

prepare and submit a response plan and send a copy to the OSC.

**§ 194.121 Response plan review and update procedures.**

(a) Each operator shall review its response plan at least every 5 years from the date of submission and modify the plan to address new or different operating conditions or information included in the plan.

(b) If a new or different operating condition or information would substantially affect the implementation of a response plan, the operator must immediately modify its response plan to address such a change and, within 30 days of making such a change, submit the change to RSPA. Examples of changes in operating conditions that would cause a significant change to an operator's response plan are:

(1) An extension of the existing pipeline or construction of a new pipeline in a response zone not covered by the previously approved plan;

(2) Relocation or replacement of the pipeline in a way that substantially affects the information included in the response plan, such as a change to the worst case discharge volume;

(3) The type of oil transported, if the type affects the required response resources, such as a change from crude oil to gasoline;

(4) The name of the oil spill removal organization;

(5) Emergency response procedures;

(6) The qualified individual;

(7) A change in the NCP or an ACP that has significant impact on the equipment appropriate for response activities; and

(8) Any other information relating to circumstances that may affect full implementation of the plan.

(c) If RSPA determines that a change to a response plan does not meet the requirements of this part, RSPA will notify the operator of any alleged deficiencies, and provide the operator an opportunity to respond, including an opportunity for an informal conference, to any proposed plan revisions and an opportunity to correct any deficiencies.

(d) An operator who disagrees with a determination that proposed revisions to a plan are deficient may petition

RSPA for reconsideration, within 30 days from the date of receipt of RSPA's notice. After considering all relevant material presented in writing or at the conference, RSPA will notify the operator of its final decision. The operator must comply with the final decision within 30 days of issuance unless RSPA allows additional time.

[58 FR 253, Jan. 5, 1993, as amended by Amdt. 194-1, 62 FR 67293, Dec. 24, 1997]

**APPENDIX A TO PART 194—GUIDELINES FOR THE PREPARATION OF RESPONSE PLANS**

This appendix provides a recommended form for the preparation and submission of response plans required by 49 CFR part 194. Operators may use other forms provided the form chosen provides the information required by 49 CFR part 194.

*Response Plan: Section 1. Information Summary*

Section 1 would include the following:

(a) For the core plan:

(1) The name and address of the operator; and

(2) For each response zone which contains one or more line sections that meet the criteria for determining significant and substantial harm as described in §194.103, a listing and description of the response zones, including county(s) and state(s).

(b) For each response zone appendix:

(1) The information summary for the core plan;

(2) The name and telephone number of the qualified individual, available on a 24-hour basis;

(3) A description of the response zone, including county(s) and state(s) in which a worst case discharge could cause substantial harm to the environment;

(4) A list of line sections contained in the response zone, identified by milepost or survey station number or other operator designation.

(5) The basis for the operator's determination of significant and substantial harm; and

(6) The type of oil and volume of the worst case discharge.

(c) The certification that the operator has obtained, through contract or other approved means, the necessary private personnel and equipment to respond, to the maximum extent practicable, to a worst case discharge or a substantial threat of such a discharge.

*Response Plan: Section 2. Notification Procedures*

Section 2 would include the following:

(a) Notification requirements that apply in each area of operation of pipelines covered

by the plan, including applicable State or local requirements;

(b) A checklist of notifications the operator or qualified individual is required to make under the response plan, listed in the order of priority;

(c) Names of persons (individuals or organizations) to be notified of a discharge, indicating whether notification is to be performed by operating personnel or other personnel;

(d) Procedures for notifying qualified individuals;

(e) The primary and secondary communication methods by which notifications can be made; and

(f) The information to be provided in the initial and each follow-up notification, including the following:

- (1) Name of pipeline;
- (2) Time of discharge;
- (3) Location of discharge;
- (4) Name of oil involved;
- (5) Reason for discharge (e.g., material failure, excavation damage, corrosion);
- (6) Estimated volume of oil discharged;
- (7) Weather conditions on scene; and
- (8) Actions taken or planned by persons on scene.

