

**CALIFORNIA CODE OF REGULATIONS**  
**TITLE 14. NATURAL RESOURCES**  
**DIVISION 1. FISH AND GAME COMMISSION – DEPARTMENT OF FISH AND GAME**  
**SUBDIVISION 4. OFFICE OF OIL SPILL PREVENTION AND RESPONSE**  
**CHAPTER 3. OIL SPILL PREVENTION AND RESPONSE PLANNING**  
**SUBCHAPTER 3. OIL SPILL CONTINGENCY PLANS**

**§ 817.02. Marine Facility Plan Content (Except for Those Small Marine Fueling Facilities Addressed in Section 817.03 of This Subchapter).**

To the degree the information required by Subsections 817.02(b) through (k) exists elsewhere, copies of the pre-existing information may be submitted. If the information provided is not sufficient to meet the requirements of this subchapter, additional information may be requested by the Administrator.

...

**(d) Containment Booming and On-water Recovery**

Each plan holder must have a contract or other approved means for containment booming and on-water recovery response resources up to their Response Planning Volume for all potential oil spills from the marine facility. To determine the amount of response resources for containment booming and on-water recovery, each plan holder must calculate a Response Planning Volume as outlined below:

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**(5) On-Water Response Equipment and Services**

**(A)** Each plan shall demonstrate that the marine facility owner/operator has under contract or other approved means (as defined in Section 790 of this subdivision), access to all the necessary response resources to comply with the Response Capability Standards established in Subsection 817.02(d)(3). The amount of response equipment required shall take into account the effective daily recovery capacity (EDRC, as defined in Chapter 1, Section 790 of this subdivision) of the equipment.

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**(E) ~~Group 5~~ Non-floating Oils**

Marine facilities that handle ~~Group 5~~ non-floating oils must contract with one or more Rated OSRO(s) to address the marine facility's Response Planning Volume. Such equipment shall include, but is not limited to the following:

1. sonar, sampling equipment, or other methods for locating the oil on the bottom or suspended in the water column;

2. containment boom, sorbent boom, silt curtains, or other methods to reduce spreading on the bottom;
3. dredges, pumps, or other equipment necessary to recover oil from the bottom;
4. equipment necessary to assess the impact of such discharges; and
5. any other appropriate equipment necessary to respond to a discharge involving a ~~Group 5~~ non-floating oil.

(F) The plan holder may propose the use of non-mechanical methods for response operations which may include dispersants, in-situ burning, coagulants, bioremediants, or other chemical agents. The use of any non-mechanical method for response must be done in accordance with provisions of the California Oil Spill Contingency Plan, the National Contingency Plan, the applicable federal Area Contingency Plan and all applicable State laws and regulations. If a non-mechanical method of response is proposed, the plan shall include:

1. methods of deployment or application;
2. for use of a chemical agent, a description of the specific mechanisms in place to assess the environmental consequences of the chemical agent. This shall include the mechanism for continuous monitoring of environmental effects for the first three days after initial application, and periodic monitoring thereafter until the agent is inert or no longer operative;
3. identification of all permits, approvals or authorizations needed to allow the use of chemical agents or non-mechanical methods, and the timeline for obtaining them;
4. a plan for protecting resources at risk, areas of public concern and the public from any adverse effects of the non-mechanical method used;
5. the projected efficacy of each type of non-mechanical method proposed for use taking into account the type of spilled material and the projected environmental conditions of the potential spill site; and
6. upon request, the plan holder shall provide any test results known to the plan holder which assess the environmental impacts of applying these methods in the marine environment.

(G) The plan shall describe methods for tracking the movement of the discharged oil; and

(H) The plan shall list the location of the weather stations to be used for observations of winds, currents and other data at the time of a spill that may assist in making real-time projections of spill movement.

