



# TENANT DIRECTIVE

MTN: 212.1

Date: April 1, 2004

TITLE: Self-Fueling Operational Requirements

## I. References

This Directive supersedes Martin State Airport (MTN) Tenant Directive 212.1 dated January 23, 2004.

- A. Code of Maryland Regulations (COMAR) 11.03.01.03.
- B. Department of Transportation, Federal Aviation Administration, Order 5190.6.
- C. National Fire Protection Association (NFPA), Standard No. 410 "Aircraft Maintenance" and 410-13 "Aircraft Fuel System Maintenance".
- D. NFPA Standard No. 407 "Standard for Aircraft Fuel Servicing".
- E. Annotated Code of Maryland, Transportation Article, Section 5-1002.
- F. Federal Aviation Regulation Part 139-321.
- G. Code of Federal Regulations 40 CFR 112.
- H. COMAR 26.10.01.

## II. Definitions

- A. Tenant: An individual or firm that has a contract with Maryland Aviation Administration (MAA) for the use of airport facilities.
- B. Based Aircraft: An aircraft that is authorized by the MAA to park or hangar, on at least a monthly basis, in a manner consistent with Section 5-1002 of the Transportation Article, Annotated Code of Maryland.

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- C. Fuel Truck Parking Area: An area designated by the Manager, MTN, for the parking/ storage of fueling vehicles.
- D. Spill Prevention, Control and Countermeasures (SPCC) Plan: An SPCC plan specifies measures to prevent oil spills from a given oil storage facility. It also specifies procedures to be followed in the event an oil spill does occur. An SPCC plan addresses the design and construction of the facility; regular inspections; training of personnel; spill response, reporting and cleanup procedures; and, a spill response contact list.
- E. Secondary Containment: Secondary containment is a structural means of providing additional assurance that spills and leaks will be contained. The secondary containment must be impervious to spilled oil and be of sufficient capacity to contain the largest single container, plus provide sufficient space for precipitation. Areas where tanks are located, and fuel tankers and fuel trucks are parked unattended, must have impervious secondary containment equal to the single largest compartment of a tank car or tank truck loaded or unloaded at the facility. New tenants must install a permanent structure prior to initiating fueling operations. Portable berms may not be used as a permanent containment.

### III. Directive Statement

- A. This directive is applicable to all tenants operating fuel tanks and fueling vehicles at MTN.
- B. This directive is applicable to tenants who wish to engage in an aircraft self-fueling operation at MTN.
- C. This directive establishes Maryland Aviation Administration's (MAA's) standard regarding based aircraft self-fueling operations at MTN.
- D. This directive establishes the minimum insurance requirements for tenants who wish to engage in aircraft self-fueling operations at MTN.
- E. This directive establishes MAA policy regarding the requirement for SPCC Plans and structural containment for fuel vehicles.
- F. This directive establishes the MAA-approved leased area for the parking and storage of its fuel-dispensing vehicles.
- G. This directive establishes MAA policy regarding the parking of fueling vehicles at MTN for fire control requirements.

IV. Standards

- A. Tenants must possess an oil operator's permit, granted by the Maryland Department of Environment (MDE), prior to receiving the right to conduct self-fueling at MTN.
- B. Tenants must enter into and maintain a fuel flowage fee contract with the MAA.
  1. The fuel flowage fee must be paid to the MAA for each gallon of fuel dispensed in accordance with the terms of the MAA fuel flowage contract.
  2. The fuel dispensed shall be for the tenant's sole and exclusive use and may not be sold or otherwise conveyed to another party.
- C. Tenants shall maintain or provide to MTN Airport Manager's Office the following:
  1. A written maintenance program for fueling vehicles, including a quarterly inspection report for each vehicle by a recognized fueling maintenance and service company. The fueling vehicles are subject to inspection by MAA personnel and noted deficiencies, if any, shall be promptly repaired by tenant.
  2. The following types of insurance and limits, both of which may be increased by the Administration, as deemed necessary. Specific requirements and details will be in the tenant's contract.
    - a. Commercial General Liability Insurance and, if necessary, Commercial Umbrella Insurance shall have a limit of not less than five (5) million dollars (\$5,000,000) for each occurrence.
    - b. Commercial Automobile Liability Insurance and, if necessary, Commercial Umbrella Insurance shall have a limit of not less than five (5) million dollars (\$5,000,000) for each accident. Coverage shall include pollution liability endorsement.
    - c. Workers Compensation and Employers Liability Insurance. The Workers Compensation coverage shall be at statutory limits as required by the laws of the State of Maryland. The Employers Liability and/or Commercial Umbrella shall have a limit of not less than one (1) million dollars (\$1,000,000) each accident for bodily injury by accident, or one (1) million dollars (\$1,000,000) each employee for bodily injury by disease.
    - d. Pollution Legal Liability Insurance shall have a limit of not less than one (1) million dollars (\$1,000,000) per loss, with an annual aggregate of at least five (5) million dollars (\$5,000,000). Coverage shall include cleanup costs and an extended reporting period of three (3) years beginning from the time that self-fueling operations are no longer provided at Martin State Airport. Any Self-Insured Retention (SIR) or deductible must be approved by the Administration.

