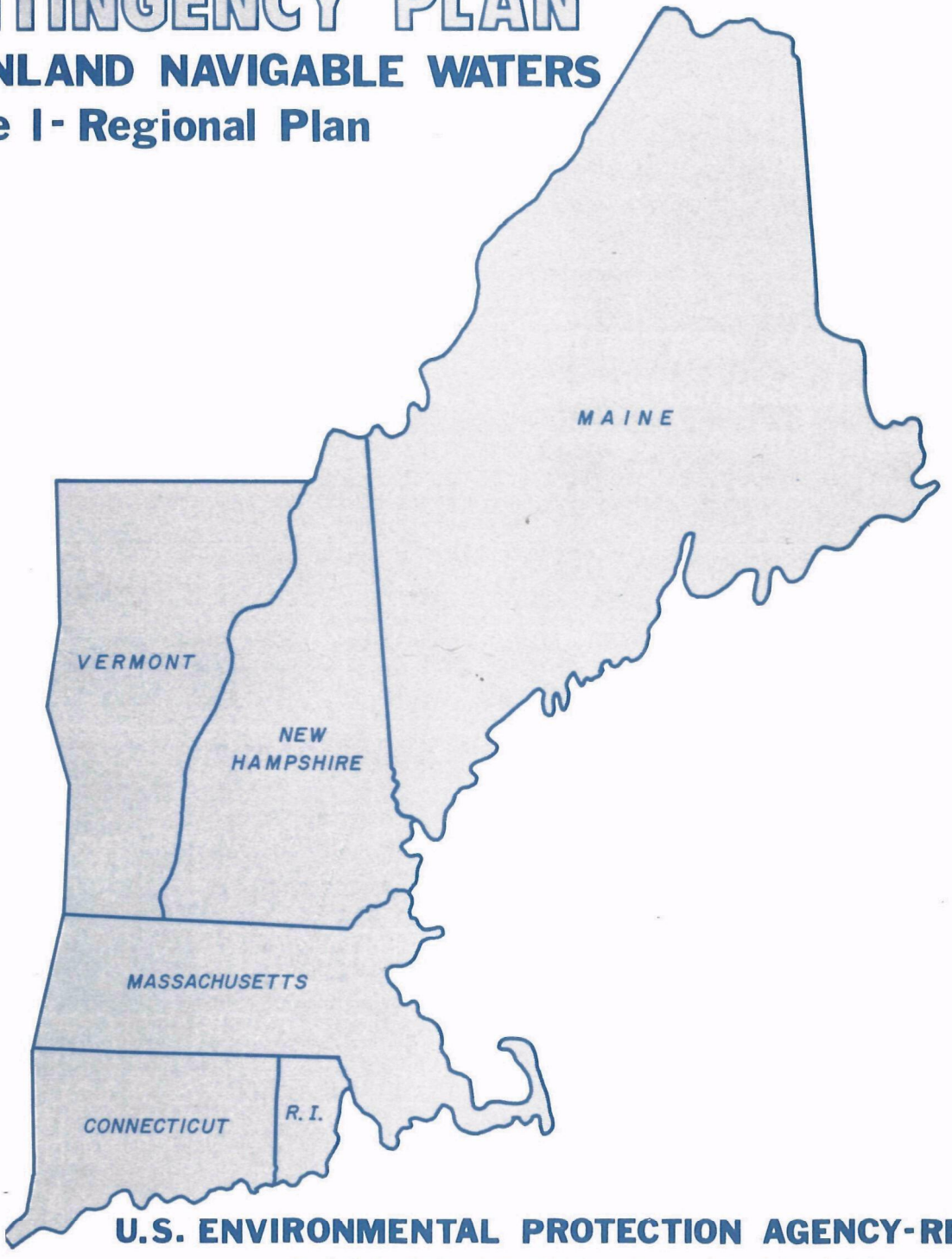
# ION I
# OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

## FOR INLAND NAVIGABLE WATERS

**Volume I - Regional Plan**




**U.S. ENVIRONMENTAL PROTECTION AGENCY-REGION I**
**DIVISION OF SURVEILLANCE AND ANALYSIS**
**Needham Heights, Massachusetts**
**January, 1972**

# REGION I

# OIL AND HAZARDOUS SUBSTANCES

# POLLUTION CONTINGENCY PLAN

# FOR

# INLAND NAVIGABLE WATERS

Volume I
Regional Plan

U. S. Environmental Protection Agency
Region I
240 Highland Avenue
Needham Heights, Massachusetts

(This Plan supercedes the Contingency Plan for Spills of Oil and Other Hazardous Materials in New England)

January 1972

OIL AND HAZARDOUS SUBSTANCES SPILL EMERGENCY NOTIFICATION LIST

In every case of spillage or potential spillage of oil or hazardous substances to inland waters, notification must be given as follows:

1. New England States Except Connecticut and Lake Champlain

A. The U. S Environmental Protection Agency, Needham Heights, Massachusetts at *(617) 223-7265

If an emergency, and the above number cannot be contacted, call:

B. The nearest U. S. Coast Guard Unit or the U. S. Coast Guard First District Rescue Coordination Center in Boston, Mass. at *(617) 223-3645 for relay.

2. Connecticut and Lake Champlain

A. The U. S. Environmental Protection Agency, Needham Heights, Mass. at *(617) 223-7265

If an emergency, and the above number cannot be contacted, call:

B. The nearest U. S. Coast Guard Unit or the U. S. Coast Guard Third District Rescue Coordination Center in Governors Island, New York at *(212) 264-4800 for relay.

FAILURE TO NOTIFY ONE OF THE ABOVE AGENCIES IS A CRIMINAL OFFENSE PUNISHABLE BY UP TO ONE YEAR IMPRISONMENT AND/OR A $10,000 FINE.

3. The appropriate State Agency must also be notified as follows:

A. Connecticut Water Resources Commission, Hartford *(203) 566-2486 (nights and weekends: (203) 566-4240 for State Police relay).

B. Maine Environmental Improvement Commission, Augusta (207) 289-2811 (Augusta FTS: 8-207-622-6171)

C. Massachusetts Division of Water Pollution Control, Boston (617) 727-3855 Nights and Weekends: (617) 727-3189 (Boston FTS: 8-617-223-2100)

D. New Hampshire Water Pollution Control Commission, Concord (603) 271-3502 (Manchester FTS: 8-603-7011)

E. Rhode Island Division of Water Pollution Control, Providence (401) 277-2234 (Providence FTS: 8-401-528-1000)

F. Vermont Department of Natural Resources, Montpelier *(802) 223-8444 Ext 237

*Commercial and FTS

RECORD OF CHANGES AND CORRECTIONS

| CHANGE NUMBER | DATE OF CHANGE | DATE ENTERED | SIGNATURE OF PERSON ENTERING CHANGE |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

# PROMULGATION NOTICE

Subject: Region I Oil and Hazardous Substances Pollution Contingency Plan for Inland Navigable Waters

References: (a) Federal Water Pollution Control Act of 1970

(b) National Oil and Hazardous Substances Pollution Contingency Plan, - August 1971

1. Purpose. Reference (a) directed the President to devlop a National Contingency Plan to provide for a response to polluting spills. Promulgation of the National National Contingency Plan requires the development of regional contingency plans; this Plan is part of that requirement.

2. Cancellation. The Contingency Plan for Spills of Oil and Other Hazardous Materials in New England is hereby cancelled and superceded.

3. Publication. The Region I Oil and Hazardous Substances Pollution Contingency Plan for Inland Navigable Waters is published in seven volumes as follows:

| | |
|---|---|
| Volume I | Regional Plan |
| Volume II | Subregional Plan - Maine |
| Volume III | Subregional Plan - New Hampshire |
| Volume IV | Subregional Plan - Vermont |
| Volume V | Subregional Plan - Massachusetts |
| Volume VI | Subregional Plan - Rhode Island |
| Volume VII | Subregional Plan - Connecticut |

This publication represents Volume I - Regional Plan. Volumes II - VII will be published during the 1972 calendar year.

TABLE OF CONTENTS


| | | PAGE |
|---|---|---|
| 100 | INTRODUCTION | 1 |
| 101 | Authority | 1 |
| 102 | Purpose and Objectives | 1 |
| 103 | Scope | 1 |
| 104 | Abbreviations | 2 |
| 105 | Definitions | 2 |
| 200 | POLICY AND RESPONSIBILITY | 5 |
| 201 | Federal Policy | 5 |
| 202 | Federal Responsibility | 6 |
| 203 | Non-Federal Responsibility | 8 |
| 300 | PLANNING AND RESPONSE ELEMENTS | 8 |
| 301 | Spill Response Activities and Coordination | 8 |
| 302 | National Response Center | 8 |
| 303 | National Response Team | 8 |
| 304 | Regional Response Center | 10 |
| 305 | Regional Response Team | 10 |
| 306 | On-Scene Coordination | 11 |
| 307 | Subregional Areas | 12 |
| 308 | Subregional Response Center | 12 |
| 309 | Subregional Response Team | 12 |
| 400 | FEDERAL RESPONSE OPERATIONS - RESPONSE PHASES | 13 |
| 401 | Phase I - Discovery | 13 |
| 402 | Phase II - Containment and Countermeasures | 13 |
| 403 | Phase III - Cleanup and Disposal | 14 |
| 404 | Phase IV - Restoration | 14 |
| 405 | Phase V - Recovery of Damages and Enforcement | 14 |
| 406 | Procedures to be followed for the Purpose of Water Pollution Control | 14 |
| 500 | COORDINATING INSTRUCTIONS | 15 |
| 501 | Delegation of Authority | 15 |
| 502 | Multi - Regional Actions | 15 |
| 503 | Notification | 15 |
| 504 | General Pattern of Response Actions | 16 |

| | | Page |
|---|---|---|
| 505 | Strike Force | 17 |
| 506 | Regional Spill Emergency Team | 18 |
| 600 | PROCEDURES FOR CHANGING THE PLAN AND ANNEXES | 22 |
| 601 | Amendment of the Plan | 22 |
| 602 | Amendment of the Annexes | 22 |
| 603 | Amendment of the Regional Plans | 22 |

LIST OF ANNEXES


| | | Annex No. |
|---|---|---|
| 1100 | Distribution | I |
| 1200 | Regional Response Center | II |
| 1300 | Regional Response Team | III |
| 1400 | Geographic Boundaries | IV |
| 1500 | Communications and Reports | V |
| 1600 | Public Information | VI |
| 1700 | Legal Authorities | VII |
| 1800 | Enforcement Procedures | VIII |
| 1900 | Funding | IX |
| 2000 | Dispersent Schedule | X |
| 2100 | Non - Federal Interests | XI |
| 2500 | Technical Information | XV |
| 3000 | Subregional Contingency Plans | XX |

# REGION I

# OIL AND HAZARDOUS SUBSTANCES

# POLLUTION CONTINGENCY PLAN

# FOR

# INLAND NAVIGABLE WATERS

## 100 INTRODUCTION

### 101 Authority

101.1 The Region I Inland Oil and Hazardous Substances Pollution Contingency Plan was developed in compliance with Public Law 91-224 and the National Oil and Hazardous Substances Pollution Contingency Plan (August 1971) which provides for the development, revision and implementation, as necessary, of regional plans for those areas in which the Environmental Protection Agency has responsibility to furnish or provide for the On-scene Coordinator during oil or hazardous substances spill emergencies.

### 102 Purpose and Objectives

102.1 This Plan (including the annexes) provides for a pattern of coordinated and integrated responses to pollution spills by Departments and Agencies of the Federal government. It also promotes the coordination and direction of Federal, State and local response systems and encourages the development of local government and private capabilities to handle such pollution spills.

102.2 The objectives of this Plan are to provide for efficient, coordinated and effective action to minimize damage from oil and hazardous substance discharges, including containment, dispersal, and removal. It includes(a) assignment of duties and responsibilities, (b) establishment and identification of strike forces and emergency task forces, (c) a system of notification, surveillance and reporting, (d) establishment of a regional center to coordinate and direct operations in carrying out this Plan, (e) a schedule of dispersants and other chemicals to treat oil spills, (f) enforcement and investigative procedures to be followed, (g) directions on public information releases and (h) instructions covering on-scene coordination.

### 103 Scope

103.1 This Plan is effective for all inland navigable waters within the geographic boundaries of the New England States. These boundaries are detailed in Annex IV.

Annex IX includes a list of rivers which have been declared navig and to which this plan applies specifically. Also included is a lis rivers which have been declared non-navigable and to which statuatory authority of this plan does not exist. These lists may be altered as future declarations of navigability are made.

103.2 The provisions of this Plan are applicable to all Federal agencies. Implementation will be within the framework of the National Oil and Hazardous Substances Pollution Contingency Plan and will be compatible and complementary to currently effective joint International Contingency Plans, assistance plans, agreements, security regulations, and responsibilities based upon Federal statutes and Executive Orders.

## 104 Abbreviations

### 104.1 Department and Agency Title Abbreviations

| | |
|---|---|
| EPA | - Environmental Protection Agency |
| DOT | - Department of Transportation |
| DOD | - Department of Defense |
| DOI | - Department of Interior |
| DHEW | - Department of Health, Education and Welfare |
| Commerce | - Department of Commerce |
| Justice | - Department of Justice |
| State | - Department of State |
| OEP | - Office of Emergency Preparedness |
| USCG | - U. S. Coast Guard |
| Corps | - U. S. Army Corps of Engineers |
| USN | - U. S. Navy |
| USGS | - U. S. Geological Survey |
| NOAA | - National Oceanic and Atmospheric Administration |
| MarAd | - Maritime Administration |

### 104.2 Operational Title Abbreviations

| | |
|---|---|
| NRC | - National Response Center |
| NRT | - National Response Team |
| RRC | - Regional Response Center |
| RRT | - Regional Response Team |
| OSC | - On-Scene Coordinator |
| SRA | - Subregional Area |
| SRC | - Subregional Response Center |
| SRT | - Subregional Response Team |

## 105 Definitions (within the meaning of this Plan)

105.1 Act - means the Federal Water Pollution Control Act, as amended, (33 USC 1151, et sec).

105.2 Discharge - includes but is not limited to any spilling, leaking, pumping, pouring, emitting, emptying or dumping.

105.3 Public Health or Welfare - includes consideration of all factors affecting the health and welfare of man, including but not limited to fish, shellfish, wildlife, and public and private property, shorelines and beaches.

105.4 Major Disaster - is any flood, drought, fire, hurricane, earthquake, storm or other catastrophe in any part of the United States which, in the determination of the President, is or threatens to become of sufficient severity and magnitude to warrant disaster assistance by the Federal government to supplement the effort and available resources of States and local governments in alleviating damage, hardship or suffering.

105.5 Oil - means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes other than dredged spoil.

105.6 Hazardous Polluting Substance - is an element or compound, other than oil as defined in 105.5, which when discharged in any quantity, threatens the public health or welfare.

105.7 Minor Spill - is a discharge of oil of less than 1000 gallons in inland waters, or less than 10,000 gallons in coastal waters, or a spill of small quantities of other substances. Discharges that: (1) occur in or endanger critical water areas; (2) generate critical public concern; (3) become the focus of an enforcement action; or (4) pose a threat to public health or welfare, should be classified as medium or major spills depending on their degree of impact.

105.8 Medium Spill - is a discharge of oil of 1000 gallons to 10,000 gallons in the inland waters or 10,000 gallons to 100,000 gallons in coastal waters, or a discharge of any material of any size that poses a threat to the public health or welfare.

105.9 Major Spill - is a discharge of oil of more than 10,000 gallons in inland waters or more than 100,000 gallons in coastal waters or a discharge of any size of such nature and quantity that human health or welfare are substantially threatened.

105.10 Potential Spill - is any accident or other circumstance which threatens to result in the discharge of oil or hazardous polluting substance. A potential spill shall be classified as to its severity based on the guidelines above.

105.11 Primary Agencies - Those Departments or Agencies comprising the NRT and RRT and designated to have primary responsibility to promote effective operation of this Plan. These agencies are EPA, DOT, DOD, and DOI.

105.12 Advisory Agencies - Those Departments or Agencies which can make major contributions during response activities for certain types of spills. these agencies are: OEP, DHEW, Commerce, State and Justice.

105.13 United States - means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

105.14 Remove or Removal - is the removal of oil or hazardous polluting substance from the water and shorelines or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare.

105.15 On-Scene Coordinator - is the single Federal agent predesignated by this Plan to coordinate and direct such pollution control activities in each area of the Region.

105.16 Inland Waters - generally are those navigable fresh waters upstream from the coastal waters (See 105.17)

105.17 Coastal Waters - generally are those U. S. marine waters navigable by deep draft vessels.

105.18 Contiguous Zone - means the entire zone established or to be established by the United States under Article 24 of the Convention on the Territorial Sea and the Contiguous Zone. This is assumed to extend 12 miles seaward from the baseline where the territorial sea begins.

## 200 Policy and Responsibility

### 201 Federal Policy

201.1 The Congress has declared that it is the policy of the United States that there should be no discharges of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone (sec. 11(b)(1) of the Act). Additionally, sec. 12(c) of the Act requires the reporting of discharges of hazardous polluting substances to appropriate authority and authorizes Federal cleanup actions. Further, the discharge in harmful quantities of oil into or upon the navigable waters of the United States, adjoining shorelines or into or upon the waters of the contiguous zone is prohibited except where a discharge of 100 ppm is permitted under Article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, and where permitted in quantities and at times and locations or under such circumstances or conditions as the President may, by regulation, determine. It must also be emphasized that this Nation, in November 1970, announced a goal of no intentional discharges of oil to the seas by the end of this decade.

201.2 The primary thrust of regional plans is to provide a Federal response capability at the regional level. The OSC shall determine if the person responsible for the discharge of oil or hazardous polluting substances has reported the discharge in accordance with section 11 b(4) or section 12(c) of the Act, and is taking adequate action to remove the pollutant or adequately mitigate its effects. The OSC should, if practicable, insure that the person responsible for the spill is aware of his responsibility and is encouraged to undertake necessary countermeasures. When such person is taking adequate action, the principal thrust of Federal activities shall be to observe and monitor progress and to provide advice and counsel as may be necessary. In the event that the person responsible for a pollution spill does not act promptly, does not take or propose to take proper and appropriate actions to contain, clean up and dispose of pollutants or the discharger is unknown, further Federal response actions shall be instituted as required in accordance with section 11(c)(1) of the Act.

201.3 The Federal agencies possessing facilities or other resources which may be useful in a Federal response situation will make such facilities or resources available for use in accordance with the National Oil and Hazardous Materials Pollution Contingency Plan, as supplemented by this Regional Plan. Agencies making resources available shall make such assignments consistent with operational requirements, within the limits of existing authority and within the spirit of the President's intentions to minimize discharges and their effects when they do occur.

201.4 Because Federal agencies other than OEP, or the public or private agency that caused the pollution spill, have primary responsibility and resources for alleviating or elminating the pollution hazard,

there appears to be little additional Federal assistance that could be made available as the result of a major disaster declaration. It appears, therefore, that a Presidential major disaster declaration will rarely be involved in a pollution spill.

## 202 Federal Responsibility

202.1 Each of the Primary Federal Agencies has responsibilities established by statute, Executive Order or Presidential Directive, which may bear on the Federal response to a pollution spill. This Plan intends to promote the expeditious and harmonious discharge of these responsibilities through the recognition of authority for action by those agencies having the most appropriate capability to act in each specific situation. Responsibilities and authorities of these several agencies relevant to the control of pollution spills are detailed in the annexes. In the development of this Regional Plan, provision will be made to assure recognition of the statutory responsibilities of all involved agencies.

202.2 The Council on Environmental Quality is responsible for the preparation, publication,revision or amendment of the National Contingency Plan in accordance with Section 4(a) Executive Order 11548. The Council will receive the advice of the NRT on necessary changes to the plan and shall insure that any disagreements arising among members of the NRT are expeditiously settled.

202.3 The Environmental Protection Agency is responsible for chairing the National Response Team and the inland Regional Response Team. In this capacity, it will assure that the Plan is effectively and efficiently implemented with optimum coordination among Federal agencies and will recommend changes in the Plan to the Council on Environmental Quality, as deemed necessary. Additionally, EPA has responsibility for publishing this Plan. EPA is also responsible for development, revision and implementation, as necessary, of regional plans for those areas in which it has responsibility to furnish or provide for the OSC. Through its resources, EPA will provide technical expertise to NRT and RRT's relative to water pollution control techniques.

202.4 The Department of Transportation, through the U. S. Coast Guard, serves as vice-chairman of the NRT, chairman of the coastal Regional Response Team, and supplies expertise in the fields of navigation, port safety and security, and maritime law enforcement. Additionally, the Coast Guard maintains continuously manned facilities that are capable of command, control, and surveillance for spills occurring on the navigable waters of the United States or the high seas. The Coast Guard is responsible for implementing, developing and revising, as necessary, the regional plans for those areas where it is assigned the responsibility to furnish or provide for OSC's (Sec. 306.2). EPA will provide guidance to and coordinate with DOT regarding pollution control and the protection of water and related land resources in the preparation of such plans.

202.5 The Department of Defense, consistent with its operational requirements, may provide assistance in critical pollution spills and in the maintenance of navigation channels, salvage, and removal of navigation obstructions.

202.6 The Department of the Interior, through the USGS, supplies expertise in the field of oil drilling, producing, handling, and pipeline transportation except for common carrier pipeline. Also, the USGS has access to and supervision over continuously manned facilities which can be used for command, control and surveillance of spills occurring from operations originating under the Outer Continental Shelf Lands Act. Additionally, the Department of Interior will provide, through its Regional Coordinators, technical expertise to the OSC and RRT with respect to land, fish and wildlife, and other resources for which it is responsible.

202.7 The Department of Health, Education, and Welfare is responsible for providing expert advice and assistance relative to those spills that constitute a threat to public health.

202.8 The Department of Commerce, through the National Oceanic and Atmospheric Administration, provides expertise to the NRT, RRT and OSC on weather reports and forecasts; fish and wildlife resources; and tides and currents of the coastal and territorial waters and the Great Lakes.

202.9 The Department of Justice, through its Civil Division, can supply expert legal advice to deal with complicated judicial questions arising from spills and Federal agency responses.

202.10 The Department of State can provide assistance in coordination when a pollution spills transects international boundaries or involves foreign flag vessels.

202.11 The Office of Emergency Preparedness will maintain an awareness of pollution incidents as they develop. The normal OEP procedures will be followed to evaluate any request for a major disaster declaration received from a Governor of a State. If the President declares that a pollution spill constitutes a major disaster under PL 91-606, the Director, OEP, will provide coordination and direction of the Federal response in accordance with OEP policies and procedures.

202.12 Any Federal agency may make resources available. Primary agencies, however, have the following additional responsibilities: for providing official representation to NRT and RRT; for making information available as may be necessary; and for keeping RRT informed, consistent with national security considerations, of changes in the availability of resources that would affect the operation of this Plan.

## 203 Non-Federal Responsibility

203.1 State and local agencies involved in the control of spills of oil and hazardous substances will be encouraged to participate in the development of subregional plans which encompass their areas of responsibility. A seat is provided for them on the appropriate SRT. They will be further encouraged to develop their own contingency plans to cover those non-navigable waters which could be considered subject to oil and/or hazard substances spills within their areas.

# 300 PLANNING AND RESPONSE ELEMENTS

## 301 Spill Response Activities and Coordination

301.1 For Spill response activities, Federal on-scene coordination is accomplished through a single, predesignated agent, the On-Scene Coordinator (OSC). He reports to and receives advice from an RRT composed of appropriate representatives from the Regional and District offices of the Primary and Advisory Agencies.

301.2 National level coordination is accomplished through the NRT which receives reports from and renders advice to the RRT. Activities are coordinated through the National and various regional response centers.

## 302 National Response Center

302.1 The National Response Center (NRC) located at Headquarters, United States Coast Guard, is the Washington, D.C. headquarters site for activities relative to pollution spills. NRC quarters provide communications, information storage, necessary personnel and facilities to promote the smooth and adequate functioning of this activity.

## 303 National Response Team

303.1 The National Response Team (NRT) consists of representatives from the Primary and Advisory Agencies. It serves as the National body for planning and preparedness actions prior to a pollution spill and acts as an emergency response team to be activated under conditions specified below.

303.2 Planning and preparedness responsibilities of the NRT are:

303.2-1 Maintenance of a continuing review of regional spill response operations and equipment readiness to ensure adequacy of regional and national planning and coordination for combating spills of oil and hazardous substances.

303.2-2 Development of procedures to promote the coordination of Federal, State and local governments, and private agencies to respond to pollution spills.

303.2-3 Under the NRT, there shall be a standing committee on revision of the National Plan. It shall provide suggested revisions to the NRT for consideration and approval by the Council on Environmental Quality and then transmission to EPA for publication. The Primary Agencies shall provide membership on this standing committee, Advisory Agencies shall participate whenever revision or proposed amendments would affect those Agencies.

