ASAC Title 24 Chapter 8
Haz-Mat

I. General Provisions

24.801 Purpose.

This chapter establishes the standards and regulations for hazardous wastes and materials transportation, storage, treatment and disposal in American Samoa. The goal of these standards is to prevent pollution and protect the public health and safety and the environment by regulating the use, treatment and handling of all hazardous substances imported or introduced for use in this territory.

24.802 Authority.

Pursuant to 24.0101 et seq. ASCA, the executive secretary shall have the authority to manage all hazardous wastes and hazardous materials generated, transported, stored or disposed of within this territory, and may prohibit such generation, transportation, storage or disposal if it is determined that such activities will endanger public health and safety or the environment, or where such activities are not performed in accordance with the regulations set forth in this chapter.

24.803 Applicability.

Any person who imports, handles, uses, transports, generates, stores or disposes of a hazardous substance, as defined in section 24.0803, must comply with the standards set forth in this chapter.

24.804 Definitions.

(a) As used in this chapter:

(1) “Acutely hazardous waste” means the hazardous wastes identified in Appendix A of these standards and regulations, which are appended hereto and incorporated by reference herein. In addition, those toxic substances set forth at 40 CFR 261.33(f) shall also be considered acutely hazardous wasters for purposes of this chapter.

(2) “ASEPA” means the American Samoa Environment Protection Agency.

(3) “Compatibility” means the property of a material or waste that permits its use with other materials or wastes without resulting in a present threat to public health and safety or the environment.

(4) “Discharge” includes, but is not limited to, spilling, leaking, pumping, pouring, emitting, emptying, placing or dumping of hazardous substances into or on any land or water so that such hazardous substance or any constituent thereof may enter the

environment or be emitted into the air or discharged into any waters, including ground waters. Such term excludes continuous or anticipated intermittent discharges from a point source allowed under a NPDES permit or other permit issued by ASEPA.

(5) “Disposal” means the placement or destruction of toxic, radioactive, or other wastes; surplus or banned pesticides or other chemicals; polluted soil; and drums containing hazardous materials from removal actions or accidental releases. Disposal may be performed, as approved by ASEPA, through use of secure landfills, surface impoundments, land farming, deep-well injection, ocean dumping, or incineration.

(6) “Executive director” means the executive director of the Environment Quality Commission and the director of the American Samoa Environment Protection Agency (ASEPA).

(7) “Generator” means any person, by site, whose act or process produces hazardous waste identified in the manner required by section 24.0814 of this chapter or whose act first causes a hazardous waste to become subject to regulation.

(8) “Hazardous material” means the materials regulated by the U.S. Department of Transportation that require special handling and controls.

(9) “Hazardous substance” means either a “hazardous material” or “hazardous wastes” or both, as defined in these standards and regulations.

(10) “Hazardous wastes” means solid waste, or a combination of solid wastes determined to be hazardous under 24.0814 of this chapter which, because of its quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness, or pose substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed or otherwise managed.

(11) “Manifest” means the form used for identifying the quantity, composition, and the origin, routing, and destination of hazardous waste during its transportation from the point of generation to the point of disposal, treatment or storage.

(12) “Material safety data sheet (MSDS)” means a document that presents information, required under U.S. Occupational Safety and Health Act standards, on a chemical’s physical properties, health effects, and use precautions.

(13) “PCB Article means any manufactured article, other than a PCB container, that contains PCBs and whose surface(s) has been in direct contact with PCBs. Articles include capacitors, transformers, electric motors, pumps, pipes, and other manufactured items (1) that are formed to a specific shape or design during manufacture, (2) that have end-use functions dependent in part or in whole on the shape or design during end-use, and (3) that have either no change of chemical composition during end-use or only

changes of composition having no commercial purpose separate from that of the PCB article.

(14) “PCB item” means any PCB article, PCB article container, PCB container, or PCB equipment that deliberately or unintentionally contains or has as a part of it any PCB or PCBs.

(15) “PCBs (*polychlorinated biphenyls*)” means a group of toxic, persistent chemicals used in transformers and capacitors for insulation and in gas pipeline systems as a lubricant.

(16) “Person” means an individual, a corporation, a partnership, a trust, an association, or any other private entity or any public body or officer, employee, agent, department, or instrumentality of the U.S Government or of a foreign government.

(17) “Regulated medical waste (RMW)” means waste that is produced as the direct result of patient care at a health care facility and that has the potential to endanger individual or community health, welfare or the environment if improperly managed.

(18) “ Release” means spilling, leaking, pumping, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous substances, pollutants, or contaminants, but excluding:

(A) A release that results in exposure of persons solely within a workplace, for which exposure such persons may assert a claim against their employer;

(B) Emissions from the engine exhaust of a motor vehicle, rolling stock, an aircraft, a vessel, or a pipeline-pumping station engine and from the normal application of fertilizer.

(19) “Solid waste” means garbage, refuse, sludge, hazardous waste and other discarded materials resulting from industrial and commercial operations and from community activities, including sludge from a wastewater treatment plant, but does not include other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluent, dissolved material in irrigation return flows, or other common water pollutants.

(20) “Treatment” means a method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of a hazardous waste to neutralize the waste or to recover energy or material resources from the wastes, or to render such waste non-hazardous or less hazardous; safer to transport, store, or dispose of; amenable to recovery or to storage; or reduced in volume.

24.805 Matter incorporated by reference.

(a) Any document or portion thereof incorporated by reference in this chapter is included in this part as though it were printed in full. When only a portion of a document is referenced, this chapter incorporates only that referenced portion of the document and the remainder is not incorporated.

(b) All incorporated materials are available for inspection in the office of the American Samoa Environment Protection Agency (ASEPA) located in the Executive Offices Building, Village of Utulei, American Samoa.

24.806 Enforcement.

Except as specifically provided herein, enforcement of the regulations set forth in this chapter shall be in accordance with the applicable provisions of the territorial Environment Quality, 24.0101 et seq. ASCA.

24.807 Severability.

If any provisions of these regulations or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or application of any other part of these regulations which can be given effect without the invalid provisions or application, and to this end the provisions of these regulations and the various applications thereof are declared to be severable.

II. Hazardous Materials Management

24.810 Introduction and identification of hazardous materials

(a) Introduction.

(1) For all hazardous materials imported or otherwise introduced for use in this territory, the executive secretary shall manage, and have the discretion to prohibit, the procurement, use, storage or transportation of all materials that, because of their hazardous nature, toxicity, or other harmful characteristics, will endanger public health and safety and the environment.

(2) An MSDS shall be used to develop and document the presence in the territory of materials which might endanger public health and safety and the environment if improperly procured, used, stored, or transported or otherwise mismanaged.

(b) Identification. Hazardous materials imported or introduced for use in American Samoa shall be properly identified using the MSDS and one or more of the following types of information:

(1) Labeling [according to USDOT (49 CFR 172E) or NFPA specifications];

(2) Common name;

(3) Scientific or chemical name;

(4) Chemical Abstract Service (CAS) number

24.811 Employee training

(a) All persons who are involved with the handling, treatment, storage, or cleanup of hazardous or toxic wastes, pesticides, or hazardous substances as discussed in these standards and regulations shall have the level of knowledge required to perform their tasks safely and in a way that preserves the environment. Before engaging in these activities, such persons shall receive the following training to ensure that they are able to perform their tasks in an environmentally safe manner:

(1) For workers engaged in processes that generate hazardous waste and whose duties are limited to collection and staging waste, employers shall provide a basic course on the properties and dangers of hazardous waste and on proper handling procedures and emergency-response procedures;

(2) For workers engaged in managing the collection and the storage or disposal of hazardous waste and for the workers engaged in storage, treatment, or disposal activities, employers shall provide training which covers the basic course material, including specialized training in the requirements for treatment, storage, and disposal;

(3) For the workers and managers whose responsibilities include responding to releases and cleaning up of releases of hazardous materials and wastes, employers shall provide the basic treatment, storage and disposal (TSD) course and additional training in the proper and safe methods for responding to releases and for cleaning up contaminated soil and water;

(4) For the workers engaged in transporting or preparing hazardous waste for transport, employers shall provide training to ensure that their personnel can safely

prepare hazardous wastes for transport in accordance with section 24.0821 and sections 24.0830 through 24.0833, as applicable.

(b) The employee's supervisor shall certify the training, and records shall be maintained in the personnel department or at the work site for each individual who requires training. Records of the training shall be maintained for as long as the employee performs the duties for which the training was required or for 10 years, whichever comes first.

(c) Annual refresher training in hazardous waste, pollution control, treatment methods, spill response and cleanup, and emergency procedures shall be conducted for all personnel who are required to receive the initial training. Information on the annual refresher training shall be noted in the training records, and records shall be maintained according to the requirements of subsection (b) of this section.

24.812 Hazardous materials management and response plan.

(a) Before hazardous materials are imported, the designated recipient shall develop a written management procedure outlining storage, use, transportation and disposal practices that minimize risks to public health and safety and the environment. Such management plan shall include an ASEPA approved emergency response plan outlining the procedures to be followed in the event of a spill, discharge or release of hazardous substances into the environment.

(b) Plans shall be submitted to the executive secretary for approval within 15 days of the receipt of hazardous materials. If a plan is not complete or is found to be inadequate by the executive secretary the designated recipient shall be prohibited from any use, distribution and transport of the material until the hazardous material management plan is complete.

24.0813 Transportation- -General requirements.

(a) Transport of hazardous materials to, from, and within this territory shall be conducted under USDOT regulations (49 CFR 172), including regulations for using labels (Subpart E), placards (Subpart F), markings (Subpart D) and containers (49 CFR 178, Subpart I).

