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§ 153.417 Reimbursement for actions under section 311(c) or 311(d) of the Act of the Intervention on the High Seas Act.

(a) Each Federal or State agency requesting reimbursement for an action authorized under section 311(c) or 311(d) of the Act or under the Intervention on the High Seas Act must, within 60 days after completion of the action, submit to the cognizant District Commander, through the OSC for review and certification required in paragraph (b) of this section, lists accompanied by supporting accounting data, itemizing actual costs incurred.

(b) Requests for reimbursement submitted by Federal and State agencies are reviewed by the OSC to ensure that the costs for which reimbursement is being sought were authorized as Phase III removal actions for oil discharges, or removal actions as defined in Subpart F for hazardous substance discharges, and must have one of the following certifications by the OSC, as appropriate:

(1) I certify that the actions for which reimbursement is being requested in the attached statements were authorized by me as [(Phase III oil removal actions) or (hazardous substance removal actions)], and reasonable costs related thereto are proper for payment from the Pollution Fund.

(2) I certify that, except as noted below, the actions for which reimbursement is being requested in the attached statements were authorized by me as [(Phase III oil removal actions) or (hazardous substance removal actions)], and reasonable costs related thereto are proper for payment from the Pollution Fund.

PART 154—FACILITIES TRANSFERRING OIL OR HAZARDOUS MATERIAL IN BULK

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§ 154.100 Applicability.

(a) This part applies to each facility that is capable of transferring oil or hazardous materials, in bulk, to or from a vessel, where the vessel has a total capacity, from a combination of all bulk products carried, of 39.75 cubic meters (250 barrels) or more. This part does not apply to the facility when it is in a caretaker status. This part does not apply to the facility when it is in a caretaker status.
not apply to any offshore facility operating under the jurisdiction of the Secretary of the Department of Interior.

(b) Upon written notice to the facility operator, the COTP may apply, as necessary for the safety of the facility, its personnel, or the public, all or portions of §154.735 to each facility that is capable of transferring oil or hazardous material, in bulk, only to or from a vessel with a capacity of less than 250 barrels. If the facility is in caretaker status, the COTP may not apply the provisions of §154.735 to the facility if its storage tanks and piping are gas free.

(c) Upon a determination by the COTP under §154.1016 that an MTR facility, as defined in subpart F, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters, adjoining shorelines, or exclusive economic zone, subpart F of this part is applicable to the facility.

(d) The following sections of this part apply to mobile facilities:

1. Section 154.105 Definitions.
2. Section 154.107 Alternatives.
5. Section 154.120 Facility examinations.
7. Section 154.310 Operations Manual: Contents. Paragraphs (a)(2), (a)(3), (a)(5) through (a)(7), (a)(9), (a)(12), (a)(14), (a)(16), (a)(17)(ii) through (a)(17)(iv), (a)(18), (a)(20) through (23), (c) and (d).
10. Section 154.500 Hose assemblies. Paragraphs (a), (b), (c), (d) through (3) and (e)(1) through (3).
11. Section 154.520 Closure devices.
12. Section 154.530 Small discharge containment equipment. Paragraphs (a)(1) through (3) and (d).
13. Section 154.545 Discharge containment equipment.
15. Section 154.560 Communications.
16. Section 154.570 Lighting. Paragraphs (c) and (d).
17. Section 154.700 General.
18. Section 154.710 Persons in charge: Designation and qualification. Paragraphs (a) through (c), (d)(1) through (3), (d)(7) and (e).
20. Section 154.735 Safety requirements. Paragraphs (d), (f), (g), (j)(1) through (2), (k)(1) through (2), (m), (o) through (q), (r)(1) through (3), (s) and (v).
21. Section 154.740 Records. Paragraphs (a) through (f) and (j).

§ 154.105 Definitions.

Barrel means a quantity of liquid equal to 42 U.S. gallons.

Boundary Line means any of the lines described in 46 CFR part 7.

Commandant means the Commandant of the Coast Guard or an authorized representative.

Contiguous Zone means the entire zone established by the United States under Article 24 of the Convention on the Territorial Sea and the Contiguous Zone, but not extending beyond 12 miles from the baseline from which the breadth of the territorial sea is measured.

District Commander means the officer of the Coast Guard designated by the Commandant to command a Coast Guard District, as described in Part 3
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Facility means the person who owns, operates, or is responsible for the operation of the facility.

Hazardous material means a liquid material or substance, other than oil or liquefied gases, listed under 46 CFR 153.40 (a), (b), (c), or (e).

Marine transfer area means that part of a waterfront facility handling oil or hazardous materials in bulk between the vessel, or where the vessel moors, and the first manifold or shutoff valve on the pipeline encountered after the pipeline enters the secondary containment required under 40 CFR 112.7 or 49 CFR 195.264 inland of the terminal manifold or loading arm, or, in the absence of secondary containment, to the valve or manifold adjacent to the bulk storage tank, including the entire pier or wharf to which a vessel transferring oil or hazardous materials is moored.


Mobile facility means any facility that can readily change location, such as a tank truck or tank car, other than a vessel or public vessel.

Monitoring device means any fixed or portable sensing device used to monitor for a discharge of oil or hazardous material onto the water, within or around a facility, and designed to notify operating personnel of a discharge of oil or hazardous material.

Officer in Charge, Marine Inspection (OCMI) means the U.S. Coast Guard officer commanding a Marine Inspection Zone described in Part 3 of this chapter, or an authorized representative.

Offshore facility means any facility of any kind located in, on, or under, any of the navigable waters of the United States, and any facility of any kind which is subject to the jurisdiction of the United States and is located in, on, or under any other waters, other than a vessel or a public vessel.

Onshore facility means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under any land within the United States other than submerged land.

Person in charge means an individual designated as a person in charge of transfer operations under § 154.710 (for facilities) or § 155.700 (for vessels) of this chapter.


Self-propelled tank vessel means a self-propelled tank vessel other than a tankship.

Tank barge means a non-self-propelled tank vessel.

Tankship means a self-propelled tank vessel constructed or adapted primarily to carry oil or hazardous material in bulk in the cargo spaces.

Tank vessel means a vessel that is constructed or adapted to carry, or that carries, oil or hazardous material in bulk as cargo or cargo residue, and that—

(a) Is a vessel of the United States;

(b) Operates on the navigable waters of the United States; or

(c) Transfers oil or hazardous material in a port or place subject to the jurisdiction of the United States.

Transfer means any movement of oil or hazardous material to, from, or within a vessel by means of pumping, gravitation, or displacement. A transfer is considered to begin when the person in charge on the transferring vessel

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or facility and the person in charge on the receiving facility or vessel first meet to begin completing the declaration of inspection as required by §156.150 of this chapter. A transfer is considered to be complete when all the connections for the transfer have been uncoupled and secured with blanks or other closure devices and both of the persons in charge have completed the declaration of inspection to include the date and time the transfer was complete.

Vessel operator means a person who owns, operates, or is responsible for the operation of a vessel.


§ 154.106 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the Federal Register and make the material available to the public. All approved material is on file at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC and at the U.S. Coast Guard, Office of the Compliance (G-MOC), Room 1116, 2100 Second Street SW., Washington, DC 20593-0001, and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are:

American National Standards Institute (ANSI)

11 West 42nd Street, New York, NY 10036

ANSI B16.5, Steel Pipe Flanges and Flanged Fittings, 1988........154.500; 154.808; 154.810

ANSI B16.24, Bronze Pipe Flanges and Flange Fittings Class 150 and 300, 1979...............................154.500; 154.808


ASTM F 715-81 (Reapproved 1986), Standard Methods of Testing Spill Control Barrier Membrane Materials. Appendix C.


ASTM F 989-86, Standard Test Methods for Spill Control Barrier Tension Members. Appendix C.


International Electrotechnical Commission (IEC)

Bureau Central de la Commission Electrotechnique Internationale, 1 rue de Varembe, Geneva, Switzerland


IEC 309-2—Plugs, Socket-Outlets and Couplers for Industrial Purposes; Part 2, Dimensional Interchangeability Requirements for Pin and Contact-tube Accessories, 1981 .............154.812

National Electrical Manufacturers Association (NEMA)

2101 L Street NW., Washington, DC 20036

ANSI NEMA WD-6—Wiring Devices, Dimensional Requirements, 1988 ....154.812

National Fire Protection Association (NFPA)

1 Batterymarch Park, Quincy, MA 02269-9101

§ 154.107 Alternatives.

(a) The COTP may consider and approve alternative procedures, methods, or equipment standards to be used by a facility operator in lieu of any requirement in this part if:

(1) Compliance with the requirement is economically or physically impractical;

(2) The alternative provides an equivalent level of safety and protection from pollution by oil or hazardous material, which is documented in the request; and

(3) The facility operator submits a written request for the alternative.

(b) The COTP takes final approval or disapproval action on the request, submitted in accordance with paragraph (a) of this section, in writing within 30 days of receipt of the request.

§ 154.108 Exemptions.

(a) The Assistant Commandant for Marine Safety and Environmental Protection, acting for the Commandant, grants an exemption or partial exemption from compliance with any requirement in this part if:

(1) Compliance with the requirement is economically or physically impractical;

(2) The alternative provides an equivalent level of safety and protection from pollution by oil or hazardous material, which is documented in the request; and

(3) The facility operator submits a written request for the alternative.

(b) The COTP takes final approval or disapproval action on the request, submitted in accordance with paragraph (a) of this section, in writing within 30 days of receipt of the request.

§ 154.110 Letter of intent.

(a) The facility operator of any facility to which this part applies must submit a letter of intent to operate a facility or to conduct mobile facility operations to the COTP not less than 60 days before the intended operations unless a shorter period is allowed by the COTP. Previously submitted letters of intent need not be resubmitted.

(b) The letter of intent required by paragraph (a) of this section may be in any form but must contain:

(1) The names, addresses, and telephone numbers of the facility operator and the facility owner;

(2) The name, address, and telephone number of the facility or, in the case of a mobile facility, the dispatching office; and

(3) Except for a mobile facility, the geographical location of the facility in relation to the associated body of navigable waters.

(c) The facility operator of any facility for which a letter of intent has been submitted, shall within five (5) days advise the COTP in writing of any

33 CFR Ch. I (7-1-98 Edition)
changes of information and shall cancel, in writing, the letter for any facility at which transfer operations are no longer conducted.


§ 154.120 Facility examinations.

(a) The facility operator shall allow the Coast Guard, at any time, to make any examination and shall perform, upon request, any test to determine compliance with this part and part 156, as applicable. The facility operator shall conduct all required testing of facility equipment in a manner acceptable to the Coast Guard.

(b) The COTP shall provide the facility operator with a written report of the results of the examination for the record required by § 154.740(e) and shall list the deficiencies in the report when the facility is not in compliance with the requirements in this part and Part 156 of this chapter.

[CGD 75-124, 45 FR 7169, Jan. 31, 1980]

Subpart B—Operations Manual


(a) The facility operator of each facility to which this part applies shall submit, with the letter of intent, two copies of an Operations Manual that:

(1) Describes how the applicant meets the operating rules and equipment requirements prescribed by this part and Part 156 of this chapter;

(2) Describes the responsibilities of personnel under this part and Part 156 of this chapter in conducting transfer operations; and

(3) Includes translations into a language or languages understood by all designated persons in charge of transfer operations employed by the facility.

(b) The facility operator shall maintain the operations manual so that it is:

(1) Current; and

(2) Readily available for examination by the COTP.

(c) The COTP shall examine the Operations Manual when submitted, after any substantial amendment, and as otherwise required by the COTP.

(d) In determining whether the manual meets the requirements of this part and Part 156 of this chapter the COTP shall consider the size, complexity, and capability of the facility.

(e) If the manual meets the requirements of this part and part 156 of this chapter, the COTP will return one copy of the manual marked “Examined by the Coast Guard” as described in § 154.325.

(f) The facility operator shall ensure that a sufficient number of copies of the examined Operations Manual, including a sufficient number of the translations required by paragraph (a)(3) of this section, are readily available for each facility person in charge while conducting a transfer operation.

NOTE: The facility operator may request that the contents of the operations manual or portions thereof be considered commercial or financial information that is privileged or confidential. Under the Freedom of Information Act, the Coast Guard would withhold any part of the contents of the operations manual from public disclosure upon determining that it is commercial or financial information that is privileged or confidential.


(a) Each operations manual required by § 154.300 must contain:

(1) The geographic location of the facility;

(2) A physical description of the facility including a plan and/or plans, maps, drawings, aerial photographs or diagrams, showing the boundaries of the facility subject to Coast Guard jurisdiction, mooring areas, transfer locations, control stations, wharfs, the extent and scope of the piping subject to the tests required by § 156.170(c)(4) of this chapter, and the locations of safety equipment. For mobile facilities, a physical description of the facility;

(3) The hours of operation of the facility;

(4) The sizes, types, and number of vessels that the facility can transfer oil or hazardous material to or from simultaneously;

(5) For each product transferred at the facility:

(i) Generic or chemical name; and
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(ii) The following cargo information:

(a) The name of the cargo as listed under appendix II of annex II of MARPOL 73/78, Table 30.25-1 of 46 CFR 30.25-1, Table 151.05 of 46 CFR 151.05-1, or Table 1 of 46 CFR part 153.

(b) A description of the appearance of the cargo;

(c) A description of the odor of the cargo;

(d) The hazards involved in handling the cargo;

(e) Instructions for safe handling of the cargo;

(f) The procedures to be followed if the cargo spills or leaks, or if a person is exposed to the cargo; and

(g) A list of fire fighting procedures and extinguishing agents effective with fires involving the cargo.

(6) The minimum number of persons on duty during transfer operations and their duties;

(7) The name and telephone number of the qualified individual identified under § 154.1026 of this part and the title and/or position and telephone number of the Coast Guard, State, local, and other personnel who may be called by the employees of the facility in an emergency;

(8) The duties of watchmen, required by § 155.810 of this chapter and 46 CFR 35.05-15, for unmanned vessels moored at the facility;

(9) A description of each communication system required by this part;

(10) The location and facilities of each personnel shelter, if any;

(11) A description and instructions for the use of drip and discharge collection and vessel slop reception facilities, if any;

(12) A description and the location of each emergency shutdown system;

(13) Quantity, types, locations, and instructions for use of monitoring devices if required by § 154.525;

(14) Quantity, type, location, instructions for use, and time limits for gaining access to the containment equipment required by § 154.545;

(15) Quantity, type, location, and instructions for use of fire extinguishing equipment required by § 154.735(d) of this part;

(16) The maximum allowable working pressure (MAWP) of each loading arm, transfer pipe system, and hose assembly required to be tested by § 156.170 of this chapter, including the maximum relief valve setting (or maximum system pressure when relief valves are not provided) for each transfer system;

(17) Procedures for:

(i) Operating each loading arm including the limitations of each loading arm;

(ii) Transferring oil or hazardous material;

(iii) Completion of pumping; and

(iv) Emergencies;

(18) Procedures for reporting and initial containment of oil or hazardous material discharges;

(19) A brief summary of applicable Federal, state, and local oil or hazardous material pollution laws and regulations;

(20) Procedures for shielding portable lighting authorized by the COTP under § 154.570(c); and

(21) A description of the training and qualification program for persons in charge.

(22) Statements explaining that each hazardous materials transfer hose is marked with either the name of each product which may be transferred through the hose or with letters, numbers, symbols, color codes or other system acceptable to the COTP representing all such products and the location in the Operations Manual where a chart or list of symbols utilized is located and a list of the compatible products which may be transferred through the hose can be found for consultation before each transfer; and

(23) For facilities that conduct tank cleaning or stripping operations, a description of their procedures.

(b) If a facility collects vapors emitted from vessel cargo tanks for recovery, destruction, or dispersion, the operations manual must contain a description of the vapor collection system at the facility which includes:

(1) A line diagram or simplified piping and instrumentation diagram (P&ID) of the facility’s vapor control system piping, including the location of each valve, control device, pressure-vacuum relief valve, pressure indicator, flame arrester, and detonation arrester; and
§ 154.320 Operations manual: Amendment.

(a) Using the following procedures, the COTP may require the facility operator to amend the operations manual if the COTP finds that the operations manual does not meet the requirements in this part:

(1) The COTP will notify the facility operator in writing of any inadequacies in the Operations Manual. The facility operator may submit written information, views, and arguments regarding the inadequacies identified, and proposals for amending the Manual, within 45 days from the date of the COTP notice. After considering all relevant material presented, the COTP shall notify the facility operator of any amendment required or adopted, or the COTP shall rescind the notice. The amendment becomes effective 60 days after the facility operator receives the notice, unless the facility operator petitions the Commandant to review the COTP’s notice, in which case its effective date is delayed pending a decision by the Commandant. Petitions to the Commandant must be submitted in writing via the COTP who issued the requirement to amend the Operations Manual.

(2) If the COTP finds that there is a condition requiring immediate action to prevent the discharge or risk of discharge of oil or hazardous material that makes the procedure in paragraph (a)(1) of this section impractical or contrary to the public interest, the COTP may issue an amendment effective on the date the facility operator receives notice of it. In such a case, the COTP shall include a brief statement of the reasons for the findings in the notice. The owner or operator may petition the Commandant to review the amendment, but the petition does not delay the amendment.

(b) The facility operator may propose amendments to the operations manual by:

(1) Submitting any proposed amendment and reasons for the amendment to the COTP not less than 30 days before the requested effective date of the proposed amendment; or

(2) If an immediate amendment is needed, requesting the COTP to approve the amendment immediately.

(c) The COTP shall respond to proposed amendments submitted under paragraph (b) of this section by:

(1) Approving or disapproving the proposed amendments;

(2) Advising the facility operator whether the request is approved, in writing, before the requested date of the amendments;

(3) Including any reasons in the written response if the request is disapproved; and

(4) If the request is made under paragraph (b)(2) of this section immediately approving or rejecting the request.

(d) Amendments to personnel and telephone number lists required by §154.310(a)(7) of this part do not require examination by the COTP, but the

(a) The operator of a facility shall submit two copies of the Operations Manual to the Captain of the Port of the zone in which the facility is located.

(b) Not less than 60 days prior to any transfer operation, the operator of a new facility shall submit, with the letter of intent, two copies of the Operations Manual to the Captain of the Port of the zone in which the facility is located.

(c) After a facility is removed from caretaker status, not less than 30 days prior to any transfer operation the operator of that facility shall submit two copies of the Operations Manual to the COTP of the zone in which the facility is located.

(d) If the COTP finds that the Operations Manual meets the requirements of this part and part 156 of this chapter, the COTP will return one copy of the manual to the operator marked “Examined by the Coast Guard”.

(e) If the COTP finds that the Operations Manual does not meet the requirements of this part and/or part 156 of this chapter, the COTP will return the manuals with an explanation of why it does not meet the requirements of this chapter.

(f) No person may use any Operations Manual for transfer operations as required by this chapter unless the Operations Manual has been examined by the COTP.

(g) The Operations Manual is voided if the facility operator—

(1) Amends the Operations Manual without following the procedures in §154.320 of this part;

(2) Fails to amend the Operations Manual when required by the COTP; or

(3) Notifies the COTP in writing that the facility will be placed in caretaker status.


§ 154.500 Hose assemblies.

Each hose assembly used for transferring oil or hazardous material must meet the following requirements:

(a) The minimum design burst pressure for each hose assembly must be at least four times the sum of the pressure of the relief valve setting (or four times the maximum pump pressure when no relief valve is installed) plus the static head pressure of the transfer system, at the point where the hose is installed.

(b) The maximum allowable working pressure (MAWP) for each hose assembly must be more than the sum of the pressure of the relief valve setting (or the maximum pump pressure when no relief valve is installed) plus the static head pressure of the transfer system, at the point where the hose is installed.

(c) Each nonmetallic hose must be usable for oil or hazardous material service.

(d) Each hose assembly must either have:

(1) Full threaded connections;

(2) Flanges that meet standard B16.5, Steel Pipe Flanges and Flang Fittings, or standard B16.24, Brass or Bronze Pipe Flanges, of the American National Standards Institute (ANSI); or

(3) Quick-disconnect couplings that meet ASTM F-1122.

(e) Each hose must be marked with the following, except that the information required by paragraphs (f)(2) and (3) of this section need not be marked on the hose if it is recorded in...
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§ 154.530 Small discharge containment.

(a) Except as provided in paragraphs (c), (d), and (e) of this section, each facility to which this part applies must have fixed catchments, curbing, or other fixed means to contain oil or hazardous material discharged in at least—

(1) Each hose handling and loading arm area (that area on the facility that is within the area traversed by the free end of the hose or loading arm when moved from its normal stowed or idle position into a position for connection); 

(2) Each hose connection manifold area; and 

(3) Under each hose connection that will be coupled or uncoupled as part of the transfer operation during coupling, uncoupling, and transfer.

(b) The discharge containment means required by paragraph (a) of this section must have a capacity of at least: 

§ 154.540 Discharge removal.

Each facility to which this part applies must have a means to safely remove discharged oil or hazardous material, within one hour of completion of the transfer, from the containment required by §154.530 of this part without discharging the oil or hazardous material into the water.


§ 154.545 Discharge containment equipment.

(a) Each facility must have ready access to enough containment material and equipment to contain any oil or hazardous material discharged on the water from operations at that facility.

(b) For the purpose of this section, “access” may be by direct ownership, joint ownership, cooperative venture, or contractual agreement.

(c) Each facility must establish time limits, subject to approval by the COTP, for deployment of the containment material and equipment required by paragraph (a) of this section considering:

(1) Oil or hazardous material handling rates;
(2) Oil or hazardous material capacity susceptible to being spilled;
(3) Frequency of facility operations;
(4) Tidal and current conditions;
(5) Facility age and configuration; and
(6) Past record of discharges.

(d) The COTP may require a facility to surround each vessel conducting an oil or hazardous material transfer operation with containment material before commencing a transfer operation if—

(1) The environmental sensitivity of the area requires the added protection;
(2) The products transferred at the facility pose a significant threat to the environment;
(3) The past record of discharges at the facility is poor; or
(4) The size or complexity of the transfer operation poses a significant potential for a discharge of oil or hazardous material; and
(5) The use of vessel containment provides the only practical means to reduce the extent of environmental damage.

(e) Equipment and procedures maintained to satisfy the provisions of this chapter may be utilized in the planning requirements of subpart F of this part.


§ 154.550 Emergency shutdown.

(a) The facility must have an emergency means to enable the person in charge of the transfer on board the vessel, at that person’s usual operating station, to stop the flow of oil or hazardous material from the facility to the vessel. The means must be—

(1) An electrical, pneumatic, or mechanical linkage to the facility; or
(2) An electronic voice communications system continuously operated by a person on the facility who can stop the flow of oil or hazardous material immediately.

(b) The point in the transfer system at which the emergency means stops the flow of oil or hazardous material on
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§ 154.570 Lighting.

(a) Except as provided in paragraph (c) of this section, for operations between sunset and sunrise, a facility must have fixed lighting that adequately illuminates:

(1) Each transfer connection point on the facility;
(2) Each transfer connection point in use on any barge moored at the facility to or from which oil or hazardous material is being transferred;
(3) Each transfer operations work area on the facility; and
(4) Each transfer operation work area on any barge moored at the facility to or from which oil or hazardous material is being transferred.

(b) Where the illumination is apparently inadequate, the COTP may require verification by instrument of the levels of illumination. On a horizontal plane 3 feet above the barge deck or walking surface, illumination must measure at least:

(1) 5.0 foot candles at transfer connection points; and
(2) 1.0 foot candle in transfer operations work areas.

(c) For small or remote facilities, the COTP may authorize operations with an adequate level of illumination provided by the vessel or by portable means.

(d) Lighting must be located or shielded so as not to mislead or otherwise interfere with navigation on the adjacent waterways.

§ 154.700 General.

No person may operate a facility unless the equipment, personnel, and operating procedures of that facility meet the requirements of this part.

[CGD 75-124, 45 FR 7173, Jan. 31, 1980]

§ 154.710 Persons in charge: Designation and qualification.

No person may serve, and the facility operator may not use the services of a person, as person in charge of facility transfer operations unless:

(a) The facility operator has designated that person as a person in charge;

(b) The person has had at least 48 hours of experience in transfer operations at a facility in operations to which this part applies. The person also has enough experience at the facility for which qualification is desired to enable the facility operator to determine that the person’s experience is adequate;

(c) The person has completed a training and qualification program established by the facility operator and described in the Operations Manual in accordance with § 154.310(a)(21), that provides the person with the knowledge and training necessary to properly operate the transfer equipment at the facility, perform the duties described in paragraph (d) of this section, follow the procedures required by this part, and fulfill the duties required of a person in charge during an emergency, except that the COTP may approve alternative experience and training requirements for new facilities; and

(d) The facility operator must certify that each person in charge has the knowledge of, and skills necessary to—

(1) The hazards of each product to be transferred;

(2) The rules in this part and in Part 156 of this chapter;

(3) The facility operating procedures as described in the operations manual;

(4) Vessel transfer systems, in general;

(5) Vessel transfer control systems, in general;

(6) Each facility transfer control system to be used;

(7) Follow local discharge reporting procedures; and

(8) Carry out the facility’s response plan for discharge reporting and containment.