303.2-4 NRT, in considering the National posture with respect to pollution spills, shall consider and make recommendations to appropriate agencies relating to training and equipping response team personnel; necessary research, development demonstration and evaluation activities to support response capabilities; and equipment, material stockpiling and other operational matters as the need arises. Committees shall be established, as appropriate, to consider various matters. Membership shall consist of the primary agencies and such advisory agencies as may have direct involvement.

303.2-5 NRT shall establish and maintain liaison with the U. S. National Committee for the Prevention of Pollution of the Seas by Oil in order to insure a consistent United States posture regarding oil pollution control. The NRT shall also maintain awareness of international coordination efforts in contingency planning.

303.3 During pollution spills, NRT shall act as an emergency response team comprised of representatives from the Primary and selected Advisory Agencies to be activated when a spill involving oil or hazardous polluting substances (a) exceeds the response capability of the region in which it occurs; (b) involves national security or, (c) presents a major hazard to substantial numbers of persons or nationally significant amounts of property. When activated NRT shall:

303.3-1 Act as the focal point for national public information releases and for information transfer between the OSC and the Washington, D.C. headquarters of the agencies concerned to minimize or prevent dissemination of spurious and incomplete information. Public information actions are discussed in Annex VI.

303.3-2 Coordinate the actions of regions or districts other than those affected by spills to supply needed equipment, personnel, or technical advice to the RRT and OSC.

303.3-3 Monitor and evaluate reports generated by the OSC insuring their completeness. Based on this evaluation, NRT may recommend courses of action in combating the spill through RRT for consideration by the OSC: NRT has no operational control of the OSC.

303.3-4 Consider requesting other Federal, State, local government or private agencies to take action under their existing authorities to provide resources necessary for combating a spill or deployment of personnel to monitor the handling of a spill.

## 304 Regional Response Center

304.1 The Regional Response Center is the regional headquarters' site at the Federal Regional Center, Maynard, Massachusetts 01754 for pollution control activities under this plan. The Regional Reponse Center will be accommodated in quarters described in Annex II and will provide communications, information storage and other necessary personnel and facilities to promote the smooth and adequate functioning and administration of this plan.

## 305 Regional Response Team

305.1 The Regional Response Team (RRT) consists of regional representatives of the Primary and selected Advisory Agencies, as appropriate. RRT shall act as an emergency response team performing response functions within the region similar to those described for NRT. RRT will also perform review and advisory functions relative to the regional plan similar to those prescribed for NRT at the national level. Additionally, the RRT shall determine the duration and extent of the Federal response, and when a shift of on-scene coordination from the predesignated OSC to another OSC is indicated by the circumstances or progress of a pollution spill. The representative of EPA will act as Chairman of the RRT for problems in inland navigable waters.

305.2 Boundaries of the standard regions for Federal administration shall be followed for the development of regional contingency plans, where practicable. As a minimum, these areas shall be divided to correspond to the areas in which the Environmental Protection Agency and Coast Guard are respectively responsible for furnishing or providing for the OSC's.

305.3 The agency membership on RRT is as established by the National Oil and Hazardous Substances Pollution Contingency Plan; however, individuals representing the Primary Agencies may vary depending on the subregional area in which the spill occurs. Details of such representation are specified in Annex III of this Plan.

## 306 On-Scene Coordination

306.1 Coordination and direction of Federal pollution control efforts at the scene of a spill or potential spill shall be accomplished through an On-scene Coordinator (OSC). The OSC is the single executive agent predesignated by this Regional Plan to coordinate and direct such pollution control activities in each area of the region.

306.1-1 In the event of a spill of oil or hazardous polluting substance, the first Federal official on the site, from any of the Primary Agencies, shall assume coordination of activities under the Plan until the predesignated OSC or other appropriate person becomes available to take charge of the operation.

306.1-2 The OSC shall determine pertinent facts about a particular spill, such as its potential impact on human health, the nature, amount, and location of material spilled, probable direction and time of travel of the material, resources and installations which may be affected and the priorities for protecting them.

306.1-3 The OSC shall initiate and direct as required, Phase II, Phase III and Phase IV operations as hereinafter described.

306.1-4 The OSC shall call upon and direct the deployment of needed resources in accordance with the regional plan to initiate and continue containment, countermeasures, cleanup, restoration, and disposal functions.

306.1-5 The OSC shall provide necessary support activities and documentation for Phase V activities.

306.1-6 In carrying out this Plan, the OSC will fully inform and coordinate closely with RRT to ensure the maximum effectiveness of the Federal effort in protecting the natural resources and the environment from pollution damage.

306.2 EPA and the USCG shall insure that OSCs are predesignated for each region and subregion, and for each Federally operated or supervised facility within subregions in accordance with the following criteria:

306.2-1 EPA shall furnish or provide for OSCs on inland navigable waters.

306.2-2 The USCG shall furnish or provide for OSCs for the high seas, coastal and contiguous zone waters, and for Great Lakes coastal waters, ports and harbors.

306.2-3 The major consideration in selection of the OSC for a particular area or facility shall be based upon the Agency's capability and resources to provide on-scene coordination of pollution

control response activities. If the responsible Agency does not act promptly or take appropriate action, the EPA or USCG shall, depending on the area in which the spill occurs, assume the OSC functions. Pollution control actions taken must be in accordance with Federal regulations and guidelines, EPA policies and this Plan.

306.3 Section 4(a)(4) Executive Order 11507, February 5, 1970, requires development, by all Federal agencies, of emergency plans and procedures for dealing with accidential pollution. Plans developed pursuant to that authority shall be in accordance with and complementary to appropriate regional oil and hazardous substances pollution contingency plans.

306.4 In the event of a nuclear pollution spill, the coordination and response procedures of the Interagency Radiological Assistance Plan shall apply.

## 307 Subregional Areas

307.1 The Regional Plan is sub-divided along the geographic boundaries of the six New England States.

## 308 Subregional Response Centers

308.1 EPA will provide a mobile van to serve as a subregional response center for on-scene coordination of oil spill activities. This van will be equipped with radio and telephone communications, information storage and other facilities to promote the smooth and adequate functioning and administration of this Plan.

## 309 Subregional Response Teams

309.1 The SRT will consist of one member each from the appropriate office of the Environmental Protection Agency, U. S. Army Corps of Engineers, Department of Interior, the U. S. Coast Guard, the appropriate State agency and any selected advisory agencies when needed.

309.2 During a pollution emergency, the SRT will report to the SRC at the scene of the spill. There they will evaluate the status of the emergency as it develops and recommend courses of action to the OSC. They will also coordinate the actions of other Federal, State, local and private agencies in supplying needed assistance to the OSC. The SRT has no operational control over the OSC.

309.3 EPA will provide a secretary to the SRT who will keep a summary record of significant actions and decisions. Copies will be provided those who were present or involved for comment or correction of the record.

## 400 FEDERAL RESPONSE OPERATIONS -- RESPONSE PHASES

400.1 The actions taken to respond to a pollution spill can be separated into five relatively distinct classes or phases. For descriptive purposes, these are: Phase I - Discovery and Notification; Phase II - Containment and Countermeasures; Phase III - Cleanup and Disposal; Phase IV - Restoration; and Phase V - Recovery of Damages and Enforcement. It must be recognized that elements of any one phase may take place concurrently with one or more other phases.

### 401 Phase I -- Discovery and Notification

401.1 Discovery of a spill may be by a report received from the discharger in accordance with statutory requirements, through deliberate discovery procedures, such as vessel patrols, aircraft searches, or similar procedures or through random discovery by incidental observations of government agencies, or the general public. In the event of receipt of a report by the discharger, written verification of such notification shall be provided by the receiving Federal agent within seven days. In the event of deliberate discovery, the spill would be reported directly to the RRC. Reports from random discovery may be initially through fishing or pleasure boats, police departments, telephone operators, port authorities, new media, etc. Regional plans should provide for such reports to be channeled into RRC as promptly as possible to facilitate prompt reaction.

401.2 The severity of the spill will determine the reporting procedure and the participating Federal agencies to be notified promptly of the spill. The severity of the spill is determined by the nature and quantity of materials spilled, the location of the spill and the resources adjacent to the spill area which may be affected by it. Regional plans should specify critical water use areas and detail alerting procedures and communication links. A minor spill should be reported to the on-scene coordinator and Regional Response Center (RRC). Further notification should be in accordance with local agreements. A medium spill should be reported to the RRT and the NRC as soon as practicable. Teletype would normally be used for this purpose. A major spill should be immediately reported to the RRT and the NRC via fastest possible means. Telephone would normally be used for this purpose. The NRT should be notified as soon as practical. Teletype would normally be used for this purpose. Dependent on the severity and circumstances of the situation, all or selected members of the NRT may be notified immediately by telephone.

### 402 Phase II -- Containment and Countermeasures

402.1 These are defensive actions to be initiated as soon as possible after discovery and notification of a spill. After the OSC determines that further Federal response actions are needed and depending on the circumstances of each particular case, various actions may be taken.

These may include source control procedures, public health protection activities, salvage operations, placement of physical barriers to halt or slow the spread of a pollutant, emplacement or activation of booms or barriers to protect specific installations or areas, control of the water discharge from upstream impoundments and the employment of chemicals and other materials to restrain the pollutant and its effects on water related resources. Surveillance activities will be conducted as needed to support Phase II and Phase III actions.

403 Phase III - Cleanup and Disposal

403.1 This includes those actions taken to remove the pollutant from the water and related onshore areas such as the collection of oil through the use of sorbers, skimmers, or other collection devices, the removal of beach sand, and safe, non-polluting disposal of the pollutants which are recovered in the cleanup process.

404 Phase IV -- Restoration

404.1 This includes those actions taken to restore the environment to its pre-spill condition, including assessment of damages incurred, and actions such at reseeding shellfish beds.

405 Phase V -- Recovery of Damages and Enforcement

405.1 This includes a variety of activities, depending on the location of and circumstances surrounding a particular spill. Recovery of damages done to Federal property and to State or local government property is included; however, third party damage is not considered in this phase. Recovery of the costs of cleanup is a part of this phase. Enforcement activities under appropriate authority such as the Federal Water Pollution Control Act, as amended, the Refuse Act of 1899, the State and local statutes and ordinances are also included. The collection of scientific and technical information of value to the scientific community as a basis for research and development activities and for the enhancement of our understanding of the environment may also be considered in this phase. It must be recognized that the collection of samples and necessary data must be performed at the proper times during the case for enforcement and other purposes. Enforcement procedures, including investigative requirements, are detailed in the annex.

406 Procedures to be Followed for the Purpose of Water Pollution Control

406.1 The agency furnishing the OSC for a particular area is assigned responsibility to undertake and implement Phase I activities in that area. Other agencies should incorporate Phase I activities into their on-going programs whenever practicable. Upon receipt of information, either from deliberate or random discovery activities, that a spill has occurred, the OSC for the affected area will be notified. Subsequent action and dissemination of information will be in accordance with this regional plan.

406.2 The OSC is assigned responsibility for the initiation of Phase II actions and should take immediate steps to effect containment or other appropriate countermeasures.

406.3 The OSC is assigned responsibility for conduct of Phase III activities.

406.4 The OSC is assigned responsibility for the conduct of Phase IV activities utilizing techniques concurred in by the RRT.

406.5 Phase V activities shall be carried out by the individual agencies in accordance with existing statutes, with such assistance as is needed from other agencies.

406.6 Water pollution control techniques shall be in accordance with the applicable regional plan. In any circumstance not covered by the regional plan, the use of chemicals must be in accordance with Annex X and must have the concurrence of the EPA representative on RRT; in his absence, the concurrence of the Region I EPA Regional Administrator will be required.

## 500 COORDINATING INSTRUCTIONS

### 501 Delegation of Authority

501.1 Delegation of authority or concurrence in proposed or continuing water pollution control activities may be either verbal or written by the EPA representative on RRT.

### 502 Multi-Regional Actions

502.1 In the event that a spill or a potential spill moves from the area covered by one contingency plan into another area, the authority to initiate pollution control actions shall shift as appropriate. In the event that a polluting spill or potential spill affects areas covered by two or more regional plans, the response mechanism called for by both plans shall be activated; however, pollution control actions shall be fully coordinated as detailed in this regional plan.

502.2 There shall be only one On-Scene Coordinator at any time during the course of a spill response. Should a spill affect two or more areas, the RRT will designate the OSC, giving prime consideration to the area that could suffer the greatest damage. NRT shall designate the OSC if RRT members are unable to agree on the designation.

### 503 Notification

503.1 Sections 11 and 12 of the Act, require that all harmful discharges of oil and all discharges of hazardous substances to the navigable waters of the U. S. must be reported to appropriate Federal authority. Desig-

nation of the Federal agents to receive such reports are contained in Title 33, Part 153, Subpart B, Code of Federal Regulations. These regulations are published by the U. S. Coast Guard and are available through that Agency's District Headquarters. In general, such reports are to be made to the nearest USCG or EPA office.

## 504 General Pattern of Response Actions

504.1 When the On-Scene Coordinator receives a report of a spill, or potential spill, the report should be evaluated. In most situations, the sequence of actions shown below should be followed.

504.1-1 Investigate the report to determine pertinent information such as the threat posed to public health or welfare, the type and quantity of material spilled, and the source of the spill.

504.1-2 Effect notification in accordance with appropriate regulations as defined in this regional plan.

504.1-3 Designate the severity of the situation and determine the future course of action to be followed.

504.2 The result of the report probably can be categorized by one of five classes. Appropriate action to be taken in each specific type case is outlined below:

504.2-1 If the investigation shows that the initial information overstated the magnitude or danger of the spill and there is no water pollution involved, it should be considered a false alarm and the case should be closed.

504.2-2 If the investigation shows a minor spill with the discharger taking appropriate cleanup action, contact is made with the discharger, the situation is monitored and information is gathered for possible enforcement action.

504.2-3 If the investigation shows a minor spill with improper action being taken the following measures should be taken:

a. Attempt should be made to prevent further discharges from the source.

b. The discharger should be advised of the proper action to be taken.

c. If, after providing advice to the discharger and this advice is not followed, the discharger should be warned of legal responsibility for cleanup and violations of law.

d. Information should be collected for possible enforcement action.

e. The On-Scene Coordinator should notify appropriate State and local officials. He should keep the Regional Respose Center advised and initiate Phase II and III activities as conditions warrant.

504.2-4 When the initial report or investigation indicates that a medium spill has occurred or that a potential medium spill situation exists, the On-Scene Coordinator should follow the same general procedures as for a minor spill. Additionally, the On-Scene Coordinator should make a recommendation on convening the RRT.

504.2-5 When a report indicates that a major spill has occured, that a potential major spill situation exists, or that a spill or potential spill which could arouse wide public concern has occurred, the OSC should follow the same procedures as for minor and medium spills. RRC and NRT should, however, be notified immediately of the situation even if the initial report has not been confirmed.

## 505 Strike Force

505.1 A nucleus national level strike force, consisting of personnel trained, prepared and available to provide the necessary services to carry out the National Contingency Plan has been established by the USCG. This force, presently located on the east coast, is being augmented and will be on site at various locations throughout the country. The National level strike force will be made available if requested to assist in response during pollution spills and may be made available to assist during other spill situations. The national level strike force may be requested through the appropriate USCG District Commander, Area Commander, or the Commandant, USCG. The strike force will direct the operation of any government-owned, specialized pollution cleanup equipment and will function under the OSC.

505.2 Regional plans shall provide the designation of local strike force teams consisting of personnel from operating units within the region. They shall be trained, prepared, and available to provide necessary services to implement the Plan. Regional plans shall specify the location of the local strike force teams. The services of the local strike force teams will be obtained through the appropriate Coast Guard District Commander. These teams are to be capable of merging with other strike forces within the region, or of being sent outside their own region. They are to be capable of supplementing the national level strike force. The local strike force teams should be capable of full independent response to all minor spill situations and joint coordinative response to medium or major spill situations.

## 506 ReSET TEAM

506.1 A Regional Spill Emergency Team has been established by Region I of the EPA. This team, presently located in Needham Heights, Massachusetts, is composed of scientists, engineers, technicians and administrative personnel to assist the OSC in carrying out Federal response to spill emergencies as described in Section 400.

506.2 The ReSET team, as outlined on the enclosed chart, has the following responsibilities during oil spill emergencies.

506.2-1 On Scene Coordinator - The On-Scene Coordinator's responsibilities have previously been outlined in Section 306.

506.2-2 Engineer - The engineer on the ReSET team will be responsible for assisting the OSC in on-scene coordination. This should include but not be limited to coordination of equipment deployment and technology,cleanup activities, evidence gathering for possible enforcement action and evaluation of products and techniques proposed to be used for cleanup.

506.2-3 Oceanographer - The oceanographer on the ReSET team, in addition to assisting the OSC in on-scene coordination, will have the following responsiblilties; prediction and evaluation of the fate, movement and effect of the spilled substances and the coordination of environmental damage determinations to include damage to finfish and shellfish.

506.2-4 Biologist - The biologist on the ReSET team will be responsible for data collection and conducting environmental damage evaluations.

506.2-5 Chemist - The chemist will be responsible for identification and analyses of oil and other hazardous polluting substances to establish the source of the material, and analysis of various environmental parameters to determine damage.

506.2-6 Technician - The technician will be responsible for assisting the chemist in data identification and analysis.

506.2-7 Aquatic Sample Collector - The aquatic sample collector on the ReSET team will be responsible for assisting field personnel in data collection, evidence gathering, and routine laboratory analysis, if necessary.

506.2-8 Divers - Three divers are available on the ReSET team. They are responsible for in situ evaluation of enviornmental damage caused by an oil or other hazardous polluting substance spill.

506.2-9 Secretary - The secretary on the ReSET team will be responsible for keeping detailed records of all events occuring during a spill emergency. In addition, the secretary will be responsible for keeping the OSC log on a continuous basis during the spill.

506.2-10 Shellfish Consultant - The shellfish consultant will be responsible for providing the OSC with information concerning shellfish resources in the area of the spill. In addition, he will be responsible for coordinating with State Shellfish Commissions on providing resource data to the OSC.

506.2-11 Administrative Officer - The administrative officer will be responsible for properly administering any federal contracts and monitary commitments made during cleanup operations. He will also insure that private contractors are working as per agreed arrangements, and will provide coordination with Coast Guard personnel in regard to the use of the revolving fund for cleanup (See Annex IX). The administrative Officer will assist transportation, housing, and communications and keep daily estimates of all costs incurred.

506.2-12 Legal Officer - The legal officer will be responsible for giving guidance to the OSC regarding legal aspects of a spill situation. This should include but not be limited to; applicability of the Rivers and Harbors Act of 1899 and the Federal Water Pollution Control Act of 1970 to particular spill situations and liason with the U.S. Attorney for possible prosecution or injunctive relief. The legal officer is also responsible for implementing any actions regarding legal aspects of a spill situation.

506.2-13 Public Information Officer - The public information officer will coordinate information from all the primary agencies for release to the public. He will also arrange for press conferences by the OSC and will carry out those duties outlined in Annex VI.

506.2-14 Petroleum Facility Consultant - The petroleum facility consultant on the ReSET team will be responsible to assist the OSC in determining the operational aspects of oil storage facilities, terminals and pipelines, in addition to offering expert advice on Phase IV (Containment and Countermeasures) activities resulting from spills occuring at these facilities.

506.2-15 Pesticides Consultant - The pesticides consultant will be responsible for providing the OSC with expert advice in dealing with pesticides, herbicides, or fungicide spills and their dangers and effect on water supplies, personnel and the aquatic environment.

506.2-16 Radiological Consultant - The radiological consultant will be responsible for providing the OSC with expert advice in dealing with spills of radioactive materials. He will be responsible for advising the OSC to secure all raw water supplies and abutting land areas in the area of the spill. In addition, he shall be responsible for determining when the area is safe to enter. He shall coordinate all actions of this team with the Interagency Radiological Assistance Plan for New England mentioned in Section 306.4.

506.3 The entire ReSET team will be available for spills in those areas where EPA is responsible for on-scene coordination. In those areas where USCG has responsibility for on-scene coordination, the technical elements of the team will be available during spill emergencies.

506.4 The ReSET team or elements thereof may be activated by the EPA representative on the RRT on an as-needed basis.

REGION I ReSET TEAM

| Position | Incumbent |
|---|---|
| On-Scene- Coordinator | John F. Conlon |
| Engineer | Thomas W. Devine |
| Oceanographer | Carl L. Eidam |
| Biologist | Peter M. Nolan |
| Chemist | William Andrade |
| Technician | William Glennon |
| Aquatic Sample Collector | Kerry Anderson |
| Divers | (1) Carl L. Eidam<br>(2) Peter Nolan<br>(3) Kerry Anderson |
| Secretary | Kathleen McCole |
| Shellfish Consultant | Edward F. M. Wong |
| Administrative Officer | Donald Toohey |
| Legal Officer | Allyn Hemmenway |
| Public Information Officer | Kenneth Crotty |
| Petroleum Facilities Consultant | Richard Keppler |
| Pesticides Consultant | Robert Kalayjian |
| Radiological Consultant | |

## 600 Procedures for Changing the Plan and Annexes

### 601 Amendment of the Plan

601.1 This Plan was developed in accordance with the National Contingency Plan and was concurred in by the participating agencies. Recommendations for amendments or changes to this Plan may be submitted to EPA by any other participating agency. Amendments will be developed to modify the basic plan, changes will be developed to modify the annexes to this Plan.

### 602 Amendment of the Annexes

602.1 Annexes may be prepared or amended by the Regional Response Team, and if approval by unanimous vote cannot be reached, the dissenting agency view and majority view shall be presented to NRT whose decision shall be final.

### 603 Amendment of the Regional Plans

603.1 This plan may be amended by EPA with the concurrence of the RRT and the agencies affected by such changes.

# ANNEX I

## 1100 Distribution

### 1101 Plan Distribution

1101.1 This Plan will be distributed to designated offices of Primary and Advisory Agencies, State and interstate water pollution control agencies and such other Federal, State, local and private agencies and organizations which are cooperating with and participating in activities in support of the Plan. A detailed tabulation listing the elements of these agencies and organizations receiving formal distribution will be maintained by the EPA representative on the RRT.

1101.2 Included in this formal distribution are the following:

Department of Defense
Department of the Interior
Department of Justice
Department of State
Department of Transportation
Office of Emergency Preparedness
All State water pollution control agencies
All interstate water pollution control agencies
Other Federal, State, local and private agencies and organizations as appropriate.

### 1102 Amendment Distribution and Format

1102.1 Amendments to the Plan and annexes will be made by sequentially numbered changes. Numbered changes will be effected by means of a transmittal sheet which identifies the Plan, the change number and date, the page numbers affected by the change and any other instructions deemed necessary for purposes of clarity or to make special emphasis of explanation of the change. There will be attached to the transmittal sheet the revised or added pages with the change number and current date on each page at the upper right hand corner.

1102.2 Where a change can be effected merely by pen and ink, the transmittal sheet may be used to accomplish the change without submission of revised pages. The use of pen and ink changes is limited to those cases where existing matter is being deleted or is of minor extent.

1102.3 Asterks will be used to indicate changes. For line changes, an asterisk will be placed before and after each sentence changed in the left and right page margins. For paragraph changes, an asterisk will be placed before and after each paragraph changed and if continued on the next page, an asterisk will be placed at the top of the page and the end of the paragraph. For a paragraph deletion, an asterisk will be placed in the left margin and the paragraph number or letter will be ratained in the original sequence followed by the work "Recinded" in parenthesis.

1102.4 If the Plan is completely rewritten, asterisks will not be used but supercession will be indicated at the bottom of the first page.

Annex II

## 1200 REGIONAL RESPONSE CENTER

### 1201 Regional Response Center Location

1201.1 The Regional Response Center (RRC) for the control of pollution by oil and other hazardous substances is established at the Federal Regional Center, Maynard, Massachusetts 01754.

### 1202 RRC Purpose

1202.1 The purpose of the RRC is to provide the physical facilities necessary for the proper coordination of a control program to clean up a spill and mitigate its damage.

### 1203 Responsibility for RRC

1203.1 The Office of Emergency Prepardness in conjunction with the other Federal agency representatives assigned to the Federal Regional Center will provide the necessary communications, plotting facilities, space and equipment which will include:

1203.1-1 Telephone branch lines FTS and commercial.

1203.1-2 Teletype circuits.

1203.1-3 Charts and, or maps which will cover the RRT's area of responsibility.

1203.1-4 Technical library on oil and hazardous materials pollution containing those references noted in Annex XV and copies of all applicable Federal and state legislation within the center's area of responsibility.

1203.1-5 Plotting and display provisions to visually depict the geographic position, movement and extent of the pollutant.

