

SPAR Chapter 75 Noncrude Oil Tank Vessel and Barge Amendments Frequently Asked Questions

Questions from the public have been gathered along with the department's responses. Substantially similar questions have been aggregated

1. Why is this change being proposed?
 - a. Currently, Noncrude Oil Tank Vessels and Barges are required to have an Oil Discharge Prevention and Contingency Plan (plan) regardless of their storage capacity. The department has had requests over the years to provide a streamlined plan for smaller capacity tank vessels and oil barges because obtaining a plan for small operations is cost prohibitive and leads to a lack of service in remote locations, and transfer procedures that are outside the state's regulatory oversight. This proposal finds a balance between regulatory oversight and environmental protection.
 - b. The department wants additional operators, which currently deliver fuel by transporting drums and small tanks from their vessel to shore, to apply for a streamlined plan. It is expected that a change in their operations would lead to safer practices for their staff and the environment.
2. How many existing plans will this proposal affect?
 - a. There are 4 existing plan holders with Oil Discharge Prevention and Contingency Plans that would be allowed to apply for a streamlined plan instead of their existing plan. Two of the plans cover two vessels, and two of the plans are for single vessels. Storage capacity for the vessels ranges from 50 to 353 barrels.
3. Would additional operators be required to apply for a contingency plan that does not currently have one?
 - a. No, any existing operation that uses a noncrude oil tank vessel or barge is required to hold a plan approved by the department. The proposed regulations will give an option to for those vessels that have a storage capacity of less than 500 barrels (~20,000 gallons) to apply for a streamlined plan.
4. Would a plan holder with an existing Oil Discharge Prevention and Contingency Plan be required to apply for a streamlined plan?
 - a. No, a noncrude oil tank vessel or barge with a storage capacity less than 500 barrels may have a streamlined plan approved under 18 AAC 75.456 or maintain their current Oil Discharge Prevention and Contingency Plan approved under 18 AAC 75.460.
5. Why is the maximum total storage capacity proposed to be less than 500 barrels?
 - i. The likelihood of a release is greatest during transfer operations. However, transfer rates for smaller vessels is generally much lower. Therefore the amount of cargo lost during a transfer event by a small vessel would be expected to be significantly lower than from a large vessel.
 - ii. Small vessels are often more maneuverable and can stop quicker and in a shorter distance. Additionally, smaller vessels usually transit shorter distances and have less draft than larger vessels. These factors reduce the likelihood of events occurring during transit.
6. Why is onboard equipment required for NC TV/B Streamlined plans, but not Nontank Vessel Streamlined plans?

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- a. NC TV/B with a streamlined plan are unlikely to be large enough that they are required to have Shipboard Oil Pollution Emergency Plan (SOPEP) equipment on board. Most Nontank Vessels are large enough that they have SOPEP equipment on board.
7. Are the Financial Responsibility (FR) regulations being amended?
 - a. No, the required amount of FR required is based on the storage capacity of an oil tank vessel or barge. For additional information, see the [table of dollar amounts effective October 1, 2017 \(PDF 51K\)](#)
8. Will currently approved Nontank Vessel Cleanup Contractors, Incident Management Teams, and Response Planning Facilitators be allowed to cover NC TV/B Streamlined Plans?
 - a. An application for amendment would need to be submitted to the Streamlined Plan Contractor Registration Program.

Below is a question added October 26, 2018.

9. If these amendments are adopted, will there be increased education, awareness, and enforcement of transit/transfer activities and contingency plan requirements?
 - a. If the amendments are adopted:
 - i. The department will perform outreach activities to notify noncrude oil tank vessel and barge operators about the choice to submit a streamlined oil discharge prevention and contingency plan, and the associated requirements.
 - ii. The streamlined plan application and plan document, along with the instructions, will be available on the department's website.
 - iii. If interest is expressed by operators and/or contractors, the department will consider providing a webinar to educate interested parties about the streamlined plan option for noncrude tank vessels and oil barges. The webinar would be an introduction to the streamlined plan and how to stay in compliance with one.