(e) Training conducted to comply with the hazard communication programs required by the Occupational Safety and Health Administration (OSHA) of the Department of Labor (DOL) (29 CFR 1910.1200) or the Environmental Protection Agency (EPA) (40 CFR 311.1), or to meet the requirements of subpart F of this part may be used to satisfy the requirements in paragraphs (c) and (d) of this section, as long as the training addresses the requirements in paragraphs (c) and (d) of this section.

[Sec. 311(j)(1)(C) of the Federal Water Pollution Control Act (86 Stat. 816, 868); 33 U.S.C. 1161(j)(1)(C); EO 11548, 3 CFR, 1966-1970 Comp., p. 949, 49 CFR 1.46(m)]


Each person in charge shall carry evidence of his designation as a person in charge when he is engaged in transfer operations unless such evidence is immediately available at the facility.

[Sec. 311(j)(1)(C) of the Federal Water Pollution Control Act (86 Stat. 816, 868); 33 U.S.C. 1161(j)(1)(C); EO 11548, 3 CFR, 1966-1970 Comp., p. 949, 49 CFR 1.46(m)]

[CGD 71-160R, 37 FR 28253, Dec. 21, 1972]

§ 154.735 Safety requirements.

Each operator of a facility to which this part applies shall ensure that the following safety requirements are met at the facility:

(a) Access to the facility by firefighting personnel, fire trucks, or other emergency personnel is not impeded.

(b) Materials which are classified as hazardous under 49 CFR parts 170 through 179 are kept only in the quantities needed for the operation or maintenance of the facility and are stored in storage compartments.

(c) Gasoline or other fuel is not stored on a pier, wharf, or other similar structure.
Coast Guard, DOT § 154.735

(d) A sufficient number of fire extinguishers approved by an independent laboratory listed in 46 CFR 162.028-5 for fighting small, localized fires are in place throughout the facility and maintained in a ready condition.

(e) The location of each hydrant, standpipe, hose station, fire extinguisher, and fire alarm box is conspicuously marked and readily accessible.

(f) Each piece of protective equipment is ready to operate.

(g) Signs indicating that smoking is prohibited are posted in areas where smoking is not permitted.

(h) Trucks and other motor vehicles are operated or parked only in designated locations.

(i) All rubbish is kept in receptacles.

(j) All equipment with internal combustion engines used on the facility—

(1) Does not constitute a fire hazard; and

(2) Has a fire extinguisher attached that is approved by an independent laboratory listed in 46 CFR 162.028-5, unless such a fire extinguisher is readily accessible nearby on the facility.

(k) Spark arresters are provided on chimneys or appliances which—

(1) Use solid fuel; or

(2) Are located where sparks constitute a hazard to nearby combustible material.

(l) All welding or hot work conducted on or at the facility is the responsibility of the facility operator. The COTP may require that the operator of the facility notify the COTP before any welding or hot work operations are conducted. Any welding or hot work operations conducted on or at the facility must be conducted in accordance with NFPA 51B. The facility operator shall ensure that the following additional conditions or criteria are met:

(1) Welding or hot work is prohibited during gas freeing operations, within 30.5 meters (100 feet) of bulk cargo operations involving flammable or combustible materials, within 30.5 meters (100 feet) of fueling operations, or within 30.5 meters (100 feet) of explosives or 15.25 meters (50 feet) of other hazardous materials.

(2) If the welding or hot work is on the boundary of a compartment (i.e., bulkhead, wall or deck) an additional fire watch shall be stationed in the adjoining compartment.

(3) Personnel on fire watch shall have no other duties except to watch for the presence of fire and to prevent the development of hazardous conditions.

(m) Heating equipment has sufficient clearance to prevent unsafe heating of nearby combustible material.

(n) Automotive equipment having an internal combustion engine is not fueled on a pier, wharf, or other similar structure.

(o) There are no open fires or open flame lamps.

(p) Electric wiring and equipment is maintained in a safe condition so as to prevent fires.

(q) Electrical wiring and electrical equipment installed after October 4, 1990, meet NFPA 70.

(r) Electrical equipment, fittings, and devices installed after October 4, 1990, show approval for that use by—

(1) Underwriters Laboratories;

(2) Factory Mutual Research Corporation; or

(3) Canadian Standards Association.

(s) Tank cleaning or gas freeing operations conducted by the facility on vessels carrying oil residues or mixtures shall be conducted in accordance with sections 9.1, 9.2, 9.3, and 9.5 of the OCIMF International Safety Guide for Oil Tankers and Terminals (ISGOTT), except that—

(1) Prohibitions in ISGOTT against the use of recirculated wash water do not apply if the wash water is first processed to remove product residues;

(2) The provision in ISGOTT section 9.2.10 concerning flushing the bottom
§ 154.740 Records.

Each facility operator shall maintain at the facility and make available for examination by the COTP:

(a) A copy of the letter of intent for the facility;
(b) The name of each person designated as a person in charge of transfer operations at the facility and certification that each person in charge has completed the training requirements of § 154.710 of this part;
(c) The date and result of the most recent test or examination of each item tested or examined under § 156.170 of this chapter;
(d) The hose information required by § 154.500 (e) and (g) except that marked on the hose;
(e) The record of all examinations of the facility by the COTP within the last 3 years;
(f) The Declaration of Inspection required by § 156.150(f) of this chapter;
(g) A record of all repairs made within the last three years involving any component of the facility's vapor control system required by subpart E of this part;
(h) A record of all automatic shut downs of the facility's vapor control system within the last 3 years; and
(i) Plans, calculations, and specifications of the facility's vapor control system certified under § 154.804 of this part.

(j) If they are not marked as such, documentation that the portable radio devices in use at the facility under § 154.560 of this part are intrinsically safe.

(Approved by the Office of Management and Budget under control number 2115-0096)


§ 154.750 Compliance with operations manual.

The facility operator shall require facility personnel to use the procedures in the operations manual prescribed by § 154.300 for operations under this part.

[CGD 75-124, 45 FR 7174, Jan. 31, 1980]
Coast Guard, DOT

§ 154.802 Definitions.

As used in this subpart:
Certifying entity means an individual or organization accepted by the Commandant (G-MSO) to review plans and calculations for vapor control system designs, and to conduct initial inspections and witness tests of vapor control system installations.

Existing vapor control system means a vapor control system which was operating prior to July 23, 1990.

Facility vapor connection means the point in a facility’s vapor collection system where it connects to a vapor collection hose or the base of a vapor collection arm.

Inerted means the oxygen content of the vapor space in a tank vessel’s cargo tank is reduced to 8 percent by volume or less in accordance with the inert gas requirements of 46 CFR 32.53 or 46 CFR 153.500.

Liquid knockout vessel means a device to separate liquid from vapor.

Maximum allowable transfer rate means the maximum volumetric rate at which a vessel may receive cargo or ballast.

New vapor control system means a vapor control system which is not an existing vapor control system.

Vapor balancing means the transfer of vapor displaced by incoming cargo from the tank of a vessel receiving cargo into a tank of the vessel or facility delivering cargo via a vapor collection system.

Vapor collection system means an arrangement of piping and hoses used to collect vapor emitted from a vessel’s cargo tanks and transport the vapor to a vapor processing unit.

Vapor control system means an arrangement of piping and equipment used to control vapor emissions collected from a vessel, and includes the vapor collection system and the vapor processing unit.

Vapor destruction unit means a vapor processing unit that destroys cargo vapor by a means such as incineration.

Vapor dispersion system means a vapor processing unit which releases cargo vapor to the atmosphere through a venting system not located on the vessel being loaded or ballasted.

Vapor processing unit means the components of a vapor control system that recovers, destroys, or disperses vapor collected from a vessel.

Vapor recovery unit means a vapor processing unit that recovers cargo vapor by a non-destructive means such
§ 154.804 Review, certification, and initial inspection.

(a) A new vapor control system installation must be certified by a certifying entity as meeting the requirements of this subpart prior to operating.

(b) [Reserved]

(c) An existing vapor control system installation that has been Coast Guard approved for operation with specific vessels must be certified by a certifying entity prior to receiving vapors from other vessels.

(d) Plans and information submitted to the certifying entity must include a qualitative failure analysis. The analysis must demonstrate the following:
   (1) The vapor control system is designed to permit the system to continuously operate safely when receiving cargo vapors from tankships and barges over the full range of transfer rates expected at the facility;
   (2) The vapor control system is provided with the proper alarms and automatic control systems to prevent unsafe operation;
   (3) The vapor control system is equipped with sufficient automatic or passive devices to minimize damage to personnel, property, and the environment if an accident were to occur; and
   (4) If a quantitative failure analysis is also conducted, the level of safety attained is at least one order of magnitude greater than that calculated for operating without a vapor control system.

NOTE: The American Institute of Chemical Engineers publication, "Guidelines for Hazard Evaluation Procedures" may be used as guidance when preparing a qualitative failure analysis. Military Standard MIL-STD-882B may be used as guidance when preparing a quantitative failure analysis.

(e) The certifying entity must conduct all initial inspections and witness all tests required to demonstrate that the facility:
   (1) Conforms to certified plans and specifications;
   (2) Meets the requirements of this subpart; and
   (3) Is operating properly.

(f) Upon receipt of written certification from the certifying entity that a facility's vapor control system complies with the requirements of this part the COTP shall endorse the letter of adequacy required by §154.325 of this part to indicate that the facility is acceptable for collecting vapors of crude oil, gasoline blends, benzene, or any other vapors for which it is certified.

(g) Any design or configuration alteration involving a certified vapor control system must be reviewed by a certifying entity. After conducting any inspections and witnessing tests necessary to verify that the modified vapor control system meets the requirements of this subpart, the certifying entity must recertify the installation.

(h) Certifications issued in accordance with this section and a copy of the plans, calculations, and specifications for the vapor control system must be maintained at the facility.

(Approved by the Office of Management and Budget under control number 2115-0581)

§ 154.806 Application for acceptance as a certifying entity.

(a) An individual or organization seeking acceptance as a certifying entity must apply in writing to the Commandant (G-MSO). Each application must be signed and certified to be correct by the applicant or, if the applicant is an organization, by an authorized officer or official representative of the organization, and must include a letter of intent from a facility owner or operator to use the services of the individual or organization to certify a vapor control system installation. Any
false statement or misrepresentation, or the knowing and willful concealment of a material fact may subject the applicant to prosecution under the provisions of 18 U.S.C. 1001, and denial or termination of acceptance as a certifying entity.

(b) The applicant must possess the following minimum qualifications, and be able to demonstrate these qualifications to the satisfaction of the Commandant (G-MSO):

(1) The ability to review and evaluate design drawings and failure analyses;
(2) A knowledge of the applicable regulations of this subpart, including the standards incorporated by reference in these regulations;
(3) The ability to monitor and evaluate test procedures and results;
(4) The ability to perform inspections and witness tests of bulk liquid cargo handling systems;
(5) That it is not controlled by an owner or operator of a vessel or facility engaged in controlling vapor emissions; and
(6) That it is not dependent upon Coast Guard acceptance under this section to remain in business.

(c) Each application for acceptance must contain the following:

(1) The name and address of the applicant, including subsidiaries and divisions if applicable;
(2) A statement that the applicant is not controlled by an owner or operator of a vessel or facility engaged in controlling vapor emissions, or a full disclosure of any ownership or controlling interest held by such owners or operators;
(3) A description of the experience and qualifications of the person(s) who would be reviewing or testing the systems;
(4) A statement that the person(s) who would be reviewing or testing the systems is/are familiar with the regulations in this subpart; and
(5) A statement that the Coast Guard may verify the information submitted in the application and may examine the person(s) who would be reviewing or testing the systems to determine their qualifications.

(d) The acceptance of a certifying entity may be terminated by the Commandant (G-MSO) if the entity fails to properly review, inspect, or test a system in accordance with this subpart.

NOTE: A list of entities accepted to certify facility vapor control system installations is available from the Commandant (G-MSO).

(Approved by the Office of Management and Budget under control number 2115-0581)

§ 154.808 Vapor control system, general.

(a) A vapor control system design and installation must eliminate potential overfill hazards, overpressure and vacuum hazards, and sources of ignition to the maximum practical extent. Each remaining hazard source which is not eliminated must be specifically addressed in the protection system design and operational requirements.

(b) Vapor collection system piping and fittings must be in accordance with ANSI B31.3 and designed for a maximum allowable working pressure of at least 150 psig. Valves and flanges must be in accordance with ANSI B16.5 or B16.24, 150 pound class.

(c) All electrical equipment used in a vapor control system must comply with NFPA 70.

(d) Any pressure, flow, or concentration indication required by this part must provide a remote indicator on the facility where the cargo transfer and vapor control systems are controlled.

(e) Any alarm condition specified in this part must activate an audible and visible alarm where the cargo transfer and vapor control systems are controlled.

(f) The vapor control system must be separated or insulated from external heat sources to limit vapor control system piping surface temperature to not more than 177 °C. (350 °F.) during normal operation.

(g) A means must be provided to eliminate any liquid condensate from the vapor collection system which carries over from the vessel or condenses as a result of an enrichment process.

(h) If a liquid knockout vessel is installed it must have:

(1) A means to indicate the level of liquid in the device;
§ 154.810 Vapor line connections.

(a) A remotely operated cargo vapor shutoff valve must be installed in the vapor collection line between the facility vapor connection and the nearest point where any inerting, enriching, or diluting gas is introduced into the vapor collection line or where a detonation arrester is fitted. The valve must:

(1) Close within thirty (30) seconds after detection of a shutdown condition by a component required by this subpart;

(2) Close automatically if the control signal is lost;

(3) Activate an alarm when a signal to shut down is received;

(4) Be capable of manual operation or manual activation;

(5) Have a local valve position indicator or be designed so that the valve position can be readily determined from the valve handle or valve stem position; and

(6) If the valve seat is fitted with resilient material, not allow appreciable leakage when the resilient material is damaged or destroyed.

(b) Except when a vapor collection arm is used, the last 1.0 meter (3.3 feet) of vapor piping before the facility vapor connection must be:

(1) Painted red/yellow/red with:
   (i) The red bands 0.1 meter (0.33 feet) wide, and
   (ii) The middle yellow band 0.8 meter (2.64 feet) wide; and

(2) Labeled “VAPOR” in black letters at least 50 millimeters (2 inches) high.

(c) Each facility vapor connection flange must have a permanently attached 0.5 inch diameter stud at least 1.0 inch long projecting outward from the flange face. The stud must be located at the top of the flange, midway between bolt holes, and in line with the bolt hole pattern.

(d) Each hose used for transferring vapors must:

(1) Have a design burst pressure of at least 25 psig;

(2) Have a maximum allowable working pressure of at least 5 psig;

(3) Be capable of withstanding at least 2.0 psi vacuum without collapsing or constricting;

(4) Be electrically continuous with a maximum resistance of ten thousand (10,000) ohms;

(5) Have flanges with:
   (i) A bolt hole arrangement complying with the requirements for 150 pound class ANSI B16.5 flanges, and
   (ii) One or more 0.625 inch diameter holes in the flange located midway between bolt holes and in line with the bolt hole pattern;

(6) Be abrasion resistant and resistant to kinking; and

(7) Have the last 1.0 meter (3.3 feet) of each end of the vapor hose marked in accordance with paragraph (b) of this section.

(e) Vapor hose handling equipment must be provided with hose saddles which provide adequate support to prevent kinking or collapse of hoses.

(f) Fixed vapor collection arms must:

(1) Meet the requirements of paragraphs (d)(1) through (d)(5) of this section;

(2) Have the last 1.0 meter (3.3 feet) of the arm marked in accordance with paragraph (b) of this section.

(g) The facility vapor connection must be electrically insulated from the vessel vapor connection in accordance with section 6.10 of the OCIMF International Safety Guide for Oil Tankers and Terminals.

(h) A vapor collection system fitted with an enriching system that operates at a positive gauge pressure at the facility vapor connection must be fitted with:

(1) A manual isolation valve between each facility vapor connection and the remotely operated cargo vapor shutoff
§ 154.812 Facility requirements for vessel liquid overfill protection.

(a) Each facility which receives cargo vapor from a tank barge which is fitted with overfill protection in accordance with 46 CFR 39.20-9(a) as its only means of overfill protection must provide a 120 volt, 20 amp explosion proof receptacle which meets:

1. ANSI/NEMA WD6;
2. NFPA 70, Articles 410-57 and 501-12; and
3. 46 CFR 111.105-9.

(b) Each facility that receives cargo vapor from a tank barge fitted with an intrinsically safe cargo tank level sensor system complying with 46 CFR 39.20-9(b) as its only means of overfill protection must have an overfill control panel on the dock capable of powering and receiving an alarm and shutdown signal from the cargo tank level sensor system that:

1. Closes the remotely operated cargo vapor shutoff valve required by §154.810(a) of this subpart and activates the emergency shutdown system required by §154.550 of this part when:
   (i) A tank overfill signal is received from the barge, or
   (ii) Electrical continuity of the cargo tank level sensor system is lost;
2. Activates an alarm which is audible and visible to barge personnel and facility personnel when a tank overfill signal, or an optional high level signal corresponding to a liquid level lower than the tank overfill sensor setting, is received from the barge;
3. Has a means to electrically and mechanically test the alarms and automatic shutdown systems prior to transferring cargo to or ballasting the tank barge;
4. Has suitable means, such as approved intrinsic safety barriers able to accept passive devices, to ensure that the overfill and optional alarm circuits on the barge side of the overfill control panel, including cabling, normally closed switches, and pin and sleeve connectors, are intrinsically safe;
5. Is labeled with the maximum allowable inductance and capacitance to be connected to the panel, as specified by the equipment manufacturer; and
6. Has a female connecting plug for the tank barge level sensor system with a 5 wire, 16 amp connector body meeting IEC 309-1/309-2 which is:
   (i) Configured with pins S2 and R1 for the tank overfill sensor circuit, pin G connected to the cabling shield, and pins N and T3 reserved for an optional high level alarm connection;
   (ii) Labeled “Connector for Barge Overflow Control System”; and
   (iii) Connected to the overfill control panel by a shielded flexible cable.

§ 154.814 Facility requirements for vessel vapor overpressure and vacuum protection.

(a) A facility’s vapor collection system must have the capacity for collecting cargo vapor at a rate of not less than 1.25 times the facility’s maximum liquid transfer rate for cargo for which vapor collection is required plus any inerting, diluting, or enriching gas which may be added to the system, unless the vapor growth for turbulent loading of the most volatile liquid handled by the facility is less than 25 percent.

(b) A facility vapor collection system must maintain the pressure in a vessel’s cargo tanks between 80 percent of the highest setting of any of the vessel’s vacuum relief valves and 80 percent of the lowest setting of any of the vessel’s pressure relief valves for a non-inerted tank vessel, and between 0.2 psig and 80 percent of the lowest setting of any of the vessel’s pressure relief valves for an inerted tank vessel. The system must be capable of maintaining the pressure in the vessel’s cargo tanks within this range at any cargo transfer rate less than or equal to the maximum transfer rate determined at the pre-transfer conference required by §156.120(w) of this chapter.

(c) The pressure measured at the facility vapor connection must be corrected for pressure drops across the vessel’s vapor collection system and the vapor collection hose or arm.

(d) A pressure sensing device must be provided which activates an alarm when the pressure at the facility vapor...
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connection exceeds either the pressure corresponding to the upper pressure determined in paragraph (b) of this section or a lower pressure agreed upon at the pre-transfer conference required by §156.120(w) of this chapter.

(e) A pressure sensing device must be provided which activates an alarm when the pressure at the facility vapor connection falls below either the pressure corresponding to the lower pressure determined in paragraph (b) of this section or a higher pressure agreed upon at the pre-transfer conference required by §156.120(w) of this chapter. The sensing device must be independent of the device used to activate the alarm required by paragraph (d) of this section.

(f) A pressure sensing device must be provided which activates the emergency shutdown system required by §154.350 of this part and closes the remotely operated cargo vapor shutoff valve required by §154.810(a) of this subpart when the pressure at the facility vapor connection exceeds 2.0 psi, or a lower pressure agreed upon at the pre-transfer conference required by §156.120(w) of this chapter. The sensing device must be independent of the device used to activate the alarm required by paragraph (e) of this section.

(g) A pressure sensing device must be provided which closes the remotely operated cargo vapor shutoff valve when the vacuum at the facility vapor connection is more than 1.0 psi, or a lesser vacuum set at the pre-transfer conference required by §156.120(w) of this chapter. The sensing device must be independent of the device used to activate the alarm required by paragraph (e) of this section.

(h) The pressure sensing devices required by paragraphs (d) and (f) of this section must be located in the vapor collection line between the facility vapor connection and the manual isolation valve, if required by §154.810(h) of this subpart, unless an interlock is provided which prevents operation of the system when the isolation valve is closed.

(i) A pressure indicating device must be provided which indicates the pressure in the vapor collection line.

(j) If a compressor, blower, or eductor capable of drawing more than 1.0 psi vacuum is used to draw vapor from the vessel, a vacuum relief valve must be installed in the vapor collection line between the compressor, blower, or eductor and the facility vapor connection, which:

1. Relieves at a pressure such that the pressure in the vapor collection system at the facility vapor connection does not exceed 1.0 psi vacuum;
2. Has a relieving capacity equal to or greater than the capacity of the compressor, blower, or eductor;
3. Has a flame screen fitted at the vacuum relief opening; and
4. Has been tested for relieving capacity in accordance with paragraph 1.5.1.3 of API 2000 with a flame screen fitted.

(k) When a facility collects cargo vapor through an undersea pipeline from a vessel moored offshore, the vacuum relief valve may be set at a vacuum greater than 1.0 psi vacuum provided the pressure controls take into account the pressure drop across the vessel's vapor collection system, any vapor collection hoses, and the undersea pipeline as a function of the actual transfer rate.

(l) If the pressure in the vapor collection system can exceed 2.0 psig due to a malfunction in an inerting, enriching, or diluting system a pressure relief valve must:

1. Be installed between the point where inerting, enriching, or diluting gas is introduced into the vapor collection system and the facility vapor connection;
2. Relieve at a pressure such that the pressure in the vapor collection system at the facility vapor connection does not exceed 2.0 psig;
3. Have a relieving capacity equal to or greater than the maximum capacity of the facility inerting, enriching, or diluting gas source;
4. If not designed to insure a minimum vapor discharge velocity of 30 meters (98.4 ft.) per second, have a flame screen fitted at the discharge opening; and
5. Have been tested for relieving capacity in accordance with paragraph 1.5.1.3 of API 2000.

(m) The relieving capacity test required by paragraph (l)(5) must be carried out with a flame screen fitted at the discharge opening if the pressure relief valve is not designed to insure a
minimum vapor discharge velocity of 30 meters (98.4 ft.) per second.


§ 154.820 Fire, explosion, and detonation protection.

(a) A vapor control system with a single facility vapor connection that receives vapor only from a vessel with inerted cargo tanks and processes vapor with a vapor recovery unit must:
   (1) Be capable of inerting the vapor collection line in accordance with §154.824(a) of this subpart prior to receiving vapors from the vessel;
   (2) Have at least one oxygen analyzer that samples the vapor concentration continuously at a point not more than 6 meters (19.7 ft.) from the facility vapor connection; and
   (3) Meet §154.824 (f)(1), (f)(2), (g), (h)(2), and (h)(3) of this subpart.

(b) A vapor control system with a single facility vapor connection that receives vapor only from a vessel with inerted cargo tanks and processes vapor with a vapor destruction unit must:
   (1) Have a detonation arrester located not more than 6 meters (19.7 ft.) from the facility vapor connection; or
   (2) Have an inerting, enriching, or diluting system that meets the requirements of §154.824 of this subpart.

(c) A vapor control system with a single facility vapor connection that receives vapor only from a vessel with inerted cargo tanks and processes vapor with a vapor recovery unit must:
   (1) Have a detonation arrester located not more than 6 meters (19.7 ft.) from the facility vapor connection; or
   (2) Have an inerting, enriching, or diluting system that meets the requirements of §154.824 of this subpart.

(d) A vapor control system with a single facility vapor connection that receives vapor from a vessel with cargo tanks that are not inerted and processes the vapor with a vapor destruction unit must:
   (1) Have a detonation arrester located not more than 6 meters (19.7 ft.) from the facility vapor connection; and
   (2) Have an inerting, enriching, or diluting system that meets the requirements of §154.824 of this subpart.

(e) A vapor control system with multiple facility vapor connections that processes vapor with a vapor recovery unit must have a detonation arrester located not more than 6 meters (19.7 ft.) from each facility vapor connection.

