DANNY WEBB CONSTRUCTION CO., INC.

PHONE: 304-465-9448 FAX: 304-465-9448 P.O. Box 267 Lochgelly, WV 25866

SPCC

PLAN

019 00460

TABLE OF CONTENTS

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN

1. Name of Operations: North Hills #1
2. Type of Operation: Disposal Well Facility
3. Location of Operation: Lochgelly, Fayette county West Virginia
4. Name and Address of Owner/Operator: Danny E. Webb
   P.O. Box 515
   Brenton, WV 24818

5. Designated Person Accountable for Oil Spill Prevention at Facility:
   Pete Halvarson 304-890-3469 / 304-469-6706

6. The facility covered by this plan did not have a reportable oil spill event during the twelve months prior to January 10, 1974 (effective date for 40CFR,Part 112).

Management Approval
This SPCC Plan will be implemented as herein described.

Signature: Danny E Webb

Name: Danny Webb

Title: President

Certification

I hereby certify that I have examined the facility, and being familiar with the provisions of 40 CFR, Part 112 attest that this SPCC Plan has been prepared in accordance with good engineering practices.

Printed Name of Professional Engineer: Stacey L. Boardwine

Signature of Professional Engineer: Stacey L Boardwine

Date: 04/01/03 **Registration No:** 15423 **State** WV

(Affix seal)

STACEY L. BOARDWINE REGISTERED 15423 STATE OF WEST VIRGINIA PROFESSIONAL ENGINEER

FACILITY DESCRIPTION

A. Facility Operations

Danny Webb Construction, Inc., North Hills #1, Disposal Well Facility, began operations in December 2001. It is a filtering / disposal facility for brine and coal bed methane water resulting from gas and methane drilling and production.

Products are received via tank trucks owned by the operator. Water from CBM drilling and production is unloaded and pumped into lined pits to settle out coal fines before treatment begins. Brine and settled CBM water is pumped into storage tanks, treated and then injected into the disposal well.

Refer to the drawings included with this package for details of the site.

B. Facility Storage

Refer to Attachment A for Tank Inventory.

C. Drainage Pathway

The Danny Webb Construction, Inc., North Hills #1, Disposal Well Facility is located on Wolf Creek of New River. 0.5 miles northwest of Loghgelly in Fayette County, West Virginia.

Refer to the Location Map included with this package.

U.I.C. PERMIT NUMBER: 2D0190460

OPERATOR:	Danny E. Webb Construction, Inc.
DATE ISSUED:	05/20/2002
DATE EXPIRES	05/20/2007

This is a disposal facility as described and regulated in 47 CSR 13 of West Virginia code. Fluids stored and disposed of in this facility are defined in the following section.

47CSR13.4.2 Class 2. Well injecting fluids:

4.2.a. Which are brought to the surface in connection with conventional oil or natural gas production and may be commingled with waste waters from gas plants which are an integral part of production operations, unless those waters are classified as a hazardous waste at the time of injection;

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN (SPCC PLAN)

INTRODUCTION

The Federal Water Pollution Control Act Amendments of 1972 require the Administrator of the Environmental Protection Agency (EPA), with other Federal, State and Interstate agencies, to enter into programs designed to prevent, reduce and/or eliminate pollution of the navigable waters of the United States. Title 40, code of Federal Regulations, Part 112 (40CFR, Part 112) "Oil Pollution Prevention-Non-Transport Related Onshore and Offshore Facilities" became effective on January 10, 1974 and was amended on July 1,1994 by enacting new and amended regulations which are identified as 40 CFR, Parts 9 and 112.

The regulations require the preparation and implementation of a SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN. A plan is required for facilities that have discharged or could reasonably be expected to discharge oil into the navigable waters of the United States. The SPCC Plan should be prepared in accordance with good engineering practices and certified so by a registered professional engineer. In addition this plan must have full approval of management at a level with the authority to commit the necessary resources to implement the plan.

The objective of 40 CFR, Parts 9 and 112 is to prevent the discharge of oil in harmful quantities into the navigable waters of the United States. The accomplishment of this objective requires an assessment of each facility for the possibility of any such discharge of oil. Where such potential exists, the regulations urge that employees be adequately trained to reduce the number of human errors that often result in spills, inspection procedures be implemented, pollution prevention equipment be installed and maintained, and the usage of secondary containment, if practicable.

