped as a hazardous waste? NO If yes, provide the EPA Manifest Number:	
21. Is this a Toxic by Inhalation (TIH) material? NO If yes, provide the Hazard Zone:	
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? NO If yes, provide the Exemption, Approval, or CA number:	
23. Was this an undeclared hazardous materials shipment? NO	
PART III - PACKAGING INFORMATION	
24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type: Tank Car	
25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI. <div style="margin-left: 150px;"> What Failed: 137; 121 - Manway or Dome Cover; Gasket How Failed: 313; 306 - Vented; Failed to Operate Causes of Failure: 508; 508 - Defective Component or Device; Defective Component or Device </div>	
26a. Provide the packaging identification markings, if available. Identification Markings: 111A100W1 (Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)	
26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Packaging Type: Material of Construction: Head Type (Drums only):	Packaging Type: Material of Construction:
27. Describe the package capacity and the quantity:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Package Capacity: 0 Amount in Package: 0 Number in Shipment: Number Failed:	Package Capacity: Amount in Package: Number in Shipment: Number Failed:
28. Provide packaging construction and test information, as appropriate: <div style="display: flex; justify-content: space-between;"> <div> Manufacturer: UTLZBG Serial Number: PROX44085 Material of Construction: AAR TC-128, Gr. B (if Tank Car, CTMV, Portable Tank, or Cylinder) Design Pressure: 100 (if Tank Car, CTMV, Portable Tank) </div> <div> Manufacture Date: 11/01/2006 Last Test Date: 11/01/2006 </div> </div>	

Shell Thickness: .437 (if Tank Car, CTMV, Portable Tank)

Head Thickness: .468 (if Tank Car, CTMV)

Service Pressure: (if Cylinder)

If valve or device failed: NO

Type:

Model:

Manufacturer:

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category:

Packaging Certification:

Certification Number:

Nuclide(s) Present:

Transport Index:

Activity:

Critical Safety Index:

PART IV - CONSEQUENCES**30. Result of Incident (check all that apply):**

- Spillage: NO

- Fire: NO

- Explosion: NO

- Material Entered Waterway/Storm Sewer: NO

- Vapor (Gas) Dispersion: YES

- Environmental Damage: NO

- No Release: NO

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

Fire/EMS Report #: NO

Police Report #:

In-house cleanup:

Other Cleanup:

32. Damages Was the total damage cost more than \$500? YES

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 0

Carrier Damage: \$ 0

Property Damage: \$ 0

Response Cost: \$ 1600

Remediation/Cleanup Cost: \$ 0

(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? NO

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0

Responders: 0

General Public: 0

33b. Were there human fatalities that did not result from the hazardous material? NO

If yes, how many? 0

34. Did the hazardous material cause or contribute to personal injury? NO

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only):

Employees: 0

Responders: 0

General Public: 0

Non-Hospitalized:

(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0

Responders: 0

General Public: 0

35. Did the hazardous material cause or contribute to an evacuation? NO

If yes, provide the following information:

Total number of general public evacuated: 0

Total number of employees evacuated: 0

Total evacuated: 0

Duration of the evacuation: 0

36. Was a major transportation artery or facility closed? NO

If yes, how many? 0

37. Was the material involved in a crash or derailment? NO

If yes, provide the following information:

Estimated speed (mph): 0

Weather conditions:

Vehicle overturned? NO

Vehicle left roadway/track? NO

PART V - AIR INCIDENT INFORMATION (please refer to S 175.31 to report a discrepancy for air shipments)**38. Was the shipment on a passenger aircraft?**

If yes, was it tendered as cargo, or as passenger baggage?

39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?**40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply)**

- Shipment had not been transported

- Transported by air (first flight)

- Transport by air (subsequent flights)

- Initial transport by highway to cargo facility

- Transfer at sort center/cargo facility

PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE

- Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary.

Describe:

Entrained tank car PROX 44085 was reported emanating a commodity odor prior to its train departure from the railyard. BNSF and contract responders inspecting PROX 44085 reported finding the applied manway nozzle gasket deteriorated and partially torn; thusly not providing a good seal. A new manway nozzle gasket was installed and the manway cover was re-secured which ended the commodity odor/vapor release. No liquid commodity release was observed, but a very small dried residue stain near the manway nozzle was wiped. All other valves and fittings were inspected and found secure. Intact shipper seals removed were replaced by Wenck seal 2586 at the manway closure and Wenck seal 2585 at the protective housing cover. Response was concluded by 2115 hrs. CDT, 9/19/2014.

PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE

- Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary.

Describe:

Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.

PART VIII – CONTACT INFORMATION

Contact's Name: RICHARD MCMAHON
Contact's Title: MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT
Business Name and Address: BNSF RAILWAY COMPANY
4200 DEEN ROAD FORT WORTH TX 76131
E-mail Address: RICH.MCMAHON@BNSF.COM
Telephone Number: (817)740-7355
Fax Number: (817)740-7250
Hazmat Registration Number:
Date: null
Preparer is: Carrier



Hazardous Materials Incident Report

U.S. Department of Transportation
Research and Special Programs
Administration

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

PART I - REPORT TYPE

1. Incident Id: **X-2015060222**
2. This is to report: **Hazardous Material Incident**

PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident: **05/25/2015**
4. Time of Incident (use 24-hour time): **14:00**
5. Enter National Response Center Report Number (if applicable):
6. If you submitted a report to another Federal DOT agency, enter the agency and report number:
7. Location of Incident:
- City: **TULSA**
County: **TULSA**
State: **OK**
Zip Code: (if known): **74107**
- Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:
8. Mode of Transportation: **FRA-RAILWAY**
9. Transportation Phase: **IN TRANSIT**
10. Carrier/Reporter:
- Name: **BNSF Railway Company**
Street: **2600 Lou Menk Drive**
City: **Fort Worth**
State: **TX**
Zip Code: **76131-2830**
- Federal DOT Id Number: **281683** Hazmat Registration Number: **062712002010UW**
11. Shipper/Officer:
- Name: **OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC**
Street: **565 Gusher Road**
City: **Levelland**
State: **TX**
Zip Code: **79336**
- Waybill/Shipping Paper: **BNSF477387** Hazmat Registration Number: **N/A**
12. Origin (if different from shipper address)
- Street: **565 Gusher Road**
City: **Levelland**
State: **TX**
Zip Code: **79336**
13. Destination:
- Street: **11700 Old Highway 48**
City: **Brownsville**
State: **TX**
Zip Code: **78521**

14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.	
15. Technical/Trade Name:	
16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID	
17. Identification Number: UN3295 (E.g. UN2764, NA 2020)	
18. Packing Group: (if applicable) I	
19. Quantity Released: (Include Measurement Units) .125 Liquid - Gallon	
20. Was the material shipped as a hazardous waste? NO If yes, provide the EPA Manifest Number:	
21. Is this a Toxic by Inhalation (TIH) material? NO If yes, provide the Hazard Zone:	
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? NO If yes, provide the Exemption, Approval, or CA number:	
23. Was this an undeclared hazardous materials shipment? NO	
PART III - PACKAGING INFORMATION	
24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type: Tank Car	
25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI. What Failed: 137 - Manway or Dome Cover How Failed: 308 - Leaked Causes of Failure: 515 - Human Error	
26a. Provide the packaging identification markings, if available. Identification Markings: 111A100W1 (Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)	
26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Packaging Type: Material of Construction: Head Type (Drums only):	Packaging Type: Material of Construction:
27. Describe the package capacity and the quantity:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Package Capacity: 0 Amount in Package: 0 Number in Shipment: Number Failed:	Package Capacity: Amount in Package: Number in Shipment: Number Failed:
28. Provide packaging construction and test information, as appropriate: Manufacturer: TRINITY Serial Number: HSRX3235 Material of Construction: carbon steel (if Tank Car, CTMV, Portable Tank, or Cylinder) Design Pressure: 100 (if Tank Car, CTMV, Portable Tank) Manufacture Date: 11/21/2013 Last Test Date: 11/21/2013	

Shell Thickness: (If Tank Car, CTMV, Portable Tank)
Head Thickness: (If Tank Car, CTMV)
Service Pressure: (If Cylinder)

If valve or device failed: NO

Type:

Model:

Manufacturer:

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category:

Packaging Certification:

Certification Number:

Nuclide(s) Present:

Transport Index:

Activity:

Critical Safety Index:

PART IV - CONSEQUENCES

30. Result of Incident (check all that apply):

- Spillage: NO
- Explosion: NO
- Vapor (Gas) Dispersion: YES
- No Release: NO
- Fire: NO
- Material Entered Waterway/Storm Sewer: NO
- Environmental Damage: NO

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

Fire/EMS Report #: NO

Police Report #:

In-house cleanup:

Other Cleanup:

32. Damages Was the total damage cost more than \$500? NO

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 0
Carrier Damage: \$ 0
Property Damage: \$ 0
Response Cost: \$ 0
Remediation/Cleanup Cost: \$ 0
(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? NO

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0
Responders: 0
General Public: 0

33b. Were there human fatalities that did not result from the hazardous material? NO

If yes, how many? 0

34. Did the hazardous material cause or contribute to personal injury? NO

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only):

Employees: 0
Responders: 0
General Public: 0

Non-Hospitalized:

(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0
Responders: 0
General Public: 0

Reproduction of this form is permitted.



