


**MEMORANDUM**

**SUBJECT:** Work Group Closure for Proposed Shore Protection Act Regulations: Waste Handling Practices for Vessels and Waste Transfer Stations, Appendix A - Guidance for developing operation and maintenance manuals.  
40 CFR Part 237

**FROM:** Joel Salter, Chair   
Shore Protection Act Regulations Work Group

**TO:** Shore Protection Act Work Group Members

The following draft document provides guidance to owners and operators of municipal and commercial waste transportation operations for the development of operation and maintenance manuals. We are sending this out too late for formal review at the workgroup closure meeting scheduled for January 18, 1994 at 3:00 pm, but, if you would like to submit written comments on this document at that time please do. We will accept further comment prior to Red Border Review.

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## **APPENDIX A - GUIDANCE ON OPERATION AND MAINTENANCE MANUALS FOR WASTE SOURCES, VESSELS AND RECEIVING FACILITIES**

This appendix provides a basic structure for the development of operation and maintenance manuals for the regulated entities. The operation and maintenance manual developed by a vessel permitted under the Shore Protection Act, or associated waste source and receiving facility should be a clear statement of operation and maintenance procedures for preventing waste from accidentally spilling into coastal waters of the United States. Each regulated vessel, or associated waste source and receiving facility should develop an operation and maintenance manual to suit its particular characteristics.

### **Applicability**

The owners or operators of the following vessels (unless excluded below) are required to develop and submit an operation and maintenance manual:

- A vessel transporting municipal or commercial waste in coastal waters;
- Vessels that regularly transport miscellaneous cargo but are hired, contracted, or used to transport municipal or commercial waste for a specific voyage; and
- Vessels that transport operational waste from other vessels that meet the definition of municipal or commercial waste - this does not include vessels transporting their own

operational wastes.

The owners or operators of the following vessels are excluded from developing and submitting operation and maintenance manuals:

- Public vessels, defined as vessels that are owned, demise chartered, and operated by the United States Government or a government of a foreign party, and do not engage in commercial service;
- Vessels that transport some quantity of waste incidental to the predominant business or purpose of the vessel. For example, a ferry which transports a garbage truck loaded with municipal or commercial waste; and
- Vessels transporting recreational vessel sewage or "blackwater" pumped from recreational vessel holding tanks.

The owners or operators of waste sources and receiving facilities, as defined below and in 237.3(g) and (l) are required to develop and submit an operation and maintenance manual:

- A facility, vessel, or operation that receives municipal or commercial waste unloaded from a vessel; and
- A vessel or a facility from which municipal or commercial waste is loaded onto a vessel, including any rolling stock or motor vehicles from which that waste is directly loaded.

#### The Manual

The structure and detail of each operation and maintenance manual may vary as the vessel, waste source, or receiving facility will vary and as the type of waste transferred and transported will vary. As a result of the variation in the physical nature of municipal and commercial waste, the structure and requirements provided in this appendix are necessarily generic and will require further elaboration based on the specifics of the operations and maintenance nuances at your facility, source, or vessel. However, it is expected that an operation and maintenance manual meeting the minimum requirements of this regulation need not exceed 20 to 30 pages in length. It is recommended that owners and operators of sources, facilities and vessels review the recommended waste handling practices provided in the Shore Protection Act Implementation Guidance document (EPA842-B-94-001).

#### Operation and Maintenance Manuals for Vessels

The operation and maintenance manual for vessels consists of three parts: 1) waste transfer procedures, 2) waste clean up procedures, and 3) waste deposit reporting procedures.

The first part of the operation and maintenance manual shall identify the measures that you will take to minimize the deposit of waste into coastal waters during transport and transfer activities. In the operation and maintenance manual you should:

- Describe the roles and responsibilities of each relevant member of the crew during waste transfer and transport.

- Provide a detailed step-wise description to the vessel crew on the implementation of the technologies and techniques that will be employed during waste transfer and transport. These should include appropriate containment or diversionary structures, or other equipment designed to minimize waste deposits. The technologies and techniques described shall be appropriate to the size and nature of the vessel and must represent a responsible effort to minimize the spillage of waste,
- Instruct the crew to secure the waste in such a way as to prevent the deposit of waste.
- Direct the crew not to load the vessel in excess of its capacity.
- Direct the crew that all ports and valves that may be used for flushing or discharging waste or waste residue from the hull or tanks must be clearly labelled and that all ports and valves must be sealed except for the purpose of transferring wastes.
- Describe record keeping procedures, i.e. record of amount and type of waste offloaded, or amount and type of waste received.

The second part of the operation and maintenance manual describes for the vessel crew the procedures that will be used to clean up, promptly and thoroughly, any waste deposited into coastal waters. This section must:

- Describe the role and responsibilities of each relevant member of the crew during clean up.
- Describe in detail for the crew the techniques and technologies that will be employed during waste clean up. The technologies or techniques must be appropriate to the waste type and the size and nature of the vessel and must represent a responsible effort to clean up all waste promptly and thoroughly.