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(f) Response Procedures

(1) Each plan shall describe the organization of the marine facility's spill response system and certified spill management team. An organizational diagram depicting the chain of command shall also be included. Additionally, the plan shall describe the method to be used to integrate the plan holder's organization into the State Incident Command System and/or the Unified Command Structure as required by subsection 5192(q)(3)(A), Title 8, California Code of Regulations.

(A) The plan holder may utilize the procedures as outlined in the appropriate Area Contingency Plan when describing how the marine facility's chain of command will interface with the State Incident Command System which utilizes the Unified Command.

(B) Each plan shall describe the organization of the plan holder's public information office, as it relates to an oil spill incident, and the method by which the Information Officer will be integrated into the State Incident Command System.

(C) Each plan shall describe the plan holder's safety program as it relates to an oil spill incident and the method by which their Safety Office will be integrated into the State Incident Command System.

(2) Each plan shall identify potential sites needed for spill response operations including location(s) for:

(A) a central command post sufficient to accommodate the State Incident Command or Unified Command as well as the plan holder's response organization;

(B) a central communications post if located away from the command post;

(C) equipment and personnel staging areas.

(3) Each plan shall include a checklist, flowchart or decision tree depicting the procession of each major stage of spill response operations from spill discovery to completion of cleanup. The checklist, flowchart or decision tree shall describe the general order and priority in which key spill response activities are performed.

(4) Each plan shall describe how the plan holder will provide emergency services before the arrival of local, state or federal authorities on the scene, including:

(A) procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;

(B) procedures for emergency medical treatment and first aid;

(C) procedures to control ground, marine and air traffic which may interfere with spill response operations;

(D) procedures to manage access to the spill response site and the designation of exclusion, decontamination and safe zones; and

(E) procedures to provide the required personnel protective gear for responders.

(5) Each plan shall describe equipment and procedures to be used by marine facility personnel to minimize the magnitude of a spill and minimize structural damage which may increase the quantity of oil spilled.

(A) Spill mitigation procedures shall include immediate containment strategies, methods to stop the spill at the source, methods to slow or stop leaks, and methods to achieve immediate emergency shutdown.

(B) For spill mitigation procedures the plan shall include prioritized procedures for marine facility personnel including specific procedures to shut down affected operations. Responsibilities of facility personnel should be identified by job title. A copy of these procedures should be maintained at the facility operations center. These procedures should address the following equipment and scenarios:

1. failure of manifold and mechanical loading arm, other transfer equipment, or hoses, as appropriate;
2. tank overfill;
3. tank failure;
4. pipe rupture;
5. pipe leak, both under pressure and not under pressure, if applicable;
6. explosion and/or fire; and
7. other equipment failure (e.g. pumping system failure, relief valve failure, etc.).

(6) Each plan shall detail the lines of communications between the responsible party, the Qualified Individual and the on-scene coordinators, response teams, and local, state, and federal emergency and disaster responders, including:

(A) communication procedures;

(B) the communication function (e.g., ground-to-air) assigned to each channel or frequency used;

(C) the maximum broadcast range for each channel or frequency used; and

(D) redundant and back-up systems.

(7) Each plan shall describe the procedures to manage access to the spill response site, the designation of exclusion, decontamination and safe zones, and the decontamination of equipment and personnel during and after oil spill response operations, as required by the California Occupational Safety and Health Administration.

(8) Prior to beginning spill response operations and/or clean up activities, a Site Safety Plan must be completed. Each site safety plan shall include information as required pursuant to Title 8, Section 5192(b)(4)(B) of the California Code of Regulations including, but not limited to, a written respiratory protection program, written personal protective equipment program, written health and safety training program, written

confined space program and permit forms, direct reading instrument calibration logs, and written exposure monitoring program.

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Note: Authority cited: Sections 8670.7, 8670.10, 8670.28, 8670.29, 8670.30 and 8670.32, Government Code. Reference: Sections 8670.7, 8670.10, 8670.25.5, 8670.28, 8670.29, 8670.30, 8670.31, 8670.32 and 8670.37.51, Government Code.