Hazardous Materials Incident Report

U.S. Department of Transportation
Research and Special Programs
Administration

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

PART I - REPORT TYPE

1. Incident Id: **X-2015060278**
2. This is to report: **Hazardous Material Incident**

PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident: **05/26/2015**
4. Time of Incident (use 24-hour time): **17:00**
5. Enter National Response Center Report Number (if applicable): **1117641**
6. If you submitted a report to another Federal DOT agency, enter the agency and report number:
7. Location of Incident:
- City: **Ravia**
County: **JOHNSTON**
State: **OK**
Zip Code: (if known): **73455**
- Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:
8. Mode of Transportation: **FRA-RAILWAY**
9. Transportation Phase: **IN TRANSIT**
10. Carrier/Reporter:
- Name: **BNSF Railway Company**
Street: **2600 Lou Menk Drive**
City: **Fort Worth**
State: **TX**
Zip Code: **76131-2830**
- Federal DOT Id Number: **281683** Hazmat Registration Number: **062712002010UW**
11. Shipper/Officer:
- Name: **OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC**
Street: **565 Gusher Road**
City: **Levelland**
State: **TX**
Zip Code: **79336**
- Waybill/Shipping Paper: **BNSF258732** Hazmat Registration Number: **N/A**
12. Origin (if different from shipper address)
- Street: **565 Gusher Road**
City: **Levelland**
State: **TX**
Zip Code: **79336**
13. Destination:
- Street: **11700 Old Highway 48**
City: **Brownsville**
State: **TX**
Zip Code: **78521**

14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.	
15. Technical/Trade Name:	
16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID	
17. Identification Number: UN3295 (E.g. UN2764, NA 2020)	
18. Packing Group: (if applicable) I	
19. Quantity Released: (Include Measurement Units) .125 Liquid - Gallon	
20. Was the material shipped as a hazardous waste? NO If yes, provide the EPA Manifest Number:	
21. Is this a Toxic by Inhalation (TIH) material? NO If yes, provide the Hazard Zone:	
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? NO If yes, provide the Exemption, Approval, or CA number:	
23. Was this an undeclared hazardous materials shipment? NO	
PART III - PACKAGING INFORMATION	
24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type: Tank Car	
25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI. What Failed: 137 - Manway or Dome Cover How Failed: 313 - Vented Causes of Failure: 526 - Loose Closure, Component, or Device	
26a. Provide the packaging identification markings, if available. Identification Markings: 111A100W1 (Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)	
26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Packaging Type: Material of Construction: Head Type (Drums only):	Packaging Type: Material of Construction:
27. Describe the package capacity and the quantity:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Package Capacity: 0 Amount in Package: 0 Number in Shipment: Number Failed:	Package Capacity: Amount in Package: Number in Shipment: Number Failed:
28. Provide packaging construction and test information, as appropriate: Manufacturer: TRINITY Serial Number: HSRX3321 Material of Construction: carbon steel (if Tank Car, CTMV, Portable Tank, or Cylinder) Design Pressure: 100 (if Tank Car, CTMV, Portable Tank) Manufacture Date: 11/21/2013 Last Test Date: 11/21/2013	

Shell Thickness: (if Tank Car, CTMV, Portable Tank)
 Head Thickness: (if Tank Car, CTMV)
 Service Pressure: (if Cylinder)
 If valve or device failed: NO
 Type:
 Model:
 Manufacturer:

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category:
 Packaging Certification:
 Certification Number:
 Nuclide(s) Present: Transport Index:
 Activity:
 Critical Safety Index:

PART IV - CONSEQUENCES

30. Result of Incident (check all that apply):

- Spillage: NO
- Explosion: NO
- Vapor (Gas) Dispersion: YES
- No Release: NO
- Fire: NO
- Material Entered Waterway/Storm Sewer: NO
- Environmental Damage: NO

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

Fire/EMS Report #: NO
 Police Report #:
 In-house cleanup:
 Other Cleanup:

32. Damages Was the total damage cost more than \$500? YES

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 0
 Carrier Damage: \$ 0
 Property Damage: \$ 0
 Response Cost: \$ 2945
 Remediation/Cleanup Cost: \$ 0
(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? NO

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0
 Responders: 0
 General Public: 0

33b. Were there human fatalities that did not result from the hazardous material? NO

If yes, how many? 0

34. Did the hazardous material cause or contribute to personal injury? NO

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only):

Employees: 0
 Responders: 0
 General Public: 0

Non-Hospitalized:

(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0
 Responders: 0
 General Public: 0

35. Did the hazardous material cause or contribute to an evacuation? YES If yes, provide the following information: Total number of general public evacuated: 33 Total number of employees evacuated: 0 Total evacuated: 33 Duration of the evacuation: 5	
36. Was a major transportation artery or facility closed? NO If yes, how many? 0	
37. Was the material involved in a crash or derailment? NO If yes, provide the following information: Estimated speed (mph): 0 Weather conditions: Vehicle overturned? NO Vehicle left roadway/track? NO	
PART V - AIR INCIDENT INFORMATION (please refer to S 175.31 to report a discrepancy for air shipments)	
38. Was the shipment on a passenger aircraft? If yes, was it tendered as cargo, or as passenger baggage?	
39. Where did the incident occur (If unknown, check the appropriate box for the location where the incident was discovered)?	
40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply) <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;">- Shipment had not been transported</div> <div style="width: 50%;">- Transported by air (first flight)</div> <div style="width: 50%;">- Transport by air (subsequent flights)</div> <div style="width: 50%;">- Initial transport by highway to cargo facility</div> <div style="width: 50%;">- Transfer at sort center/cargo facility</div> </div>	
PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE	
- Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary. Describe: The security seal (TILX865903) was wedged in between the manway cover and the manway nozzle thus preventing a seal and allowing vapors to escape. The manway cover bolts were loosened, the manway cover was opened, the "tail" of the seal was removed, the manway cover was closed and the nuts tightened. This sealed the car. Once repair work commenced it required 15 minutes to mitigate the release.	
PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE	
- Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary. Describe: additional training and improving operating procedures	
PART VIII – CONTACT INFORMATION	
Contact's Name:	CLAY REID
Contact's Title:	ASSISTANT DIRECTOR HAZARDOUS MATERIALS
Business Name and Address:	BNSF Railway Company 4200 Deen Road Fort Worth TX 76106
E-mail Address:	clay.reid@bnsf.com
Telephone Number:	(817) 740-7226
Fax Number:	(817) 740-7250
Hazmat Registration Number:	
Date:	null
Preparer is:	Carrier



Hazardous Materials Incident Report

U.S. Department of Transportation
Research and Special Programs
Administration

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

PART I - REPORT TYPE

1. Incident Id: **X-2015060279**
2. This is to report: **Hazardous Material Incident**

PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident: **06/01/2015**
4. Time of Incident (use 24-hour time): **07:00**
5. Enter National Response Center Report Number (if applicable): **1118230**
6. If you submitted a report to another Federal DOT agency, enter the agency and report number:
7. Location of Incident:
 City: **Memphis**
 County: **SHELBY**
 State: **TN**
 Zip Code: (if known): **38118**
 Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:
8. Mode of Transportation: **FRA-RAILWAY**
9. Transportation Phase: **IN TRANSIT**
10. Carrier/Reporter:
 Name: **BNSF Railway Company**
 Street: **2600 Lou Menk Drive**
 City: **Fort Worth**
 State: **TX**
 Zip Code: **76131-2830**
 Federal DOT Id Number: **281683** Hazmat Registration Number: **062712002010UW**
11. Shipper/Officer:
 Name: **OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC**
 Street: **565 Gusher Road**
 City: **Levelland**
 State: **TX**
 Zip Code: **79336**
 Waybill/Shipping Paper: **Unavailable** Hazmat Registration Number: **N/A**
12. Origin (if different from shipper address)
 Street: **565 Gusher Road**
 City: **Levelland**
 State: **TX**
 Zip Code: **79336**
13. Destination:
 Street: **11700 Old Highway 48**
 City: **Brownsville**
 State: **TX**
 Zip Code: **78521**