In the third part of the operation and maintenance manual describe the procedures to be followed if the vessel's crew is unable to clean up all of the waste deposited. In this section you must:

- Provide a contact name and telephone number of the designated responsible person (40 CFR 237.5) involved in the ownership or operation of the vessel. Indicate that this contact person should be notified immediately by telephone, marine radio or in writing if the crew is unable to completely clean up the waste deposited. This contact name and phone number must be posted on the vessel in a location visible to the vessel's crew.
- Provide a contact name and telephone number of the appropriate USCG official to be contacted by the responsible person if the crew is unable to completely clean up the waste deposited. This contact name and phone number must also be posted on the vessel in a location visible to the

vessel's crew.

- Provide an example of a follow up letter to be used by the responsible person to report the waste deposit to the appropriate USCG official (Table 1).
- Provide copies of the form that assists record-keeping and reporting in the event of a waste deposit (EPA guidance document EPA842-B-94-001). The operation and maintenance manual must instruct the appropriate crew member to complete one of these forms for each deposit of waste. The record must include the time and date of the deposit, estimates of the amount of wastes deposited and amount retrieved, actions taken to clean up the waste deposit, and any other pertinent information. If an action was not accomplished or it was decided to attempt an unsuccessful control strategy, it is important to document why those actions were taken. Any actions to prevent further incidents of this type should also be recorded. All waste deposits must be recorded, whether cleaned up or not.

#### **4.2 Operation and Maintenance Manuals for Waste Sources and Receiving Facilities**

The operation and maintenance manual for waste sources and receiving facilities consists of three parts: waste transfer procedures, waste clean up procedures, and waste deposit reporting procedures.

The first part of the operation and maintenance manual must

identify the measures that you will take to prevent the deposit of waste into coastal waters during the transfer of wastes. In the operation and maintenance manual you must:

- Describe the roles and responsibilities of each relevant facility staff member during waste transfer.
- Provide a detailed step-wise description to relevant employees on the implementation of technologies and techniques that will be employed during waste transfer. These should include appropriate containment or diversionary structures, or other equipment designed to minimize waste deposits. The technologies or techniques described must be appropriate to the waste type and size and nature of the vessels loaded/unloaded, and represent a responsible effort to minimize the deposit of wastes.
- Describe record keeping procedures, i.e record of amount and type of waste offloaded, or amount and type of waste received.

The second part of the operation and maintenance manual describes for your employees the procedures that will be used to clean up, promptly and thoroughly, any waste deposited into coastal waters. This section must:

- Describe the roles and responsibilities of each relevant employee during waste clean up.
- Describe in detail how to implement the techniques and technologies that will be employed during waste clean up.

The technologies and techniques used must be appropriate to the waste type and size and nature of the vessels, and must represent a responsible effort to clean up all waste promptly and thoroughly. The methods described may include sweeper boats, manned boats to remove waste, shoreline clean up crews, and booms or other equipment designed to recover waste deposited near shore.

- Specify that clean up equipment and personnel be in continuous operation, or on standby at the transfer facility for waste transfer operations that occur during an ebb tide.
- Direct all employees that all waste that clearly resulted from, or may have resulted from, waste loading or unloading operations shall be removed prior to the first high tide following the completion of any waste transfer operation or before the waste has had a chance to disperse.

The third part of the operation and maintenance manual describes the procedures to be followed if the facility's staff is unable to clean up all of the waste deposited. This section must:

- Provide a contact name and telephone number of the designated responsible person (40 CFR 237.4) involved in the ownership or operation of the facility. Indicate that this contact person should be notified immediately by telephone or in writing if the employees are unable to completely clean up the waste deposit. This contact name and phone

number must be posted at the facility in a location visible to the facility's employees.

- Provide a contact name and telephone number of the appropriate EPA official to be contacted if the employees are unable to completely clean up the deposit. This contact name and phone number must also be posted at the facility in a location visible to the facility's employees.
- Provide an example of a letter to be used by the responsible person to report the waste deposit to the appropriate EPA official (Table 2).
- Provide copies of the form that assists record-keeping and reporting in the event of a waste deposit (Table 3). The operation and maintenance manual must instruct the appropriate employee on duty to complete one of these forms for each waste deposit. The record must include the time and date of the deposit, estimates of the amount of wastes deposited and amount retrieved, cause of deposit, actions taken to clean up the waste deposit, and any other pertinent information. If an action was not accomplished or it was decided to attempt an unsuccessful control strategy, it is important to document why those actions were taken. Any actions to prevent further incidents of this type should also be recorded. All waste deposits must be recorded, whether cleaned up or not.