(b) Hazardous materials shall be transported to and within the territorial limits of American Samoa using only containers approved by the USDOT and which are compatible with the materials being transported. No container shall be used that is leaking, has deteriorated significantly as a result of rust, is bulging from over-pressure, or is damaged in such a way that materials are liable to leak. Containers that are unacceptable for transport shall be placed in containers approved by USDOT under 49 CFR part 178, or the materials transferred to a container approved by USDOT regulations.

(c) Vehicles and vessels used for transport shall be appropriately sized and shall be compatible with the material being transported and shall be clean and free of debris. General use cargo shall be compatible with the materials being transported and in no case shall incompatible materials be transported on the same vehicle or vessel. Transporters shall ensure that any residues left in the transport equipment is removed and disposed of properly.

(d) Transport equipment shall be identified by signs that are visible on both sides of the vehicle or vessel. The signs shall comply with the requirements of USDOT regulations at 49 CFR 172.101, which are hereby incorporated by reference, and shall indicate the hazard classes of the materials transported. The sizes of the signs shall conform to USDOT regulations at 49 CFR 172.300, which are hereby incorporated by reference, and shall be bilingual (English and Samoan).

(e) Vehicles and vessels transporting hazardous materials shall carry emergency response equipment necessary and sufficient for the initial control of a spill or release, such as absorbent booms and material, rags, fire extinguishers, brooms, and shovels. In the event of a spill or release, the vehicle or vessel operator shall be responsible for notifying ASEPA and DPS and for making the initial response until a qualified HAZMAT response team arrives.

24.0814 Transportation—Special requirements.

(a) Compressed gases shall be classified and identified as hazardous materials and shall be transported in compliance with the requirements of USDOT regulations set forth in 49 CFR parts 170-179, which are hereby incorporated by reference.

(b) Pesticides. Unused pesticides, discarded pesticides and pesticide residues shall be included in the classification of hazardous materials and shall be transported in compliance with the transportation requirements of section 24.0813.

(c) Transport of regulated medical waste (RMW) shall be carried out as follows:
(1) Filled bags of RMW shall not be transported loose. They shall be stored in rigid puncture-resistant, leak proof containers that will not tip over during transport. Transport containers may be reusable and shall be kept clean through the use of a hospital grade detergent-disinfectant that acts as a mycobacteriacide.
(2)Vehicles used for transporting RMW shall be readily cleanable.
(3) All vehicles used for transporting RMW shall be cleaned weekly or more frequently as needed, using a hospital grade detergent-disinfectant. The detergent-disinfectant shall be used in strict accordance with the manufacturer’s instructions. If a spill occurs, the vehicle shall be cleaned immediately. All vehicles used for transporting RMW shall be cleaned before being used for any other purpose.
(4) All vehicles used for transporting RMW shall carry a kit for spill containment and cleanup that is appropriate for responding to a spill or release of RMW.

(d) Transport of PCB's and PCB items. In addition to the pre-transport requirements for hazardous waste items set forth in section 24.0824, the following requirements shall apply to PCB's:

(1) For each PCB article that is not in a PCB container or in a PCB-article container, the serial number, or other identification if there is no serial number, the date of removal from service for disposal, and the weight in kilograms of the PCB waste in each PCB article shall be marked in accordance with the requirements of section 24.0817(d)(4).

(2) All transport vehicles used for transport of PCB's or PCB items shall be marked in accordance with the requirements of section 24.0813.

24.8015 Storage----General requirements.

(a) Before being distributed or used, all imported hazardous materials shall be stored in a way that will protect against the unintentional release of the materials to the environment. Where storage is defined as 10% of the reportable quantity or 55 gallons or greater, protective measures shall include:

(1) Segregation of incompatible materials including segregation of all unregulated incompatible materials stored in the same area;

(2) Protection from exposure to weather through storage in an indoor area, including adequate roofs, walls, and floors to prevent rain from reaching PCB's;

(3) Location in an area that if flooded would pose no risk to populated areas or the water supply;

(4) Protection from all sources of heat, fire hazards, and adequate ventilation;

(5) Bilingual warning signs, in both English and Samoan, indicating the type of substances stored and their hazards shall be posted outside the storage area;

(6) Adequate security, including fences, barriers or other means of preventing unauthorized access, and adequate lighting to promote discovery of spills at night and to prevent spills caused by vandalism;

(7) Containers used to store materials shall be in good condition, shall be compatible with the items being stored, and shall be closed at all times while in storage. Containers used to store materials shall be handled in a way that does not cause the containers to rupture or leak;

(8) Inspections. All storage areas shall be inspected weekly to detect leaking or deteriorating containers and to ensure that all emergency equipment is functioning. All leaking containers and their contents shall be transferred immediately to properly marked non-leaking containers, and spilled or leaked materials cleaned up immediately using absorbents or other adequate means. Inspections shall be conducted by facility personnel whose training has been documented and verified in compliance with sections 24.0811. Inspections shall be documented and records kept on the premises for at least one year.

(9) Labeling in accordance with requirements of USDOT regulations set forth in 49 CFR part 172, which are hereby incorporated by reference.

(10) Facility requirements as follows:

(A) All facilities where hazardous substances are accumulated or staged shall be off-limits to unauthorized personnel, and appropriate steps shall be taken to protect the public health and safety;

(B) All facilities where hazardous substances are accumulated or staged, where pollution control devices are operating, or where treatment facilities are located shall have the following devices and equipment for personnel protection:

(i) Eyewash station;

(ii) Shower;

(iii) Emergency communication equipment;

(iv) Fire protection as approved by the fire chief;

(v) Personal protection suits, gloves and boots;

(vi) Spill response equipment appropriate for the amounts and types of materials handled at the facility.

(C) Spill prevention equipment. All facilities that accumulate or stage material characterized as hazardous and having the potential to become hazardous waste if released into the environment shall have appropriate containment and spill-prevention controls for preventing a release. Containment devices shall be capable of holding the content of the largest container or 10 percent of all material accumulated or staged in the area, whichever is greater. Such facilities shall be equipped with weather-protection devices that are sufficient for preventing rain or runoff from entering the facility.

(11) A sign or signs bearing the legend "Danger: Unauthorized Personnel Keep Out" shall be posted at each entrance or active part of a facility and at other locations in numbers sufficient to be seen from any approach. The legend shall be written in English and Samoan and shall be legible from a distance of at least 50 feet. Signs in Samoan and English warning of hazards (e.g., "No Smoking") also shall be posted.

24.0816 Storage—Hazardous materials and petroleum products.

(a) Hazardous materials

(1) Hazardous materials shall be segregated in an environmentally controlled building in accordance with NFPA specifications or with charts and literature on chemical compatibility. Segregation considerations shall include, at a minimum, categories for flammability, combustibility, corrosivity (Ph-specific), poisons, explosives, reactivity, and toxicity.

(2) A current copy of the MSDS, as noted in section 24.0810, shall be on file before hazardous material issued from the hazardous material facility is used. A copy of the MSDS for each product shall be kept at least at the storage facility.

(b) Petroleum-product storage tanks. In addition to the requirements of 24.0701 et seq. ASAC, tanks used for storing petroleum products shall meet the following requirements:

(1) A tank shall not be used for storing oil unless its material and construction are compatible with the stored material and the conditions of storage;

(2) Visible oil leaks that could result in a loss of oil from tank seams, gaskets, rivets, and bolts in amounts sufficiently large to cause oil to accumulate in diked areas or secondary containment areas shall be corrected promptly;

(3) Mobile or portable oil-storage tanks or drums shall be positioned or located in a way that prevents spilled oil from reaching waters of American Samoa and supplies fresh water (i.e., not over the lens wells or in catchment areas). Secondary means of containment shall be applied as required under 24.0704 ASAC.

(4) Testing, inspections and installation of all underground and above ground storage tanks shall be carried out according to the provisions of 24.0701 et seq. ASAC.

24.817 Special storage requirements.

(a) Compressed gas and compressed gas cylinders. Compressed gas shall be classified as a hazardous material and shall be stored in accordance with the general requirements of subsection (a) of this section and the requirements in subsection (b) of this section for storing hazardous materials and petroleum products. Compressed gases and compressed gas cylinders also shall be stored in compliance with the following requirements:

(1) Cylinders of compressed gas shall be classified and labeled in storage as “filled” or “empty”. Empty cylinders are cylinders that have been certified to be empty or residual pressure or those that have been expended but still retain constant pressure. All empty cylinders that have been certified to be void of residual pressure are to be labeled “empty”. Filled and empty cylinders shall be separated and so shall any incompatible materials, such as oxygen, which shall be stored 100 feet from acetylene or hydrogen unless separated by an approved firewall.

(2) If a cylinder valve leak is discovered, the valve shall be closed immediately. If the leak continues after the valve is closed, the cylinder shall be moved to an outside area and the appropriate safety officials shall be notified. If the gas is toxic or flammable, it shall be isolated in an area away from buildings and public roads, if possible. Open flames shall not be used to test fro leaks in compressed-gas cylinders.

(3) Flame or spark-producing items shall not be used within 50 feet of storage areas for compressed gas. Cylinders of compressed gas shall not be allowed to come in contact with fire, sparks, or electrical circuits.

(b) Storage of pesticides. Pesticides shall be classified as a hazardous material and shall be stored in accordance with the general requirements of 24.0815, the requirements of 24.0816 for hazardous materials and petroleum products, and the requirements of 24.0601 et seq. ASAC.

