



FACILITY EXEMPTION CHECK LIST	DATE:
FACILITY NAME:	CONTACT:
LOCATION:	PHONE: EMAIL:

I. GEOGRAPHIC AND LOCATION ASPECTS:

Is the facility located in such a manner that a discharge/spill from the facility, well heads, pipelines, storage tanks, or containment berms would impact waters of the state? Reference Title 14, CCR Section 817.04 (c).	YES	NO
---	-----	----

	Y/N	REMARKS:
a. Proximity to Waters of the state		
b. Slope and elevation		
c. Specific Gravity/Pour Point of oil produced/transported		
d. Permanent natural or man-made barriers		
e. Natural or manmade drainage that lead to surface water such as, but not limited to, storm drains, culverts, and canals.		

II. Distribution Pipelines :

a. A line section that is less than six and 5/8 inches in outside nominal diameter and is less than 10 miles in length, and where the operator determines that the reasonable worst case discharge from any point on the line section would not impact Waters of the State within 4 hours after the initiation of the discharge.		
--	--	--

III. Inland Facility Equipment:

a. Equipment subject to Chapter 6.67 (Commencing with Section 25270) or Chapter 6.75 (commencing with Section 25299.10) of Division 20 of the Health and Safety Code.	YES	NO
---	-----	----

COMMENTS:

Disclaimer:

The purpose of the guidance document is to assist owner/operators in complying with the oil spill contingency plan (C-plan), drills and exercises, financial responsibility and other requirements established by the Office of Spill Prevention and Response. C-plans are mandated for certain vessels and facilities by the *Lempert-Keene-Seastrand Oil Spill Prevention & Response Act* (the Act; Gov. C. §8670.1 *et seq.*), which was significantly amended in 2014 by Senate Bill 861 (SB 861).

This document does not contain specific requirements, nor does it replace any statutory requirements established by the Act, SB 861 amendments, or regulations promulgated to implement the Act and SB 861 amendments. This guidance document helps explain how to comply with the Act and the implementing regulations. However, all applicable laws and regulations should be read before using this guidance document for the preparation of C-plans.

All guidance documents can be obtained by visiting our website at <http://www.wildlife.ca.gov/OSPR/Preparedness/Inland-Facilities-Contingency-Plan>. Guidance documents may be updated periodically without notice, as necessary, to reflect any changes in applicable laws or regulations. Comments or questions regarding a guidance document should be addressed to the OSPR Branch listed on the specific guidance document.

Applicability:

Inland facilities regulations generally apply to all railroad, inland pipeline, production facility, refinery, or similar owners and operators that are within ¼ mile waters of the state and may impact state waters by an oil spill. The owners/operators of these facilities must submit an oil spill contingency plan to OSPR for review by January 1, 2016.

These oil spill planning requirements do not apply to:

- Facilities that are located more than ¼ mile of waters of the state.
- Production facilities where the largest producing well pumps less than 10 barrels a day.

If the requirements are not applicable to a particular facility, then nothing more is required from the owner or operator.

Exemptions:

An owner/operator may be exempt from the oil spill planning requirements:

- Facilities within ¼ mile of waters of the state but where topography or other conditions would keep a spill from entering state waters.
- Distribution Pipelines: Owners or operators whose line sections are less than six and 5/8 inch outside diameter, less than 10 miles in length, and which would not impact waters of the state within 4 hours after initiation of discharge.
- Facilities regulated as an above ground or below ground storage tank pursuant to the Health & Safety Code.

Exemptions must be requested in writing to the Administrator and must provide specific, technical justification for the request.

The Administrator will provide written notification within 30 calendar days of receiving the exemption request. If a decision is made that the conditions for the exemption are not met, then the Inland Facility owner/operator must submit a contingency plan within 120 calendar days of receipt of the decision.

If a spill from a Facility does impact Waters of the State, those Facilities for which the requirements were previously considered inapplicable or that had received an exemption, the Facility will automatically be subject to the requirements and any exemption automatically revoked. The Facility owner/operators will have 120 calendar days in to submit a contingency plan and application for a Certificate of Financial Responsibility.

Exemptions Form:

The exemption form can be submitted by Mail or Email.

Email: CPlanExemptions@wildlife.ca.gov

Mail: Department of Fish and Wildlife
Office of Spill Prevention and Response
Attn: Prevention Branch
1700 K Street, Suite 250 Sacramento, CA 95811