Definitions (40 CFR, Chapter I, Subchapter D, Part 112.2, Vol. 38 No 237 And 40 CFR, Chapter II, Parts 9 and 112, Vol 59, No126

"OIL" means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes other than dredges spoil.

"DISCHARGE" includes, but not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping.

"SPILL EVENT" means a discharge of oil into or upon navigable waters of the United States or adjoining shorelines in harmful quantity.

"NAVIGABLE WATERS" of the United States means;

A. As defined in judicial decisions prior to passage of the 1972 and 1994 Amendments of the Federal Water Pollution Control Act.
B. Interstate waters;
C. Interstate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes;
D. Intra-state lakes, rivers, and streams from which fish of shellfish are taken and sold in interstate commerce;
E. Tributaries of navigable waters

"HARMFUL QUANTITIES" includes discharges that violates applicable water quality standards and/or discharge that causes a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water upon adjoining shorelines.

SPCC PLAN AVAILABILITY

A complete and up to date copy of the SPCC plan will be maintained at the **North Hills #1, Disposal Well Facility.** USEPA and/or Federal and State Inspectors may review the SPCC plan anytime during normal business hours. This review should be conducted with the operations manager of the site

AMENDMENTS

The SPCC plan must be reviewed and/or amended for the following reasons:

1. When required by the USEPA and/or State agencies after review of the SPCC plan submitted because of a spill event.
2. Whenever there is a change in the facility design, construction, operations, or maintenance which materially affects the potential for a spill.
3. As required by 40 CFR Parts 9 and 112, the SPCC Plan is to be reviewed at least once every three years, and amended if such a review indicates a more effective control and prevention technology would significantly reduce the likelihood of a spill event.

POTENTIAL SPILLS – PREDICTION AND CONTROL

The inventory sheet included in this plan contains the storage volumes of the potential spill sources and , therefore, the total quantity that could be discharged from the facility. In all cases the major type of failure would be tank rupture.

Appropriate containment and/or diversionary structures or equipment to prevent discharges of oil from reaching a navigable watercourse shall be provided. One of the following preventive systems or its equivalent shall be used as a minimum when the possibility of a spill could enter these waters:

1. Dikes, berms or retaining walls sufficiently impervious to contain spilled materials.
2. Interceptor and/or diversion ditches.

CONTAINMENT AND DIVERIONARY STRUCTURES

1. Dikes are provided around all storage tanks in use.
2. The loading and unloading area for tank trucks is curbed to provide secondary containment.
3. Weirs, booms or other barriers are provided and stored in the office on site.
4. Sorbent materials are provided in the facility office and on each tank truck.

DEMONSTATION OF PRACTICABILITY

Facility management has determined that the use of containment and diversionary structures or readily available equipment to prevent discharged oil from reaching navigable waters is practical and effective at this facility.

FACILITY DRAINAGE

Drainage from diked storage areas is restrained by valves to prevent a spill or other excessive leakage of oil into navigable waters.

In the event of a spill from a tank, the oil should be contained within a dike.

BULK STORAGE TANKS

1. There are no underground tanks in this facility.
2. All tanks have concrete dikes for secondary containment with a volume greater than 110% of the largest tank.
3. Drainage of rain water from the diked areas will be conducted by the Site Manger and recorded in the daily operations records.
4. Run off water will be inspected to ensure compliance with applicable water quality standard and will not cause a harmful discharge.
5. Tanks and valves are periodically inspected and tested. Tanks are inspected and tested by using a system of non-destructive shell thickness testing.

6. Oil leaks which result in a loss of oil from oil from tanks seams, gaskets, rivets, and bolts are promptly corrected.

TRANSFER OPERATIONS

1. All piping supports are designed to minimize abrasion and corrosion and to allow for expansion and contraction.
2. All piping is examined monthly or after significant climate change.
3. Warning signs are posted as needed to prevent vehicles from damaging aboveground piping.

TANK TRUCK LOADING AND UNLOADING

1. The tank truck loading and unloading procedures meet the minimum requirements of the U.S. Department of Transportation.
2. Curbing is installed at the vehicle loading /unloading area to contain potential fluid spills during transfer from truck to tank.
3. Warning signs and chock blocks are provided at the loading/unloading to prevent premature vehicle departure.