*Response Plan: Section 3. Spill Detection and On-Scene Spill Mitigation Procedures*

Section 3 would include the following:

(a) Methods of initial discharge detection;

(b) Procedures, listed in the order of priority, that personnel are required to follow in responding to a pipeline emergency to mitigate or prevent any discharge from the pipeline;

(c) A list of equipment that may be needed in response activities on land and navigable waters, including—

- (1) Transfer hoses and connection equipment;
- (2) Portable pumps and ancillary equipment; and
- (3) Facilities available to transport and receive oil from a leaking pipeline;
- (d) Identification of the availability, location, and contact telephone numbers to obtain equipment for response activities on a 24-hour basis; and

(e) Identification of personnel and their location, telephone numbers, and responsibilities for use of equipment in response activities on a 24-hour basis.

*Response Plan: Section 4. Response Activities*

Section 4 would include the following:

(a) Responsibilities of, and actions to be taken by, operating personnel to initiate and supervise response actions pending the arrival of the qualified individual or other response resources identified in the response plan;

(b) The qualified individual's responsibilities and authority, including notification of the response resources identified in the plan;

(c) Procedures for coordinating the actions of the operator or qualified individual with the action of the OSC responsible for monitoring or directing those actions;

(d) Oil spill response organizations available, through contract or other approved means, to respond to a worst case discharge to the maximum extent practicable; and

(e) For each organization identified under paragraph (d) of this section, a listing of:

- (1) Equipment and supplies available; and
- (2) Trained personnel necessary to continue operation of the equipment and staff the oil spill removal organization for the first 7 days of the response.

*Response Plan: Section 5. List of Contacts*

Section 5 would include the names and addresses of the following individuals or organizations, with telephone numbers at which they can be contacted on a 24-hour basis:

- (a) A list of persons the plan requires the operator to contact;
- (b) Qualified individuals for the operator's areas of operation;
- (c) Applicable insurance representatives or surveyors for the operator's areas of operation; and
- (d) Persons or organizations to notify for activation of response resources.

*Response plan: Section 6. Training Procedures*

Section 6 would include a description of the training procedures and programs of the operator.

*Response plan: Section 7. Drill Procedures*

Section 7 would include a description of the drill procedures and programs the operator uses to assess whether its response plan will function as planned. It would include:

- (a) Announced and unannounced drills;
- (b) The types of drills and their frequencies. For example, drills could be described as follows:
  - (1) Manned pipeline emergency procedures and qualified individual notification drills conducted quarterly.
  - (2) Drills involving emergency actions by assigned operating or maintenance personnel and notification of the qualified individual on pipeline facilities which are normally unmanned, conducted quarterly.
  - (3) Shore-based spill management team tabletop drills conducted yearly.
  - (4) Oil spill removal organization field equipment deployment drills conducted yearly.
  - (5) A drill that exercises the entire response plan for each response zone, would be conducted at least once every 3 years.

*Response plan: Section 8. Response Plan Review and Update Procedures*

Section 8 would include the following:

- (a) Procedures to meet §194.121; and
- (b) Procedures to review the plan after a worst case discharge and to evaluate and record the plan's effectiveness.

*Response plan: Section 9. Response Zone Appendices.*

Each response zone appendix would provide the following information:

- (a) The name and telephone number of the qualified individual;
- (b) Notification procedures;
- (c) Spill detection and mitigation procedures;
- (d) Name, address, and telephone number of oil spill response organization;
- (e) Response activities and response resources including—
  - (1) Equipment and supplies necessary to meet §194.115, and
  - (2) The trained personnel necessary to sustain operation of the equipment and to staff the oil spill removal organization and spill management team for the first 7 days of the response;
- (f) Names and telephone numbers of Federal, state and local agencies which the operator expects to assume pollution response responsibilities;
- (g) The worst case discharge volume;
- (h) The method used to determine the worst case discharge volume, with calculations;
- (i) A map that clearly shows—
  - (1) The location of the worst case discharge, and
  - (2) The distance between each line section in the response zone and—
    - (i) Each potentially affected public drinking water intake, lake, river, and stream within a radius of 5 miles (8 kilometers) of the line section, and
    - (ii) Each potentially affected environmentally sensitive area within a radius of 1 mile (1.6 kilometer) of the line section;
  - (j) A piping diagram and plan-profile drawing of each line section, which may be kept separate from the response plan if the location is identified; and
  - (k) For every oil transported by each pipeline in the response zone, emergency response data that—
    - (1) Include the name, description, physical and chemical characteristics, health and safety hazards, and initial spill-handling and firefighting methods; and
    - (2) Meet 29 CFR 1910.1200 or 49 CFR 172.602.