14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.	
15. Technical/Trade Name:	
16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID	
17. Identification Number: UN3295 (E.g. UN2764, NA 2020)	
18. Packing Group: (if applicable) I	
19. Quantity Released: (Include Measurement Units)	3575 Liquid - Gallon
20. Was the material shipped as a hazardous waste? NO If yes, provide the EPA Manifest Number:	
21. Is this a Toxic by Inhalation (TIH) material? NO If yes, provide the Hazard Zone:	
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? NO If yes, provide the Exemption, Approval, or CA number:	
23. Was this an undeclared hazardous materials shipment? NO	
PART III - PACKAGING INFORMATION	
24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type: Tank Car	
25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI. <div style="text-align: right; margin-right: 100px;"> What Failed: 106 - Bottom Outlet Valve How Failed: 312 - Torn Off or Damaged Causes of Failure: 509 - Derailment </div>	
26a. Provide the packaging identification markings, if available. Identification Markings: 111A100W1 <small>(Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)</small>	
26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Packaging Type: Material of Construction: Head Type (Drums only):	Packaging Type: Material of Construction:
27. Describe the package capacity and the quantity:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Package Capacity: 31808 LGA Amount in Package: LGA 29843 Number in Shipment: 1 Number Failed: 1	Package Capacity: Amount in Package: Number in Shipment: Number Failed:
28. Provide packaging construction and test information, as appropriate: Manufacturer: N/A Serial Number: HSRX3124 Material of Construction: N/A (if Tank Car, CTMV, Portable Tank, or Cylinder) Design Pressure: (if Tank Car, CTMV, Portable Tank) <div style="text-align: right; margin-right: 100px;"> Manufacture Date: 04/22/2015 Last Test Date: null </div>	

Shell Thickness: (if Tank Car, CTMV, Portable Tank)
Head Thickness: (if Tank Car, CTMV)
Service Pressure: (if Cylinder)

If valve or device failed: NO

Type:

Model:

Manufacturer:

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category:

Packaging Certification:

Certification Number:

Nuclide(s) Present:

Transport Index:

Activity:

Critical Safety Index:

PART IV - CONSEQUENCES

30. Result of Incident (check all that apply):

- Spillage: YES
- Explosion: NO
- Vapor (Gas) Dispersion: NO
- No Release: NO
- Fire: NO
- Material Entered Waterway/Storm Sewer: NO
- Environmental Damage: NO

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

Fire/EMS Report #: NO

Police Report #:

In-house cleanup:

Other Cleanup: YES

32. Damages Was the total damage cost more than \$500? YES

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 5362
Carrier Damage: \$ 0
Property Damage: \$ 0
Response Cost: \$ 2480
Remediation/Cleanup Cost: \$ 149000
(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? NO

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0
Responders: 0
General Public: 0

33b. Were there human fatalities that did not result from the hazardous material? NO

If yes, how many? 0

34. Did the hazardous material cause or contribute to personal injury? NO

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only):

Employees: 0
Responders: 0
General Public: 0

Non-Hospitalized:

(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0
Responders: 0
General Public: 0

35. Did the hazardous material cause or contribute to an evacuation? NO

If yes, provide the following information:

Total number of general public evacuated: 0

Total number of employees evacuated: 0

Total evacuated: 0

Duration of the evacuation: 0

36. Was a major transportation artery or facility closed? NO

If yes, how many? 0

37. Was the material involved in a crash or derailment? YES

If yes, provide the following information:

Estimated speed (mph): 10

Weather conditions: 62 F overcast

Vehicle overturned? NO

Vehicle left roadway/track? NO

PART V - AIR INCIDENT INFORMATION (please refer to S 175.31 to report a discrepancy for air shipments)**38. Was the shipment on a passenger aircraft?**

If yes, was it tendered as cargo, or as passenger baggage?

39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?**40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply)**

- Shipment had not been transported

- Transported by air (first flight)

- Transport by air (subsequent flights)

- Initial transport by highway to cargo facility

- Transfer at sort center/cargo facility

PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE

- Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary.

Describe:

0700CT, Thayer South Sub, Memphis Terminal M TULMEM1 31 while arriving Memphis Terminal derailed. Initial report indicates 07 cars derailed with 01 HAZARDOUS car (HSRX 3124) leaning on the North end of D6 track. Car contains HYDROCARBON LIQUID, N.O.S. and is reported to be compromised (BOTTOM VALVE SHEERED OFF AND LEAKING). Local Fire Department and Hazardous Materials Contractor (SWS) responded to the site. No waterways close or thought to be in jeopardy.

1300 car was still leaking after multiple attempts to close valve, next step was to roll car over onto old adjacent ramp and liquid will be below the bottom valve and allow for further remediation off track. Cause: switch previously run through.
0200 June 2nd - Track back in operation.

PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE

- Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary.

Describe:

No additional comments.

PART VIII - CONTACT INFORMATION

Contact's Name: CLAY REID
Contact's Title: ASST. DIR. HAZMAT FIELD OPERATIONS + ER
Business Name and Address: BNSF Railway Company
2600 Lou Menk Drive Fort Worth TX 76131-2830
E-mail Address: clay.reid@bnsf.com
Telephone Number: 817-740-7226
Fax Number: 817-740-7250
Hazmat Registration Number:
Date: null
Preparer is: Carrier



Hazardous Materials Incident Report

U.S. Department of Transportation
Research and Special Programs
Administration

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

PART I - REPORT TYPE

1. Incident Id: X-2016030093

2. This is to report: Hazardous Material Incident

PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident:
02/05/2016

4. Time of Incident (use 24-hour time):
13:51

5. Enter National Response Center Report Number
(if applicable):

6. If you submitted a report to another Federal DOT agency,
enter the agency and report number:

7. Location of Incident:

City: KANSAS CITY
County: WYANDOTTE
State: KS
Zip Code: (if known): 66106

Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:

8. Mode of Transportation: FRA-RAILWAY

9. Transportation Phase: IN TRANSIT

10. Carrier/Reporter:

Name: BNSF Railway Company
Street: 2500 Lou Menk Drive
City: Fort Worth
State: TX
Zip Code: 76131-2830

Federal DOT Id Number: 281683

Hazmat Registration Number: 062615552003XZ

11. Shipper/Officer:

Name: TITAN LANSING TRANSLOADING, LLC
Street: 565 Gusher Road
City: Levelland
State: TX
Zip Code: 79336

Waybill/Shipping Paper: Unavailable

Hazmat Registration Number:

12. Origin (if different from shipper address)

Street: 565 Gusher Road
City: Levelland
State: TX
Zip Code: 79336

13. Destination:

Street: 1100 Louisiana ST. STE 5500
City: Houston
State: TX
Zip Code: 77002

Reproduction of this form is permitted.

Shell Thickness: (if Tank Car, CTMV, Portable Tank)

Head Thickness: (if Tank Car, CTMV)

Service Pressure: (if Cylinder)

If valve or device failed: NO

Type:

Model:

Manufacturer:

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category:

Packaging Certification:

Certification Number:

Nuclide(s) Present:

Transport Index:

Activity:

Critical Safety Index:

PART IV - CONSEQUENCES**30. Result of Incident (check all that apply):**

- Spillage: NO

- Fire: NO

- Explosion: NO

- Material Entered Waterway/Storm Sewer: NO

- Vapor (Gas) Dispersion: YES

- Environmental Damage: NO

- No Release: NO

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

Fire/EMS Report #: NO

Police Report #: NO

In-house cleanup: YES

Other Cleanup: YES

32. Damages Was the total damage cost more than \$500? YES

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 1

Carrier Damage: \$ 0

Property Damage: \$ 0

Response Cost: \$ 10000

Remediation/Cleanup Cost: \$ 0

(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? NO

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0

Responders: 0

General Public: 0

33b. Were there human fatalities that did not result from the hazardous material? NO

If yes, how many? 0

34. Did the hazardous material cause or contribute to personal injury? YES

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only):

Employees: 1

Responders: 0

General Public: 0

Non-Hospitalized:

(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0

Responders: 0

General Public: 0

35. Did the hazardous material cause or contribute to an evacuation? NO

If yes, provide the following information:

Total number of general public evacuated: 0

Total number of employees evacuated: 0

Total evacuated: 0

Duration of the evacuation: 0

36. Was a major transportation artery or facility closed? NO

If yes, how many? 0

37. Was the material involved in a crash or derailment? NO

If yes, provide the following information:

Estimated speed (mph): 0

Weather conditions:

Vehicle overturned? NO

Vehicle left roadway/track? NO

PART V - AIR INCIDENT INFORMATION (please refer to S 175.31 to report a discrepancy for air shipments)**38. Was the shipment on a passenger aircraft?**

If yes, was it tendered as cargo, or as passenger baggage?

39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?**40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply)**

- Shipment had not been transported

- Transported by air (first flight)

- Transport by air (subsequent flights)

- Initial transport by highway to cargo facility

- Transfer at sort center/cargo facility

PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE

- Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary.

Describe:

On 2/5/16 at approximately 13:51 CST a BNSF mechanical employee reported a petroleum odor and became nauseous. Kansas FD and Hazmat Team responded to the railyard and transported the employee to the Hospital. The immediate area was isolated around the suspect car (HSRX 3141) which was near where the employee became ill. BNSF Hazmat Responder and KCFD performed an entry to assess the area and recorded no abnormal air monitoring results using a 4-gas instrument and a PID. It was noted that a slight petroleum odor was evident in the area. KCFD demobilized from the scene after determining that no immediate risk was present in the area. A BNSF Hazmat responder and the BNSF contractor conducted an additional assessment of the area including all Hazmat cars that were in the area. The HSRX 3141 was not noticeably leaking at the time, however because the car had no vapor pressure as expected, it was determined to have the car set out for additional testing. Once set out, the contractor added nitrogen pressure to the car and found a slight audible leak at manway sealing area near the handle. Two bolts were tightened and the leak stopped, pressure was increased to 20 psi and it was determined that no additional leaks were present. All fittings and leak points were assessed. The car was held for observation. On 2/21/16, an odor was again observed from the area around the HSRX 3141. The Hazmat Contractor returned, there was no direct evidence of a release and the car had 12 pounds of pressure on it. The contractor opened the manway and determined that there was no gasket (lid or nozzle) in place. A new gasket was installed and the car was resecured and monitored. No additional odor was reported on 2/22/16. Release estimates are based upon information provided by on-site responders.

PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE

- Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary.

Describe:

Shipper has been notified to address the pre-trip inspection process at the originating facility with those responsible for securing cars prior to transport. The inspection should consist of evaluating and inspecting all fittings and closures on the railcar, regardless of whether or not the loading facility utilizes all fittings and closures.

PART VIII - CONTACT INFORMATION

Contact's Name:	JUSTIN PIPER
Contact's Title:	DIRECTOR, HAZ MAT FIELD OPS + ER
Business Name and Address:	BNSF Railway Company 2500 Lou Menk Drive Fort Worth TX 76131-2830
E-mail Address:	justin.piper@bnsf.com
Telephone Number:	360-418-6268
Fax Number:	360-418-6396
Hazmat Registration Number:	
Date:	null
Preparer is:	Carrier



Hazardous Materials Incident Report

U.S. Department of Transportation
Research and Special Programs
Administration

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

PART I - REPORT TYPE

1. Incident Id: **X-2016040061**

2. This is to report: **Hazardous Material Incident**

PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident:
03/04/2016

4. Time of Incident (use 24-hour time):
14:35

5. Enter National Response Center Report Number
(if applicable):

6. If you submitted a report to another Federal DOT agency,
enter the agency and report number:

7. Location of Incident:

City: Houston
County: HARRIS
State: TX
Zip Code: (if known): 77023

Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:

8. Mode of Transportation: FRA-RAILWAY

9. Transportation Phase: IN TRANSIT

10. Carrier/Reporter:

Name: BNSF Railway Company
Street: 2500 Lou Menk Drive
City: Fort Worth
State: TX
Zip Code: 76131-2830

Federal DOT Id Number: 281683

Hazmat Registration Number: 062615552003XZ

11. Shipper/Officer:

Name: ONE CYPRESS TERMINAL
Street: 11700 Old Highway 48
City: SAN ANTONIO
State: TX
Zip Code: 782521

Waybill/Shipping Paper: 109522E

Hazmat Registration Number:

12. Origin (if different from shipper address)

Street: 11700 Old Highway 48
City: SAN ANTONIO
State: TX
Zip Code: 782521

13. Destination:

Street: 565 Gusher Road
City: Levelland
State: TX
Zip Code: 79336

14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.	
15. Technical/Trade Name:	
16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID	
17. Identification Number: UN3295 (E.g. UN2764, NA 2020)	
18. Packing Group: (if applicable) I	
19. Quantity Released: (Include Measurement Units)	7 Liquid - Gallon
20. Was the material shipped as a hazardous waste? NO If yes, provide the EPA Manifest Number:	
21. Is this a Toxic by Inhalation (TIH) material? NO If yes, provide the Hazard Zone:	
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? NO If yes, provide the Exemption, Approval, or CA number:	
23. Was this an undeclared hazardous materials shipment? NO	
PART III - PACKAGING INFORMATION	
24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type: Tank Car	
25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI. <div style="margin-left: 150px;"> What Failed: 137; 105 - Manway or Dome Cover; Bolts or Nuts How Failed: 308; 311 - Leaked; Structural Causes of Failure: 517; 526 - Improper Preparation for Transportation; Loose Closure, Component, or Device </div>	
26a. Provide the packaging identification markings, if available. Identification Markings: 111A100ALW1 (Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)	
26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Packaging Type: Material of Construction: Head Type (Drums only):	Packaging Type: Material of Construction:
27. Describe the package capacity and the quantity:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Package Capacity: Amount in Package: Number in Shipment: Number Failed:	Package Capacity: Amount in Package: Number in Shipment: Number Failed:
28. Provide packaging construction and test information, as appropriate: Manufacturer: N/A Serial Number: HSRX3342 Material of Construction: N/A (if Tank Car, CTMV, Portable Tank, or Cylinder) Design Pressure: (if Tank Car, CTMV, Portable Tank) Manufacture Date: null Last Test Date: null	

Shell Thickness: (if Tank Car, CTMV, Portable Tank)

Head Thickness: (if Tank Car, CTMV)

Service Pressure: (if Cylinder)

If valve or device failed: NO

Type:

Model:

Manufacturer:

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category:

Packaging Certification:

Certification Number:

Nuclide(s) Present:

Transport Index:

Activity:

Critical Safety Index:

PART IV - CONSEQUENCES**30. Result of Incident (check all that apply):**

- Spillage: NO

- Fire: NO

- Explosion: NO

- Material Entered Waterway/Storm Sewer: NO

- Vapor (Gas) Dispersion: YES

- Environmental Damage: NO

- No Release: NO

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

Fire/EMS Report #: NO

Police Report #:

In-house cleanup: YES

Other Cleanup:

32. Damages Was the total damage cost more than \$500? NO

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 0

Carrier Damage: \$ 0

Property Damage: \$ 0

Response Cost: \$ 0

Remediation/Cleanup Cost: \$ 0

(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? NO

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0

Responders: 0

General Public: 0

33b. Were there human fatalities that did not result from the hazardous material? NO

If yes, how many? 0

34. Did the hazardous material cause or contribute to personal injury? NO

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only):

Employees: 0

Responders: 0

General Public: 0

Non-Hospitalized:

(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0

Responders: 0

General Public: 0

35. Did the hazardous material cause or contribute to an evacuation? NO If yes, provide the following information: Total number of general public evacuated: 0 Total number of employees evacuated: 0 Total evacuated: 0 Duration of the evacuation: 0	
36. Was a major transportation artery or facility closed? NO If yes, how many? 0	
37. Was the material involved in a crash or derailment? NO If yes, provide the following information: Estimated speed (mph): 0 Weather conditions: Vehicle overturned? NO Vehicle left roadway/track? NO	
PART V - AIR INCIDENT INFORMATION (please refer to S 175.31 to report a discrepancy for air shipments)	
38. Was the shipment on a passenger aircraft? If yes, was it tendered as cargo, or as passenger baggage?	
39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?	
40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply) <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;">- Shipment had not been transported</div> <div style="width: 50%;">- Transported by air (first flight)</div> <div style="width: 50%;">- Transport by air (subsequent flights)</div> <div style="width: 50%;">- Initial transport by highway to cargo facility</div> <div style="width: 50%;">- Transfer at sort center/cargo facility</div> </div>	
PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE	
- Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary. Describe: Vapor release from residue car, HSRX 3342, at manway cover. Odor and hissing sound noted. Amount of release has been estimated in question 19. Inspection found 6 manway swingway bolts loose. Manway bolts tightened by BNSF forces, vapor release stopped. Vapor dispersed by natural forces.	
PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE	
- Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary. Describe: Shipper contacted and advised to review proper shipping procedures	
PART VIII – CONTACT INFORMATION	
Contact's Name:	DILLON MAGERS
Contact's Title:	MANAGER HAZMAT FIELD OPERATIONS + ER
Business Name and Address:	BNSF Railway Company 2600 Lou Menk Drive Fort Worth TX 76131-2830
E-mail Address:	dillon.magers@bnsf.com
Telephone Number:	417-829-4979
Fax Number:	417-829-4998
Hazmat Registration Number:	
Date:	null
Preparer is:	Carrier



Hazardous Materials Incident Report

U.S. Department of Transportation
Research and Special Programs
Administration

Form Approval OMB No. 3137-0039

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 2137-0039. The filling out of this information is mandatory and will take 96 minutes to complete.

INSTRUCTIONS

Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate, use a separate sheet of paper, identifying the entry number being completed. Copies of this form and instructions can be obtained from the Office of Hazardous Materials Website at <http://hazmat.dot.gov>. If you have any questions, you can contact the Hazardous Materials Information Center at 1-800-HMR-4922 (1-800-467-4922) or online at <http://hazmat.dot.gov>.

