STATE OF MINNESOTA
COUNTY OF HENNEPIN

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

Scott Kowalewski,

Case No.: 27-CV-17-145

Judge: Amy Dawson

Plaintiff,

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 )

(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;
- 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: <a href="https://hazmatonline.phmsa.dot.gov/IncidentReportsSearch/IncrSearch.aspx">https://hazmatonline.phmsa.dot.gov/IncidentReportsSearch/IncrSearch.aspx</a>

Further affiant sayeth not.

Patrick J. Sweeney

Subscribed and sworn to before me this 26<sup>th</sup> day of April, 2018.

Notary Public

4818-8663-3315, v. 1



Filed in Fourth Judicial District Court
4/26/2018 2:12 PM
Hennepin County, MN
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1/30/2018 3:49 PM

Hennepin County, MN

27-CV-17-145



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-cy-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."

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1/30/2018 3:49 PM

Hennepin County, MN

27-CV-17-145

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.

Hennepin County, M

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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

j&seph.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))

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BNSF RAILWAY COMPANY	Name								

EXHIBIT 53



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BNSF RAILWAY COMPANY	BNSF RAILWAY COMPANY	COMPANY	BNSF RAILWAY COMPANY	BNSE Railway Company	BNSF RAILWAY COMPANY	BNSF RAILWAY COMPANY	ENSF RAILWAY COMPANY	BNSF Railway Company	Contact Street Name  Contact Street Contact Street Contact Street Contact Street
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Preparer of Incident Report	Property Christenit Description of Events Report
Carrier	car was discovered leaking in the Tulsa Yard during operations. The manway 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 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.
Carrier	A BNSF train crew reported entrained GATX 62590 (DOT 111A100WS 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 (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.
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 this derailment of the northbound train was UCLX 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 hole as 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 UCLX 30002 was lost. UCLX 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 evacuation ended at 1600 hrs. COT 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 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.
Carrier	During movement in the railyard to a repair track to correct an air brake defect tank car UCLX 30078 was reported emanating a vapor plume from the top fitting area. Movement was stopped and UCLX 30078 was condoned 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 psig frangible disc into the safety vent. The CIB with top inspection cap (plug) was applied and appropriately tightened. All observed spillage was neutralized and no ground impact from

Recommendations/Actions Taken	HMIS Serious Incident HMIS Serious Ind Fatality	HMIS Serious Fatality	HMIS Serious injury	HMIS Serious Filght Plan	S Serious Evacuations	HMIS Serious Major Artery	HMIS Serious Bulk Release	HMIS Serious Marine Poliutant	HMIS Serious Redioactive
	00000000000000000000000000000000000000	No	No	No	No.	No	N <sub>0</sub>	No	No
Ensure shipper's pre-trip inspection process is fully implemented and validated as it relates to the total securement and mechaical fitness of all valves and fittings.	No	No	No	No	No	NO O	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	20
No additional comments.	No	No	No	N. O	No	8	No	No	No
ä	Yes	No	No	No	Yes	No	8	No	No
Inspection process is fully and as it relates to the total cal fitness of all valves and	N	No	No	NO	N	No	No	No	No
No additional comments.	Yes	80	8	20	Yes	Yes	Yes	No	No
В. —	No	No	No	No	No	No	No	No	No
Insure 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

OHMIR.Ref_Com 111A100W	OHMIR.Ref_Com 111A100W	OHMIR.Ref_Con 111AW	OHMIR.Ref_Con 111S100W	OHMIR.Ref_Com 111A100W	OHMIR.Ref_Com 111AW	OHMIR.Ref_Com 112J340W	OHMIR.Ref_Com 112J340W	HMIS General HMIS Container Package Type Code  OHMIR.Ref_Con 111A100W
WO	W		• <b>W</b>	WX		DW .	OW .	HMIS Containes HMI Code Dev
		Non-pressure			Non-pressure			HMIS Container, Description
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	HMIS Bull Indicator Yes
No	No	No	No	No	No	No	No	Cincident Undeclared Shipment No

н -	- E-S-1	B' %	# <del>   </del>	<u></u>		H: 5-(H-
A hazardous material incident	A hazardons material inoident	A hazardous material incident	A hazardous material incident	A hazardous material incident	A hazardous material incident	Réport Type. A hazardous material incident
9/19/2014 Dilworth	10/15/2013 Minneapolis	6/1/2015 Memphis	5/26/2015 Ravia	10/17/2013 Minneapolis	10/11/2014 Barstow	5/25/2015
liworth	dimeapolis	demphis	avia	dinneapolis	arstow	ueldent City ULSA
M	NA	Z	OK	NA	ÇA.	Incident Stat
BNSF RAILWAY COMPANY	BNSF RAILWAY COMPANY	BNSF RAILWAY COMPANY	BNSF RAIL WAY COMPANY	BNSF RAILWAY COMPANY	BNSF RAILWAY COMPANY	ideat Incident City Incident State Carrier/Reporter Name 5/25/2015 TULSA OK BNSF RALLWAY COMPANY
OCCIDENTAL ENERGY MARKETING BY TITIAN TRANSLOADING LLC	TING	OCCIDENTAL ENERGY MARKETING BY TX	OCCIDENTAL ENERGY MARKETING BY TITTAN TRANSLOADING LLC		TING BY	ING BY
TX LEVELLAND	·	X LEVELLAND	TX LEVELLAND	TX LEVELLAND	TX LEVELLAND	State Origin City  TX LEVELLAND
D TEXAS	.	D TEXAS	D TEXAS	D TEXAS	D TEXAS	D TEXAS

Filed in Fourth Ju

EXHIBIT

		H							
			,		Cover, Gasket			CONDENSATE	N.O.S.
	8: 508 Defective Component or	re 508	Vented; Failed to Operate 508; 508	313; 306	Manway or Dome 313: 306	Tank Car	UN3295	NATURAL GAS	HYDROCARBONS LIQUID
	8; 528 Missing Component or Device; Missing Component or Device	528	Leaked; Failed to Operate 528; 528	308; 306	Vapor Valve; Closure (e.g. Cap Top or Plug)	Tank Car	UN3295	NATURAL GAS CONDENSATE	HYDROCARBONS LIQUID N.O.S.
				·					
	509 Derailment		2 Tom Off or Damaged	312	Bottom Outlet Valve	Tank Car	UN3295	NATURAL GAS CONDENSATE	HYDROCARBONS LIQUID N.O.S.
	526 Loose Closure Component or Device		Vented	313	Manway or Dome Cover	Tank Car	UN3295	NATURAL GAS CONDENSATE	HYDROCARBONS LIQUID N.O.S.
							:	,	GASOLINE MIXED WITH ETHYL ALCOHOL WITH NOT MORE THAN 10% ALCOHOL
<del></del>	Component or Device Component or Device  S35: 526  Valve Open: Loose Closure	535	Leaked, Leaked	308; 308	Liquid Valve Liquid Valve Liquid Valve	Tank Car	UNITED STATES	BOLANE	PETROLEUM GASES LIQUEFIED OR LIQUEFIED PETROLEUM GAS GASOLINE INCLUDES
		3				1; 1;		CONDENSATE	NO.S.
****	ode Fallure Cause Description 515 Human Error	C	How Falled Description 308 Leaked		Manway or Dome	Packaging Type Tank Car	e Number UN3295	Technical/Trade Name Number NATURAL GAS UN3295	Commodity Long Name HYDROCARBONS LIQUID
	Failure Cause			How Failed	WhatFailed		Identification	では、日本のでは、日本	というない かんからない はんかん

....27-CV-17-145

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

Gas Dispersion (Result) Ind Yes  Yes	Description of Events  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operations. The manway bolts were lightened and the leak was stopped.  Car was discovered leaking in the Tubsa Yard during operational procedures  Car was discovered park was stopped.  Car was discovered park was stopped.  Car was discovered in the Tubsa Yard during operational the leak was stopped.  Car was discovered park was stopped.  Car was disc
	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.  The security seal (TLX865903) was wedged in between the manway cover and the manway nozzle thus preventing a seal and
	The security seal (III.X865903) was wedged in between the manway cover and the manway nozzle thus preventing a seal and additional training and improving operating procedures 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.
Νό	0700CT Thayer South Sub Memphis Terminal M TULMEMI 31 while arriving Memphis Terminal derailed. Initial report indicates 07 cars derailed with 01 HAZARDOUS car (HSRX 3124) learning on the North end of D6 track. Car contains HXXDROCARBON 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.
Υ Υ	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 commodify odor dissipated and became non-detectable. Intact shipper seal numbered 0000050 at the valve housing cover was replaced by seal BNSF HAZMAT 001777.
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.

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

**Electronically Served** 2/5/2018 11:01 AM Hennepin County, MN

STATE OF MINNESOTA	DISTRICT COURT
COUNTY OF HENNEPIN	FOURTH JUDICIAL DISTRICT Case Type: PERSONAL INJURY-FELA
Scott Kowalewski, Plaintiff,	Case No.: 27-cv-17-145 Judge: Amy Dawson
vs.  BNSF Railway Company, a Delaware corporation,	AFFIDAVIT OF CLAY REID
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.

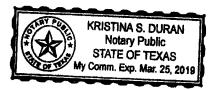
FURTHER YOUR AFFIANT SAYETH NOT.

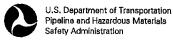
Clay Reid

Subscribed and sworn to before me this 2<sup>hal</sup> day of February 2018

Notary Public

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# 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 seperate 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.

