

18 AAC 75.465. Proof of approved plan

(a) The owner or operator of an oil terminal facility may not cause or permit the transfer of oil to or from a vessel, barge, or railroad tank car unless

(1) the operator of the vessel, barge, or railroad tank car has produced for inspection by the facility owner or operator the original certificate or a true photocopy of the original, approving the oil discharge prevention and contingency plan or nontank vessel plan for that operation; and

(2) the operator of the vessel, barge, or railroad tank car has certified, on a certification log form supplied by the department and maintained by the owner or operator of the oil terminal facility, that a copy of the response action plan section of the current approved oil discharge prevention and contingency plan, or the original certificate or a true photocopy of the original nontank vessel plan approval certificate, for that vessel or barge is on board the vessel or barge.

(b) The owner or operator of an oil terminal facility shall certify on the certification log form that the operator of the vessel or barge has complied with (a)(1) and (2) of this section. The facility owner or operator shall maintain the log on a monthly basis and shall submit the log for the previous month to the department within the first five days of the following month. Service is effective upon personal delivery or transmittal by facsimile or on the date of mailing by certified mail to the department. The department will retain copies of all log forms received under this subsection for three years after receipt.

(c) On the first working day after the operator of a vessel or railroad tank car fails to comply with the requirements of (a)(1) or (2) of this section, the oil terminal facility owner or operator shall report that failure to the department by telephone or facsimile.

(d) Verification and entry on the certification log form referred to under (b) of this section is required for each separate loading or unloading operation of a vessel at an oil terminal facility.

Form maybe mailed,e-mailed, or fax to the Department.

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