PART I - REPORT TYPE

1. Incident Id: **X-2018030198**

2. This is to report: **Hazardous Material Incident**

PART II - GENERAL INCIDENT INFORMATION

3. Date of Incident:
02/28/2018

4. Time of Incident (use 24-hour time):
15:35

5. Enter National Response Center Report Number
(if applicable):

6. If you submitted a report to another Federal DOT agency,
enter the agency and report number:

7. Location of Incident:

City: Dayton
County: LIBERTY
State: TX
Zip Code: (if known): 77535

Street Address/Mile Marker/Yard Name/Airport/Body of Water/River Mile:

8. Mode of Transportation: FRA-RAILWAY

9. Transportation Phase: IN TRANSIT

10. Carrier/Reporter:

Name: BNSF Railway Company
Street: 2500 Lou Menk Drive
City: Fort Worth
State: TX
Zip Code: 76131-2830

Federal DOT Id Number: 281683

Hazmat Registration Number: 062615552003XZ

11. Shipper/Officer:

Name: CHEVRON PHILLIPS CHEMICAL COMPANY LP
Street: 9500 East FWY
City: BAYTOWN
State: TX
Zip Code: 77521

Waybill/Shipping Paper: Unavailable

Hazmat Registration Number:

12. Origin (if different from shipper address)

Street: 9500 East FWY
City: BAYTOWN
State: TX
Zip Code: 77521

13. Destination:

Street: 5200 Bayway Drive
City: Baytown
State: TX
Zip Code: 77520

14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.	
15. Technical/Trade Name:	
16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID	
17. Identification Number: UN3295 (E.g. UN2764, NA 2020)	
18. Packing Group: (if applicable) III	
19. Quantity Released: (Include Measurement Units) .5 Liquid - Gallon	
20. Was the material shipped as a hazardous waste? NO If yes, provide the EPA Manifest Number:	
21. Is this a Toxic by Inhalation (TIH) material? NO If yes, provide the Hazard Zone:	
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? NO If yes, provide the Exemption, Approval, or CA number:	
23. Was this an undeclared hazardous materials shipment? NO	
PART III - PACKAGING INFORMATION	
24. Check Packaging Type (check only one - if more than one, list type of packaging, copy Part III, and complete for each type: Tank Car	
25. See instructions and enter the appropriate failure codes found at the end of the instructions. Be sure to enter the codes from the list that corresponds to the particular packaging type checked above. Enter the number of codes as appropriate to describe the incident. Enter the most important failure point in line 1. If there are more than two failure points, provide in this format in part VI. <div style="margin-left: 100px;"> What Failed: 137 - Manway or Dome Cover How Failed: 308 - Leaked Causes of Failure: 517 - Improper Preparation for Transportation </div>	
26a. Provide the packaging identification markings, if available. Identification Markings: 111A100W1 (Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M9339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)	
26b. For Non-bulk, IBC, or non-specification packaging, if identification markings are incomplete or unavailable, see instructions and complete the following:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Packaging Type: Material of Construction: Head Type (Drums only):	Packaging Type: Material of Construction:
27. Describe the package capacity and the quantity:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Package Capacity: 25610 LGA Amount in Package: LGA 24000 Number in Shipment: 1 Number Failed: 1	Package Capacity: Amount in Package: Number in Shipment: Number Failed:
28. Provide packaging construction and test information, as appropriate: <div style="display: flex; justify-content: space-between;"> <div> Manufacturer: N/A Serial Number: NATX252588 Material of Construction: N/A (if Tank Car, CTMV, Portable Tank, or Cylinder) Design Pressure: (if Tank Car, CTMV, Portable Tank) </div> <div> Manufacture Date: null Last Test Date: null </div> </div>	

Shell Thickness: (If Tank Car, CTMV, Portable Tank)
Head Thickness: (If Tank Car, CTMV)
Service Pressure: (If Cylinder)

If valve or device failed: NO

Type:

Model:

Manufacturer:

29. If the packaging is for Radioactive Materials, complete the following:

Packaging Category:

Packaging Certification:

Certification Number:

Nuclide(s) Present:

Transport Index:

Activity:

Critical Safety Index:

PART IV - CONSEQUENCES

30. Result of Incident (check all that apply):

- Spillage: YES
- Explosion: NO
- Vapor (Gas) Dispersion: NO
- No Release: NO
- Fire: NO
- Material Entered Waterway/Storm Sewer: NO
- Environmental Damage: NO

31. Emergency Response: The following entities responded to the incident: (Check all that apply)

Fire/EMS Report #: NO

Police Report #:

In-house cleanup: YES

Other Cleanup:

32. Damages Was the total damage cost more than \$500? NO

If yes, enter the following information: (If no, go to question 33.)

Material Loss: \$ 0
Carrier Damage: \$ 0
Property Damage: \$ 0
Response Cost: \$ 0
Remediation/Cleanup Cost: \$ 0
(See damage definitions in the instructions)

33a. Did the hazardous material cause or contribute to a human fatality? NO

If yes, enter the number of fatalities resulting from the hazardous material:

Employees: 0
Responders: 0
General Public: 0

33b. Were there human fatalities that did not result from the hazardous material? NO

If yes, how many? 0

34. Did the hazardous material cause or contribute to personal injury? NO

If yes, enter the number of injuries resulting from the hazardous material:

Hospitalized (Admitted Only):

Employees: 0
Responders: 0
General Public: 0

Non-Hospitalized:

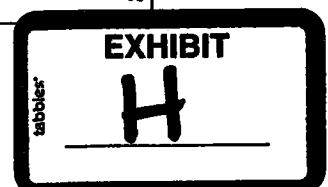
(e.g.: On site first aid or Emergency Room observation and release)

Employees: 0
Responders: 0
General Public: 0

35. Did the hazardous material cause or contribute to an evacuation? NO If yes, provide the following information: Total number of general public evacuated: 0 Total number of employees evacuated: 0 Total evacuated: 0 Duration of the evacuation: 0	
36. Was a major transportation artery or facility closed? NO If yes, how many? 0	
37. Was the material involved in a crash or derailment? NO If yes, provide the following information: Estimated speed (mph): 0 Weather conditions: Vehicle overturned? NO Vehicle left roadway/track? NO	
PART V - AIR INCIDENT INFORMATION (please refer to S 175.31 to report a discrepancy for air shipments)	
38. Was the shipment on a passenger aircraft? If yes, was it tendered as cargo, or as passenger baggage?	
39. Where did the incident occur (if unknown, check the appropriate box for the location where the incident was discovered)?	
40. What phase(s) had the shipment already undergone prior to the incident? (Check all that apply) <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;">- Shipment had not been transported</div> <div style="width: 50%;">- Transported by air (first flight)</div> <div style="width: 50%;">- Transport by air (subsequent flights)</div> <div style="width: 50%;">- Initial transport by highway to cargo facility</div> <div style="width: 50%;">- Transfer at sort center/cargo facility</div> </div>	
PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE	
- Describe the sequence of events that led to the incident and the actions taken at the time it was discovered. Describe the package failure, including the size and location of holes, cracks, etc. Photographs and diagrams should be submitted if needed for clarification. Estimate the duration of the release, if possible. Describe what was done to mitigate the effects of the release. Continue on additional sheets if necessary. Describe: Tank car NATX 252588 was reported with residue product on the sides of the tank car around the manway nozzle. The BNSF Responder reported NATX 252588 three manway lid swing bolts were less than tool tight allowing product to release when the car was moved. BNSF Responder inspected the manway and properly tool tightened the manway lid swing bolts, which ended any further release of product.	
PART VII - RECOMMENDATIONS/ACTIONS TAKEN TO PREVENT RECURRENCE	
- Where you are able to do so, suggest or describe changes (such as additional training, use of better packaging, or improved operating procedures) to help prevent recurrence. Provide recommendations for improvement to hazardous materials transportation beyond the control of your individual company. Continue on additional sheets if necessary. Describe: Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.	
PART VIII – CONTACT INFORMATION	
Contact's Name:	DEREK LAMPKIN
Contact's Title:	MANAGER HAZMAT FIELD OPERATIONS + ER
Business Name and Address:	BNSF Railway Company 2500 Lou Menk Drive Fort Worth TX 76131-2830
E-mail Address:	derek.lampkin@bnsf.com
Telephone Number:	612-760-1365
Fax Number:	913-551-4285
Hazmat Registration Number:	
Date:	null
Preparer is:	Carrier

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
1																	
2																	
3	X-2013100289	No	A hazardous material incident	10/15/2013	1115				Minneapolis	ANOKA	MN	55421	US			Rail	IN TRANSIT
4	X-2014100201	No	A hazardous material incident	9/19/2014	1700				Dilworth	CLAY	MN	56529	US			Rail	IN TRANSIT
5	X-2015060222	No	A hazardous material	5/25/2015	1400				TULSA	TULSA	OK	74107	US			Rail	IN TRANSIT
6	X-2015060278	No	A hazardous material	5/26/2015	1700	1117641			Ravia	JOHNSTON	OK	73455	US			Rail	IN TRANSIT
7	X-2015060279	No	A hazardous material incident	6/1/2015	700	1118230			Memphis	SHELBY	TN	38118	US			Rail	IN TRANSIT
8	X-2016030093	No	A hazardous material incident	2/5/2016	1351				KANSAS CITY	WYANDOTTE	KS	66106	US			Rail	IN TRANSIT