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:  A) A hazardous material incident  B) An undeclared shipment with no release
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.
2. Indicate whether this is:
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): N/A
6. If you submitted a report to another Federal DOT agency, enter the agency and report number: N/A
7. Location of Incident: City: Tulsa County: Tulsa State: OK ZIP Code (if known): 74107
Street Address/Mile Marker/Yardname/Airport/Body of Water/River Mile 1631 West 33rd Place (BNSF Tulsa Rallyard)
8. Mode of Transportation
9. Transportation Phase In Transit 🔲 Loading 🔲 Unloading 🔲 In Transit Storage
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 062712 002 010UW
11. Shipper/Offeror Name Occidental Energy Marketing by Titan Transloading LLC
Street 565 Gusher Road
City Levelland State TX ZIP Code 79336
Waybill/Shipping Paper BNSF 477387 Hazmat Registration Number N/A
12. Origin Street Same as shipper
(if different from shipper address) City State ZIP Code
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: N/A
16. Hazardous Class/ Division: 3 17. Identification 18. Packing 19. Quantity 1 Number: UN3295 Group: I Released: Gas - Pound (E.g. UN2764, NA 2020) (If applicable) (Include Measurement Units)
20. Was the material shipped as a hazardous waste?
21. Is this a Toxic by Inhalation (TiH) material?  Yes No If yes, provide the Hazard Zone: N/A
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate? Yes No  If yes, provide the Exemption, Approval, or CA number: N/A
23. Was this an undeclared hazardous materials shipment?
Form DOT F 5800.1 (01-2004) Page 1 Reproduction of this

EXHIBIT A

Aff'd Clay Reid

PART III - PACKAGING INFORMATION	
24. Check Packaging Type (check only one - if more than one, lis	t type of packaging, copy Part III, and complete for each type:
☐ Non-bulk ☐ IBC	Cargo tank Motor Vehicle (CTMV)
☐ Cylinder ☐ RAM ☐	Portable Tank
	nd at the end of the instructions. Be sure to enter the codes from the list bove. Enter the number of codes as appropriate to describe the incident. nore than two failure points, provide in this format in part VI.
1. What Failed: 137 How Failed:	308 Causes of Failure: 515
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/M9	339/10800/1200, DOT - 105A - 100W (RAIL), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)
26b. For Non-bulk, IBC, or non-specification packaging, if identif complete the following:	ication markings are incomplete or unavailable, see instructions and
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Packaging Type: N/A	Packaging Type: N/A
Material of Construction: N/A	Material of Construction: N/A
Head Type (Drums only):	Non - Removable
27. Describe the package capacity and the quantity:	
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):
Package Capacity; 31808 Liquid - Gallon	Package Capacity: N/A
Amount in Package: 29636 Liquid - Gallon	Amount in Package: N/A
Number in Shipment: 1	Number in Shipment:
Number Failed:1	Number Failed:
28. Provide packaging construction and test information, as app	propriate:
Manufacturer: TRINITY	Manufacture Date:11/21/2013
Serial Number: HSRX3235	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: <u>N/A</u>
(If prec 29. If the packaging is for Radioactive Materials, complete the fo	sent and legible) (if present and legible) bllowing:
Packaging Category:   Type A	] Type B ☐ Type C ☐ Excepted ☐ Industrial
Packaging Certification:	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)	Page 2 Reproduction of this form is permitted

PART IV - CONSEQUENCES			
30. Result of Incident (check all that apply):	Spillage	xplosion	al Entered Waterway/Storm Sewer
•	Vapor (Gas) Dispersion 🔲 E	nvironmental Damage	☐ No Release
31. Emergency Response: The following entit	ies responded to the incident:	(Check all that apply)	
☐ Fire/EMS Report # N/A	Police Report # N/A	In-ho	ouse cleanup 🔲 Other Cleanup
32. Damages: Was the total damage or	ost more then \$500?	☐ Yes ■ No	
If yes, enter the following information:	no, go to question 33.		
Material Loss: Carrier Damage:	Property Damage:	Response Cost:	Remediation/Cleanup Cost:
	<u>\$</u> 0	\$ <u>0</u>	\$ <u>0</u>
(See damage definitions in the instructions)		<b>5 5</b>	
33a. Did the hazardous material cause or contrib		☐ Yes ■ No	
If yes, enter the number of fatalities resulting			a a sa a
Fatalities: Empl	oyees N/A Respo	onders N/A	General Public N/A
33b. Were there human fatalities that did not res	sult from the hazardous material	? 🛚 Yes 🔳 No	if yes, how many? N/A
34. Did the hazardous material cause or contribu	ite to personal injury?	☐ Yes ■ No	
lf yes, enter the number of injuries resulting	from the hazardous material:		
Hospitalized (Admitted Only): Empl	oyees N/A Respo	onders N/A	General Public N/A
'		onders N/A	General Public N/A
(e.g.: On site first ald or Emergency Room observa	-		
35. Did the hazardous material cause or contribu	ite to an evacuation?	☐ Yes ■ No	
If yes, provide the following information:	NI/A TO A TO A	N//	A
Total number of general public evacuated		ployees evacuated N/	A Total Evacuated N/A
•	•		
36. Was a major transportation artery or facility	·	☐ Yes ■ No	If yes, how many? N/A (hours)
37. Was the material involved in a crash or derai	ilment?	☐ Yes    No	
If yes, provide the following information:	Estimated speed (mph): N/	Weather condition	ons: N/A
	Vehicle overturn?	☐ Yes ■ No	
	Vehicle left roadway/track?	☐ Yes ■ No	
PART V - AIR INCIDENT INFORMAT	FION /places refer to \$ 175	31 to you at a discuss	
TAIT V - AIR INCIDENT INFORMA	I IOIN (please refer to 3 175.	s i to report a discrep	ancy for air snipments)
38. Was the shipment on a passenger aircraft?		🗆 Yes 🔳 No	
If yes, was it tendered as cargo, or as passer	nger baggage?		
☐ Cargo	Passenger baggage		
39. Where did the incident occur (if unknown, ch	eck the appropriate box for the	location where the incid	lent was discovered)?
☐ Air carrier cargo facility	☐ Sort center	☐ Baggag	ge area
☐ By surface to/from airport	☐ During flight	☐ During	loading/unloading of aircraft
40. What phase(s) had the shipment already und	dergone prior to the incident? (C	heck all that apply)	
☐ Shipment had not been transported	☐ Transported by air (first	flight)	ort by air (subsequent flights)
☐ Initial transport by highway to cargo facil	ity 🔲 Transfer at sort center/o	argo facility	
Form DOT F 5800.1 (01-2004)	Page 3	Rei	production of this form is permitted

PART VI - DESCRIPTION OF EVENTS & PACKAGE	FAILURE
Describe the sequence of events that led to the incident and the acti including the size and location of holes, cracks, etc. Photographs an the duration of the release, if possible. Describe what was done to necessary.	ons taken at the time it was discovered. Describe the package failure, I diagrams should be submitted if needed for clarification. Estimate litigate the effects of the release. Continue on additional sheets if
car was discovered leaking in the Tulsa Yard during operations. The many	way bolts were tightened and the leak was stopped.
	,
•	1
PART VII - RECOMMENDATIONS/ACTIONS TAKE	I TO PREVENT RECLIBRENCE
Where you are able to do so, suggest or describe changes (such as procedures) to help prevent recurrence. Provide recommendations control of your individual company. Continue on additional sheets i	or improvement to hazardous materials transportation beyond the
additional training and learned as a setting to see the set	
additional training and improving operational procedures	
•	
PART VIII- CONTACT INFORMATION	
Contact's Name (Type or Print): Clay Reid	Telephone Number: ( ) (817) 740-7226
Contact's Title: Assistant Director Hazardous Materials	Fax Number: ( ) (817) 740-7250
Business Name and Address: BNSF Railway Company	Hazmat Registration Number (if not already provided):
4200 Deen Road, Fort Worth, TX 76106	062712 002 010UW
E-mail Address: clay.reld@bnsf.com	Date: 05/26/2015
Preparer is:  ☐ Carrier ☐ Shipper ☐ Facilit	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.

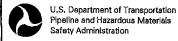
INSTRUCTIONS: Submit this report to the Information Systems Manager, U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, Office of Hazardous Materials Safety, DHM-63, Washington, D.C. 20590-0001. If space provided for any item is inadequate,