INSPECTION AND RECORDS

Daily visual inspections consist of a complete walk through of the facility property to check for tank damage or leakage, stained of discolored soils, excessive accumulations of water in the diked areas, and to ensure the dike valves are securely closed.

A monthly facility inspection checklist will be used by the site manager to record conditions and or any repairs needed. This checklist will be filed in the facility office. Any repairs or non-compliance will require immediate notification to Danny Webb Construction business office 304-732-9217

SECURITY

The site manager resides at the entrance of the facility access road. A gate is located at the entrance of the access.

All valves are closed and plugged.

The loading and unloading valves are capped when not in use.

SPILL CONTIGENCY PLAN

In the event that oil or other type of spill does occur, the following instructions will be followed:

1. All spills (regardless of volume) will be investigated and appropriate action taken to stop, contain and clean up the spill.

2. Company and contract clean up crews will be dispatched to the site to begin clean up.

3. If additional clean up support is needed the manager of operations will dispatch additional man power to the site immediately.

4. If oil could or has reached the waters of the United States the operations manager will notify the owner/operator of the facility and the appropriate Regulatory Agencies immediately.

5. Immediately following a spill, the necessary corrective action will be taken to prevent future spills.

6. A Spill Incident Report will be submitted to the Operations Manager and filed with the SPCC plan

PERSONNEL TRAINING AND SPILL PREVENTION PROCEDURE

Facility personnel and all drivers entering the facility have been instructed by management the requirements under this SPCC plan. Training is held annually to emphasis the importance of spill prevention. New employees receive on the job training before being allowed to operate the facility. Records of training are kept in attachment D in this document.

EMERGENCY TELEPHONE NUMBERS

Notification Procedure

1 Facility Manger
Pete Halvarson [redacted]

2. National Response Center 1-800-424-8802

3. State Emergency Spill Notification 1-800-642-3074

4. WV DEP Oil and Gas Division 1-304-558-6342

Clean up contractors

1. Danny Webb Construction 1-304-732-9217

2. Weavertown Environmental Group 1-304-346-0160

3. Alert Environmental Contracting 1-304-622-4340

INVENTORY LIST:

[redacted]

Tank #	Diameter Feet	Height Feet	Volume Cubic Feet	Volume Gallons	Volume Barrels	Contents
1	10.3	29.6	2,466	18,448	439	Brine
2	12.5	23.3	2,859	21,388	509	Brine
3	12.5	23.3	2,859	21,388	509	Brine
4	10.3	29.6	2,466	18,448	439	Brine
5	7.8	23.3	1,113	8,328	198	Brine
6	7.8	23.3	1,113	8,328	198	Brine
7	7.8	23.3	1,113	8,328	198	Brine
*8	9.0	38.0	2,417	18,083	431	Filtered Water
Total				**122,739**	**2,922**	

* Horizontal Tank

Note: All Storage Tanks are Aboveground.

ATTACHMENT A

CERTIFICATION OF SUBSTANTIAL HARM DETERMINATION FORM

FACILITY NAME: North Nile #1

FACILITY ADDRESS: Lochgelly Fayette Co WV

1. Does the facility have a maximum storage capacity greater than or equal to 42,000 gallons and do the operations include over water transfers of oil to or from vessels?

YES _____ NO ✓

2. Does the facility have a maximum storage capacity greater than or equal to one million (1,000,000) gallons and is the facility without secondary containment for each aboveground storage area sufficiently large to contain the capacity of the largest aboveground storage tank within the storage area?

YES _____ NO ✓

3. Does the facility have a maximum storage capacity greater than or equal to one million (1,000,000) gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III or an alternative formula considered acceptable by the RA) such that a discharge from the facility could cause injury to an environmentally sensitive area as defined in Appendix D?

YES _____ NO ✓

4. Does the facility have a maximum storage capacity greater than or equal to one million (1,000,000) gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III or an alternative formula considered acceptable by the RA) such that a discharge from the facility would shut down a public drinking water intake?

