

line pipe, valves, and other appurtenances connected to line pipe, pumping units, fabricated assemblies associated with pumping units, metering and delivery stations and fabricated assemblies therein, and breakout tanks.

*Qualified individual* means an English-speaking representative of an operator, located in the United States, available on a 24-hour basis, with full authority to: activate and contract with required oil spill removal organization(s); activate personnel and equipment maintained by the operator; act as liaison with the OSC; and obligate any funds required to carry out all required or directed oil response activities.

*Response activities* means the containment and removal of oil from the water and shorelines, the temporary storage and disposal of recovered oil, or the taking of other actions as necessary to minimize or mitigate damage to the environment.

*Response area* means the inland zone or coastal zone, as defined in the National Contingency Plan (40 CFR part 300), in which the response activity is occurring.

*Response plan* means the operator's core plan and the response zone appendices for responding, to the maximum extent practicable, to a worst case discharge of oil, or the substantial threat of such a discharge.

*Response resources* means the personnel, equipment, supplies, and other resources necessary to conduct response activities.

*Response zone* means a geographic area either along a length of pipeline or including multiple pipelines, containing one or more adjacent line sections, for which the operator must plan for the deployment of, and provide, spill response capabilities. The size of the zone is determined by the operator after considering available capability, resources, and geographic characteristics.

*Specified minimum yield strength* means the minimum yield strength, expressed in pounds per square inch, prescribed by the specification under which the material is purchased from the manufacturer.

*Stress level* means the level of tangential or hoop stress, usually expressed as

a percentage of specified minimum yield strength.

*Worst case discharge* means the largest foreseeable discharge of oil, including a discharge from fire or explosion, in adverse weather conditions. This volume will be determined by each pipeline operator for each response zone and is calculated according to §194.105.

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

#### **§ 194.7 Operating restrictions and interim operating authorization.**

(a) After February 18, 1993, an operator of a pipeline for which a response plan is required under §194.101, may not handle, store, or transport oil in that pipeline unless the operator has submitted a response plan meeting the requirements of this part.

(b) After August 18, 1993, an operator must operate its onshore pipeline facilities in accordance with the applicable response plan.

(c) After August 18, 1993, the operator of a pipeline line section described in §194.103(c), may continue to operate the pipeline for two years after the date of submission of a response plan, pending approval or disapproval of that plan, only if the operator has submitted the certification required by §194.119(e).

### **Subpart B—Response Plans**

#### **§ 194.101 Operators required to submit plans.**

(a) Except as provided in paragraph (b) of this section, or unless RSPA grants a request from the OSC to require an operator of the following pipelines to submit a response plan or the pipeline is covered by §194.103, each operator of an onshore pipeline facility shall prepare a response plan and submit the response plan to RSPA, as provided in §194.119.

(b) *Exception.* An operator need not submit a response plan for:

(1) A pipeline that is 6½ inches (168 millimeters) or less in outside nominal diameter, is 10 miles (16 kilometers) or less in length, and all of the following conditions apply to the pipeline:

(i) The pipeline has not experienced a release greater than 1,000 barrels (159