use a seperate sheet o Office of Hazardous Ma Center at 1-800-HMR-4	terials W	ebsite at http	://hazmat.dot.gov,	If you have	e any questi	s of this ons, you	form and insti can contact th	ructions can e Hazardous	be obtained from the Materials Information
PART I - REPORT	TYPE							- · · · <del>-</del>	
1. This is to report:	-		A) A hazardous ma	terial incide	ent		B) An undecla	red shipment	with no release
			C) A specification of (1) received structure intended to protein	tural dama	ge to the ladi	ng retentio	on system or da	ımage that req	terials that uires repair to a system
2. Indicate whether this	is:	▣	An initial report		A suppleme	ental (follo	w-up) report		Additional Pages
PART II - GENER	AL INC	IDENT IN	<b>IFORMATION</b>						
3. Date of Incident: 05	/26/2015		4.	Time of I	ncident (use	24-hour	time): <u>17:00</u>	)	
5. Enter National Resp	onse Cer	iter Report N	lumber (if applical	ole): 111-	7641				
6. If you submitted a re	port to a	nother Fede	ral DOT agency, e	nter the a	gency and i	report nu	mber: N/A		
7. Location of Incident:	City: F	Ravla	Count	y; Johnst	on s	tate: OK	ZIP C	ode (if know	vn): <u>73455</u>
Street Address/Mile	Marker/\	/ardname/Ai	rport/Body of Wat	er/River N	file Siding 1	rack MP	591.9, BNSF (	Creek Subdiv.	<u> </u>
8. Mode of Transportat	tion		Air		Highway		Raii		Water
9. Transportation Phas	6	=	In Transit		Loading		Unloading		In Transit Storage
10. Carrier/Reporter	Name	BNSF Rallw	ay Company		<del></del>				
	Street	2600 Lou M	enk Drive						
	City _	Fort Worth					tate TX	_	76131-2830
	Federal	DOT ID Nun	nber <u>281683</u>		Ha:	zmat Reg	istration Num	ıber <u>062712</u>	002 010UW
11. Shipper/Offeror	Name	Occidental I	Energy Marketing by	y Titan Tra	nsloading LL	.c			
	Street	565 Gusher	Road						
		Levelland					tate TX	-	79336
	Waybil	I/Shipping P.	aper <u>BNSF 25873</u>	2	Haz	zmat Reg	istration Num	nber <u>N/A</u>	
12. Origin (if different from	Street	Same as sh	pper						
shipper address)	City _				<del></del>	s	tate	_ ZIP Code	
13. Destination	Street	11700 Old F	lighway 48						
	City _	Brownsville						ZIP Code	78521
14. Proper Shipping Na	me of H	azardous Ma	terial: HYDROCAR	BONS, LI	QUID, N.O.S	) <u>.</u>			
15. Technical/Trade Na	me: N/A				· · · · · · · · · · · · · · · · · · ·				
16. Hazardous Class/ Division: 3			fication er: <u>UN3295</u> N2764, NA 2020)	_	18. Packing Group: _ (If applica	<u> </u>			/ 1 d: Measurement Units)
20. Was the material sh	ipped as	a hazardous	waste? 🔲 Ye	s 🔳	No If yes,	provide	the EPA Mani	ifest Number	. N/A
21. Is this a Toxic by In							the Hazard Zo		
22. Was the material sh	ipped ur	nder an Exem	nption, Approval, c	or Compet	•	•			No
If yes, provide the E									
23. Was this an undecla	ared haza	irdous mater	ials shipment?					Yes 🔳	No
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PART III - PACKAGING INF	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 ap that corresponds to the particula Enter the most important failure	r packaging type checked	above. Enter the	number of codes as a	appropriate to describe the incident.			
1. What Failed: 137	How Failed:	313	Causes	of Failure: <u>526</u>			
2. What Failed:	How Failed:		Causes	of Failure:			
26a. Provide the packaging identification	ation markings, if available	<b>.</b>					
Identification Markings: 111A1	00W1						
(Examples: 1A1/Y1.4/150/92/USA/RB	/93/RL, UN31H1/Y0493/USA/N	19339/10800/1200, [	OT - 105A - 100W (RAIL	), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)			
26b. For Non-bulk, IBC, or non-speci complete the following:	ification packaging, if iden	tification marking	s are incomplete or (	unavailable, see instructions and			
Single Package or Outer Packa	ging:	;	Single Package or In	ner Packaging (if any):			
Packaging Type: N/A			Packaging Type: N/	Α			
Material of Construction: N/A			Material of Construct	ion: N/A			
Head Type (Drums only):	☐ Removable	☐ Non - Remov	able				
27. Describe the package capacity a	nd the quantity:						
Single Package or Outer Packa	ging:	;	Single Package or Int	ner Packaging (if any):			
Package Capacity: 31808	Liquid - Gallon		Package Capacity:	N/A			
Amount in Package: 28985	Liquid - Gallon			N/A			
Number in Shipment:1	Number in Shipment: Number in Shipment:						
Number Failed: 1	Number Failed: 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: carbo	n steel	(if Tank Car,	CTMV, Portable Tank, o	r Cylinder)			
Design Pressure: 100		(If Tank Car,	CTMV, Portable Tank)				
Shell Thickness: N/A		(if Tank Car,	CTMV, Portable Tank)				
Head Thickness: N/A	Head Thickness: WA (if Tank Car, CTMV)						
Service Pressure: N/A		(if Cylinder)					
If valve or device failed:							
Type: N/A	Manufacturer: N/A		Mo	odel: N/A			
(if present and legible) (if present and legible)  29. If the packaging is for Radioactive Materials, complete the following:							
Packaging Category:	<b>□</b> Туре А	□ Туре В	□ Туре С □ Е	excepted Industrial			
Packaging Certification:	☐ Self Certified	U.S. Certifica	tion Certificati	on Number N/A			
Nuclide(s) Present: N/A	Nuclide(s) Present: N/A Transport Index: N/A						
Activity: N/A	Activity: N/A Critical Safety Index: N/A						
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PART IV - CONSEQUENCES						
30. Result of Incident (check all that apply):	Spillage	☐ Material Entered Waterway/Storm Sewer				
■ ∨	apor (Gas) Dispersion   Environme	ntal Damage 🔲 No Release				
31. Emergency Response : The following entities	s responded to the incident: (Check a	li that apply)				
■ Fire/EMS Report # N/A	Police Report # N/A	In-house cleanup				
32. Damages: Was the total damage cos	t more than \$500?	s 🛘 No				
If yes, enter the following information: If no	o, go to question 33.					
Material Loss: Carrier Damage:	Property Damage: Res	ponse Cost: Remediation/Cleanup Cost:				
\$ <u>0</u> \$ <u>0</u>	<u> </u>	,945 \$ 0				
(See damage definitions in the instructions)						
33a. Did the hazardous material cause or contribut	te to a human fatality?	s 🔳 No				
If yes, enter the number of fatalities resulting f						
Fatalities: Employ	rees N/A Responders	N/A General Public N/A				
33b. Were there human fatalities that did not resul	It from the hazardous material? 🏻 🗎 Ye	es I No If yes, how many? N/A				
34. Did the hazardous material cause or contribute	e to personal injury?	es 🗓 No				
If yes, enter the number of injuries resulting fr	om the hazardous material:					
Hospitalized (Admitted Only): Employ	vees N/A Responders	N/A General Public N/A				
Non-Hospitalized: Employ (e.g.: On site first ald or Emergency Room observation		N/A General Public N/A				
35. Did the hazardous material cause or contribute	e to an evacuation?	es 🗆 No				
If yes, provide the following information:	<del></del> · ·	- <del>-</del>				
Total number of general public evacuated 3	Total number of employees e	vacuated 0 Total Evacuated 33				
Duration of the evacuation 5 (hours						
36. Was a major transportation artery or facility cl	<u></u>	es I No If yes, how many? N/A (hours)				
37. Was the material involved in a crash or derailr	ment?	es 🔳 No				
If yes, provide the following information:	Estimated speed (mph): N/A W	/eather conditions: N/A				
	Vehicle overturn?	es 🔳 No				
	Vehicle left roadway/track? ☐ Ye	es 🖪 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?		es 🔳 No				
If yes, was it tendered as cargo, or as passeng	_					
☐ 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						
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PART VI - DESCRIPTION OF EVENTS & PACKAGE FAILURE						
Describe the sequence of events that led to the incident and the action including the size and location of holes, cracks, etc. Photographs and of the duration of the release, if possible. Describe what was done to mitinecessary.	liagrams should be submitted if needed for clarification. Estimate					
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 "tall" 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						
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): Clay Reld	Telephone Number: ( ) (817) 740-7226					
Contact's Title: Assistant Director Hazardous Materials	Fax Number: ( ) (817) 740-7250					
Business Name and Address: BNSF Rallway Company	Hazmat Registration Number (if not already provided):					
4200 Deen Road, Fort Worth, TX 76106 E-mail Address: clay.reld@bnsf.com	062712 002 010UW Date: 05/27/2015					
Preparer is:	Other					
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use a seperate 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:		•	A) A hazardous	material incid	ent		B) An undecla	ared shipment	with no release
			C) A specification (1) received sintended to p	tructural dama	age to the lac	ling retenti		amage that req	terials that uires repair to a system
2. Indicate whether this	is:	▣	An initial report	_			w-up) report		Additional Pages
PART II - GENER	AL INC	IDENT IN	FORMATIC	ON					
3. Date of Incident: 10	/15/2013			4. Time of l	ncident (us	e 24-hou	r time): _11:1:	5	
5. Enter National Resp	onse Cei	nter Report N	lumber (if appl	icable): N/A					
6. If you submitted a re	port to	another Fede	ral DOT agenc	y, enter the a	gency and	report nu	ımber: N/A		
7. Location of Incident	City: L	Minneapolis	Co	unty: Henne	epin :	State: MN	iziP(	Code (if know	/n): <u>55421</u>
Street Address/Mile	Marker/	Yardname/Ai	rport/Body of \	Water/River I	Vile 4059 E	ast River	Road (BNSF N	/linneapolis/No	orthtown Rallyard)
8. Mode of Transporta	tìon		Air		Highway		Rail		Water
9. Transportation Phas	8		In Transit		Loading		Unloading		In Transit Storage
10. Carrier/Reporter	Name	BNSF Railw	ay Company						
	Street	2600 Lou M	enk Drive						
	City _	Fort Worth				S	State TX	_ ZIP Code	76131-2830
	Federa	I DOT ID Nun	nber <u>281683</u>		H	azmat Reg	istration Nun	nber <u>062712</u>	002 010UW
11. Shipper/Offeror	Name		Energy Marketin	g Inc. by Nort	h Star Gas	Ltd. Co.			
		treet 5 East Greenway Plaza							
	City _	Houston			<del></del>	s	State TX	_ ZIP Code	77046
	waybii	II/Shipping P	aper BNSF 83	2082	Ha	azmat Reg	istration Nun	nber <u>Unaval</u>	able
12. Origin (if different from	Street		··		-				
shipper address)	City _	Levelland					State TX	_ ZIP Code	79336
13. Destination	Street	12011-1251	n Street	<del></del>			·		
	City _	Scotford	<del></del>	<del></del>			State AB	_ ZIP Code	T8L 4G2
14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.									
15. Technical/Trade Na	me: NA	TURAL GASC	LINE						<del></del>
16. Hazardous Class/ Division: 3			fication par: UN3295 N2764, NA 2020)		18. Packing Group: (If applic	<u> </u>		19. Quantity Release	
20. Was the material shipped as a hazardous waste?   Yes No If yes, provide the EPA Manifest Number: N/A									
21. Is this a Toxic by Inhalation (TIH) material?  Yes No If yes, provide the Hazard Zone: N/A									
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate?									
If yes, provide the Exemption, Approval, or CA number: N/A									
23. Was this an undeclared hazardous materials shipment?									
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PART III - PACKAGING INFORMATION						
24. Check Packaging Type (check	only one - if more than one,	list type of packag	ing, copy Part III, an	d complete for each type:		
☐ Non-bulk	☐ IBC	☐ IBC ☐ Cargo tank Motor Vehicle (CTMV)				
☐ Cylinder	☐ RAM	☐ Portable Tank	☐ Other <u>N/A</u>			
	ular packaging type checked	above. Enter the i	number of codes as	sure to enter the codes from the list appropriate to describe the incident.  In this format in part VI.		
1. What Failed: 158	How Failed	308	Causes	of Failure: <u>528</u>		
2. What Failed: 109	How Failed		Causes	of Failure: 528		
26a. Provide the packaging identi	fication markings, if availabl	e.				
Identification Markings: 111	S100W1					
(Examples: 1A1/Y1.4/150/92/USA	/RB/93/RL, UN31H1/Y0493/USA/N	M9339/10800/1200, D	OT - 105A - 100W (RAIL	_), DOT 406 (HIGHWAY), DOT 51, DOT 3-A)		
26b. For Non-bulk, IBC, or non-sp complete the following:						
Single Package or Outer Pac	kaging:	5	Single Package or In	ner Packaging (if any):		
Packaging Type: N/A	<del></del>	, F	ackaging Type: N/	Α		
Material of Construction: N/	Α		Material of Construct	tion: N/A		
Head Type (Drums only):	☐ Removable	☐ Non - Remova	able			
27. Describe the package capacity	y and the quantity:					
Single Package or Outer Pac	kaging:	ş	Single Package or In	ner Packaging (if any):		
Package Capacity: 212			ackage Capacity:	• • • • • • • • • • • • • • • • •		
Amount in Package: 157			Amount in Package:			
Number in Shipment: 1						
Number Failed: 1						
28. Provide packaging construction	on and test information, as a	ppropriate:				
Manufacturer: UTLA			Manufacture Date: _	09/18/2012		
Serial Number: PROX45665			ast Test Date:	**********		
Material of Construction: CA	RBON STEEL	(if Tank Car, C	TTMV, Portable Tank, o	r Cylinder)		
Design Pressure: 100			CTMV, Portable Tank)	•		
Shell Thickness: N/A						
Head Thickness: N/A						
Service Pressure: N/A		(if Cylinder)				
If valve or device failed:						
Type: N/A	Manufacturer: N/	A	Ma	odel: N/A		
29. If the packaging is for Radioac	(If p	resent and legible)		(if present and legible)		
Packaging Category:	☐ Type A	_	☐ Type C ☐ E	Excepted 🔲 Industrial		
Packaging Certification:	☐ Self Certified	☐ U.S. Certificat	•	ion Number N/A		
Nuclide(s) Present: N/A		Transpo	rt Index: N/A			
Activity: N/A		Critical :	Safety Index: N/A			
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PART IV - CONSEQUENCES						
30. Result of Incident (check all that apply): Spillage Fire Explosion Material Entered Waterway/Storm Sewer						
	Vapor (Gas) Dispersion 🔲 E	nvironmental Dam	age 🔲 No Refease			
31, Emergency Response: The following entiti-	es responded to the incident:	(Check all that ap	ply)			
☐ Fire/EMS Report # N/A	Police Report # N/A		In-house cleanup ☐ Other Cleanup			
32. Damages: Was the total damage co	st more than \$500?	☐ Yes ■ N	a			
	no, go to question 33.		-			
Material Loss: Carrier Damage:	Property Damage;	Response Co	est: Remediation/Cleanup Cost:			
\$ 0 \$ 0	\$ <u>0</u>	\$ <u>100</u>	\$ 0			
(See damage definitions in the instructions)						
33a. Did the hazardous material cause or contribu	ute to a human fatality?	🗆 Yes 🔳 N	0			
If yes, enter the number of fatalities resulting						
Fatalities: Emplo	yees N/A Respo	onders N/A	General Public N/A			
33b. Were there human fatalities that did not rest	ult from the hazardous material	7 ☐ Yes 🗐 N	o If yes, how many? N/A			
34. Did the hazardous material cause or contribut	te to personal injury?	□ Yes 🗉 N	io.			
lf γes, enter the number of injuries resulting f						
Hospitalized (Admitted Only): Emplo	yees <u>N/A</u> Respo	onders N/A	General PublicN/A			
Non-Hospitalized: Emplo	yees N/A Respo	onders N/A	General Public N/A			
(e.g.: On site first aid or Emergency Room observati	on and release)		i			
35. Did the hazardous material cause or contribut	te to an evacuation?	☐ Yes 🗷 N	la			
lf yes, provide the following information:						
Total number of general public evacuated		oloyees evacuated	N/A Total Evacuated N/A			
Duration of the evacuation N/A (hou	rs)					
36. Was a major transportation artery or facility o	losed?	☐ Yes 🔳 N	o If yes, how many? N/A (hours)			
37. Was the material involved in a crash or derail	ment?	☐ Yes 🔳 N	lo			
If yes, provide the following information:	Estimated speed (mph): N/	Weather co	onditions: N/A			
	Vehicle overturn?	☐ Yes ■ N	lo			
	Vehicle left roadway/track?	☐ Yes 🗷 N				
DADTY AID INCIDENT INTO DATA	· · · · · · · · · · · · · · · · · · ·					
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 🔳 N	ło			
If yes, was it tendered as cargo, or as passen	ger 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	□в	aggage area			
☐ By surface to/from airport	☐ During flight		ouring 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						
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PART VI - DESCRIPTION OF EVEN	ITS & PACKAGE FA	AILURE
including the size and location of holes, crack	s, etc. Photographs and o	s taken at the time it was discovered. Describe the package failure, liagrams should be submitted if needed for clarification. Estimate igate the effects of the release. Continue on additional sheets if
material responder revealed all valves appeared not properly applied. This closure plug was restin applied the vapor valve's closure plug and tool tig	closed and no liquid commo g atop the vapor valve's clo phtened this plug into its thr	railyard. Inspection of PROX 45665 by a BNSF mechanical/hazardous bodity release was observed. The vapor valve's closure plug was found sure orifice with no plug threads threaded. The responder properly eaded closure orifice. Afterwards, the commodity odor dissipated and housing cover was replaced by seal BNSF HAZMAT 001777.
		<b>:</b>
PART VII - RECOMMENDATIONS	ACTIONS TAKEN	TO PREVENT RECURRENCE
Where you are able to do so, suggest or desc procedures) to help prevent recurrence. Prov control of your individual company. Continue	ide recommendations for	ditional training, use of better packaging, or improved operating improvement to hazardous materials transportation beyond the ecessary.
Ensure shipper's pre-trip inspection process is fu valves and fittings.	lly implemented and validat	ed as it relates to the total securement and mechanical fitness of all
PART VIII- CONTACT INFORMAT	ION	
Contact's Name (Type or Print): Richard McMa	shon	Telephone Number: ( ) (817) 740-7355
Contact's Title: Manager Hazardous Materials I		Fax Number: ( ) (817) 740-7250
Business Name and Address: BNSF Railway		Hazmat Registration Number (if not already provided):
4200 Deen Road, Fort Worth, TX 76106		062712 002 010UW
E-mail Address: rich.mcmahon@bnsf.com		Date: 10/22/2013
Preparer is:   Carrier   Shi	pper	☐ Other
Form DOT F 5800.1 (01-2004)	D	Donya dustian af this farms is a security
GIALDOTT 0000.1 (01°2004)	Page	Reproduction of this form is permitted