3. A fueling operator manual and an on-going quality control and employee training program. Tenant must have these on file and shall provide a copy to the MTN Airport Manager's Office. Noted deficiencies, if any, shall be promptly corrected.
4. In accordance with the tenant's fueling operator manual and employee training program, copies of completed training shall be submitted quarterly to the MTN Airport Manager's Office.
5. Each tenant fueling vehicle operator shall possess a valid Maryland Class B Commercial Driver's License and tanker endorsement, and shall provide a copy to the MTN Airport Manager's Office quarterly, or anytime a new employee is hired.
6. A performance bond in the amount of \$10,000 to guarantee payment of fuel flowage fees and repair of damage to pavement and/or the environment due to fuel spills.
7. Any tenant with an above-ground storage tank, underground storage tank, and/or fueling truck must develop an SPCC Program that is in accordance with the requirements of Code of Federal Regulations 40 Part 112 and must include the following basic requirements:
  - a. Provide secondary containment for tanks and parked fuel trucks.
    - 1) Fueling trucks are considered to be containers and must have secondary containment.
    - 2) Any oil contaminated surface drainage leaving the containment area shall be passed through an oil separating system.
    - 3) Design plans for secondary containment for tanks and fuel truck parking must be submitted to the MAA Permit Review Committee for approval prior to construction.
  - b. Prepare and implement a written spill prevention/spill control plan that must include the following:
    - 1) A description of the facility including a summary of the tanks;
    - 2) Spill prevention measures (training, inspections, and testing procedures);
    - 3) Control measures (diking and overfill devices); and
    - 4) Counter-measures (clean-up equipment and procedures, spill reporting procedures).

- c. The SPCC plan is required to be reviewed and amended as necessary every five (5) years. The plan review should include an evaluation of new prevention and control technology that may have become available since the development or last review of the SPCC plan.
  - d. The plan must be amended to include any facility changes that materially affect the facility's potential to discharge (e.g., additional tanks, fueling areas, etc.), as well as to address causes of any past discharges at the facility and/or to bring the facility up-to-date with current technology.
  - e. A professional engineer must certify the SPCC plan, as well as any amendments. The Tenant facility is required to keep a copy of the SPCC plan on site.
  - f. A copy of the SPCC must be provided to the MTN Airport Manager's Office.
  - g. Tenants who had an active fueling operation before the issuance of this Tenant Directive must amend their SPCC plan before August 17, 2004, and must implement the plan no later than February 18, 2005. Facilities that became operational after the issuance of this Tenant Directive must prepare and implement an SPCC plan and install all secondary containment before beginning operations.
8. Parking areas for aircraft fueling vehicles shall be arranged to:
- a. Facilitate dispersal of the vehicles in the event of emergency;
  - b. Provide at least ten (10) feet of clear space between parked vehicles for accessibility for fire control purposes;
  - c. Prevent any leakage from draining to an adjacent building or from entering the storm drainage system;
  - d. Minimize exposure to damage from out-of-control aircraft; and
  - e. Provide at least fifty (50) feet from the airport terminal building, aircraft hangars, or other airport structure housing the public.
9. In accordance with COMAR 11.03.02.04M, vehicles may not be left unattended with the engine running.
10. The areas depicted in Attachment 1 are designated as fueling vehicle-parking areas by the Manager, MTN. These approved areas are for the use of the following:
- a. Maryland Aviation Administration. Four positions, located on the main ramp between Hangar 4 and the Aircraft Service office.

- b. Tenant Fuel Truck Parking. Four additional positions are located across from Hangar 1, Upper Level.
  - c. Lockheed Martin. One position, located behind the Lockheed Martin Hangar.
11. True and accurate records of fuel purchased and dispensed through the tenant's facility shall be maintained and shall be made available for inspection and audit by the MAA during normal business hours.
- D. Self-fueling operators must comply with:
1. The provisions of COMAR 11.03.02.03 in general and, in particular, with subsections E and R, and 11.03.02.03-2, which establish the safety requirements for storage of fuel, fueling and defueling of aircraft at MTN.
  2. The provisions of COMAR 11.03.02.04 "Control of Vehicular Traffic on the Air Operations Area" at MTN.
  3. The provisions of Subtitle 4, water control and abatement of Title 4 of the MBE Article, Annotated Code of Maryland and the provisions of COMAR 26.10.01 "Oil Pollution".
  4. The provisions set forth in the National Fire Protection Association (NFPA) 410 "Aircraft Maintenance" and National Fire Protection Association (NFPA) 407.
  5. Provisions set forth in the Department of Transportation, Federal Aviation Administration, Order 5190.6.
  6. Terms and conditions in accordance with the fuel flowage fee contract between the tenant and the MAA.
  7. The provisions of this Tenant Directive.



Martin State Airport