YES _____ NO ✓

5. Does the facility have a maximum storage capacity greater than or equal to one million (1,000,000) gallons and within the past 5 years has the facility experienced a reportable spill in an amount greater than or equal to 10,000 gallons?

YES _____ NO ✓

* If an alternative formula is used, documentation of the reliability and analytical soundness of the alternative formula must be attached to this form.

CERTIFICATION

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

Danny Webb — Signature

President — Title

Danny Webb — Name (please type or print)

April 3-03 — Date

CONTAINMENT CALCULATION
AREAS A, B, and C

Dike Specifications:

	Area A	Area B	Area C
Length (ft) =	46.6	24.8	38.6
Width (ft) =	14.6	13.6	11.4
Depth (ft) =	3.58	3.58	3.58
Area (sq ft)	680	337	440
Volume (cu ft) =	2,436	1,207	1,575

Tank Specifications:

	Diameter (Feet)	Surface Area (Sq Ft)
1 (Double Walled)	10.3	83
2 (Double Walled)	12.3	123
3(Double Walled)	12.5	123
5	7.8	48
6	7.8	48
7	7.8	48
8	9.0	64

Sufficient Freeboard:

100 year, 24 hour storm event (Fayette County) = 5.70 inches = 0.475 feet

Required Dike Volume:

Volume of largest tank, not self-contained = Tank 4

Diameter	Height	Cubic Feet	Gallons
10.3 ft	29.6 ft	2,466	18,448

Total Dike Area:

Area A + Area B + Area C = 1457 Sq Feet

Displacement Area due to Tanks:

Note: Tank 4 (largest tank) is not used for displacement calculations.

Displacement Area = Tank 1 + Tank 2 + Tank 3 + Tank 5 + Tank 6 + Tank 7 + Tank 8
= 83 + 123 + 123 + 48 + 48 + 48 + 64
= 537 Feet

Available Dike Area:

Total Dike Area – Displacement of Tanks
= 1457 Sq Feet – 537 Sq Feet
= 920 Sq Feet

Available Dike Height:

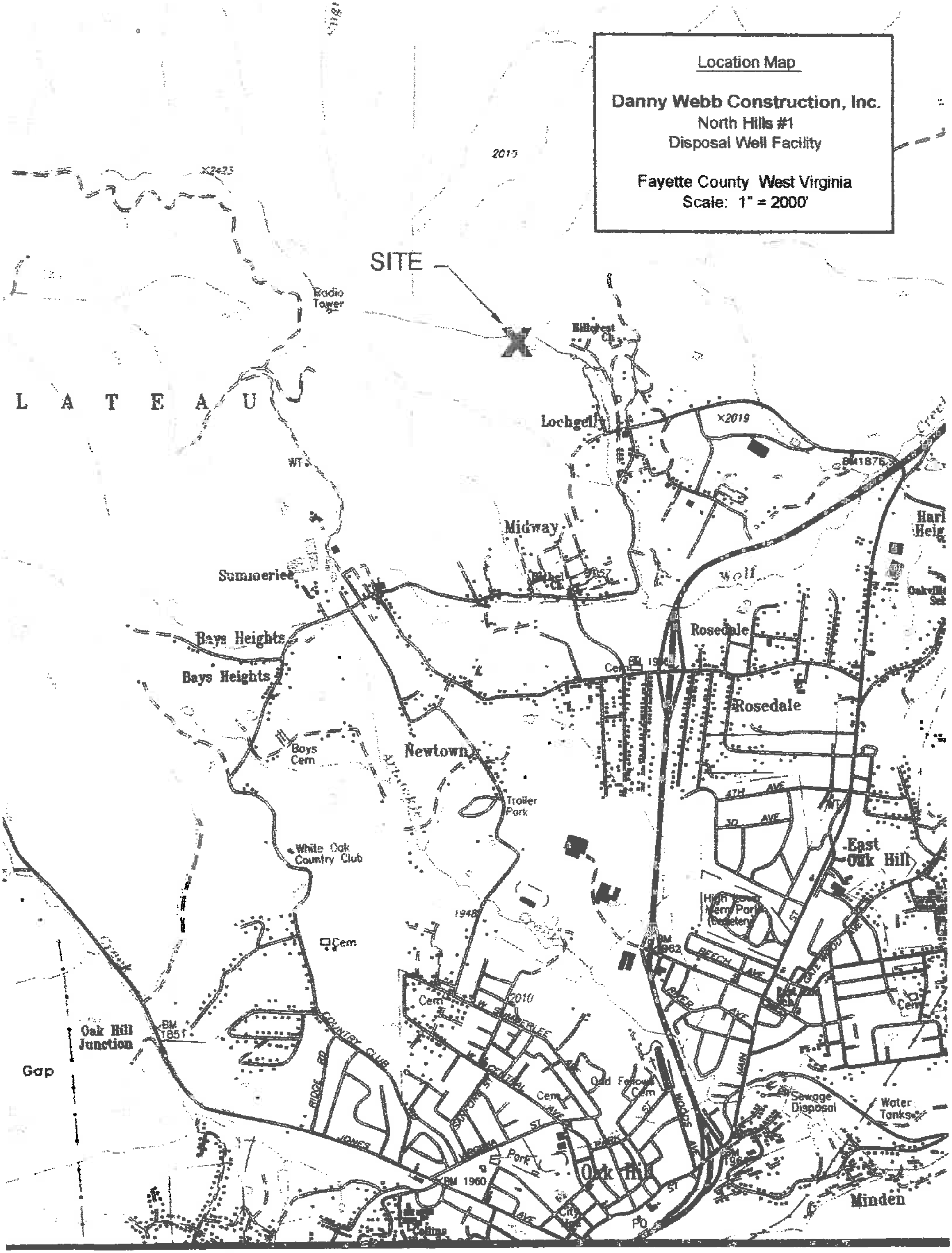
= Depth of Dike – Rainfall Freeboard
= 3.583 feet – 0.475 feet
= 3.11 Feet