U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration

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PART I - REPORT TYPE									
1. This is to report:		1	A) A hazardous mate	erial Incid	ent		B) An undeclar	red shipment v	vith no release
			C) A specification ca (1) received struct intended to protect	ural dam	age to the ladir	ng retentio	n system or da	mage that requ	erials that lires repair to a system
2. Indicate whether this	is:		An initial report		A suppleme	ntal (follov	w-up) report		Additional Pages
PART II - GENERA	AL INC	IDENT IN	FORMATION						
3. Date of incident: 09/	19/2014		4.7	Time of	ncident (use	24-hour	time): 17:00		
5. Enter National Respo	nse Cen	ter Report N	umber (if applicab	le): <u>N/A</u>	,				
6. If you submitted a re	port to a	nother Fede	ral DOT agency, en	ter the a	agency and r	eport nu	mber: N/A		
7. Location of Incident:	City: D	llworth	County	; Clay	S:	tate: MN	ZIP C	ode (if know	n): <u>56529</u>
Street Address/Mile I	Marker/Y	ardname/Ai	rport/Body of Wate	r/River I	Vile <u>511 2nd</u>	Avenue S	SE (BNSF DIM	orth Railyard	1
8. Mode of Transportati	ion		Air		Highway	▣	Rail		Water
9. Transportation Phase	3		In Transit		Loading		Unloading	. 🗖	In Transit Storage
10. Carrier/Reporter	Name	BNSF Railw	ay Company						
	Street	2600 Lou Me	enk Drive						
	City _	Fort Worth				S1	tate <u>TX</u>	ZIP Code	76131-2830
	Federal	DOT ID Num	nber <u>281683</u>		Haz	mat Regi	istration Num	ber <u>062712</u>	002 010UW
11. Shipper/Offeror	Name	Occidental E	nergy Marketing by	Titan Tra	ansioading LL	C		<del></del>	
	Street	565 Gusher	Road						· · · · · · · · · · · · · · · · · · ·
	City _	Levelland				S1	tate TX	ZIP Code	79336
	Waybill	/Shipping Pa	per BNSF 829907	•	Haz	mat Regi	istration Num	ber N/A	<del></del>
12. Origin	Street	Same as shi	pper						
(if different from shipper address)	City _					S1	tate	ZIP Code	
13. Destination	Street	205 5th Ave	nue S.W.						
	City _	Calgary				St	tate AB	ZIP Code	T2P 2V7
14. Proper Shipping Name of Hazardous Material: HYDROCARBONS, LIQUID, N.O.S.									
15. Technical/Trade Name: N/A									
16. Hazardous Class/ Division: 3			Ication er: <u>UN3295</u> N2764, NA 2020)	-	18. Packing Group: _ (if applica				1 Gas - Pound leasurement Units)
20. Was the material shipped as a hazardous waste?   Yes  No If yes, provide the EPA Manifest Number: N/A									
21. Is this a Toxic by Inhalation (TIH) material?  Yes I No If yes, provide the Hazard Zone: N/A									
22. Was the material shipped under an Exemption, Approval, or Competent Authority Certificate?									
If yes, provide the Exemption, Approval, or CA number: N/A									
23. Was this an undeclared hazardous materials shipment?									
Form DOT F 5800.1 (01-	2004)		<del></del>	Page 1	l		Repro	duction of th	is form is permitted

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)				
☐ Cylinder ☐ RAM ☐	Portable Tank				
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: 508				
2. What Failed: 121 How Failed:	306 Causes of Failure: 508				
<b>26a.</b> Provide the packaging identification markings, if available.					
Identification Markings: 111A100W1					
(Examples: 1A1/Y1.4/150/92/USA/RB/93/RL, UN31H1/Y0493/USA/M93	39/10800/1200, 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: N/A	Packaging Type: N/A				
Material of Construction: N/A	Material of Construction: N/A				
Head Type (Drums only): Removable	Non - Removable				
27. Describe the package capacity and the quantity:					
Single Package or Outer Packaging:	Single Package or Inner Packaging (if any):				
Package Capacity: 30330 Liquid - Gallon	Package Capacity: N/A				
Amount in Package: 27242 Liquid - Gallon	Amount in Package: N/A				
Number in Shipment: 1					
Number Failed:1					
28. Provide packaging construction and test information, as appr	opriate:				
Manufacturer: UTLZBG	Manufacture Date:11/01/2008				
Serial Number; PROX44085	Last Test Date;11/01/2006				
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: <b>N</b> /A				
(If pres 29. If the packaging is for Radioactive Materials, complete the for	ent and legible) (if present and legible)				
Packaging Category:   Type A	Type B ☐ Type C ☐ Excepted ☐ Industrial				
<u> </u>	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)	Page 2 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>1,600</u> \$ <u>0</u>				
(See demage definitions in the instructions)				
33a, Did the hazardous material cause or contribute to a human fatality?				
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?				
If yes, enter the number of injuries resulting from the hazardous material:				
Hospitalized (Admitted Only): Employees <u>N/A</u> Responders <u>N/A</u> General Public <u>N/A</u>				
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?				
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?				
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)				
And the object of the object of the analytic of the object				
38. Was the shipment on a passenger aircraft?				
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				
Form DOT F 5800.1 (01-2004) Page 3 Reproduction of this form is permitted				