(f) A vapor control system with multiple facility vapor connections that processes vapor with a vapor destruction unit must:
   (1) Have a detonation arrester located not more than 6 meters (19.7 ft.) from each facility vapor connection; and
   (2) Have an inerting, enriching, or diluting system that meets the requirements of §154.824 of this subpart.

(g) A vapor control system that uses a vapor balancing system in which cargo vapor from a vessel is transferred through the facility vapor collection system to facility storage tanks must:
   (1) Have a detonation arrester located not more than 6 meters (19.7 ft.) from each facility vapor connection;
   (2) Have a detonation arrester located within the storage tank containment area as close as practical to the vapor return connection of each facility storage tank; and
   (3) Have facility storage tank high level alarm systems and facility storage tank overfill control systems arranged to prevent cargo from entering the vapor return line.

(h) Except for a discharge vent from a vapor destruction unit, each outlet of a vapor control system that vents to atmosphere and is not isolated with a pressure-vacuum relief valve must have a flame arrester located at the outlet.

§ 154.822 Detonation arresters, flame arresters, and flame screens.

(a) Each detonation arrester required by this part must:
   (1) Be capable of arresting a detonation from either side of the device; and
   (2) Be acceptable to the Commandant (G-MSO). A detonation arrester designed, built, and tested in accordance with appendix A of this part will be acceptable to the Commandant (G-MSO).
§ 154.824 Inerting, enriching, and diluting systems.

(a) A vapor control system which uses inerting, enriching, or diluting gas must be capable of inerting, enriching, or diluting the vapor collection line prior to receiving cargo vapor.

(b) Except as permitted by §154.820(a) of this subpart, a vapor control system which uses an inerting, enriching, or diluting system must be equipped with a gas injection and mixing arrangement located as close as practical but not more than 10 meters (32.8 ft.) from the facility vapor connection that ensures complete mixing of the gases within 20 pipe diameters of the injection point.

(c) A vapor control system that uses an inerting or enriching system may not be operated at a vacuum after the injection point unless:

1. There are no sleeve-type pipe couplings, vacuum relief valves, or other devices which could allow air into the vapor collection system downstream of the injection point; or

2. An additional analyzer is used to monitor the downstream vapor concentration and a means is provided to inject additional inerting or enriching gas.

(d) A vapor control system that uses analyzers to control the amount of inerting, enriching, or diluting gas injected into the vapor collection line must be equipped with at least 2 analyzers. The analyzers must be connected so that:

1. When oxygen analyzers are used, the higher oxygen concentration reading controls the inerting or enriching system and activates the alarm and automatic shutdown system required by paragraph (h), (j) or (k)(2) of this section;

2. When hydrocarbon analyzers are used, the lower hydrocarbon concentration reading controls the enriching system and activates the alarm and automatic shutdown system required by paragraph (i) or (k)(1) of this section; and

3. When hydrocarbon analyzers are used, the higher hydrocarbon concentration reading controls the diluting system and activates the alarm and automatic shutdown system required by paragraph (l) of this section.

(e) A vapor control system that uses volumetric measurements to control the amount of inerting, enriching, or diluting gas injected into the vapor collection line must be equipped with at least one analyzer to activate the alarms and automatic shutdown systems required by this section.

(f) Each oxygen or hydrocarbon analyzer required by this section must:

1. Be installed in accordance with API Recommended Practice 550;

2. Have a response time of not more than 30 seconds from the time the vapor is sampled; and

3. Sample the vapor concentration continuously not more than 30 pipe diameters from the gas injection point.

(g) Oxygen analyzers which operate at elevated temperatures (i.e. zirconia oxide or thermomagnetic) must not be used.

(h) An inerting system must:

1. Supply sufficient inert gas to the vapor stream to ensure that the oxygen concentration throughout the vapor collection system is maintained below 8.0 percent by volume;

2. Activate an alarm when the oxygen concentration in the vapor collection line exceeds 8.0 percent by volume;

3. Close the remotely operated cargo vapor shutoff valve required by §154.810(a) of this part when the oxygen concentration in the vapor collection line exceeds 9.0 percent by volume; and

4. If a combustion device is used to produce the inert gas, have a hydraulic seal and non-return valve between the

§ 154.826 Vapor compressors and blowers.

(a) Each inlet and outlet to a compressor or blower which handles vapor that has not been inerted, enriched, or diluted in accordance with §154.824 of this subpart must be fitted with:

1. A detonation arrester;
2. A flame arrester; or
3. An explosion suppression system acceptable to the Commandant (G-MSO).

(b) If a reciprocating or screw-type compressor handles vapor in the vapor collection system, it must be provided with indicators and audible and visible alarms to warn against the following conditions:

1. Excessive discharge gas temperature at each compressor chamber or cylinder;
2. Excessive cooling water temperature;
3. Excessive vibration;
4. Low lube oil level;
5. Low lube oil pressure; and
6. Excessive shaft bearing temperatures.

(c) If a liquid ring-type compressor handles vapor in the vapor collection system, it must be provided with indicators and audible and visible alarms to warn against the following conditions:

1. Low level of liquid sealing medium;
2. Lack of flow of liquid sealing medium;
3. Excessive temperature of the liquid sealing medium;
4. Low lube oil level;
5. Low lube oil pressure, if pressurized lubricating system; and
6. Excessive shaft bearing temperatures.
§ 154.828 Vapor recovery and vapor destruction units.

(a) The inlet to a vapor recovery unit which receives cargo vapor that has not been inerted, enriched, or diluted in accordance with §154.824 of this subpart must be fitted with one of the following:

1. A detonation arrester;
2. A flame arrester; or
3. An explosion suppression system acceptable to the Commandant (G-MSO).

(b) The inlet to a vapor destruction unit must:

1. Have a liquid seal; and
2. Have two quick-closing stop valves installed in the vapor line.

(c) A vapor destruction unit must:

1. Not be within 30 meters (98.8 ft.) of any tank vessel berth or mooring at the facility;
2. Have a flame arrester or detonation arrester fitted in the vapor line; and
3. Alarm and shut down when a flame is detected on the flame arrester or detonation arrester.

(d) When a vapor destruction unit shuts down or has a flame-out condition the vapor destruction unit control system must:

1. Close the quick-closing stop valves required by paragraph (b)(2) of this section; and
2. Close the remotely operated cargo vapor shutoff valve required by §154.810(a) of this subpart.


§ 154.840 Personnel training.

(a) A person in charge of a transfer operation utilizing a vapor control system must have completed a training program covering the particular system installed at the facility. Training must include drills or demonstrations using the installed vapor control system covering normal operations and emergency procedures.

(b) The training program required by paragraph (a) of this section must cover the following subjects:

1. Purpose of a vapor control system;
2. Principles of the vapor control system;
3. Components of the vapor control system;
4. Hazards associated with the vapor control system;
5. Coast Guard regulations in this subpart;
6. Operating procedures, including:
   i. Testing and inspection requirements,
   ii. Pre-transfer procedures,
   iii. Connection sequence,
   iv. Start-up procedures, and
   v. Normal operations; and
7. Emergency procedures.

§ 154.850 Operational requirements.

(a) A facility must receive vapors only from a vessel which has its certificate of inspection or certificate of compliance endorsed in accordance with 46 CFR 39.10-13(e).

(b) The following must be performed not more than 24 hours prior to each transfer operation:

1. All alarms and automatic shutdown systems required by this part must be tested; and
2. The analyzers required by §154.820(a), §154.824 (d) and (e) of this subpart must be checked for calibration by use of a span gas.

(c) The position of all valves in the vapor line between the vessel's tanks
and the facility vapor collection system must be verified prior to the start of the transfer operation.

(d) A tank barge overfill control system that meets the requirements of 46 CFR 39.20-9(b) must not be connected to an overfill sensor circuit that exceeds the system's rated cable length, inductance, and capacitance.

(e) When vapor is being received from a vessel with inerted cargo tanks, the remotely operated cargo vapor shutoff valve required by §154.810(a) of this subpart must not be opened until the pressure at the facility vapor connection exceeds the pressure on the downstream side of the remotely operated cargo vapor shutoff valve.

(f) The initial cargo transfer rate must not exceed the rate agreed upon at the pre-transfer conference required by §154.120(w) of this chapter and 46 CFR 39.30-1(h).

(g) The cargo transfer rate must not exceed the maximum allowable transfer rate as determined by the lesser of the following:

1. A transfer rate corresponding to the maximum vapor processing rate for the vapor control system, as specified in the facility operations manual required by §154.300 of this chapter; or

2. The vessel's maximum transfer rate determined in accordance with 46 CFR 39.30-1(d).

(h) While transferring cargo to a vessel connected to a vapor control system, compressed air or gas may be used to clear cargo hoses and loading arms, but must not be used to clear cargo lines.

(i) If one of the two analyzers required by §154.824(d) of this subpart becomes inoperable during a transfer operation, the operation may continue provided the remaining analyzer remains operational; however, no further transfer operations may be started until the inoperable analyzer is replaced or repaired.

(j) Whenever a condition results in a shutdown of the vapor control system, the person in charge shall immediately terminate cargo loading.

(k) If it is suspected that a flare in the vapor control system has had a flare-back, or if a flame is detected on the flame arrester required by §154.828(c)(2) of this subpart, the transfer operation must be stopped and not be restarted until the flame arrester has been inspected and found to be in satisfactory condition.

Subpart F—Response Plans for Oil Facilities

SOURCE: CGD 91-036, 61 FR 7917, Feb. 29, 1996, unless otherwise noted.

§ 154.1010 Purpose.

This subpart establishes oil spill response plan requirements for all marine transportation-related (MTR) facilities (hereafter also referred to as facilities) that could reasonably be expected to cause substantial harm or significant and substantial harm to the environment by discharging oil into or on the navigable waters, adjoining shorelines, or exclusive economic zone. The development of a response plan prepares the facility owner or operator to respond to an oil spill. These requirements specify criteria to be used during the planning process to determine the appropriate response resources. The specific criteria for response resources and their arrival times are not performance standards. The criteria are based on a set of assumptions that may not exist during an actual oil spill incident.

§ 154.1015 Applicability.

(a) This subpart applies to all MTR facilities that because of their location could reasonably be expected to cause at least substantial harm to the environment by discharging oil into or on the navigable waters, adjoining shorelines, or exclusive economic zone.

(b) The following MTR facilities that handle, store, or transport oil, in bulk, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters or adjoining shorelines and are classified as substantial harm MTR facilities:

1. Fixed MTR onshore facilities capable of transferring oil to or from a vessel with a capacity of 250 barrels or more and deepwater ports;

2. Mobile MTR facilities used or intended to be used to transfer oil to or from a vessel with a capacity of 250 barrels or more; and
§ 154.1016 Facility classification by COTP.

(a) The COTP may upgrade the classification of:

(1) An MTR facility not specified in §154.1015 (b) or (c) to a facility that could reasonably be expected to cause substantial harm to the environment;

(2) An MTR facility specified in §154.1015(b) to a facility that could reasonably be expected to cause significant and substantial harm to the environment.

(b) The COTP may downgrade the classification of:

(1) An MTR facility specified in §154.1015(c) to a facility that could reasonably be expected to cause significant and substantial harm to the environment;

(2) An MTR facility specified in §154.1015(b) to a facility that could not reasonably be expected to cause substantial, or significant and substantial harm to the environment.

(c) The COTP will consider downgrading an MTR facility’s classification only upon receiving a written request for a downgrade of classification from the facility’s owner or operator.

(c) When changing a facility classification the COTP may, as appropriate, consider all relevant factors including, but not limited to: Type and quantity of oils handled in bulk; facility spill history; age of facility; proximity to public and commercial water supply intakes; proximity to navigable waters based on the definition of navigable waters in 33 CFR 2.05-25; and proximity to fish and wildlife and sensitive environments.

§ 154.1017 Response plan submission requirements.

(a) The owner or operator of an MTR facility identified only in §154.1015(b), or designated by the COTP as a substantial harm facility, shall prepare and submit to the cognizant COTP a response plan that meets the requirements of §§154.1030, 154.1040, 154.1045, or §154.1047, as appropriate. This applies to:

(1) A mobile MTR facility used or intended to be used to transfer oil to or from a vessel with a capacity of 250 barrels or more; and

(2) A fixed MTR facility specifically designated as a substantial harm facility by the COTP under §154.1016.

(b) The owner or operator of an MTR facility identified in §154.1015(c) or designated by the COTP as a significant and substantial harm facility shall prepare and submit for review and approval of the cognizant COTP a response plan that meets the requirements of §§154.1030, 154.1035, 154.1045, or 154.1047, as appropriate. This applies to:

(1) A fixed MTR facility capable of transferring oil, in bulk, to or from a vessel with a capacity of 250 barrels or more; and

(2) An MTR facility specifically designated as a significant and substantial harm facility by the COTP under §154.1016.

(c) In addition to the requirements in paragraphs (a) and (b) of this section, the response plan for a mobile MTR facility must meet the requirements of §154.1041 subpart F.

§ 154.1020 Definition.

Except as otherwise defined in this section, the definition in 33 CFR 154.105...
Coast Guard, DOT

§ 154.1020

apply to this subpart and subparts H and I.

Adverse weather means the weather conditions that will be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include, but are not limited to, significant wave height as specified in §§154.1045, 154.1047, 154.1225, or 154.1325, as appropriate; ice conditions, temperatures, weather-related visibility, and currents within the COTP zone in which the systems or equipment are intended to function.

Animal fat means a non-petroleum oil, fat, or grease derived from animals, and not specifically identified elsewhere in this part.

Average most probable discharge means a discharge of the lesser of 50 barrels or 1 percent of the volume of the worst case discharge.

Captain of the Port (COTP) Zone means a zone specified in 33 CFR part 3 and, where applicable, the seaward extension of that zone to the outer boundary of the exclusive economic zone (EEZ).

Complex means a facility possessing a combination of marine-transportation related and non-transportation-related components that is subject to the jurisdiction of more than one Federal agency under section 311(j) of the Clean Water Act.

Exclusive economic zone (EEZ) means the zone contiguous to the territorial sea of the United States extending to a distance up to 200 nautical miles from the baseline from which the breadth of the territorial sea is measured.

Facility that could reasonably be expected to cause significant and substantial harm means any MTR facility (including piping and any structures that are used for the transfer of oil between a vessel and a facility) classified as a "significant and substantial harm" facility under §154.1015(c) including a facility specifically designated by the COTP under §154.1016(a).

Facility that could reasonably be expected to cause substantial harm means any MTR facility classified as a "substantial harm" facility under §154.1015(b) including a facility specifically designated by the COTP under §154.1016(a).

Fish and Wildlife and Sensitive Environment means areas that may be identified by either their legal designation or by Area Committees in the applicable Area Contingency Plan (ACP) (for planning) or by members of the Federal On-Scene Coordinator’s spill response structure (during responses). These areas may include: Wetlands, national and state parks, critical habitats for endangered or threatened species, wilderness and natural resource areas, marine sanctuaries and estuarine reserves, conservation areas, preserves, wildlife areas, wildlife refuges, wild and scenic rivers, areas of economic importance, recreational areas, national forests, Federal and state lands that are research areas, heritage program areas, land trust areas, and historical and archaeological sites and parks. These areas may also include unique habitats such as: aquaculture sites and agricultural surface water intakes, bird nesting areas, critical biological resource areas, designated migratory routes, and designated seasonal habitats.

Great Lakes means Lakes Superior, Michigan, Huron, Erie, and Ontario, their connecting and tributary waters, the Saint Lawrence River as far as Saint Regis, and adjacent port areas.

Higher volume port area means the following ports:

(1) Boston, MA.
(2) New York, NY.
(3) Delaware Bay and River to Philadelphia, PA.
(4) St. Croix, VI.
(5) Pascagoula, MS.
(6) Mississippi River from Southwest Pass, L.A. to Baton Rouge, L.A.
(7) Louisiana Offshore Oil Port (LOOP), L.A.
(8) Lake Charles, L.A.
(9) Sabine-Neches River, TX.
(10) Galveston Bay and Houston Ship Channel, TX.
(11) Corpus Christi, TX.
(12) Los Angeles/Long Beach harbor, CA.
(13) San Francisco Bay, San Pablo Bay, Carquinez Strait, and Suisun Bay to Antioch, CA.
(14) Straits of Juan De Fuca from Port Angeles, WA, to and including Puget Sound, WA.
(15) Prince William Sound, AK.
Inland area means the area shoreward of the boundary lines defined in 46 CFR part 7, except in the Gulf of Mexico. In the Gulf of Mexico, it means the area shoreward of the lines of demarcation (COLREG lines) defined in §§80.740 through 80.850 of this chapter. The inland area does not include the Great Lakes.

Marine transportation-related facility (MTR facility) means any onshore facility or segment of a complex regulated under section 311(j) of the Federal Water Pollution Control Act (FWPCA) by two or more Federal agencies, including piping and any structure used or intended to be used to transfer oil to or from a vessel, subject to regulation under this part and any deepwater port subject to regulation under part 150 of this chapter. For a facility or segment of a complex regulated by two or more Federal agencies under section 311(j) of the FWPCA, the MTR portion of the complex extends from the facility oil transfer system's connection with the vessel to the first valve inside the secondary containment surrounding tanks in the non-transportation-related portion of the facility or, in the absence of secondary containment, to the valve or manifold adjacent to the tanks comprising the non-transportation-related portion of the facility, unless another location has otherwise been agreed to by the COTP and the appropriate Federal official.

Maximum extent practicable means the planned capability to respond to a worst case discharge in adverse weather, as contained in a response plan that meets the criteria in this subpart or in a specific plan approved by the cognizant COTP.

Maximum most probable discharge means a discharge of the lesser of 1,200 barrels or 10 percent of the volume of a worst case discharge.

Nearshore area means the area extending seaward 12 miles from the boundary lines defined in 46 CFR part 7, except in the Gulf of Mexico. In the Gulf of Mexico, it means the area extending seaward 12 miles from the line of demarcation (COLREG lines) defined in §§80.740-80.850 of this chapter.

Non-persistent or Group I oil means a petroleum-based oil that, at the time of shipment, consists of hydrocarbon fractions—
1. At least 50 percent of which by volume, distill at a temperature of 340 degrees C (645 degrees F); and
2. At least 95 percent of which by volume, distill at a temperature of 370 degrees C (700 degrees F).

Ocean means the offshore area and nearshore area as defined in this subpart.

Offshore area means the area beyond 12 nautical miles measured from the boundary lines defined in 46 CFR part 7 extending seaward to 50 nautical miles, except in the Gulf of Mexico. In the Gulf of Mexico, it is the area beyond 12 nautical miles of the line of demarcation (COLREG lines) defined in §§80.740-80.850 of this chapter extending seaward to 50 nautical miles.

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

Oil spill removal organization (OSRO) means an entity that provides response resources.

On-Scene Coordinator (OSC) means the definition in the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300).

Operating area means Rivers and Canals, Inland, Nearshore, Great Lakes, or Offshore geographic location(s) in which a facility is handling, storing, or transporting oil.

Operating environment means Rivers and Canals, Inland, Great Lakes, or Ocean. These terms are used to define the conditions in which response equipment is designed to function.

Operating in compliance with the plan means operating in compliance with the provisions of this subpart including, ensuring the availability of the response resources by contract or other approved means, and conducting the necessary training and drills.

Other non-petroleum oil means a non-petroleum oil of any kind that is not generally an animal fat or vegetable oil.

Persistent oil means a petroleum-based oil that does not meet the distillation criteria for a non-persistent oil. For the purposes of this subpart,
Coast Guard, DOT § 154.1025

persistent oils are further classified based on specific gravity as follows:

(1) Group II—specific gravity of less than .85.
(2) Group III—specific gravity equal to or greater than .85 and less than .95.
(3) Group IV—specific gravity equal to or greater than .95 and less than or equal to 1.0.
(4) Group V—specific gravity greater than 1.0.

Qualified individual and alternate qualified individual means a person located in the United States who meets the requirements of §154.1026.

Response activities means the containment and removal of oil from the land, water, and shorelines, the temporary storage and disposal of recovered oil, or the taking of other actions as necessary to minimize or mitigate damage to the public health or welfare or the environment.

Response resources means the personnel, equipment, supplies, and other capability necessary to perform the response activities identified in a response plan.

Rivers and canals means a body of water confined within the inland area, including the Intracoastal Waterways and other waterways artificially created for navigation, that has a project depth of 12 feet or less.

Specific gravity means the ratio of the mass of a given volume of liquid at 15°C (60°F) to the mass of an equal volume of pure water at the same temperature.

Spill management team means the personnel identified to staff the organizational structure identified in a response plan to manage response plan implementation.

Substantial threat of a discharge means any incident or condition involving a facility that may create a risk of discharge of oil. Such incidents include, but are not limited to storage tank or piping failures, above ground or underground leaks, fires, explosions, flooding, spills contained within the facility, or other similar occurrences.

Tier means the combination of required response resources and the times within which the resources must arrive on scene.

[Note: Tiers are applied in three categories:

(1) Higher Volume Port Areas,
(2) Great Lakes, and
(3) All other operating environments, including rivers and canals, inland, nearshore, and offshore areas.

Appendix C, Table 4 of this part, provides specific guidance on calculating response resources. Sections 154.1045(f) and 154.1135, set forth the required times within which the response resources must arrive on-scene.]

Vegetable oil means a non-petroleum oil or fat derived from plant seeds, nuts, kernels or fruits, and not specifically identified elsewhere in this part.

Worst case discharge means in the case of an onshore facility and deepwater port, the largest foreseeable discharge in adverse weather conditions meeting the requirements of §154.1029.

§ 154.1025 Operating restrictions and interim operating authorization.

(a) The owner or operator of an MTR facility who submitted a response plan prior to May 29, 1996, may elect to comply with any of the provisions of this final rule by revising the appropriate section of the previously submitted plan in accordance with §154.1065. An owner or operator of an MTR facility who elects to comply with all sections of this final rule must resubmit the plan in accordance with §154.1060 of this part.

(b) No facility subject to this subpart may handle, store, or transport oil unless it is operating in full compliance with a submitted response plan. No facility categorized under §154.1015(c) as a significant and substantial harm facility may handle, store, or transport oil unless the submitted response plan has been approved by the COTP. The owner or operator of each new facility to which this subpart applies must submit a response plan meeting the requirements listed in §154.1017 not less than 60 days prior to handling, storing, or transporting oil. Where applicable, the response plan shall be submitted along with the letter of intent required under §154.110.

(c) Notwithstanding the requirements of paragraph (b) of this section, a facility categorized under §154.1015(c) as a significant and substantial harm facility may continue to handle, store, or transport oil for 2 years after the date of submission of a response plan, pending approval of that plan. To continue to handle, store, or transport oil
without a plan approved by the COTP, the facility owner or operator shall certify in writing to the COTP that the owner or operator has ensured, by contract or other approved means as described in §154.1028(a), the availability of the necessary private personnel and equipment to respond, to the maximum extent practicable to a worst case discharge or substantial threat of such a discharge from the facility. Provided that the COTP is satisfied with the certification of response resources provided by the owner or operator of the facility, the COTP will provide written authorization for the facility to handle, store, or transport oil while the submitted response plan is being reviewed. Pending approval of the submitted response plan, deficiencies noted by the COTP must be corrected in accordance with §154.1070.

(d) A facility may not continue to handle, store, or transport oil if—

(1) The COTP determines that the response resources identified in the facility’s certification statement or reference response plan do not substantially meet the requirements of this subpart;

(2) The contracts or agreements cited in the facility’s certification statement or referenced response plans are no longer valid;

(3) The facility is not operating in compliance with the submitted plan;

(4) The response plan has not been re-submitted or approved within the last 5 years; or

(5) The period of the authorization under paragraph (c) of this section has expired.

§154.1026 Qualified individual and alternate qualified individual.

(a) The response plan must identify a qualified individual and at least one alternate who meet the requirements of this section. The qualified individual or alternate must be available on a 24-hour basis and be able to arrive at the facility in a reasonable time.

(b) The qualified individual and alternate must:

(1) Be located in the United States;

(2) Speak fluent English;

(3) Be familiar with the implementation of the facility response plan; and

(4) Be trained in the responsibilities of the qualified individual under the response plan.

(c) The owner or operator shall provide each qualified individual and alternate qualified individual identified in the plan with a document designating them as a qualified individual and specifying their full authority to:

(1) Activate and engage in contracting with oil spill removal organization(s);

(2) Act as a liaison with the predesignated Federal On-Scene Coordinator (OSC); and

(3) Obligate funds required to carry out response activities.

(d) The owner or operator of a facility may designate an organization to fulfill the role of the qualified individual and at least one alternate qualified individual who meet the requirements of this section. The facility owner or operator is required to list in the response plan the organization, the person identified as the qualified individual, and the person or person(s) identified as the alternate qualified individual(s).

(e) The qualified individual is not responsible for—

(1) The adequacy of response plans prepared by the owner or operator; or

(2) Contracting or obligating funds for response resources beyond the authority contained in their designation from the owner or operator of the facility.

