

Marinas and Small Fueling Facilities

Introduction to the Oil Transfer Rule

In 2006, the Department of Ecology (Ecology) adopted new rules regarding oil transfers and they include requirements for marinas and other small fueling facilities. The rules are found in the Washington Administrative Code (WAC) 173-180. This focus sheet will help you understand the rule and includes contact information should you need additional help.

Why has Ecology developed oil transfer rules?

To tackle oil spill issues, state lawmakers mandated a “zero spills” goal in 2004 and directed Ecology to adopt new rules to prevent spills and keep adverse environmental effects to a minimum for oil spills that may occur.

Although the risk of a catastrophic spill at a small marina or marine fueling facility is slight, the rules recognize that small drips, leaks, and spills frequently occur at marinas. Together these spills degrade the quality of our waters.

WAC 173-180 establishes spill prevention and early response standards for four classes of facility operators involved in bulk oil transfers.

How do I know if I’m a Class 4 facility?

Fueling facilities are divided into four classes based on oil-handling activities. **If you are a marina or small fueling facility and transfer fuel, in bulk, to non-recreational vessels with a total oil capacity of less than 10,500 gallons, you are considered a regulated Class 4 facility for the purposes of this rule.** (See definition of recreational & non-recreational vessels in right column.)

To meet the WAC reporting requirements, Class 4 facilities may use the attached Ecology form (ECY070-242).

If you transfer to a non-recreational vessel with a total oil capacity of 10,500 gallons or greater, even once, your facility is considered a Class 3 facility. Please see focus sheets for Class 1, 2, and 3 facilities for those requirements. These rules do not apply to marinas or fueling facilities that transfer exclusively to recreational vessels.

WHY IT MATTERS

Although the risk of a catastrophic spill at a small marina or marine fueling facility is slight, the oil transfer rules recognize that small drips, leaks, and spills frequently occur at marinas. Cumulatively these spills degrade the quality of our waters.

RECREATIONAL VESSEL

A **recreational vessel** is a vessel owned and operated only for pleasure with no monetary gain involved, and if leased, rented, or chartered to another for recreational use, is not used for monetary gain. This definition applies to vessels such as house boats, ski boats, and other small craft on a rental or lease agreement.

NON-RECREATIONAL VESSEL

If a vessel does not meet the definition of a recreational vessel it is considered a **non-recreational vessel**. Some examples of non-recreational vessels are sight seeing or tour boats, passenger vessels, chartered fishing boats, boats used for parasailing, tug boats, etc. This definition is not based on the vessel’s size, but instead on its use.

Special accommodations:

If you need this publication in an alternate format, call the Spills Program at 360-407-7455. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

What does this rule require me to do?

The requirements for Class 4 facilities are found in Part A and portions of Part B of WAC 173-180 and include:

1. The ability to clean up a spill of at least 25 gallons with resources kept on site. This means having at least 200 feet of boom on standby, along with oil spill sorbent materials, shovels, buckets, containers, and protective clothing.
2. Providing oil spill prevention and response training for employees involved in oil transfer operations. This training must then be given annually and must include at a minimum:
 - Training for oil transfer personnel on the dangers and safe practices for handling the petroleum products transferred at that location.
 - Training on the safe and effective use and handling of response and recovery equipment.
 - Training on proper spill reporting requirements.
3. Developing policies and procedures to provide oil spill prevention and response training to all new employees within 90 days of the date of hire.
4. Keeping and maintaining records of employee oil transfer training at the Class 4 facility and make these records available to Ecology upon request.
5. Providing each employee with a wallet-sized card listing oil spill notification telephone numbers.
6. Installing highly visible signs at the transfer area showing state oil spill notification numbers and the number of an

oil spill response contractor who would be able to respond to a spill at the marina.

7. Posting a 24-hour phone number for a person designated by the owner or operator who can start the spill response.
8. Collecting data on the types, and volumes of oil transferred by oil type for the required semi-annual reports (you can access the form via this link: www.ecy.wa.gov/pubs/ecy070242.pdf) The oil transfer reporting forms are due on January 15 and July 15 each year.
9. Ensuring all transfer equipment is periodically and properly inspected, maintained, and tested according to WAC 173-180-205.
10. Keeping records of the oil transfer equipment according to WAC 173-180-040.

Ecology inspectors may periodically visit Class 4 facilities to ensure compliance with the rules.

How can I learn more? Contact:

Washington Department of Ecology
Spill Prevention, Preparedness, and
Response Program - Prevention Section
PO Box 47600
Olympia, WA 98504-7600

Olympia Office: 360-407-7455
Fax: 360-407-7288 or 1-800-664-9184

Email for questions about the rule:

OilTransferNotifications@ecy.wa.gov

Ecology Spills Program web site:

<http://www.ecy.wa.gov/programs/spills/spills.html>