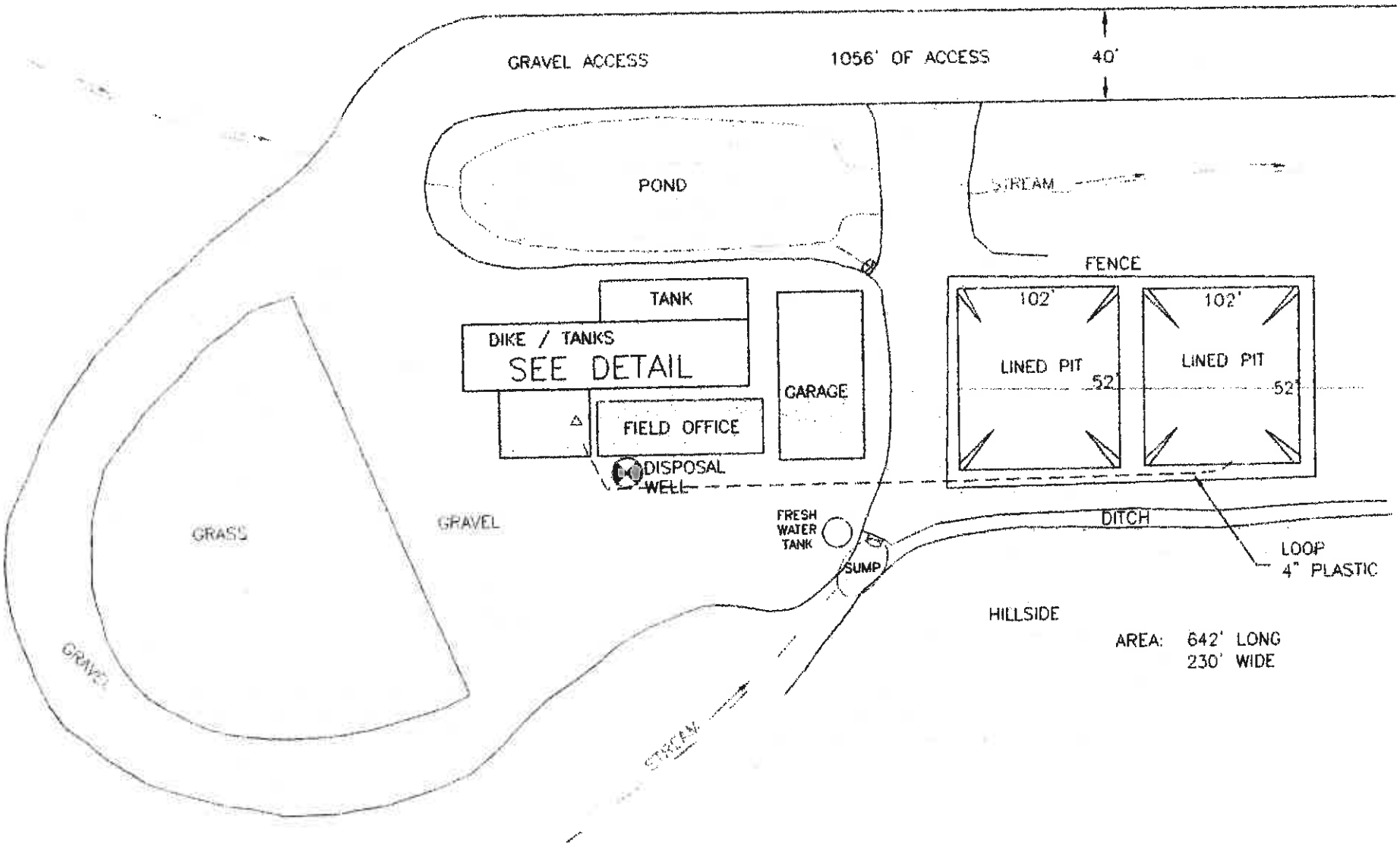
Available Dike Volume:

= Available Dike Area x Available Dike Height
= 920 Sq Feet x 3.11 Feet
= 2,861 Cubic Feet

OK - Available Dike Volume > Required Containment Volume

2,861 Cubic Feet > 2,466 Cubic Feet


Location Map
Danny Webb Construction, Inc.
North Hills #1
Disposal Well Facility
Fayette County West Virginia
Scale: 1" = 2000'
SITE
Radio Tower
L A T E A U
Lochgelly
Midway
Summerlee
Bays Heights
Bays Heights
Boys Cem
Newtown
Trailer Park
Rosedale
Rosedale
White Oak Country Club
Cem
East Oak Hill
Oak Hill Junction
Gap
Sewage Disposal
Water Tanks
Oak Hill
Minden
Collins
PO



TRUE LINE, INC.
P.O. BOX 85
THORPE, WV 24888
(304) 448-2116
Fax (304) 448-2339
Email: trueline@direcway.com

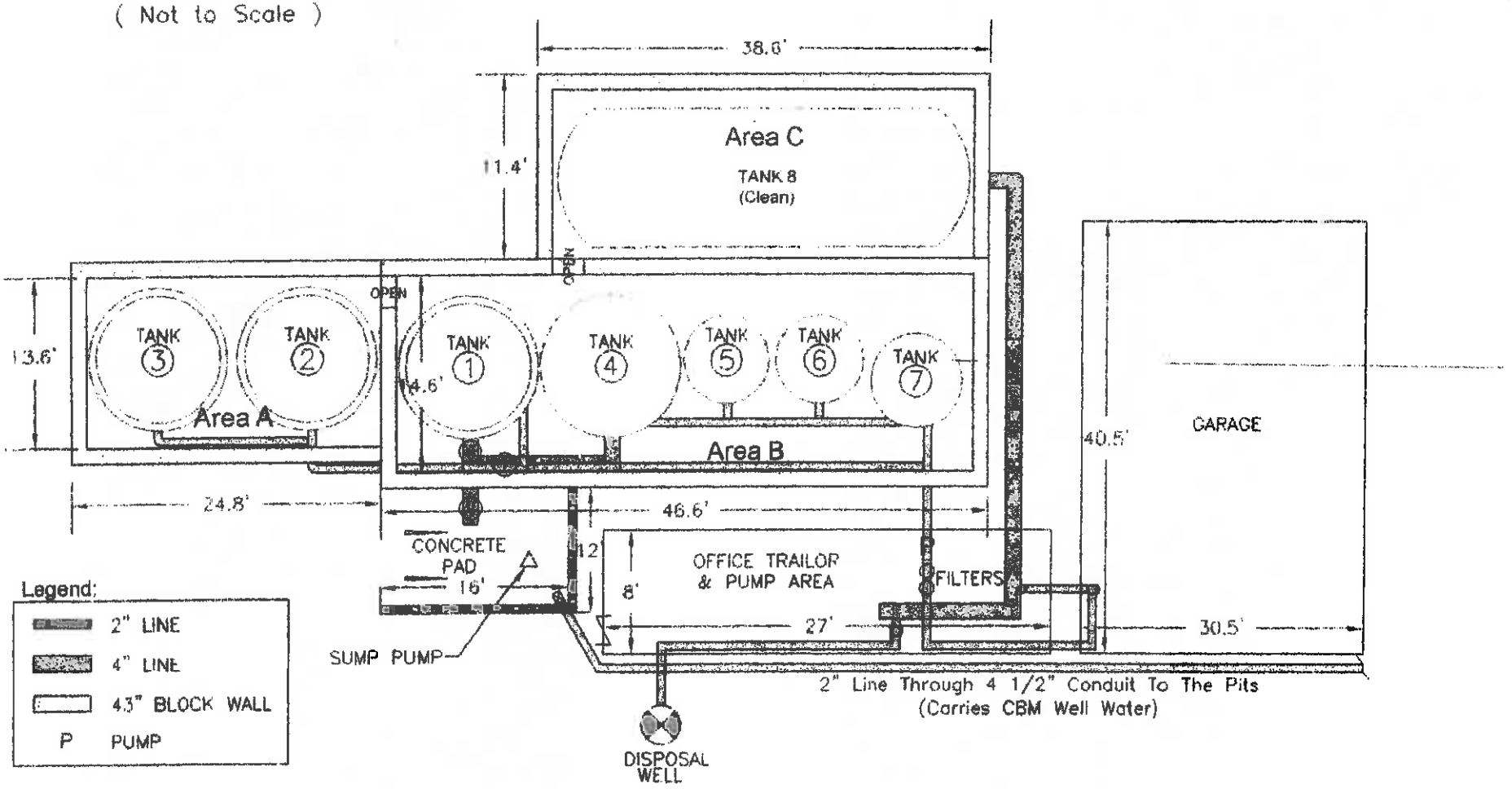
PLAN VIEW

(Not to Scale)

NORTH HILLS #1
Disposal Well Facility
UIC Permit# 2D0190406

TANK DETAIL

(Not to Scale)



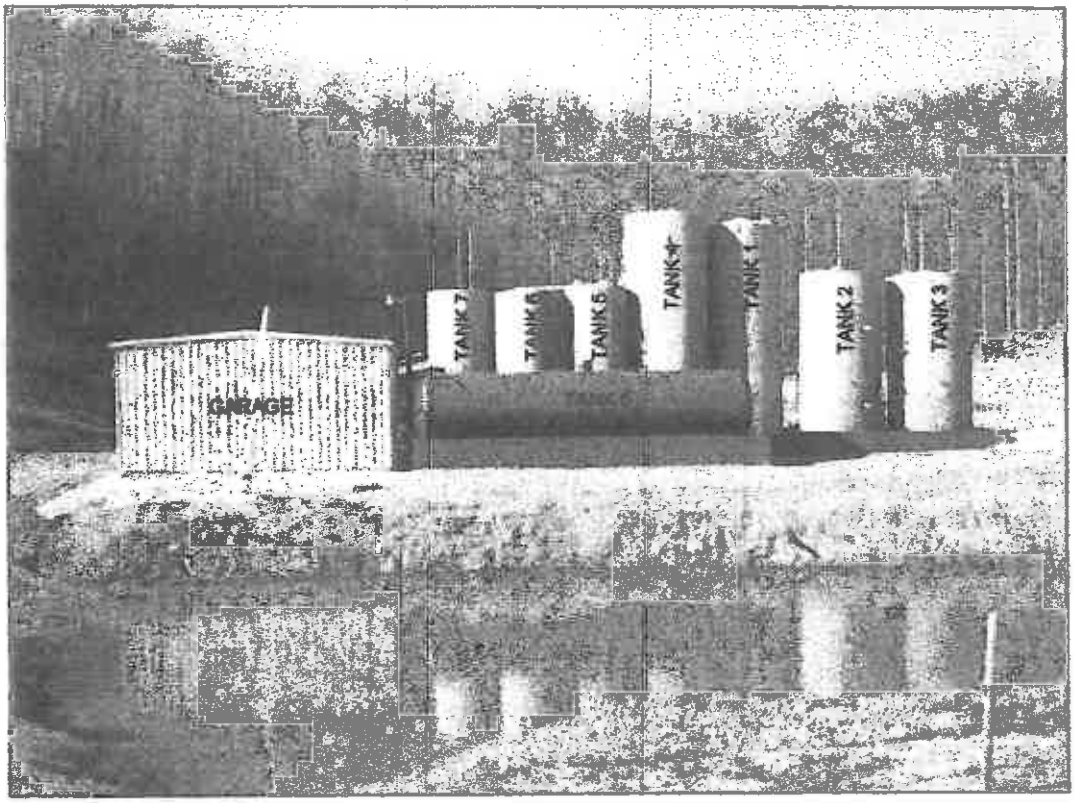
TRUE LINE, INC.
P O. BOX 85
THORPE, WV 24888
(304) 448-2116
Fax (304) 448-2339
Email: trueline@direcway.com