(f) The liability of a qualified individual is considered to be in accordance with the provisions of 33 USC 1321(c)(4).

§154.1028 Methods of ensuring the availability of response resources by contract or other approved means.

(a) When required in this subpart, the availability of response resources must be ensured by the following methods:

(1) A written contractual agreement with an oil spill removal organization. The agreement must identify and ensure the availability of specified personnel and equipment required under this subpart within stipulated response times in the specified geographic areas;

(2) Certification by the facility owner or operator that specified personnel
and equipment required under this subpart are owned, operated, or under the direct control of the facility owner or operator, and are available within stipulated response times in the specified geographic areas;

(3) Active membership in a local or regional oil spill removal organization that has identified specified personnel and equipment required under this subpart that are available to respond to a discharge within stipulated response times in the specified geographic areas;

(4) A document which—

(i) Identifies the personnel, equipment, and services capable of being provided by the oil spill removal organization within stipulated response times in the specified geographic areas;

(ii) Sets out the parties' acknowledgment that the oil spill removal organization intends to commit the resources in the event of a response;

(iii) Permits the Coast Guard to verify the availability of the identified response resources through tests, inspections, and drills; and

(iv) Is referenced in the response plan; or

(5) The identification of an oil spill removal organization with specified equipment and personnel available within stipulated response times in specified geographic areas. The organization must provide written consent to being identified in the plan.

(b) The contracts and documents required in paragraph (a) of this section must be retained at the facility and must be produced for review upon request by the COTP.

§ 154.1029 Worst case discharge.

(a) The response plan must use the appropriate criteria in this section to develop the worst case discharge.

(b) For the MTR segment of a facility, not less than—

(1) Where applicable, the loss of the entire capacity of all in-line and break out tank(s) needed for the continuous operation of the pipelines used for the purposes of handling or transporting oil, in bulk, to or from a vessel regardless of the presence of secondary containment; plus

(2) The discharge from all piping carrying oil between the marine transfer manifold and the non-transportation-related portion of the facility. The discharge from each pipe is calculated as follows: The maximum time to discover the release from the pipe in hours, plus the maximum time to shut down flow from the pipe in hours (based on historic discharge data or the best estimate in the absence of historic discharge data for the facility) multiplied by the maximum flow rate expressed in barrels per hour (based on the maximum relief valve setting or maximum system pressure when relief valves are not provided) plus the total line drainage volume expressed in barrels for the pipe between the marine manifold and the non-transportation-related portion of the facility; and

(c) For a mobile facility it means the loss of the entire contents of the container in which the oil is stored or transported.

§ 154.1030 General response plan contents.

(a) The plan must be written in English.

(b) A response plan must be divided into the sections listed in this paragraph and formatted in the order specified herein unless noted otherwise. It must also have some easily found marker identifying each section listed below. The following are the sections and subsections of a facility response plan:

(1) Introduction and plan contents.

(2) Emergency response action plan:

(i) Notification procedures.

(ii) Facility's spill mitigation procedures.

(iii) Facility's response activities.

(iv) Fish and wildlife and sensitive environments.

(v) Disposal plan.

(3) Training and Exercises:

(i) Training procedures.

(ii) Exercise procedures.

(4) Plan review and update procedures.

(5) Appendices.

(i) Facility-specific information.

(ii) List of contacts.

(iii) Equipment lists and records.

(iv) Communications plan.

(v) Site-specific safety and health plan.

(vi) List of acronyms and definitions.
§ 154.1035 Specific requirements for facilities that could reasonably be expected to cause significant and substantial harm to the environment.

(a) Introduction and plan content. This section of the plan must include facility and plan information as follows:

(1) The facility’s name, street address, city, county, state, ZIP code, facility telephone number, and telefacsimile number, if so equipped. Include mailing address if different from street address.

(2) The facility’s location described in a manner that could aid both a reviewer and a responder in locating the specific facility covered by the plan, such as, river mile or location from a known landmark that would appear on a map or chart.

(3) The name, address, and procedures for contacting the facility’s owner or operator on a 24-hour basis.

(4) A table of contents.

(5) During the period that the submitted plan does not have to conform to the format contained in this subpart, a cross index, if appropriate.

(6) A record of change(s) to record information on plan updates.

(b) Emergency Response Action Plan. This section of the plan must be organized in the subsections described in this paragraph:

(i) This subsection must contain a prioritized list identifying the person(s), including name, telephone number, and their role in the plan, to be notified of a discharge or substantial threat of a discharge of oil. The telephone number need not be provided if it is listed separately in the list of contacts required in the plan. This Notification Procedures listing must include—

(A) Facility response personnel, the spill management team, oil spill removal organizations, and the qualified individual(s) and the designated alternate(s); and

(B) Federal, State, or local agencies, as required.

(ii) This subsection must include a form, such as that depicted in Figure 1, which contains information to be provided in the initial and follow-up notifications to Federal, State, and local agencies. The form shall include notification of the National Response Center as required in part 153 of this chapter. Copies of the form also must be placed at the location(s) from which notification may be made. The initial notification form must include space for the information contained in Figure 1. The form must contain a prominent statement that initial notification must not be delayed pending collection of all information.
FIGURE 1.—INFORMATION ON DISCHARGE *

[Involved Parties]

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<tr>
<td>State government</td>
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<td>Federal government</td>
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*It is not necessary to wait for all information before calling NRC. National Response Center—1–800–424–8802.

Were materials Discharged (Y/N)?

Calling for Responsible Party (Y/N)

Incident Description

Source and/or Cause of Incident

Date - - Time:

Cause

Incident Address/Location

Nearest City

Distance from City

Storage Tank Container Type—Above ground (Y/N)    Below ground (Y/N)    Unknown

Facility Capacity

Tank Capacity

Latitude Degrees

Longitude Degrees

Mile Post or River Mile

Materials

Discharge Unit of Quantity

Measure

Discharged Material

Quantity in Water

Response Action

Actions Taken to Correct or Mitigate Incident

Impact

Number of Injuries    Number of Fatalities

Were there Evacuations (Y/N/U)?    Number Evacuated

Was there any Damage (Y/N/U)?    Damage in Dollars

Additional Information

Any information about the Incident not recorded elsewhere in the report

Caller Notifications

USCG    EPA    State    Other
§ 154.1035  

(2) Facility’s spill mitigation procedures.  
(i) This subsection must describe the volume(s) and oil groups that would be involved in the—  
(A) Average most probable discharge from the MTR facility;  
(B) Maximum most probable discharge from the MTR facility;  
(C) Worst case discharge from the MTR facility; and  
(D) Where applicable, the worst case discharge from the non-transportation-related facility. This must be the same volume provided in the response plan for the non-transportation-related facility.  
(ii) This subsection must contain prioritized procedures for facility personnel to mitigate or prevent any discharge or substantial threat of a discharge of oil resulting from operational activities associated with internal or external facility transfers including specific procedures to shut down affected operations. Facility personnel responsible for performing specified procedures to mitigate or prevent any discharge or potential discharge shall be identified by job title. A copy of these procedures shall be maintained at the facility operations center. These procedures must address actions to be taken by facility personnel in the event of a discharge, potential discharge, or emergency involving the following equipment and scenarios:  
(A) Failure of manifold, mechanical loading arm, other transfer equipment, or hoses, as appropriate;  
(B) Tank overfill;  
(C) Tank failure;  
(D) Piping rupture;  
(E) Piping leak, both under pressure and not under pressure, if applicable;  
(F) Explosion or fire; and  
(G) Equipment failure (e.g., pumping system failure, relief valve failure, or other general equipment relevant to operational activities associated with internal or external facility transfers.)  
(iii) This subsection must contain a listing of equipment and the responsibilities of facility personnel to mitigate an average most probable discharge.  
(iv) This subsection must contain a description of the facility personnel’s responsibilities to initiate a response and supervise response resources pending the arrival of the qualified individual.  
(iii) This subsection must contain a description of the responsibilities and authority of the qualified individual and alternate as required in §154.1026.  
(iv) This subsection must describe the organizational structure that will be used to manage the response actions. This structure must include the following functional areas:  
(A) Command and control;  
(B) Public information;  
(C) Safety;  
(D) Liaison with government agencies;  
(E) Spill Operations;  
(F) Planning;  
(G) Logistics support; and  
(H) Finance.  
(v) This subsection must identify the oil spill removal organizations and the spill management team to:  
(A) Be capable of providing the following response resources:  
(1) Equipment and supplies to meet the requirements of §§154.1045, 154.1047 or subparts H or I of this part, as appropriate; and  
(2) Trained personnel necessary to continue operation of the equipment and staff of the oil spill removal organization and spill management team for the first 7 days of the response.  
(B) This section must include job descriptions for each spill management team member within the organizational structure described in paragraph (b)(3)(iii) of this section. These job descriptions should include the responsibilities and duties of each spill management team member in a response action.  
(vi) For mobile facilities that operate in more than one COTP zone, the plan must identify the oil spill removal organization and the spill management team in the applicable geographic-specific appendix. The oil spill removal organization(s) and the spill management team discussed in paragraph (b)(3)(iv)(A) of this section must be included for each COTP zone in which the facility will handle, store, or transport oil in bulk.  
(4) Fish and wildlife and sensitive environments.  
(i) This section of the plan must identify areas of economic importance and environmental sensitivity.
as identified in the ACP, which are potentially impacted by a worst case discharge. ACPs are required under section 311(j)(4) of the FWPCA to identify fish and wildlife and sensitive environments. The applicable ACP shall be used to designate fish and wildlife and sensitive environments in the plan. Changes to the ACP regarding fish and wildlife and sensitive environments shall be included in the annual update of the response plan, when available.

(ii) For a worst case discharge from the facility, this section of the plan must—

(A) List all fish and wildlife and sensitive environments identified in the ACP which are potentially impacted by a discharge of persistent oils, non-persistent oils, or non-petroleum oils.

(B) Describe all the response actions that the facility anticipates taking to protect these fish and wildlife and sensitive environments.

(C) Contain a map or chart showing the location of those fish and wildlife and sensitive environments which are potentially impacted. The map or chart shall also depict each response action that the facility anticipates taking to protect these areas. A legend of activities must be included on the map page.

(iii) For a worst case discharge, this section must identify appropriate equipment and required personnel, available by contract or other approved means as described in §154.1028, to protect fish and wildlife and sensitive environments which fall within the distances calculated using the methods outlined in this paragraph as follows:

(A) Identify the appropriate equipment and required personnel to protect all fish and wildlife and sensitive environments in the ACP for the distances, as calculated in paragraph (b)(4)(iii)(B) of this section, that the persistent oils, non-persistent oils, or non-petroleum oils are likely to travel in the noted geographic area(s) and number of days listed in Table 2 of appendix C of this part;

(B) Calculate the distances required by paragraph (b)(4)(iii)(A) of this section by selecting one of the methods described in this paragraph;

(1) Distances may be calculated as follows:

(i) For persistent oils and non-petroleum oils discharged into non-tidal waters, the distance from the facility reached in 48 hours at maximum current.

(ii) For persistent and non-petroleum oils discharged into tidal waters, 15 miles from the facility down current during ebb tide and to the point of maximum tidal influence or 15 miles, whichever is less, during flood tide.

(iii) For non-persistent oils discharged into non-tidal waters, the distance from the facility reached in 24 hours at maximum current.

(iv) For non-persistent oils discharged into tidal waters, 5 miles from the facility down current during ebb tide and to the point of maximum tidal influence or 5 miles, whichever is less, during flood tide.

(2) A spill trajectory or model may be substituted for the distances calculated under paragraph (b)(4)(iii)(B)(l) of this section. The spill trajectory or model must be acceptable to the COTP.

(3) The procedures contained in the Environmental Protection's Agency's regulations on oil pollution prevention for non-transportation-related onshore facilities at 40 CFR part 112, appendix C, Attachment C-III may be substituted for the distances listed in non-tidal and tidal waters; and

(C) Based on historical information or a spill trajectory or model, the COTP may require the additional fish and wildlife and sensitive environments also be protected.

(5) Disposal Plan. This subsection must describe any actions to be taken or procedures to be used to ensure that all recovered oil and oil contaminated debris produced as a result of any discharge are disposed according to Federal, state, or local requirements.

(c) Training and exercises. This section must be divided into the following two subsections:

(1) Training procedures. This subsection must describe the training procedures and programs of the facility owner or operator to meet the requirements in §154.1050.

(2) Exercise procedures. This subsection must describe the exercise program to be carried out by the facility owner or operator to meet the requirements in §154.1055.
§ 154.1035

(d) Plan review and update procedures. This section must address the procedures to be followed by the facility owner or operator to meet the requirements of §154.1065 and the procedures to be followed for any post-discharge review of the plan to evaluate and validate its effectiveness.

(e) Appendices. This section of the response plan must include the appendices described in this paragraph.

(1) Facility-specific information. This appendix must contain a description of the facility's principal characteristics.

(i) There must be a physical description of the facility including a plan of the facility showing the mooring areas, transfer locations, control stations, locations of safety equipment, and the location and capacities of all piping and storage tanks.

(ii) The appendix must identify the sizes, types, and number of vessels that the facility can transfer oil to or from simultaneously.

(iii) The appendix must identify the first valve(s) on facility piping separating the transportation-related portion of the facility from the non-transportation-related portion of the facility, if any. For piping leading to a manifold located on a dock serving tank vessels, this valve is the first valve inside the secondary containment required by 40 CFR part 112.

(iv) The appendix must contain information on the oil(s) and hazardous material handled, stored, or transported at the facility in bulk. A material safety data sheet meeting the requirements of 29 CFR 1910.1200, 33 CFR 154.310(a)(5) or an equivalent will meet this requirement. This information can be maintained separately providing it is readily available and the appendix identifies its location. This information must include—

(A) The generic or chemical name;

(B) A description of the appearance and odor;

(C) The physical and chemical characteristics;

(D) The hazards involved in handling the oil(s) and hazardous materials. This shall include hazards likely to be encountered if the oil(s) and hazardous materials come in contact as a result of a discharge; and

(E) A list of firefighting procedures and extinguishing agents effective with fires involving the oil(s) and hazardous materials.

(v) The appendix may contain any other information which the facility owner or operator determines to be pertinent to an oil spill response.

(2) List of contacts. This appendix must include information on 24-hour contact of key individuals and organizations. If more appropriate, this information may be specified in a geographic-specific appendix. The list must include—

(i) The primary and alternate qualified individual(s) for the facility;

(ii) The contact(s) identified under paragraph (b)(3)(iv) of this section for activation of the response resources; and

(iii) Appropriate Federal, State, and local officials.

(3) Equipment list and records. This appendix must include the information specified in this paragraph.

(i) The appendix must contain a list of equipment and facility personnel required to respond to an average most probable discharge, as defined in §154.1020. The appendix must also list the location of the equipment.

(ii) The appendix must contain a detailed listing of all the major equipment identified in the plan as belonging to an oil spill removal organization(s) that is available, by contract or other approved means as described in §154.1028(a), to respond to a maximum most probable or worst case discharge, as defined in §154.1020. The detailed listing of all major equipment may be located in a separate document referenced by the plan. Either the appendix or the separate document referenced in the plan must provide the location of the major response equipment.

(iii) It is not necessary to list response equipment from oil spill removal organization(s) when the organization has been classified by the Coast Guard and their capacity has been determined to equal or exceed the response capability needed by the facility. For oil spill removal organizations' classification by the Coast Guard, the classified must be noted in
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(4) Communications plan. This appendix must describe the primary and alternate method of communication during discharges, including communications at the facility and at remote locations within the areas covered by the response plan. The appendix may refer to additional communications packages provided by the oil spill removal organization. This may reference another existing plan or other approved means described in §154.1028.

(5) Site-specific safety and health plan. This appendix must describe the safety and health plan to be implemented for any response location(s). It must provide as much detailed information as is practicable in advance of an actual discharge. This appendix may reference another existing plan requiring under 29 CFR 1910.120.

(6) List of acronyms and definitions. This appendix must list all acronyms used in the response plan including any terms or acronyms used by Federal, State, or local governments and any operational terms commonly used at the facility. This appendix must include all definitions that are critical to understanding the response plan.

§ 154.1040 Specific requirements for facilities that could reasonably be expected to cause substantial harm to the environment.

(a) The owner or operator of a facility that, under §154.1015, could reasonably be expected to cause substantial harm to the environment, shall submit a response plan that meets the requirements of §154.1035, except as modified by this section.

(b) The facility's response activities section of the response plan need not list the facility or corporate organizational structure that will be used to manage the response, as required by §154.1035(b)(3)(iii).

(c) The owner or operator of a facility must ensure the availability of response resources required to be identified in §154.1035(b)(3)(iv) by contract or other approved means described in §154.1028.

(d) A facility owner or operator must have at least 200 feet of containment boom and the means of deploying and anchoring the boom available at the spill site within 1 hour of the detection of a spill to respond to the average most probable discharge in lieu of the quantity of containment boom specified in §154.1045(c)(1). Based on site-specific or facility-specific information, the COTP may specify that additional quantities of containment boom are available within one hour. In addition, there must be adequate sorbent material for initial response to an average most probable discharge. If the facility is a fixed facility, the containment boom and sorbent material must be located at the facility. If the facility is a mobile facility, the containment boom and sorbent must be available locally and be at the site of the discharge within 1 hour of its discovery.
§ 154.1041 Specific response information to be maintained on mobile MTR facilities.

(a) Each mobile MTR facility must carry the following information as contained in the response plan when performing transfer operations:

(1) A description of response activities for a discharge which may occur during transfer operations. This may be a narrative description or a list of procedures to be followed in the event of a discharge.

(2) Identity of response resources to respond to a discharge from the mobile MTR facility.

(3) List of the appropriate persons and agencies (including the telephone numbers) to be contacted in regard to a discharge and its handling, including the National Response Center.

(b) The owner or operator of the mobile facility must also retain the information in this paragraph at the principal place of business.

§ 154.1045 Response plan development and evaluation criteria for facilities that handle, store, or transport Group I through Group IV petroleum oils.

(a) The owner or operator of a facility that handles, stores, or transports Group I through Group IV petroleum oils shall use the criteria in this section to evaluate response resources identified in the response plan for the specified operating environment.

(1) The criteria in Table 1 of appendix C of this part are to be used solely for identification of appropriate equipment in a response plan. These criteria reflect conditions used for planning purposes to select mechanical response equipment and are not conditions that would limit response actions or affect normal facility operations.

(2) The response resources must be evaluated considering limitations for the COTP zones in which the facility operates, including but not limited to—

(i) Ice conditions;
(ii) Debris;
(iii) Temperature ranges;
(iv) Weather-related visibility; and
(v) Other appropriate environmental conditions as determined by the COTP.

(3) The COTP may reclassify a specific body of water or location within the COTP zone. Any reclassifications will be identified by the COTP in the applicable ACP. Reclassifications may be to—

(i) A more stringent operating environment if the prevailing wave conditions exceed the significant wave height criteria during more than 35 percent of the year; or
(ii) A less stringent operating environment if the prevailing wave conditions do not exceed the significant wave height criteria for the less stringent operating environment during more than 35 percent of the year.

(b) Response equipment must—

(1) Meet or exceed the operating criteria listed in Table 1 of appendix C of this part;
(2) Function in the applicable operating environment; and
(3) Be appropriate for the petroleum oil carried.

(c) The response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must identify response resources that are available, by contract or other approved means as described in §154.1028(a)(1)(4), to respond to the facility’s average most probable discharge. The response resources must include, at a minimum—

(1) 1,000 feet of containment boom or two times the length of the largest vessel that regularly conducts petroleum oil transfers to or from the facility, whichever is greater, and the means of deploying and anchoring the boom available at the spill site within 1 hour of the detection of a spill; and
(2) Oil recovery devices and recovered oil storage capacity capable of being at the spill site within 2 hours of the discovery of a petroleum oil discharge from a facility.

(d) The response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must identify response resources that are available, by contract or other approved means as described in §154.1028(a)(1)(4), to respond to a discharge up to the facility’s maximum most probable discharge volume.

(1) The response resources must include sufficient containment boom, oil recovery devices, and storage capacity for any recovery of up to the maximum
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most probable discharge planning volume, as contained in appendix C.

(2) The response resources must be appropriate for each group of petroleum oil identified in §154.1020 that is handled, stored, or transported by the facility.

(3) The response resources must be positioned such that they can arrive at the scene of a discharge within the following specified times:

(i) The equipment identified in paragraphs (c)(1) and (c)(2) of this section or in §154.1040(d) must arrive within the times specified in those paragraphs or that section, as appropriate.

(ii) In higher volume port areas and the Great Lakes, response resources must be capable of arriving on scene within 6 hours of the discovery of a petroleum oil discharge from a facility.

(iii) In all other locations, response resources must be capable of arriving on scene within 12 hours of the discovery of a petroleum oil discharge from a facility.

(4) The COTP may determine that mobilizing response resources to an area beyond the response times indicated in this paragraph invalidates the response plan. In this event, the COTP may impose additional operational restrictions (e.g., limitations on the number of transfers at a facility), or, at the COTP’s discretion, the facility may operate with temporarily modified response plan development and evaluation criteria (e.g., modified response times, alternate response resources, etc.).

(e) The response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must identify the response resources that are available, by contract or other approved means as described in §154.1028(a)(1)(4), to respond to the worst case discharge volume of petroleum oil to the maximum extent practicable.

(1) The location of these response resources must be suitable to meet the response times identified in paragraph (f) of this section for the applicable geographic area(s) of operation and response tier.

(2) The response resources must be appropriate for—

(i) The volume of the facility’s worst case discharge;

(ii) Group(s) of petroleum oil as identified in §154.1020 that are handled, stored, or transported by the facility; and

(iii) The geographic area(s) in which the facility operates.

(3) The response resources must include sufficient boom, oil recovery devices, and storage capacity to recover the worst case discharge planning volumes.

(4) The guidelines in appendix C of this part must be used for calculating the quantity of response resources required to respond at each tier to the worst case discharge to the maximum extent practicable.

(5) When determining response resources necessary to meet the requirements of this section, a portion of those resources must be capable of use in close-to-shore response activities in shallow water. The following percentages of the response equipment identified for the applicable geographic area must be capable of operating in waters of 6 feet or less depth.

(i) Offshore—10 percent.

(ii) Nearshore/inland/Great Lakes/rivers and canals—20 percent.

(6) The COTP may determine that mobilizing response resources to an area beyond the response times indicated in this paragraph invalidates the response plan. In this event, the COTP may impose additional operational restrictions (e.g., limitations on the number of transfers at a facility), or, at the COTP’s discretion, the facility may be permitted to operate with temporarily modified response plan development and evaluation criteria (e.g., modified response times, alternate response resources, etc.).

(f) Response equipment identified in a response plan for a facility that handles, stores, or transports Group I through Group IV petroleum oils must be capable of arriving on scene within the times specified in this paragraph for the applicable response tier in a higher volume port area, Great Lakes, and in other areas. Response times for these tiers from the time of discovery of a discharge are—
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(g) For the purposes of arranging for response resources for a facility that handles, stores, or transports Group I through Group IV petroleum oils, by contract or other approved means as described in §154.1028(a)(1)–(4), response equipment identified for Tier 1 plan credit must be capable of being mobilized and en route to the scene of a discharge within 2 hours of notification. The notification procedures identified in the plan must provide for notification and authorization of mobilization of identified Tier 1 response resources—

(1) Either directly or through the qualified individual; and

(2) Within 30 minutes of a discovery of a discharge or substantial threat of discharge.

(h) Response resources identified for Tier 2 and Tier 3 plan credit must be capable of arriving on scene within the time specified for the applicable tier.

(i) The response plan for a facility that is located in any environment with year-round preapproval for use of dispersants and that handles, stores, or transports Group II or III persistent petroleum oils must identify Tier 1 plan credit must be capable of being mobilized and en route to the scene of a discharge within 2 hours of notification.

<table>
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<tr>
<th>Tier 1 (hrs.)</th>
<th>Tier 2 (hrs.)</th>
<th>Tier 3 (hrs.)</th>
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<tr>
<td>Higher volume port area (except for a TAPAA facility located in Prince William Sound, see §154.1135)</td>
<td>6</td>
<td>30</td>
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<tr>
<td>Great Lakes</td>
<td>12</td>
<td>36</td>
</tr>
<tr>
<td>All other river and canal, inland, nearshore, and offshore areas</td>
<td>12</td>
<td>36</td>
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(j) For the purposes of arranging for response resources for a facility that handles, stores, or transports Group I through Group IV petroleum oils must identify response resources with firefighting capability. The owner or operator of a facility that does not have adequate firefighting resources located at the facility or that can not rely on sufficient local firefighting resources must identify and ensure, by contract or other approved means as described in §154.1028(a)(1)–(4), the availability of adequate firefighting resources. The response plan must also identify an individual located at the facility to work with the fire department for petroleum oil fires. This individual shall also verify that sufficient well-trained firefighting resources are available within a reasonable time to respond to a worst-case discharge. The individual may be the qualified individual as defined in §154.1020 and identified in the response plan or another appropriate individual located at the facility.