1203.2 Those agencies primary to this plan will provide additional personnel as required to man the RRC. They will furnish appropriate technical manuals that are within their normal area of responsibility and provide administrative support when needed.

1203.3 Whenever a representative on the RRT receives notification of a pollution incident which appears to be of a severity which will require activation of the team, he will promptly activate the RRT.

1204 Communications Services Available

1204.1 Telephone (voice)services available include:

1204.1-1 AUTOVON (Automated Voice Network) - general purpose switched voice network of the Defense Communications Systems serving Continental U. S., Alaska, Europe, Pacific and Panama.

1204.1-2 FTS-GSA operated government administrative telephone system.

1204.1-3 Civil Defense National Communication System #1 which provides direct voice communication through reserved lines to each of the states covered by the plan.

1204.1-4 NAWAS - A national warning system making use of a voice communication net ordinarily employed to warn of imminent disaster.

1204.2 Teletype services available include:

1204.2-1 AUTODIN - A defense communications world-wide system operated for and managed by the DCA to provide both direct user to user and store and forward message switching service for DOD and other government agencies.

1204.2-2 TWX - Teletypewriter exchange service links approximately 50,000 CONUS industry and government offices.

1204.2-3 Canadian Teletype Circuit - used for direct communication with Canadian authorities in a disaster situation.

1204.2-4 OCD computer tie-in circuit for communication purposes which provides access to the entire United States.

1204.2-5 All of the above are backed up by radio teletype systems.

1205 Weather Information

1205.1 It is received by teletype from three sources on a routine basis. These are:

1205.1-1 A - local weather
C - synoptic upper air and severe weather forecasts
O - U. S. Weather Bureau overseas teletype service

1206 Ocean Conditions

1206.1 Capabilities exist for tieing into telephone or telepype circuits to:

1206.1-1 U. S. Air Force Forecasting Service

1206.1-2 Fleetweather Central, Norfolk, Virginia (Atlantic/Gulf waters)

12061.-3 Fleet Numerical Weather Central, Monterey, California (Pacific waters)

Annex III

## 1300 REGIONAL RESPONSE TEAM

### 1301 Regional Response Team Membership

1301.1 The RRT shall consist of representatives of the primary agencies, namely, Environmental Protection Agency; Department of Defense, Corps of Engineers; Department of the Interior, Fish and Wildlife Service; and Department of Transportation, U.S. Coast Guard. Each agency shall designate a sufficient number of alternates to ensure representation in the event that the menber is unavailable. Advisory agencies shall also designate representatives of the RRT to be notified in appropriate circumstances.

### 1302 RRT Organization

1302.1 The representative of EPA will act as chairman of the inland RRT, and will also serve as executive secretary who shall maintain records of the RRT activities along with national and regional plans for pollution emergency responses. When the RRT is activated because of a water pollution emergency situation, the chairman will assume the role of principal coordinator of the team's activities.

### 1303 RRT Purpose

1303.1 The RRT will act as an emergency response team to be activated in the event of a pollution incident involving spills of oil or other hazardous substances which exceed state and/or local capability to control; which involves international boundary waters; which overlaps the area of responsibility between coastal and inland contingency plans: or presents potential of major population, ecological or physical damage.

### 1304 RRT Activitation

1304.1 Any primary agency of the RRT may activate the team.

1304.2 Each representative, or an appropriate alternate shall be notified immediately by telephone of activation of the RRT.

1203.3 When activated, the RRT will determine if representation by any of the advisory agencies is appropriate. When so determined, the appropriate advisory agency will provide suitable representation.

### 1305 RRT Functions

1305.1 When activated during a pollution incident, the RRT will perform the following basic functions and others as required:

1305.1-1 Evaluate reports coming from the OSC, requesting additional information as may be required.

1305.1-2 Coordinate the actions of the agencies involved in supplying needed assistance to the OSC.

1305.1-3 Recommend courses of action through the Sub-RRT for consideration by the OSC.

1305.1-4 Request other federal, state, local government or private agency action under whatever authorities they may have to accomplish needed objectives for the purpose of pollution control.

1305.1-5 Recommend deployment of personnel to observe the handling of a pollution incident and to determine its effects on the environment.

1305.1-6 Establish a public information office as prescribed in Annex VI.

1305.2 Between periods of actual activation the RRT will:

1305.2-1 Maintain a readiness posture to react to a regionally significant spill of oil or other hazardous substances.

1305.2-2 Forward copies of reports and documents developed to the NRT.

1305.2-3 Review and assist in the development of sub-regional contingency plans.

1305.2-4 Render assistance in the development of state and local level contingency plans where possible.

1306 Coordinated Response

1306.1 The contingency plan for inland navigable waters will be reviewed with the RRT responsible for developing the contingency plan for all other navigable waters and the contiguous zone. They will be in agreement in all those particulars necessary to insure close coordination in the clean-up of spills which overlap the boundary between the two plans.

1306.2 Those plans for inland waters developed within a region will follow the same basic format and philosophy so that close coordination between the two major RRT's in Region I will be possible. Each RRT

will review the other's plan. The mechanisms for communications between the two RRC's will be developed as soon as possible.

1306.3 Where the possibility exists of a spill crossing over Regional boundaries and involving the RRT's from different regions, the same basic procedures outlined in Section 1306.2 will apply.

1306.4 Present membership of the inland RRT's within EPA, Region I is attached.

REGION I

INLAND REGIONAL RESPONSE TEAM
(New England State Except Connecticut and Lake Champlain)

| Primary Agency | Representation of RRT | | Representative | | |
|---|---|---|---|---|---|
| | Agency | Office | Position | Incumbent | Alternate |
| E P A | E P A | Division of Surveillance and Analysis | Director, Div. of Surveillance and Analysis | E. V. Fitzpatrick | M.O. Knudson |
| D O D | C of E | New England Division | Civil Engineer | C. Boutilier | F. Ciccone |
| D O I | Fish & Wildlife Service | Regional Office | Regional Director | R. Griffith | |
| | U.S.G.S. | Regional Office | Chief, Water Resources Div. | | C. Knox |
| D O T | U.S.C.G. | First C.G. District | Chief, Operations Division | Captain N. W. Banks | Commander J. H.Fournier |

REGION I
INLAND REGIONAL RESPONSE TEAM

(Connecticut Only)

| Primary Agency | Representation of RRT | | Representative | | |
|---|---|---|---|---|---|
| | Agency | Office | Position | Incumbent | Alternate |
| E P A | E P A | Division of Surveillance and Analysis | Director, Div. of Surveillance and Analysis | E.V. Fitzpatrick | M.O. Knudson |
| D O D | C of E | New England Division | Civil Engineer | C. Boutilier | F. Ciccone |
| D O I | Fish & Wildlife Service | Regional Office | Regional Director | R. Griffith | |
| | U.S.G.S. | Regional Office | Chief, Water Resources Div. | | C. Knox |
| D O T | U.S.C.G. | 3rd C. G. District | Chief, Operations Division | Captain Leland | Commander Hanson |

REGION I
Inland Regional Response Team

(Lake Champlain Area Only)

| Primary Agency | Representation of RRT | | Representative | | |
|---|---|---|---|---|---|
| | Agency | Office | Position | Incumbent | Alternate |
| E P A | E P A | Division of Surveillance and Analysis | Director, Div. of Surveillance and Analysis | E.V. Fitzpatrick | M.O. Knudson |
| D O D | C of E | New York District | Chief, Albany Field Office | N. Rozelle | E. Meiser |
| D O I | Fish & Wildlife Service | Regional Office | Regional Director | R. Griffith | |
| | U.S.G.S. | Regional Office | Chief, Water Resources Div. | | C. Knox |
| D O T | U.S.C.G. | 3rd Coast Guard Dist. | Chief, Operations Division | Captain Leland | Commander Hanson |

Annex IV

## 1400 GEOGRAPHIC BOUNDARIES

1400.1 The regional and district boundaries of those agencies primary to this plan and certain advisory agencies are shown on the maps in the following sections. Names, addresses and telephone numbers of the personnel designated by these agencies as having responsibility in the oil and hazardous substances pollution control area are also given.

1400.2 The breakdown for inclusion is as follows:

| Paragraph No. | | Agency |
|---|---|---|
| 1401 | | Environmental Protection Agency |
| 1402 | | Department of Transportation, U.S.C.G. |
| 1403 | | Department of Defense |
| | 1403.1 | U. S. Army Corps of Engineers |
| | 1403.2 | First United States Army |
| | 1403.3 | Office of Civil Defense |
| | 1403.4 | U. S. Navy |
| | 1403.5 | U. S. Air Force Reserve Regions |
| 1404 | | U. S. Department of Interior |
| 1405 | | Office of Emergency Prepardness |
| 1406 | | Department of Commerce, NOAA |
| 1407 | | EPA - Coast Guard Boundaries |
| 1408 | | Subregional Areas |

## 1401 Environmental Protection Agency

Region I
John F. Kennedy Federal Building
Boston, Massachusetts 02203

Division of Surveillance and Analysis
Oil & Hazardous Materials Section
240 Highland Avenue
Needham Heights, Massachusetts 02194

Normal Duty Hours:

Telephone Numbers:

Needham Heights, Massachusetts
John F. Conlon
Carl L. Eidam
Thomas W. Devine
Myron O. Knudson
Edward V. Fitzpatrick

*(617) 223-7265, 7337

E P A NEDM

TWX 710-325-6678

Region I, Regional Office
Kenneth Crotty, Press Officer

*(617) 223-3478
*(617) 223-7223

WPCBOS

TWX 710-321-0068

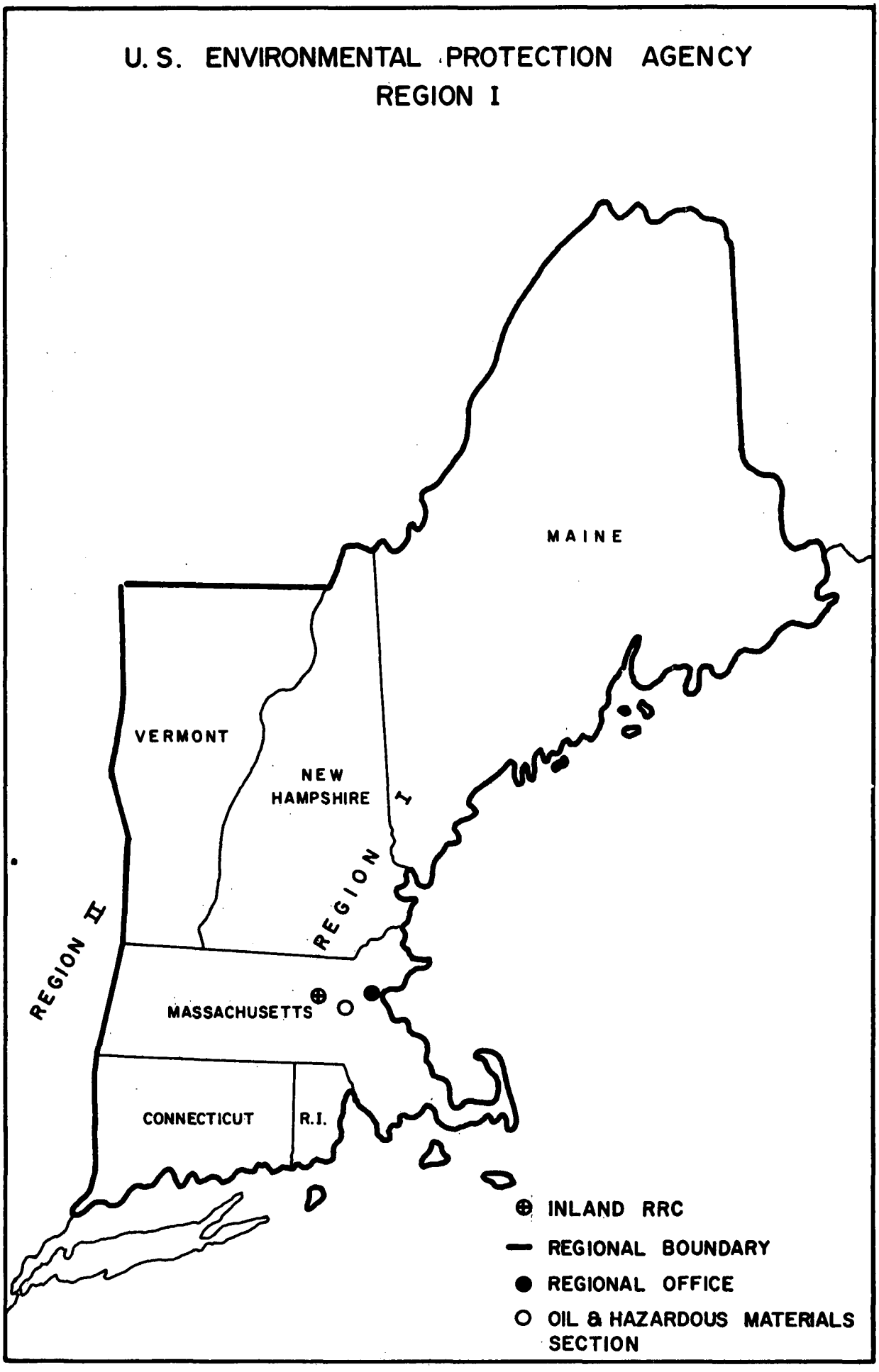
Boston FTS: 8-617-223-2100

Nights and Weekends: Contact nearest Coast Guard Station or 1st Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Can Provide:

- Federal Funds
- Technical Assistance
- Laboratory Analysis
- Land Transportation (limited)
- Public Information Services

*Commercial and FTS


U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION I
MAINE
VERMONT
NEW HAMPSHIRE
REGION I
REGION II
MASSACHUSETTS
CONNECTICUT
R.I.
INLAND RRC
REGIONAL BOUNDARY
REGIONAL OFFICE
OIL & HAZARDOUS MATERIALS SECTION

Environmental Protection Agency
Region II
Division of Surveillance and Analysis
Edison, New Jersey 08817

(For oil spills on New York side of Lake Champlain)

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| | (201) 548-3000<br>commercial switchboard |
| Howard J. Lamp'l | FTS: (201) 548-3515 |
| Paul Elliot | FTS: (201) 548-3548 |
| John Nicol | FTS: (201) 548-3549 |
| National Oil Pollution Laboratory | (201) 548-3000 |
| Richard Dewling | FTS: (201) 548 3501 |
| WPCEDI | TWX 710-998-0598 |

Nights and Weekends: (201) 548-8730

Can Provide to New England:
Technical Assistance
Laboratory Analysis Services

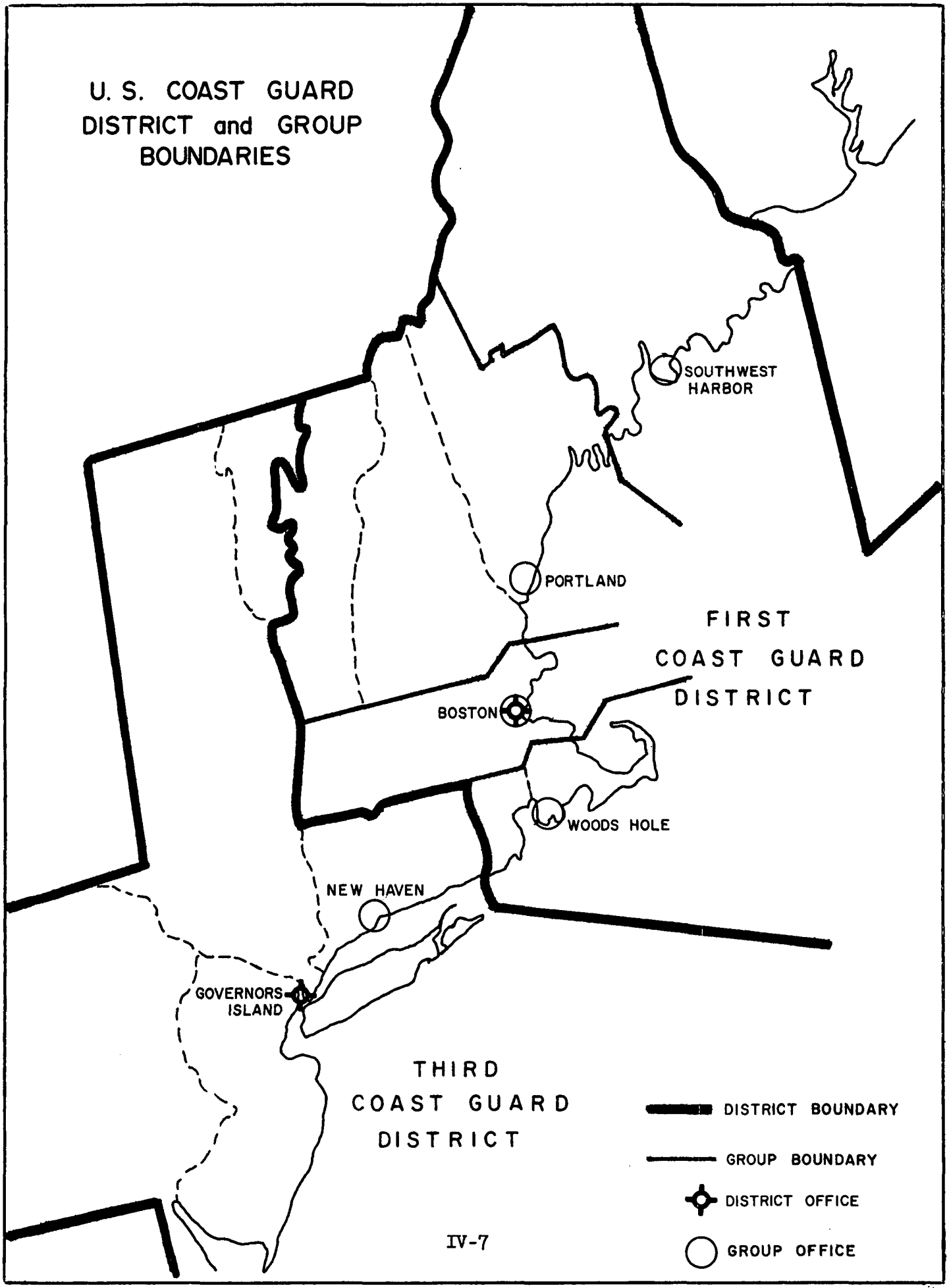
Environmental Protection Agency
Division of Oil and Hazardous Materials
Washington, D. C. 20460

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| H. D. Van Cleve | *(703) 557-7663 |
| Richard Hess | *(703) 557-7663 |
| Russ Weyer | *(703) 557-7660 |
| Hugh Thompson | *(703) 557-7663 |
| Kenneth E. Biglane | *(703) 557-7660 |
| WPCDCA | TWX 710-955-1185 |

Nights and Weekends: Contact Regional EPA representative and request that they relay the information.

Can provide:
- Federal Funds
- Technical Assistance
- Public Information Services
- Activation of NRT

*Commercial and FTS


U. S. COAST GUARD
DISTRICT and GROUP
BOUNDARIES
SOUTHWEST
HARBOR
PORTLAND
FIRST
COAST GUARD
DISTRICT
BOSTON
WOODS HOLE
NEW HAVEN
GOVERNORS
ISLAND
THIRD
COAST GUARD
DISTRICT
DISTRICT BOUNDARY
GROUP BOUNDARY
DISTRICT OFFICE
GROUP OFFICE

U. S. Department of Transportation
Coast Guard Stations

| Location: | Telephone Numbers: |
|---|---|
| **MAINE** (Northern) | |
| U. S. Coast Guard Group<br>Southwest Harbor, Maine 04679 | (207) 244-5517 (24 hours/day)<br>Portland FTS: 8-207-775-3131 |
| Group Commander - Commander R. T. Young | |
| MAINE (Southern) | |
| U. S. Coast Guard Group<br>259 High Street<br>South Portland, Maine 04106 | *(207) 775-3275 (24 hours/day)<br>Portland FTS: 8-207-775-3131 |
| Captain of the Port - McCann | |
| NEW HAMPSHIRE | |
| U. S. Coast Guard Group<br>259 High Street<br>South Portland, Maine 04106 | *(207) 775-3275 (24 hours/day)<br>Portland FTS: 8-207-775-3131 |
| VERMONT | |
| Burlington Coast Guard Station<br>Box 533<br>Burlington, Vermont 15401 | (802) 864-791 (24 hours/day)<br>Burlington FTS: 8-802-862-6501 |
| Station Commander - B.M.C. Seitler | |
| MASSACHUSETTS | |
| U. S. Coast Guard Group<br>427 Commercial Street<br>Boston, Massachusetts 02109 | *(617) 223-6977 (24 hours/day)<br>Boston FTS: 8-617-223-2100 |
| Captain of the Port - Captain Lynch extension 6973<br>LCDR R.J. Houtokier | |
| MASSACHUESTTS (Cape Cod) | |
| U. S. Coast Guard Group<br>Woods Hole, Massachusetts 02543 | (617) 548-1700 (24 hours/day)<br>Boston FTS: 8-617-223-2100 |
| Group Commander - Captain Campbell | |

U. S. Department of Transportation
Coast Guard

| Location | Telephone Numbers: |
|---|---|
| RHODE ISLAND | |
| U. S. Coast Guard Station<br>Castle Hill<br>Newport, Rhode Island 02840 | (401) 846-3675 (24 hour/day)<br>Providence FTS:8-401-528-1000 |
| Station Commander<br>Chief Warrant Officer - William Muessel | |
| CONNECTICUT | |
| U. S. Coast Guard Group<br>Fort Trumbull<br>New London, Connecticut 06320 | *(203) 449-7245 (24 hour/day) |
| Captain of the Port - LCDR Gary Crosby | |
| U. S. Coast Guard Station<br>120 Woodward Avenue<br>New Haven, Connecticut 06512 | *(203) 469-6471 (24 hour/day) |
| NEW YORK | |
| U. S. Coast Guard<br>Eatons Neck Station<br>Northport, New York 11768 | (516) 261-6868 (24 hour/day)<br>New York FTS:8-212-460-0100 |
| Third District Headquarters<br>U. S. Coast Guard<br>Air/Sea Rescue Center<br>Captain of the Port, New York | *(212) 264-4800 (24 hour/day) |
| Law Enforcement and Intelligence Branch:<br>CDR R. J. Hanson Lt. J. C. Clow<br>LCDR G. J Seney LTJG A. H. Schieck | *(212) 264-4916 |

Facilities and Equipment Available for all of the above:

| | |
|---|---|
| Coast Guard Boats | Sample Collection Service |
| Communications | Location for Command Post |
| Water Transportation | Emergency Towing Capabilities |
| Air Transportation (limited) | Control Shipping Movements |

## 1403 Department of Defense

### 1403.1 U. S. Army Corps of Engineers

U. S. Army Corps of Engineers
New England Division Headquarters
424 Trapelo Road
Waltham, Massachusetts 02154

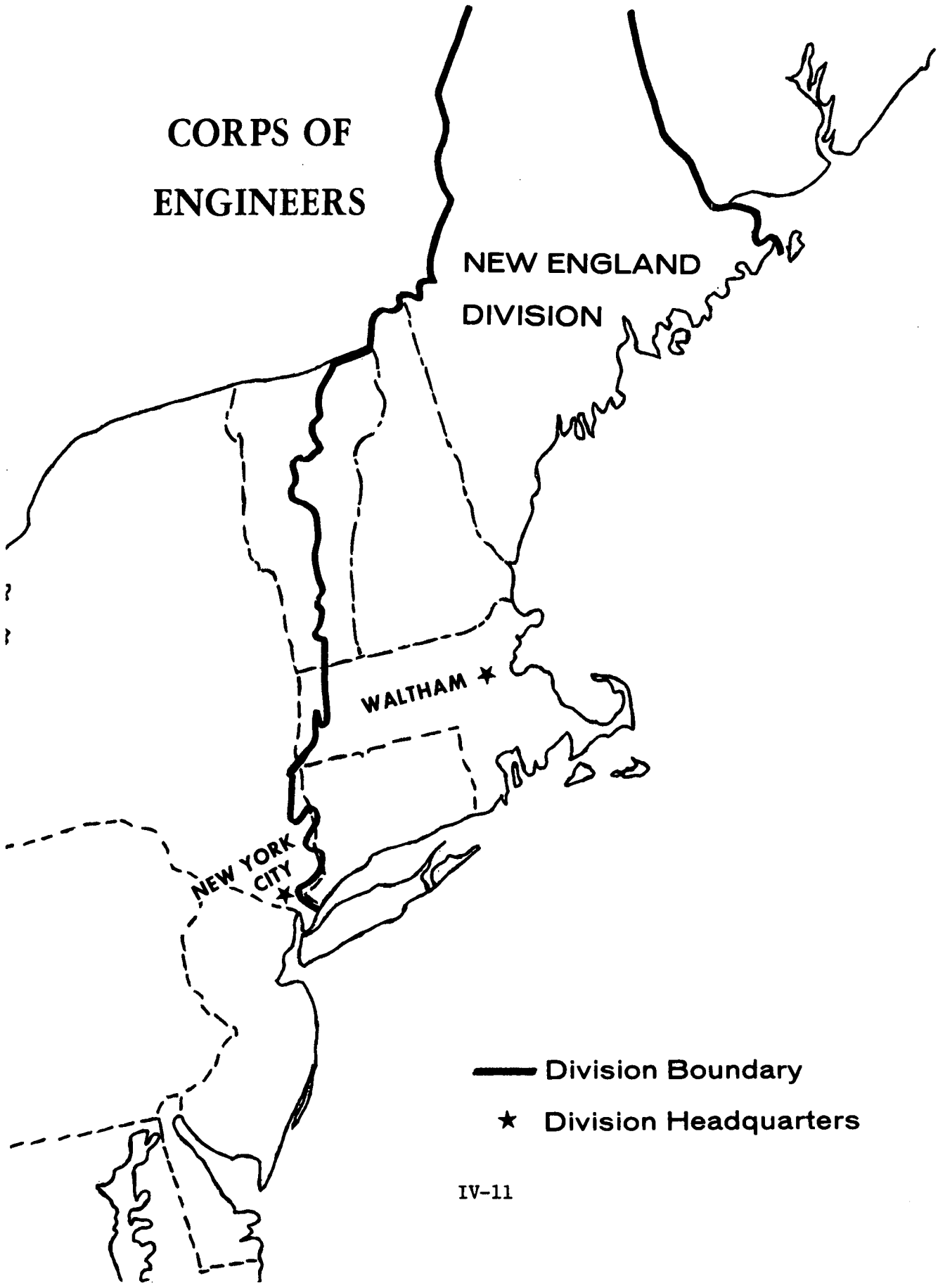
| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| Carl Boutlier | *(617) 894-2400 |
| Frank Ciccone | |
| Nights and Weekends: | *(617) 894-2404 |

