TANK VEHICLE FUELING OF BOATS AND VESSELS AT MARINAS

The Department's Oil Control Program operates under Code of Maryland Regulations (COMAR) 26.10, *Oil Pollution and Tank Management*. As part of COMAR, a number of industry standards are incorporated by reference. Three of these standards are through the National Fire Protection Association (NFPA): NFPA 30, *Flammable and Combustible Liquids Code,* which addresses the storage and handling of these liquids; NFPA30A, *Code for Motor Fuel Dispensing Facilities and Garages,* which addresses motor fuel dispensing of these liquids at both public and private facilities; and NFPA 385, *Standard for Tank Vehicles for Flammable and Combustible Liquids,* which provides minimum requirements for the design, construction, and operation of tank vehicles transporting these liquids.

Any "person" (defined in COMAR 26.10.01.01) who engages in oil delivery by truck tank or transport having a capacity of greater than 500 gallons, to or from any point within Maryland, is required to have an Oil Operations Permit from the Department. Permit forms can be found at: http://mde.maryland.gov/programs/Land/Pages/landpermits.aspx. Operating without a permit, or in violation of a permit or law, may result in the assessment of civil or administrative penalties.

There are a number of do's and don'ts with respect to fueling boats and vessels from tank vehicles at public and private marinas. The "Authority having Jurisdiction" (AHJ) for marine fueling activities may be any one, or combination, of the following agencies: Maryland Department of the Environment, U.S. Coast Guard, State Fire Marshal, Local Fire Department or Fire Marshal, and the Local Zoning Authority.

PUBLIC MARINAS

A public marina is considered a marina that allows unrestricted access and use by the public. There is only one requirement:

- Motor fuels (gasoline (Class I liquid) and diesel (Class II liquid)) may not be dispensed directly from a tank vehicle to any marine craft.

PRIVATE MARINAS

A private marina is considered a marina located at commercial, industrial, government, or manufacturing facilities and the marine craft are owned by, or operated in conjunction with, the business associated with those facilities. Requirements are as follows:

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410-537-3000 | 800-633-6101 | TTY Users: 800-735-2258

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- Only diesel fuel (Class II liquid) may be dispensed directly from a truck tank or transport. Gasoline may not be dispensed directly in this manner.

- Prior to dispensing diesel fuel directly from a tank vehicle, an inspection of the premises and operations shall be made and approved by the AHJ.

- The truck tank or transport shall comply with NFPA 385.

- The truck tank or transport shall have spill absorbent materials on-board and available.

- The dispensing hose may not exceed 50 feet in length.

- The dispensing nozzle shall be a listed *(i.e. published by an organization that is acceptable to the AHJ)*, automatic-closing type without a latch-open device.

- Nighttime deliveries shall only be made in areas deemed adequately lighted by the AHJ.

- The vehicle's flasher lights shall be in operation while dispensing fuel.

- The owner/operator of the marine craft and the fuel delivery company shall leave adequate expansion space in the fuel tank to prevent overflow due to temperature change.

COMPLAINTS OR SPILLS

If you have a concern or a complaint, call the MDE Oil Control Program at 410-537-3442 during regular business hours. To report oil spills, contact the MDE Emergency Response Division any time day or night at 1-866-633-4686.

This fact sheet has been provided for informational purposes. This document is not intended nor should it be interpreted to be a regulation, as defined in State Government Article, Section 10-101, Annotated Code of Maryland. The MDE encourages you to read and understand the regulations found in Code of Maryland Regulations 26.10, "Oil Pollution and Tank Management", and the National Fire Protection Association's Codes and Standards for flammable and combustible liquids fueling operations.