(c) Storage or medical waste. Medical waste, as defined in section 24.0804(17), intended for disposal shall e securely stored in an enclosed and locked areas under the control of director of medical services.

(d) PCB's and PCB items. In addition to the general requirements in section 24.0815(a), the following special provisions apply to PCB's at concentrations of 50 ppm or greater and to PCB items having PCB concentrations of 50 ppm or greater that are stored for disposal:

(1) Non-leaking and structurally undamaged large PCB high-voltage capacitors and PCB contaminated equipment that have not been drained of free-flowing dielectric fluid may be stored on pallets next to a storage facility that meets the requirements of section 24.0815(a). PCB-contaminated electrical equipment that has been drained of free-flowing dielectric fluid is not subject to the storage provisions of this section. Storage of the items discussed in this paragraph shall be permitted only when the storage facility has immediately available unfilled storage space equal to 10 percent of the volume of the capacitors and equipment stored outside the facility. Any equipment so stored shall be checked weekly for leaks.

(2) No item of movable equipment used for handling PCB's and PCB items in the storage facilities that comes in direct contact with PCB's shall be removed from the area of the storage facility unless it has been decontaminated as specified in the description of appropriate decontamination requirements.

(3) All containers used for storing liquid PCB's shall comply with the following shipping-container specifications of USDOT regulations: 49 CFR 178.80 (specification 5, container without removable head), 178.102 (specification 6D, overpack, with (specification 2S, 178.35) or 2SL (178.35a, polyethylene containers) of 178.116 (specification 17E, container). All containers used for storing non-liquid PCB's shall comply with the specifications of 49 CFR 178.80 (specification 5, container). As an alternative, containers larger than those specified in USDOT specifications 5, 5B, or 17C may be used for non-liquid PCB's if the containers are designed and constructed in a way that will provide as much protection against leaking and exposure to the environment and are of the same relative strength and durability as the USDOT-specification containers.

(4) The date on which the PCB articles and PCB containers are placed in storage shall be marked on the exterior of the articles and containers. Storage containers specified under this section shall have a record that includes the quantity of each batch of PCB's and the date the batch was added to the container.

(5) Secondary containment sufficient to contain twice the volume of the largest container being used or 25% of the total volume of PCB's and PCB items being stored, whichever is greater, is required.

24.818 Materials use and operation.

(a) General requirements.

(1) All materials imported to American Samoa shall be used only for the purposes for which they were imported and in accordance with the specific use instructions for the substance.

(2) Persons using hazardous materials shall be trained in the proper use of the substance, as required under section 24.0811.

(3) No hazardous materials shall be used without an MSDS. Supervisors shall inform workers about the dangers, precautions for use, and disposal methods as approved by these standards, for the particular product or substance.

(4) Supervisors shall ensure that suitable protective gear shall be used at all times to prevent exposure of workers to hazardous materials.

(5) Provisions shall be made in compliance with section 24.0815(a)(10) to ensure that workers handling hazardous materials are decontaminated before they leave the work area.

(6) All hazardous materials shall be used in accordance with the requirements of the hazardous materials management plan required under section 24.0812.

(b) Special requirements.

(1) Compressed gases. For the purposes of these standards and regulations, compressed gases are considered hazardous materials and shall be used in accordance with the requirements of section 24.0818.

(2) Pesticides. Use, distribution, certification, labeling and record keeping shall be in accordance with 24.1201 et seq. ASCA and regulations in force pursuant thereto.

(3) Asbestos materials.

(A) Materials containing asbestos shall be used and maintained in compliance with the provisions of the hazardous materials management plan at a minimum, the plan shall include the following information:

(i) the location of the areas that contain friable asbestos;

(ii) the type of asbestos containing material;

(iii) the relative amount of material (e.g., linear feet, square feet).

(A) Asbestos labeling: All areas containing asbestos shall be marked with a bilingual asbestos-identification label in English and in Samoan specifying the potential asbestos hazard, as follows:

CAUTION: ASBESTOS; HAZARDOUS. DO NOT DISTURB WITHOUT PROPER TRAINING AND EQUIPMENT

(c) Asbestos abatement projects:

(i) Employers shall ensure that no employee is exposed to an airborne concentration in excess of the permissible exposure limit (PEL), as required by and determined under 40 CFR 763.121(c). The provisions of 40 CFR 763.121 are hereby incorporated by reference in these standards and regulations.

(ii) In work areas where airborne concentrations of asbestos exceed the PEL, employers shall establish a regulated area in accordance with the requirements of 40 CFR 763.121(e), which is hereby incorporated by reference.

(iii) Exposure monitoring during asbestos-abatement projects shall be carried out in accordance with the requirements of 40 CFR 763.121(f).

(iv) The employer shall adhere to the engineering controls, work practices, and prohibitions of 40 CFR 763.121(g).

(v) The employer shall supply, and require the use of, respirators as required under 40 CFR 763.121(h).

(vi) The employer shall supply, and require the use of, protective clothing for all employees exposed to airborne concentrations of asbestos that exceed the PEL, in accordance with 40 CFR 763.121(i).

(vii) The employer shall provide hygiene facilities and adhere to decontamination practices as required under 40 CFR 763.121(j).

(viii) The employer shall conform to the housekeeping methods and the requirements for asbestos waste disposal of 40 CFR 763.121(l).

(ix) Medical surveillance of employees engaged in asbestos abatement projects shall be conducted in accordance with the requirements of 40 CFR 763.121(m).

(x) The requirements of appendices, A, C, D, and E of 40 CFR 763.121, *EPA/OSHA Reference Method, Qualitative and Quantitative Fit Testing Procedures, Medical Questionnaires, and Interpretation and Classification of Chest Roentgenograms*, respectively, are mandatory for asbestos-abatement activities and are hereby incorporated by reference.

24.819 Discharge of hazardous substances.

In the event of a discharge, spill or release of any hazardous substance, including hazardous waste, from any facility where hazardous substances are disposed, kept for use, or stored, the owner or operator of such facility shall be responsible for the clean-up and remediation of the affected areas. In addition, the owner or operator shall:

(1) Take immediate and appropriate action to contain the discharge or release so that hazardous substances are prevented from reaching the waters of American Samoa or any conveyance thereto;

(2) Take other immediate and appropriate action to protect human health, welfare and the environment, like erecting barriers, posting warning signs, or diking off the exposed areas;

(3) Notify the AS-EPA, TEMCO, Public Health and the Department of Public Safety (DPS) of the discharge or release. The notice required by this section shall include:

(A) The chemical name or identity of any substance involved in the release;

(B) An estimate of the quantity of any such substance released;

(C) The time and duration of the release;

(D) The medium or media into which a release occurred;

(E) Any known or anticipated acute or chronic health risks associated with the emergency, and, where appropriate, advice regarding medical attention for exposed individuals;

(F) Proper precautions to take as a result of the release, including evacuation; and

(G) Actions already taken to respond and to contain the release.

(4) Take any other action required by the facility’s emergency response plan required under section 24.0812 of these standards and regulations.

III. **Hazardous Wastes**.

24.820 Hazardous waste management and emergency response plans.

(a) Before engaging in any of the activities regulated in Part II of these standards and regulations, generators, transporters and owners or operators of storage and disposal facilities shall develop both a written waste management plan and emergency response plan to minimize the risks to human health and safety and to the environment associated with their activities.

(b) The plans required under subsection (a) shall be submitted to the executive secretary for approval within 90 days of the effective date of these standards and regulations. If a plan is not complete or the executive secretary finds a plan to be inadequate, the party submitting such plan(s) shall be prohibited from generating, transporting, storing or disposing of hazardous wastes until such plan(s) are completed to the satisfaction of the executive secretary.

A. Standards Applicable to Generators of Hazardous Wastes

24.821 Hazardous waste determination.

(a) A person who generates a solid waste, as defined in this chapter, must determine if that waste is a hazardous waste using the following method:

(1) First, determine whether the waste is excluded from regulation according to the method set forth in 40 CFR 261.4, which is hereby incorporated by reference;

(2) Second, determine if the waste is listed as a hazardous waste in subpart D of 40 CFR part 261, which is hereby incorporated by reference;

(3) For purposes of compliance with this chapter, or if the waste is not listed in subpart D of 40 CFR part 261, the generator must determine whether the waste is identified by either:

(A) testing the waste according to the methods set forth in subpart C of 40 CFR part 261; or

(B) applying knowledge of the hazard characteristic(s) of the waste in light of the materials or the processes used.

(b) If a waste is determined to be hazardous, the generator must abide by these standards and regulations as they apply to the particular waste generated, and comply with the provisions of 24.0820 relating to preparation, maintenance and approval of hazardous waste management and emergency response plans.

24.822 Manifest requirements-Generators.

(a) A generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal must prepare a “Uniform Hazardous Waste Manifest” on USEPA form 8700-22 (Appendix B-1), and, if necessary, on USEPA form 8700-22A (Appendix B-2), according to the instructions in the appendix to 40 CFR 262 (Appendix

B-3). Appendices B-1, B-2, and B-3 shall be appended hereto and incorporated by reference in these regulations. The generator shall designate on the manifest a facility permitted to handle that waste described on the manifest.

(b) The generator must prepare sufficient copies of the manifest to provide the generator, each transporter, and the designated facility with one copy each. For each manifest used by the generator, the generator must:

(1) sign the manifest certification by hand;

(2) obtain the handwritten signature of the initial transporter and date of acceptance on the manifest;

(3) retain one copy of the manifest

(c) In the event the transporter is unable to deliver the waste to the designated facility, the generator must designate another facility or instruct the transporter to return the waste.