[58 FR 253, Jan. 5, 1993, as amended by Amdt. 194-3, 63 FR 37505, July 13, 1998]

APPENDIX B TO PART 194—HIGH VOLUME AREAS

As of January 5, 1993 the following areas are high volume areas:

Major rivers	Nearest town and state
Arkansas River .....	N. Little Rock, AR.
Arkansas River .....	Jenks, OK.
Arkansas River .....	Little Rock, AR.
Black Warrior River .....	Moundville, AL.
Black Warrior River .....	Akron, AL.
Brazos River .....	Glen Rose, TX.
Brazos River .....	Sealy, TX.
Catawba River .....	Mount Holly, NC.
Chattahoochee River .....	Sandy Springs, GA.
Colorado River .....	Yuma, AZ.
Colorado River .....	LaPaz, AZ.
Connecticut River .....	Lancaster, NH.
Coosa River .....	Vincent, AL.
Cumberland River .....	Clarksville, TN.
Delaware River .....	Frenchtown, NJ.
Delaware River .....	Lower Chichester, NJ.
Gila River .....	Gila Bend, AZ.
Grand River .....	Bosworth, MO.
Illinois River .....	Chillicothe, IL.
Illinois River .....	Havanna, IL.
James River .....	Arvonnia, VA.
Kankakee River .....	Kankakee, IL.
Kankakee River .....	South Bend, IN.
Kankakee River .....	Wilmington, IL.
Kentucky River .....	Salvisa, KY.
Kentucky River .....	Worthville, KY.
Maumee River .....	Defiance, OH.
Maumee River .....	Toledo, OH.
Mississippi River .....	Myrtle Grove, LA.
Mississippi River .....	Woodriver, IL.
Mississippi River .....	Chester, IL.
Mississippi River .....	Cape Girardeau, MO.
Mississippi River .....	Woodriver, IL.
Mississippi River .....	St. James, LA.
Mississippi River .....	New Roads, LA.
Mississippi River .....	Ball Club, MN.
Mississippi River .....	Mayersville, MS.
Mississippi River .....	New Roads, LA.
Mississippi River .....	Quincy, IL.
Mississippi River .....	Ft. Madison, IA.
Missouri River .....	Waverly, MO.
Missouri River .....	St. Joseph, MO.
Missouri River .....	Weldon Springs, MO.
Missouri River .....	New Frankfort, MO.
Naches River .....	Beaumont, TX.
Ohio River .....	Joppa, IL.
Ohio River .....	Cincinnati, OH.
Ohio River .....	Owensboro, KY.
Pascagoula River .....	Lucedale, MS.
Pascagoula River .....	Wiggins, MS.
Pearl River .....	Columbia, MS.
Pearl River .....	Oria, TX.
Platte River .....	Ogallala, NE.
Potomac River .....	Reston, VA.
Rappahannock River .....	Midland, VA.
Raritan River .....	South Bound Brook, NJ.
Raritan River .....	Highland Park, NJ.
Red River (of the South) .....	Hanna, LA.
Red River (of the South) .....	Bonham, TX.
Red River (of the South) .....	Dekalb, TX.
Red River (of the South) .....	Sentell Plantation, LA.
Red River (of the North) .....	Wahpeton, ND.
Rio Grande .....	Anthony, NM.
Sabine River .....	Edgewood, TX.
Sabine River .....	Leesville, LA.
Sabine River .....	Orange, TX.
Sabine River .....	Echo, TX.
Savannah River .....	Hartwell, GA.