PART VI - DESCRIPTION OF EVENTS & PACKAGE FA	AILURE
Describe the sequence of events that led to the incident and the action including the size and location of holes, cracks, etc. Photographs and of the duration of the release, if possible. Describe what was done to mit necessary.	liagrams should be submitted if needed for clarification. Estimate
Entrained tank car PROX 44085 was reported emanating a commodity odor responders inspecting PROX 44085 reported finding the applied manway no seal. A new manway nozzle gasket was installed and the manway cover was commodity release was observed, but a very small dried residue stain near tinspected and found secure. Intact shipper seals removed were replaced by protective housing cover. Response was concluded by 2115 hrs. CDT, 9/19/	zzle gasket deteriorated and partially torn; thusly not providing a good sre-secured which ended the commodity odor/vapor release. No liquid the manway nozzle was wiped. All other valves and fittings were Wenck seal 2586 at the manway closure and Wenck seal 2585 at the
PART VII - RECOMMENDATIONS/ACTIONS TAKEN	TO PREVENT RECURRENCE
Where you are able to do so, suggest or describe changes (such as ad	<del></del>
procedures) to help prevent recurrence. Provide recommendations for control of your individual company. Continue on additional sheets if n	improvement to hazardous materials transportation beyond the
Ensure shipper's pre-trip inspection process is fully implemented and validat valves and fittings.	ed as it relates to the total securement and mechanical fitness of all
PART VIII- CONTACT INFORMATION	
Contact's Name (Type or Print): Richard McMahon	Telephone Number: ( ) (817) 740-7355
Contact's Title: Manager Hazardous Materials Risk Management  Business Name and Address: BNSF Railway Company	Fax Number: ( ) (817) 740-7250
4200 Deen Road, Fort Worth, TX 76106	Hazmat Registration Number (if not already provided): 062712 002 010UW
E-mail Address: rich.mcmahon@bnsf.com	Date: 10/13/2014
Preparer is:	☐ Other
Form DOT F 5800.1 (01-2004) Page 4	Reproduction of this form is permitted

Electronically Served 2/5/2018 11:01 AM Hennepirt County, MN

STATE OF MINNESOTA

DISTRICT COURT

**COUNTY OF HENNEPIN** 

FOURTH JUDICIAL DISTRICT Case Type: PERSONAL INJURY-FELA

Scott Kowalewski,

Case No.: 27-cv-17-145

Judge: Amy Dawson

VS.

AFFIDAVIT OF DERRICK JOHNSON

BNSF Railway Company, a Delaware corporation,

Defendant.

Plaintiff,

STATE OF TEXAS ) ss. COUNTY OF DENTON )

- I am Vice-President, Operations for Industrial Hygiene and Safety Technology,
   Inc., headquartered in Carrolton, 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."

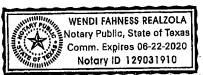
FURTHER YOUR AFFIANT SAYETH NOT

Derrick K. Johnson

Subscribed and sworn to before me this <u>5</u> day of February, 2018

Notary Public

00566780,docx



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20150619230002_2015052501.txt
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**EXHIBIT A** 

Aff'd Derrick Johnson

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#### 20150619230002\_2015052501.txt

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20150623010107_2015052601.txt
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Page 1

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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
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<BusinessAddress>
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#### 20131022140006\_2013101501.txt

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#### 20131022140006\_2013101501.txt

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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>
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process is fully implemented and validated as it relates to the total securement and mechanical fitness of all valves and
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<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>
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20141013150003_2014091902.txt
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20141013150003_2014091902.txt
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mechanical fitness of all valves and
fittings.</RecommendationsTakenToPreventRecurrence>
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<ContactsName>Richard McMahon</ContactsName>
<ContactsTitle>Manager Hazardous Materials Risk Management</ContactsTitle>
<BusinessName>BNSF Railway Company/BusinessName>
<BusinessAddress>
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<PhoneNumber>(817) 740-7355</phoneNumber>
<FaxNumber>(817) 740-7250</faxNumber>
<HazmatRegistrationNumber>062712002010UW</HazmatRegistrationNumber>
<Preparer>Carrier</Preparer>
</ContactInformation>
</IncidentReport>
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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) < <u>yolanda.braxton@dot.gov</u>>; McKoy, Serita (PHMSA) < <u>Serita.Mckoy@dot.gov</u>>



Cc: Patrick Sweeney <<u>Sweeney@slfirm.net</u>>; Brady, Patrick M <<u>Patrick.Brady@bnsf.com</u>>
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

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## 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 <a href="http://hazmat.dot.gov">http://hazmat.dot.gov</a>.

#### **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)

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:

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: 158; 109 - Vapor Valve; Closure (e.g., Cap, Top, or Plug)

How Failed: 308; 306 - Leaked; Failed to Operate

528; 528 - Missing Component or Device; Missing Component or Causes of Failure:

Device

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

Identification Markings: 111S100W1

(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:

Packaging Type:

Material of Construction:

Head Type (Drums only):

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: UTLA Serial Number: PROX45665

Manufacture Date: 09/18/2012 Last Test Date: 09/18/2012 CARBON STEEL (if Tank Car, CTMV, Portable Tank, or Cylinder)

Material of Construction: 100 (if Tank Car, CTMV, Portable Tank) Design Pressure:

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.) \$0 Material Loss: 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: General Public: 33b. Were there human fatalities that did not result from the hazardous material? NO If yes, how many? 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: General Public: 0 Non-Hospitalized: (e.g.: On site first aid or Emergency Room observation and release) Employees: Responders: 0 General Public:

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

If yes, provide the following information:

Total number of general public evacuated: 00
Total number of employees evacuated: 00

Total evacuated: 0

Duration of the evacuation: 0

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

If yes, how many?

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

If yes, provide the following information:
Estimated speed (mph):
Weather conditions:
Vehicle overturned?
NO

Vehicle overturned? NO Vehicle left roadway/track? 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?

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 hose, 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 orfice 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: Telephone Number: RICH.MCMAHON@BNSF.COM (817)740-7355

Fax Number:

(817)740-7250

Hazmat Registration Number:

null

Preparer is:

Date:

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.

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#### **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

Zip Code:

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

76131-2830

City: Fort Worth State: TX

Federal DOT Id Number: 281683

Hazmat Registration Number: 062712002010UW

11. Shipper/Offeror:

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)

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:

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; 121 - Manway or Dome Cover; Gasket

How Failed: 313; 306 - Vented; Failed to Operate

508; 508 - Defective Component or Device; Defective Component or Causes of Failure:

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:

Packaging Type:

Head Type (Drums only):

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:

Package Capacity: Amount in Package: Number in Shipment:

Number Failed: Number Failed:

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

Manufacturer: UTLZBG

Manufacture Date: 11/01/2006 Last Test Date: 11/01/2006

Serial Number: PROX44085

AAR TC-128, Gr. B (if Tank Car, CTMV, Portable Tank, or Cylinder)

Material of Construction:

Design Pressure:

100 (if Tank Car, CTMV, Portable Tank)

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? 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: General Public:

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

If yes, provide the following information:

Total number of general public evacuated:

Total number of employees evacuated: 0

Total evacuated: 0

Duration of the evacuation: 0 Ω

36. Was a major transportation artery or facility closed?

NO

If yes, how many?

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

NO

If yes, provide the following information: Estimated speed (mph):

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 **BNSF RAILWAY COMPANY** 

Business Name and Address:

4200 DEEN ROAD FORT WORTH TX 76131

E-mail Address:

RICH.MCMAHON@BNSF.COM

Telephone Number: Fax Number:

(817)740-7355 (817)740-7250

Hazmat Registration Number:

null

Date: 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 <a href="http://hazmat.dot.gov">http://hazmat.dot.gov</a>.

#### **PART I - REPORT TYPE**

1. Incident ld:

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 ld Number: 281683

Hazmat Registration Number: 062712002010UW

11. Shipper/Offeror:

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)

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 Ca

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:

Packaging Type:
Material of Construction:
Head Type (Drums only):

Single Package or Inner Packaging (if any):

Packaging Type:
Material of Construction:

Material of Construction:

27. Describe the package capacity and the quantity:

Single Package or Outer Packaging:

Package Capacity: 0

Amount in Package: 0

Single Package or Inner Packaging (if any):

Package Capacity:

Amount in Package: 0

Amount in Package: 0

Amount in Package: 0

Amount in Package: Number in Shipment: Number Failed:

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:

Manufacture Date: 11/21/2013
Last Test Date: 11/21/2013
Carbon steel (if Tank Car, CTMV, Portable Tank, or Cylinder)

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

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: Responders: 0 General Public: 0 33b. Were there human fatalities that did not result from the hazardous material? NO If yes, how many? 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: General Public: 0 Non-Hospitalized: (e.g.: On site first aid or Emergency Room observation and release) Employees: 0 Responders: General Public:

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

If yes, provide the following information:

Total number of general public evacuated:

Total number of employees evacuated: Total evacuated:

Duration of the evacuation: 0

36. Was a major transportation artery or facility closed? NO 0

If yes, how many?

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

NO

If yes, provide the following information: Estimated speed (mph):

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:

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.

#### Describe:

additional training and improving operational 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: Telephone Number:

clay.reid@bnsf.com (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**

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#### **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/Offeror:

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) 1

18. Packing Group: (if applicable)

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:

Packaging Type: Material of Construction:

Head Type (Drums only):

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:

Package Capacity: Amount in Package:

Number in Shipment: Number Failed: 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 carbon steel (if Tank Car, CTMV, Portable Tank, or Cylinder)

Material of Construction: Design Pressure:

100 (if Tank Car, CTMV, Portable Tank)

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? 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: Responders: 0 General Public: 0 33b. Were there human fatalities that did not result from the hazardous material? NO If yes, how many? 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: Non-Hospitalized: (e.g.: On site first aid or Emergency Room observation and release) Employees: 0 Responders: General Public:

35. Did the hazardous material cause or contribute to an evacuation?

If yes, provide the following information:

Total number of general public evacuated: Total number of employees evacuated:

Total evacuated: 33

Duration of the evacuation: 5

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

If yes, how many?

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

If yes, provide the following information: Estimated speed (mph):

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:

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.