### **§ 817.03. Small Marine Fueling Facility Plan Content**

To the degree the information required by Subsections 817.03(b) through (k) exists elsewhere, copies of the pre-existing information may be submitted. If the information provided is not sufficient to meet the requirements of this subchapter, additional information may be requested by the Administrator.

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#### **(d) Containment Booming and On-Water Recovery**

Each plan holder must have a contract or other approved means for containment booming and on-water recovery response resources up to their Response Planning volume for all potential oil spills from the small marine fueling facility. To determine the amount of response resources for containment booming and on-water recovery, each plan holder must calculate a Response Planning Volume as outlined below:

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#### **(5) On-Water Response Equipment and Services**

(A) Each plan shall demonstrate that the small marine fueling facility owns or has under contract or other approved means (as defined in Section 790 of this subdivision), access to all the necessary equipment, services, and personnel to comply with the Response Capability Standards established in Subsection 817.03(d). The amount of response equipment required shall take into account the effective daily recovery capacity (as defined in Chapter 1, Section 790 of this subdivision) of the oil recovery equipment.

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#### **(C) Non-floating Oil**

Small marine fueling facilities and mobile transfer units that handle non-floating oil must contract with one or more Rated OSRO(s) to address the marine facility's Response Planning Volume. Such equipment shall include, but is not limited to the following:

1. sonar, sampling equipment, or other methods for locating the oil on the bottom or suspended in the water column;

2. containment boom, sorbent boom, silt curtains, or other methods to reduce spreading on the bottom;

3. dredges, pumps, or other equipment necessary to recover oil from the bottom;
4. equipment necessary to assess the impact of such discharges; and
5. any other appropriate equipment necessary to respond to a discharge involving a non-floating oil.

(e) Shoreline Protection and Clean-up

Each plan must provide for shoreline protection and clean-up of all potential spills from the small marine fueling facility. The equipment identified for a specific area must be appropriate for use in that area given the limitations of the bathymetry, geomorphology, shoreline types and other local environmental conditions. Additionally, the equipment identified shall be appropriate for use on the type of oil identified.

(f) Response Procedures

(1) Each plan shall describe the organization of the small marine fueling facility's certified spill management team. An organizational diagram depicting the chain of command shall also be included. Additionally, the plan shall describe the method to be used to integrate the plan holder's organization into the State Incident Command System and/or the Unified Command Structure as required by subsection 5192(q)(3)(A), Title 8, California Code of Regulations.

(A) The plan holder may utilize the procedures as outlined in the appropriate Federal Area Contingency Plan when describing how the small marine fueling facility's chain of command will interface with the State Incident Command System which utilizes the Unified Command Structure.

(2) Each plan shall describe how the plan holder will provide emergency services before the arrival of local, state or federal authorities on the scene, including:

(A) procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;

(B) procedures for emergency medical treatment and first aid;

(3) Each plan shall include a checklist, flowchart or decision tree depicting the procession of each major stage of spill response operations from spill discovery to completion of clean-up. The checklist, flowchart, or decision tree shall describe the general order and priority in which key spill response activities are performed.

(4) Each plan shall describe equipment and procedures to be used by small marine fueling facility personnel to minimize the magnitude of a spill and minimize structural damage which may increase the quantity of oil spilled.

(A) Spill mitigation procedures shall include immediate containment strategies, methods to stop the spill at the source, methods to slow or stop leaks, and methods to achieve immediate emergency shutdown.

(5) Prior to beginning spill response operations and/or clean-up activities, a Site Safety Plan must be completed. Each Site Safety plan shall describe the procedures to be used for the development of the Site Safety Plan required pursuant to Title 8, Section 5192(b)(4)(B) of the California Code of Regulations.

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Note: Authority cited: Sections 8670.7, 8670.28, 8670.29, 8670.30 and 8670.32, Government Code. Reference: Sections 8670.7, 8670.10, 8670.25.5, 8670.28, 8670.29, 8670.30, 8670.31, 8670.32 and 8670.37.51, Government Code.