NOTE: TANKS 1, 2, AND 3 ARE DOUBLE WALLED.

NORTH HILLS #1
Disposal Well Facility
UIC Permit# 2D0190406

SIDE LOOKING TOWARD PITS

SETTLING PITS



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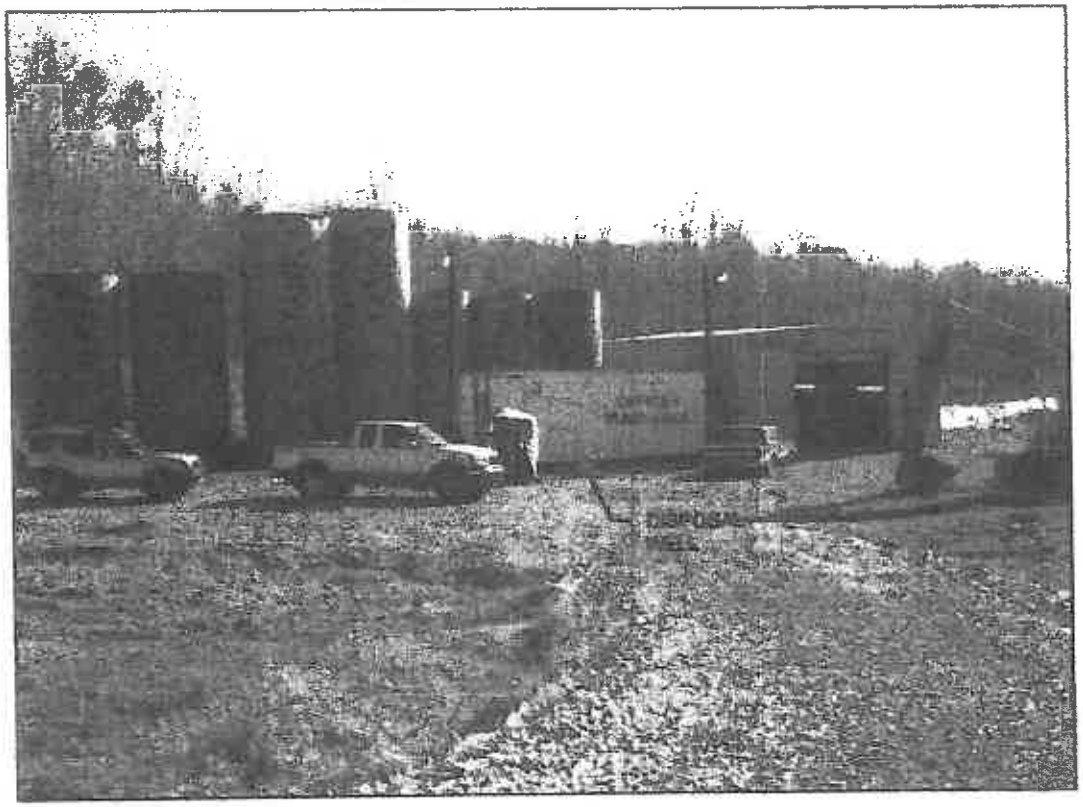

BACK