(d) For shipments of hazardous waste that are transported to the United States solely by water (bulk shipments only), the generator shall send three copies of the manifest dated and signed in accordance with this section to the owner or operator of the designated facility or the last water transporter to handle the waste in the United States if exported by water. Copies of the manifest are not required for each transporter.

(e) Content of the manifest. The manifest prepared by the generator shall contain the following information:

(1) Type of waste.

(2) Name of waste.

(3) Hazard class of waste.

(4) Amount of waste in gallons or pounds.

(5) Information on compatibility of hazardous wastes.

(6) Hazardous-waste code.

(7) Flashpoint of waste.

(8) Ph of waste.

(9) Handling precautions.

(10) Cleanup procedures.

(11) Required response equipment.

(12) Emergency telephone numbers and contact points for local fire, environment and safety personnel.

(13) Name of the generator of the waste.

(14) Special storage requirements.

(15) Disposal restrictions or requirements.

(16) Designated destination of the waste and alternative destination.

24.823 Pre-transport requirements.

(a) Packaging. Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must package the waste in accordance with the

applicable United States Department of Transportation (USDOT) regulations on packaging under 49 CFR parts 173, 178, and 179.

(b) Labeling. Before transporting or offering hazardous waste for transportation off-site, a generator must label each package in accordance with the applicable USDOT regulations on hazardous materials under 49 CFR Part 172.

(c) Marking.

(1) Before transporting or offering hazardous waste for transport off-site, a generator must mark each package of hazardous waste in accordance with the applicable USDOT regulations on hazardous materials under 49 CFR part 172.

(2) Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must mark each container of 110 gallons or less used in such transportation with the following words and information displayed in accordance with the requirements of 49 CFR 172.304:

"HAZARDOUS WASTE-Federal Law Prohibits Improper Disposal. If found, contact the nearest public safety authority or the ASEPA.

Generator's Name and Address _____,

Manifest Document Number _____.

(d) Placarding. Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must placard or offer the initial transporter the appropriate placards according to USDOT regulations for hazardous materials under 49 CFR part 172, subpart F.

(e) Accumulation.

(1) A generator may accumulate hazardous waste on-site for 180 days or less without a permit from the commission provided that the waste is placed:

(A) In containers and the generator complies with subpart W of 40 CFR part 265; and or

(B) In tanks and the generator complies with subpart J of 40 CFR part 265, except section 265.197(c) and section 265.200; and or

(C) On drip pads and the generator complies with subpart W of 40 CFR part 265 and maintains the following records at the facility:

(i) A description of the procedures that will be followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days; and

(ii) Documentation of each waste removal, including the quantity of waste removed from the drip pad and sump or collection system and the date and time of removal.

(2) A generator who accumulates hazardous waste for more than 180 days is an operator of a storage facility and is therefore subject to the requirements of 40 CFR parts 264 and 265 and the permit requirements of 40 CFR part 270, unless he has been granted an extension in writing by the executive secretary. Such extension may be granted by the executive secretary if hazardous wastes must remain on-site for longer than 180 days due

to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the executive secretary on a case-by-case basis.

(3) A generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste (listed in Appendix A and in 40 CFR 261.33(f)) in containers at or near the point of generation where wastes initially accumulate without complying with paragraph (e)(1) of this section, provided that he:

(A) uses only containers which are free of leaks and in good condition; and

(B) uses containers which are lined with materials which will not react with, and are otherwise compatible with, the hazardous wastes to be stored; and

(C) ensure that containers holding hazardous wastes are always closed during storage, except when it is necessary to add or remove waste;

(D) marks his containers either with the words “Hazardous Waste” or with other words that identify the contents of the containers.

(4) A generator who accumulates either hazardous waste or acutely hazardous waste in excess of the amounts set forth in subparagraph (3) of this section at or near the point of generation must, with respect to that amount of excess waste, comply within three days with paragraph (e)(1) of this section and any other applicable sections of this chapter. The generator must mark the container holding the excess accumulation of hazardous waste with the date the excess amount began accumulating.

(f) Hazardous waste residues in containers. Hazardous waste remaining in an empty container or in an inner liner removed from an empty container is not subject to regulation under the hazardous waste requirements of these standards and regulations. A container shall be considered “empty” if:

(1) the container held a quantity of non-acute hazardous waste and all wastes have been removed that can be removed using the common practices for removing materials from that type of container (i.e. pouring, pumping, and aspirating), and no more than 2.5 centimeters (1 inch) of residue remains on the bottom of the inner liner; or

(2) No more than 3 percent by weight of the total capacity of the container remains in the container or the inner if the container is larger than 110 gallons, or less; or

(3) No more than 0.3 percent by weight of the total capacity of the container remains in the container or the inner liner if the container is larger than 110 gallons; or

(4) The container previously held a compressed gas and the pressure in the container approximates atmospheric pressure; or

(5) The container previously held an acute hazardous waste and one of the following applies:

(A) The container or inner liner has been triple-rinsed with a solvent capable of removing the commercial chemical product or the manufacturing chemical intermediate (a chemical used in manufacturing a commercial chemical product); or

(B) The container or inner liner has been cleaned by another method that has been shown in the scientific literature, or in tests conducted by the generator, to achieve an equivalent level of removal; or

(C) In the case of a container, the inner liner that prevented the commercial chemical product or the manufacturing chemical intermediate from contacting the container has been removed.

24.824 Recordkeeping and reporting.

(a) A generator must keep a copy of each manifest signed in accordance with section 24.0822 or three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

(b) A generator must keep records of any test results, waste analyses, or other determinations made in accordance with section 24.0821 for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage or disposal.

(c) A generator who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within 90 days of the date the waste was accepted by the initial transporter must submit a legible copy of the manifest, with some indication that the generator has not received confirmation of delivery, to the executive secretary.

24.825 Exports of hazardous wastes.

The export of hazardous wastes by a generator shall be allowed in accordance with the requirements of 40 CFR part 262 subpart E, which are hereby incorporated by reference in these standards and regulations.

24.826 Farmers.

A farmer disposing of waste pesticides from his own use which are hazardous wastes is not required to comply with the standards in this chapter, provided that he triple rinses each emptied pesticide container and otherwise complies with the provisions of 24.0601 et seq. ASAC.

B. Standards Applicable to Transporters of Hazardous Waste

24.830 Scope.

(a) The regulations in this subpart establish standards that apply to persons transporting hazardous waste within this territory, is such transportation requires use of a manifest. Persons transporting hazardous waste out of this territory or between this territory and the United States must comply with the provisions of 40 CFR part 263.

(b) These regulations do not apply to on-site transportation of hazardous waste by generators or by owners or operators or permitted hazardous waste management facilities.

24.831 Manifest requirements-Transporters.

(a) A transporter may not accept hazardous waste from a generator unless it is accompanied by a manifest signed in accordance with the provisions of 24.0822.

(b) Before transporting the hazardous waste, the transporter must sign and date the manifest acknowledging acceptance of the hazardous waste from the generator. The transporter must return a signed copy to the generator before leaving the generator's property.

(c) The transporter must ensure that the manifest accompanies the hazardous waste.

(d) A transporter who delivers a hazardous waste to another transporter or to the designated facility must:

(1) Obtain the date of delivery and the handwritten signature of that transporter or of the owner or operator of the designated facility on the manifest; and

(2) Obtain the date of delivery and the handwritten signature of that transporter or of the owner or operator of the designated facility on the manifest; and

(3) Retain one copy of the manifest in accordance with section 24.0833; and

(4) Give the remaining copies of the manifest to the accepting transporter or designated facility.

24.832 Compliance with the manifest.

(a) The transporter must deliver the entire quantity of the hazardous waste that he has accepted from a generator or another transporter to:

(1) the designated facility listed on the manifest; or

(2) the alternate designated facility if the hazardous waste cannot be delivered to the designated facility because an emergency prevents delivery; or

(3) the next designated transporter; or

(4) the place outside this territory designated by the generator.

(b) If the hazardous waste cannot be delivered in accordance with paragraph (a) of this section, the transporter must contact the generator for further directions and must revise the manifest according to the generator's instructions.

24.833 Recordkeeping

A transporter of hazardous waste must keep a copy of the manifest signed by the generator, himself, and the next designated transporter or the owner or operator of the designated facility for a period of three years from the date the hazardous waste was accepted by the initial transporter.

24.834 Hazardous waste discharges.

(a) In the event of a discharge of hazardous waste during transportation, the transporter shall take appropriate immediate action to protect human health and the environment, e.g., notify the local response authorities and dike off the discharge area.

(b) An air, highway or water transporter who has discharged hazardous waste within this territory must:

(1) notify Public Health, DPS, TEMCO, and the ASEPA; and

(2) report in writing as required under 49 CFR section 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590;

(3) give notice, if required by 49 CFR 171.15, to the National Response Center (800-424-8802 or 202-426-2675), and

(4) take any other action required by the emergency response plan required under section 24.0820 of this chapter.

(c) A transporter must clean up any hazardous waste discharge that occurs during transportation or take such action as may be required or approved by federal or local officials so that the hazardous waste discharge no longer presents a hazard to human health or the environment.

C. Standards Relating to Treatment, Storage and Disposal of Hazardous Waste

24.840 Treatment, storage and disposal facilities.

(a) An owner or operator of a facility which receives hazardous waste for treatment, disposal, or storage for periods in excess of thirty (30) days shall register with the Administrator of the USEPA and comply with the requirements set forth in 40 CFR part 264, which are hereby incorporated by reference in these standards and regulations.