**§ 818.02. Tank Vessel Plan Content (Except for Those Vessels Carrying Oil As Secondary Cargo Addressed in Section 818.03 of This Subchapter).**

To the degree the information required by Subsections 818.02(b) through (m) exists elsewhere, copies of the pre-existing information may be submitted. If the information provided is not sufficient to meet the requirements of this subchapter, additional information may be requested by the Administrator.

(a) Introductory Material

(1) Each plan shall provide the following information for each tank vessel covered by the plan:

(A) the tank vessel's name, country of registry, year built, classification society, radio call sign, and Lloyd's IMO identification number. For U.S. flagged (registered) tank vessels without a Lloyd's IMO identification number, the vessel's official number (also known as the document number) shall be used;

(B) name, address, phone number, fax number and e-mail address, of the owner and/or operator of the tank vessel(s). This information shall be referenced in the plan title or on a title page at the front of the plan;

(C) the name, address, phone number, fax number and e-mail address, of the person to whom correspondence should be sent;

(D) the tank vessel's classification, hull type, gross registered tonnage (GRT), maximum cargo amounts, length, draft and beam;

(E) a certification statement signed under penalty of perjury by an executive within the plan holder's management who is authorized to fully implement the oil spill contingency plan, who shall review the plan for accuracy, feasibility, and executability. If this executive does not have training, knowledge and experience in the area of oil spill prevention and response, the certification statement must also be signed by another individual within the plan holder's management structure who has this requisite training, knowledge, and experience. The certification shall be submitted according to the following format;

“I certify, to the best of my knowledge and belief, under penalty of perjury under the laws of the State of California, that the information contained in this contingency plan is true and correct and that the plan is both feasible and executable.”

\_\_\_\_\_ (signature), (title), (date);

(F) the California Certificate of Financial Responsibility (COFR) number for the tank vessel(s) covered by the plan shall be included in the front of the plan, or for fleet plans shall be listed separately in a subsection of the plan.

(2) Each plan shall identify a Qualified Individual, as defined in Chapter 1, Section 790 of this subdivision, and any alternates that may be necessary for the purpose of implementing the plan. If the plan holder contracts for this service, documentation that the Qualified Individual or company, and any identified alternates, acknowledge this capacity shall be included in the plan. If an alternate or alternates are identified in the plan, then the plan shall also describe the process by which responsibility will be transferred from the Qualified Individual to an alternate. During spill response activities, notification of such a transfer must be made to the State Incident Commander at the time it occurs.

(3) Each plan shall provide the name, address, telephone number and facsimile number of an agent for service of process designated to receive legal documents on behalf of the plan holder. If the plan holder contracts for this service, documentation that the agent for services of process acknowledges this capacity shall be included in the plan. Such agent shall be located in California.

(4) Each plan shall identify and ensure by contract or other approved means a certified Spill Management Team, as described in subchapter 5 of this chapter. The certified spill management team shall be the appropriate tier classification, pursuant to section 830.3 of subchapter 5.

(A) The spill management team may have an interim certification for purposes of satisfying contingency plan requirements.

(B) A single spill management team may be listed if it is capable of responding in all geographic regions in which the plan holder operates.

(C) The spill management team may consist of personnel employed by the plan holder or persons affiliated with the plan holder, contracted personnel, or a combination thereof.

(D) If the plan holder contracts for these services, documentation that the certified Spill Management Team acknowledges this capacity shall be included in the plan.

(5) Each plan shall contain evidence of the contract or other approved means (as defined in Section 790 of this subdivision), verifying that any oil spill response organization(s) that are named in the plan will provide the requisite equipment and personnel in the event of an oil spill. This requirement can be met by a copy of the basic written agreement with an abstract of the recovery and/or cleanup capacities covered by



the contract. Plan holders shall only contract with an OSRO(s) that has received a Rating by OSPR (as specified in Section 819 of this subchapter) for the booming, on-water recovery and storage, and shoreline protection services required.

