

This is a consolidated list of the proposed definition changes in section 790. Text that is ~~struck out~~ is being deleted. Text that is underlined is being added.

**CALIFORNIA CODE OF REGULATIONS
TITLE 14. NATURAL RESOURCES
DIVISION 1. FISH AND GAME COMMISSION - DEPARTMENT OF FISH AND GAME
SUBDIVISION 4. OFFICE OF SPILL PREVENTION AND RESPONSE
CHAPTER 1. GENERAL DEFINITIONS AND PROVISIONS**

§ 790. Definitions and Abbreviations - Excerpt of added and updated definitions

(a)(1) "Aboveground storage tank" means a tank, loading dock, or any other component of an operation that is subject to the Aboveground Petroleum Storage Act (chapter 6.67, commencing with section 25270, division 20 of the Health and Safety Code).

(b)(1) "Balance of the Coast" means the following Area Contingency Plans (ACP) and Geographic Response Areas (GRA): ACP 1: GRA 1, GRA 2, GRA 4; ACP 2: GRA 1, GRA 8, GRA 9; ACP 3: ACP 4: GRA 1, GRA 2, GRA 3, GRA 4; ACP 5: GRA 4; ACP 6: GRA 1, GRA 2, GRA 3, GRA 5 ~~these areas of the California coast that are not designated as either a high volume port or as a facility transfer area.~~

(c)(10) "Contingency plan number" means the sequence of letters and numbers issued by the Office of Spill Prevention and Response that serves as a unique identifier for an oil spill contingency plan that is subject to review and approval of the Office of Spill Prevention and Response

(f)(1) "Facility" means:

(A) Any of the following located in state waters or located where an oil spill may impact state waters:

1. A building, structure, installation, or equipment used in oil exploration, oil well drilling operations, oil production, oil refining, oil storage, oil gathering, oil processing, oil transfer, oil distribution, or oil transportation and is associated with the supply chain of oil.

2. A marine facility.

3. A marine terminal.

4. A small marine fueling facility.

5. A drill ship, semi-submersible drilling platform, jack-up type drilling rig, or any other floating or temporary drilling platform.

6. A pipeline that transports oil.
7. An inland facility.
8. A railroad that transports oil in bulk.
9. Renewable fuel production facility.
10. Renewable fuel receiving facility.

(B) "Facility" does not include any of the following:

1. A vessel, except a vessel located and used for any purpose described in subsection (f)(1)(A)5. of this section.
2. Any aspect of a facility subject to chapter 6.67 (commencing with section 25270, aboveground petroleum storage tanks) or chapter 6.75 (commencing with section 25299.10, underground storage tanks) of division 20 of the Health and Safety Code, or an aboveground petroleum storage tank not associated with the supply chain of oil.
3. A small craft refueling dock.
4. Operations on a farm, nursery, logging site, or construction site that are either of the following:
 - a. Do not exceed 20,000 gallons in a single storage tank; or
 - b. Have a usable tank storage capacity not exceeding 75,000 gallons.

(f)(2) "Facility Transfer Areas and Santa Barbara Channel" means the following Area Contingency Plans (ACP) and Geographic Response Areas (GRA): ACP 1 GRA 3; ACP 2 GRA 10; ACP4 GRA 5, GRA 6, GRA 7, GRA 8; ACP 5 GRA1, GRA3; and ACP 6 GRA 4. ~~the area where oil or oil products are transferred within marine waters, excluding high volume ports.~~

(h)(3) "High Volume Ports" means ~~either of the following~~ the following Area Contingency Plans (ACP) and Geographic Response Areas (GRA): ACP 2: GRA 2 GRA 3, GRA 4, GRA 5, GRA 6, GRA 7; and ACP 5: GRA 2.

~~(A) For the San Francisco Bay/Sacramento-San Joaquin Delta; all California marine waters that are within a 50 nautical mile radius of the San Francisco Approach, Lighted Horn Buoy SF (LNB) (LLNR 360) [located at 37 45.0N, 122 41.6W] on the San Francisco Bay Chart #18645. This does not include the Ports of Stockton and Sacramento;~~

~~(B) For the Los Angeles/Long Beach Harbor; all California marine waters that are within a 50 nautical mile radius of the Approach Lighted Whistle Buoy LB (LLNR 3010) [33-42.1N, 118-11.0W] outside the entrance to the Los Angeles/Long Beach Harbors on the Los Angeles and Long Beach Harbor Chart #18751.1~~

(i)(4) “Incident Management Handbook” means the United States Coast Guard Incident Management Handbook (2014 2025) or the United States Environmental Protection Agency Incident Management Handbook (2016), incorporated by reference herein. These are guidance documents designed to assist response personnel in the use of the incident command system. They describe incident command system organizational principles, standard incident management processes, and the major responsibilities of the incident command system positions.