(k) The response plan for a facility that handles, stores, or transports Groups I through IV petroleum oils must identify equipment and required personnel available, by contract or other approved means as described in §154.1028(a)(1)–(4), to protect fish and wildlife and sensitive environments.

(1) Except as set out in paragraph (k)(2) of this section, the identified response resources must include the quantities of boom sufficient to protect fish and wildlife and sensitive environments, contained in the appropriate ACP. Facility owners or operators shall ensure that their response plans are in accordance with the ACP in effect 6 months prior to initial plan submission or the annual plan review required under §154.1065(a). Facility owners or operators are not required to, but may at their option, conform to an ACP which is less than 6 months old at the time of plan submission.
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(l) The response plan for a facility that handles, stores, or transports Groups I through IV petroleum oils must identify an oil spill removal organization(s) with response resources that are available, by contract or other approved means as described in §154.1028(a) (1)-(4), to effect a shoreline cleanup operation commensurate with the quantity of emulsified petroleum oil to be planned for in shoreline cleanup operations.

(1) Except as required in paragraph (l)(2) of this section, the shoreline cleanup response resources required must be determined as described in appendix C of this part.

(2) The resources and response methods identified in a facility response plan must be consistent with the required shoreline cleanup resources and methods contained in the appropriate ACP. Facility owners or operators shall ensure that their response plans are in accordance with the ACP in effect 6 months prior to initial plan submission or the annual plan review required under §154.1065(a). Facility owners or operators are not required to, but may at their option, conform to an ACP which is less than 6 months old at the time of plan submission.

(m) Appendix C of this part describes the procedures to determine the maximum extent practicable quantity of response resources that must be identified and available, by contract or other approved means as described in §154.1028(a) (1)-(4), for the maximum most probable discharge volume, and for each worst case discharge response tier.

(1) Included in appendix C of this part is a cap that recognizes the practical and technical limits of response capabilities that an individual facility owner or operator can be expected to contract for in advance.

(2) Table 5 in appendix C of this part lists the caps that apply in February 18, 1993, and February 18, 1998. Depending on the quantity and type of petroleum oil handled by the facility and the facility’s geographic area of operations, the resource capability caps in this table may be reached. The owner or operator of a facility whose estimated recovery capacity exceeds the applicable contracting caps in Table 5 shall identify sources of additional equipment equal to twice the cap listed in Tiers 1, 2, and 3 or the amount necessary to reach the calculated planning volume, whichever is lower. The identified resources must be capable of arriving on scene not later than the Tier 1, 2, and 3 response times in this section. No contract is required. While general listings of available response equipment may be used to identify additional sources, a response plan must identify the specific sources, locations, and quantities of equipment that a facility owner or operator has considered in his or her planning. When listing Coast Guard classified oil spill removal organization(s) which have sufficient removal capacity to recover the volume above the response capability cap for the specific facility, as specified in Table 5 in appendix C of this part, it is not necessary to list specific quantities of equipment.

(n) The Coast Guard will initiate a review of cap increases and other requirements contained within this subpart that are scheduled to be phased in over time. Any changes in the requirements of this section will occur through a public notice and comment process.

(1) During this review, the Coast Guard will determine if the scheduled increase for February 1998 remains practicable, and will also establish a specific cap for 2003. The review will include but is not limited to—

(i) Increase in skimming efficiencies and design technology;

(ii) Oil tracking technology;

(iii) High rate response techniques;

(iv) Other applicable response technologies; and

(v) Increases in the availability of private response resources.

(2) All scheduled future requirements will take effect unless the Coast Guard determines that they are not practicable. Scheduled changes will be effective in February 1998 and 2003 unless the review of the additional requirements has not been completed by the Coast Guard. If this occurs, the additional requirements will not be effective until 90 days after publication of a FEDERAL REGISTER notice with the results of the review.
§ 154.1047 Response plan development and evaluation criteria for facilities that handle, store, or transport Group V petroleum oils.

(a) An owner or operator of a facility that handles, stores, or transports Group V petroleum oils must provide information in his or her response plan that identifies—

(1) Procedures and strategies for responding to a worst case discharge of Group V petroleum oils to the maximum extent practicable; and

(2) Sources of the equipment and supplies necessary to locate, recover, and mitigate such a discharge.

(b) An owner or operator of a facility that handles, stores, or transports Group V petroleum oil must ensure that any equipment identified in a response plan is capable of operating in the conditions expected in the geographic area(s) in which the facility operates using the criteria in Table 1 of appendix C of this part. When evaluating the operability of equipment, the facility owner or operator must consider limitations that are identified in the ACPs for the COTP zones in which the facility operates, including—

(1) Ice conditions;

(2) Debris;

(3) Temperature ranges; and

(4) Weather-related visibility.

(c) The owner or operator of a facility that handles, stores, or transports Group V petroleum oil must identify the response resources that are available by contract or other approved means as described in § 154.1028. The equipment identified in a response plan must include—

(1) Sonar, sampling equipment, or other methods for locating the petroleum oil on the bottom or suspended in the water column;

(2) Containment boom, sorbent boom, silt curtains, or other methods for containing the petroleum oil that may remain floating on the surface or to reduce spreading on the bottom;

(3) Dredges, pumps, or other equipment necessary to recover petroleum oil from the bottom and shoreline;

(4) Equipment necessary to assess the impact of such discharges; and

(5) Other appropriate equipment necessary to respond to a discharge involving the type of petroleum oil handled, stored, or transported.

(d) Response resources identified in a response plan for a facility that handles, stores, or transports Group V petroleum oils under paragraph (c) of this section must be capable of being at the spill site within 24 hours of discovery of a discharge.

(e) A response plan for a facility that handles, stores, or transports Group V petroleum oils must identify response resources with firefighting capability. The owner or operator of a facility that does not have adequate firefighting resources located at the facility or that cannot rely on sufficient local firefighting resources must identify and ensure, by contract or other approved means as described in § 154.1028, the availability of adequate firefighting resources. The response plan must also identify an individual located at the facility to work with the fire department for petroleum oil fires. This individual shall also verify that sufficient well-trained firefighting resources are available within a reasonable response time to a worst case scenario. The individual may be the qualified individual as defined in § 154.1020 and identified in the response plan or another appropriate individual located at the facility.

§ 154.1050 Training.

(a) A response plan submitted to meet the requirements of §§ 154.1035 or 154.1040, as appropriate, must identify the training to be provided to each individual with responsibilities under the plan. A facility owner or operator must identify the method to be used for training any volunteers or casual laborers used during a response to comply with the requirements of 29 CFR 1910.120.

(b) A facility owner or operator shall ensure the maintenance of records sufficient to document training of facility personnel; and shall make them available for inspection upon request by the U.S. Coast Guard. Records for facility personnel must be maintained at the facility for 3 years.

(c) Where applicable, a facility owner or operator shall ensure that an oil spill removal organization identified in
a response plan to meet the requirements of this subpart maintains records sufficient to document training for the organization's personnel and shall make them available for inspection upon request by the facility's management personnel, the qualified individual, and U.S. Coast Guard. Records must be maintained for 3 years following completion of training.

(d) The facility owner or operator remains responsible for ensuring that all private response personnel are trained to meet the Occupational Safety and Health Administration (OSHA) standards for emergency response operations in 29 CFR 1910.120.

§ 154.1055 Exercises.

(a) A response plan submitted by an owner or operator of an MTR facility must include an exercise program containing both announced and unannounced exercises. The following are the minimum exercise requirements for facilities covered by this subpart:

(1) Qualified individual notification exercises (quarterly).

(2) Spill management team tabletop exercises (annually). In a 3-year period, at least one of these exercises must include a worst case discharge scenario.

(3) Equipment deployment exercises:

(i) Semiannually for facility owned and operated equipment.

(ii) Annually for oil spill removal organization equipment.

(4) Emergency procedures exercises (optional).

(5) Annually, at least one of the exercises listed in §154.1055(a)(2) through (4) must be unannounced. Unannounced means the personnel participating in the exercise must not be advised in advance, of the exact date, time and scenario of the exercise.

(6) The facility owner or operator shall design the exercise program so that all components of the response plan are exercised at least once every 3 years. All of the components do not have to be exercised at one time; they may be exercised over the 3-year period through the required exercises or through an Area exercise.

(b) A facility owner or operator shall participate in unannounced exercises, as directed by the COTP. The objectives of the unannounced exercises will be to test notifications and equipment deployment for response to the average most probable discharge. After participating in an unannounced exercise directed by a COTP, the owner or operator will not be required to participate in another COTP initiated unannounced exercise for at least 3 years from the date of the exercise.

(c) A facility owner or operator shall participate in Area exercises as directed by the applicable On-Scene Coordinator. The Area exercises will involve equipment deployment to respond to the spill scenario developed by the Exercise Design Team, of which the facility owner or operator will be a member. After participating in an Area exercise, a facility owner or operator will not be required to participate in another Area exercise for at least 6 years.

(d) The facility owner or operator shall ensure that adequate records of all required exercises are maintained at the facility for 3 years. Records shall be made available to the Coast Guard upon request.

(e) The response plan submitted to meet the requirements of this subpart must specify the planned exercise program. The plan must detail the exercise program, including the types of exercises, frequency, scope, objectives and the scheme for exercising the entire response plan every 3 years.

(f) Compliance with the National Preparedness for Response Exercise Program (PREP) Guidelines will satisfy the facility response plan exercise requirements.

§ 154.1057 Inspection and maintenance of response resources.

(a) A facility owner or operator required to submit a response plan under this part must ensure that—

(1) Containment booms, skimmers, vessels, and other major equipment listed or referenced in the plan are periodically inspected and maintained in good operating condition, in accordance with manufacturer's recommendations, and best commercial practices; and

(2) All inspection and maintenance is documented and that these records are maintained for 3 years.
§ 154.1060 Submission and approval procedures.

(a) The owner or operator of a facility to which this subpart applies shall submit one copy of a facility response plan meeting the requirements of this subpart to the COTP for initial review and, if appropriate, approval.

(b) The owner or operator of a facility to which this subpart applies shall include a statement certifying that the plan meets the applicable requirements of subparts F, G, H, and I of this part, as appropriate.

(c) For an MTR facility that is located in the inland response zone where the EPA Regional Administrator is the predesignated Federal On-Scene Coordinator, the COTP may consult with the EPA Federal On-Scene Coordinator prior to any final approval.

(d) For an MTR facility identified in §154.1015(c) of this subpart as a “significant and substantial harm facility,” the plan must be reviewed by the COTP as soon as possible, but not later than 60 days from the date of submission.

(e) The plan will be valid for a period of up to 5 years. The facility owner or operator must resubmit an updated plan every 5 years as follows:

1. For facilities identified in only §154.1015(b) of this subpart, the 5-year period will commence on the date the plan is submitted to the COTP.

2. For facilities identified in §154.1015(c) of this subpart, the 5-year period will commence on the date the COTP approves the plan.

3. All resubmitted response plans shall be accompanied by a cover letter containing a detailed listing of all revisions to the response plan.

4. For an MTR facility identified in §154.1015(c)(2) the COTP will notify the facility owner or operator in writing that the plan is approved.

5. If a COTP determines that a plan does not meet the requirements of this subpart either upon initial submission or upon 5-year resubmission, the COTP will return the plan to the facility owner or operator along with an explanation of the deficiencies. The owner or operator must correct any deficiencies in accordance with §154.1070 and return the plan to the COTP within the time specified by the COTP in the letter describing the deficiencies.

6. The facility owner or operator and the qualified individual and the alternative qualified individual shall each maintain a copy of the most current response plan submitted to the COTP. One copy must be maintained at the facility in a position where the plan is readily available to persons in charge of conducting transfer operations.

§ 154.1065 Plan review and revision procedures.

(a) A facility owner or operator must review his or her response plan(s) annually. This review shall incorporate any revisions to the plan, including listings of fish and wildlife and sensitive environments identified in the ACP in effect 6 months prior to plan review.

(b) For an MTR facility identified in §154.1015(c) of this subpart as a “significant and substantial harm facility,” the review must occur within 1 month of the anniversary date of COTP approval of the plan. For an MTR facility identified in §154.1015(b) of this subpart, as a “substantial harm facility,” this review must occur within 1 month of the anniversary date of submission of the plan to the COTP.
(2) The facility owner or operator shall submit any revision(s) to the response plan to the COTP and all other holders of the response plan for information or approval, as appropriate.

(i) Along with the revisions, the facility owner or operator shall submit a cover letter containing a detailed listing of all revisions to the response plan.

(ii) If no revisions are required, the facility owner or operator shall indicate the completion of the annual review on the record of changes page.

(iii) The COTP will review the revision(s) submitted by the owner or operator and will give written notice to the owner or operator of any COTP objection(s) to the proposed revisions within 30 days of the date the revision(s) were submitted to the COTP. The revisions shall become effective not later than 30 days from their submission to the COTP unless the COTP indicates otherwise in writing as provided in this paragraph. If the COTP indicates that the revision(s) need to be modified before implementation, the owner or operator will modify the revision(s) within the time period set by the COTP.

(3) Any required revisions must be entered in the plan and noted on the record of changes page.

(b) The facility owner or operator shall submit revisions to a previously submitted or approved plan to the COTP and all other holders of the response plan for information or approval within 30 days, whenever there is—

1. A change in the facility’s configuration that significantly affects the information included in the response plan;
2. A change in the type of oil (petroleum oil group) handled, stored, or transported that affects the required response resources;
3. A change in the name(s) or capabilities of the oil spill removal organization required by §154.1045;
4. A change in the facility’s emergency response procedures;
5. A change in the facility’s operating area that includes ports or geographic area(s) not covered by the previously approved plan.

(c) Except as required in paragraph (b) of this section, revisions to personnel and telephone number lists included in the response plan do not require COTP approval. The COTP and all other holders of the response plan shall be advised of these revisions and provided a copy of the revisions as they occur.

(d) The COTP may require a facility owner or operator to revise a response plan at any time as a result of a compliance inspection if the COTP determines that the response plan does not meet the requirements of this subpart or as a result of inadequacies noted in the response plan during an actual pollution incident at the facility.

§ 154.1070 Deficiencies.

(a) The cognizant COTP will notify the facility owner or operator in writing of any deficiencies noted during review of a response plan, drills observed by the Coast Guard, or inspection of equipment or records maintained in connection with this subpart.

(b) Deficiencies shall be corrected within the time period specified in the written notice provided by the COTP. The facility owner or operator who disagrees with a deficiency issued by the COTP may appeal the deficiency to the cognizant COTP within 7 days or the time specified by the COTP to correct the deficiency, whichever is less. This time commences from the date of receipt of the COTP notice. The owner or operator may request a stay from the COTP decision pending appeal in accordance with §154.1075.

(c) If the facility owner or operator fails to correct any deficiencies or submit a written appeal, the COTP may invoke the provisions of §154.1025 prohibiting the facility from storing, handling, or transporting oil.

§ 154.1075 Appeal process.

(a) Any owner or operator of a facility who desires to appeal the classification that a facility could reasonably be expected to cause substantial harm or significant and substantial harm to the
§ 154.1110


SOURCE: CGD 91-036, 61 FR 7930, Feb. 29, 1996, unless otherwise noted.

§ 154.1110 Purpose and applicability.

(a) This subpart establishes oil spill response planning requirements for a facility permitted under the Trans-Alaska Pipeline Authorization Act (TAPAA), in addition to the requirements of subpart F of this part. The requirements of this subpart are intended for use in developing response plans and identifying response resources during the planning process. They are not performance standards.

(b) The information required by this subpart must be included in the Prince William Sound facility-specific appendix to the facility response plan required by subpart F of this part.

§ 154.1115 Definitions.

In addition to the definitions in this section, the definitions in §§ 154.105 and 154.1020 apply to this subpart—

Crude oil means any liquid hydrocarbon mixture occurring naturally in the earth, whether or not treated to render it suitable for transportation, and includes crude oil from which certain distillate fractions may have been removed, and crude oil to which certain distillate fractions may have been added.

Non-crude oil means any oil other than crude oil.

Prince William Sound means all State and Federal waters within Prince William Sound, Alaska, including the approach to Hinchinbrook Entrance out to and encompassing Seal Rocks.

§ 154.1120 Operating restrictions and interim operating authorization.

(a) The owner or operator of a TAPAA facility may not operate in Prince William Sound, Alaska, unless the requirements of this subpart as well as §154.1025 have been met. The owner or operator of a TAPAA facility shall certify to the COTP that he or she has provided, through an oil spill removal organization required by §154.1125, the necessary response resources to remove, to the maximum extent practicable, a worst case discharge or a discharge of 200,000 barrels of oil, whichever is greater, in Prince William Sound.

(b) Coast Guard approval of a TAPAA facility response plan is effective only so long as the appropriate Regional Citizens Advisory Council(s) is funded pursuant to the requirements of section 5002(k) of the Oil Pollution Act of 1990 (Pub. L. 101-380; 104 Stat. 484, 550).

§ 154.1125 Additional response plan requirements.

(a) The owner or operator of a TAPAA facility shall include the following information in the Prince William Sound appendix to the response plan required by subpart F of this part:

(1) Oil spill removal organization. Identification of an oil spill removal organization that shall—

(i) Perform response activities;

(ii) Provide oil spill removal and containment training, including training in the operation of prepositioned equipment for personnel, including local residents and fishermen, from the following locations in Prince William Sound:

(A) Valdez;

(B) Tatitlek;

(C) Cordova;

(D) Whittier;

(E) Chenega; and

(F) Fish hatcheries located at Port San Juan, Main Bay, Esther Island, Cannery Creek, and Solomon Gulch.

(iii) Address the responsibilities required in §154.1035(b)(3)(iii).

(2) Exercises. Identification of exercise procedures that must—

(i) Provide for two exercises of the oil spill removal organization each year that test the ability of the prepositioned equipment and trained personnel required under this subpart to perform effectively;

(ii) Consist of both announced and unannounced drills; and

(iii) Include design(s) for exercises that test either the entire appendix or individual components(s).

(3) Testing, inspection, and certification. Identification of a testing, inspecting, and certification program for the prepositioned response equipment required in §154.1130 that must provide for—

(i) Annual testing and equipment inspection in accordance with the manufacturer’s recommended procedures, to include—

(A) Start-up and running under load all electrical motors, pumps, power packs, air compressors, internal combustion engines, and oil recovery devices; and

(B) Removal for inspection of no less than one-third of required boom from storage annually, such that all boom will have been removed and inspected within a period of 3 years; and

(ii) Records of equipment tests and inspection.

(iii) Use of an independent entity to certify that the equipment is on-site and in good operating condition and that required tests and inspection have been performed. The independent entity must have appropriate training and expertise to provide this certification.

(4) Prepositioned response equipment. Identification and location of the prepositioned response equipment required in §154.1130 including the make, model, and effective daily recovery rate of each oil recovery resource.

(b) The owner or operator of a TAPAA facility shall submit to the COTP a schedule for the training and drills required by the geographic-specific appendix for Prince William Sound for the following calendar year.

(c) All records required by this section must be available for inspection by the COTP.
§ 154.1130 Requirements for prepositioned response equipment.

The owner or operator of a TAPAA facility shall provide the following prepositioned response equipment, located within Prince William Sound, in addition to that required by §§ 154.1035, 154.1045, or 154.1050:

(a) On-water recovery equipment with a minimum effective daily recovery rate of 30,000 barrels capable of being on scene within 2 hours of notification of a discharge.

(b) On-water storage capacity of 100,000 barrels for recovered oily material capable of being on scene within 2 hours of notification of a discharge.

(c) On-water recovery equipment with a minimum effective daily recovery rate of 40,000 barrels capable of being on scene within 18 hours of notification of a discharge.

(d) On-water storage capacity of 300,000 barrels for recovered oily material capable of being on scene within 12 hours of notification of a discharge.

(e) On-water recovery devices and storage equipment located in communities at strategic locations.

(f) Equipment as identified below, for the locations identified in §154.1125(a)(1)(ii) sufficient for the protection of the environment in these locations:

1. Boom appropriate for the specific locations.
2. Sufficient boats to deploy boom and sorbents.
4. Personnel protective clothing and equipment.
5. Survival equipment.
6. First aid supplies.
7. Buckets, shovels, and various other tools.
8. Decontamination equipment.
9. Shoreline cleanup equipment.
10. Mooring equipment.
11. Anchored buoys at appropriate locations to facilitate the positioning of defensive boom.
12. Other appropriate removal equipment for the protection of the environment as identified by the COTP.

§ 154.1135 Response plan development and evaluation criteria.

The following response times must be used in determining the on scene arrival time in Prince William Sound for the response resources required by §154.1045:

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<thead>
<tr>
<th></th>
<th>Tier 1 (hrs.)</th>
<th>Tier 2 (hrs.)</th>
<th>Tier 3 (hrs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prince William Sound</td>
<td>12</td>
<td>24</td>
<td>36</td>
</tr>
</tbody>
</table>

§ 154.1140 TAPAA facility contracting with a vessel.

The owner or operator of a TAPAA facility may contract with a vessel owner or operator to meet some of all of the requirements of subpart G of part 155 of this chapter. The extent to which these requirements are met by the contractual arrangement will be determined by the COTP.

Subpart H—Response Plans for Animal Fats and Vegetable Oils Facilities

SOURCE: CGD 91-036, 61 FR 7931, Feb. 29, 1996, unless otherwise noted.

§ 154.1210 Purpose and applicability.

This subpart establishes oil spill response planning requirements for an owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils. The requirements of this subpart are intended for use in developing response plans and identifying response resources during the planning process. They are not performance standards.

§ 154.1220 Response plan submission requirements.

An owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils shall submit a response plan in accordance with the requirements of this subpart, and with all sections of subpart F of this part, except §§154.1045 and 154.1047, which apply to petroleum oils.

§ 154.1225 Response plan development and evaluation criteria for facilities that handle, store, or transport animal fats and vegetable oils.

(a) An owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils must provide information in his or her plan that identifies—
Coast Guard, DOT § 154.1225

(1) Procedures and strategies for responding to a worst case discharge of animal fats and vegetable oils to the maximum extent practicable; and

(2) Sources of the equipment and supplies necessary to locate, recover, and mitigate such a discharge.

(b) An owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils must ensure that any equipment identified in a response plan is capable of operating in the conditions expected in the geographic area(s) in which the facility operates using the criteria in section 2 and Table 1 of appendix C of this part. When evaluating the operability of equipment, the facility owner or operator must consider limitations that are identified in the ACPs for the COTP zone in which the facility is located, including—

(1) Ice conditions;
(2) Debris;
(3) Temperature ranges; and
(4) Weather-related visibility.

(c) The owner or operator of a facility that handles, stores, or transports animal fats and vegetable oils must identify the response resources that are available by contract or other means as described in §154.1228(a). The equipment identified in a response plan must include—

(1) Containment boom, sorbent boom, or other methods for containing oil floating on the surface or to protect shorelines from impact;
(2) Oil recovery devices appropriate for the type of animal fats or vegetable oils handled; and
(3) Other appropriate equipment necessary to respond to a discharge involving the type of oil handled.

(d) Response resources identified in a response plan under paragraph (c) of this section must be capable of commencing an effective on-scene response within the times specified in this paragraph for the applicable operating area:

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<tr>
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<th>Tier 1 (hrs.)</th>
<th>Tier 2</th>
<th>Tier 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Higher volume port area</td>
<td>6</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Great Lakes</td>
<td>12</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>All other river and canal, inland, nearshore, and offshore areas</td>
<td>12</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(e) A response plan for a facility that handles, stores, or transports animal fats and vegetable oils must identify response resources with firefighting capability. The owner or operator of a facility that does not have adequate firefighting resources located at the facility or that can not rely on sufficient local firefighting resources must identify and ensure, by contract or other approved means as described in §154.1228(a), the availability of adequate firefighting resources. The response plan must also identify an individual located at the facility to work with the fire department on animal fats and vegetable oil fires. This individual shall also verify that sufficient well-trained firefighting resources are available within a reasonable response time to a worst case scenario. The individual may be the qualified individual as defined in §154.1020 and identified in the response plan or another appropriate individual located at the facility.

(f) The response plan for a facility that is located in any environment with year-round preapproval for use of dispersants and that handles, stores, or transports animal fats and vegetable oils may request a credit for up to 25 percent of the worst case planning volume set forth by subpart F of this part. To receive this credit, the facility owner or operator must identify in the plan and ensure, by contract or other approved means as described in §154.1228(a), the availability of specified resources to apply the dispersants and to monitor their effectiveness. The extent of the credit for dispersants will be based on the volumes of the dispersant available to sustain operations at the manufacturers’ recommended dosage rates. Other spill mitigation techniques, including mechanical dispersal, may be identified in the response plan provided they are in accordance with the NCP and the applicable ACP. Resources identified for plan credit should be capable of being on scene within 12 hours of a discovery of a discharge. Identification of these resources does not imply that they will be authorized for use. Actual authorization for use during a spill response will be governed by the provisions of the NCP and the applicable ACP.
§ 154.1228 Methods of ensuring the availability of response resources by contract or other approved means.