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(e) Containment Booming and On-Water Recovery

Each plan holder must provide a contract or other approved means for containment booming and on-water recovery response resources up to their Response Planning Volume for all potential spills from the tank vessel that could reasonably be expected to impact the marine waters of California. Each plan must demonstrate response resources sufficient to address potential spills in each Geographic Response Area (GRA) if available, or each coastal zone of the area contingency plan(s) (ACP) through which the tank vessel may transit. (GRA's are geographic subdivisions of ACP areas). To determine the amount of response resources for containment booming and on-water recovery, each plan holder must calculate a Response Planning Volume as outlined below:

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(5) On-Water Response Equipment and Services

(A) Each plan shall demonstrate that the tank vessel owner/operator has under contract or other approved means (as defined in Section 790 of this subdivision), access to all necessary response resources to comply with the Response Capability Standards for containment booming and on-water recovery established pursuant to Subsection 818.02(e)(3). The amount of response equipment required will take into account the effective daily recovery capacity (as defined in Chapter 1, Section 790 of this subdivision) of the equipment.

(B) The equipment identified for a specific area must be appropriate for use in that area given the limitations of the geography, bathymetry, water depths, tides, currents and other local environmental conditions. For those areas that require shallow-water response capability (refer to the relevant U.S. Coast Guard Area Contingency Plan), the plan shall provide for an adequate number of shallow-draft vessels (as defined in Section 815.05 of this subchapter) to be owned or under contract or other approved means. Additionally, the equipment identified shall also be appropriate for use on the type of oil identified. To the extent that the following information is provided by a Rated OSRO, evidence of a contract or other approved means with a Rated OSRO will suffice:

1. the location, inventory and ownership of the equipment to be used to fulfill the response requirements of this subchapter;
2. a complete inventory of any nonmechanical response equipment and supplies, including the type and toxicity of each chemical agent, with procedures for storage and maintenance;
3. the manufacturer's rated capacities and operational characteristics for each major item of oil recovery equipment;

4. the type and capacity of storage and transfer equipment matched to the skimming capacity of the recovery systems;
5. the effective daily recovery capacity (as defined in Chapter 1, Section 790 of this subdivision) for each major piece of on-water recovery equipment listed, as well as the effective daily recovery capacity for the skimming systems as a whole.
  - i. A request may be submitted to the Administrator to review the effective daily recovery capacity for a piece of equipment if it can be shown that the equipment has a different capacity than the derating factor allows.
  - ii. The Administrator's decision regarding a change in the effective daily recovery capacity for a piece of equipment will be issued as soon as administratively feasible.
6. vessels designated for oil recovery operations, including skimmer vessels and vessels designed to tow and deploy boom, and availability of shallow-draft vessels;
7. vessels of opportunity reasonably available for oil spill recovery operations, including availability of shallow-draft vessels, procedures to equip the vessels, inventory equipment, and train personnel;
8. procedures for storage, maintenance, inspection and testing of spill response equipment under the immediate control of the operator;
9. sufficient equipment to track the movement of discharged oil including aerial surveillance sufficient to direct skimming operations.
10. Each plan shall describe the personnel available to respond to an oil spill, including:
  - i. a list by job category including a job description for each type of spill response position needed as indicated in the spill response organization scheme;
  - ii. a match between personnel by job category, and the equipment proposed for use (including equipment appropriate for shallow-water environments), including the plan for mobilization of such personnel; and
  - iii. sufficient personnel to maintain a response effort of at least 14 days.
11. Each plan shall describe procedures for the transport of required equipment, personnel and other resources to the spill site. The description shall include plans for alternative procedures during adverse environmental conditions. Adverse environmental conditions to be considered shall include:
  - i. adverse weather;
  - ii. sea states, tides, winds and currents;
  - iii. presence of debris or other obstacles; and
  - iv. any other known environmental conditions that could restrict response efforts.