EXHIBIT 3



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
9	X-2016040061	No	A hazardous material incident	3/4/2016	1435				Houston	HARRIS	TX	77023		US		Rail	IN TRANSIT
10	X-2018030198	No	A hazardous material incident	2/28/2018	1535				Dayton	LIBERTY	TX	77535		US		Rail	IN TRANSIT
11																	
12	Source:	Incident Report Search Tool	https://hazmatonline.phmsa.dot.gov/IncidentReportSearch/Welcome.aspx														
13	Criteria used:	Carrier/Reporter Name (contains) = BNSF															
14		Identification Number (contains) = 3295															
15		Report Number (contains) = X-															
16	Please see the screenshot below:																
17																	
18																	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
19	Source: Hazmat Intelligence Portal, U.S. Department of Transportation. Data as of 4/16/2018.																
20	PART II - GENERAL INCIDENT INFORMATION																
21	3. Date of Incident: From: To: (mm/dd/yyyy)																
22	7. Location of Incident: City: (begins) State: Select Zip Code:																
23	Incident Route:																
24	8. Mode of Transportation: <input type="checkbox"/> Air <input type="checkbox"/> Highway <input type="checkbox"/> Rail <input type="checkbox"/> Water <input type="checkbox"/> Other																
25	9. Transportation Phase: <input type="checkbox"/> In Transit <input type="checkbox"/> Loading <input type="checkbox"/> Unloading <input type="checkbox"/> In Transit Storage																
26	10. Carrier/Reporter Name: BNSF																
27																	
28	11. Shipper/Officer Name: State: Select Zip Code:																
29	12. Origin: City: (contains) State: Select Zip Code:																
30	14. Proper Shipping Name of Hazardous Material: (begins)																
31	16. Hazardous Class/Division Code: 17. Identification Number: 3295																
32	PART III - PACKAGING INFORMATION																
33	24. Packaging Type: <input type="checkbox"/> Non Bulk <input type="checkbox"/> IBC <input type="checkbox"/> Cargo Tank Motor Vehicle (CTMV) <input type="checkbox"/> Tank Car																
34	<input type="checkbox"/> Cylinder <input type="checkbox"/> RAM <input type="checkbox"/> Portable Tank <input type="checkbox"/> Other																
35	25. Incident Cause: What Failed: (contains) How Failed: (cont)																
36	Causes of Failure: (cont)																
37	PART IV - CONSEQUENCES																
38	30. Result of Incident: <input type="checkbox"/> Spillage <input type="checkbox"/> Fire <input type="checkbox"/> Explosion <input type="checkbox"/> Material Entered Waterway/Storm Sewer																
39	<input type="checkbox"/> Vapor(Gas) Dispersion <input type="checkbox"/> Environmental Damage <input type="checkbox"/> No Release																
40	33a. Did the hazardous material cause or contribute to a human fatality? Select 36. Was a major transportation artery or facility closed? 5																
41	34. Did the hazardous material cause or contribute to personal injury? Select 37. Was the material involved in a crash or derailment? 5																
42	35. Did the hazardous material cause or contribute to an evacuation? Select																
43	OTHER																
44	Report Number: X- (contains) Serious Incident: Select																
45	Container Code Detail: (contains) Undeclared Shipment: Select																
46	General Package Type: Select																
47	DISPLAY OPTIONS: Display 50 results per page.																
48	Clear Search																
49																	

	R	S	T	U	V	W	X	Y	Z	AA	AB
1											
2	Carrier/Reporter Name										
	Carrier/Reporter Street Name										
	Carrier/Reporter City										
	Carrier/Reporter State										
	Carrier/Reporter Postal Code										
	Carrier/Reporter Non-US State										
	Carrier/Reporter FED DOT ID										
	Carrier/Reporter HAZMAT Reg ID										
	Carrier/Reporter Country										
	Shipper Name										
	Shipper Street Name										
3	BNSF RAILWAY COMPANY	2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830		281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING INC.	5 GREENWAY PLZ STE 110
4	BNSF RAILWAY COMPANY	2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830		281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC	Gusher Road
5	BNSF RAILWAY COMPANY	2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830		281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING BY TITAN	Gusher Road
6	BNSF RAILWAY COMPANY	2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830		281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING BY TITAN	Gusher Road
7	BNSF RAILWAY COMPANY	2600 LOU MENK DR FL AOB 1	FORT WORTH	TX	76131-2830		281683	062712002010UW	US	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC	Gusher Road
8	BNSF RAILWAY COMPANY	2650 LOU MENK DR	FORT WORTH	TX	76131-2830		281683	062615552003XZ	US	TITAN LANSING TRANSLOADING LLC	3802 MLK BLVD

	R	S	T	U	V	W	X	Y	Z	AA	AB
9	BNSF RAILWAY COMPANY	2650 LOU MENK DR	FORT WORTH	TX	76131-2830		281683	062615552003XZ	US	ONE CYPRESS TERMINAL	11700 OLD HWY 48
10	BNSF RAILWAY COMPANY	2650 LOU MENK DR	FORT WORTH	TX	76131-2830		281683	062615552003XZ	US	CHEVRON PHILLIPS CHEMICAL COMPANY LP	9500 I 10 EAST EXIT 796
11											
12											
13											
14											
15											
16											
17											
18											

zmat Home

[illegible]

	AC	AD	AE	AF	AG	AH	AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR	AS																													
1																																														
2	Shipper HAZMAT Registration ID																		Destination Country																											
	Shipper City			Shipper State			Shipper Postal Code			Shipper Non-US State			Shipper Country			Shipper Waybill/Shipping Paper			Origin City	Origin State			Origin Postal Code			Origin Non-US State			Origin Country			Destination City			Destination State			Destination Postal Code			Destination Non-US State			Destination Country		
3	HOUSTON	TX	77046-0521		US	BNSF832082		LEVELLAND	TEXAS	79336		US																																		
4	LEVELLAND	TX	79336		US	BNSF829907	N/A	LEVELLAND	TEXAS	79336		US																																		
5	LEVELLAND	TX	79336		US	BNSF477387	N/A	LEVELLAND	TEXAS	79336		US	BROWNSVILLE	TEXAS	78521		US																													
6	LEVELLAND	TX	79336		US	BNSF258732	N/A	LEVELLAND	TEXAS	79336		US	BROWNSVILLE	TEXAS	78521		US																													
7	LEVELLAND	TX	79336		US	Unavailable	N/A	LEVELLAND	TEXAS	79336		US	BROWNSVILLE	TEXAS	78521		US																													
8	LUBBOCK	TX	79404-3222		US	Unavailable		LEVELLAND	TEXAS	79336		US	HOUSTON	TEXAS	77002		US																													

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

	BK	BL	BM	BN	BO	BP	BQ	BR	BS	BT	BU	BV	BW	BX	BY	BZ																													
1																																													
2	What Failed Code			How Failed Code			How Failed Description			Failure Cause Code			Failure Cause Description			Identification Markings			Cont'l Packaging Type			Cont'l Material of Construction			Cont'l Head Type			Cont'l Package Capacity			Cont'l Package Capacity UOM			Cont'l Package Amount			Cont'l Package Amount UOM			Cont'l Pkg Number in Shipment			Cont'l Pkg Shipment Nbr Failed		
3	158; 109	Vapor Valve; Closure (e.g. Cap Top or Plug)	308; 306	Leaked; Failed to Operate	528; 528	Missing Component or Device; Missing Component or Device	111S100W1					0		0																															
4	137; 121	Manway or Dome Cover; Gasket	313; 306	Vented; Failed to Operate	508; 508	Defective Component or Device; Defective Component or Device	111A100W1					0		0																															
5	137	Manway or	308	Leaked	515	Human Error	111A100W1					0		0																															
6	137	Manway or Dome Cover	313	Vented	526	Loose Closure Component or Device	111A100W1					0		0																															
7	106	Bottom Outlet Valve	312	Torn Off or Damaged	509	Derailment	111A100W1					31808	LGA	29843	LGA	1	1																												
8	137; 137	Manway or Dome Cover; Manway or Dome Cover	313; 313	Vented; Vented	528; 526	Missing Component or Device; Loose Closure Component or Device	111A100W1					31808	LGA	28685	LGA	1	1																												
9																																													

[illegible]

[illegible]

	CA	CB	CC	CD	CE	CF	CG	CH	CI	CJ	CK	CL	CM	CN	CO	CP	CQ	CR	CS
1																			
2	Cont1 Package Manufacturer Cont1 Pkg Manufacturer Date Cont1 Package Serial Number Cont1 Package Last Test Date Cont1 Test Material Of Const Cont1 Pkg Design Pressure Rptd Cont1 Design Pressure UOM Rptd Cont1 Pkg Shell Thickness Rptd Cont1 Shell Thickness UOM Rptd Cont1 Head Thickness Reported Cont1 Head Thickness UOM Rptd Cont1 Pkg Svc Pressure Rptd Cont1 Svc Pressure UOM Rptd Cont1 Valve or Device Fail Ind Cont1 Val Device Manufacturer Cont1 Valve or Device Model Cont2 Package Type Cont2 Material of Construction																		
3	UTLA	9/18/2012 0:00	PROX4566 5	9/18/2012 0:00	CARBON STEEL	100 PSI								No					
4	UTLZBG	11/1/2006 0:00	PROX4408 5	11/1/2006 0:00	AAR TC-128 Gr. B	100 PSI	0.44 INCH			0.47 INCH				No					
5	TRINITY	11/21/2013 0:00	HSRX3235	11/21/2013 0:00	carbon steel	100 PSI								No					
6	TRINITY	11/21/2013 0:00	HSRX3321	11/21/2013 0:00	carbon steel	100 PSI								No					
7	N/A	4/22/2015 0:00	HSRX3124		N/A									No					
8	N/A		HSRX3141		N/A									No					