## Describe:

additional training and improving operating procedures

# **PART VIII - CONTACT INFORMATION**

Contact's Name: CLAY REID

ASSISTANT DIRECTOR HAZARDOUS MATERIALS Contact's Title:

Business Name and Address: **BNSF Railway Company** 

4200 Deen Road Fort Worth TX 76106

F-mail Address: clay.reid@bnsf.com Telephone Number: (817) 740-7226 Fax Number: (817) 740-7250

Hazmat Registration Number:

Date: null Carrier

Preparer is:



**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

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### **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):

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 TX

State:

Zip Code: 76131-2830

Federal DOT Id Number: 281683

Hazmat Registration Number: 062712002010UW

11. Shipper/Offeror:

OCCIDENTAL ENERGY MARKETING BY TITAN TRANSLOADING LLC Name:

Street: 565 Gusher Road

City: Levelland

State: TΧ 79336

Zip Code:

Waybill/Shipping Paper: Unavailable

Hazmat Registration Number: N/A

12. Origin (if different from shipper address)

Street: 565 Gusher Road

City: Levelland TX

State: 79336

Zip Code:

13. Destination:

Street: 11700 Old Highway 48

City: Brownsville 78521

State: TΧ

Zip Code:

15. Technical/Trade Name:

16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID

17. Identification Number: UN3295

(E.g. UN2764, NA 2020) Т

18. Packing Group: (if applicable)

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.

What Failed: 106 - Bottom Outlet Valve

How Failed: 312 - Torn Off or Damaged 509 - Derailment

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:

Single Package or Inner Packaging (if any):

Packaging Type:

Material of Construction:

Packaging Type: Material of Construction:

Head Type (Drums only):

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

Package Capacity: Amount in Package:

Number in Shipment: 1

Number in Shipment:

Number Failed: 1

Number Failed:

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

Manufacturer: N/A

Manufacture Date: 04/22/2015

Serial Number: HSRX3124

Last Test Date: null N/A (if Tank Car, CTMV, Portable Tank, or Cylinder)

Material of Construction: Design Pressure:

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 - Fire: NO - Explosion: NO - Material Entered Waterway/Storm Sewer: NO - Vapor (Gas) Dispersion: NO - 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: 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: Responders: 0 General Public: Ω 33b. Were there human fatalities that did not result from the hazardous material? NO If yes, how many? 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: General Public: 0 Non-Hospitalized: (e.g.: On site first aid or Emergency Room observation and release) Employees: 0 Responders: 0 General Public:

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

If yes, provide the following information:

Total number of general public evacuated:

Total number of employees evacuated:

Total evacuated:

Duration of the evacuation: 0

36. Was a major transportation artery or facility closed?

NO

If yes, how many?

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

YES

If yes, provide the following information:

Estimated speed (mph):

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 <a href="http://hazmat.dot.gov">http://hazmat.dot.gov</a>.

### **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 ld Number: 281683

Hazmat Registration Number: 062615552003XZ

11. Shipper/Offeror:

Name: TITAN LANSING TRANSLOADING, LLC

Street: 565 Gusher Road

City: Levelland State: TX

State: TX Code: 79336

Zip Code: 79
Waybill/Shipping Paper: Unavailable

Hazmat Registration Number:

12. Origin (if different from shipper address)

Street: 565 Gusher Road

City: Levelland State: TX

State: TX Zip Code: 79336

13. Destination:

Street:

1100 Louisiana ST. STE 5500

City: Houston

State: TX

Zip Code: 77002

15. Technical/Trade Name:

16. Hazardous Class/Division: 3 FLAMMABLE - COMBUSTIBLE LIQUID

17. Identification Number:

UN3295

18. Packing Group: (if applicable)

(E.g. UN2764, NA 2020) -

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.

What Failed: 137; 137 - Manway or Dome Cover; Manway or Dome Cover

How Failed: 313; 313 - Vented; Vented

Causes of Failure:

528; 526 - Missing Component or Device; 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:

Packaging Type:

Head Type (Drums only):

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 28685 Number in Shipment: 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: HSRX3141

Manufacture Date: null Last Test Date: null

Material of Construction:

N/A (if Tank Car, CTMV, Portable Tank, or Cylinder)

Design Pressure:

Number Failed: 1

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? YE\$ 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: Responders: 0 General Public: 0 33b. Were there human fatalities that did not result from the hazardous material? NO If yes, how many? 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: General Public: 0 Non-Hospitalized: (e.g.: On site first aid or Emergency Room observation and release) Employees: 0 Responders: General Public:

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

If yes, provide the following information:

Total number of general public evacuated:

Total number of employees evacuated: n Total evacuated:

Duration of the evacuation: 0

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

If yes, how many? n

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

If yes, provide the following information:

Estimated speed (mph):

Weather conditions:

Vehicle overturned?

NO Vehicle left roadway/track? NO

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

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: Contact's Title:

JUSTIN PIPER DIRECTOR, HAZ MAT FIELD OPS + ER

Business Name and Address:

DIRECTOR, HAZ MAT FIELD OPS + ER BNSF Railway Company 2500 Lou Menk Drive Fort Worth TX 76131-2830 justin.piper@bnsf.com 360-418-6268 360-418-6396

E-mail Address: Telephone Number: Fax Number:

Hazmat Registration Number:

Date:

Preparer is:

null 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

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### **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):

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 **HARRIS** County:

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** 2500 Lou Menk Drive

Street:

City: Fort Worth

State:

Zip Code:

76131-2830

Federal DOT Id Number: 281683

Hazmat Registration Number: 062615552003XZ

11. Shipper/Offeror:

ONE CYPRESS TERMINAL Name:

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)

11700 Old Highway 48 Street:

City: SAN ANTONIO

State: TX

Zip Code: 782521

13. Destination:

565 Gusher Road Street:

Levelland City:

State: TX

Zip Code: 79336

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)

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:

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; 105 - Manway or Dome Cover; Bolts or Nuts 308; 311 - Leaked; Structural

How Failed: Causes of Failure:

517; 526 - Improper Preparation for Transportation; Loose Closure,

Component, or Device

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:

Packaging Type:

Head Type (Drums only):

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:

Package Capacity:

Amount in Package:

Number in Shipment:

Number in Shipment:

Number Failed:

Number Failed:

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

Manufacturer: N/A

Manufacture Date: null

Serial Number: HSRX3342

Last Test Date: null

Material of Construction:

N/A (if Tank Car, CTMV, Portable Tank, or Cylinder)

Design Pressure:

Shell Thickness: (if Tank Car, CTMV, Portable Tank) Head Thickness: (if Tank Car, CTMV)	
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 Mater	ials, 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 - Vapor (Gas) Dispersion: YES	<ul> <li>- Material Entered Waterway/Storm Sewer: NO</li> <li>- Environmental Damage: NO</li> </ul>
- No Release: NO	Environmental Bulliage. No
31. Emergency Response: The following ent	ities 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 mo	re than \$500? NO
If yes, enter the following information:	(If no, go to question 33.)
Material Loss:	\$0
Carrier Damage:	\$ 0
Property Damage: Response Cost:	\$ 0 \$ 0
Remediation/Cleanup Cost:	<b>\$</b> 0
(See damage definition	ons in the instructions)
33a. Did the hazardous material cause or co	<u> </u>
If yes, enter the number of fatalities resulting	ng from the hazardous material:
_Employees:	0
Responders: General Public:	0
33b. Were there human fatalities that did not	
If yes, how many? 0	
34. Did the hazardous material cause or con	
If yes, enter the number of injuries resulting	
Hospitalized (Admitted Only)	
Employees: Responders:	0
General Public:	0
Non-Hospitalized:	
(e.g.: On site first aid or Emergency Room observation	
Employees: Responders:	0 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: Total number of employees evacuated: O

Total evacuated:

Duration of the evacuation:

36. Was a major transportation artery or facility closed?

If yes, how many? 0

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

NO NO

If yes, provide the following information: Estimated speed (mph):

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:

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.

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 417-829-4979

Telephone Number:

417-829-4998

Fax Number: 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

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### INSTRUCTIONS

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### **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:

4. Time of incident (use 24-hour time):

5. Enter National Response Center Report Number

02/28/2018

(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** 2500 Lou Menk Drive Street:

City: Fort Worth State: Zip Code: 76131-2830

Federal DOT Id Number: 281683

Hazmat Registration Number: 062615552003XZ

11. Shipper/Offeror:

Name: CHEVRON PHILLIPS CHEMICAL COMPANY LP

Street: 9500 East FWY **BAYTOWN** City: State: TX

Zip Code: 77521

Waybill/Shipping Paper: Unavailable Hazmat Registration Number:

12. Origin (if different from shipper address)

9500 East FWY Street: City: **BAYTOWN** State: ΤX

Zip Code: 77521

13. Destination:

5200 Bayway Drive Street:

City: Baytown TX State: Zip Code: 77520

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)

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:

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 308 - Leaked

How Failed: Causes of Failure:

517 - Improper Preparation for Transportation

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:

Packaging Type:

Material of Construction:

Material of Construction:

Head Type (Drums only):

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 Package Capacity: Amount in Package:

Number in Shipment: 1

Number in Shipment: Number Failed:

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

Manufacturer: N/A

Number Failed: 1

Manufacture Date: null Last Test Date: null

Serial Number: NATX252588 Material of Construction:

N/A (if Tank Car, CTMV, Portable Tank, or Cylinder)

Design Pressure:

Chall Thickness (77 to crust 2 to 2				
Shell Thickness: (if Tank Car, CTMV, Portable Tank) Head Thickness: (if Tank Car, CTMV)	1			
Service Pressure: (if Cylinder)				
If valve or device failed: NO				
Type:				
Model:				
Manufacturer:				
29. If the packaging is for Radioactive Mater	ials, complete the followi	ng:		
Packaging Category:				
Packaging Category: Packaging Certification:				
Certification Number:				
Nuclide(s) Present:	Transp	ort Index:		
Activity:				
Critical Safety Index:				
PART IV - CONSEQUENCES				
30. Result of Incident (check all that apply):				
- Spillage: YES	- Fire: NC	)		
- Explosion: NO	- Material	Entered Waterway/S	torm Sewer: NO	
- Vapor (Gas) Dispersion: NO	- Environ	mental Damage: NO		
- No Release: NO		-		
31. Emergency Response: The following ent	ities responded to the inc	idont: /Chook all that	h-()	
Fire/EMS Report #: NO	mes responded to the mo	ident: (Check all that	арріу)	
Police Report #:				
In-house cleanup: YES				
Other Cleanup:				
		_		
32. Damages Was the total damage cost mor	re than \$500? N	0		
If yes, enter the following information:	(If no, go to question 33.)			
Material Loss:	\$ 0			
Carrier Damage:	\$ 0 \$ 0			
Property Damage:	\$0			
Response Cost:	\$ 0			
Remediation/Cleanup Cost:	\$ 0			
(See damage definitio	ns in the instructions)			
33a. Did the hazardous material cause or coulf yes, enter the number of fatalities resulting			1	
	_			
Employees: Responders:	0			
General Public:	0			
33b. Were there human fatalities that did not	result from the hazardou	s material? NO		
If yes, how many? 0				
34. Did the hazardous material cause or cont	ribute to personal Injury?	• NO		
If yes, enter the number of injuries resulting	from the hazardous mater	ial:		
Hospitalized (Admitted Only)				
•				
Employees: Responders:	0 0			
General Public:	0			
Non-Hospitalized:	v			
(e.g.: On site first aid or Emergency Room observation	on and release)			
Employees:	0			
Responders:	0			
General Public:	0			

NO

35. Did the hazardous material cause or contribute to an evacuation?

If yes, provide the following information:

Total number of general public evacuated: Total number of employees evacuated: n

Total evacuated:

Duration of the evacuation: 0

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

Ω

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

If yes, provide the following information: Estimated speed (mph):

Weather conditions:

If yes, how many?