(C) Any equipment and personnel identified in the plan must be available for response. Any necessary maintenance for the equipment, vacation periods for response personnel, or other eventuality must be taken into account in relying upon these resources.

1. The equipment owner must notify the Administrator when major equipment is removed from service for a period of 24 hours or more for maintenance or repair. Major equipment is that which, if moved, would affect timely implementation of the plan. Notification must be made prior to removing equipment for regularly scheduled maintenance, and within 24 hours of removing equipment for unscheduled repairs.

2. The equipment owner must demonstrate that backup equipment is available during the time that the primary response equipment is out of service. Backup equipment may be provided from the owner's own inventory, or may be made available from another responder.

3. A plan shall remain valid during the time that equipment has been removed from service for maintenance or repair.

(D) Tank vessels that carry ~~Group 5~~non-floating oils must contract with one or more Rated OSRO(s) to address the Response Planning Volumes. Such equipment shall include, but is not limited to the following:

1. sonar, sampling equipment, or other methods for locating the oil on the bottom or suspended in the water column;
2. containment boom, sorbent boom, silt curtains, or other methods to reduce spreading on the bottom;
3. dredges, pumps, or other equipment necessary to recover oil from the bottom;
4. equipment necessary to assess the impact of such discharges; and
5. any other appropriate equipment necessary to respond to a discharge involving a ~~group 5~~non-floating oil.

(E) The plan holder may propose the use of non-mechanical methods for response operations which may include dispersants, in-situ burning, coagulants, bioremediants, or other chemical agents. The use of any non-mechanical method for response must be done in accordance with provisions of the California Oil Spill Contingency Plan, the National Contingency Plan, the applicable Regional Area Contingency Plan, and all applicable State laws and regulations.

If a non-mechanical method of response is proposed, the plan shall include:

1. methods of deployment or application;
2. for use of chemical agents, a description of the specific mechanisms in place to assess the environmental consequences of the chemical agent. This shall include the mechanism for continuous monitoring of environmental effects for the first three days

after initial application, and periodic monitoring thereafter until the agent is inert or no longer operative;

3. identification of all permits, approvals or authorizations needed to allow the use of chemical agents or non-mechanical methods, and the timeline for obtaining them;

4. a plan for protecting resources at risk, areas of public concern and the public from any adverse effects of the non-mechanical methods used;

5. the projected efficacy of each type of non-mechanical method proposed for use taking into account the type of spilled material and the projected environmental conditions of the potential spill site; and

6. upon request, the plan holder shall provide any test results known to the plan holder which assess the environmental impacts of applying these methods in the marine environment.

(F) The plan shall describe methods for tracking the movement of the discharged oil; and

(G) The plan shall include a list of location of the weather stations to be used for observations of winds, currents and other data at the time of a spill that may assist in making real- time projections of spill movement.

(f) Shoreline Protection

Each plan must provide for shoreline protection in the Geographic Response Areas (GRA) or Geographic Regions the tank vessel may transit. Each plan shall demonstrate through contracts(s) or other approved means, the response resources necessary to protect each type of shoreline and all applicable environmentally and culturally sensitive sites in the time frames required, as outlined in the appropriate SP Table (dated August 2013), incorporated by reference herein. The SP Tables shall be reviewed and updated as needed (e.g., to reflect updates to the ACPs, etc.). Updates to the SP Tables will be processed by OSPR staff using the procedures as outlined in the Administrative Procedure Act.

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(g) Response Procedures

(1) Each plan shall describe the organization of the tank vessel's spill response system and certified spill management team. An organizational diagram depicting the chain of command shall also be included. Additionally, the plan shall describe the method to be used to integrate the plan holder's organization into the State Incident Command System and/or the Unified Command Structure as required by subsection 5192(q)(3)(A), Title 8, California Code of Regulations.

(A) The plan holder may utilize the procedures as outlined in the appropriate Area Contingency Plan when describing how the tank vessel's chain of command will interface with the State Incident Command System which utilizes the Unified Command.