(b) Manifested shipments of hazardous wastes may be stored in a transfer facility for periods no longer than thirty (30) days, provided the temporary facility complies with 24.0810 and 24.0822 and:

(1) Each container is clearly marked to identify its contents and the date the temporary storage period began;

(2) Owners and operators of such facilities comply with the operating record requirements set forth in 40 CFR 264.73 or 265.73 and store the containers in accordance with the requirements of 24.0824(e); and

(3) such facilities prepare and maintain the emergency response plan required under section 24.0821 of these standards and regulations.

(c) The following hazardous wastes which are recycled as follows are not “disposed” for purposes of these rules:

(1) Hazardous wastes burned for energy recovery in boilers, industrial furnaces and electric generators, provided:

(A) such wastes are considered to be hazardous solely because they possess the characteristic of ignitability; or

(B) such wastes are considered hazardous because the wastes to be burned are a product of mixing in which the hazardous constituent appears in analysis to be insignificant and not to pose a threat to public health and safety and the environment when burned.

(2) Used oil that exhibits one or more of the characteristics of hazardous waste and is burned for energy recovery in boilers, incinerators, and electrical generators.

(3) Recyclable materials from which precious metals are reclaimed.

(4) Spent lead acid batteries that are reclaimed.

24.841 Land disposal of hazardous wastes—Prohibition—Exceptions.

(a) Except as provided in subsections (b), (c) and (d) of this section, land disposal of hazardous wastes is prohibited in this territory.

(b) Small quantities of non-acute hazardous wastes not to exceed 100 Kg may be land-disposed with the express, written permission of the executive secretary if:

(1) an extract of the waste is tested in accordance with the provisions of 24.0842(a) and the extract meets the requirements of 24.0842(a); or

(2) the waste is treated using an appropriate treatment technology under 24.0842(b) and the constituent concentrations in the treatment residue does not exceed the treatment standards required by 24.0842(b).

(c) Persons granted an exemption by the USEPA pursuant to a petition under 40 CFR 268.6 with respect to those wastes or units covered by the petition may land dispose of hazardous wastes, provided they give written notice to the executive secretary.

(d) Small quantities of paints and asbestos not to exceed 100 Kg may be land disposed so long as:

(1) paints are solidified using absorbents or by exposure to air; and

(2) asbestos is placed in leak-proof bags, labeled and buried in an area separate and apart from other types of wastes.

24.842 Treatment standards.

(a) A hazardous waste identified in 40 CFR 268.41 may be land disposed in accordance with 24.0841 if an extract from the waste or treatment residue developed using the test method provided by 40 CFR part 61 appendix II does not exceed the value shown in Table CCWE of 40 CFR 268.41 for the waste tested.

(b) A hazardous waste for which a treatment technology is specified under 40 CFR 268.42(a) may be land disposed in accordance with 24.0841 after it is treated using that specified technology or an equivalent treatment method approved by the executive secretary. The executive secretary may approve an alternative treatment procedure only after consulting with and obtaining approval in writing from USEPA.

(c) A hazardous waste identified in 40 CFR 268.43 may be land disposed in accordance with 24.0841 if the constituent concentrations in the waste or treatment residue does not exceed the value shown in Table CCW of 40 CFR 268.43 for any hazardous constituents listed in Table CCW for that waste.

(d) When wastes with differing treatment standards for a constituent of concern are combined for purposes of treatment, the treatment residue must meet the lowest treatment standard for the constituent of concern.

(e) If a hazardous waste extract or treatment residue does not meet the standards required by this section, land disposal is prohibited.

(f) If a treatment standard for a particular hazardous waste is not provided by this section, land disposal of that waste is prohibited absent the express, written permission of the executive secretary.

(g) 40 CFR sections 268.41 and 40 CFR 268.43 and tables thereto shall be incorporated by reference in these standards and regulations.

IV. Pipeline Safety Regulations

24.850 Definitions.

(a) As used in this Part:

(1) “Class location” means, for onshore pipelines, the geographic area that extends 220 yards on either side of the centerline of any continuous ¼ mile length of pipeline. The class location designations referred to in this part shall be those set forth in 49 CFR 192.5(b) through (f), which are hereby incorporated by reference.

(2) “Distribution Line” means a pipeline other than a gathering or transmission line.

(3) “Gas” means natural gas, flammable gas, or gas which is toxic or corrosive.

(4) “Gathering Line” means a pipeline that transport gas from a current production facility to a transmission line or main.

(5) “High pressure distribution system” means a distribution system in which the gas pressure in the main is higher than the pressure provided to the customer.

(6) “Low pressure distribution system” means a distribution system in which the gas pressure in the main is substantially the same as the pressure provided to the customer.

(7) “Main” means a distribution line that serves as a common source of supply for more than one service line.

(8) “Maximum actual operating pressure” means the maximum pressure that occurs during normal operations over a period of 1 year.

(9) “Maximum allowable operating pressure” means the maximum pressure at which a pipeline or a segment of pipeline may be operated under this Part.

(10) “Offshore” means beyond the line of ordinary low water along that portion of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

(11) “Operator” means a person who engages in the transportation of gas.

(12) “Person” means any individual, firm, joint venture, partnership, corporation, association, State, municipality, territory, cooperative association, and including any trustee, receiver, assignee, or personal representative thereof.

(13) “Pipe” means any pipe or tubing used in the transportation of gas, including pipe-type holders.

(14) “Pipeline” means all parts of those physical facilities through which gas moves in transportation, including pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders and fabricated assemblies.

(15) “Pipeline facility” means new and existing pipelines, rights-of-way, and any equipment, facility, or building used in the transportation of gas or in the treatment of gas during the course of transportation.

(16) “Service line” means a distribution line that transport gas from a common source of supply to an (a) customer meter or the connection to a customer’s piping, whichever is farther downstream, or (b) the connection to a customer’s piping if there is no customer meter. A customer meter is the meter that measures the transfer of gas from an operator to a consumer.

(17) “SMYS” means specified minimum yield strength that is:

(A) For steel pipe manufactured in accordance with a listed specification, the yield strength specified as a minimum in that specification; or

(B) For steel pipe manufactured in accordance with an unknown or unlisted specification, the yield strength determined in accordance with 49 CFR 192.107(b), which is hereby incorporated by reference.

(18) “Transmission line” means a pipeline, other than a gathering line, that:

(A) Transport gas from a gathering line or storage facility to a distribution center or storage facility;

(B) Operates at a hoop stress of 20 percent or more of SMYS; or

(C) Transports gas within a storage field.

(19) “Transportation of gas” means the gathering, transmission, or distribution of gas by pipeline or the storage of gas, in or affecting interstate or foreign commerce.

24.851 Scope and applicability.

(a) This Part prescribes minimum safety requirements for pipeline facilities and the transportation by pipeline of natural gas, liquefied natural gas, and hazardous liquids inside the territorial limits of American Samoa.

(b) No person may operate a pipeline facility, segment of pipeline, or a relocated, modified or replaced segment of a pipeline unless:

(1) the pipeline or segment has been designed, installed, constructed, initially inspected, and initially tested in accordance with this Part; and

(2) the pipeline operator maintains, modifies as appropriate, and follows the plans, procedures, and programs required to be followed under this Part.

24.852 Pipeline materials.

(a) As further provided in this section, materials used for pipe and components must be:

(1) able to maintain the structural integrity of the pipeline under temperature and other environmental conditions that may be anticipated.

(2) chemically compatible with any gas or liquid that they transport and with any other material in the pipeline with which they are in contact; and

(3) qualified in accordance with the requirements of this section.

(b) To qualify for use under this chapter, steel pipe must meet the standards set forth under 49 CFR 192.55 and the design standards set forth in 49 CFR 192.105-115, inclusive, which are hereby incorporated by reference.

(c) Plastic pipe may be used under this chapter if it qualifies for use under the provisions of 49 CFR 193.59 and if it meets the design standards set forth in 49 CFR 192.121 through 192.123, inclusive, which are hereby incorporated by reference.

24.853 Pipeline components-Design

(a) Each component of a pipeline must be able to withstand operating pressures and other anticipated loadings without impairment of its serviceability with unit stresses equivalent to those allowed for comparable materials in pipe in the same location and kind of service. However, if design based upon unit stresses is impractical for a particular component, design may be based upon a pressure rating established by the manufacturer by pressure testing that component or a prototype of the component.

(b) Each component of a pipeline including, but not limited to, valves, flanges, fittings, tapping, metallic components, branch connections, extruded outlets, supports and anchors, and compressor stations, among others, shall meet the standards set forth for such components in Subpart D of 49 CFR Part 192, which is hereby incorporated in these rules.

24.854 Joining of materials in pipelines.

(a) Welding

(1) Steel welding must be performed by a qualified welder in accordance with welding procedures qualified to produce welds meeting the requirements of 49 CFR 192 Subpart E. The quality of the test welds used to qualify the procedure shall be determined by destructive testing.

(2) Welding procedures must be recorded in detail, including the results of the qualifying tests. This record must be retained and followed whenever the procedure is used.

(3) Welds shall be inspected and tested in a proper manner according to the provisions of 49 CFR 192.241 and 192.243, and, if defects are found, repaired in accordance with 49 CFR 192.245.

(b) Joints

(1) The pipeline must be designed and installed so that each joint will sustain the longitudinal pullout or thrust forces caused by contraction or expansion of the piping or by anticipated external or internal loading.

(2) Each joint must be made in accordance with written procedures that have been proven by test or experience to produce strong gas tight joints.

(3) Each joint must be installed and inspected in accordance with the provisions of 49 CFR Part 192 subpart F, which is hereby incorporated by reference.