U. S. Army Corps of Engineers (212) 264-0100
New York District Headquarters
26 Federal Plaza
New York, New York 10007

U. S. Army Corps of Engineers (518) 273-0870
Albany Field Office
P. O. Box 209, Lansingburgh Station
Troy New York 12182

Mr. N. Rozelle

*Commercial and FTS

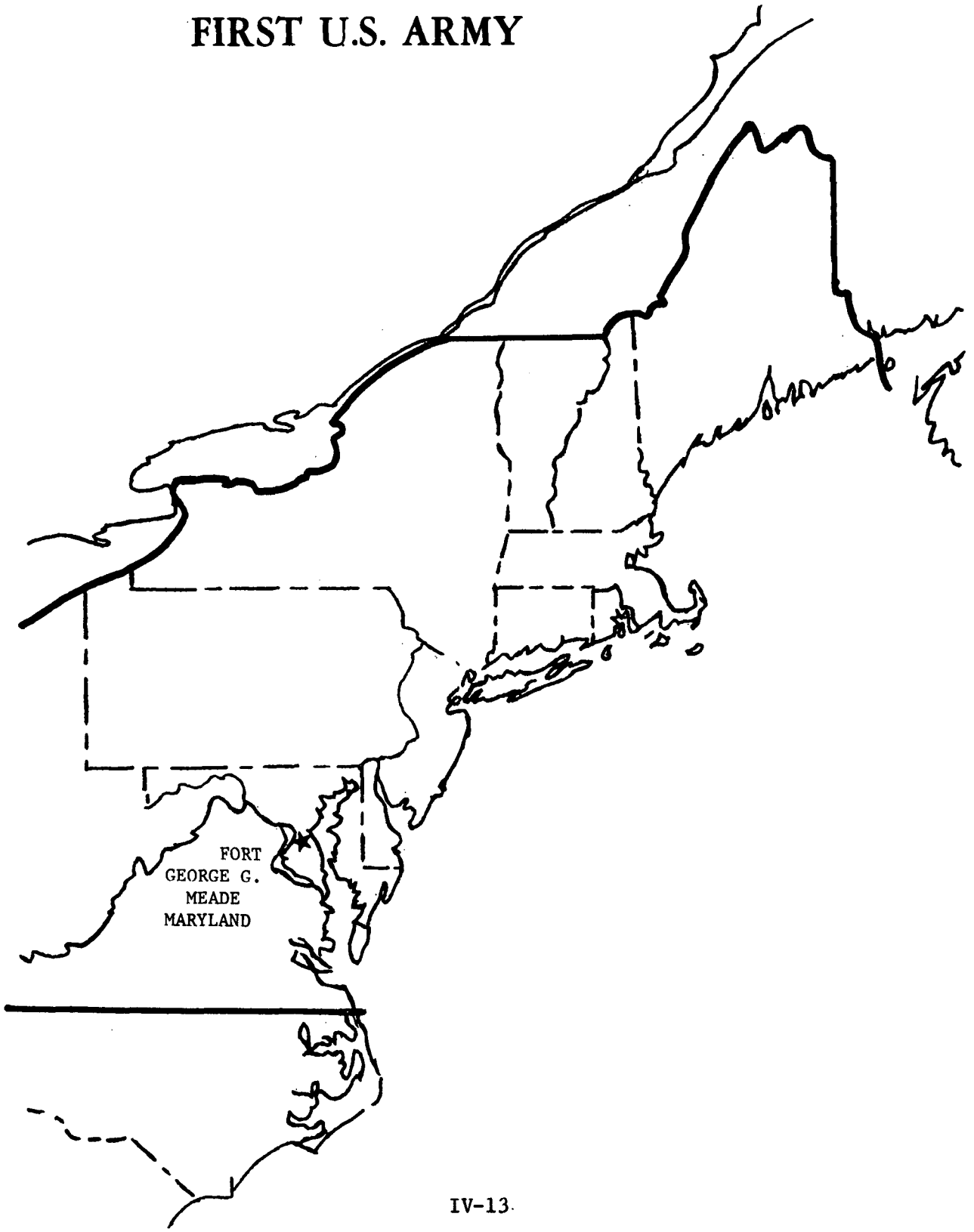

CORPS OF
ENGINEERS
NEW ENGLAND
DIVISION
WALTHAM
NEW YORK
CITY
Division Boundary
Division Headquarters

1403.2 First United States Army

Headquarters
First United States Army
Ft. George G. Meade
Maryland 20755

Telephone: 301 677-2082

# FIRST U.S. ARMY



## 1403.3 DEPARTMENT OF THE ARMY
## OFFICE OF THE SECRETARY OF THE ARMY
## OFFICE OF CIVIL DEFENSE -- REGION I
## MAYNARD, MASSACHUSETTS 01754

Allan R. Zenowitz
Regional Director
Office of Civil Defense
Region I
*(617) 223-6230

George R. Thompson
Resident Representative
Corps of Engineers
New England Division
*(617) 223-6230

*Commercial and FTS

## 1403.4 U. S. Navy

First Naval District
495 Summer Street
Boston, Massachusetts 02210

| Location: | Telephone Numbers: |
|---|---|
| Commandant<br>First Naval District | (617) 542-5100 (24 hours/day)<br>Indicate emergency and ask for Operations Officer. After normal duty hours ask for Duty Officer, explain problem. |

Can provide:
Coordination of services in Navy Spills

| | |
|---|---|
| Boston Naval Shipyard<br>Charlestown, Massachusetts | (617) 242-1400<br>Boston FTS: 8-617-223-2100 |
| Administrative Officer<br>Public Works Officer | ext. 188 and 189<br>ext. 478 |

Can Provide:

Salvage Contract Information
Assistance for Navy Spills in Boston

| | |
|---|---|
| Newport Naval Station<br>Newport, Rhode Island | (401) 846-3716, 3916 and 3456<br>Providence FTS: 8-401-528-1000 |

Naval Stations Operations Department

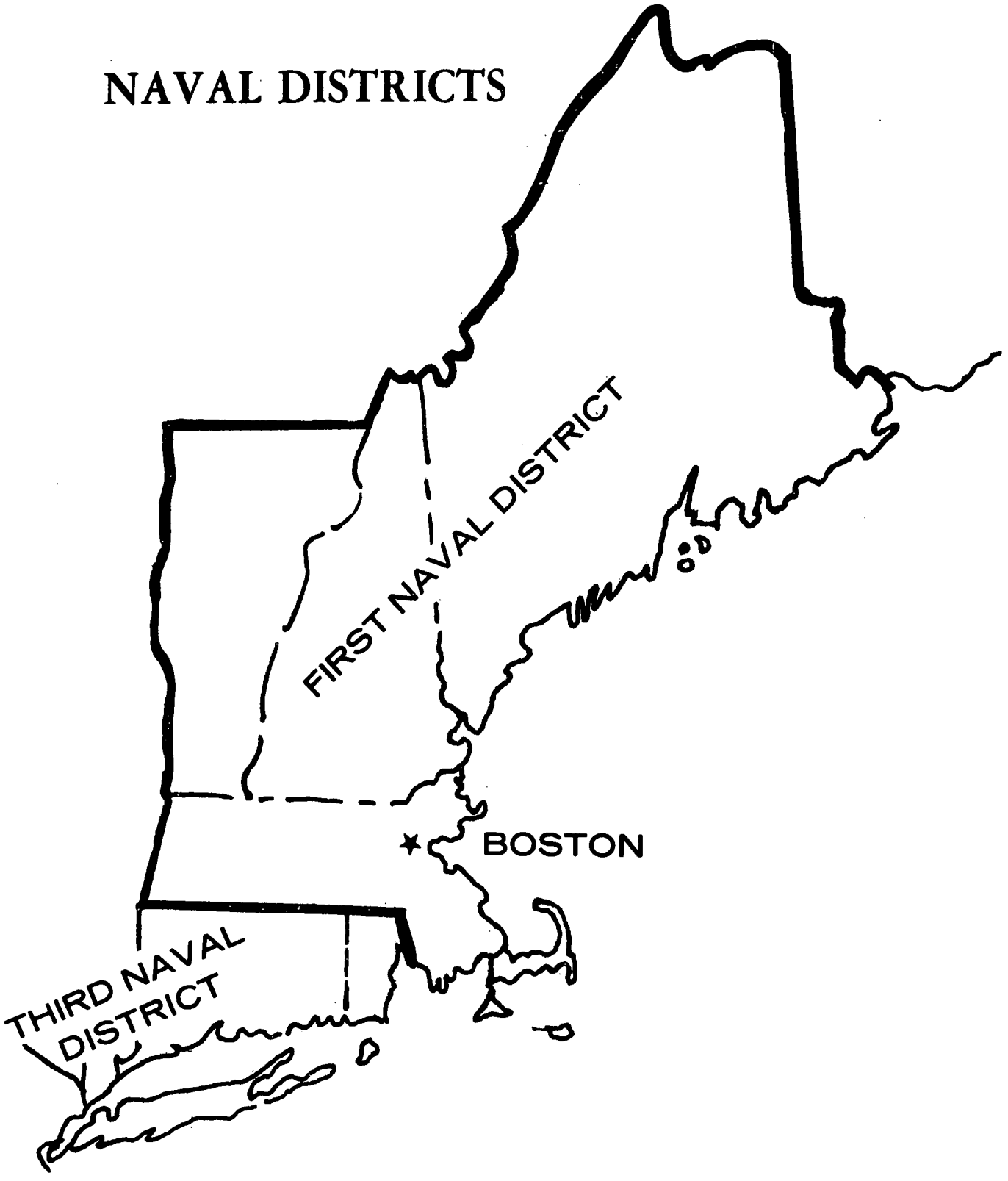
Can Provide:
Station assistance for Navy spills

## Third Naval District

| Location: | Telephone Number: |
|---|---|
| COMTHREE Staff Operations Officer<br>Federal Office Building<br>90 Church Street<br>New York, N. Y. 10007<br><br>LCDR Robert Y. Ott | Duty Hours:<br>*212-264-7662<br><br>Non-Duty Hours:<br>*212-264-7701 |

* Commercial and FTS

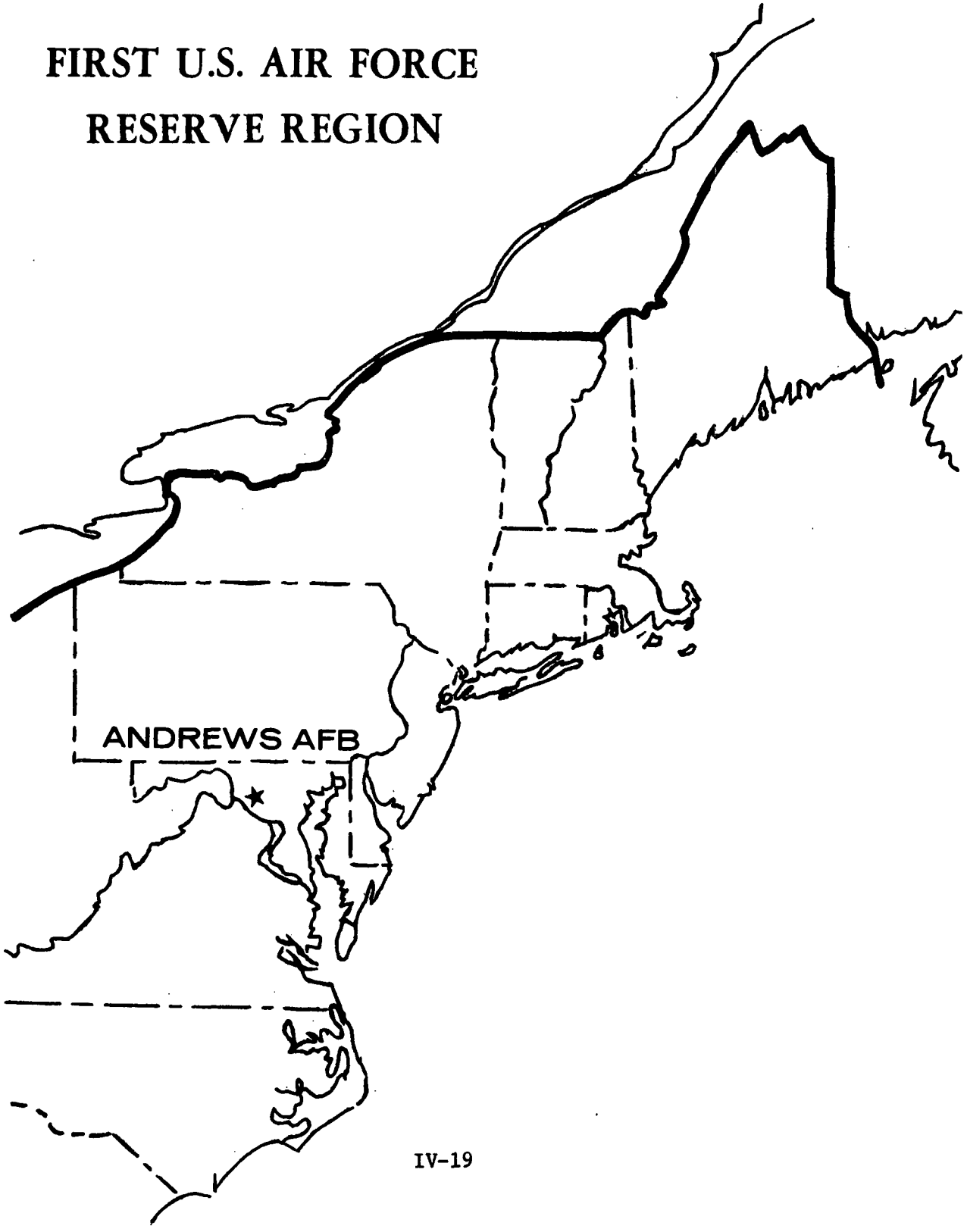
# NAVAL DISTRICTS



## 1403.5 First U. S. Air Force Reserve Region

First Air Force Reserve Region
Andrews Air Force Base
Washington, D. C. 20331
Telephone: Duty Hours 301 981-2345
Non-Duty Hours 301 981-9111

# FIRST U.S. AIR FORCE RESERVE REGION



## 1404 Department of Interior

### 1404.1 Fish and Wildlife Service
Bureau of Sport Fisheries and Wildlife
Room 1900
Post Office and Courthouse Building
Boston, Massachusetts 02109

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| Richard Griffeth, Regional Director | *(617) 223-2961 |
| Donald Reese | *(617) 223-9264 |

Nights and Weekends: Contact nearest Coast Guard Station or First Coast Guard District Headquarters at 617-223-3645 and request that they relay the information

Can Provide:
- Natural Resource Data
- Federal Facilities

*Commercial and FTS

BUREAU OF SPORT FISHERIES AND WILDLIFE
U.S. GAME MANAGEMENT AGENTS

| State | Telephone Numbers |
|---|---|
| Maine<br>William D. Snow<br>Federal Building, Rm 212<br>Augusta, Maine | (207) 622-6224 |
| New Hampshire<br>David H. Swendsen<br>Federal Building<br>55 Pleasant Street<br>Concord, New Hampshire | (603) 224-7726 |
| Vermont<br>Bruce W. Parker<br>114 Main Street<br>Montpelier, Vermont | (802) 223-8438 |
| Massachusetts<br>James Van Weelden<br>Federal Building, Rm. 205<br>Plymouth, Massachusetts | (617) 746-0620 |
| Rhode Island<br>Edgar L. Ferguson<br>P. O. Box 52<br>Sanderstown, Rhode Island | (401) 789-6632 |
| Connecticut<br>Donald F. Blais<br>Federal Building, Rm 644<br>450 Main Street<br>Hartford, Connecticut | (203) 244-2015 |

1404.2 U. S. Geological Survey

Water Resources Division
Room 2300
J. F. Kennedy Federal Building
Boston, Massachusetts 02203

| Normal Duty Hours: | Telephone Number: |
|---|---|
| Charles E. Knox, District Chief | *(617) 223-2822 |

Nights and Weekends: Contact nearest Coast Guard Station or First Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Can Provide:

River Flow Data
Time - of - Travel predictions

*Commercial and FTS

1405 Office of Emergency Preparedness

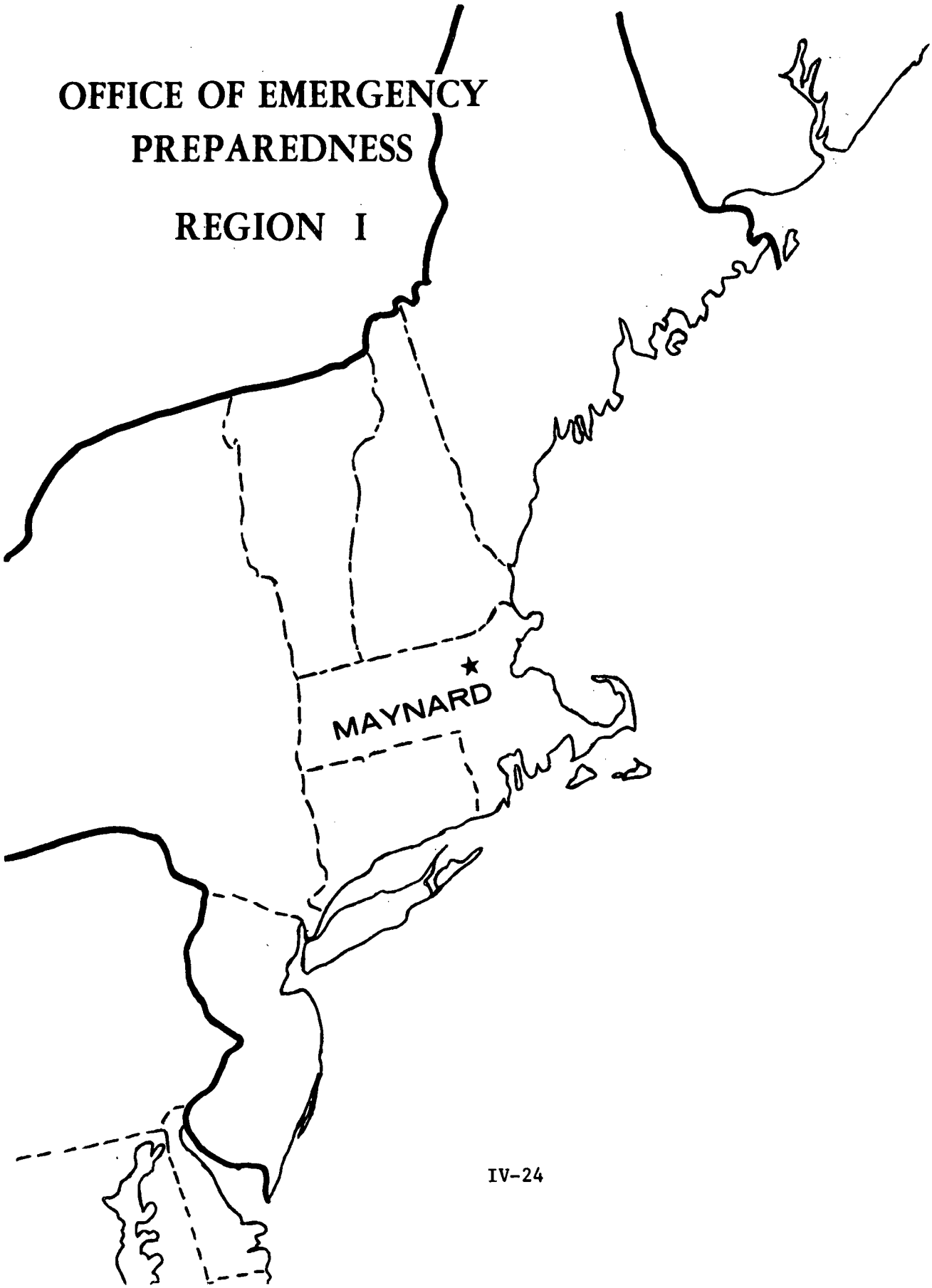
Region I
Office of Emergency Preparedness
Maynard, Massachusetts 07154

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| George A. Flowers | *(617) 897-9381 |
| Phillip Bassett | |

Nights and Weekends: Contact nearest Coast Guard Station or 1st Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Can Provide:
- Disaster area determination
- Federal Disaster Control Coordination
- Unlimited Federal Resources in Disaster area
- "On-the-Spot" Purchase authority in disaster areas
- Location for Inland RRC

*Commercial and FTS


OFFICE OF EMERGENCY
PREPAREDNESS
REGION I
MAYNARD

## 1406 Department of Commerce

### 1406.1 National Oceanic and Atmospheric Administration

National Marine Fisheries Service
Regional Office
14 Elm Street
Gloucester, Massachusetts 01930

| Normal Duty Hours: | Telephone Number: |
|---|---|
| Russell T. Norris, Regional Director | *(617) 281-0640 |

Nights and Weekends: Contact nearest Coast Guard Station or Coast Guard District Headquarters at 617-223-3645 and request that they relay the information

Can Provide:

Technical Assistance
Commercial Fishery Data

| | Telephone Number: |
|---|---|
| Marine Forcaster<br>National Weather Service Forecast Office<br>Washington, D.C. | *(301) 440-7291 |

Can Provide:
Environmental Forecast Support

*Commercial and FTS

## 1407 Inland (EPA) vs Coastal (Coast Guard) Boundaries

1407.1 This plan is applicable to all inland navigable waters of the six New England States.

1407.2 Boundaries delineating inland and coastal areas agreed upon by the U. S. Coast Guard and EPA in Region I are attached.