(a) When required in this subpart, the availability of response resources must be ensured by the following methods:

1. The identification of an oil spill removal organization with specified equipment and personnel available within stipulated response times in specified geographic areas. The organization must provide written consent to being identified in the plan;

2. A document which—
   (i) Identifies the personnel, equipment, and services capable of being provided by the oil spill removal organization within stipulated response times in the specified geographic areas;
   (ii) Sets out the parties' acknowledgment that the oil spill removal organization intends to commit the resources in the event of a response;
   (iii) Permits the Coast Guard to verify the availability of the identified response resources through tests, inspections, and drills;
   (iv) Is referenced in the response plan;

3. Active membership in a local or regional oil spill removal organization that has identified specified personnel and equipment required under this subpart that are available to respond to a discharge within stipulated response times in the specified geographic areas;

4. Certification by the facility owner or operator that specified personnel and equipment required under this subpart are owned, operated, or under the direct control of the facility owner or operator, and are available within stipulated response times in the specified geographic areas; or

5. A written contractual agreement with an oil spill removal organization. The agreement must identify and ensure the availability of specified personnel and equipment required under this subpart within stipulated response times in the specified geographic areas.

(b) The contracts and documents required in paragraph (a) of this section must be retained at the facility and must be produced for review upon request by the COTP.
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(1) Ice conditions;
(2) Debris;
(3) Temperature ranges; and
(4) Weather-related visibility.

(c) The owner or operator of a facility that handles, stores, or transports other non-petroleum oils must identify the response resources that are available by contract or other approved means as described in §154.1028(a). The equipment identified in a response plan must include—

1. Containment boom, sorbent boom, or other methods for containing oil floating on the surface or to protect shorelines from impact;
2. Oil recovery devices appropriate for the type of other non-petroleum oils handled; and
3. Other appropriate equipment necessary to respond to a discharge involving the type of oil handled.

(d) Response resources identified in a response plan under paragraph (c) of this section must be capable of commencing an effective on-scene response within the times specified in this paragraph for the applicable operating area:

<table>
<thead>
<tr>
<th>Tier 1 (hrs.)</th>
<th>Tier 2</th>
<th>Tier 3</th>
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</tr>
<tr>
<td>Great Lakes</td>
<td>12</td>
<td>N/A</td>
</tr>
<tr>
<td>All other river and canal, inland, near-shore, and offshore areas</td>
<td>12</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(e) A response plan for a facility that handles, stores, or transports other non-petroleum oils must identify response resources with firefighting capability. The owner or operator of a facility that does not have adequate firefighting resources located at the facility or that cannot rely on sufficient local firefighting resources must identify and ensure, by contract or other approved means as described in §154.1028(a), the availability of adequate firefighting resources. The response plan must also identify an individual located at the facility to work with the fire department on other non-petroleum oil fires. This individual shall also verify that sufficient well-trained firefighting resources are available within a reasonable response time to a worst case scenario. The individual may be the qualified individual as defined in §154.1020 and identified in the response plan or another appropriate individual located at the facility.

(f) The response plan for a facility that is located in any environment with year-round preapproval for use of dispersants and that handles, stores, or transports other non-petroleum oils may request a credit for up to 25 percent of the worst case planning volume set forth by subpart F of this part. To receive this credit, the facility owner or operator must identify in the plan and ensure, by contract or other approved means as described in §154.1028(a), the availability of specified resources to apply the dispersants and to monitor their effectiveness. The extent of the credit will be based on the volumes of the dispersant available to sustain operations at the manufacturers’ recommended dosage rates. Identification of these resources does not imply that they will be authorized for use. Actual authorization for use during a spill response will be governed by the provisions of the NCP and the applicable ACP.

APPENDIX A TO PART 154—GUIDELINES FOR DETONATION FLAME ARRESTERS

This appendix contains the draft ASTM standard for detonation flame arresters. Devices meeting this standard will be accepted by the Commandant (G-MSO).

1. Scope

1.1 This standard provides the minimum requirements for design, construction, performance and testing of detonation flame arresters.

2. Intent

2.1 This standard is intended for detonation flame arresters protecting systems containing vapors of flammable or combustible liquids where vapor temperatures do not exceed 60 °C. For all tests, the test media defined in 14.1.1 can be used except where detonation flame arresters protect systems handling vapors with a maximum experimental safe gap (MESG) below 0.9 millimeters. Detonation flame arresters protecting such systems must be tested with appropriate media (the same vapor or a media having a MESG no greater than the vapor). Various gases and their respective MESG are listed in attachment 1.

2.2 The tests in this standard are intended to qualify detonation flame arresters for all in-line applications independent of piping configuration provided the operating pressure is equal to or less than the maximum operating pressure limit specified in the
manufacturer’s certification and the diameter of the piping system in which the detonation arrester is to be installed is equal to or less than the piping diameter used in the testing.

NOTE: Detonation flame arresters meeting this standard as Type I devices, which are certified to be effective below 0 °C and which can sustain three stable detonations without being damaged or permanently deformed, also comply with the minimum requirements of the International Maritime Organization, Maritime Safety Committee Circular No. 373 (MSC/Circ. 373/Rev. 1).

3. Applicable Documents
   3.1 ASTM Standards (1)
      A 395 Ferritic Ductile Iron Pressure-Retaining Castings For Use At Elevated Temperatures.
      F 722 Welded Joints for Shipboard Piping Systems
      F 1155 Standard Practice for Selection and Application of Piping System Materials
   3.2 ANSI Standards (2)
      B 16.5 Pipe Flanges and Flanged Fittings.
   3.3 Other Documents
      3.3.1 ASME Boiler and Pressure Vessel Code (2)
      Section VIII, Division 1, Pressure Vessels
      Section IX, Welding and Brazing Qualifications.
      Section IX, Welding and Brazing Qualifications.
   3.3.2 International Maritime Organization, Maritime Safety Committee (3)
      MSC/Circ. 373/Rev. 1—Revised Standards for the Design, Testing and Locating of Devices to Prevent the Passage of Flame into Cargo Tanks in Tankers.
      3.3.3 International Electrotechnical Commission (4)
      Publication 79—Electrical Apparatus for Explosive Gas Atmospheres.

4. Terminology
   4.1 Ψ/P—The dimensionless ratio, for any deflagration and detonation test of 14.3, of the maximum pressure increase (the maximum pressure minus the initial pressure), as measured in the piping system on the side of the arrester where ignition begins by the device described in paragraph 14.3.3, to the initial pressure. The initial pressure should be greater than or equal to the maximum operating pressure specified in paragraph 11.1.7.
   4.2 Deflagration—A combustion wave that propagates subsonically (as measured at the pressure and temperature of the flame front) by the transfer of heat and active chemical species to the unburned gas ahead of the flame front.
   4.3 Detonation—A reaction in a combustion wave propagating at sonic or supersonic (as measured at the pressure and temperature of the flame front) velocity. A detonation is stable when it has a velocity equal to the speed of sound in the burnt gas or may be unstable (overdriven) with a higher velocity and pressure.
   4.4 Detonation flame arrester—A device which prevents the transmission of a detonation and deflagration.
   4.5 Flame speed—The speed at which a flame propagates along a pipe or other system.
   4.6 Flame Passage—The transmission of a flame through a device.
   4.7 Gasoline Vapors—A non-leaded petroleum distillate consisting essentially of aliphatic hydrocarbon compounds with a boiling range approximating 65 °C/75 °C.

5. Classification
   5.1 The two types of detonation flame arresters covered in this specification are classified as follows:
   5.1.1 Type I—Detonation flame arresters acceptable for applications where stationary flames may rest on the device.
   5.1.2 Type II—Detonation flame arresters acceptable for applications where stationary flames are unlikely to rest on the device, and further methods are provided to prevent flame passage when a stationary flame occurs. One example of “further methods” is a temperature monitor and an automatic shut-off valve.

6. Ordering Information
   6.1 Orders for detonation flame arresters under this specification shall include the following information as applicable:
      6.1.1 Type (I or II).
      6.1.2 Nominal pipe size.
      6.1.3 Each gas or vapor in the system and the corresponding MESG.
      6.1.4 Inspection and tests other than specified by this standard.
      6.1.5 Anticipated ambient air temperature range.
      6.1.6 Purchaser’s inspection requirements (see section 10.1).
      6.1.7 Description of installation.
      6.1.8 Materials of construction (see section 7).
      6.1.9 Maximum flow rate and the maximum design pressure drop for that maximum flow rate.
      6.1.10 Maximum operating pressure.

7. Materials
   7.1 The detonation flame arrester housing, and other parts or bolting used for pressure retention, shall be constructed of materials listed in ASTM F 1155, or section VIII, Division 1 of the ASME Boiler and Pressure Vessel Code. Cast and malleable iron shall not be used; however, ductile cast iron in accordance with ASTM A 395 may be used.
   7.1.1 Arresters, elements, gaskets, and seals must be made of materials resistant to attack by seawater and the liquids and vapors contained in the system being protected (see section 6.1.3).
7.2 Nonmetallic materials, other than gaskets and seals, shall not be used in the construction of pressure retaining components of the detonation flame arrester.
7.3 Bolting materials, other than that of section 7.1, shall be at least equal to those listed in Table 1 of ANSI B16.5.
7.4 The possibility of galvanic corrosion shall be considered in the selection of materials.
7.5 All other parts shall be constructed of materials suitable for the service intended.
8. Detonation Flame Arresters
8.1 Detonation flame arrester housings shall be gas tight to prevent the escape of vapors.
8.2 Detonation flame arrester elements shall fit in the housing in a manner that will insure tightness of metal-to-metal contacts in such a way that flame cannot pass between the element and the housing.
8.2.1 The net free area through detonation flame arrester elements shall be at least 1.5 times the cross-sectional area of the arrester inlet.
8.3 Housings, elements, and seal gasket materials shall be capable of withstanding the maximum and minimum pressures and temperatures to which the device may be exposed under both normal and the specified fire test conditions in section 14, and shall be capable of withstand the hydrostatic pressure test of section 9.2.3.
8.4 Threaded or flanged pipe connections shall comply with the applicable B16 standards in ASTM F1355. Welded joints shall comply with ASTM F722.
8.5 All flat joints of the housing shall be machined true and shall provide for a joint having adequate metal-to-metal contact.
8.6 Where welded construction is used for pressure retaining components, welded joint design details, welding and non-destructive testing shall be in accordance with Section VIII, Division 1, of the ASME Code and ASTM F722. Welders and weld procedures shall be qualified in accordance with IX of the ASME Code.
8.7 The design of detonation flame arresters shall allow for ease of inspection and removal of internal elements for replacement, cleaning or repair without removal of the entire device from the system.
8.8 Detonation flame arresters shall allow for efficient drainage of condensate without impairing their efficiency to prevent the passage of flame. The housing may be fitted with one or more drain plugs for this purpose. The design of a drain plug should be such so that by cursory visual inspection it is obvious whether the drain has been left open.
8.9 All fastenings shall be protected against loosening.
8.10 Detonation flame arresters shall be designed and constructed to minimize the effect of fouling under normal operating conditions.
8.11 Detonation flame arresters shall be capable of operating over the full range of ambient air temperatures anticipated.
8.12 Detonation flame arresters shall be of first class workmanship and free from imperfections which may affect their intended purpose.
8.13 Detonation flame arresters shall be tested in accordance with section 9.
9. Tests
9.1 Tests shall be conducted by an independent laboratory capable of performing the tests. The manufacturer, in choosing a laboratory, accepts that it is a qualified independent laboratory by determining that it has (or has access to) the apparatus, facilities, personnel, and calibrated instruments that are necessary to test detonation flame arresters in accordance with this standard.
9.1.1 A test report shall be prepared by the laboratory which shall include:
9.1.1.1 Detailed drawings of the detonation flame arrester and its components (including a parts list identifying the materials of construction).
9.1.1.2 Types of tests conducted and results obtained. This shall include the maximum temperature reached and the length of testing time in section 14.2 in the case of Type II detonation flame arresters.
9.1.1.3 Description of approved attachments (reference 9.2.6).
9.1.1.4 Types of gases or vapors for which the detonation flame arrester is approved.
9.1.1.5 Drawings of the test rig.
9.1.1.6 Record of all markings found on the tested detonation flame arrester.
9.1.1.7 A report number.
9.2.1 The detonation flame arrester shall have the same dimensions, configuration, and most unfavorable clearances expected in production units.
9.2.2 A corrosion test shall be conducted. In this test, a complete detonation flame arrester, including a section of pipe similar to that to which it will be fitted, shall be exposed to a 20% sodium chloride solution.
spray at a temperature of 25 °C for a period of 240 hours, and allowed to dry for 48 hours. Following this exposure, all movable parts shall operate properly and there shall be no corrosion deposits which cannot be washed off.

9.2.3 The detonation flame arrester shall be subjected to a hydrostatic pressure test of at least 350 psig for ten minutes without rupturing, leaking, or showing permanent distortion.

9.2.4 Flow characteristics as declared by the manufacturer, shall be demonstrated by appropriate tests.

9.2.5 Detonation flame arresters shall be tested for endurance burn and deflagration/detonation in accordance with the test procedures in section 14. Type I detonation flame arresters shall show no flame passage when subjected to both tests. Type II detonation flame arresters shall show no evidence of flame passage during the detonation/deflagration tests in section 14.3. Type II detonation flame arresters shall be tested for endurance burn in accordance with section 14.2. From the endurance burn test of a Type II detonation flame arresters, the maximum temperature reached and the test duration shall be recorded and provided as part of the laboratory test report.

9.2.6 Where a detonation flame arrester is provided with cowl, weather hoods and deflectors, etc., it shall be tested in each configuration in which it is provided.

9.2.7 Detonation flame arresters which are provided with a heating arrangement designed to maintain the surface temperature of the device above 85°C shall pass the required tests at the maximum heated operating temperature.

9.2.8 Each finished detonation arrester shall be pneumatically tested at 10 psig to ensure there are no defects or leakage.

10. Inspection

10.1 The manufacturer shall afford the purchaser’s inspector all reasonable access necessary to assure that the device is being furnished in accordance with this standard. All examinations and inspections shall be made at the place of manufacture, unless otherwise agreed upon.

10.2 Each finished detonation arrester shall be visually and dimensionally checked to ensure that the device corresponds to this standard, is certified in accordance with section 11 and is marked in accordance with section 12. Special attention shall be given to the checking of welds and the proper fit-ups of joints (see sections 8.5 and 8.6).

11. Certification

11.1 Manufacturer’s certification that a detonation flame arrester meets this standard shall be provided in an instruction manual. The manual shall include as applicable:

11.1.1 Installation instructions and a description of all configurations tested (reference paragraph 9.2.6), installation instructions to include the device’s limitations.

11.1.2 Operating instructions.

11.1.3 Maintenance requirements.

11.1.4 Instructions on how to determine when arrester cleaning is required and the method of cleaning.

11.1.5 Flow test data, maximum temperature and time tested (Type II).

11.1.6 The maximum operating pressure for which the device is suitable.

12. Marking

12.1 Each detonation flame arrester shall be permanently marked indicating:

12.1.1 Manufacturer’s name or trademark.

12.1.2 Style, type, model or other manufacturer’s designation for the detonation flame arrester.

12.1.3 Size of the inlet and outlet.

12.1.4 Type of device (Type I or II).

12.1.5 Direction of flow through the detonation flame arrester.

12.1.6 Test laboratory and report number.

12.1.7 Lowest MESG of gases that the detonation flame arrester is suitable for.

12.1.8 ASTM designation of this standard.

12.1.9 Ambient air operating temperature range.

12.1.10 Maximum operating pressure.

13. Quality Assurance

13.1 Detonation flame arresters shall be designed, manufactured and tested in a manner that ensures they meet the characteristics of the unit tested in accordance with this standard.

13.2 The detonation flame arrester manufacturer shall maintain the quality of the arresters that are designed, tested and marked in accordance with this standard. At no time shall a detonation flame arrester be sold with this standard designation that does not meet the requirements herein.

14. Test Procedures for Detonation Arresters

14.1 Media/Air Mixtures

14.1.1 For vapors from flammable or combustible liquids with a MESG greater than or equal to 0.9 mm, technical grade hexane or gasoline vapors shall be used for all tests in this section except technical grade propane may be used for the deflagration/detonation tests in section 14.3. For vapors with a MESG less than 0.9 mm, the specific vapor (or alternatively, a media with a MESG less than or equal to the MESG of the vapor) must be used as the test medium in all Section 14 tests.

14.1.2 Hexane, propane, gasoline and other test vapors shall be mixed with air to form the most easily ignitable mixture. (3)
Coast Guard, DOT

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14.2 Endurance Burn Test Procedure

14.2.1 An endurance burning test shall be carried out as follows:

14.2.1.1 The test rig shall consist of an apparatus containing an explosive mixture, a small tank with a diaphragm, a prototype of the detonation flame arrester and a firing source in close proximity to the test device (see Figure 1). The detonation flame arrester shall be installed so that the mixture emission is vertically upwards, or installed in the position for which it is designed and which will cause the most severe heating of the device under the prescribed endurance burn conditions. In this position the mixture shall be ignited.

14.2.1.2 Endurance burn test shall start by using the most easily ignitable test vapor/air mixture with the aid of a pilot flame or a spark igniter at the outlet. The flammable mixture may be reignited as necessary in the course of the endurance burn.

14.2.1.3 Temperature measurement will be performed on the surface of the arrester element half way between the center and its edge.

14.2.1.4 By varying the proportions of the flammable mixture and the flow rate, the detonation flame arrester shall be heated by a stable flame on the surface of the arrester until the highest obtainable temperature is reached on the ignited side or until the temperature on the side which was not ignited (protected side) rises 100 °C.

14.2.1.5 The flammable mixture proportions will then be varied again until the conditions which result in the highest temperature on the protected side are achieved. This temperature shall be maintained for a period of ten minutes, after which the flow shall be stopped and the conditions observed. The highest attainable temperature is considered to have been reached when any subsequent rise of temperature does not exceed 0.5 °C per minute over a ten minute period.

14.2.1.6 If difficulty arises in establishing the highest attainable temperature on the protected side, the following criteria shall apply. When the increase in temperature on the protected side occurs so slowly that its temperature does not rise 100 °C, the conditions which produced the highest temperature on the ignited side of the arrester will be maintained for two hours. For the condition in which the temperature on the protected side continues to rise at a rate in excess of 0.5 °C per minute for a 10 minute period, endurance burning shall be continued, using the most severe conditions of flammable mixtures and flow rate, for a period of two hours. In either of these cases, at the end of the two hour period, the flow shall be stopped and the conditions observed. The two hour interval shall be measured commencing with the setting of the conditions which produced the most severe conditions of mixture and flow rate. For Type I detonation flame arresters, flame passage shall not occur during this test. For Type II detonation flame arresters, the maximum temperature obtained, and the time elapsed from the time when the most severe conditions are set to when flame passage occurs, shall be recorded. However, for Type II detonation flame arresters the test may be terminated 15 minutes after setting the most severe conditions on the protected side.

14.3 Deflagration/Detonation Test Procedure

14.3.1 A detonation flame arrester shall be installed at one end of a pipe of the same diameter as the inlet of the detonation flame arrester (see Figure 2). The length and configuration of the test pipe shall develop a stable detonation (6) at the device and shall be capable, by change in its length or configuration, of developing deflagrations and unstable (overdriven) detonations as measured on the side of the pipe where ignition occurs (run-up side). For deflagration testing, two test piping arrangements shall be used on the outlet side of the detonation flame arrester (the side which is not ignited). In both of the following end arrangements, the outlet side pipe diameter shall be equal to that on the run-up side. In one arrangement, the outlet side pipe shall be fitted with a restriction located 0.6 meters from the outlet side arrester flange. The size of the restriction for each nominal size detonation flame arrester shall be as follows:

<table>
<thead>
<tr>
<th>Nominal pipe diameter (inches)</th>
<th>Restriction diameter (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>1/8</td>
</tr>
<tr>
<td>4</td>
<td>1/2</td>
</tr>
<tr>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>8</td>
<td>1 1/2</td>
</tr>
<tr>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>12</td>
<td>1/2</td>
</tr>
<tr>
<td>18</td>
<td>2</td>
</tr>
<tr>
<td>24</td>
<td>2</td>
</tr>
</tbody>
</table>

The entire pipe shall be filled with the most easily ignitable vapor/air mixture to a test pressure corresponding to or greater than the upper limit of the device's maximum operating pressure (see 11.1.7). In order to obtain this test pressure, a device such as a bursting disc may be fitted on the open end of the device in place of the plastic bag. The concentration of the mixture should be verified by appropriate testing of the gas composition. The vapor/air mixture shall then be ignited.

14.3.2 Flame speeds shall be measured by optical devices capable of providing accuracy
of $\pm 5\%$. These devices shall be situated no more than a distance equal to 3\% of the length of the run-up pipe apart with one device no more than 8 inches from the end of the test pipe to which the detonation flame arrester is attached. In addition, each outlet arrangement described in paragraph 14.3.1 shall be fitted with an optical device located no more than 8 inches from the detonation flame arrester outlet. (7)

14.3.3 Explosion pressures within the pipe shall be measured by a high frequency transducer situated in the test pipe no more than 8 inches from the run-up side of the housing of the detonation flame arrester.

14.3.4 Using the first end arrangement (10 pipe diameter outlet) described in paragraph 14.3.1, a series of tests shall be conducted to determine the test pipe length and configuration that results in the maximum unstable (overdriven) detonation having the maximum measured flame speed at the detonation flame arrester. (These tests may also be carried out using a single length of pipe with igniters spaced at varying distances from the arrester.) The flame speeds, explosion pressures and test pipe configurations shall be recorded for each of these tests. The piping configuration that resulted in the highest recorded unstable (overdriven) detonation flame speed shall be used, and the device shall be subjected to at least four additional unstable (overdriven) detonations. In the course of testing, the device shall also demonstrate its ability to withstand five stable detonations, five deflagrations (as determined by flame speed) where $\Delta \frac{P}{P_o}$ was less than 1 and five deflagrations (as determined by flame speed) where $\Delta \frac{P}{P_o}$ was greater than 1 but less than 10. Initiation of deflagrations shall be at several locations to generate a range for $\Delta \frac{P}{P_o}$. Deflagration tests using the restricted outlet arrangement described in paragraph 14.3.1 shall then be conducted. In these tests the device shall demonstrate its ability to stop five deflagrations (as determined by flame speed) generated by the same configurations which resulted in $\Delta \frac{P}{P_o}$ being less than 1 during the deflagration tests which were conducted without the restricted end arrangements, and five deflagrations (as determined by flame speed) generated by the same configurations which resulted in $\Delta \frac{P}{P_o}$ being greater than 1 but less than 10 during the deflagration tests which were conducted without the restricted end arrangements. No evidence of flame passage shall occur during these tests. The flame speeds and explosion pressures for each of these tests shall be recorded.

14.3.5 A device that successfully passes the tests of 14.3.4 shall be considered to be directional (suitable for arresting a detonation advancing only from the direction as tested) except;

14.3.5.1 A device may be tested according to 14.3.4 for detonations approaching from either direction, or

14.3.5.2 The design of the device is symmetrical where each end may be considered to be identical when approached by a detonation from either direction.