(i)(1) “Implementation of the Plan” means that all essential efforts have been taken to enable the plan or any portion of the plan to become operational.

(m)(5) “Mobile Transfer Unit” means a vehicle, truck, portable tank, or trailer, including all connecting hoses and piping, used for transferring oil at a location where a spill could impact waters of the state.

(n)(6) “Non-tidally influenced waters” means those surface waters of the state that are not subject to tidal influence, as depicted in the Non-tidally Influenced Waters data layer in the Southwest Environmental Response Management Application on the National Oceanic and Atmospheric Administration’s website. See “Inland Waters”. Non-tidally-influenced waters include, but are not limited to:

(A) “Perennial waters” means those waters designated as perennial in the National Hydrography Dataset data layer as depicted in the Southwest Environmental Response Management Application. Perennial waters include streams and lakes that typically contain water at all times. Non-tidally influenced waters designated as an artificial path in the National Hydrography Dataset are considered perennial waters if they are adjacent to waters designated as coastline or perennial in the National Hydrography Dataset.

(B) “Intermittent waters” means those waters designated as intermittent in the National Hydrography Dataset data layer as depicted in the Southwest Environmental Response Management Application. Intermittent waters include streams and lakes that flow when receiving water from runoff or springs.

(C) “Ephemeral waters” means those waters designated as ephemeral in the National Hydrography Dataset data layer as depicted in the Southwest Environmental Response Management Application. Ephemeral waters include those streams and lakes that flow only in direct response to precipitation.

(o)(4) “Oil” means any kind of petroleum, petroleum-based liquid hydrocarbons, petroleum products renewable fuels, as defined in this section, or any fraction or residues therefrom. This includes, but is not limited to: crude oil, bunker fuel, gasoline, diesel fuel, aviation fuel, oil sludge, oil refuse, oil mixed with waste, and liquid distillates from unprocessed natural gas. This does not include liquefied natural gas or liquefied

petroleum gas composed of light hydrocarbons or mixtures thereof that are gaseous at atmospheric pressure and temperature ranges.

(r)(11) Response Regions. The Office of Spill Prevention and Response divides California into three regions: North, Central, and South.

(A) The North region includes the counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo, and Yuba.

(B) The Central region includes the counties of Fresno, Kern, Kings, Madera, Mariposa, Merced, Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz, Stanislaus, Tulare, Tuolumne, and Ventura.

(C) The South region includes the counties of Imperial, Inyo, Los Angeles, Mono, Orange, Riverside, San Bernardino, and San Diego.

(r)(6) "Renewable fuels" means any liquid produced from nonpetroleum renewable resources that are used or useable as a fuel, or such liquid that may be blended with other types of fuels. Renewable fuel also includes fuels that may contain up to five percent of petroleum products. Renewable fuels that contain more than five percent petroleum products are considered a petroleum product. Renewable fuels include, but are not limited to, biodiesel (fatty acid methyl ester), renewable diesel, renewable gasoline, sustainable aviation fuel, and denatured ethanol. Feedstocks used for producing renewable fuels such as vegetable oils and animal fats are not included under the definition of renewable fuels.

(r)(7) "Renewable fuel production facility" means a facility that produces renewable fuel for blending or shipment.

(r)(8) "Renewable fuel receiving facility" means a facility that is the first point of receipt of renewable fuel in the state that originated from outside the state, that receives renewable fuel delivered by railroad tank car, tank truck, pipeline, or vessel. A renewable fuel receiving facility may include, but is not limited to, a refinery, a marine terminal, a rail tank car to tank truck transfer facility, or other storage and distribution facility.

(t)(7) "Tidally influenced waters" means those waters of the state that are subject to tidal influence, as depicted in the Tidally Influenced Waters data layer in the Southwest Environmental Response Management Application, as depicted on the National Oceanic and Atmospheric Administration's website. See "Marine Waters".

(u)(2) “Underground storage tank” means a tank or other component of an operation that is subject to chapter 6.7 (commencing with section 25280), division 20 of the Health and Safety Code.