1407.2-1 State of Maine

| NAME | BOUNDARY LINES |
|---|---|
| Machias River | Dam at Machias |
| East Machias River | Bridge at East Machias |
| Chandler River | Route 1 Bridge at Jonesboro |
| Indian River | Route 187 Bridge at Indian River |
| Pleasant River | Fixed Bridge at Addison |
| Harrington River | Route 1A Bridge at Harrington |
| Mill River | Line drawn from Oak Point then South to opposite river bank |
| Narragaugus River | Route 1A bridge at Milbridge |
| Union River | Dam at Ellsworth |
| Bagaduce River | Line drawn from Jones Point north to opposite river bank |
| Penobscot River | Route 1A toll bridge at Bangor |
| Passagassawakeag River | Route 1 bridge at Belfast |
| St. George River | Bascule Bridge at Thomaston |
| Medomak River | Line drawn from Hollis Point West to Woltz Point. |
| Damariscotta River | Line drawn from Wiley Point northwest to Dodge Point. |
| Sheepscot River | Line drawn from Birch Point east to Davis Island |
| Kennebec River | Line drawn from West Chops Point north to Chops Point. |

EPA - COAST GUARD BOUNDARIES

| NAME | BOUNDARY LINES |
|---|---|
| Cousins River | Marsh Bridges at South Freeport |
| Royal River | Dam at Yarmouth |
| Presumpscot River | Fixed Railroad Bridge |
| Fore River | Route 1 Bridge at Portland |
| Saco River | Factory Island Dam at Biddeford |
| Kennebunk River | Route 9 Bridge at Kennebunkport |
| Mousam River | Route 9 Bridge at Kennebunk Beach |
| York River | Route 103 Bridge at York Harbor |

1407.2-2 State of New Hampshire

| | |
|---|---|
| Piscataqua River | Dover Point Bridge to Newington Station and a line drawn from Dover Point northeast to opposite river bank |

1407.2-3 Commonwealth of Massachusetts

| | |
|---|---|
| Merrimack River | Bridge from Salisbury Point to Newbury Port |
| Plum Island Sound | Line drawn from Ipswich Bay Yacht Club east to opposite shore |
| Danvers River | All |
| Saugus River | Foxhall Bascule Bridge at Lynn |
| Mystic River | Mystic River Dam |
| Charles River | Charles River Dam and Locks |
| Neponset River | Morrissey Blvd. Bridge at Neponset Circle |
| Fore River | Bridge at Weymouth Landing |
| North River | Route 3A Bridge at Marshfield |

EPA - COAST GUARD BOUNDARIES

| NAME | BOUNDARY LINES |
|---|---|
| Bass River | Bridge at West Dennis |
| Wareham River | Fixed Bridge |
| Wewantic River | Fixed Bridge |
| Acushnet River | Coggeshall Street Fixed Bridge |
| Westport River East | Point of Pines Bascule Bridge |
| Taunton River | Line drawn from Winslow Point West West to opposite river bank |
| 1407.2-4 State of Rhode Island | |
| Seekonk River | Dam at Pawtucket |
| Providence River | Fox Point Hurricane Barrier |
| Pawtuket River | Dam at Pawtuket |
| Pettaquamscutt River | Fixed Beidge at Littleneck Narrows |
| Saugatuckett River | Causway at Silver Springs Cove, Wakefield |
| 1407.2-5 Connecticut | |
| Cos Cob River | 41 - 04N |
| Stamford River | 41 - 05N |
| Norwalk River | 41 - 08N |
| Westport River | 41 - 08.7N |
| Southport River | 41 - 09N |
| Complete Black Rock Harbor | |
| Bridgeport River | 41 - 12.3N |

EPA - COAST GUARD BOUNDARIES

| NAME | BOUNDARY LINE |
|---|---|
| Housatonic River | 41 - 18.8N |
| West River | Kinberly Avenue Bridge |
| Mill River | Grand Avenue Bridge |
| Quinnipiac River | Grand Avenue Bridge |
| East Haven River | First Bridge |
| Branford River | Bridge near Atlantic Wire |
| West River (Quilford) | 41 - 16 - 10N |
| East River (Quilford) | Bouy C "9" |
| Hammonasset River | 41 - 16N |
| Patchoque River | US1 Bridge |
| Menunsketesuck River | Mouth |
| Hamburg Cove | Beacon "17" |
| Connecitcut River | Buckley Bridge |
| Niantic River | 41 - 20 - 47N |
| Thames River | Entire River |
| Yantic River | First Fixed road bridge Rt 32 |
| Shetucket River | First Fixed road bridge Rt 12 |
| Mumford Cove | Entire Cove |
| Mystic River | Bridge Rt 95 |
| Stonington Harbor | R.R. Bridge |
| Pawcatuck River | Westerly |

## 1408 Subregional Areas

### 1408.1 Maine

State of Maine
Environmental Improvement Commission
State House Augusta, Maine 04330

| Normal Duty Hours: | Telephone Number: |
|---|---|
| Paul Sova | (207) 289-2811 |
| Lincoln Nye | Augusta FTS: 8-207-622-6171 |
| Raeburn MacDonald | |

Nights and Weekends: Contact nearest Coast Guard Station of 1st Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Can Provide:
- Boats
- State Facilities
- State Funds
- State Level Coordination
- Vehicles (limited)

Department of Sea and Shore Fisheries
State House
Augusta, Maine 04330

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| Robert Dow, Director | (207) 289-2291 |
| John Hurst | |

Nights and Weekends: Contact nearest Coast Guard Station or 1st Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Office of Maine Civil Defense
and Public Safety
State House
Augusta, Maine 40330

Normal Duty Hours:

Leslie H. Stanley

Telephone Numbers:

*(207) 622-6171
Augusta FTS: 8-207-622-6171

1408.2 New Hampshire

State of New Hampshire
State Water Pollution Control Commission
Prescott Park 105 Loudon Road
Concord, New Hampshire 03301

| Normal Duty Hours:1 | Telephone Number: |
|---|---|
| Russell Nylander | (603) 271-3502<br>Manchester FTS: 8-603-669-7011 |
| William A. Healy<br>Executive Director | |

Nights and Weekends: Contact nearest Coast Guard Station or 1st Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Fish and Game Department
Division of Inland and Maine Fisheries
34 Bridge Street
Concord, New Hampshire 03301

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| Bernard Corson | (603) 271-3421<br>Concord FTS: 8-603-669-7011 |

Nights and Weekends: Contact nearest Coast Guard Station or 1st Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Can Provide:
- Boats
- State Facilities
- State Funds
- State Level Coordination
- Vehicles (limited)

New Hampshire Civil Defense Agency
New Hampshire Military Reservation
Airport Road
Concord, New Hampshire 03301

| Normal Duty Hours: | Telephone Numbers: |
| --- | --- |
| Major General Francis B. McSwiney<br>Director | (603) 225-6611, Ext. 515 or 516<br>Concord FTS: 8-603-669-7011 |

1408.3 Vermont

State of Vermont
Vermont Department of Water Resources
State Office Building
Montpelier, Vermont 05602

| Normal Duty Hours: | Telephone Number: |
|---|---|
| Elmer Faris, Chief Investigator | *(802) 223-8444 |
| David Clough, Chief, Water Quality Section | Ext. 237 |

Can Provide:
- Boats
- State Facilities
- State Funds
- State Leval Coordination
- Vehicles (limited)

Department of Public Safety
Vermont Civil Defense Division
Redstone
Montpelier, Vermont 05601

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| Commissioner Erwin A. Alexander<br>Director | (802)223-5211 or 223-3111<br>Montpelier FTS: 8-802-862-6501 |

*Commercial and FTS

1408.4 Massachusetts

Commonwealth of Massachusetts
Department of Natural Resources
Division of Water Pollution Control
100 Cambridge Street
Boston, Massachusetts 02202

| Normal Duty Hours: | Telephone Number: |
|---|---|
| Donald L. Corey | (617) 727-3855<br>Boston FTS: 8-617-223-2100 |

Nights and Weekends:

| | |
|---|---|
| Central Radio Communication<br>Department of Natural Resources<br>(This agency will alert the Division of Water Pollution Control after normal duty hours.) | (617) 727-3189 |

Department of Public Health
Division of Environmantal Health
600 Washington Street
Boston, Massachusetts 02111

| Normal Duty Hours: | Telephone Number: |
|---|---|
| George Coogan - Water Supply | (617) 727-2692 |

Can Provide:
- Boats from Department of Natural Resources
- State Facilities
- State Funds
- State Level Coordination
- State Oil Pollution Control Law
- Vehiciles (limited)

Massachusetts Civil Defense Agency
400 Worcester Road
Framingham, Massachusetts 01701

Normal Duty Hours:

Louis Saba
Director

Telephone Numbers:

(617) 875-1318 or Wellesley 237-0200
Boston FTS: 8-617-223-2100

1408.5 Rhode Island

Rhode Island Department of Health
Division of Water Pollution Control
State Office Building
Providence, Rhode Island 02903

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| Pearce Klazer | (401) 277-2234<br>Providence FTS: 8-401-528-1000 |
| Hagop Boghosian | |

Carleton A. Maine
Chief, Division of Water Polltuion Control

Walter J. Shea

Nights and Weekends: Contact nearest Coast Guard Station or 1st Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Department of Natural Resources
Division of Conservation
Veterans Memorial Building
Providence, Rhode Island 02903

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| John Cronin | (401) 521-7100, Ext. 784 |
| Wickford Patrol Base | (401) 294-9261 |

Can Provide:
- Boats
- State Facilities
- State Funds
- State Level Coordination
- State Oil Pollution Control Law
- Vehicles (limited)

Rhode Island Council of Defense
State House
Providence, Rhode Island 02903

Normal Duty Hours:

Major General John M. McGreevy
Director

Telephone Numbers:

(401) 421-7333, 34 and 35
Providence FTS: 8-401-528-1000

1408.6 Connecitcut

State Water Resources Commission
State Health Services Building
Hartford, Connecticut 06115

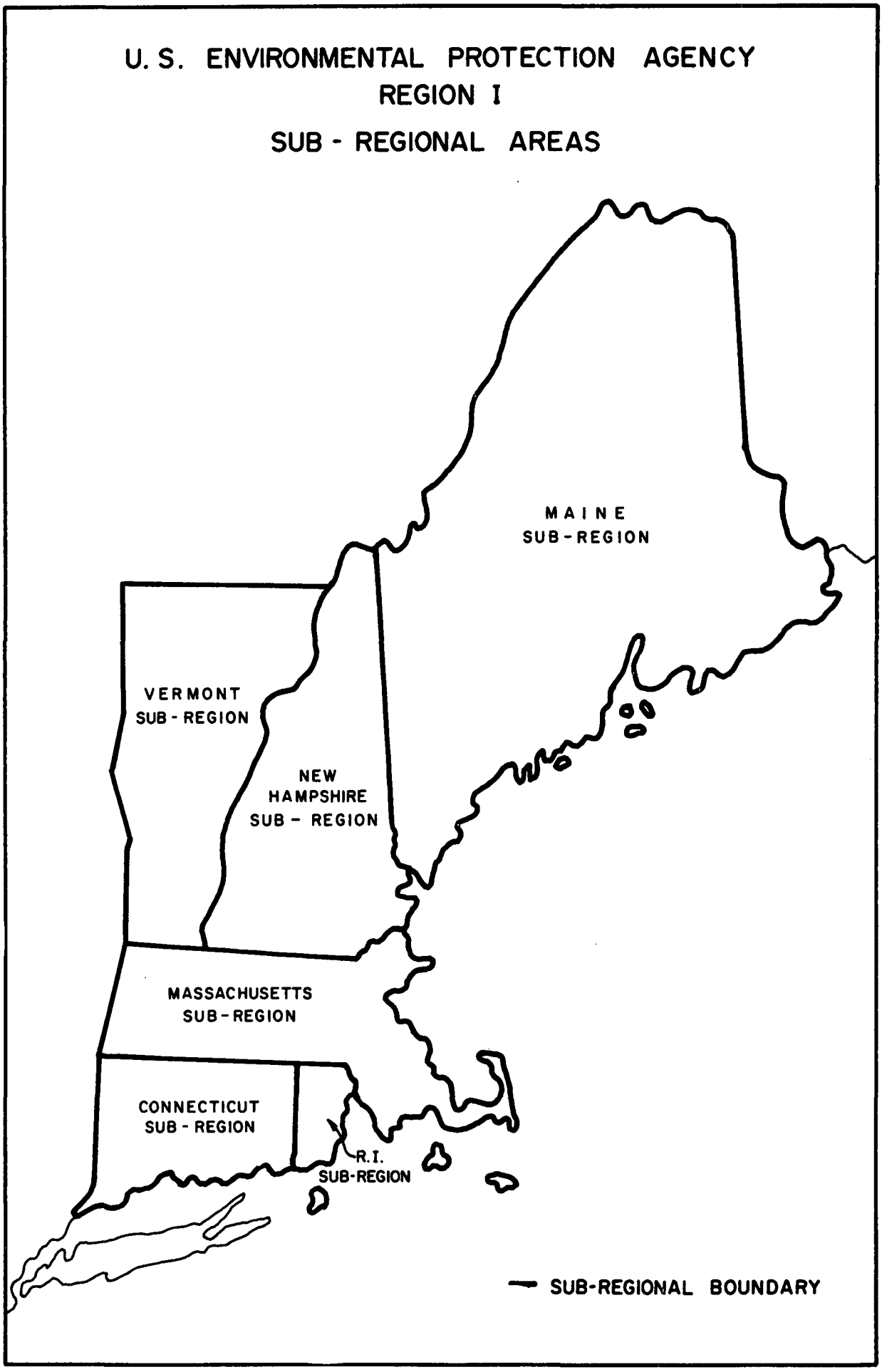
| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| Russell Dibble | *(203) 566-2486 |

Nights and Weekends: Contact State Police Headquarters at 203-566-4240 and request that they relay the information.

Can Provide:
- State Facilities
- Boats
- Vehicles (limited)
- State Level Coordination
- State Funds

Civil Defense Division
State of Connecticut
State Armory,
360 Broad Street
Hartford, Connecticut

| Normal Duty Hours: | Telephone Numbers: |
|---|---|
| Captain William L. Schatzman<br>Director | *(203) 527-6335<br>Hartford FTS: 8-203-244-2000 |


U. S. ENVIRONMENTAL PROTECTION AGENCY
REGION I
SUB - REGIONAL AREAS
MAINE
SUB-REGION
VERMONT
SUB - REGION
NEW
HAMPSHIRE
SUB - REGION
MASSACHUSETTS
SUB-REGION
CONNECTICUT
SUB - REGION
R.I.
SUB-REGION
SUB-REGIONAL BOUNDARY

## STATE LEVEL CONTACTS
## FOR DISPOSAL OF ABSORBENTS

Physical absorbers are finding widening application in oil spill clean-up operations. Disposal of those oil soaked materials presents many problems. In most cases, incineration is preferable to land fill. The following individuals who are in charge of the solid waste management programs in their respective states, should be contacted regarding points of disposal for this residue.

Mr. Charles Kurker, Chief
Soild Waste Disposal Section
Division of Sanitary Engineering
Connecticut Department of Health
79 Elm Street
Hartford, Connecticut 06115
FTS: 8-203-566-4030

Mr. V. K. Karaian
Bureau of General Environmental
Control, Division of Environmental
Health, Massachusetts
Department of Public Health
600 Washington Street
Boston, Massachusetts 02111
FTS: 8-617-223-2100
727-2692

Mr. John S. Quinn, Chief
Division of Solid Waste Management,
Rhode Island Department
of Health, State Office Building
Providence, Rhode Island 02903
FTS: 8-401-528-1000
521-7100, ext. 808

Mr. Wallace Hinckley
Sanitary Engineering Division
Maine Deaprtment of Health
and Welfare
State House
Augusta, Maine 04330
FTS: 8-207-289-3826

Mr. George K. Crowell, Chief
Food & Chemistry Services
N. H. Division of Public
Health
61 South Spring Street
Concord, New Hampshire 03301
FTS: 8-603-271-2747

Mr. John Richards, Director
Bureau of Enviornmental
Sanitation, Vermont Department
of Health
115 Colchester Avenue
Burlington, Vermont 05401
FTS: 8-802-862-6501
862-5701, ext. 31

CANADA
ST. CROIX RIVER

| Location: | Telephone Number: |
|---|---|
| Department of Transport<br>P. O. Box 668<br>Dartmouth, Nova Scotai | (902) 463-2800 |
| F. M. Weston, Regional Director | (902) 466-53-78 (nights and weekends) |
| Public Health Engineering Division<br>Deaprtment of National Health and Welfare<br>P. O. Box 86<br>Moncton, N. B. | (506) 855-8109 |
| V. C. Dohaney, Regional Engineer | (506) 585-2022 (nights and weekends) |
| New Brunswick Water Authority<br>P. O. Box 1270<br>Fredericton, N. B. | (506) 475-7711 ext. 407 |
| J. G. Lockhart, Director | (Normal Duty Hours only) |
| Department of Fisheries<br>Resources Development Branch<br>Halifax, Nova Scotia | (902) 426-3573 (office) |
| C. P. Ruggles, Branch Chief | (902) 454-0821 (home) |

# Annex V

## 1500 COMMUNICATIONS AND REPORTS

### 1501 Purpose

1501.1 The communications concerning an oil or hazardous substance spill are an intergral and significant part of the operations. The same percepts govern in these instances as do other operations in which the Coast Guard, EPA and other operating agencies are involved.

### 1502 Objectives

1502.1 The objectives of the communications and reports are:

1502.1-1 To speed the flow of information pertaining to a pollution spill;

1502.1-2 To relay advice, instructions and reports pertaining to a pollution spill;

1502.1-3 To provide for alerting, notification, surveillance and warning of a pollution spill.

### 1503 Communications Procedures

1503.1 Normal communication circuts of each Primary Agency may be used to effectuate this Plan. The national and district or regional offices and telephone numbers of primary alerting and notification offices of interested agencies will be maintained in NRC and as appropriate in RRC.

1503.2 The initial reporting of a pollution spill will be in accordance with the information and format as described hereafter.

1503.3 POLREPS (Pollution Reports) will be submitted by RRT to NRT in a timely manner as developments occur and at 0800 and 2000 local time on each day of the operation.

### 1504 Pollution Spill Reports

1504.1 At the conclusion of Federal activity resulting from a pollution spill, any OSC involved will submit a complete report of the response operation and the actions taken pursuant to applicable directives of his own agency. Copies will be furnished to the NRT or RRT, as appropriate, together with any other pertinent information available to the forwarding group. The NRT will then evaluate each situation and will make appropriate recommendations.

## 1505 Communications For Spill Notification

1505.1 Section 11(b)(4) of the 1970 Federal Water Pollution Control Act requires anyone having a spill of oil to immediately notify the appropriate Federal agency. The appropriate Federal agency is the USCG for spills occurring in coastal waters and EPA for spills occurring in inland navigable waters.

1505.2 Both of the above agencies maintain 24-hour telephone service as outlined in the applicable subregional plan and Annex IV.

1505.3 An alerting plan for combating major spills of oil and hazardous substances has been developed for New England. The plan provides for alerting the primary federal and state water pollution control agencies, as well as other state and local agencies having responsibilities in this area. In addition, alerting plans within each state have been proposed. It is hoped that the states will be able to handle all but major spills within the context of their plans. In any case, when a state alert is necessary, a report will be submitted to EPA outlining the course of action taken.

1505.4 The following charts show the Federal and suggested state alerting plans. The dashed lines on the proposed state plan indicate how alert may be expanded when required.

1505.5 Addresses and telephone numbers of Federal and state agencies to be contacted in the event of pollution spill are shown in the appropriate sub-regional plan.

## 1506 Operational Communications

1506.1 RRC - Communications capabilities of the inland RRC at Maynard, Massachusetts are outlined in Annex II.

1506.2 Sub - RRC - The response van provided by EPA for on-scene coordination of spill activities has the following communications capabilities:

1506.2-1 Radio-telephone - capable of reaching any facility equipped with commercial telephone service.

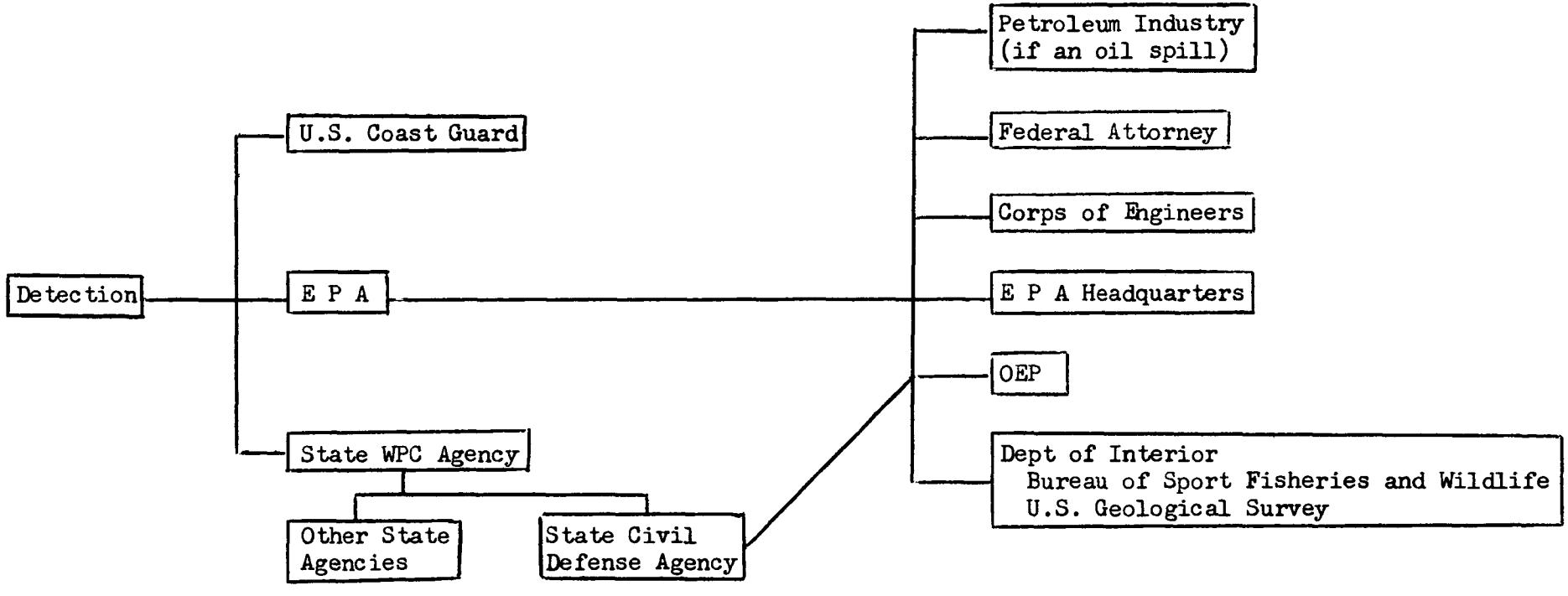
1506.2-2 Two-way radio - frequency 164.450 MHz - capable of communication between sub-RRC and EPA field personnel.

1506.2-3 Two-way radio - frequency 157.1 MHz - capable of communication with Coast Guard facilities, boats, and aircraft.

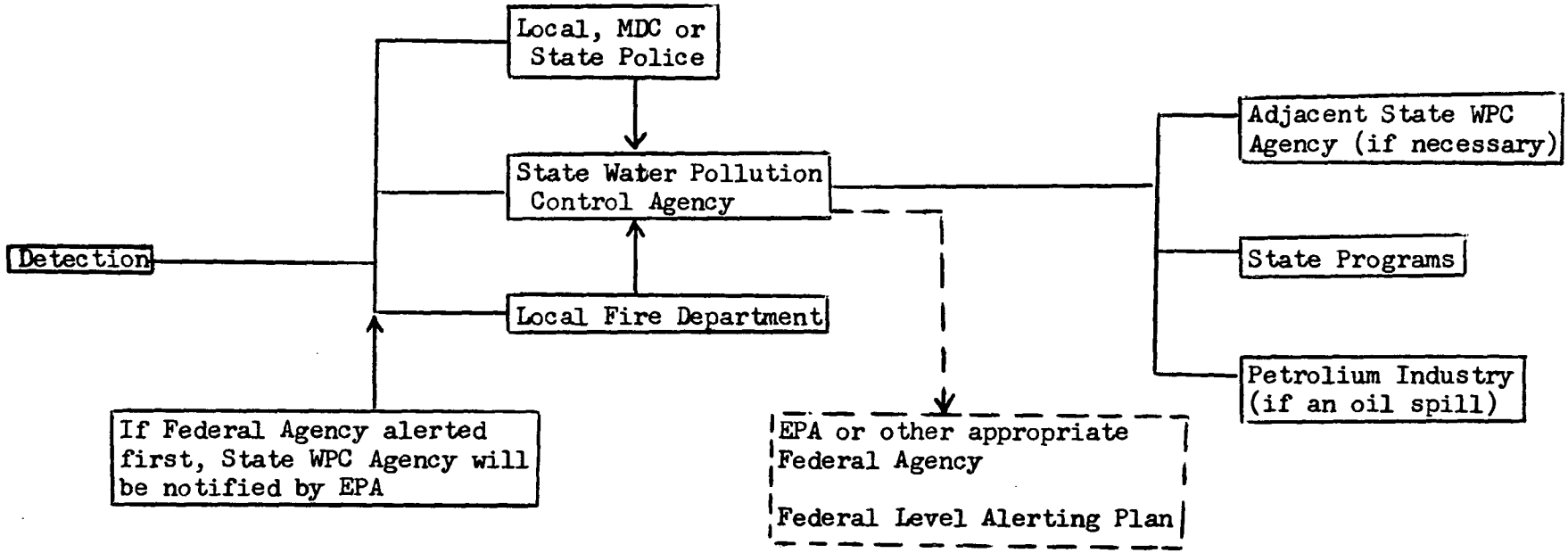
1506.2-4 Future plans call for installation of two-way radio communications capable of tie-in to the Corps of Engineers radio net and the RRC.

