Coastal Zone Management Program - Oil & Natural Gas Facilities Policies Checklist

Name of Project:

5.3 COASTAL USES

5.3.4 Oil and Natural Gas Facilities

Oil and Natural Gas Facilities Policy 1 – CFRA and Its Regulations Are An Overarching Policy for Oil and Gas Facilities. The Coastal Facilities Review Act (CFRA) and its implementing regulations, as approved by NOAA serve as an overarching enforceable policy for oil and natural gas facilities.

Select appropriate response:

○ Project will be consistent with overarching policy based on CFRA and Its Regulations.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Oil and Natural Gas Facilities Policy 2 – Detection & Control of Oil Spills. To detect and control oil spills, all private tank vessels transporting oil in the State must either be equipped with a cargo level monitoring system, have double hulls, have a plan for inspecting load lines approved by the Department of the Environment, or be accompanied by an all-weather escort vessel for the purpose of continuously checking for evidence of an oil discharge from the escorted tank vessel. MDE (A2) Md. Code Ann., Envir. § 4-405 (b)(1); COMAR 26.10.01.23B.

Select appropriate response:

○ Project will be consistent with policy requiring Detection & Control of Oil Spills.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Coastal Zone Management Program - Oil & Natural Gas Facilities Policies Checklist

Oil and Natural Gas Facilities Policy 3 – Financial Capacity to Cover Potential Oil Spill Cleanup and Recovery. Through bond or other form of security, the operator of a private tank vessel transporting more than 25 barrels of oil as cargo must be able to prove the financial ability to cover the cost of oil spill cleanup and recovery before entering waters of the State. MDE (A2) COMAR 26.10.01.24A.

Select appropriate response:

○ Project will be consistent with policy requiring Financial Assurance to Cover Potential Oil Spill Cleanup and Recovery.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Oil and Natural Gas Facilities Policy 4 – No Discharge of Oil in Areas That May Enter State Waters. No person may discharge oil in any manner, including through bilge and ballast water, or deposit it in an area where it may enter waters of the State. MDE (A2) Md. Code Ann., Envir. § 4-410(a); COMAR 26.10.01.02B.

Select appropriate response:

○ Project will be consistent with policy Prohibiting Discharge of Oil in Areas That May Enter State Waters.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Coastal Zone Management Program - Oil & Natural Gas Facilities Policies Checklist

Oil and Natural Gas Facilities Policy 5 – Above-Ground Storage Sites Shall Prevent Oil from Polluting State Waters. Above-ground oil storage sites shall prevent movement of oil into the waters of the State. MDE (D1) COMAR 26.10.01.12B(1).

Select appropriate response:

○ Project will be consistent with policy requiring Above-Ground Storage Sites to Prevent Oil from Polluting State Waters.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

Oil and Natural Gas Facilities 6 –Oil Shall Not Be Stored within Tidal Waters or Within 100-Year Floodplain Unless Permitted. The construction of above-ground oil storage tanks, dikes, or walls within the tidal wetlands or within the 100-year flood plain is prohibited without first obtaining a State Wetlands Permit or providing an equivalent level of environmental protection. MDE (D1) COMAR 26.10.01.12B(3).

Select appropriate response:

○ Project will be consistent with policy requiring Permitting of Oil Storage within Tidal Waters or within the 100-Year Floodplain.

○ Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy: