response equipment, procedures, or strategies.

(f) The Regional Supervisor will periodically initiate unannounced drills to test the spill response prepardeness of owners and operators.

# §254.10 Maintenance and periodic inspection of equipment.

(a) The spill-response equipment listed in the plan must be inspected and maintained, as necessary, to ensure optimal performance.

(b) The plan must provide for inspecting response equipment included in the plan. Inspections must be made at least monthly, and records of the inspections must be maintained for at least 2 years at a site specified in the plan.

### §254.11 Equipment performance testing.

(a) The MMS may require testing of any spill removal equipment listed in the response plan to ensure that the equipment meets the performance standards stated in the plan. The Regional Supervisor may require testing if the equipment:

(1) Has been modified,

(2) Has been damaged and repaired, or (3) Has a claimed effective daily recovery capacity that is inconsistent with data otherwise available to the Regional Supervisor.

(b) Testing of booms must be conducted in accordance with test criteria approved by MMS. The document "Test Protocol for the Evaluation of Oil-Spill Containment Booms," available from MMS, may be used for guidance. Testing of skimmers must also be conducted in accordance with test criteria approved by MMS. The document "Suggested Test Protocol for the Evaluation of Oil Spill Skimmers for the OCS," available from MMS, may be used for guidance.

(c) All testing is the responsibility of the owner or operator, who is also responsible for the accuracy of the information submitted.

#### §254.12 Notification requirements.

(a) In the event of a spill, the person designated as the qualified individual must immediately notify response personnel as well as appropriate Federal, State, and local officials.

(b) The Regional Supervisor must be notified orally within the following time limits:

(1) Within 12 hours if the spill is one barrel or less, and

(2) Without delay if the spill is more than one barrel. The qualified individual must confirm reports of spills of more than one barrel in writing.

## §254.13 Plan revision and resubmission.

(a) Owners or operators must review their spill-response plans at least annually and submit all resulting modifications to the Regional Supervisor. If this review does not result in modifications to the plan, the facility owner or operator must inform the Regional Supervisor in writing that there are no changes.

(b) Owners or operators must submit revisions to their plans for approval at least 15 days before the effective date of the changes. Revisions are required whenever:

(1) A change occurs in the number of facilities covered by the plan;

(2) A change occurs in the OSRO designated in the plan or in the assessed capabilities of spill removal;

(3) A change occurs (in name or position) of the qualified individual or any member of the spill management team;

(4) A significant change occurs in the worst case discharge estimate, or in the type or quantity of hazardous substances handled at the facility:

(5) Any changes occur in the listings of economically important or environmentally sensitive areas identified in the Area Contingency Plan(s).

(c) Owners and operators must provide a record of the changes submitted for insertion in the introduction to the plan.

(d) The Regional Supervisor may require that a response plan be resubmitted if the plan has become outdated or if numerous modifications and revisions have made its use unnecessarily difficult.

(e)(1) The Regional Supervisor will periodically review the equipment inventories of OSRO's to ensure that sufficient equipment is available to meet the cumulative needs of the owners and operators who cite these organizations in their spill-response plans as their primary source of spill removal equipment.

(2) The MMS require an owner or operator to revise a plan at any time if the Regional Supervisor notes significant inadequacies during these reviews or during a drill or response to an actual pollution incident.

# §254.14 Response plans for facilities in State waters located seaward of the coast line.

Owners or operators of facilities in State waters located seawater of the coast line shall comply with paragraphs (a), (b), or (c) of this section.

(a) Modify an OCS spill-response plan submitted pursuant to the requirements of 30 CFR 254.5 and approved by MMS to include facilities in State waters adjacent to an OCS Region and submit the plan to MMS for approval.

(b) Submit a response plan to the appropriate MMS office identified in § 254.4 for approval. The plan shall contain the information required in § 254.5.

(c) Submit a response plan to MMS for approval that has been developed in accordance with the laws or regulations of the State. The plan must contain all the elements required by the State and must:

(1) Be consistent with the requirements of the National Contingency Plan and appropriate Area Contingency Plan(s).

(2) Identify a qualified individual and require immediate communication between that person and appropriate Federal officials and response personnel if there is a spill.

(3) Identify any private personnel and equipment necessary to remove, to the maximum extent practicable, a worst case discharge as defined in § 254.6. The plan must provide a copy of any written contractual agreement with any OSRO's or spill management team members not employees of the owner or operator.

(4) Describe the training, equipment testing, periodic unannounced drills, and response actions of personnel at the facility.

(5) Describe the procedures used to periodically update and resubmit the plan for approval of each significant change.

(6) Provide the following information:

(i) A list of the facilities and leases covered by the plan and a map showing their location.

(ii) Name and address of agency to whom the plan was submitted.

(iii) Date plan was submitted.

(iv) If the plan received formal approval, the name of the approving organization, the date of approval, and a copy of the State agency's approval letter if one was issued.

(v) Identification of any regulations or standards used in preparing the plan.

(d) Plans prepared by owners or operators of facilities in State waters, under paragraphs (a), (b), or (c) of this section, shall include a description of the steps taken to prevent spills of oil or hazardous substances or mitigate a substantial threat of such a discharge. The description shall include identification of State, Federal, or industry standards with which the operator is legally required to comply or voluntarily agrees to comply. The Regional Supervisor may prescribe additional equipment or procedures for spill prevention.