FEDERAL LEVEL ALERTING PLAN

Inland Waters



"SUGGESTED"
STATE LEVEL ALERTING PLAN



1506.2-5 Presently tie-in to the Corps of Engineers radio net from the Sub-RRC can be effectuated by radio telephone contact to the nearest Corps of Engineers operated dam.

1506.2-6 A description of the Corps of Engineers radio net and a listing of maintained dams is attached.

DEPARTMENT OF THE ARMY
New England Division, Corps of Engineers
424 Trapelo Road
Waltham, Mass. 02154

NEDER 1125-2-2

NEDOD-R

Regulation
No. 1125-2-2

10 June 1970

PLANT

Operation of NED Radio Network

1. Purpose and Scope. This regulation is to provide instructions for proper and efficient use of the NED Radio Network.

2. Applicability. This regulation applies to all Corps of Engineers installations and activities in the New England Division.

3. General.

Capability of Voice Net.

a. The NED radio net is now operational with single channel FM voice transmission capability in the Wachusett, Goshen, Ascutney and Buzzards Bay relay areas. Effective transmission ranges within each relay area are shown on attached map (Inclosure No. 1).

b. Division Headquarters is equipped with remote handsets connected to the net control console at the following locations:

Executive Office
Operations Division
Reservoir Control Center (4)

c. In addition to the remote sets, incoming and outgoing emergency voice traffic can be handled to or from any telephone in the Division office, through extension 271.

4. Procedure.

Frequency and Tone Setting. Frequency and tone controls of fixed and mobile stations in the net will be set as follows:

DISTRIBUTION: Key Personnel
(200 extra - Oper Div)

This Regulation rescinds NEDER 1125-2-2, 30 Oct 67

a. Fixed Stations.

(1) For transmission to Division Headquarters and to fixed or mobile stations outside your relay area, ask Net Control for a crosspatch to the relay you desire.

Frequency - 1 Tone - A
Call WUA - Net Control

(2) For local transmission to fixed or mobile stations within your relay area

Frequency - 1 Tone - C
Call desired station

(3) Normally, when not transmitting to local stations within your relay area, all fixed stations will remain on

Frequency - 1 Tone - A

b. Mobile Stations.

(1) For transmission from vehicles within the Wachusett relay area to Division Headquarters or to fixed and mobile stations located in other relay areas ask Net Control for a crosspatch to the relay you desire.

Off-On-Standby - On
SLM Switch - Up
Frequency - 1 Tone - A
Call WUA - Net Control

(2) For transmission from vehicles within the Ascutney, Goshen or Buzzards Bay relay areas to Division Headquarters and fixed or mobile stations located in other relay areas ask Net Control for a crosspatch to the relay you desire.

Off-On-Standby - On
SLM Switch - Up
Frequency - 2 Tone - A
Call WUA - Net Control

(3) For transmission from vehicles within the Wachusett relay area to fixed or other mobile stations within the Wachusett relay area

Off-On-Standby - On
SLM Switch - Up
Frequency - 1 Tone - C
Call desired station

(4) For transmission from vehicles within the Ascutney, Goshen or Buzzards Bay relay areas to fixed or mobile stations within the same relay area

Off-On-Standby - On
SLM Switch - Up
Frequency - 2 Tone - C
Call desired station

c. Normal Setting. Except when transmitting to local stations within a particular relay area, all vehicles will set frequency and tone controls as follows:

(1) While within the Wachusett relay area

Off-On-Standby - On
SLM Switch - Up
Frequency - 1 Tone A

(2) While within the Ascutney, Goshen or Buzzards Bay relay areas

Off-On-Standby - On
SLM Switch - Up
Frequency - 2 Tone - A

5. Daily Check of Relay Operation.

a. Fixed Stations. In order to check the operating condition of the relay links on each duty day, the following stations will initiate test calls to WUA - Net Control at the times indicated.

| Station | Time |
|---|---|
| WUA - 38 | 0805 |
| WUA - 26 | 0810 |
| WUA - 40 | 0815 |
| WUA - 21 | 0820 |

b. Mobile Stations. Operators of all radio equipped vehicles dispatched by the Division Motor Pool will, before departing from the Headquarters area, initiate test calls to WUA - Net Control. Operators of vehicles in transit, when placing calls through Net Control, will advise the dispatcher which relay area they are in. When these vehicles remain in the field overnight, the operators will initiate test calls to WUA each morning. When Operator is having difficulty sending or receiving, stop the vehicle where the reception is clear. Remain at that location until message has been completed.

6. Communications Procedure.

a. Transmissions from Division Headquarters. Personnel having access to radio remote hand sets will, by removing the hand set from its cradle and using it as an intercom, advise the dispatcher which relay area they wish to enter. When notified by the dispatcher that they are patched to the desired relay, they will call the desired station by depressing button on the handset and pausing for about three seconds before initiating the call "WUA calling WU_____". When remotes have completed transmission, they will clear the net by transmitting "WUA Clear".

b. Transmissions from the Field. All stations transmitting to Net Control or to other stations shall pause for about three seconds after depressing microphone button on each transmission before speaking. This is to prepare the relay to receive your message. The station calling will then identify themselves and call WUA or WUM____. Upon reaching the dispatcher when calling Net Control, they will request the relay area or headquarters remote set that they are calling, then standby until notified by the dispatcher they are patched.

7. Net Control. All fixed and mobile stations transmitting on the net are subject to interruption by the net control dispatcher. When directed to clear the net, they will stop transmitting immediately and standby.

8. Monitors. Net Control is equipped with electronic recorders capable of recording all transmissions on the net.

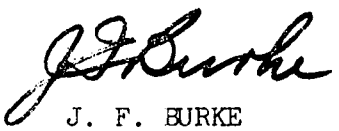
9. Reporting Radio Troubles. All radio troubles will be given to WUA Net Control by relaying through another station or by telephone to extension 269.

10. Other Radio Capabilities.

a. Located at Building 114N there is a Single Side Band Radio which can be used to contact North Atlantic Division and North Central Division.

b. There are 33 walkie talkie portables, of which 27 are used by the Survey Branch throughout New England. Of the remaining 6 units, 2 are used by Emergency Operations, 2 by Foundations & Materials Branch and 2 by Littleville Dam.

FOR THE DIVISION ENGINEER:



J. F. BURKE
Executive Assistant

Incls
1. Map
2. Radio Call Letters

## NED RADIO NETWORK CALL LETTERS

NET CONTROL - WUA

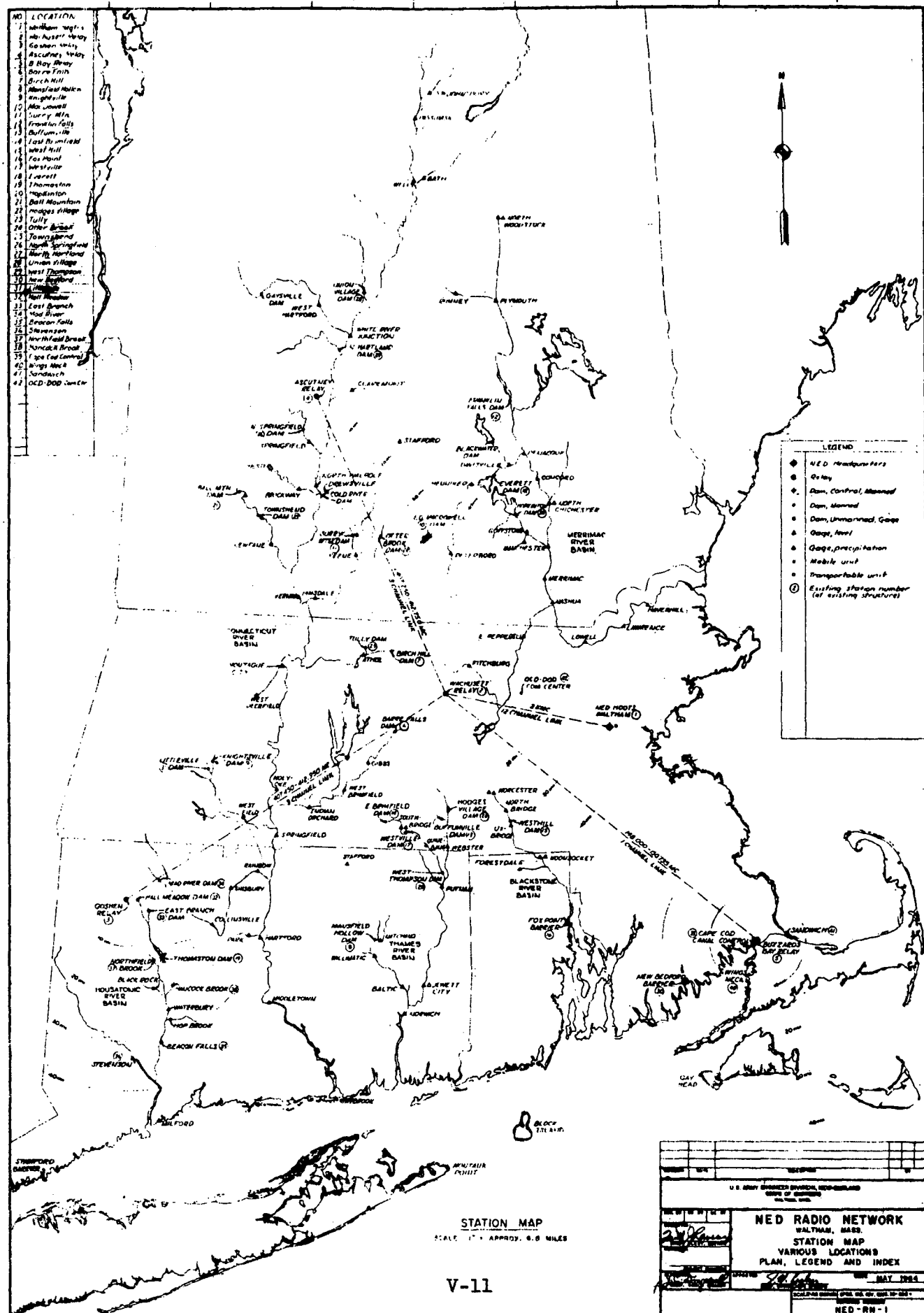
### FIXED STATIONS

| | |
|---|---|
| **WACHUSETT RELAY** | WUA-20 |
| Barre Falls Dam | WUA-38 |
| Birch Hill Dam | WUA-24 |
| Buffumville Dam | WUA-36 |
| East Brimfield Dam | WUA-37 |
| Fox Point Barrier | WUM-4322 |
| Hodges Village Dam | WUA-511 |
| Littleville Dam | WUA-593 |
| Mansfield Hollow Dam | WUA-27 |
| OCD Comcenter | KPA-71 |
| Tully Dam | WUA-512 |
| West Hill Dam | WUA-264 |
| West Thompson Dam | WUA-592 |
| Westville Dam | WUA-43 |
| **ASCUTNEY RELAY** | WUA-30 |
| Ball Mountain Dam | WUA-39 |
| Blackwater Dam | WUA-510 |
| Edw. MacDowell Dam | WUA-28 |
| Everett Dam | WUA-410 |
| Franklin Falls Dam | WUA-31 |
| Hopkinton Dam | WUA-411 |
| No. Hartland Dam | WUA-42 |
| No. Springfield Dam | WUA-40 |
| Otter Brook Dam | WUA-320 |
| Surry Mountain Dam | WUA-33 |
| Townshend Dam | WUA-45 |
| Union Village Dam | WUA-32 |
| **GOSHEN RELAY** | WUA-44 |
| Black Rock Dam | WUA-261 |
| Colebrook Dam | WUA-250 |
| Hop Brook Dam | WUA-444 |
| Knightville Dam | WUA-25 |
| Stamford Barrier | WUA-47 |
| Thomaston Dam | WUA-26 |
| **BUZZARDS BAY RELAY** | WUA-21 |
| Cape Cod Canal Office | WUA-21 |
| New Bedford | WUA-46 |

### MOBILE STATIONS

| | |
|---|---|
| **WACHUSETT RELAY** | |
| Barre Falls Dam (Res Mgr) | WUM-4324 |
| Barre Falls Dam | WUM-4318 |
| Buffumville Dam (Res Mgr) | WUM-4316 |
| Westville Dam | WUM-4326 |
| West Hill Dam | WUM-4313 |
| **ASCUTNEY RELAY** | |
| Blackwater Dam | WUM-4323 |
| Franklin Falls Dam (Res Mgr) | WUM-6370 |
| No. Springfield Dam (Res Mgr) | WUM-4309 |
| No. Springfield Dam | WUM-4317 |
| **GOSHEN RELAY** | |
| Thomaston Dam (Res Mgr) | WUM-4325 |
| Thomaston Dam | WUM-4321 |
| Ansonia Area Office | WUM-4315 |
| **BUZZARDS BAY RELAY** | |
| New Bedford | WUM-4329 |
| **MOTOR POOL** | |
| W19800 - Div Engr | WUM-4311 |
| W19801 | WUM-4305 |
| W19802 | WUM-4312 |
| W19803 | WUM-4314 |
| W19804 | WUM-4307 |
| W19805 | WUM-4319 |
| W19806 | WUM-4328 |
| W21213 - EOP Van | WUM-4310 |
| CE2179 | WUM-4327 |
| CE2180 | WUM-4306 |
| **OPERATIONS** | |
| Radio Repair | WUM-4320 |
| Water Quality | WUM-4303 |

NEDSR 1125-2-2
Incl 1
10 Jun 70




V-11

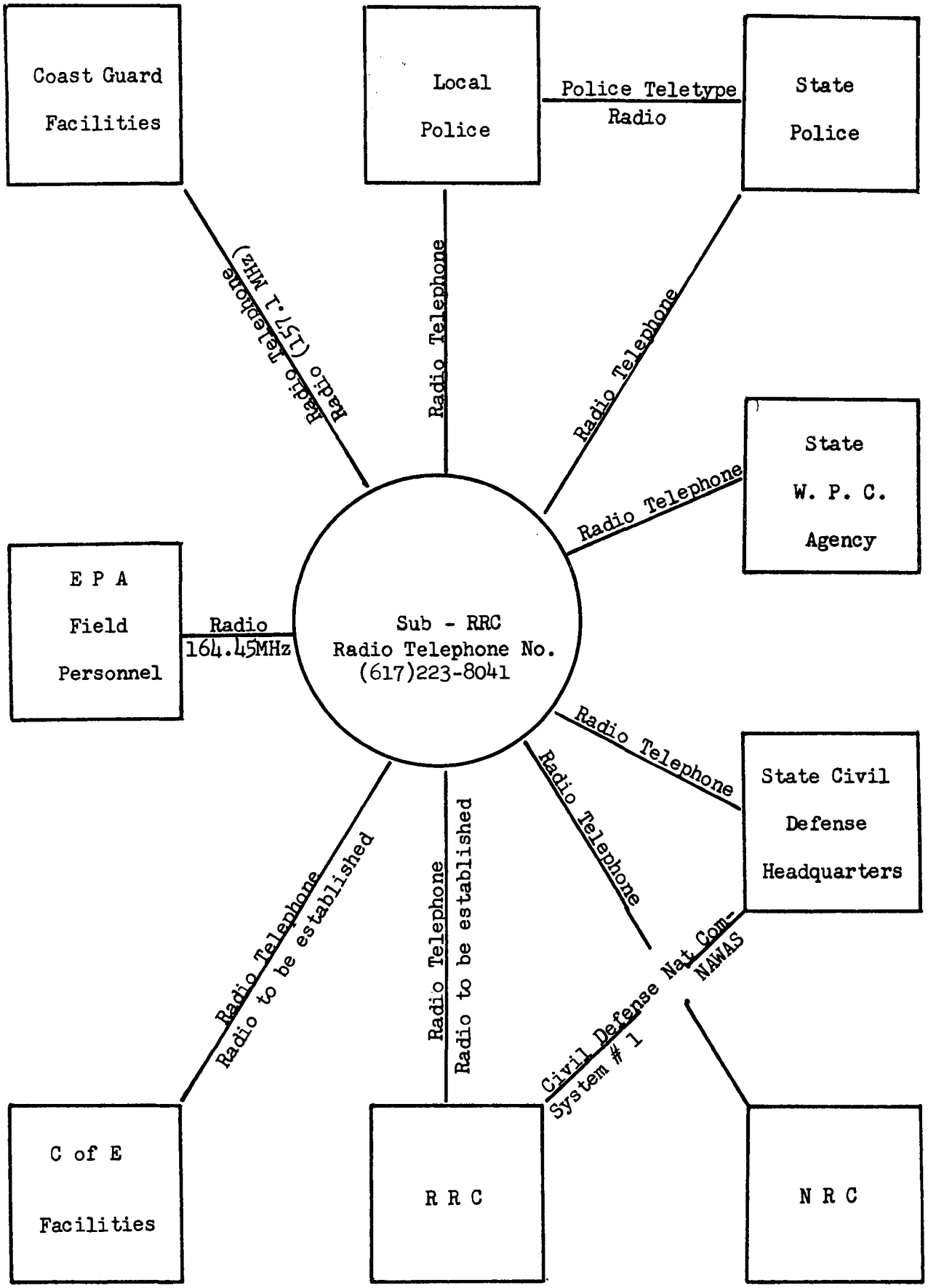
FTS TELEPHONE NUMBERS
FLOOD CONTROL INSTALLATIONS

| PROJECT | LOCATION | OPERATOR | FTS TELEPHONE |
|---|---|---|---|
| | **Upper Connecticut River Basin** | | |
| No. Springfield | Springfield, VT | RESERVOIR MANAGER Harry Lawton | 8-802-862-6501, 886-2775 |
| Ball Mountain | Jamaica, VT | Edward Stukas | 8-802-862-6501, 874-5681 |
| No. Hartland | No. Hartland, VT | James Ward | 8-802-862-6501, 295-2855 |
| No. Springfield | Springfield, VT | Edward Morse | 8-802-862-6501, 886-2775 |
| Otter Brook | Keene, NH | John Boyea | 8-603-669-7011, 352-4130 |
| Surry Mountain | Keene, NH | Vernon Guyette | 8-603-669-7011, 352-2447 |
| Townshend | Townshend, VT | John McCutcheon | 8-802-862-6501, 365-7703 |
| Union Village | Union Village, VT | Richard Thresher | 8-802-862-6501, 649-1606 |
| | **Lower Connecticut River Basin** | | |
| Barre Falls | Hubbardston, MA | RESERVOIR MANAGER Walter Divoll | 8-223-2100, 928-3340 |
| Barre Falls | Hubbardston, MA | Leslie Burgess | 8-223-2100, 928-3340 |
| Birch Hill | Athol, MA | James Bacon | 8-223-2100, 249-4467 |
| Knightville | Huntington, MA | Louis LaFond | 8-223-2100, 667-3430 |
| Littleville | Huntington, MA | Joseph Ledgere | 8-223-2100, 667-3656 |
| Tully | Athol, MA | Harold Small | 8-223-2100, 249-9150 |
| | **Naugatuck River Basin** | | |
| Thomaston | Thomaston, CT | RESERVOIR MANAGER Bernard Manor | 8-203-755-3238 |
| Colebrook | Riverton, CT | Paul Lewis | 8-203-244-2000, 379-823[illegible] |
| Hop Brook | Middlebury, CT | Leslie Williams | 8-203-244-2000, 729-8840 |
| Stamford Barrier | Stamford, CT | John Katsuranis | 8-203-327-9550, 348-8783 |
| Thomaston | Thomaston, CT | Allan Hoffman | 8-203-755-3238 |
| Black Rock | Thomaston, CT | Edmund Foster | 8-203-244-2000, 283-4900 |
| | **Merrimack River Basin** | | |
| Franklin Falls | Franklin, NH | RESERVOIR MANAGER Alfred Sawicki | 8-603-669-7011, 934-2116 |
| Blackwater | Penacook, NH | James Roberts | 8-603-669-7011, 648-2211 |
| Edw. MacDowell | Peterborough, NH | John Rathburn | 8-603-669-7011, 924-3431 |
| Everett | Weare, NH | James Plifka | 8-603-669-7011, 398-2314 |
| Franklin Falls | Franklin, NH | Robert Mayo | 8-603-669-7011, 934-2116 |
| Hopkinton | Contoocook, NH | Ralph Golec | 8-603-669-7011, 746-3601 |
| | **Thames River Basin** | | |
| Buffumville | Charlton, MA | RESERVOIR MANAGER Stanley Alexander | 8-791-2251, 248-5697 |
| Buffumville | Charlton, MA | Russ Pepler | 8-223-2100, 248-5697 |
| East Brimfield | Fiskdale, MA | Fred Dion | 8-223-2100, 347-3705 |
| Hodges Village | Oxford, MA | Daniel Clark | 8-223-2100, 987-2600 |
| Mansfield Hollow | Mansfield Ctr., CT | Nicholas Altomare | 8-203-423-4454 |
| West Hill | Uxbridge, MA | John Clarkin | 8-223-2100, 278-2511 |
| West Thompson | No. Grosvenordale, CT | Carl Buswell, Jr. | 8-203-244-2000, 923-2982 |
| Westville | Southbridge, MA | Walter Smith | 8-223-2100, 764-6424 |

1506.2-7 The communications network for the local and State Police in all of the New England States is presented in each subregional plan as appropriate.

1506.2-8 A general flow chart of operational communications during spill situations is attached.

COMMUNICATIONS SCHEME DURING SPILL SITUATIONS



## 1507 Message Addresses

1507.1 Messages intended for the National Response Center should be addressed to the Commandant, U. S. Coast Guard.

1507.2 Messages intended for the National Response Team should be addressed to the Commandant, U. S. Coast Guard, for action. Information addresses include the Department of Transportation, Washington, D. C. Environmental Protection Agency, Washington, D. C.; Department of Interior Washington D. C.; and Department of Defense, Washington, D. C.

1507.3 The following TWX addresses should also recieve messages generated:

| Location | Identification | TWX No. |
|---|---|---|
| 1507.3-1<br>Division of Surveillance and Analysis<br>Needham Heights, Mass. | EPANEDM | 710-325-6678 |
| 1507.3-2<br>EPA, Region I<br>Regional Office<br>Boston, Mass. | WPCBOS | 710-321-0068 |
| 1507.3-3<br>EPA, Division of<br>Oil & Hazardous Materials<br>Washington, D. C. | WPCDCA | 710-955-1185 |
| 1507.3-4<br>EPA. National Oil<br>Lab. Edison, N. J. | WPCEDI | 710-998-0598 |
| 1507.3-5<br>Executive Office of the President<br>Office of Emergency Prepardness<br>Federal Regional Center<br>Region I<br>Maynard, Mass.<br>Location for RRC | | 710-347-1307 |

1507.4 When water supplies are threatened, the Water Supply Section EPA, Region I will be put as an addressee on the TWX to the EPA Region I Regional Office.

1507.5 Information for the RRT will be addressed to the Federal Regional Center for action.

1507.6 When an inland spill threatens to affect an area in the jurisdiction of the Coast Guard, the appropriate Coast Guard District Office should also receive messages generated.

## 1508 POLREP Format

1508.1 General Format - All messages pertaining to a spill should be in the pollution report (POLREP) format. This POLREP format consists of a maximum of twenty-eight sections; all of which may not be able to be completed at the time of the report, as follows:

1508.1-1 Title
Example: Oil Spill - Indian Mountain
Air Force Installation, Alaska

Example: Tanker Dean Reinauer, U. S. on fire

1508.1-2 Last POLREP No.
This number would refer to the most recent POLREP on this case.

1508.1-3 Last POLREP Date
Please enter this date in this format YY/MM/DD

1508.1-4 Last POLREP Time
Time should be in 24 hours clock.

1508.1-5 Date Spill reported
Refers to initial notification of that reporting agency. Year, month and day should be reported in this format: YY/MM/DD.

1508.1-6 Date Spill Occurred.
Year, month and day should be reported in this format: YY/MM/DD.

1508.1-7 Time Spill Began.
Refers to actual time spill began and should be reported in 24 hours clock.

1508.1-8 Duration of Spill.
This refers to the duration of the time the spill was in progress. Express this in days, hours, and minutes. If the spill is still in progress when the POLREP is reported, the duration should be reported and followed by the word "continuing."

1508.1-9 Latitude.
Latitude should be expressed in a 6 character numeric i.e. degress, minutes, seconds.

1508.1-10 Longitude
Longitude should be expressed in a 6 character numeric i.e. degrees, minutes, seconds.

1508.1-11 Major/Minor/Sub-basin Code
This basin code should be expressed in a 6 character numeric.