[illegible]

[illegible]

	CT	CU	CV	CW	CX	CY	CZ	DA	DB	DC	DD	DE	DF	DG	DH	DI	DJ	DK	DL	DM	DN	DO	DP	DQ	DR	DS	DT	DU	DV	DW	DX
1																															
2	Cont2 Package Capacity	Cont2 Capacity UOM Reported	Cont2 Package Amount	Cont2 Package Amount UOM	Cont2 Pkg Number in Shipment	Cont2 Pkg Shipment Nbr Failed	RAM Package Category	RAM Package Certification	RAM Package Certification Nbr	RAM Nuclide(s) Present	RAM Transport Index	RAM UOM	RAM Activity Rpted	RAM UOM Rpted	RAM Activity	RAM Activity UOM	RAM Material Safety Index	Spillage (Result) Ind	Fire (Result) Ind	Explosion (Result) Ind	Water Sewer (Result) Ind	Gas Dispersion (Result) Ind	Environmental Damage (Result)	No Release (Result) Ind	Fire/EMS Report Ind	Fire EMS/EMS Report Nbr	Police Report Ind	Police Report Nbr	In-House Cleanup Ind	Other Cleanup Ind	Damage More Than 500
3								FALSE							0			No	No	No	No	Yes	No	No	No	No	No	No	No	No	No
4								FALSE							0			No	No	No	No	Yes	No	No	No	No	No	No	No	No	Yes
5								FALSE							0			No	No	No	No	Yes	No	No	No	No	No	No	No	No	No
6								FALSE							0			No	No	No	No	Yes	No	No	No	No	No	No	No	No	Yes
7								FALSE										Yes	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes
8								FALSE							0			No	No	No	No	Yes	No	No	No	No	No	No	Yes	Yes	Yes

[illegible]

[illegible]

	DY	DZ	EA	EB	EC	ED	EE	EF	EG	EH	EI	EJ	EK	EL	EM	EN	EO	EP	EQ	ER	ES	ET	EU	EV	EW	EX	EY	EZ	FA	
1																														
2	Material Loss Carrier Damage Property Damage Response Cost Remediation Cleanup Cost Damage Other (Old Form) Total Amount of Damages HAZMAT Fatality Indicator HAZMAT Fatalities Employees HAZMAT Fatalities Responders HAZMAT Fatality General Public Total Hazmat Fatalities Non_HAZMAT Fatality Indicator Non-HAZMAT Fatalities HAZMAT Injury Indicator HAZMAT Hospitalized Employees HAZMAT Hospitalized Responders HAZMAT Hospitalized Gen Public HAZMAT Hospitalized (Old Form) Total Hazmat Hosp Injuries HAZMAT NonHosp Employees HAZMAT NonHosp Responders HAZMAT NonHosp General Public HAZMAT NonHosp (Old Form) Total Hazmat NonHosp Injuries Total Hazmat Injuries Evacuation Indicator Public Evacuated Employees Evacuated																													
3	0	0	0	0	0	0	0	0	No	0	0	0	No	0	No	0	0	0	0	0	0	0	0	0	0	0	0	No	0	0
4	0	0	0	1600	0	0	1600	No	0	0	0	0	No	0	No	0	0	0	0	0	0	0	0	0	0	0	0	No	0	0
5	0	0	0	0	0	0	0	No	0	0	0	0	No	0	No	0	0	0	0	0	0	0	0	0	0	0	No	0	0	0
6	0	0	0	2945	0	0	2945	No	0	0	0	0	No	0	No	0	0	0	0	0	0	0	0	0	0	0	Yes	33	0	0
7	5362	0	0	2480	149000	0	156842	No	0	0	0	0	No	0	No	0	0	0	0	0	0	0	0	0	0	0	No	0	0	0
8	1	0	0	10000	0	0	10001	No	0	0	0	0	No	0	Yes	1	0	0	0	0	1	0	0	0	0	0	1	No	0	0

[illegible]

[illegible]

	FB	FC	FD	FE	FF	FG	FH	FI	FJ	FK	FL	FM	FN	FO	FP	FQ	FR	FS	FT	FU
1																				
2	Total Evacuated Total Evacuation Hours Major Artery Closed Major Artery Hours Closed Material Involved in Accident Estimated Speed Weather Conditions Vehicle Overtake Vehicle Left Roadway/Track Passenger Aircraft Indicator Cargo Passenger Baggage Ind Incident Occurrence Shiphase Non-Transported Ind Shiphase Air First Flight Ind Shiphase Air Subflight Ind Shiphase Init Transport Ind Shiphase Transfer Indicator Contact Name Contact Title Contact Business Name																			
3	0	0	0	0	0	0		No	No	No			No	No	No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY
4	0	0	0	0	0	0		No	No	No			No	No	No	No	No	RICHARD MCMAHON	MANAGER HAZARDOUS MATERIALS RISK MANAGEMENT	BNSF RAILWAY COMPANY
5	0	0	0	0	0	0		No	No	No			No	No	No	No	No	CLAY REID	ASSISTANT DIRECTOR	BNSF Railway
6	33	5	0	0	0	0		No	No	No			No	No	No	No	No	CLAY REID	ASSISTANT DIRECTOR HAZARDOUS MATERIALS	BNSF Railway Company
7	0	0	0	0	Yes	10 62 F overcast		No	No	No			No	No	No	No	No	CLAY REID	ASST. DIR. HAZMAT FIELD OPERATIONS + ER	BNSF Railway Company
8	0	0	0	0	0	0		No	No	No			No	No	No	No	No	JUSTIN PIPER	DIRECTOR HAZ MAT FIELD OPS + ER	BNSF Railway Company

[illegible]

[illegible]

	FV	FW	FX	FY	FZ	GA	GB
1							
2	Preparer of Incident Report						
3	4200 DEEN ROAD	FORT WORTH	TX	76131		US	Carrier
4	4200 DEEN ROAD	FORT WORTH	TX	76131		US	Carrier
5	4200 Deen Road	Fort	TX	76106		US	Carrier
6	4200 Deen Road	Fort Worth	TX	76106		US	Carrier
7	2600 Lou Menk Drive	Fort Worth	TX	76131-2830		US	Carrier
8	2500 Lou Menk Drive	Fort Worth	TX	76131-2830		US	Carrier

	FV	FW	FX	FY	FZ	GA	GB
9	2600 Lou Menk Drive	Fort Worth	TX	76131-2830		US	Carrier
10	2500 Lou Menk Drive	Fort Worth	TX	76131-2830		US	Carrier
11							
12							
13							
14							
15							
16							
17							
18							

	FV	FW	FX	FY	FZ	GA	GB
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							

GC		Description of Events
1		
2		
3		Tank car PROX 45665 was reported emanating a 'gasoline' type odor in the railyard. Inspection of PROX 45665 by a BNSF mechanical/hazardous material responder revealed all valves appeared closed and no liquid commodity release was observed. The vapor valve's closure plug was found not properly applied. This closure plug was resting atop the vapor valve's closure orifice with no plug threads threaded. The responder properly
4		Entrained tank car PROX 44085 was reported emanating a commodity odor prior to its train departure from the railyard. BNSF and contract responders inspecting PROX 44085 reported finding the applied manway nozzle gasket deteriorated and partially torn; thusly not providing a good seal. A new manway nozzle gasket was installed and the manway cover was re-secured which ended the commodity odor/vapor release. No liquid
5		car was discovered leaking in the Tulsa Yard during operations. The manway bolts were tightened and the leak was stopped.
6		The security seal (TILX865903) was wedged in between the manway cover and the manway nozzle thus preventing a seal and allowing vapors to escape. The manway cover bolts were loosened the manway cover was opened the tail of the seal was removed the manway cover was closed
7		0700CT Thayer South Sub Memphis Terminal M TULMEM1 31 while arriving Memphis Terminal derailed. Initial report indicates 07 cars derailed with 01 HAZARDOUS car (HSRX 3124) leaning on the North end of D6 track. Car contains HYDROCARBON LIQUID N.O.S. and is reported to be compromised (BOTTOM VALVE SHEERED OFF AND LEAKING). Local Fire Department and Hazardous Materials Contractor (SWS) responded to the
8		On 2/5/16 at approximately 13:51 CST a BNSF mechanical employee reported a petroleum odor and became nauseous. Kansas FD and Hazmat Team responded to the railyard and transported the employee to the Hospital. The immediate area was isolated around the suspect car (HSRX 3141) which was near where the employee became ill. BNSF Hazmat Responder and KCFD performed an entry to assess the area and recorded no abnormal air monitoring results using a 4-gas instrument and a PID. It was noted that a slight petroleum odor was evident in the area. KCFD demobilized from the scene after determining that no immediate risk was present in the area. A BNSF Hazmat responder and the BNSF contractor conducted an additional assessment of the area including all Hazmat cars that were in the area. The HSRX 3141 was not noticeably leaking at the time however because the car had no vapor pressure as expected it was determined to have the car set out for additional testing. Once set out