(2) Available from the American Society of Mechanical Engineers, 345 E. 47th St., New York, NY 10017.
(4) Available from the International Electrotechnical Commission, 1 rue de Varembe, Geneva, Switzerland.
(5) See IEC Publication 79-1.
(6) Some data are available for the estimation of flame speeds in horizontal pipes without detonation flame arresters. Some data indicate that the presence of small obstacles, fittings or bends in the test pipe can accelerate the flame speeds appreciably.
(7) Other pressure and/or flame speed measuring techniques may be used if effective.
FIGURE 1

1 - bursting diaphragm (plastic)
2 - explosive mixture inlet
3 - tank
4 - acoustic element
5 - ignition source

TEST RIG FOR ENDURANCE BURN TEST

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ATTACHMENT 1

<table>
<thead>
<tr>
<th>Inflammable gas or vapour</th>
<th>Experimental maximum safe gap</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>mm</td>
</tr>
<tr>
<td>Methane</td>
<td>1.170</td>
</tr>
<tr>
<td>Blast furnace gas</td>
<td>1.193</td>
</tr>
<tr>
<td>Propane</td>
<td>0.965</td>
</tr>
<tr>
<td>Butane</td>
<td>1.066</td>
</tr>
<tr>
<td>Pentane</td>
<td>1.016</td>
</tr>
<tr>
<td>Hexane</td>
<td>0.965</td>
</tr>
<tr>
<td>Heptane</td>
<td>0.965</td>
</tr>
<tr>
<td>Octane</td>
<td>1.040</td>
</tr>
<tr>
<td>Decane</td>
<td>1.016</td>
</tr>
<tr>
<td>Benzene</td>
<td>0.99</td>
</tr>
<tr>
<td>Xylene</td>
<td>1.066</td>
</tr>
<tr>
<td>Cyclohexane</td>
<td>0.94</td>
</tr>
<tr>
<td>Acetone</td>
<td>1.016</td>
</tr>
<tr>
<td>Ethylene</td>
<td>0.71</td>
</tr>
<tr>
<td>Methyl-ethyl-ketone</td>
<td>1.016</td>
</tr>
<tr>
<td>Carbon monoxide</td>
<td>0.915</td>
</tr>
<tr>
<td>Methyl-acetate</td>
<td>0.990</td>
</tr>
<tr>
<td>Ethyl-acetate</td>
<td>1.04</td>
</tr>
<tr>
<td>Propyl-acetate</td>
<td>1.04</td>
</tr>
<tr>
<td>Butyl-acetate</td>
<td>1.016</td>
</tr>
<tr>
<td>Amyl-acetate</td>
<td>0.99</td>
</tr>
<tr>
<td>Methyl alcohol</td>
<td>0.915</td>
</tr>
<tr>
<td>Ethyl alcohol</td>
<td>1.016</td>
</tr>
<tr>
<td>Iso-butyl-alcohol</td>
<td>0.965</td>
</tr>
<tr>
<td>Butyl-alcohol (Normal)</td>
<td>0.94</td>
</tr>
<tr>
<td>Amyl-alcohol</td>
<td>0.99</td>
</tr>
<tr>
<td>Ethyl-ether</td>
<td>0.864</td>
</tr>
<tr>
<td>Coal gas (H₂ 57%)</td>
<td>0.482</td>
</tr>
<tr>
<td>Acetylene</td>
<td>≤0.025</td>
</tr>
<tr>
<td>Carbon disulfide</td>
<td>0.203</td>
</tr>
<tr>
<td>Hydrogen</td>
<td>0.102</td>
</tr>
<tr>
<td>Blue water gas (H₂ 53%, CO 47%)</td>
<td>0.203</td>
</tr>
<tr>
<td>Ethyl nitrate</td>
<td>≤0.025</td>
</tr>
<tr>
<td>Ammonia</td>
<td>1.33</td>
</tr>
<tr>
<td>Ethylene oxide</td>
<td>0.65</td>
</tr>
<tr>
<td>Ethyl nitrite</td>
<td>0.922</td>
</tr>
</tbody>
</table>

1 Approximately.

NOTE: Flame arresters meeting this standard also comply with the minimum requirements of the International Maritime Organization, Maritime Safety Committee Circular No. 373 (MSC/Circ. 373Rev. 1).

APPENDIX B TO PART 154—STANDARD SPECIFICATION FOR TANK VENT FLAME ARRESTERS

1. Scope
1.1 This standard provides the minimum requirements for design, construction, performance and testing of tank vent flame arresters.

2. Intent
2.1 This standard is intended for flame arresters protecting systems containing vapors of flammable or combustible liquids with a flashpoint that does not exceed 60°C. The test media defined in 14.1.1 can be used except where arresters protect systems handling vapors with a maximum experimental safe gap (MESG) below 0.9 millimeters. Flame arresters protecting such systems must be tested with appropriate media (the same vapor or a media having a MESG no greater than the vapor). Various gases and their respective MESG are listed in Attachment 1.

3. Applicable Documents
3.1 ASTM Standards (1) F722 Welded Joints for Shipboard Piping Systems; F1355 Standard Practice for Selection and Application of Piping System Materials
3.2 ANSI Standards (2) B16.5 Pipe Flanges and Flanged Fittings
3.3 Other Documents
3.3.1 ASME Boiler and Pressure Vessel Code (2) section VIII, Division 1, Pressure Vessels; section IX, Welding and Brazing Qualifications
3.3.2 International Maritime Organization, Maritime Safety Committee (3) MSC/Circ. 373Rev. 1—Revised Standards for the Design, Testing and Locating of Devices to Prevent the Passage of Flame into Cargo Tanks in Tankers
3.3.3 International Electrotechnical Commission (4) Publication 791—Electric Apparatus for Explosive Gas Atmospheres

(2) Available from the American Society of Mechanical Engineers, 345 E. 47th St., New York, NY 10017
(3) Available from the International Maritime Organization, 4 Albert Embankment, London SE1 7SR, England
(4) Available from the International Electrotechnical Commission, 1 rue de Varembe, Geneva, Switzerland

4. Terminology
4.1 Flame arrester—A device to prevent the passage of flame in accordance with a specified performance standard. Its flame arresting element is based on the principle of quenching.
4.2 Flame speed—The speed at which a flame propagates along a pipe or other system.
4.3 Flame Passage—The transmission of a flame through a flame arrester.
4.4 Gasoline Vapors—A non-leaded petroleum distillate consisting essentially of aliphatic hydrocarbon compounds with a boiling range approximating 65°C/75°C.

5. Classification
5.1 The two types of flame arresters covered in this specification are classified as follows:
5.1.1 Type I—Flame arresters acceptable for end-of-line applications.

(1) Footnotes appear at the end of this article.
5.1.2 Type II—Flame arresters acceptable for in-line applications.

6. Ordering Information
6.1 Orders for flame arresters under this specification shall include the following information as applicable:
   6.1.1 Type (I or II).
   6.1.2 Nominal pipe size.
   6.1.3 Each gas or vapor in the tank being protected by the flame arrester, and the corresponding MESG.
   6.1.4 Inspection and tests other than specified by this standard.
   6.1.5 Anticipated ambient air temperature range.
   6.1.6 Purchaser's inspection requirements (see section 10.1).
   6.1.7 Description of installation (distance and configuration of pipe between the arrester, and the atmosphere or potential ignition source) (see section 9.2.4.2).
   6.1.8 Materials of construction (see section 7).
   6.1.9 Maximum flow rate and the design pressure drop for that maximum flow rate.

7. Materials
7.1 The flame arrester housing, and other parts or bolting used for pressure retention, shall be constructed of materials listed in ASTM F1155, or section VIII, Division 1 of the ASME Boiler and Pressure Vessel Code.
   7.1.1 Arresters, elements, gaskets, and seals must be of materials resistant to attack by seawater and the liquids and vapors contained in the tank being protected (see section 6.1.3).
   7.2 Nonmetallic materials, other than gaskets and seals, shall not be used in the construction of pressure retaining components of the flame arrester.
   7.2.1 Nonmetallic gaskets and seals shall be non-combustible and suitable for the service intended.
   7.3 Bolting materials, other than that of Section 7.1, shall be at least equal to those listed in Table 1 of ANSI B16.5.
   7.4 The possibility of galvanic corrosion shall be considered in the selection of materials.
   7.5 All other parts shall be constructed of materials suitable for the service intended.

8. Other Requirements
8.1 Flame arrester housings shall be gas tight to prevent the escape of vapors.
   8.2 Flame arrester elements shall fit in the housing in a manner that will insure tightness of metal-to-metal contacts in such a way that flame cannot pass between the element and the housing.
   8.3 Housings and elements shall be of substantial construction and designed for the mechanical and other loads intended during service. In addition, they shall be capable of withstanding the maximum and minimum pressures and temperatures to which the device may be exposed under both normal and the specified fire test conditions in section 14.
   8.4 Threaded or flanged pipe connections shall comply with the applicable B16 standards in ASTM F1155. Welded joints shall comply with ASTM F722.
   8.5 All flat joints of the housing shall be machined true and shall provide for a joint having adequate metal-to-metal contact.
   8.6 Where welded construction is used for pressure retaining components, welded joint design details, welding and non-destructive testing shall be in accordance with section VIII, Division 1, of the ASME Code and ASTM F722. Welded and weld procedures shall be qualified in accordance with section IX of the ASME Code.
   8.7 The design of flame arresters shall allow for ease of inspection and removal of internal elements for replacement, cleaning or repair without removal of the entire device from the system.
   8.8 Flame arresters shall allow for efficient drainage of condensate without impairing their efficiency to prevent the passage of flame.
   8.9 All fastenings shall be protected against loosening.
   8.10 Flame arresters shall be designed and constructed to minimize the effect of fouling under normal operating conditions.
   8.11 Flame arresters shall be capable of operating over the full range of ambient air temperatures anticipated.
   8.12 End-of-line flame arresters shall be so constructed as to direct the efflux vertically upward.
   8.13 Flame arresters shall be of first class workmanship and free from imperfections which may affect their intended purpose.
   8.14 Tank vent flame arresters shall show no flame passage when subjected to the tests in 9.2.4.

9. Prototype Tests
9.1 Tests shall be conducted by an independent laboratory capable of performing the tests. The manufacturer, in choosing a laboratory, accepts that it is a qualified independent laboratory by determining that it has (or has access to) the apparatus, facilities, personnel, and calibrated instruments that are necessary to test flame arresters in accordance with this standard.
   9.1.1 A test report shall be prepared by the laboratory which shall include:
   9.1.1.1 Detailed drawings of the flame arrester and its components (including a parts list identifying the materials of construction).
   9.1.1.2 Types of tests conducted and results obtained.
   9.1.1.3 Specific advice on approved attachments (see section 9.2.4.1).
9.11.4 Types of gases or vapors for which the flame arrester is approved (see section 6.1.3).
9.11.5 Drawings of the test rig.
9.11.6 Record of all markings found on the tested flame arrester.
9.11.7 A report number.
9.2 One of each model Type I and Type II flame arrester shall be tested. Where approval of more than one size of a flame arrester model is desired, the largest and smallest sizes shall be tested. A change of design, material, or construction which may affect the corrosion resistance, endurance burn, or flashback capabilities of the flame arrester shall be considered a change of model for the purpose of this paragraph.
9.2.1 The flame arrester shall have the same dimensions, configuration, and the most unfavorable clearances expected in production units.
9.2.2 A corrosion test shall be conducted. In this test, a complete arrester, including a section of pipe similar to that to which it will be fitted, shall be exposed to a 20% sodium chloride solution spray at a temperature of 25 degrees C for a period of 240 hours, and allowed to dry for 48 hours. Following this exposure, all movable parts shall operate properly and there shall be no corrosion deposits which cannot be washed off.
9.2.3 Performance characteristics as declared by the manufacturer, such as flow rates under both positive and negative pressures, operating sensitivity, flow resistance, and velocity, shall be demonstrated by appropriate tests.
9.2.4 Tank vent flame arresters shall be tested for endurance burn and flashback in accordance with the test procedures in section 14. The following constraints apply:
9.2.4.1 Where a Type I flame arrester is provided with cowls, weather hoods and deflectors, etc., it shall be tested in each configuration in which it is provided.
9.2.4.2 Type II arresters shall be specifically tested with the inclusion of all pipes, tees, bends, cowls, weather hoods, etc., which may be fitted between the arrester and the atmosphere.
9.2.5 Devices which are provided with a heating arrangement shall pass the required tests at the heated temperature.
9.2.6 After all tests are completed, the device shall be disassembled and examined, and no part of the device shall be damaged or show permanent deformation.

10. Inspection
10.1 The manufacturer shall afford the purchaser’s inspector all reasonable facilities necessary to assure that the material is being furnished in accordance with this standard. All examinations and inspections shall be made at the place of manufacture, unless otherwise agreed upon.
10.2 Each finished flame arrester shall be visually and dimensionally checked to ensure that the device corresponds to this standard, is certified in accordance with section 11 and is marked in accordance with section 12. Special attention shall be given to checking the proper fit-up of joints (see sections 8.5 and 8.6).

11. Certification
11.1 Manufacturer’s certification that a flame arrester has been constructed in accordance with this standard shall be provided in an instruction manual. The manual shall include as applicable:
11.1.1 Installation instructions and a description of all configurations tested (reference paragraph 9.2.4.1 and 9.2.4.2). Installation instructions to include manufacturer’s recommended limitations based on all configurations tested.
11.1.2 Operating instructions.
11.1.3 Maintenance requirements.
11.1.3.1 Instructions on how to determine when flame arrester cleaning is required and the method of cleaning.
11.1.4 Copy of test report (see section 9.1).
11.1.5 Flow test data, including flow rates under both positive and negative pressures, operating sensitivity, flow resistance, and velocity.
11.1.6 The ambient air temperature range over which the device will effectively prevent the passage of flame. (NOTE: Other factors such as condensation and freezing of vapors should be evaluated at the time of equipment specification.)
11.1.7 Lowest MESG of gases for which the flame arrester is suitable for.
11.1.8 Ambient air operating temperature range.
11.1.9 ASTM designation of this standard.
11.1.10 Quality Assurance
11.1.11 Flame arresters shall be designed, manufactured and tested in a manner that ensures they meet the characteristics of the unit tested in accordance with this standard.
11.2 The flame arrester manufacturer shall maintain the quality of the flame arresters that are designed, tested and marked in accordance with this standard. At no time shall a flame arrester be sold with this standard designation that does not meet the requirements herein.
11.4 Test Procedures for Flame Arresters
11.4.1 Media/Air Mixtures
11.4.1.1 For vapors from flammable or combustible liquids with a MESG greater than or
equal to 0.9 mm, technical grade hexane or gasoline vapors shall be used for all tests in this section except technical grade propane may be used for the flashback test in Section 14.2. For vapors with a MESG less than 0.9 mm, the specific vapor (or alternatively, a media with a MESG less than or equal to the MESG of the vapor) must be used as the test medium in all section 14 tests.

14.1.2 Hexane, propane, gasoline and chemical vapors shall be mixed with air to form the most easily ignitable mixture.\(^5\)

14.2 Flashback Test

14.2.1 A flashback test shall be carried out as follows:

14.2.1.1 The test rig shall consist of an apparatus producing an explosive mixture, a small tank with a diaphragm, a prototype of the flame arrester, a plastic bag (6) and a firing source in three positions (see Figure 1).\(^7\)

14.2.1.2 The tank, flame arrester assembly and the plastic bag enveloping the prototype flame arrester shall be filled so that this volume contains the most easily ignitable vapor/air mixture.\(^8\) The concentration of the mixture should be verified by appropriate testing of the gas composition in the plastic bag. Three ignition sources shall be installed along the axis of the bag, one close to the flame arrester, another as far away as possible therefrom, and the third at the midpoint between these two. These three sources shall be fired in succession, one during each of the three tests. Flame passage shall not occur during this test.

14.2.1.3 If flame passage occurs, the tank diaphragm will burst and this will be audible and visible to the operator by the emission of a flame. Flame, heat and pressure sensors may be used as an alternative to a bursting diaphragm.

14.3 Endurance Burn Test

14.3.1 An endurance burning test shall be carried out as follows:

14.3.1.1 The test rig as referred to in 14.2 may be used, without the plastic bag. The flame arrester shall be so installed that the mixture emission is vertical. In this position the mixture shall be ignited.

14.3.1.2 Endurance burning shall be achieved by using the most easily ignitable test vapor/air mixture with the aid of a pilot flame or a spark igniter at the outlet. By varying the proportions of the flammable mixture and the flow rate, the arrester shall be heated until the highest obtainable temperature on the cargo tank side of the arrester is reached. The highest attainable temperature may be considered to have been reached when the rate of rise of temperature does not exceed 0.5°C per minute over a ten minute period. This temperature shall be maintained for a period of ten minutes, after which the flow shall be stopped and the conditions observed. If difficulty arises in establishing the highest attainable temperature, the following criteria shall apply. When the temperature appears to be approaching the maximum temperature, using the most severe conditions of flammable mixtures and flow rate, but increases at a rate in excess of 0.5°C per minute over a ten minute period, endurance burning shall be continued for a period of two hours after which the flow shall be stopped and the conditions observed. Flame passage shall not occur during this test.

\(^5\) See IEC Publication 79-1.

\(^6\) The dimensions of the plastic bag are dependent on those of the flame arrester. The plastic bag may have a circumference of 2 m, a length of 2.5 m and a wall thickness of 0.05 m.

\(^7\) In order to avoid remnants of the plastic bag from falling back on to the flame arrester being tested after ignition of the fuel/air mixture, it may be useful to mount a coarse wire frame across the flame arrester within the plastic bag. The frame should be constructed so as not to interfere with the test result.

\(^8\) See IEC Publication 79-1.
FIGURE 1

1 = bursting diaphragm (plastic)
2 = explosive mixture inlet
3 = flame arresting device
4 = plastic arrester bag
5 = ignition source

TEST RIG FOR FLASH BACK TEST
APPENDIX C TO PART 154—GUIDELINES FOR DETERMINING AND EVALUATING REQUIRED RESPONSE RESOURCES FOR FACILITY RESPONSE PLANS

1. Purpose

1.1 The purpose of this appendix is to describe the procedures for identifying response resources to meet the requirements of subpart F of this part. These guidelines will be used by the facility owner or operator in preparing the response plan and by the Captain of the Port (COTP) when reviewing them. Response resources identified in subparts H and I of this part should be selected using the guidelines in section 2 and Table 1 of this appendix.

2. Equipment Operability and Readiness

2.1 All equipment identified in a response plan must be designed to operate in the conditions expected in the facility's geographic area. These conditions vary widely based on location and season. Therefore, it is difficult to identify a single stockpile of response equipment that will function effectively in each geographic location.

2.2 Facilities handling, storing, or transporting oil in more than one operating environment as indicated in Table 1 of this appendix must identify equipment capable of successfully functioning in each operating environment.

2.3 When identifying equipment for response plan credit, a facility owner or operator must consider the inherent limitations in the operability of equipment components and response systems. The criteria in Table 1 of this appendix should be used for evaluating the operability in a given environment. These criteria reflect the general conditions in certain operating areas.

2.3.1 The Coast Guard may require documentation that the boom identified in a response plan meets the criteria in Table 1. Absent acceptable documentation, the Coast Guard may require that the boom be tested to demonstrate that it meets the criteria in Table 1. Testing must be in accordance with ASTM F 715, ASTM F 989, or other tests approved by the Coast Guard.

2.4 Table 1 of this appendix lists criteria for oil recovery devices and boom. All other equipment necessary to sustain or support response operations in the specified operating environment must be designed to function in the same conditions. For example, boats which deploy or support skimmers or boom must be capable of being safely operated in the significant wave heights listed for the applicable operating environment.

2.5 A facility owner or operator must refer to the applicable local contingency plan or ACP, as appropriate, to determine if ice, debris, and weather-related visibility are significant factors in evaluating the operability of equipment. The local contingency plan or ACP will identify the average temperature ranges expected in the facility's operating area. All equipment identified in a response plan must be designed to operate within those conditions or ranges.

2.6 The requirements of subparts F, G, H and I of this part establish response resource mobilization and response times. The distance of the facility from the storage location of the response resources must be used to determine whether the resources can arrive on scene within the stated time. A facility owner or operator shall include the time for notification, mobilization, and travel time of response resources identified to meet the maximum most probable discharge and Tier 1 worst case discharge response time requirements. For subparts F and G, tier 2 and 3 response resources must be notified and mobilized as necessary to meet the requirements for arrival on scene in accordance with §§154.1045 or 154.1047 of subpart F, or §154.1135 of subpart G, as appropriate. An on water speed of 5 knots and a land speed of 35

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ATTACHMENT 1

<table>
<thead>
<tr>
<th>Inflammable gas or vapor</th>
<th>Experimental maximum safe gap</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>mm</td>
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<tr>
<td>Methane</td>
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<tr>
<td>Blast furnace gas</td>
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<tr>
<td>Propane</td>
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<tr>
<td>Butane</td>
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<td>Hydrogen</td>
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<td>Blue water gas (H 53% CO 47%)</td>
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<td>Ammonia</td>
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<td>Ethylene oxide</td>
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<tr>
<td>Ethyl nitrite</td>
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</tr>
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</table>

*Approximately.

[CGD 88-102, 55 FR 25443, June 21, 1990]
must be designed to operate in the applicable
whichever is less. All equipment identified
oil or 10 percent of the worst case discharge,
taining and collecting up to 1,200 barrels of
require response resources capable of con-
discharge volume for that facility. This will
able, by contract or other approved means as
described in § 154.1028(a), to respond to dis-
ability, through contract or other approved
means as described in § 154.1028(a), to respond
response plan must identify and ensure, by
boom for oil collection and containment, the
plan must identify sufficient quantities of
containment boom available, by contract or
other approved means as described in § 154.1028(a), the availability of the
boom identified in the plan for this purpose.
4.5 The plan must indicate the availability
of temporary storage capacity to meet the
guidelines of section 9.2 of this appendix.
If available storage capacity is insufficient
to meet this level, then the effective daily
recovery capacity must be derated to the
limits of the available storage capacity.
4.6 The following is an example of a maxi-
mum most probable discharge volume plan-
calculation for equipment identification
in a higher volume port area: The facili-
ty’s worst case discharge volume is 20,000
barrels. Ten percent of this is 2,000 barrels.
Since this is greater than 1,200 barrels, 1,200
barrels is used as the planning volume. The
effective daily recovery capacity must be 50
percent of this, or 600 barrels per day. The
ability of oil recovery devices to meet this
capacity will be calculated using the proce-
dures in section 6 of this appendix. Tem-
porary storage capacity available on scene
must equal twice the daily recovery rate as
indicated in section 9 of this appendix, or
1,200 barrels per day. This is the information
the facility owner or operator will use to
determine and ensure the availability of,
through contract or other approved
means as described in § 154.1028(a), the required re-
response resources. The facility owner will also
need to identify how much boom is available
for use.
3. Determining Response Resources Required for
the Average Most Probable Discharge
3.1 A facility owner or operator shall
identify sufficient response resources avail-
able, through contract or other approved
means as described in § 154.1028(a), to respond
to the average most probable discharge. The
equipment must be designed to function in
the operating environment at the point of
expected use.
3.2 The response resources must include:
3.2.1 1,000 feet of containment boom or
two times the length of the largest vessel
that regularly conducts oil transfers to or
from the facility, whichever is greater, and a
means deploying it available at the spill site
within 1 hour of the discovery of a spill.
3.2.2 Oil recovery devices with an effec-
tive daily recovery capacity equal to the
amount of oil discharged in an average most
probable discharge or greater available at
the facility within 2 hours of the detection
of an oil spill.
3.2.3 Oil storage capacity for recovered
oily material indicated in section 9.2 of this
appendix.
4. Determining Response Resources Required for
the Maximum Most Probable Discharge
4.1 A facility owner or operator shall
identify sufficient response resources avail-
able, through contract or other approved
means as described in § 154.1028(a), to respond to dis-
charges up to the maximum most probable
discharge volume for that facility. This will
require response resources capable of con-
taining and collecting up to 1,200 barrels of
oil or 10 percent of the worst case discharge,
whichever is less. All equipment identified
must be designed to operate in the applicable
operating environment specified in Table 1 of
this appendix.
4.2 Oil recovery devices identified to meet
the applicable maximum most probable dis-
charge volume planning criteria must be lo-
cated such that they arrive on scene within
6 hours in higher volume port areas (as de-
Signed in 154.1020) and the Great Lakes and
within 12 hours in all other areas.
4.3 Because rapid control, containment,
and removal of oil is critical to reduce spill
impact, the effective daily recovery capacity
for oil recovery devices must equal 50 per-
cent of the planning volume applicable for
the facility as determined in section 4.1 of
this appendix. The effective daily recovery
capacity for oil recovery devices identified in
the plan must be determined using the cri-
terias in section 6 of this appendix.
4.4 In addition to oil recovery capacity,
the plan must identify sufficient quantities of
containment boom available, by contract or
other approved means as described in
§154.1028(a), to arrive within the required re-
sponse times for oil collection and contain-
ment and for protection of fish and wildlife
and sensitive environments. While the regu-
lation does not set required quantities of
boom for oil collection and containment, the
response plan must identify and ensure, by
contract or other approved means as de-
scribed in §154.1028(a), the availability of the
boom identified in the plan for this purpose.
4.5 The plan must indicate the availability
of temporary storage capacity to meet the
guidelines of section 9.2 of this appendix.
If available storage capacity is insufficient
to meet this level, then the effective daily
recovery capacity must be derated to the
limits of the available storage capacity.
4.6 The following is an example of a maxi-
mum most probable discharge volume plan-
calculation for equipment identification
in a higher volume port area: The facili-
ty’s worst case discharge volume is 20,000
barrels. Ten percent of this is 2,000 barrels.
Since this is greater than 1,200 barrels, 1,200
barrels is used as the planning volume. The
effective daily recovery capacity must be 50
percent of this, or 600 barrels per day. The
ability of oil recovery devices to meet this
capacity will be calculated using the proce-
dures in section 6 of this appendix. Tem-
porary storage capacity available on scene
must equal twice the daily recovery rate as
indicated in section 9 of this appendix, or
1,200 barrels per day. This is the information
the facility owner or operator will use to
determine and ensure the availability of,
through contract or other approved
means as described in §154.1028(a), the required re-
response resources. The facility owner will also
need to identify how much boom is available
for use.