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:

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.

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 **BNSF Railway Company** 

Business Name and Address:

2500 Lou Menk Drive Fort Worth TX 76131-2830

E-mail Address:

derek.lampkin@bnsf.com 612-760-1365

Telephone Number: Fax Number:

913-551-4285

Hazmat Registration Number:

Date: Preparer is: null Carrier

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9		Federal DOT Agency Name						
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Q		Date of Incident	10/15/2013	9/19/2014	5/25/2015	5/26/2015	6/1/2015	2/5/2016
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8		19dmuN A93 este TAMSAH												
BC		HAZMAH Waste Indicator	No		2			9	N <sub>o</sub>		δN		2	
88		Unit of Measure			LGA	,		LGA	LGA			•	7 LGA	
BA		Duantity Released	0.13 LGA		0.13			0.13 L	0.13		3575 LGA		71	
AZ		Packing Group		-										
		SselO suobreseH											İ -	
AY			FLAMMABLE -	COMBUSTIBLE LIQUID	FLAMMABLE -	COMBUSTIBLE	LIQUID	FLAMMABLE -	FLAMMABLE -	COMBUSTIBLE	FLAMMABLE -	COMBUSTIBLE LIQUID	FLAMMABLE -	COMBUSTIBLE
Ϋ́		Hazardous Class Code	3		m		_	m	m		<u>~</u>		8	
ΑW		Identification Number	UN3295		UN3295			UN3295	UN3295		UN3295		UN3295	
AV		Technical/Trade Name			ı —		I	- 1	_	1	_		, —	
		Commodity Long Name	,,		,,			,,						
AU			HYDROCARBONS	LIQUID N.O.S.	HYDROCARBONS	LIQUID N.O.S.		HYDROCARBONS	HYDROCARBONS	LIQUID N.O.S.	HYDROCARBONS	LIQUID N.O.S.	HYDROCARBONS	LIQUID N.O.S.
AT		Commodity Short Name	HYDROCARBONS	LIQUID N.	HYDROCARBONS	LIQUID N.		_			HYDROCARBONS	LIQUID N.	HYDROCARBONS	LIQUID N.
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AY	3 FLAMMABLE - COMBUSTIBLE LIQUID	3 FLAMMABLE - COMBUSTIBLE LIQUID								
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BY BZ																				
ВУ		Cont1 Pkg Shipment Nbr Failed										1			1					
		Cont1 Pkg Number in Shipment										П			Н					
8X		MOU fruomA egekase LinoO										LGA			LGA					
BW		Cont1 Package Amount	0			0			0	0		29843			28685		•			
BV		Cont1 Package Capacity UOM										LGA			LGA	-				
BU		Cont1 Package Capacity	0			0			0	0		31808 LGA			31808	-				
BT		Cont1 Head Type																	 	
BS		Cont1 Material of Construction																	 	T
BR		Cont1 Packaging Type							-				_							
ВQ		ldentification Markings	1115100W1			111A100W1			111A100W1	111A100W1		111A100W1			111A100W1					
ВР		Failure Gause Description	Missing Component	or Device; Missing	component or pevice	Defective Component	or Device; Defective	Component or Device	Human Error	Loose Closure	Component or Device	Derailment			Missing Component	or Device; Loose	Closure Component	or Device		
B0		Failure Cause Code	528; 528		0	508; 508			515	526		209			528; 526					
BN		How Failed Description	Leaked;	Failed to	Operate	Vented;	Failed to	Operate	308 Leaked	313 Vented		312 Torn Off or	Damaged		Vented;	Vented				
BM		eboO belis1 woH	308; 306		0	313; 306 Vented;			308	313		312			313; 313 Vented;					
BL		What Failed Description	Vapor Valve;	Closure (e.g. Cap	lop of ridg/	137; 121   Manway or	Dome Cover;	Gasket	Manway or	137 Manway or	Dome Cover	106 Bottom Outlet	Valve		Manway or	Dome Cover;	Manway or	Dome Cover		
BK		What Failed Code	158; 109		707	137; 121			137	137		106			137; 137			_		
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BQ	111A100AL W1	111A100W1							
BP	517; 526 Improper Preparation for Transportation; Loose Closure Component or Device	517 Improper Preparation 111A100W1 for Transportation							
BO	517; 526	517							
BN	Leaked; Structural	308 Leaked							
BM	308; 311	308							
18	Manway or Dome Cover; Bolts or Nuts	137 Manway or Dome Cover							
BK	137; 105	137							
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S		Cont2 Material of Construction						
8		Cont2 Package Type						
g		Cont1 Valve or Device Model						
8		Cont1 Val Device Manufacturer				1		
8	1	Cont1 Valve or Device Type						
N	—	Dont I Valve or Device Fail Ind	<b>8</b>	o N	N <sub>S</sub>	8	0	ON.
S		Cont1 Srvc Pressure UOM Rpted		_	_	_		
l u		Cont1 Pkg Srvc Pressure Rpted						
\ \ \ \		Cont1 Head Thickness UOM Rpted			$\vdash$			
	<u> </u>			0.47 INCH				
៦		Cont1 Head Thickness Reported		0.47				
上	$\vdash$	Cont1 Shell Thickness UOM Rptd		I				
ū				0.44 INCH				
동		Cont1 Pkg Shell Thickness Rptd		0.44				
95		Cont 1 Dsign Pressure UOM Rpted	PSI	PSI	PSI	PSI	-	
<u>5</u>		Cont1 Pkg Dsign Pressure Rpted	100 P	100 P	100 P	100 P		
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l		teres to lemetely test than 2	7	128	carbon steel	steel		
빙	ļ		CARBON STEEL	1/2006 0:00 AAR TC-128 Gr. B	pou	carbon steel		
L				AA Gr.	_		A A	A/A
		Cont1 Package Last Test Date	18/2012 0:00	0:00	0:00	21/2013 0:00		
  e			2012	5006	21/2013	2013		
				_		21/2		
			/6	11	11/	11/		
		Cont1 Package Serial Number	566	408	235	321	124	141
ខ			OX4	0X4	HSRX3235	RX3.	RX3	HSRX3141
		Cont.1 Pkg Manufacturer Date	9/18/2012 0:00 PROX4566 5	11/1/2006 0:00 PROX4408 5		11/21/2013 0:00 HSRX3321	4/22/2015 0:00 HSRX3124	<u> </u>
		Ontil Pkg Manufacturor Date	2 0:0	5 0:0	3 0:0	3 0:0	5 0:0	
8			2012	,2006	201	201	201	
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CA		Cont1 Package Manufacturer	∢	ZBG	Ě	ΣΕΙ		
)			UTLA	UTLZBG	TRINITY	TRINITY	N/A	N/A
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ă		Damage More Than 500	2		Yes	å	Yes	Yes	Yes
ΜQ		Dther Cleanup Ind	8		9 2	No	No	Yes	Yes
20		bnl qunsəlƏ əsuoH-nl	9		<u>8</u>	2	8	S S	Yes
П		Police Report Nbr							
DT		Police Report Ind	8		§	2	2	9 2	O Z
DS		Fire EMS/EMS Report Nbr							
DR		Fire/EMS Report Ind	8		<sup>o</sup> Z	S	S N	S S	ON CONTRACT
DQ		No Release (Result) Ind	8		Š	9	S S	S O	oN ON
d		Environmental Damage (Result)	8		S Z	No	No	S O N	o <sub>N</sub>
2		Gas Dispersion (Result) Ind	Yes		Yes	Yes	Yes	No	Yes
NO		Water Sewer (Result) Ind	No		<u>8</u>	S	S S	S O	O <sub>N</sub>
DM		Explosion (Result) Ind	No		9	2	Š	S	ON No
DF		Fire (Result) Ind	8		2	8	2	S S	o <sub>N</sub>
DK		Spillage (Result) Ind	No.		8	No	No	Yes	o Z
2		RAM Material Safety Index							
П		MOU ytivity MAA							
НО		YJivitoA MAЯ	0		0	0	0		0
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DF		RAM Activity Rpted							
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aa		xəbni fransport Index							
20		Present (s) Present			<u>.</u>				
DB		RAM Package Certification Nbr							
DA		noiteaifireS ege MAA	FALSE		FALSE	FALSE	FALSE	FALSE	FALSE
Z		RAM Package Category							
5	1	Cont2 Pkg Shipment Nbr Failed							
ర		Cont2 Pkg Number in Shipment							
3		Cont2 Package Amount UOM							
5		Cont2 Package Amount							
3		Cont2 Capacity UOM Reported							
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FA		Employees Evacuated	0	0	0	0	0	0
EZ		Public Evacuated	0	0	0	33	0	0
EY		Evacuation Indicator	O.	S S	2	Yes	S S	0 2
EX		eeinujul temseH letoT	0	0	0	0	0	1
EW		zəinujni qzoHnoN temzeH letoT	0	0	0	0	0	0
EV		(mro3 blO) qsoHnoN TAMSAH	0	0	0	0	0	0
EU		Public General Public	0	0	0	0	0	0
ET		ersbnoqes9 qeoHnoN TAMSAH	0	0	0	0	0	0
ES		ջ∍ջγolqm∃ q₂oHnoN TAM∑AH	0	0	0	0	0	0
ER		səinujni qeoH temzeH letoT	0	0	0	0	0	H
EQ		(mro4 blO) besitalized TAMSAH	0	0	0	0	0	0
G		oildu9 noo bosilesiqsoH TAMSAH	0	0	0	0	0	0
8		ersbnoqesA bəzilstiqeoH TAMZAH	0	0	0	0	0	0
EN		səəyolqm3 bəsilatiqaoH TAMSAH	0	0	0	0	0	н
EM		rojesibni yrujni TAMSAH	o N	o N	2	9	S S	0 Yes
Ш		sejijilgiga TAMSAH-noM	0	0	0	0	0	0
푔		Non_HAZMAT Fatality Indicator	o <sub>N</sub>	o N	2	8	9 2	0 2
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田		oildug lenened ytilste TAMZAH	0	0	0	0	0	0
핍		ersbnoqes Responders TAMSAH	0	0	0	0	0	0
EG		eseyolqm3 səitilata7 TAMSAH	0	0	0	0	0	0
岀		HAZMAT Fatality Indicator	No	S O	2	9	S S	OZ
EE		sagemed to InnomA latoT	0	1600	0	2945	156842	10001
ED		Damage Other (Old Form)	0	0	0	0	0	0
EC		Remediation Cleanup Cost	0	0	0	0	149000	0
						10		
EB		Response Cost	0	1600	0	2945	2480	10000
E		Property Damage	0	0	0	0	0	0
ZO		Carrier Damage	0	0	0	0	0	0
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FU	Contact Business Name	BNSF RAILWAY	COMPANY	BNSF RAILWAY	COMPANY	BNSE Bailway	BNSF Railway	Company	BNSF Railway	Company	BNSF Railway	Company
14	Contact Title	RDOUS	MATERIALS RISK MANAGEMENT	MANAGER HAZARDOUS	MATERIALS RISK	CTOR		ALS	ASST. DIR. HAZMAT FIELD	OPERATIONS + ER	DIRECTOR HAZ MAT FIELD	OPS + ER
35	Contact Name	RICHARD	MCMAHON	RICHARD	MCMAHON	CLAY RFID	CLAY REID		CLAY REID		JUSTIN PIPER	
Æ	Shipphase Transfer Indicator	٩		2		S			Š		2	
е Б	bnl troqenerT tinl esedqqid2	No		2		S			No		S.	
윤	bnl thgil7du2 riA əsadqqid2	No		2		S			No		2	
요	bnl thgil7 teri7 riA əsshqqin2	No		2	-	2	1		No		2	
몺	Shipphase Non-Transported Ind	No		2		NO.			- oN		2	
ΡĀ	eonerruco Jnebionl						-				<del>  -</del>	
긥	Cargo Passenger Baggage Ind					-						
Ŧ	Passenger Aircraft Indicator	No		2		2	9		å		S	
교	Vehicle Left Roadway/Track	No.		2		2	1		 8		2	
田	nrutrevO elcirleV	No		S.		9	1		8		9	
퓬	Weather Conditions								ட	overcast		
FG	bəəq2 bətsmits∃	0		0		0	0		10 62		0	
FF	Material Involved in Accident	N S		No		2	2		0 Yes		2	
H	Major Artery Hours Closed	0		0		0	0		6		0	
FD	Major Artery Closed	9 N		٩ N		9	2		9		2	
	Total Evacuation Hours	0		6		0	2		0 N 0		0	
	Total Evacuated	0		0		0	33		0		0	
FB	<u> </u>											
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FU	BNSF Railway Company	BNSF Railway Company								
