

PORT EVERGLADES TARIFF NO. 12

Item No. 1048—Conditions Governing Identification, Retirement, and Removal of Asphalt and Petroleum Bulk Product Piping.

Issue No. 5

Effective Date: October 1, 2022

When requested by the Port Everglades Department, Facility Operators will, within forty-eight (48) hours of such request, locate and mark any active asphalt or petroleum bulk pipelines located on County-owned land within Port Everglades. Additionally, if requested, Facility Operators will use their best efforts to assist the Port Everglades Department in locating and establishing ownership of abandoned or out-of-service asphalt or petroleum bulk product piping located on County land within Port Everglades formerly connected to, or having previously served, a facility operator's terminal facility.

The Port Everglades Department may require the closure and removal of petroleum bulk product piping located on County-owned land within Port Everglades that is abandoned or continually out of service for a period of three (3) years.

Concurrent with asphalt or petroleum bulk product piping removal, the Port Everglades Department, at its sole discretion, may allow the abandonment of pipe sections in place using procedures acceptable to the Port Everglades Department and meeting all applicable state and federal regulations. The Facility Operator owning any asphalt or petroleum bulk product piping abandoned in place remains responsible for the retired pipe in the event its future removal is required by the Port Everglades Department.

Facility Operators operating bulk asphalt or petroleum bulk piping on County-owned land within Port Everglades must deliver to the Port Everglades Department a payment bond, or other appropriate method of security, in a form approved by the Port Everglades Department. Such security, if a bond, must be executed by a surety company authorized to transact business in the State of Florida. Security must be in an amount of \$100,000.00. Such security must ensure the payment, up to the amount of the security, to Broward County for damages, expenses, costs, and reasonable attorneys' fees sustained by Broward County as a result of the Facility Operator's failure to remove its pipelines from County-owned land within Port Everglades where a Facility Operator has out-of-service or abandoned pipelines and the Port Everglades Department has requested removal of same.