	GC
9	Vapor release from residue car HSRX 3342 at manway cover. Odor and hissing sound noted. Amount of release has been estimated in question 19. Inspection found 6 manway swingway bolts loose. Manway bolts tightened by BNSF forces vapor release stopped. Vapor dispersed by natural forces.
10	Tank car NATX 252588 was reported with residue product on the sides of the tank car around the manway nozzle. The BNSF Responder reported NATX 252588 three manway lid swing bolts were less than tool tight allowing product to release when the car was moved. BNSF Responder inspected the manway and properly tool tightened the manway lid swing bolts which ended any further release of product.
11	
12	
13	
14	
15	
16	
17	
18	

	GC
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	

	GD	GE	GF	GG	GH	GI	GJ	GK	GL	GM	GN	
1												
2	Recommendations/Actions Taken	HMIS Serious Incident Ind	HMIS Serious Fatality	HMIS Serious Injury	HMIS Serious Flight Plan	HMIS Serious Evacuations	HMIS Serious Major Artery	HMIS Serious Bulk Release	HMIS Serious Marine Pollutant	HMIS Serious Radioactive		HMIS General Package Type
3	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and	No	No	No	No	No	No	No	No	No		OHMIR.Ref_Container.descr_txt
4	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and	No	No	No	No	No	No	No	No	No		OHMIR.Ref_Container.descr_txt
5	additional training and improving operational	No	No	No	No	No	No	No	No	No		OHMIR.Ref_Container.descr_txt
6	additional training and improving operating procedures	Yes	No	No	No	Yes	No	No	No	No		OHMIR.Ref_Container.descr_txt
7	No additional comments.	Yes	No	No	No	No	No	Yes	No	No		OHMIR.Ref_Container.descr_txt
8	Shipper has been notified to address the pre-trip inspection process at the originating facility with those responsible for securing cars prior to transport. The inspection should consist of evaluating and inspecting all fittings and closures on the railcar regardless of whether or not the loading facility utilizes all fittings and closures.	Yes	No	Yes	No	No	No	No	No	No		OHMIR.Ref_Container.descr_txt

[illegible]

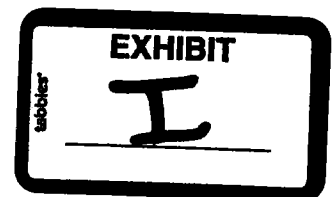
[illegible]

	GO	GP	GQ	GR
1				
2				
3	111S100W		Yes	No
4	111A100W		Yes	No
5	111A100W		Yes	No
6	111A100W		Yes	No
7	111A100W		Yes	No
8	111A100W		Yes	No

HMIS Container Code
HMIS Container Description
HMIS Bulk Incident Indicator
Undeclared Shipment

	GO	GP	GQ	GR
	111A100A		Yes No	
9				
	111A100W		Yes No	
10				
11				
12				
13				
14				
15				
16				
17				
18				

Report Type	Date of Incident	Incident City	Incident State	BNSF Railway Company	Occidental Energy Marketing By Titan Transloading LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	10/11/2014	Barstow	CA	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	5/25/2015	TULSA	OK	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	10/15/2013	Minneapolis	MN	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING INC.	TX	LEVELLAND	TEXAS
A hazardous material incident	9/19/2014	Dilworth	MN	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	5/26/2015	Ravia	OK	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC	TX	LEVELLAND	TEXAS
A hazardous material incident	10/17/2013	Minneapolis	MN	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING INC.	TX	LEVELLAND	TEXAS
A hazardous material incident	6/1/2015	Memphis	TN	BNSF RAILWAY COMPANY	OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC	TX	LEVELLAND	TEXAS



Commodity Long Name	Technical Name	Identification Number	Package Type	What Failed Description	How Failed Code	How Failed Description	Failure Cause Code	Failure Cause Description
PETROLEUM GASES LIQUEFIED OR LIQUEFIED PETROLEUM GAS		UN1075	Tank Car	Liquid Valve; Liquid Valve	308; 308	Leaked; Leaked	535; 526	Valve Open; Loose Closure Component or Device
HYDROCARBONS LIQUID N.O.S.		UN3295	Tank Car	Manway or Dome Cover	308	Leaked	515	Human Error
HYDROCARBONS LIQUID N.O.S.		UN3295	Tank Car	Vapor Valve; Closure (e.g. Cap Top or Plug)	308; 306	Leaked; Failed to Operate	528; 528	Missing Component or Device; Missing Component or Device
HYDROCARBONS LIQUID N.O.S.		UN3295	Tank Car	Manway or Dome Cover; Gasket	313; 306	Vented; Failed to Operate	508; 508	Defective Component or Device; Defective Component or Device
HYDROCARBONS LIQUID N.O.S.		UN3295	Tank Car	Manway or Dome Cover	313	Vented	526	Loose Closure Component or Device
GASOLINE INCLUDES GASOLINE MIXED WITH ETHYL ALCOHOL WITH NOT MORE THAN 10% ALCOHOL		UN1203	Tank Car	Liquid Valve; Liquid Valve	308; 308	Leaked; Leaked	535; 526	Valve Open; Loose Closure Component or Device
HYDROCARBONS LIQUID N.O.S.		UN3295	Tank Car	Bottom Outlet Valve	312	Torn Off or Damaged	509	Derailment

Gas Dispersion (Result) Ind	Description of Events	Recommendations/Action Taken
Yes	Tank car PROX 33073 in the railyard was reported emanating an odor. BNSF mechanical/hazardous material responders immediately inspected PROX 33073 and reported finding the A-end liquid valve approximately 1/4 turn open with its closure plug 1/4 turn from a tool tight condition. The responders closed the liquid valve and tool tightened its closure plug which ending any further vapor release. Intact shipper seal B6712109 at the protective housing cover was replaced by seal BNSF321352.	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.
Yes	car was discovered leaking in the Tulsa Yard during operations. The manway bolts were tightened and the leak was stopped.	additional training and improving operational procedures
Yes	Tank car PROX 45665 was reported emanating a 'gasoline' type odor in the railyard. Inspection of PROX 45665 by a BNSF mechanical/hazardous material responder revealed all valves appeared closed and no liquid commodity release was observed. The vapor valve's closure plug was found not properly applied. This closure plug was resting atop the vapor valve's closure orifice with no plug threads threaded. The responder properly applied the vapor valve's closure plug and tool tightened this plug into its threaded closure orifice. Afterwards the commodity odor dissipated and became non-detectable. Intact shipper seal numbered 0000050 at the valve housing cover was replaced by seal BNSF HAZMAT 001777.	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.
Yes	Entrained tank car PROX 44085 was reported emanating a commodity odor prior to its train departure from the railyard. BNSF and contract responders inspecting PROX 44085 reported finding the applied manway nozzle gasket deteriorated and partially torn; thusly not providing a good seal. A new manway nozzle gasket was installed and the manway cover was re-secured which ended the commodity odor/vapor release. No liquid commodity release was observed but a very small dried residue stain near the manway nozzle was wiped. All other valves and fittings were inspected and found secure. Intact shipper seals removed were replaced by Wenck seal 2586 at the manway closure and Wenck seal 2585 at the protective housing cover. Response was concluded by 2115 hrs. CDT 9/19/2014.	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.
Yes	The security seal (TLX865903) was wedged in between the manway cover and the manway nozzle thus preventing a seal and allowing vapors to escape. The manway cover bolts were loosened the manway cover was opened the tail of the seal was removed the manway cover was closed and the nuts tightened. This sealed the car. Once repair work commenced it required 15 minutes to mitigate the release.	additional training and improving operating procedures
Yes	Tank car PROX 98351 was reported emanating a gasoline odor in the railyard. Inspection of PROX 98351 by a BNSF mechanical/hazardous material responder revealed both liquid valves and the vapor valve partially open with all of their closure plugs not tool tight. Commodity wetness was observed at the base of the B-end liquid valve. The responder closed all the valves and tool tightened their closure plugs. The spillage around the B-end liquid valve was wiped. Afterwards no further commodity odor was detectable. Intact shipper seal numbered 0000100 at the valve housing cover was replaced by seal BNSF 03954884.	Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and fittings.
No	0700CT Thayer South Sub Memphis Terminal M TULMEM1 31 while arriving Memphis Terminal derailed. Initial report indicates 07 cars derailed with 01 HAZARDOUS car (HSRX 3124) leaning on the North end of D6 track. Car contains HYDROCARBON LIQUID N.O.S. and is reported to be compromised (BOTTOM VALVE SHEERED OFF AND LEAKING). Local Fire Department and Hazardous Materials Contractor (SWS) responded to the site. No waterways close or thought to be in jeopardy. 1300 car was still leaking after multiple attempts to close valve next step was to roll car over onto old adjacent ramp and liquid will be below the bottom valve and allow for further remediation off track. Cause: switch previously run through. 0200 June 2nd - Track back in operation.	No additional comments.