FT	MANAGER HAZMAT FIELD OPERATIONS + ER	MANAGER HAZMAT FIELD OPERATIONS + ER								
FS	DILLON MAGERS	DEREK LAMPKIN								
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GB		Preparer of Incident Report	Carrier	Carrier	Carrier	Carrier	Carrier	Carrier	
GA		Contact Country	NS	NS	US	NS	NS	NS	
FZ		Contact Non-US State							
FΥ		Sontact Postal Code	76131	76131	76106	76106	76131- 2830	76131- 2830	
FX		Contact State	¥	¥	X	¥	¥	¥	
FW		Contact City	FORT WORTH	FORT	Fort	Fort Worth	Fort Worth	Fort Worth	
FV		Contact Street	4200 DEEN ROAD	4200 DEEN ROAD	4200 Deen Road	4200 Deen Road	2600 Lou Menk Drive	2500 Lou Menk Drive	
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	Description of Events
7	TOUR VOID WATER TO THE TAX TO THE
	Hank car PROX 45665 by a BNSF mechanical/hazardous in the ranyard. 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
3	not properly applied. This closure plug was resting atop the vapor valve's closure orifice with no plug threads threaded. The responder properly
	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
4   1	seal Allew Highway Hozzle gasket was Histalied and the Highway Cover was re-secured which ended the commodity odor/vapor release. No liquid
2	car was discovered leaking in the Tulsa Yard during operations. The manway bolts were tightened and the leak was stopped.  The security coal (TII Y865002) was undend in bottons the manway
9	rile security sear (Till Acobado) 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 closed
	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
	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 resorded 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
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L	O.S.
	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.
6	
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.
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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 additional training and improving operational additional training and improving operating procedures (	N5		HMIS General Package Type	OHMIR.Ref_Container.descr_txt	OHMIR.Ref_Container.descr_txt	OHMIR.Ref_Container.descr_txt	OHMIR.Ref_Container.descr_txt	OHMIR.Ref_Container.descr_txt	OHMIR.Ref_Container.descr_txt
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 additional training and improving operational training and improving operational training and improving operations from the securing case in the originating facility with those responsible for securing case in the relates to the total securing case in the relational training and improving operational value of all valves and additional training and improving operational value of all valves and additional training and improving operational value of all valves and additional training and improving operational value of all valves and additional training and improving operational value of all valves and additional comments.  No additional 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.	ВM		HMIS Serious Radioactive	N <sub>O</sub>	S S	9V	N <sub>O</sub>		o <sub>N</sub>
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 additional training and improving operating procedures Yes No No No No No No No No No No No No No	G		HMIS Serious Marine Pollutant		S S	S			ON 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 additional training and improving operating procedures Yes No No No No No No No No No No No No No	ξ		HMIS Serious Bulk Release	No	No	No	No		0 2
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 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 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 securement and mechanical fitness of all valves and additional training and improving operational securements.  No additional training and improving operating procedures in value in value in value 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.	G		HMIS Serious Major Artery	No	S S	2		1	02
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 securement and mechanical fitness of all valves and additional training and improving operating procedures Yes No No No No No No No No Additional training and improving operating procedures Yes No No No No No No Additional training and improving operating procedures Yes No No No No No Additional comments.  Shipper has been notified to address the pre-trip inspection should consist of evaluating and inspecting and improving and inspecting and closures on the railcar regardless of whether or not the loading facility utilizes all fittings and closures.	5		HMIS Serious Evacuations	No	No No	8	Yes	o <sub>N</sub>	O Z
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 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 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 additional training and improving operating procedures Yes No No additional training and improving operating procedures Yes No No Additional comments.  No additional comments.  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.	R		HMIS Serious Flight Plan	No	S S				
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 securement and mechanical fitness of all valves and implemented and validated as it relates to the total securement and mechanical fitness of all valves and securement and mechanical fitness of all valves and additional training and improving operating procedures yes No additional training and improving operating procedures yes No additional comments.  Shipper has been notified to address the pre-trip inspection should consist of evaluating facility with those responsible for securing cars prior to transport. The inspection should consist of evaluating and inspecting and illittings and closures on the railcar regardless of whether or not the loading facility utilizes all fittings and closures.	99		HMIS Serious Injury	No	0 Z	8	No No	o <sub>N</sub>	Yes
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 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 implemented and validated as it relates to the total securement and mechanical fitness of all valves and additional training and improving operating procedures Yes No additional training and improving operating procedures Yes 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.	Ę.		HMIS Serious Fatality		S S				
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 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 additional training and improving operational additional training and improving operating procedures.  No additional comments.  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.	E		HMIS Serious Incident Ind	No	No	2	Yes		Yes
1   2   8   8   8   8   8   8   8   8   8	GD GD		Recommendations/Actions Taken	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	1	additional training and improving operational			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.
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5	No	S S						
GH	No	9 2						
66	No	02						
GF	No	No						
GE	O Z	No						
QD GD	Shipper contacted and advised to review proper shipping procedures	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.						
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g		HMIS Bulk Incident Indicator	Yes	Yes	Yes	Yes	Yes	Yes
В		HMIS Container Description						
09		HMIS Container Code	111S100W	111A100W	111A100W	111A100W	111A100W	111A100W
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Commodity Long Name Technical Trade							Fallure Canace Sees (parce)
PETROLEUM GASES LIQUEFIED OR LIQUEFIED	UN1075	Tank Car	Liquid Valve;	308; 308;	Leaked; I paked	535; 526	Valve Open;
PETROLEUM GAS				8		27	Component or Device
HYDROCARBONS LIQUID N.O.S.	UN3295	Tank Car	Manway or Dome Cover	308	Leaked	515	Human Error
HYDROCARBONS LIQUID	UN3295	Tank Car	Vapor Valve;	308;	Leaked;	528;	Missing
N.O.S.			Closure (e.g.	306	Failed to	528	Component or
			Cap Top or		Operate		Device; Missing
			Plug)				Component or Device
HYDROCARBONS LIQUID	UN3295	Tank Car	Manway or	313;	Vented;	508;	Defective
N.O.S.			Dome	306	Failed to	208	Component or
			Cover;		Operate		Device; Defective
			Gasket				Component or Device
HYDROCARBONS LIQUID	UN3295	Tank Car	Manway or	313	Vented	526	Loose Closure
N.O.S.			Dome Cover				Component or
GASOLINE INCLLIDES	11N1303	700/		200.	100	1	Device
CACCEINE INCEDES	CONICO		Liquid Valve,	, 20g	Leaked;	525,	valve Open;
ETHYL ALCOHOL WITH			Liquid valve	208 208	Leaked	979	Loose Closure
NOT MORE THAN 10%							Component or Device
ALCOHOL							
HYDROCARBONS LIQUID	UN3295	Tank Car	Bottom	312	Torn Off or	509	Derailment
N.O.S.			Outlet Valve		Damaged	• •	

Par Greater Constitution of the Constitution o	Description of Events	Recommendations/Colons Taker
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 mechaical 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
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. Intract 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 (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.	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 RNSF 03054884.	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
ON .	0700CT Thayer South Sub Memphis Terminal M TULMEM131 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.