1508.1-12 Last Reporting Units.
Please do not use any abreviations. Report the name of the on-scene commander whenever possible.

| State | | Regional Offices |
|---|---|---|
| | | Region |
| Alabama | New Mexico | I |
| Alaska | New York | II |
| Arizona | North Carolina | III |
| Arkansas | North Dakota | IV |
| California | Ohio | V |
| Colorado | Oklahoma | VI |
| Connecticut | Oregon | VII |
| Deleware | Pennsylvania | VIII |
| District of Columbia | Rhode Island | IX |
| Florida | South Carolina | X |
| Georgia | South Dakota | |
| Hawaii | Tennessee | Other Reporting Agencies |
| Idaho | Texas | Agency |
| Illinois | Utah | Coast Guard |
| Indiana | Vermont | Army Corps of Engineers |
| Iowa | Virginia | Navy |
| Kansas | Washington | Company |
| Kentucky | West Virginia | Citzen |
| Louisiana | Wisconsin | Other Federal Government |
| Maine | Wyoming | Other Government |
| Mayrland | State | |
| Massachusetts | Guam | |
| Michigan | Midway Island | |
| Minnesota | Puerto Rico | |
| Mississippi | Virgin Islands | |
| Missouri | | |
| Montana | | |
| Nebraska | | |
| Nevada | | |
| New Hampshire | | |
| New Jersey | | |

1508.1-13 Type of Water
Please enter one of the following as seen here:

Coastal zone (if within 3 mile limit)
Contiguous (if within 3 to 12 mile limit)
High seas (if beyond 12 mile limit)
Estuarine zone
Great lakes
Stream
Canal
Lake
Reservoir
Intrastate
Nonnavigable

1508.1-14 Type of Pollutant
Use the following as guide:

Crude Oil - describe any other
Fuel Oils - Use number 1 through 6 to descirbe the density of fuel oils whenever possible. Use the following format: Fuel Oil (2).
Other types of Oil
Light distillate
Corrosive liquid
Poison liquid - describe
Other liquid - describe
Solids
Melting Point
Density
Soluble
Insoluble
Samples taken

1508.1-15 Quantity Spilled
Indicate the quantity of spill. Use only barrels as the unit of measurement for oil. Use gallons or pounds as the units of measurements for hazardous materials.

Format: nn...n barrels or
nn...n gallons or
nn...n pounds

1508.1-16 Source of spill
This is the exact or suspected source of pollution or threat of pollution. The source is not necessarily the same as the responsible party.

UNKNOWN
Dry Cargo Ship
Tankship
Commercial Passenger Vessel
Fishing Vessel

Naval Vessel
Coast Guard Vessel
Barge
Pleasure Craft
Tugboat
Unidentified Vessel
Pipeline from shore to offshore structure
Offshore pipeline
Onshore pipeline
Offshore structure
Onshore sturcture
Well blowout
Railroad tank
Onshore tank
Others - describe
Storage Tank
Aircraft
Production Facilities (for Hazardous Substances)
For on-line transportation, report
The I.C.C. numbers assigned to individual truks

1508.1-17 Organization Causing Spill
Whenever possible indicate the complete name and address of responsible party and/or suspected parties.

1508.1-18 Nationality
Give the nation of registry of the suspected source if it was a vessel. Please do not use abbreviations except those below:

| | | | |
|---|---|---|---|
| Albania | Denmark | Kuwait | Syria |
| Algeria | Dominican Republic | Lebanon | Taiwan |
| Argentina | Ecuador | Liberia | Tazania |
| Australia | El Salvador | Libya | Thailand |
| Belgium | Ethiopia | Malagasy | Tunisia |
| Bolivia | Finland | Malaya | |
| Brazil | France | Malta | |
| Bulgaria | East Germany | Turkey | |
| Burma | West Germany | Union of South Africa | |
| Cambodia | Mexico | USSR | |
| Canada | Monaco | United Arab Republic | |
| Ceylon | Morocco | United Kingdom | |
| Chile | Netherlands | USA | |
| Ghana | New Zeland | Uruguay | |
| Greece | Nicaragua | Venezuala | |
| Guatemala | Nigeria | North Vietnam | |
| Guiea | Norway | South Vietnam | |
| Haiti | Pakistan | Yemen | |
| Honduras | Panama | Yugoslavia | |
| Iceland | Peru | Others - descirbe | |

| | | |
|---|---|---|
| India | Philippines | Portugal |
| Iran | Poland | Rumania |
| Iraq | Italy | Saudi Arabia |
| Ireland | Ivory Coast | Singapore |
| Israel | Jamaica | Somali |
| Columbia | Japan | Spain |
| Congo | Jordan | Sudan |
| Costa Rico | Kenya | Surinam |
| Cuba | Korea, North | Sweden |
| Cyprus | Korea, South | Switzerland |

1508.1-19 Specific Cause
Use the following criteria to describe cause including activity surrounding the cause:

UNKNOWN
Pumping Bilges
Improper Valve Setting
Tank Overflow
Hose leakage or puncturing
Grounding
Collision
Pipeline Rupture
Tank Rupture
Dike or dam failure
Derailment
Fire
Explosion
Overturn
Willful or negligent conduct
Unavoidable accident
Vandalism
Natural Phenomeon (seepage, etc.)
Indicate if the spill was caused because of human error or mechanical failure
Describe others

1508.1-20 Type of operation
Please use the following:

Not engaged in any specific operation
Discharging liquid or dry cargo
Receiving liquid or dry cargo
Vessel bunkering
Vessel ballasting or deballasting
Cleaning ship tank
Cleaning anything else
Other shifting of liquid

| | | | |
|---|---|---|---|
| Explain: | Production | Manufacturing | Unknown |
| | Development | Marketing - use | Others |

1508.1-21 Containment Method
Indicate the primary method used to control the pollution from spreading once it had entered the water.

Effectivness of Containment
No Contaniment attempted
Floating boom
Air Bubble barrier
Water Spray
Boats wake
Chemical Methods - herders
Others - describe

1508.1-22 Cleanup Actions
Indicate the primary method of dispersing the Pollutant or removing the water on beaches. Qualify each following item, whenever applicable, in terms of manpower and number of equipments used to execute the cleanup process.

Water spray
Boat's wake to disperse pollutant
Chemical dispersants
Recovery Vessel
Sinking agents
Physical pickup off beashes
Coagulation and physical pickup off water
Burning
Vacuum pickup from shore
Vacuum pickup from shore with chemical usage
Recovery vessel with chemical usage
Indicate if RRT was activated. Alternatives considered for cleanup - describe.
EPA limitations other than budgetary - descirbe
Others - descirbe

1508.1-23 Damages - Ecological
The best estimate of the general extent of any damages caused by the spill should be recorded by using the following items. Each item should be qualified as much as possible in terms of number of animals killed and other specifics.

No visible damage to wildlife or environment
Extensive tamage to wildlife. Most of pollutant disappeared within a day.
Most of pollutant was visible for more than a day and caused extensive damage.
Pollution severe enough to cause economic loss to local industry, reduce the use of beaches, or other recreational facilities.
Other - describe

1508.1-24 Damages - Other
Describe the best estimate of total damages made to man-made environment

1508.1-25 Total Cost ($K) of Cleanup
Indicate the best estimate of the total cost of the cleanup operations un terms of the following:

Operator cost
EPA cost
Manpower cost
Equipment Cost

1508.1-26 Enforcement
Describe violation of cleanup regulations, prevention regulations, penalties assessed, and any action taken against responsible party.

1508.1-27 Prediction Data and Capabilities
When possible describe the velocity and direction of wind, the tidal condition, the velocity and direction of rivers at the point of spill, and the general weather conditions at the time of spill. Indicate the availability of any mathematical models which can be used to predict the pattern of flow spilled materials.

1508.1-28 Comments
Any additional information pertinent to the spill should be descirbed under this segment.

## 1509 General Instructions

1509.1 The minimum information that should be included in a POLREP ONE AND FINAL includes specific location, spill size, specific nature (if unknown, general nature), source and general location.

1509.2 The initial POLREP for medium and major spills should be sent as soon as possible and should include as much of the information concerning the case as is immediately available. Transmission of the POLREP should not be delayed to obtain information not immediately available Such information should be included in subsequent POLREPS.

Annex VI

## 1600 Public Information

### 1601 Introduction

1601.1 When a major pollution spill occurs, it is imperative that the public be provided promptly with accurate information on the nature of the spill and what steps are being taken to correct the problem. This policy must be followed to obtain understanding from the public, ensure cooperation from all interested parties and to check the spread of misinformation. National Administration Policy and the Freedom of Information Act both call for maximum disclosure of information.

### 1602 National News Office

1602.1 When the NRT is activiated, the team chairman will contact the most appropriate Primary Agency and ask it to detail a professional information officer to establish and direct a National News Office. Requests by the Director of the National News Office for an appropriate number of professional and clerical assistants will be met by one or more of the Primary Agencies.

1602.2 The Director of the National News Office will be responsible for overall supervision of public information activities. While the Director of the Regional News Office will have considerable freedom in responding to news inquiries, he will work under the direction of the Director of the National News Office. The closest possible coordination will be maintained between the National News Office in Washington and the Regional News Office.

1602.3 Promptly after his designation, the Director of the National News Office will contact the White House Press Office and the Office of the Director of Communications for the Federal Government to arrange whatever information assistance may be required by these offices.

1602.4 All written news releases involving major policy considerations will be cleared by the Chariman of the NRT or in his absence the vice chairman. Situation reports and other factual releases will not require formal clearance.

1602.5 The Director of the National News Office will have free access to meetings of the NRT and will be consulted on the possible public reaction to the courses of action under consideration by the NRT.

1602.6 At appropriate intervals the Director of the National News Office may arrange news conferences at which the Chairman of the NRT, the OSC or other informed officials will make progress reports and respond to questions from the media representatives.

1602.7 The Director of the National News Office will keep appropriate press offices posted on developments, These include the press offices of the Secretaries or Director of the Primary Agencies to the National Contingency Plan; Governors, Senators, and Representatives whose States or Dictricts are affected by the incident: and, the Mayor and other responsible local officials in affected communities.

1602.8 As long as public interest warrants, at least one written news release or status report per day will be issued by the National News Office and the Regional News Office reporting progress in combating the spill and other developments.

1602.9 The National News Office will be provided with adequate space, telephones, typewriters, communications equipment and other supplies by the U.S. Coast Guard at U.S. Coast Guard Headquarters, Washington, D.C., where the NRC is housed. The Director of the National News Office will determine what equipment and supplies are needed to ensure an orderly flow of information and to accommodate visiting members of the news media.

## 1603 Regional News Office

1603.1 When the inland RRT declares a pollution incident, the press officer for the EPA, Region I will serve as the director of the Regional News Office for the RRT. The Regional News Office will be established in the Federal Regional Center when required in quarters as close as possible to the location where the RRT is meeting.

1603.2 The Director of the Regional News Office will follow the procedures outlined above for the Director of National News Office in contacting the press offices of State and local officials, in arranging appropriate public information liaison with industries and other concerned interests, and in issuing at least one daily written news release.

1603.3 All news releases involving major policy considerations will be cleared by the chairman of the RRT or, in his absence, the Executive Secretary.

1603.4 The director of the Regional News Office will have free access to meetings of the RRT and should be consulted on the possible public reaction to the courses of action under consideration by the RRT.

1603.5 The Regional News Office will be provided with adequate space, telephones, typewriters, communications equipment and other supplies by the Primary Agency which is providing the Headquarters for the RRT. The Director of the Regional News Office will determine what equipment and supplies are needed to ensure an orderly flow of information and to accommodate visiting members of the news media.

1603.6 When a pollution incident occurs in waters where EPA provides the OSC, EPA will provide a press officer for the Sub-RRC, if the severity of the situation is such as to require the establishment of a center.

1603.7 It will be the responsibility of the press officer at the Sub-RRC to arrange for press releases, guided tours of the area to satisfy the requirements of the press and to determine the necessity of press conferences and so recommend to the OSC, and/or his counterpart at the RRC.

## 1604 Washington, D.C., Public Information Contact

1604.1 If the NRT has not been activated, the Director of the Regional News Office will ask the most appropriate Primary Agency to assign a public information officer in Washington, D. C., to serve as a contact point for queries made in Washington, D.C. The information officer assigned to this task will follow the procedures outlined above for the Director of the National News Office in contacting the press officers of the White House and Congressional and Federal Officials.

## 1605 Interim Public Information Director

1605.1 In the period following a spill and before the need for a Federal response is determined, information activities will be directed by the public information personnel of the same primary Agency which will provide the predesignated OSC. These activities will be conducted in accorcance with the information policies of that agnecy.

## 1606 Special Public Information Procedures for Senators, Representatives Congressional Aides and Staff Members, White House Representatives and other VIP's

1606.1 The Director of the National News Office or the Director of the Regional News Office will arrange, on request, to perform special public information services for VIP's including: notifying the media of the time, place and purpose of the VIP's visit; making press conference arrangements; and arranging for interviews with the VIP by interested members of the media.

## 1607 Special Public Information Procedures for Salesmen

1607.1 Public information officers assigned to pollution spills will refer salesmen to technical personnel designated to evaluate their wares.

## 1608 Special Public Information Procedures for the General Public

1608.1 In responding to queries from the general public, public information officers will advise the callers or arrange to have the callers advised on what the latest press release has reported.

## 1609 Special Public Information Procedures for Pollution Spill Correspondence

1609.1 After the crisis has subsided, a model letter reporting on the situation will be drafted by the public information personnel assigned to the problem. After the model letter has been approved by the Chariman of the NRT or the RRT, copies will be sent to the Primary Agencies for their guidance in responding to mail inquiries.

# ANNEX VII

# LEGAL AUTHORITIES

ANNEX VII

1700 LEGAL AUTHORITIES

1700.1 Federal Statutues, Regulations and Administration orders relative to oil pollution control are administered by several Departments and Agencies. The following is a tabular summation of the more important of these legal authorities.

1710 Federal Oil Pollution Control Statutes

| STATUTES | OPERATING AGENCIES INVOLVED | PROHIBITED ACT OR AUTHORIZATION | TERRITORIAL APPLICATION | SANCTIONS | EXCEPTED DISCHARGES |
|---|---|---|---|---|---|
| 1711 Refuse Act 1899 (33 U.S.C.407 et seq) | 1.CORPS<br>2.U.S.C.G.<br>3.Customs<br>4.JUSTICE | To discharge from ship. . . (foreign & domestic) or from shore or water front facility, any refuse matter of any kind or description (even commercially valuable petroleum). | 1.U.S.navigable waters (USNW)<br>2.Tributaries, if refuse floats or washes into USNW<br>3.On banks, If likely to be washed into USNW. | 1.$500.00 - $2500.00; 30 days to 1 yr. or both<br>2.Vessel liable "in rem" for penalties. | "sewage" flowing from streets and sewers. |
| * * * * | * * * * | * * * * | * * * * | * * * * | * * * * |
| 1712 Water Quality Improvement Act of 1970 PL 91-224 | 1. EPA<br>2. DOT<br>3. CORPS<br>4. Customs<br>5. Justice | The discharge of oil into the water in harmful quantities | U.S. navigable waters, adjoining shorelines, the contiguous zone | 1.Failing to report prohibited discharges-(a)fine up $10K(b)imprisonment up to one year, or both.<br>2.Knowingly discharging-penalty up to 10K.<br>3.Violating regulations-penalty up to $5K.<br>4.Cleanup costs(a)vessels-up to $14M or $100 per GRT(b)off-shore/shoreside facilities-up to $8M. | 1.As permitted by regulation.<br>2.In the contiguous zone as permitted by '54 Convention. |
| * * * * | | * * * * * | * * * * | * * * * | * * * * |
| 1713 Oil Pollution Act 1961 as amended (33 U.S.C. 1001-1015)implements International Convention on Prevention of Pollution of Sea by Oil. | 1.U.S.C.G.<br>2.Customs<br>3.Corps<br>4.Justice<br>5.State | 1.Any discharge or escape of persistant oil from vessels subject to Act ie. all U.S. seagoing vessels including tankers (whose tanks carry only oil). Except: (a)Tankers under 150 gross tons;. (b)Other vessels under 500 gross tons;. (c)Vessels on whaling operations; (d)Vessels while using Great Lakes & tributaries; and, (e)Naval vessels and auxiliaries. | 1.Prohibited zone: (a)Measured from baseline from which territorial sea is established; (b)Generally extends 50 miles to sea; (c)Extends 100 miles to sea off Northeast Coast of U.S.; (d)Extends out 100 miles to sea off West Coast of Canada; and, (e)Modifications published in Notices to Mariners. | 1.Penalty: (a)$500.00 to $2500.00 or 1 yr. or both- any person or company; (b)Ship other than one owned & operated by U.S. liable "in rem" for above penalty, and (c)Suspension or revocation of license. | 1.Discharges: (a)To secure safety of ship, cargo or life at sea (b)Due to damage to vessel or unavoidable leakage, if all reason able precautions taken after damage occured or leakage discovered (c)Of residue from fuel or lube oil purification or clarification as far from land as possible. |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | 2.Any discharge of oil from vessel subject to Act, of 20,000 or plus gross tons, whose bldg. contract executed on or after May 18, 1967.<br>3.Vessels, subject to Act, which are tankers or use oil fuel must keep Oil Record Book with entries of certain discharges or escapes of oils.<br>4.Forward to State Dept. evidence of discharge or escape from foreign vesl. | 2.Unlimited - Except if in Master's opinion special circumstances make it neither reasonable nor practicable to retain oil on board, discharge, outside prohibited zone is permitted.<br>3.Penalties re. Oil Record Book<br>(a)Person failing to comply-fine of from $500.00 to $1000.00<br>(b)Person making false entry<br>(i)fine - $500.00 to $1000.<br>(ii)imprisonment for 6 mos. or both.<br>4.Prohibited zone (No. 1 above). | | (d)Oily mixtures from bilges concaining only lube oil drained or leaked from machinery spaces.<br>(e)Vessels, other than tanker, proceeding to a port with inadequate reception facilities. |
| * * * * | * * * * | * * * * | * * * * | * * * * | * * * * |
| 1714 Federal Water (A) Pollution Control Act, as amended (33 U.S.C. 1151 et. seq.). | 1.Administrator EPA | 1.To participate in oil & other hazardous substances pollution spills & recommend solutions when requested by State or interstate agencies.<br>2.To provide technical assistance to public & private agencies.<br>3.To recommend limits on pollutants, including oil & hazardous substances.<br>4.To "approve" State adopted water quality standards and to establish Federal standards where State standards are not submitted or are inadequate.<br>Standards ordinarily include criteria limiting discharges of oil or hazardous substances. | 1.U.S. navigable waters & tributaries.<br>Interstate waters as defined in this Act., including costal waters. | 1.Enforcement-conference pursuant to Sec. 10 may result in Federal legal action to enforce recommendations.<br>2. Abatement action pursuant to Sec. 10(c) (5) where discharge reduces quality below established standard | |
| (B) Section 12, Fed. Water Pollution Control Act, as amended by P.L. 91-224(Apr. 3,1970) (33 U.S.C.1151, et. seq.) | Same as 1712 | President shall promulgate regulations designating hazardous substances and recommending methods for removal. | Same as 1712 | President shall make recommendation to Congress not later than Nov. 1,1970. Clean up fund of Section 11 available here. | |

1720 Related Federal Statutes

| | STATUTES | ADMINISTRATIVE AUTHORITY | AUTHORIZED ACTION | TERRITORIAL CONSIDERATIONS |
|---|---|---|---|---|
| 1721 | U.S.Navy Ship Salvage Authority (10 U.S.C. 7361) | Secretary of Navy (U.S. Navy Ship System Command, Supervisor of Salvage) | 1. To salvage, by contract or otherwise:<br>(a)U.S. Naval vessels;<br>(b)Private vessel (foreign or domestic) subject to availability of salvage forces; and,<br>(i)if not abandoned nor under governmental control nor other salvage facilities reasonably available & competent private authority requests help, i.e. ship's master, owner, or underwriter,<br>(ii)if abandoned or under control of U.S.C.G.,FWPCA, Corps of Engineers, Office of Emergency **Preparedness**, or federal court - competent requesting agency becomes customer. | 1.(a)for U.S. Naval vessels - Navy has direct responsibility anywhere<br>(b)for private vessels<br>(i)U.S. navigable waters and high seas<br>(ii)U.S. navigable waters, U. S. territorial waters and those within the authority of requesting government agency by law or treaty |
| | * * * * | * * * * * | * * * * * | * * * * * |
| 1722 | Outer Continental Shelf Land Act of 1953 (43 U.S.C. 1331-1343) | Secretary of the Interior<br>(a) Bur. of Land Mgmt.<br>(b) U.S.G.S.<br>**Secretary of Transportation**<br>**(a) U.S.C.G.** | 1. To regulate leases for exploitation of Shelf lands, terms & conditions calculated to prevent pollution in off-shore oil or mining operations. Regulations provide that lessee shall not pollute; shall take certain preventive actions and if pollution occurs, lessee shall make appropriate notifications and shall be liable for clean up. | 1. U.S. Continental Shelf Lands |
| | * * * * | * * * * * | * * * * * | * * * * * |
| 1723 | **Disaster Relief Act of 1970 (84 Stat. 1744)** | The President<br>Director, Office of Emergency Preparedness per **E.O. 11575, Dec. 31, 1970** | 1. To declare a major disaster at the request of a governor of a State<br>2. If declared, to direct Federal agencies to assist by:<br>(a)Using or lending, with or without compensation, to state & local governments, equipment, supplies, facilities, personnel, etc. other than extension of credit under any act.<br>(b)Performing, on public or private land, work to preserve life and property | (1) major disaster areas as declared by President<br>(2) U.S., its territories & possessions |

| | | | | |
|---|---|---|---|---|
| | | | (c) Provide temporary housing or emergency shelter<br>(d) Clear debris & wreckage<br>(e) Make emergency repairs & temporary replacements to public facilities of State and local governments.<br>3.OEP can give direct financial assistance to State & local governments for items in 2 above. | |
| | * * * * * | * * * * * | * * * * * | * * * * * |
| 1724 | 14 U.S.C. 81 et seg. | U.S.C.G. | 1.To aid distressed persons & protect property. Sec. 88 (b) in USNW and on the high seas.<br>2.To establish, maintain & operate aids to maritime navigation in USNW, waters above the U.S. continental shelf and other specified areas.<br>3.To mark for protection of navigation any wreck in USNW (Sec. 86) not properly marked by owner (33 U.S.C. 409) | |
| | * * * * * | * * * * * | * * * * * | * * * * * |
| 1725 | 14 U.S.C. 141 (a) | U.S.C.G. | 1.On request may use personnel & facilities to assist any government agency, to perform any activity for which such personnel are especially qualified. | 1. Limited only by international law re. Territorial waters |
| | * * * * * | * * * * * | * * * * * | * * * * * |
| 1726 | Magnuson Act (50 U.S.C. 191) | designated U.S.C.G. Officers (33 CFR 6) when directed by Executive order (presently implemented by E.O. 10173 as amended) | 1.Prevent anything from being placed on board any vessel or waterfront facility as defined in 33 CFR 6.01-4, when necessary to prevent damage to U.S. waters.<br>2.Establish security zones into which no person or vessel may enter or take anything.<br>3.Control vessel movement & take full or partial possession or control of any vessel when necessary to prevent danger to U.S. waters<br>4.Prevent mooring to or compel shifting of any vessel from waterfront facility if it endangers such vessel, other vessels, harbor, any facility therein because conditions exist in or about water front - not limited to fire hazards & unsatisfactory operations. | 1. U.S. Territorial waters |

| | | | | |
|---|---|---|---|---|
| 1727 | Dangerous Cargo Act (46 USC 170) | U.S.C.G. | 1. Authority to establish regulations for handling, stowage, storage and use of dangerous articles or substances on board vessels<br>2. Authority to establish regualtions for disposing of dangerous articles or substances found to be in an unsafe condition | U.S. Territorial waters |
| | * * * * * | * * * * * | * * * * * | * * * * * |
| 1728 | Tank Vessel Act (46 USC 391a) | U.S.C.G. | 1. Authority to establish additional rules for provision against hazards of life and property created by vessels having on board inflammable or combustible liquid cargo in bulk. | U.S. Territorial waters |
| | * * * * * | * * * * * | * * * * * | * * * * * |