24.855 General construction requirements.

(a) Inspection. Each transmission line or main must be inspected to ensure that it is conducted in accordance with this section, and each component must be inspected to insure that it has not sustained any damage that could impair its serviceability.

(b) Repair. Upon inspection and discovery each imperfection or damage which impairs the serviceability of a pipe shall be repaired in accordance with 49 CFR 192.309 and 192.311, which are hereby incorporated by reference.

(c) Bends and elbows in pipe. Each field bend, wrinkle bend, and wrought steel welding elbow and transverse segments of such elbows shall be comply with the provisions of 49 CFR 192.313 and 192.315, which are hereby incorporated by reference.

(d) Hazard Protection.

(1) The operator must take all practicable steps to protect each transmission line or main from washouts, floods, unstable soil, landslides or other hazards that may cause the pipeline to move or to sustain abnormal loads. In addition, the operator must take all practicable steps to protect offshore pipelines from damage by mudslides, water currents, hurricanes, ship anchors and fishing operations.

(2) Each aboveground transmission line or main, not located offshore or in inland navigable waters, must be protected from accidental damage by vehicular traffic, either by placement at a safe distance from traffic or by installing barricades.

(3) Pipelines, including pipe risers, on each platform located offshore or in inland navigable waters, must be protected from accidental damage by vessels.

(e) Installation of pipe.

(1) Pipe to be installed in a ditch shall comply with the provisions of 49 CFR 192.319, which is hereby incorporated by reference.

(2) Plastic pipe shall be installed in accordance with 49 CFR 192.321, which is hereby incorporated by reference.

(f) Casings. Each casing used on a transmission line or main under a highway must comply with the following:

(1) The casing must be designed to withstand the superimposed loads;

(2) If there is a possibility of water entering, the ends must be sealed;

(3) If the ends of an unvented casing are sealed and the sealing is strong enough to retain the maximum allowable operating pressure of the pipe, the casing must be designed to hold this pressure at a stress level of not more than 72 % of SMYS;

(4) If vents are installed on a casing, the vents must be protected from the weather to prevent water from entering the casing.

(g) Underground clearance.

(1) Each transmission line must be installed with at least 12 inches of clearance from any other underground structure not associated with the transmission line. If this clearance cannot be attained, the transmission line must be protected from damage that might result from the proximity of the other structure.

(2) Each main must be installed with enough clearance from any other underground structure to allow proper maintenance and to protect against damage that might result from proximity to other structures or potential hazards.

(h) Cover. Each buried transmission line shall be installed with the minimum level of cover as provided under 49 CFR 192.327, which is hereby incorporated by reference.

24.856 Corrosion control-External.

(a) Buried or submerged pipelines.

(1) Except as provided in paragraphs (2) and (3) of this subsection, each buried or submerged pipeline must be protected against external corrosion using appropriate corrosion control methods, including the following:

(A) It must have an external protective coating meeting the requirements of subsection (c) of this section;

(B) It must have a cathodic protection system designed to protect the pipeline in accordance with subsection (d) of this section, installed and placed in operation within 1 year after completion of construction;

(C) It must not contain aluminum if that aluminum is exposed to a natural environment with a Ph in excess of 8.0.

(2) An operator need not comply with paragraph (1) of this subsection if both of the following requirements are met:

(A) The operator can demonstrate by tests, investigation, or experience in the area of application, including, at a minimum, soil resistivity measurements and tests for corrosion accelerating bacteria, that a corrosive environment does not exist. However, within 6 months of an installation not in compliance with paragraph (1) the operator shall conduct tests, including pipe-to-soil potential measurements with respect to either a continuous reference electrode or an electrode using close spacing, not to exceed 20 feet, and soil resistivity measurements at potential profile peak locations, to adequately evaluate the potential profile along the entire pipeline. If the tests made indicate that a corrosive condition exists, the pipeline must be cathodically protected in accordance with paragraph (1).

(B) The operator can demonstrate by tests, investigation, or experience that, for a copper pipeline, a corrosive environment does not exist, and for a temporary pipeline having an operating period of less than five years, that any corrosion which may occur will not be detrimental to public safety.

(3) This subsection does not apply to electrically isolated, metal alloy fittings in plastic pipelines, if:

(A) for the size of the fitting to be used the operator can show by test, investigation, or experience in the area of application that adequate corrosion control is provided by the alloy composition; and

(B) the fitting is designed to prevent leakage caused by localized corrosion pitting.

(b) Examination of buried and exposed pipeline. Whenever an operator has knowledge that any portion of a buried pipeline is exposed, the exposed portion must be examined for evidence of external corrosion if the coating is deteriorated. If external corrosion is found, remedial action must be taken to the extent required by the rules adopted under 24.0859.

(c) Protective coating.

(1) Each external protective coating, whether conductive or insulating, applied for the purpose of external corrosion control must:

(A) Be applied on a properly prepared surface;

(B) Have sufficient adhesion to the metal surface to effectively resist underfilm migration of moisture;

(C) Be sufficiently ductile to resist cracking;

(D) Have sufficient strength to resist damage due to handling and soil stress; and

(E) Have properties compatible with any supplemental cathodic protection.

(2) Each external protective coating which is an electrically insulating type must also have low moisture absorption and high electrical resistance.

(3) Each external protective coating must be inspected just prior to lowering the pipe into the ditch and backfilling, and any damage detrimental to effective corrosion control must be repaired.

(4) If coated pipe is installed by boring, driving, or other similar method, precautions must be taken to minimize damage to the coating during installation.

(d) Cathodic protection.

(1) Each cathodic protection system required by this subpart must provide a level of cathodic protection that complies with one or more of the applicable criteria contained in Appendix D of 49 CFR 192 Subpart I, which is hereby incorporated by reference. If none of these criteria is applicable, the cathodic protection system must provide a level of cathodic protection at least equal to that provided by compliance with one or more of these criteria.

(2) If amphoteric metals are included in a buried or submerged pipeline containing a metal of different anodic potential, then:

(A) The amphoteric metals must be electrically isolated from the remainder of the pipeline and cathodically protected; or

(B) The entire buried or submerged pipeline must be cathodically protected at a cathodic potential that meets the requirements of appendix D of 49 CFR 192 Subpart I.

(3) The amount of cathodic protection must be controlled so as not to damage the protective coating or the pipe.

(e) Monitoring.

(1) Each pipeline that is under cathodic protection must be tested at least once each calendar year, but with intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of this section.

(2) Each cathodic protection rectifier or other impressed current power source must be inspected six times each calendar year, but with intervals not exceeding 2 and ½ months, to insure that it is operating properly.

(3) Each reverse current switch, each diode, and each interference bond whose failure would jeopardize structure protection must be electronically checked at least once each calendar year, but with intervals not exceeding 15 months.

(4) Each operator shall take prompt remedial action to correct any deficiencies indicated by the monitoring.

(5) After the initial evaluation required by subsections (a)(2) and (a)(3) of this section, each operator shall, at intervals not exceeding 3 years, reevaluate its unprotected pipelines in which active corrosion is found. The operator shall determine the areas of active corrosion by electrical survey, or where electrical survey is impractical, by the study of corrosion and leak history records, by leak detection survey, or by other means.

(f) Electrical isolation.

(1) Each buried or submerged pipeline must be electrically isolated from other underground metallic structures, unless the pipeline and the other structures are electrically interconnected and cathodically protected as a single unit.

(2) One or more insulating devices must be installed where electrical isolation of a portion of a pipeline is necessary to facilitate the application of corrosion control.

(3) Except for unprotected copper inserted in ferrous pipe, each pipeline must be electrically isolated from metallic casings that are part of the underground system. However, if isolation is not achieved because it is impractical, other measure must be taken to minimize corrosion of the pipeline inside the casing.

(4) Inspection and electrical tests must be made to assure that electrical isolation is adequate.

(5) An insulating device may not be installed in an area where a combustible atmosphere is anticipated unless precautions are taken to prevent arcing.

(6) Where a pipeline is located in close proximity to electrical transmission tower footings, ground cables or counterpoise, or in other areas where fault currents or unusual risks of lightning may be anticipated, it must be provided with protection against damage due to fault currents or lightning, and protective measures must also be taken at insulating devices.

(g) Testing. External corrosion control test stations and test leads shall be established and maintained in accordance with the provisions of 49 CFR 192.469 and 192.471, which are hereby incorporated by reference.

24.857 Corrosion control-Internal

(a) General.

(1) Corrosive gas may not be transferred by pipeline, unless the corrosive effect of the gas on the pipeline has been investigated and steps have been taken to minimize internal corrosion.

(2) Whenever any pipe is removed from a pipeline for any reason, the internal surface must be inspected for evidence of corrosion. If internal corrosion is found---

(A) The adjacent pipe must be investigated to determine the extent of internal corrosion;

(B) Replacement must be made to the extent required by the rules incorporated under 24.0859;

(C) Steps must be taken to minimize the internal corrosion.

(3) Gas containing more than 0.1 grain of hydrogen sulfide per 100 standard cubic feet may not be stored in pipe-type or bottle-type holders.

(b) Monitoring. If corrosive gas is being transported, coupons or other suitable means must be used to determine the effectiveness of the steps taken to minimize internal corrosion. Each coupon or other means of monitoring internal corrosion must be checked two times each calendar year, but with intervals not exceeding 8 months.

24.858 Corrosion control----Atmospheric corrosion.

(a) For pipelines installed after 1971, each above-ground pipeline or portion of a pipeline that is exposed to the atmosphere must be cleaned or coated or jacketed with a material suitable for the prevention of atmospheric corrosion. An operator need not comply with this paragraph, if the operator can demonstrate by test, investigation, or experience in the area of application, that a corrosive atmosphere does not exist.