(B) Each plan shall describe the organization of the plan holder's public information office, as it relates to an oil spill incident, and the method by which the Information Officer will be integrated into the State Incident Command System.

(C) Each plan shall describe the plan holder's safety program, as it relates to an oil spill incident, and the method by which their Safety Officer will be integrated into the State Incident Command System.

(2) Each plan shall identify potential sites needed for spill response operations including location(s) for:

(A) a central command post sufficient to accommodate the State Incident Command or Unified Command as well as the plan holder's response organization;

(B) a central communications post if located away from the command post; and

(C) equipment and personnel staging areas.

(3) Each plan shall include a checklist, flowchart or decision tree depicting the procession of each major stage of spill response operations from spill discovery to completion of cleanup. The checklist, flowchart or decision tree shall describe the general order and priority in which key spill response activities are performed.

(4) Each plan shall describe how the owner/operator will provide onboard emergency services before the arrival of local, state or federal authorities on the scene, including:

(A) procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;

(B) procedures for emergency medical treatment and first aid; and,

(C) procedures to provide the required personnel protective gear for responders.

(5) Each plan shall describe equipment and procedures to be used by tank vessel personnel to minimize the magnitude of a spill and minimize structural damage which may increase the quantity of oil spilled.

(6) Each plan shall detail the lines of communications between the responsible party, the Qualified Individual and the on-scene commanders, response teams, local, state, and federal emergency and disaster responders, including:

(A) communication procedures;

(B) the communication function (e.g., ground-to-air) assigned to each channel or frequency used;

(C) the maximum broadcast range for each channel or frequency used; and

(D) redundant and back-up systems.

(7) Each plan shall describe the procedures to manage access to the spill response site, the designation of exclusion, decontamination and safe zones, and the decontamination

of equipment and personnel during and after oil spill response operations, as required by the California Occupational Safety and Health Administration.

(8) Prior to beginning oil spill response operations and clean up activities, a Site Safety Plan must be completed. Each plan shall include information as required pursuant to Title 8, Section 5192(b)(4)(B) of the California Code of Regulations including, but not limited to, a written respiratory protection program, written personal protection equipment program, written health and safety training program, written confined space program and permit forms, direct reading instrument calibration logs, and written exposure monitoring program.

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Note: Authority cited: Sections 8670.7, 8670.10, 8670.28, 8670.29, 8670.30 and 8670.32, Government Code. Reference: Sections 8670.7, 8670.10, 8670.20, 8670.25.5, 8670.27, 8670.28, 8670.29, 8670.30, 8670.31, 8670.32 and 8670.37.51, Government Code.

### **§ 818.03 Vessels Carrying Oil As Secondary Cargo (VCOASC) Plan Content.**

To the degree the information required by Subsections 818.03(b) through (l) exists elsewhere, copies of the pre-existing information may be submitted. If the information provided is not sufficient to meet the requirements of this subchapter, additional information may be requested by the Administrator.

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#### **(f) Shoreline Protection**

Each plan must provide for shoreline protection in the Small Harbor the VCOASC may transit. Each plan shall demonstrate through contracts(s) or other approved means, the response resources necessary to protect each type of shoreline and all applicable sensitive sites as outlined in the appropriate Small Harbor as listed in the SP Tables (see Section 790), incorporated by reference herein. The SP Tables shall be reviewed, and updated if needed, annually by OSPR staff, using the procedures as outlined in the Administrative Procedure Act.

(1) Shoreline Protection Requirements for Vessels Operating in Small Harbors Included in the SP Tables is a listing of Small Harbors throughout the state. The requirements in the Small Harbor Table apply to all vessels over 300 GT that operate in the small harbors as listed. The following apply to the Small Harbor Table only:

(A) Non-dedicated resources are allowed for shoreline protection for the vessels that operate in these harbors.