Major rivers	Nearest town and state
Smokey Hill River .....	Abilene, KS.
Susquehanna River .....	Darlington, MD.
Tennessee River .....	New Johnsonville, TN.
Wabash River .....	Harmony, IN.
Wabash River .....	Terre Haute, IN.
Wabash River .....	Mt. Carmel, IL.
White River .....	Batesville, AR.
White River .....	Grand Glaize, AR.
Wisconsin River .....	Wisconsin Rapids, WI.
Yukon River .....	Fairbanks, AK.

*Other Navigable Waters*

- Arthur Kill Channel, NY
- Cook Inlet, AK
- Freeport, TX
- Los Angeles/Long Beach Harbor, CA
- Port Lavaca, TX
- San Francisco/San Pablo Bay, CA

**PART 195—TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE**

**Subpart A—General**

- Sec.
- 195.0 Scope.
- 195.1 Applicability.
- 195.2 Definitions.
- 195.3 Matter incorporated by reference.
- 195.4 Compatibility necessary for transportation of hazardous liquids or carbon dioxide.
- 195.5 Conversion to service subject to this part.
- 195.6 Unusually Sensitive Areas (USAs).
- 195.8 Transportation of hazardous liquid or carbon dioxide in pipelines constructed with other than steel pipe.
- 195.9 Outer continental shelf pipelines.
- 195.10 Responsibility of operator for compliance with this part.

**Subpart B—Reporting Accidents and Safety-Related Conditions**

- 195.50 Reporting accidents.
- 195.52 Telephonic notice of certain accidents.
- 195.54 Accident reports.
- 195.55 Reporting safety-related conditions.
- 195.56 Filing safety-related condition reports.
- 195.57 Filing offshore pipeline condition reports.
- 195.58 Address for written reports.
- 195.59 Abandoned underwater facilities report.
- 195.60 Operator assistance in investigation.
- 195.62 Supplies of accident report DOT Form 7000–1.
- 195.63 OMB control number assigned to information collection.

**Subpart C—Design Requirements**

- 195.100 Scope.
- 195.101 Qualifying metallic components other than pipe.
- 195.102 Design temperature.
- 195.104 Variations in pressure.
- 195.106 Internal design pressure.
- 195.108 External pressure.
- 195.110 External loads.
- 195.111 Fracture propagation.
- 195.112 New pipe.
- 195.114 Used pipe.
- 195.116 Valves.
- 195.118 Fittings.
- 195.120 Passage of internal inspection devices.
- 195.122 Fabricated branch connections.
- 195.124 Closures.
- 195.126 Flange connection.
- 195.128 Station piping.
- 195.130 Fabricated assemblies.
- 195.132 Design and construction of above-ground breakout tanks.
- 195.134 CPM leak detection.

**Subpart D—Construction**

- 195.200 Scope.
- 195.202 Compliance with specifications or standards.
- 195.204 Inspection—general.
- 195.205 Repair, alteration and reconstruction of aboveground breakout tanks that have been in service.
- 195.206 Material inspection.
- 195.208 Welding of supports and braces.
- 195.210 Pipeline location.
- 195.212 Bending of pipe.
- 195.214 Welding: General.
- 195.216 Welding: Miter joints.
- 195.222 Welders: Qualification of welders.
- 195.224 Welding: Weather.
- 195.226 Welding: Arc burns.
- 195.228 Welds and welding inspection: Standards of acceptability.
- 195.230 Welds: Repair or removal of defects.
- 195.234 Welds: Nondestructive testing.
- 195.236 External corrosion protection.
- 195.238 External coating.
- 195.242 Cathodic protection system.
- 195.244 Test leads.
- 195.246 Installation of pipe in a ditch.
- 195.248 Cover over buried pipeline.
- 195.250 Clearance between pipe and underground structures.
- 195.252 Backfilling.
- 195.254 Above ground components.
- 195.256 Crossing of railroads and highways.
- 195.258 Valves: General.
- 195.260 Valves: Location.
- 195.262 Pumping equipment.
- 195.264 Impoundment, protection against entry, normal/emergency venting or pressure/vacuum relief for aboveground breakout tanks.
- 195.266 Construction records.