(b) For pipelines installed before August 1, 1971, each operator having an above-ground or portion of a pipeline that is exposed to the atmosphere shall;

(1) Determine the areas of atmospheric corrosion on the pipeline;

(2) If atmospheric corrosion is found, take remedial measures to the extent required by the applicable provisions of the rules adopted under 24.0859.

(3) Clean and either coat or jacket the areas of atmospheric corrosion on the pipeline with a material suitable for the prevention of atmospheric corrosion.

(c) After meeting the requirements of this section, each operator shall, at intervals not exceeding 3 years for onshore pipelines and at least once each calendar year, but with intervals not exceeding 15 months, for offshore pipelines, reevaluate each pipeline that is exposed to the atmosphere and take remedial action whenever necessary to maintain protection against atmospheric corrosion.

24.859 Corrosion control—Remedial measures.

Each operator of a segment of pipeline shall take, as applicable; the remedial measures required under 49 CFR 192.483 through 192.489, inclusive, which are hereby incorporated by reference in this chapter.

24.860 Corrosion control—Records.

(a) Each operator shall maintain records or maps to show the location of cathodically protected piping, cathodic protection facilities, galvanic anodes, and neighboring structures bonded to the cathodic protection system. Records or maps showing a stated number of anodes, installed in a stated manner or spacing, need not show specific distances to each buried anode.

(b) Each record or map required by paragraph (a) of this section must be retained for as long as the pipeline remains in service.

(c) Each operator shall maintain a record of each test, survey, or inspection required by any rule pertaining to corrosion control in sufficient to demonstrate the adequacy of

corrosion control measures or that a corrosive condition does not exist. These records must be retained for at least 5 years, except that records related to 24.0856(e) and 24.0857(a) must be retained for as long as the pipeline remains in service.

24.865 Test Requirements---General.

(a) No person may operate a new segment or pipeline, or return to service a segment of pipeline that has been relocated or replaced, until:

(1) It has been tested in accordance with these standards and regulations to substantiate the maximum allowable operating pressure; and

(2) Each potentially hazardous leak has been located and eliminated.

(b) The test medium must be liquid, air, natural gas, or inert gas that is:

(1)Compatible with the material of which the pipeline is constructed;

(2) Relatively free of sedimentary materials; and

(3) Except for natural gas, nonflammable.

(c) Except as provided in 24.0871(a), if air, natural gas, or inert gas is used as the test medium, the following maximum hoop stress limitations apply:

Class Location	Maximum hoop stress allowed as percentage of SMYS	
	Natural Gas	Air or inert gas
1…….	80	80
2…….	30	75
3…….	30	50
4…….	30	40

(d) Each joint used to tie in a test segment of pipeline is excepted from the specific test requirements of these standards and regulations, but each non-welded joint must be leak tested at not less than its operating pressure.

24.866 Test requirements---Pipelines.

(a) Steel pipelines to operate at 30 percent or more of SMYS.

(1) Except for service lines, each segment of a steel pipeline that is to operate at a hoop stress of 30 percent or more SMYS must be strength tested in accordance with this subsection to substantiate the proposed maximum operating pressure. In addition, if there is a building intended for human occupancy within 300 feet of a pipeline, a segment of pipeline not less than 600 feet long must be hydrostatic tested to a test pressure of at least 125 percent of maximum operating pressure.

(2) Except as provided in subsection (a)(3) of this section, the strength test must be conducted by maintaining the pressure at or above the test pressure for at least 6 hours.

(3) For fabricated units, components, and short sections of pipe for which a post installation test is impractical, a pre-installation strength test must be conducted by maintaining the pressure at or above the test pressure for at least 4 hours.

(b) Pipelines to operate at hoop stress less than 30 percent of SMYS and at or above 100 psi.

(1) The pipeline operator shall use a test procedure that will ensure discovery of all potentially hazardous leaks in the segment being tested.

(2) If, during the test, the segment is to stressed to 20 percent or more of SMYS and natural gas, inert gas, or air is the test medium---

(A) A leak test must be made at a pressure between 100 p.s.i. (689 kpa) gage and the pressure required to produce a hoop stress of 20 percent of SMYS; or

(B) The line must be walked to check for leaks while the hoop stress is held at approximately 20 percent of SMYS.

(3) During testing the pressure must be maintained at or above the test pressure for at least 1 hour.

(c) Pipelines to operate below 100 p.s.i. (689 kpa) gage.

(1) Except for service lines and plastic pipelines, each segment of a pipeline to be operated below 100 p.s.i (689 kpa) gage must be leak tested in accordance with the following:

(A) The test procedure used must ensure discovery of all potentially hazardous leaks in the segment being tested.

(B) Each main that is to be operated at less than 1 p.s.i. (6.9 kpa) gage must be tested to at least 10 p.s.i. (69kpa) gage and each main to be operated at or above 1 p.s.i. (6.9 kpa) gage must be tested to at least 90 p.s.i (621 kpa) gage.

(d) Plastic pipelines.

(1) Each segment of a plastic pipeline must be tested in accordance with this subsection.

(2) The test procedure must insure discovery of all potentially hazardous leaks in the segment being tested.

(3) The test pressure must be at least 150 percent of the maximum operating pressure or 50 p.s.i. (345 kPa) gage, whichever is greater. However, the maximum test pressure may not be more than three times the pressure determined under 49 CFR 192.121, which is hereby incorporated by reference, and at a temperature not less than the pipe temperature during the test.

(4) During the test, the temperature of thermoplastic material may not be more than 100 deg. F (38 deg. C), or the temperature at which the material’s long term hydrostatic strength has been determined under the listed specification, whichever is greater.

(e) Service lines.

(1) Each segment of a service line (other than plastic) must be leak tested in accordance with this section before being placed in service. If feasible, the service line connection to the main must be included in the test; if not feasible, it must be given a leakage test at the operating pressure when placed in service.

(2) Each segment of a service line (other than plastic) intended to be operated at a pressure of at least 1 p.s.i (276 kPa) gage but not more than 40 p.s.i (276 kPa) gage must be given a leak test at a pressure of not less than 50 p.s.i (345 kPa) gage.

(3) Each segment of a service line (other than plastic) intended to be operated at pressures of more than 40 p.s.i (276 kPa) gage must be tested to at least 90 p.s.i (621 kPa) gage, except that each segment of a steel service line stressed to 20 percent or more of SMYS must be tested in accordance with paragraph (b) of this section.

(f) Records. Each operator shall make, and retain for the useful life of the pipeline, a record of each test performed under paragraphs (a) and (b) of this section. The record must contain at least the following information:

(1) The operator's name, the name of the operator's employee responsible for making the test record, and the name of any test company used.

(2) Test medium used.

(3) Test pressure.

(4) Test duration.

(5) Pressure recording charts, or other record of pressure readings.

(6) Elevation variations, whenever significant for the particular test.

(7) Leaks and failures noted and their disposition.

24.867 Uprating.

No operator may increase the maximum allowable operating pressures for a pipeline without complying with the regulations set forth in 49 CFR 192.553 through 192.557, inclusive, which are hereby incorporated by reference in this chapter.

24.870 Operations—General Provisions.

(a) No person may operate a segment of pipeline unless it is operated in accordance with this section and sections 24.0881 through 24.0883.

(b) Each operator shall keep records necessary to administer the procedures established under 24.0882.

(c) The commission may require the operator to amend its plans and procedures as necessary to provide a reasonable level of safety.

24.871 Operations—Procedural manual.

(a) Each operator shall prepare and follow for each pipeline a manual of written procedures for conducting operations and maintenance activities and for emergency response. For transmission lines, the manual must also include procedures for handling

abnormal operations. This manual must be reviewed and updated by the operator at intervals not exceeding 15 months, but at least once each calendar year. Appropriate parts of the manual shall be kept at locations where operations and maintenance activities are conducted.

(b) The manual required by this section must include all of the elements set forth in sections 49 CFR 192.605(b) and (c), which are hereby incorporated by reference in this chapter.

24.872 Operations—Change in class location.

(a) Change is class location—required study. When an increase in population density indicates a change in class location for a segment of an existing steel pipeline operating at a hoop stress that is greater than 40 percent of SMYS, or indicates that the hoop stress corresponding to the established maximum allowable operating pressure for a segment of existing pipeline is not commensurate with the present class, the operator shall make a study to determine:

(1) The present class location for the segment involved;

(2) The design, construction, and testing procedures followed in the original construction, and a comparison of these procedures with those required for the present class location by the applicable provisions of this part;

(3) The physical condition of the segment to the extent it can be ascertained from available records;

(4) The operating and maintenance history of the segment;

(5) The maximum actual operating pressure and the corresponding hoop stress, taking pressure gradient into account for the segment of pipeline involved;

(6) The actual area affected by the population density increase, and physical barriers or other factors which may limit further expansion of the more densely populated area.

(b) Change in class location—Confirmation or revision of maximum allowable operating pressure. If the hoop stress to the established maximum allowable operating pressure of a segment of pipeline is not commensurate with the present class location, and the segment is in satisfactory physical condition, the maximum allowable operating pressure of that segment of pipeline must be confirmed or revised according to the requirements set forth in section 49 CFR 192.611, which is hereby incorporated by reference.

24.873 Operations—Surveillance and damage prevention.

(a) Continuing surveillance.