(B) The amounts of boom, boats and staff, as listed, are required for the vessels that operate in these harbors. In some locations additional response resources may be required for included or adjacent sensitive sites if this has been identified in the applicable ACPs.

(C) Resource requirements can be met either with pre-positioned equipment (as identified in the owner/operator's Contingency Plan) or by a contract with a Rated OSRO. Advance notice to the OSRO is required before the plan holder can begin operating in the small harbor.

(D) Unless otherwise specified in the Small Harbor Table, anytime that a vessel over 300 GT operates in these small harbors, that vessel shall have a contract or other approved means for a minimum of 2,500 feet of boom that can be deployed in 6 hours.

(E) An owner/operator may propose lesser amounts of shoreline protection resources than that listed in the Small Harbor Table, for carrying out planned projects in the Balance of the Coast, upon petitioning and approval of the Administrator. The proposal may be tested by the Administrator anytime prior or subsequent to plan approval.

## (2) Shoreline Clean-Up

(A) Each plan shall describe methods to clean up spilled oil and remove it from the environment. The owner/operator shall have a contract or other approved means to provide the appropriate shoreline clean up services. The equipment identified for a specific area must be appropriate for use in that area given the limitations of the bathymetry, geomorphology, shoreline types and other local environmental conditions. Additionally, the equipment identified shall be appropriate to implement all the applicable strategies, and appropriate for use on the type of oil identified. The description shall include:

1. methods for shoreside clean-up, including containment and removal of surface oil, subsurface oil and oiled debris and vegetation from all applicable shorelines, adjacent land and beach types; and
2. measures to be taken to minimize damage to the environment from land operations during a spill response, such as impacts to sensitive shoreline habitat caused by heavy machinery or foot traffic.

## (g) Response Procedures

(1) Each plan shall describe the organization of the VCOASC's certified spill management team. An organizational diagram depicting the chain of command shall also be included. Additionally, the plan shall describe the method to be used to integrate the plan holder's organization into the State Incident Command System and/or the Unified Command Structure as required by Title 8, California Code of Regulations, Subsection 5192(q)(3)(A).

(A) The plan holder may utilize the procedures as outlined in the appropriate and most recent Federal Area Contingency plan when describing how the vessel's chain of command will interface with the State Incident Command System which utilizes the Unified Command.

(2) Each plan shall include a checklist, flowchart or decision tree depicting the procession of each major stage of spill response operations from spill discovery to

completion of clean-up. The checklist, flowchart or decision tree shall describe the general order and priority in which key spill response activities are performed.

(3) Each plan shall describe how the owner/operator will provide onboard emergency services before the arrival of local, state or federal authorities on the scene, including:

(A) procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;

(B) procedures for emergency medical treatment and first aid,

(4) Each plan shall describe equipment and procedures to be used by VCOASC personnel to minimize the magnitude of a spill and minimize structural damage which may increase the quantity of oil spilled.

(5) Each plan shall detail the lines of communications between the responsible party, the Qualified Individual and the on-scene commanders, response teams, local, state, and federal emergency and disaster responders, including:

(A) communication procedures;

(B) the communication function (e.g., ground-to-air) assigned to each channel or frequency used;

(C) the maximum broadcast range for each channel or frequency used; and

(D) redundant and back-up systems.

(6) Each plan shall describe the procedures to manage access to the spill response site, the designation of exclusion, decontamination and safe zones, and the decontamination of equipment and personnel during and after oil spill response operations, as required by the California Occupational Safety and Health Administration.

(7) Each plan shall describe the procedures for the evaluation of health and safety concerns and the determination of site safety prior to beginning oil spill response operations and clean-up activities.

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Note: Authority cited: Sections 8670.7, 8670.10, 8670.28, 8670.29, 8670.30 and 8670.32, Government Code. Reference: Sections 8670.7, 8670.10, 8670.20, 8670.25.5, 8670.27, 8670.28, 8670.29, 8670.30, 8670.31, 8670.32 and 8670.37.51, Government Code.