5. Determining Response Resources Required for the Worst Case Discharge to the Maximum Extent Practicable

5.1 A facility owner or operator shall identify and ensure availability of, by contract or other approved means, as described in §154.1028(a), sufficient response resources to respond to the worst case discharge of oil to the maximum extent practicable. Section 7 of this appendix describes the method to determine the required response resources.

5.2 Oil spill response resources identified in the response plan and available through contract or other approved means, as described in §154.1028(a), to meet the applicable worst case discharge planning volume must be located such that they can arrive at the scene of a discharge within the times specified for the applicable response tiers listed in §154.1045.

5.3 The effective daily recovery capacity for oil recovery devices identified in a response plan must be determined using the criteria in section 6 of this appendix. A facility owner or operator shall identify the storage locations of all response resources that must be used to fulfill the requirements for each tier. The owner or operator of a facility whose required daily recovery capacity exceeds the applicable response capability caps in Table 5 of this appendix shall identify sources of additional equipment, their locations, and the arrangements made to obtain this equipment during a response. The owner or operator of a facility whose calculated planning volume exceeds the applicable contracting caps in Table 5 shall identify sources of additional equipment equal to twice the cap listed in Tiers 1, 2, and 3 or the amount necessary to reach the calculated planning volume, whichever is lower. The resources identified above the cap must be capable of arriving on scene not later than the Tiers 1, 2, and 3 response times in §154.1045. No contract is required. While general listings of available response equipment may be used to identify additional sources, a response plan must identify the specific sources, locations, and quantities of equipment that a facility owner or operator has considered in his or her planning. When listing Coast Guard classified oil spill removal organization(s) which have sufficient removal capacity to recover the volume above the response capability cap for the specific facility, as specified in Table 5 of this appendix, it is not necessary to list specific quantities of equipment.

5.4 A facility owner or operator shall identify the availability of temporary storage capacity to meet the requirements of section 9.2 of this appendix. If available storage capacity is insufficient to meet this requirement, then the effective daily recovery capacity must be deteriorated to the limits of the available storage capacity.

5.5 When selecting response resources necessary to meet the response plan requirements, the facility owner or operator must ensure that a portion of those resources are capable of being used in close-to-shore response activities in shallow water. The following percentages of the on-water response equipment identified for the applicable geographic area must be capable of operating in waters of 6 feet or less depth:

(i) Offshore—10 percent
(ii) Nearshore/inland/Great Lakes/rivers and canals—20 percent.

5.6 In addition to oil spill recovery devices, a facility owner or operator shall identify sufficient quantities of boom that are available, by contract or other approved means as described in §154.1028(a), to arrive on scene within the required response times for oil containment and collection. The specific quantity of boom required for collection and containment will depend on the specific recovery equipment and strategies employed. A facility owner or operator shall also identify sufficient quantities of oil containment boom to protect fish and wildlife and sensitive environments for the number of days and geographic areas specified in Table 2. Sections 154.1035(b)(4)(iii) and 154.1040(a), as appropriate, shall be used to determine the amount of containment boom required, through contract or other approved means as described in §154.1028(a), to protect fish and wildlife and sensitive environments.

5.7 A facility owner or operator must also identify, through contract or other approved means as described in §154.1028(a), the availability of an oil spill removal organization capable of responding to a shoreline cleanup operation involving the calculated volume of oil and emulsified oil that might impact the affected shoreline. The volume of oil that must be planned for is calculated through the application of factors contained in Tables 2 and 3. The volume calculated from these tables is intended to assist the facility owner or operator in identifying a contractor with sufficient resources and expertise. This planning volume is not used explicitly to determine a required amount of equipment and personnel.

6. Determining Effective Daily Recovery Capacity for Oil Recovery Devices

6.1 Oil recovery devices identified by a facility owner or operator must be identified by manufacturer, model, and effective daily recovery capacity. These rates must be used to determine whether there is sufficient capacity to meet the applicable planning criteria for the average most probable discharge, maximum most probable discharge, and worst case discharge to the maximum extent practicable.

6.2 For the purpose of determining the effective daily recovery capacity of oil recovery devices, the formula listed in section
Coast Guard, DOT

6.2.1 of this appendix will be used. This method considers potential limitations due to available daylight, weather, sea state, and percentage of emulsified oil in the recovered material. The Coast Guard may assign a lower efficiency factor to equipment listed in a response plan if it determines that such a reduction is warranted.

6.2.1 The following formula must be used to calculate the effective daily recovery capacity:

\[ R = \frac{D}{T \times E} \]

\( R \) = Effective daily recovery capacity
\( D \) = Average Oil Recovery Rate in barrels per hour (nameplate capacity)
\( E \) = 20 percent Efficiency factor (or lower factor as determined by Coast Guard)
\( T \) = Throughput rate in barrels per hour (nameplate capacity)

6.2.2 For those devices in which the pump limits the throughput of liquid, throughput rate will be calculated using the pump capacity.

6.2.3 For belt or mop type devices, the throughput rate will be calculated using the speed of the belt or mop through the device, assumed thickness of oil adhering to or collected by the device, and surface area of the belt or mop. For purposes of this calculation, the assumed thickness of oil will be 1/4 inch.

6.2.4 Facility owners or operators including oil recovery devices whose throughput is not measurable using a pump capacity or belt/mop speed may provide information to support an alternative method of calculation. This information must be submitted following the procedures in paragraph 6.3.2 of this appendix.

6.3 As an alternative to 6.2, a facility owner or operator may submit adequate evidence that a different effective daily recovery capacity should be applied for a specific oil recovery device. Adequate evidence is actual verified performance data in spill conditions or tests using ASTM F 631; or actual performance data.

6.3.1 The following formula must be used to calculate the effective daily recovery capacity under this alternative:

\[ R = \frac{314 \times T}{24 \times E} \]

\( R \) = Effective daily recovery capacity
\( D \) = Manufacturer's rated throughput capacity (gpm)
\( E \) = 20 percent Efficiency factor (or lower factor as determined by Coast Guard)
\( T \) = Belt or mop speed in feet per minute

6.3.2 A facility owner or operator proposing a different effective daily recovery rate for use in a response plan shall provide data for the oil recovery devices listed. The following is an example of these calculations:

A weir skimmer identified in a response plan has a manufacturer's rated throughput at the pump of 267 gallons per minute (gpm). 267 gpm = 381 barrels per hour

\[ R = \frac{381 \times 24 \times 2}{24} = 1829 \text{ barrels per day} \]

After testing using ASTM procedures, the skimmer's oil recovery rate is determined to be 220 gpm. The facility owner of operator identifies sufficient response resources available to support operations 12 hours per day.

\[ 220 \text{ gpm} = 334 \text{ barrels per hour} \]

The facility owner or operator will be able to use the higher rate if sufficient temporary oil storage capacity is available. Determination of alternative efficiency factors under paragraph 6.2 or alternative effective daily recovery capacities under paragraph 6.3 of this appendix will be made by Commandant, (G-MOR), Coast Guard Headquarters, 200 Second Street SW., Washington, DC 20593.

6.4 Facility owners or operators may submit required information on behalf of multiple facility owners or operators directly in lieu of including the request with the response plan submission.

7. Calculating the Worst Case Discharge Planning Volumes

7.1 The facility owner or operator shall plan for a response to a facility's worst case discharge. The planning for on-water recovery must take into account a loss of some oil to the environment due to evaporative and natural dissipation, potential increases in volume due to emulsification, and the potential for deposit of some oil on the shoreline.

7.2 The following procedures must be used to calculate the planning volume used by a facility owner or operator for determining required on water recovery capacity:

7.2.1 The following must be determined:

The worst case discharge volume of oil in the facility; the appropriate group(s) for the type of oil handled, stored, or transported at the facility (non-persistent (Group I) or persistent (Groups II, III, or IV)); and the facility's specific operating area. Facilities which handle, store, or transport oil from different petroleum oil groups must calculate each group separately. This information is to be used with Table 2 of this appendix to determine the percentages of the total volume to be used for removal capacity planning. This table divides the volume into three categories: Oil lost to the environment; oil deposited on the shoreline; and oil available for on-water recovery.

7.2.2 The on-water oil recovery volume must be adjusted using the appropriate emulsification factor found in Table 3 of this appendix. Facilities which handle, store, or transport oil from different petroleum
The following must be determined:

1. The worst case discharge volume of oil for the facility; the appropriate group(s) for the type of oil handled, stored, or transported at the facility (non-persistent (Group I) or persistent (Groups II, III, or IV)); and the operating area(s) in which the facility operates. For a facility storing oil from different groups, each group must be calculated separately. Using this information, Table 2 of this appendix must be used to determine the percentages of the total planning volume to be used for shoreline cleanup resource planning.

2. The following procedures must be used to identify an oil spill removal organization with the appropriate shoreline cleanup capability.

3. The shoreline cleanup planning volume must be adjusted to reflect an emulsification factor using the same procedure as described in section 7.2.2.

4. The resulting volume will be used to identify response resources necessary to sustain operations in the applicable operating area. The equipment must be capable of sustaining operations for the time period specified in Table 2 of this appendix. The facility owner or operator must identify and ensure the availability, through contract or other approved means, of sufficient oil spill recovery devices to provide the effective daily recovery oil recovery capacity required. If the required capacity exceeds the applicable capacity specified in Table 5 of this appendix, then a facility owner or operator shall ensure, by contract or other approved means, that the quantity of resources required to meet the cap, but shall identify sources of additional resources as described in §154.1029(a), only for the quantity of resources required to meet the cap, but shall identify sources of additional resources as described in §154.1049(m). The owner or operator of a facility whose planning volume exceeds the cap for 1993 must make arrangements to identify and ensure the availability, through contract or other approved means, of additional capacity in 1998 or 2003, as appropriate. For a facility that handles, stores, or transports multiple groups of oil, the required effective daily recovery capacity for each group is calculated before applying the cap.

7.3. The following procedures must be used to calculate the planning volume for identifying shoreline cleanup capacity:

7.3.1. The worst case discharge volume of oil for the facility; the appropriate group(s) for the type of oil handled, stored, or transported at the facility (non-persistent (Group I) or persistent (Groups II, III, or IV)); and the operating area(s) in which the facility operates. For a facility storing oil from different groups, each group must be calculated separately. Using this information, Table 2 of this appendix must be used to determine the percentages of the total planning volume to be used for shoreline cleanup resource planning.

7.3.2. The shoreline cleanup planning volume must be adjusted to reflect an emulsification factor using the same procedure as described in section 7.2.2.

7.3.3. The resulting volume will be used to identify an oil spill removal organization with the appropriate shoreline cleanup capability.

7.3.4. The following is an example of the procedure described above: A facility receives oil from barges via a dock located on a bay and transported by piping to storage tanks. The facility handles Number 6 oil (specific gravity .96) and stores the oil in tanks where it is held prior to being burned in an electric generating plant. The MTR segment of the facility has six 18-inch diameter pipelines running one mile from the dock-side manifold to several storage tanks which are located in the non-transportation-related portion of the facility. Although the facility piping has a normal working pressure of 100 pounds per square inch, the piping has a maximum allowable working pressure (MAWP) of 150 pounds per square inch. At MAWP, the pumping system can move 10,000 barrels (bbls) of Number 6 oil every hour through each pipeline. The facility has a roving watchman who is required to drive the length of the piping every 2 hours when the facility is receiving oil from a barge. The facility operator estimates that it will take approximately 10 minutes to secure pumping capacity when a discharge is discovered.

Using the definition of worst case discharge provided in §154.1029(b)(ii), the following calculation is provided:

\[ \text{Worst case discharge from MTR facility} = \text{number of pipelines} \times \text{discharge volume per pipeline} \]

To calculate the planning volume for onshore recovery:

\[ \text{Worst case discharge} = 170,184 \text{ bbls.} \]

\[ \text{Planned percent onshore recovery (from Table 2): Inland 70\%} \]

\[ \text{Planning volumes for onshore recovery: Inland 170,184 \times 0.7 \times 1.4 = 166,780 bbls.} \]

Conclusion: The facility owner or operator must contract with a response resource capable of managing a 166,780 barrel shoreline cleanup.

To calculate the planning volumes for on-water recovery:
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Worst case discharge: 170,184 bbls. Group IV oil

Emulsification factor (from Table 3): 1.4

Operating Area impacted: Inland

Planned percent oil on-water recovery (from Table 2): Inland 50%

Planning volumes for on-water recovery: Inland 170,184 \times 0.5 \times 1.4 = 119,128 bbls.

To determine the required resources for on-water recovery for each tier, use the mobilization factors from Table 4:

<table>
<thead>
<tr>
<th></th>
<th>Tier 1</th>
<th>Tier 2</th>
<th>Tier 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inland bbls</td>
<td>119,128</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barrels per day (bpd)</td>
<td>17,869</td>
<td>29,782</td>
<td>47,652</td>
</tr>
</tbody>
</table>

Conclusion: Since the requirements for all tiers for inland exceed the caps, the facility owner will only need to contract for 10,000 bpd for Tier 1, 20,000 bpd for Tier 2, and 40,000 bpd for Tier 3. Sources for the bpd on-water recovery resources above the caps for all three tiers need only be identified in the response plan.

Twenty percent of the capability for Inland, for all tiers, must be capable of operating in water with a depth of 6 feet or less.

The facility owner or operator will also be required to identify or ensure, by contract or other approved means, that a facility can operate only a limited number of the total pipelines at a dock at a time. In those circumstances, the worst case discharge must include the drainage volume from the piping normally not in use in addition to the drainage volume and volume of oil discharged during discovery and shut down of the oil discharge from the operating piping.

8. Determining the Availability of Alternative Response Methods

8.1 Response plans for facilities that handle, store, or transport Groups II or III persistent oils that operate in an area with year-round preapproval for dispersant use may receive credit for up to 25 percent of their required on-water recovery capacity for 1993 if the availability of these resources is ensured by contract or other approved means as described in §154.1028(a). For response plan credit, these resources must be capable of being on-scene within 12 hours of a discharge.

8.2 To receive credit against any required on-water recovery capacity a response plan must identify the locations of dispersant stockpiles, methods of shipping to a staging area, and appropriate aircraft, vessels, or facilities to apply the dispersant and monitor its effectiveness at the scene of an oil discharge.

8.2.1 Sufficient volumes of dispersants must be available to treat the oil at the dosage rate recommended by the dispersant manufacturer. Dispersants identified in a response plan must be on the NCP Product Schedule that is maintained by the Environmental Protection Agency. (Some states have a list of approved dispersants and within-state waters only can be used.)

8.2.2 Dispersant application equipment identified in a response plan for credit must be located where it can be mobilized to shoreside staging areas to meet the time requirements in section 8.1 of this appendix. Sufficient equipment capacity and sources of appropriate dispersants should be identified to sustain dispersant application operations for at least 3 days.

8.2.3 Credit against on-water recovery capacity in preapproved areas will be based on the ability to treat oil at a rate equivalent to this credit. For example, a 2,500 barrel on-water cap would require the facility owner or operator to demonstrate the ability to treat 2,500 barrel/day of oil at the manufacturers recommended dosage rate. Assuming a dosage rate of 10:1, the plan would need to show stockpiles and sources of 250 barrels of dispersants at a rate of 250 barrels per day and the ability to apply the dispersant at that daily rate for 3 days in the geographic area in which the facility is located. Similar data would need to be provided for Tier 1, Tier 2, and Tier 3. A facility owner who operates in areas with year-round preapproval of dispersant use may identify additional credit against Tier 2 and 3 resources.

8.3 In addition to the equipment and supplies required, a facility owner or operator shall identify a source of support to conduct the monitoring and post-use effectiveness evaluation required by applicable regional plans and ACPs.

8.4 Identification of the response resources for dispersant application does not imply that the use of this technique will be authorized. Actual authorization for use during a spill response will be governed by the provisions of the NCP and the applicable regional plan or ACP. A facility owner or operator who operates a facility in areas with year-round preapproval of dispersant can reduce the required on-water recovery capacity for 1993 up to 25 percent. A facility owner or operator may reduce the required on-water recovery cap increase for 1993 up to 25 percent by identifying pre-approved alternative response methods.

8.5 In addition to the credit identified above, a facility owner or operator that operates in a year-round area pre-approved for dispersant use may reduce their required on-water recovery cap increase for 1998 and 2003 by up to 50 percent by identifying non-mechanical methods.
8.6 The use of in-situ burning as a non-mechanical response method is still being studied. Because limitations and uncertainties remain for the use of this method, it may not be used to reduce required oil recovery capacity in 1993.

9. Additional Equipment Necessary to Sustain Response Operations

9.1 A facility owner or operator is responsible for ensuring that sufficient numbers of trained personnel and boats, aerial spotting aircraft, containment boom, sorbent materials, boom anchoring materials, and other supplies are available to sustain response operations to completion. All such equipment must be suitable for use with the primary equipment identified in the response plan. A facility owner or operator is not required to list these response resources, but shall certify their availability.

### Table 1.—Response Resource Operating Criteria Oil Recovery Devices

<table>
<thead>
<tr>
<th>Operating environment</th>
<th>Significant wave height</th>
<th>Sea State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rivers and Canals</td>
<td>≤1 Foot</td>
<td>1</td>
</tr>
<tr>
<td>Inland</td>
<td>≤3 feet</td>
<td>2</td>
</tr>
<tr>
<td>Great Lakes</td>
<td>≤4 feet</td>
<td>2</td>
</tr>
<tr>
<td>Ocean</td>
<td>≤6 feet</td>
<td>3-4</td>
</tr>
</tbody>
</table>

#### BOOM

<table>
<thead>
<tr>
<th>Significant Wave Height</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rivers and canals</td>
</tr>
<tr>
<td>Seawater</td>
<td>≤1</td>
</tr>
<tr>
<td>Reserve Buoyancy to Weight Ratio</td>
<td>2:1</td>
</tr>
<tr>
<td>Total Tensile Strength—lbf</td>
<td>4,500</td>
</tr>
<tr>
<td>Skirt Fabric Tensile Strength—lbf</td>
<td>200</td>
</tr>
<tr>
<td>Skirt Fabric Tear Strength—lbf</td>
<td>100</td>
</tr>
</tbody>
</table>

1 Oil recovery devices and boom must be at least capable of operating in wave heights up to and including the values listed in Table 1 for each operating environment.

### Table 2.—Removal Capacity Planning Table

<table>
<thead>
<tr>
<th>Spill location</th>
<th>Sustainability of on-water oil recovery</th>
<th>3 Days</th>
<th>4 Days</th>
<th>6 Days</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Oil group</td>
<td>% Natu-</td>
<td>% Oil on</td>
<td>% Natu-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ral dis-</td>
<td>shore</td>
<td>ral dis-</td>
</tr>
<tr>
<td></td>
<td>1 Non-persistent oils</td>
<td>80</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>2 Light crudes</td>
<td>40</td>
<td>15</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>3 Medium crudes and fuels</td>
<td>20</td>
<td>15</td>
<td>65</td>
</tr>
<tr>
<td></td>
<td>4 Heavy crudes and fuels</td>
<td>5</td>
<td>20</td>
<td>75</td>
</tr>
</tbody>
</table>

### Table 3.—Emulsification Factors for Petroleum Oil Groups

<table>
<thead>
<tr>
<th>Non-Persistent Oil:</th>
<th>Persistent Oil:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group I</td>
<td>Group II</td>
</tr>
</tbody>
</table>

### Table 3.—Emulsification Factors for Petroleum Oil Groups—Continued

<table>
<thead>
<tr>
<th>PETROLEUM OIL GROUPS—Continued</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group III</td>
</tr>
<tr>
<td>Group IV</td>
</tr>
</tbody>
</table>
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TABLE 4.—ON WATER OIL RECOVERY
RESOURCE MOBILIZATION FACTORS

<table>
<thead>
<tr>
<th>Operating Area</th>
<th>Tier 1</th>
<th>Tier 2</th>
<th>Tier 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rivers &amp; Canals</td>
<td>.30</td>
<td>.40</td>
<td>.60</td>
</tr>
<tr>
<td>Inland/Nearshore/Great Lakes</td>
<td>.15</td>
<td>.25</td>
<td>.40</td>
</tr>
</tbody>
</table>

TABLE 4.—ON WATER OIL RECOVERY
RESOURCE MOBILIZATION FACTORS—Continued

<table>
<thead>
<tr>
<th>Operating Area</th>
<th>Tier 1</th>
<th>Tier 2</th>
<th>Tier 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offshore</td>
<td>.10</td>
<td>.165</td>
<td>.21</td>
</tr>
</tbody>
</table>

Note: These mobilization factors are for total response resources mobilized, not incremental response resources.

TABLE 5.—RESPONSE CAPABILITY CAPS BY OPERATING AREA

<table>
<thead>
<tr>
<th>Tier 1</th>
<th>Tier 2</th>
<th>Tier 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 18, 1993: All except rivers and canals, Great Lakes.</td>
<td>10K bbls/day</td>
<td>20K bbls/day</td>
</tr>
<tr>
<td>Great Lakes</td>
<td>5K bbls/day</td>
<td>10K bbls/day</td>
</tr>
<tr>
<td>Rivers and canals</td>
<td>1,500 bbls/day</td>
<td>3,000 bbls/day</td>
</tr>
<tr>
<td>February 18, 1998: All except rivers and canals, Great Lakes.</td>
<td>12.5K bbls/day</td>
<td>25K bbls/day</td>
</tr>
<tr>
<td>Great Lakes</td>
<td>6.35K bbls/day</td>
<td>12.3K bbls/day</td>
</tr>
<tr>
<td>Rivers and canals</td>
<td>1,875 bbls/day</td>
<td>3,750 bbls/day</td>
</tr>
<tr>
<td>February 18, 2003: All except rivers and canals, Great Lakes.</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Great Lakes</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Rivers and canals</td>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>

Note: The caps show cumulative overall effective daily recovery capacity, not incremental increases.

TBD = To be determined.


APPENDIX D TO PART 154—TRAINING ELEMENTS FOR OIL SPILL RESPONSE PLANS

1. General

1.1 The portion of the plan dealing with training is one of the key elements of a response plan. This concept is clearly expressed by the fact that Congress, in writing OPA 90, specifically included training as one of the sections required in a vessel or facility response plan. In reviewing submitted response plans, it has been noted that the plans often do not provide sufficient information in the training section of the plan for either the user or the reviewer of the plan. In some cases, plans simply state that the crew and others will be trained in their duties and responsibilities, with no other information being provided. In other plans, information is simply given that required parties will receive the necessary worker safety training (HAZWOPER).

1.2 The training section of the plan need not be a detailed course syllabus, but it must contain sufficient information to allow the user and reviewer (or evaluator) to have an understanding of those areas that are believed to be critical. Plans should identify key skill areas and the training that is required to ensure that the individual identified will be capable of performing the duties prescribed to them. It should also describe how the training will be delivered to the various personnel. Further, this section of the plan must work in harmony with those sections of the plan dealing with exercises, the spill management team, and the qualified individual.

1.3 The material in this appendix D is not all-inclusive and is provided for guidance only.

2. Elements To Be Addressed

2.1 To assist in the preparation of the training section of a facility response plan, some of the key elements that should be addressed are indicated in the following sections. Again, while it is not necessary that the comprehensive training program for the company be included in the response plan, it is necessary for the plan to convey the elements that define the program as appropriate.

2.2 An effective spill response training program should consider and address the following:

2.2.1 Notification requirements and procedures.

2.2.2 Communication system(s) used for the notifications.

2.2.3 Procedures to mitigate or prevent any discharge or a substantial threat of a discharge of oil resulting from failure of manifold, mechanical loading arm, or other transfer equipment or hoses, as appropriate; 2.2.3.1 Tank overfill; 2.2.3.2 Tank rupture;
3.3 An owner or operator may identify equivalent work experience which fulfills specific training requirements.

3.4 The training program should include participation in periodic announced and unannounced exercises. This participation should approximate the actual roles and responsibilities of individual specified in the plan.

3.5 Training should be conducted periodically to reinforce the required knowledge and to ensure an adequate degree of preparedness by individuals with responsibilities under the facility response plan.

3.6 Training may be delivered via a number of different means; including classroom sessions, group discussions, video tapes, self-study workbooks, resident training courses, on-the-job training, or other means as deemed appropriate to ensure proper instruction.

3.7 New employees should complete the training program prior to being assigned job responsibilities which require participation in emergency response situations.

4. Conclusion

The information in this appendix is only intended to assist response plan preparers in reviewing the content of and in modifying the training section of their response plans. It may be more comprehensive than is needed for some facilities and not comprehensive enough for others. The Coast Guard expects that plan preparers have determined the training needs of their organizations created by the development of the response plans and the actions identified as necessary to increase the preparedness of the company and its personnel to respond to actual or threatened discharges of oil from their facilities.

[CGD 91-036, 61 FR 7938, Feb. 29, 1996]