(1) Each operator shall have a procedure for continuing surveillance of its facilities to determine and take appropriate action concerning changes in class location, failures, leakage, corrosion, substantial changes in cathodic protection requirements, and other unusual operating and maintenance conditions.

(2) If a segment of pipeline is determined to be in unsatisfactory condition no immediate hazard exists, the operator shall initiate a program to recondition or phase out the segment involved, or if the segment cannot be reconditioned or phased out, reduce the maximum allowable operating pressure in accordance with 24.0886.

(b) Damage prevention.

Each operator of a buried pipeline must carry out a written program for the prevention of damage to that pipeline from excavation activities. This program shall include, at a minimum:

(1) The identity, on a current basis, of persons who normally engage in excavation activities in the area in which the pipeline is located;

(2) Provides for notification of the public in the vicinity of the pipeline and actual notification of the persons identified in paragraph (c)(1) of this section of the following as often as needed to make them aware of the damage prevention program:

(A) The program's existence and purpose;

(B) How to learn the location of underground pipelines before excavation activities are begun.

(3) Provide a means of receiving and recording notification of planned excavation activities.

(4) If the operator has buried pipelines in the area of excavation activity, provide for actual notification of persons who give notice of their intent to excavate of the type of temporary marking to be provided and how to identify their markings;

(5) Provide for temporary marking of buried pipelines in the area of excavation activity before, as far as possible, the activity begins;

(6) Provide as follows for inspection of pipelines that an operator has reason to believe could be damaged by excavation activities.

(A) The inspection must be done as frequently as necessary during and after the activities to verify the integrity of the pipeline; and

(B) In the case of blasting, any inspection must include leakage surveys.

24.874 Operations—Emergency plans and public education.

(a) Each operator shall establish written procedures to minimize the hazard resulting from a gas pipeline emergency. At a minimum, the procedures must substantially comply with those set forth in 49 CFR 192.615, which is hereby incorporated by reference.

(b) Each operator shall establish a continuing education program to enable customers, the public, appropriate government organizations, and persons engaged in excavation activities to recognize a gas pipeline emergency for the purpose of reporting it to public officials. The program and the media used must be as comprehensive as necessary to reach all persons at risk and must be conducted in both English and Samoan.

24.875 Operations—Allowable operating pressures.

(a) Steel or plastic pipelines. No person shall operate a segment of a steel or plastic pipeline at a pressure that exceeds the limits set forth in the provisions of 49 CFR 192.619, which are hereby incorporated by reference.

(b) High-pressure distribution systems. No person may operate a segment of a high-pressure distribution system at a pressure that exceeds the limits established in section 49 CFR 192.621, which is hereby incorporated by reference.

(c) Low pressure distribution systems.

(1) No person may operate a low-pressure distribution system at a pressure high enough to make unsafe the operation of any connected and properly adjusted low-pressure gas burning equipment.

(2) No person may operate a low-pressure distribution system at a pressure lower than the minimum pressure at which the safe and continuing operation of any connected and properly adjusted low-pressure gas burning equipment can be assured.

24.876 Odorization of gas.

(a) In order to safeguard the health of persons and the environment, the commission may require that a combustible gas in a distribution line contain a natural odorant, or be odorized, so that at a concentration in air of one-fifth of the lower explosive limit the gas is readily detectable by a person having a normal sense of smell.

(b) In the concentrations in which it is used, the odorant in combustible gases must comply with the following:

(1) The odorant may not be deleterious to persons, materials or pipe.

(2) The products of combustion from the odorant may not be toxic when breathed nor may they be corrosive or harmful to those materials to which the products of combustion bull be exposed.

(3) The odorant may not be soluble in water to an extent greater than 2.5 parts to 100 parts by weight.

(c) Equipment for odorization must introduce the odorant without wide variations in the level of odorant.

(d) Each operator shall conduct periodic sampling of combustible gases to assure the proper concentration of odorant in accordance with this section.

24.877 Maintenance of pipelines.

No person may operate a segment of pipeline unless such segment is repaired and maintained in accordance with the provisions of 49 CFR 192.701 through 755, inclusive, which are hereby incorporated by reference in this chapter.

V. Response Plans for Onshore Oil Pipelines

24.880 Scope and applicability.

(a) This subpart applies to an operator of an onshore oil pipeline that, because of its location, could reasonably be expected to significantly or adversely affect the environment by discharging oil into or on the navigable waters of this territory and/or adjoining shorelines.

(b) Within 90 days from the effective date of these rules, an operator of a pipeline shall not handle, store, or transport oil in that pipeline unless the operator has prepared and submitted to the commission a response plan meeting the requirements of this subpart.

24.881 Response plans.

(a) Each response plan must plan for resources for responding, to the maximum extent practicable, to a worst case discharge and to a substantial threat of such a discharge. For purposes of this subpart, a worst case discharge shall be the largest foreseeable discharge by volume in barrels which may be released along any segment of pipeline.

(b) Each response plan must be written in English and translated into Samoan.

(c) Each response plan must include:
(1) A core plan consisting of---
(A) An information summary;
(B) Immediate notification procedures;
(C) Spill detection and mitigation procedures;
(D) The name, address, and telephone number of the oil spill response organization(s);
(E) Response activities and response resources;
(F) Names and telephone numbers of federal and territorial agencies which the operator expects to have pollution control responsibilities and support;
(G) Training procedures;
(H) Equipment testing;
(I) Drill types, schedules and procedures; and
(J) Plan review and update procedures.

(d) Each response plan shall be written in a format which substantially complies with the provisions of 49 CFR 194, Appendix A, “Guidelines for the Preparation of Response Plans” which is hereby incorporated by reference.

(e) Each response plan shall be retained in the following locations;
(1) The operator’s headquarters;
(2) At each pump station; and

(3) At any other locations where response activities may be conducted.

(f) Response resources. Each operator shall identify and ensure, by contract or other approved means, the resources necessary to remove, to the maximum extent practicable, a worst case discharge and to mitigate or prevent a substantial threat of a worst case discharge.

(g) Training. Each operator shall conduct training for its employees and agents in accordance with the provisions of 49 CFR 194.117, which is hereby incorporated by reference in this chapter.

VI. Transport of Hazardous Liquids

24.885 Scope and Applicability.

(a) This subpart prescribes safety standards and accident reporting requirements for pipeline facilities used in the transportation of hazardous liquids. For purposes of this subpart, the term hazardous liquids shall include petroleum, petroleum products, or anhydrous ammonia, but shall not include liquid that is transported in a gaseous state.

(b) This subpart applies to onshore pipelines facilities and transportation of hazardous liquids associated with those facilities within the territorial limits of American Samoa.

24.886 Pipeline transport safety requirements.

(a) Compatibility. No person may transport any hazardous liquid unless the hazardous liquid is chemically compatible with both the pipeline, including all components, and any other commodity that it may come into contact with while in the pipeline.

(b) Non-steel pipelines. No person may transport any hazardous liquid through a pipe that is constructed of materials other than steel unless the operator informs the executive secretary of its intention in writing 90 days prior to transporting such hazardous liquid. The notice must include the chemical name, common name, properties, and characteristics of the hazardous liquid along with the material used in construction of the pipeline. If the executive secretary determines that such transport will be unduly hazardous, he will, within 90 days of the receipt of the notice, issue and order to the operator prohibiting the transport of the hazardous liquid in the proposed manner.

(c) Design requirements. New pipeline systems constructed with steel pipe and pipeline systems to be relocated, replaced or otherwise changed shall comply with the design requirements of 49 CFR Subpart C, which are hereby incorporated by reference in this chapter.

(d) Construction. New pipeline systems constructed with steel pipe and pipeline systems to be relocated, replaces, or otherwise changed shall comply with the construction requirements set forth in 49 CFR Subpart D, which are hereby incorporated by reference in this chapter.

(e) Hydrostatic testing. Each new pipeline system, each pipeline system in which pipe has been relocated or replaced, or that part of a pipeline system that has been relocated or replaced, must be hydrostatic tested in accordance with the provisions of 49 CFR Subpart E, which are hereby incorporated by reference in this chapter.

(f) Operation and maintenance. Operators of pipeline systems transporting hazardous liquids shall abide by the operation and maintenance requirements set forth in 49 CFR Subpart F, which are hereby incorporated by reference.

24.887 Accident reporting.

(a) Any failure in a pipeline system resulting in the following events must be reported in accordance with subsection (b) or this section:

(1) Explosion or fire;

(2) Loss of 25 or more barrels of liquid;

(3) Escape to the atmosphere of more than five barrels a day of highly volatile liquids;

(4) Death of any person;

(5) Bodily harm to any person resulting in one or more of the following:

(A) Loss of consciousness;

(B) Necessity to carry the person from the scene for medical treatment;

(C) Disability which prevents the discharge of normal duties or the pursuit of normal activities beyond the date of the accident.

(6) Estimated property damage to the property of the operator or others, or both, exceeding $5,000.

(b) At the earliest practicable moment following discovery of a release of the hazardous liquid transported resulting in an event described in subsection (a), or where a release results in the pollution or discoloration of any surface water or an adjoining shoreline, the operator of the system shall give notice by telephone to the executive secretary, TEMCO, Emergency Medical Services and the Department of Public Safety, as appropriate. Furthermore, within 30 days of an accident set forth in subsection (a), the operator shall prepare and file an accident report with the appropriate agency of the American Samoa Government. The operator shall retain copies of all such reports.

(c) If the executive secretary, the federal Department of Transportation or any other territorial agency wishes to investigate an accident, the operator involved shall make available to the investigating agency all records and information that in any way pertain to the accident, and shall afford all reasonable assistance in the investigation.