1750 Treaties and International Conventions

| TITLE | PARTIES | SUBSTANCE OF AGREEMENT | TERRITORIAL APPLICATION |
|---|---|---|---|
| 1751 Treaty re. Reciprocal Rights in Conveyance of Prisoners and Wrecking & Salvage (35 Stat.2035, TS 502) | U.S. - Great Britain signed for Canada (1908) | 1. Vessels & wrecking equipment of U.S. or Canada permitted to salvage wrecks, render aid to vessels in distress or disabled across the international boundary line. | 1. In portion of St. Lawrence River through which boundary line passes.<br>2. Lakes Ontario, Erie, St. Clair, Huron, Superior.<br>3. Niagara, Detroit, St. Clair & Ste. Marie River.<br>4. Canals at Sault Ste. Marie.<br>5. Shores & territorial waters on Pacific & Atlantic within 30 miles of boundary line. |
| * * * * * | * * * * * | * * * * * | * * * * * |
| 1752 Boundary Waters Treaty (35 Stat. 2448, TS 548) | U.S. - Great Britain signed for Canada (1909) | 1. Established International Joint Commission with jurisdiction over all cases re. use, obstruction or diversion of waters including water pollution. No mechanism for enforcement directly by Commission findings & recommendations reported to respective governments for enforcement action within its territorial limits. | 1. U.S. - Canadian boundary waters |
| * * * * * | * * * * * | * * * * * | * * * * * |
| 1753 Treaty to Facilitate Assistance to & Salvage of Vessels in Territorial Waters (49 Stat. 3359, TS 905) | U.S. - Mexico (1936) | 1. Vessels & rescue apparatus, public & private, may aid vessels and crew of its own nationality, when disabled or in distress.<br>2. Captain, master or owner of rescue vessel of either country must notify that country when entering or intending to enter territorial waters of the other country as early as possible and may freely proceed with rescue unless advised by the other country that adequate assistance is available or for any other reason rescue is not necessary. | 1. On shores or within territorial waters of the other nation - (a)Within 720 mile radius of intersection of international boundary line & Pacific Coast or (b)within 200 miles radius of intersection of international boundary line & coast of Gulf of Mexico. |

| | | | | |
|---|---|---|---|---|
| 1754 | Convention of High Seas (1958) TIAS 5200) (13 U.S.T. 2312) | U.S. (1962)-Denmark, Finland, Italy, Japan, Mexico, Netherlands, U.K., USSR, inter alia | 1.Article XXIV - Member nations responsible for drafting regualtions to prevent pollution of seas by oil.<br>2.Article XXV - same for radioactive wastes & other harmful agents by vessels under its control | High Sea |
| | * * * * * | * * * * * | * * * * * | * * * * * |
| 1755 | Geneva Convention on Territorial Sea & Contiguous Zone (1958) (15 U.S.T. 1606) (TIAS 5639) | U.S. (1964)-Denmark, Finland, Italy, Japan, Netherlands, U.K., USSR, inter alia | 1.To exercise necessary controls to prevent infringement of nations sanitary regualtions within its territory or territorial sea. | 1.Not to exceed 12 miles outward from the baseline from which the territorial sea is measured. |
| | * * * * * | * * * * * | * * * * * | * * * * * |
| 1756 | Convention on Continental Shelf (1958) (TIAS 5578) (15 U.S.T. 471) | U.S. (1964)-Denmark, Finland, France, Mexico, Netherlands, U.K., USSR, inter alia | Coastal government has: exclusive & sovereign right to explore and exploit natural resources of the Shelf as long as it does not unjustifiably interfere with navigation, fishing or conservation of living sea resources nor with fundamental oceanographic or other scientific research destined for open publication. | U.S. Continental Shelf - 200 meter isobath curve contiguous to land or to a depth that admits of the exploitation of said area. |
| | * * * * * | * * * * * | * * * * * | * * * * * |
| 1757 | Convention for Prevention of Pollution by Sea by Oil, (1954) (12 U.S.T. 2989: (1962) amended 17 U.S.T. 1523) | U.S. (1961)-Belgium, Denmark, Finland, France, West Germany, Greece, Italy, Japan, Liberia, Mexico, Netherlands, Nigeria, Norway, Panama, Spain, Sweden, U.K., inter alia, | 1.To prevent discharge or escape of oily substances by sea-going vessels - See Oil Pollution Act of 1961 as amended in 1966 for U.S. implementation. (33 U.S.C. 1001-1015) (Note: Oily substance is defined as presistant oil)<br>2. Maintenance of Oil Record Book. | 1.Prohibited zone: All seas within 50 miles from nearest land (baseline from which territorial sea is established) and other areas as defined in the convention. |

| Authority | Delegation | Penalty | WQO Operations Activities | WQO Enforcement Activities | Legal Action |
|---|---|---|---|---|---|
| Sec 11 (b) (4) FWPC Act<br><br>Notification | E.O. 11548 designated Coast Guard to receive notice. Coast Guard regulations (18 CFR Part 153) require notice to either Coast Guard or EPA | Up to $10,000 criminal fine or up to one year imprisonment for failure to immediately notify | In areas where EPA provides on-scene coordinator Investigate deliberate and random oil discharge reports and documents evidence of failure to immediately notify. Check with Coast Guard to see if proper notice was given. Transmit documentation to Enforcement. Provide testimony. | Provide necessary legal services and advice to Operations personnel. Review documentation and refer case to U.S. Attorney where appropriate. | U. S. Attorney brings action in U. S. District Court. |
| Sec 11 (b) (5) FWPC Act | FWPC Act assigns exclusive responsibility for this section to the Sec. of Transportation. The Sec. of Trans. has delegated this responsibility through the Commandant, U. S. Coast Guard to the Coast Guard District Commanders. | After notice and a hearing, the District Cdrs. shall assess a civil penalty up to $10,000 for oil knowingly discharged. Amount of penalty depends on certain conditions including gravity of violation. | In areas where EPA provides on-scene coordinator. Document evidence of knowingly discharged oil. Transmit documentation to Enforcement. Provide testimony. | Provide necessary legal advice and services to Operations Personnel Review documentation and refer case to Coast Guard District Commander where appropriate. | Coast Guard District Commander holds hearing and assesses penalty. |

## EPA REGULATORY OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTROL ACTIVITIES

| Authority | Delegation | Penalty | WQO Operations Activities | WQO Enforcement Activities | Legal Action |
|---|---|---|---|---|---|
| Sec 11 (d) FWPC Act | E.O. 11548 assigns responsibility in inland waters to Administrator, EPA and in coastal and other waters to the Sec. of Transportation who has delegated responsibility to Coast Guard District Commanders. | Where there is a substantial threat to public health or welfare from an actual or threatened oil discharge from a vessel as a result of a marine disaster, the vessel can be removed and destroyed by Federal Government. The vessel owner would be liable for any costs involved as a cost of cleanup. | In areas where EPA provides on-scene coordinator: Document evidence showing substantial threat. Transmit documentation to Enforcement. | Provide necessary legal services and advice to Operations personnel. Review documentation. Get approval from Administrator or his designated representative for necessary action. | None. Only approval of Administrator or his designated representative, is required. |
| | | | (Note: These procedures will have to be expedited as much as possible and could involve verbal as well as written authorizations) | | |
| Sec 11 (e) FWPC Act<br><br>Imminent & Substantial Threat from Onshore and Offshore Facilities | E.O. 11548 assigns responsibility in all waters, both coastal and inland to the Administrator, EPA. | Where there is an imminent and substantial threat to public welfare from an actual or threatened oil discharge from an onshore or offshore facility, the Administrator may require the U. S. Attorney to seek relief required to abate the threat, including injunctive relief. | In all areas, including coastal and inland waters: Document evidence showing imminent and substantial threat. Transmit documentation to Enforcement. Provide Testimony. | Provide necessary legal services and advice to Operations personnel. Review documentation. Get approval from Administrator or his designated representative. Direct U.S. Attorney to take Necessary action. | U. S. Attorney brings action in U.S. District Court for equitable or other relief. |
| | | | (Note: These procedures will have to be expedited as much as possible and could involve verbal as well as written authorizations) | | |

EPA REGULATORY OIL AND HAZARSOUS SUBSTANCES POLLUTION CONTROL ACTIVITIES

| Authority | Delegation | Penalty | WQO Operations Activities | WQO Enforcement Activities | Legal Action |
|---|---|---|---|---|---|
| Sec 11(j)(1) (c) FWPC Act<br><br>Oil Discharge Prevention Regulations | E.O. 11548 assigns responsibility for non-transportation related facilities to Administrator EPA: Responsibility for transportation related facilities to Sec. of Transportation, delegated to Coast Guard District Commanders. | Administrative Civil penalty of up to $5,000 for each violation. Amount of penalty depends on certain conditions including gravity of violation. | For non-transportation related facilities: Document evidence showing violation of regulation. Transmit documentation to Enforcement. Provide teitimony. | Provide necessary legal services and advice to Operations personnel. Review documentation. Notify violator and arrange for hearing. | EPA Administrator or his designated representative holds hearing and assesses penalty. |
| Sec 12 FWPC Act<br><br>Hazardous Substances | E.O. 11548 designated Coast Guard to receive notice of discharges. It is assumed Coast Guard regulations will require notice to either Coast Guard or EPA. Coast Guard administers sec 11(k) revolving fund. | None other than traditional common law remedies for recovery of damages. | In areas where EPA provides on-scene coordinator: Where necessary and in accordance with Coast Guard guidelines make expenditures for cleanup activities Direct response operations. A contracting and accounting officer will be provided by Coast Guard or EPA to keep track of cleanup costs Submit to Coast Guard District Commander an itemized list of all cleanup costs to be recovered. Document evidence. Provide testimony. | Provide necessary legal services and advice to Operations personnel Review documentation. Assist the Coast Guard District Commander and U.S. Attorney in the case for recovery of cleanup costs as appropriate. | U.S. Attorney brings traditional common law actions for recovery of damages. |

EPA REGULATORY OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTROL ACTIVITIES

| Authority | Delegation | Penalty | WQO Operations Activities | WQO Enforcement Activities | Legal Action |
|---|---|---|---|---|---|
| Sec 11 (F)(1) (2)(3)<br><br>Sec 11 (g) FWPC Act<br><br>Cleanup Cost Recovery | There is no explicit delegation of responsibility for recovering cleanup costs. Since E.O. 11548 makes the Sec. of Transportation, delegated to Coast Guard, Responsibility for administerint Sec 11 (k) revolving fund, the Coast Guard will be responsible for taking action to recover cleanup costs. | Owner or Operator has limited, strict liability for cleanup costs vessel limits: $14,000,000 or $100/gross Ton whichever is less. Onshore or Offshore facility: limits $8,000,000 There is unlimited strict liability for cleanup costs when discharge results from willful negligence or misconduct. | In areas where EPA provides on-scene coordinator where necessary and in accordance with Coast Guard guidelines (to be issued) make expenditures for cleanup activities. Direct response operations. A contracting and accounting officer should be provided by Coast Guard of EPA to keep track of cleanup costs. Submit to Coast Guard District Commander an itemized list of all cleanup costs to be recovered. Document evidence. Provide testimony. | Provide Necessary legal services and advice to Operations personnel. Review documentation. Assist the Coast Guard District Commander and U.S. Attorney in the preparation of and negotiations in the case for recovery of cleanup costs. | U.S. Attorney brings action in U.S. District Court for recovery costs. |
| Sec 11 (j)(1) (a) FWPC Act<br><br>Oil REmoval | E.O. 11548 assignes responsibiltiy in inland waters to Administrator EPA and in coastal waters to the Sec. of Transportation who has delegated responsibility to Coast Guard District Commanders. | Administrative Civil penalty of up to $5,000 for each violation. Amount of penalty depends on certain conditions including gravity of violation. | In all inland water areas: Document evidence showing violation of regulations. Transmit documentation to Enforcement. Provide testimony. | Provide necessary legal services and advice to Operations personnel. Review documentation. Notify violator and arrange for a hearing. | EPA Administrator or his designated representative holds hearing and assesses penalty. |

EPA REGULATORY OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTROL ACTIVITIES

| Authority | Delegation | Penalty | WQO Operations Activities | WQO Enforcement Activities | Legal Action |
|---|---|---|---|---|---|
| Sec 10 FWPC Act<br><br>Water Quality Standards | Administrator, EPA | Such judgement and orders enforcing such judgment as the public interest and equities of the case may require. | In all areas, document evidence showing violation. Transmit documentation to Enforcement. Provide testimony. | Provide necessary legal services and advice to Operations personnel. Review documentation. Recommend and prepare 180 day notices. Refer case to U. S. Attorney where appropriate. | U.S. Attorney brings actions in U.S. District Court. |
| Refuse Act | EPA and the Coast Guard may request Prosecution by U.S. Attorney for discharges of oil and hazardous substances. | $500-2500 fine or imprisonment or both. Injunction. | In areas where EPA provides on-scene coordinator:* Document evidence showing violation. Transmit documentation to Enforcement. Provide testimony.** | Provide necessary legal services and advice to Operations personnel. Review documentation. Refer case to U.S. Attorney requesting prosecution. | U.S. Attorney brings action in U.S. District Court. |

* In accordance with the National Oil and Hazardous Substances Pollution Contingency Plan, EPA provides on-sceme coordinators for discharges in inland waters. The Coast Guard provides on-scene coordinators for the high seas, coastal and contiguous zone waters and coastal and Great Lakes ports and harbors.

** This in no way limits the responsibility of EPA to actively enforce the provisions of the Refuse Act in all waters, including inland, coastal and Great Lakes waters. However, in situations where the Coast Guard provides on-scene cooridnators in response to oil and hazardous substances discharge notifications, the Coast Guard is considered to have the initial responsibility to document evidence and request Refuse Act prosecutions.

# Annex VIII

## 1800 Enforcement Procedures

### 1801 Introduction

1801.1 The OSC in charge at the scene of a spill may be from any one of several agencies; it is necessary, therefore, to establish uniform procedures for notifiction of counsel, collection of samples and information consistent with the several phases in Federal response situations. Necessary information and sample collection must be performed at the proper times during the Federal involvment in a spill for the purpose of later use in identifying the party responsible, in cleanup cost recovery, damage recovery, and civil and criminal enforcement actions under approriate Federal statutes. Time is of great importance since wind, tide and current may disperse of remove the evidence and witnesses may no longer be available. Thus, during the cleanup and disposal, and restoration, the OSC must take the necessary action to put counsel on notice of the event and to ensure that information, records, and samples adequate for legal and research purposes are obtained and safeguarded for future use.

### 1802 Notification of Counsel

1802.1 Immediately upon notification that a spill has occurred, the inland RRT will notify the Enforcement Division - EPA, Region I, J.F. Kennedy Federal Building, Boston, Massachusetts.

1802.2 Initial coordination of appropriate counsel will be effected by counsel of the EPA. Coordination will be for joint and several actions concerning legal matters regarding the operation of the Plan, sending of notices, advice regarding the handling of evidence, preparation of evidentiary statements, and referral of the matter to the Justice Department or appropriate U. S. Attorney.

1802.3 The information and reports obtained by the OSC are to be transmitted to the RRC. Copies will then be forwarded to the NRC, members of the RRT, and others, as appropriate. The representative of the Agency on the RRT having cost recovery or enforcement authority will then refer copies of the pollution reports to his respective agency counsel.

### 1803 Legal Notice to Ship Operators and Others

1803.1 Notice to the ship or facility operator, owner or other appropriate responsible person indicating Federal interest and potential action in a spill shall be prepared and sent by the EPA. This notice should include, among other things, Federal statutes and regulations violated, indication of responsibility for cleanup, notice that cleanup be effected pursuant

to and in accordance with this Regional Contingency Plan and Federal regulations, identification of the OSC, and direction that response activity be coordinated with the OSC.

1804 Action to be Taken by OSC for Phase V Activities in Conjunction With Actions in Phases I, II, and III

18041. Investigate observed instances of oil or other hazardous substances pollution in the waters covered by the scope of this Plan. Investigative actions may include:

1804.1-1 Request permission to enter facility or vessel involved. The investigator should identify himself and explain his reason for being there. In those situations where statutory authority does not exist for entering or boarding and if permission to enter or board is denied, investigator should seek assistance of local U. S. Marshal;

1804.1-2 Question all persons who may be responsible for or have knowledge of the spillage and record the name, address and position of each witness·

1804.1-3 Furnish anyone who may be responsible for an offense with an appropriate warning as to his rights;

1804.1-4 Obtain signed statements whenever possible indicating where, when and how the spill occurred and its extent;

18041.-5 When a witness makes an oral statement but will not give a written statement, reduce the oral statement to writing;

1804.1-6 When the source of the pollution is unknown, obtain as much information as possible and note any suspect vessels or facilities.

1804.2 When investigation discloses a reasonable basis to believe a violation has occurred, collect samples of oil or hazardous polluting substances from the water and from appropriate spaces and drainage points of the suspected offending vessel or vessels, shore establishments, or other sources. Collect comparative samples in unaffected water in the vicinity of the spill.

1804.3 Samples collected for enforcement purposes are to be transmitted for analysis using special carrier or registered mail (return receipt requested) to the office, Chief, Oil & Hazardous Materials Section, USEPA, Region I, 240 Highland Avenue, Needham Heights, Massachusetts. Ordinarily samples will be analyzed by the EPA laboratory at the above address. Under special circumstances, samples can be analyzed at the EPA

Laboratory, Edison, New Jersey, Reports of laboratory analysis will be forwarded to the chairman of the RRT for transmittal to counsel.

1804.4 Photographs should be taken to show the source and the extent of pollution, if possible, using both color and black and white film. The following information should be recorded on the back of each photographic print: a) name and location of vessel or facility; b) date and time the photo was taken; c) names of the photographer and witness; d) shutter speed and lens opening; and e) type of film used and details of film processing. (The immediate developing type of photographic process may be of major assistance to the less-than-professional photographer by allowing on-the-spot inspection of results and "retakes" as needed to obtain an acceptable photograph).

1804.5 If in doubt as to whether or not a particular case may be an oil pollution or hazardous substances pollution violation, or in doubt as to how to proceed in any given case, contact the RRT for instructions and advice. If, however, time is a critical factor and/or the RRT has not yet assembled, proceed as if it were a pollution violation.

## 1805 Sample Collection Procedures to be Followed by OSC

1805.1 Several precautions must be observed when taking and handling liquid samples for analyses as the character of the sample may be affected by a number of common conditions. These precautions concern the following: a) the composition of the container; b) cleanliness of the container; and, c) manner in which the sample was taken.

1805.2 In taking such samples, the following procedures are to be followed in all cases:

1805.2-1 Glass containers of one quart size are to be used. The portion of the closure (sealing gasket or cap liner) which may come into contact with the sample in the container is of considerable importance. When oil or petroleum hydrocarbons are to be sampled, the closure should be made of glass, aluminum foil, or teflon. Other pollutants may require different or special closure material and the analysis laboratory should be consulted whenever a question arises as to the appropriateness of any closure material.

1805.2-2 Previously unused containers are preferred. Containers that have been cleaned with a strong detergent, thoroughly rinsed and dried may be used.

1805.2-3 Consult with the analysis laboratory personnel relative to special samples and unusual problems.

1805.2-4 Some explanatory notes covering the above procedures are as follows: a) glass containers always must be used becuase plastic containers, with the exception of teflon, have been found in some cases to absorb organic materials from water and, in other cases, coupounds have been dissolved from plastic containers;

b) as it is desirable to take a large sample of the pollutant proper skimming techniques should be used to obtain a sufficient amount of oil for analysis; and c) since it is not unusual for a pollution condition to change rapidly, samples should be taken in a timely fashion, and the time sequences and places noted. d) Samples should be stored in a locked refrigerator if possible using chain of custody procedures outlined in 1806.

## 1806 Chain of Custody Record

1806.1 All samples and other tangible evidence must be maintained in proper custody until orders have been recieved from competent authority directing their disposition. Precautions should be taken to protect the samples from breakage, fire, altering and tampering. It is important that a chain of custody of the samples be properly maintained and recorded from the time the samples are taken until ultimate use at the trial of the case. In this regard, a record of time, place, and the name and title of the person taking the sample, and each person handling same thereafter, must be maintained and forwarded with the sample.

## 1807 Spill Pollution Report

1807.1 The appropriate information for each pollution spill should be obtained by the OSC and reported pursuant to the appropriate instructions.

# ANNEX IX

# 1900 FUNDING

## 1900 General

1900.1 The primary thrust of this Plan is to encourage the person responsible for a spill to take appropriate remedial actions promptly. Usually this will mean that the cost of containment, countermeasures and cleanup of spills should be borne by the person responsible for the discharge. The OSC and other officials associated with the handling of a spill should make a substantial effort to have the responsible person accept voluntarily this financial responsibility.

1900.2 Actions undertaken by the Primary Agencies in response to pollution spill emergencies shall be carried out under existing programs and authorities insofar as practicable.

1900.3 It is not envisioned that any Federal agency will make resources available, expend funds or participate in operations in connection with spills unless such agency can so respond in conformance with its existing authority. Authority to expend resources will be in accordance with agencies' basic statutes and, if required, through cross-servicing agreements. This Plan encourages interagency agreements whenever specific reimbursement agreements between Federal agencies are deemed necessary to insure that the Federal resources will be available for a timely response to a pollution emergency.

## 1901 Funding Responsibility

1901.1 The funding, including reimbursement to Federal agencies, other agencies, contractors and others, of pollution removal activities is the responsibility of the agency providing the predesignated OSC. This funding may be provided through normal operating expense accounts of the agency or through special funding arrangements such as the Pollution Revolving Fund described hereinafter.

1901.2 Funding of response actions not associated with the removal activity, such as scientific investigations, law enforcement or public relations is the responsibility of the agency having statutory or executive responsibility for those specific actions.

## 1902 Agency Funding

1902.1 The Environmental Protection Agency can provide funds to insure timely initiation of cleanup actions in those instances where the OSC is an EPA representative. Funding of continuing cleanup actions, however,

will be determined on a case-by-case basis by the Headquarters Office of EPA. Inasmuch as EPA does not have funds provided for this purpose, by statute or regulation, initiation of containment and cleanup activities is funded out of operating program funds.

1902.2 The U. S. Coast Guard pollution control efforts are funded under "Operating Expenses." These funds are utilized in accordance with applicable regional plans and agency directives.

1902.3 The Department of Defense has two specific sources of funds which may be applicable to a pollution incident under appropriate circumstances. (This does not consider military resources which might be made available under specific circumstances.)

1902.1 - 1 Funds required for removal of a sunken vessel or similar obstruction to navigation are available to the Corps of Engineers through Civil Functions Appropriations, Operations and Maintenance, General.

1902.1 - 2 The U. S. Navy has funds available on a reimbursable basis to conduct salvage operations.

## 1903 Disaster Relief Funds

1903.1 Certain pollution control response activities may qualify for reimbursement as disaster relief functions. In making a declaration of a major disaster for a stricken area, the President may allocate funds from his Disaster Relief Fund, administered by the Director, Office of Emergency Preparedness. After the President has declared a major disaster and authorized allocation of funds, the Director may authorize certain reimbursements to Federal agencies for disaster assistance provided under direction of his office. Applicable policies and procedures are stated in Title 32, Chapter XVII, Part 1709, "Reimbursement of Other Federal Agencies Performing Major Disaster Relief Functions."

1903.2 The Director may also make financial assistance available to State Governments and through the States to local governments in accordance with policies and procedures stated in Title 32, Chapter XVII, Part 1710, "Federal Disaster Assistance."

## 1904 Pollution Revolving Fund

1904.1 A pollution revolving fund (hereinafter referred to as the Fund) administered by the Commandant, USCG, has been established under the provisions of Section 11 of the Act. This Fund is available to pay specified costs associated with spill response operations. Regulations governing administration and use of the funds are contained in 33 CFR Part 153D, April 13, 1971.

1904.2 The Fund is available to pay the cost of removal of oil discharged into the navigable waters and adjoining shorelines of the United States. It is also available to pay the cost of removal of discharges of hazardous polluting substances, provided the material has been designated as a hazardous polluting substance pursuant to Section 12(a) of the Act.

1904.3 Examples of specific costs reimbursable to a Federal agency for spill response operations are:

1904.3-1 Costs incurred by industrial type facilities, including charges for overhead, in accordance with the agency's industrial accounting system;

1904.3-2 Out-of-pocket costs specifically and directly incurred as a result of recovery activities such as:

-2.1 Travel, including transportation and per diem, when specifically requested by the OSC.

-2.2 Supplies, materials and minor equipment procured specifically for response activities.

1904.4 Some limitations on use of the Fund are:

1904.4-1 Restriction of reimbursement for expenditures made for Phase II and Phase III response actions;

1904.4-2 Personnel and equipment costs which are funded by other appropriation and which would have been incurred during normal operations; and

1904.4-3 Costs of surveillance activities, restoration of damage following a spill, or investigative functions performed in support of enforcement action or scientific documentation.

1904.5 The Commandant, USCG, will prepare and distribute detailed instructions to assist in determination of appropriate costs by the OSC when available. These instructions follow.

1904.5-1 COMMANDANT INSTRUCTION 7302.2 (Extracted) 2 APR 71
Subj: Guidelines for Financing Response Activities for Pollution Incidents and Determining Cost Recoverable From Responsible Parties

REF: (a) National Oil and Hazardous Materials Pollution Contingency Plan

(b) Applicable Regional Oil and Hazardous Substance Pollution Contingency Plan

1. Purpose. The purpose of this Instruction is to provide guidelines for the financing of response activities and the recovery of costs from responsible parties for pollution incidents.

2. Background. Section 11 of the Federal Water Pollution Control Act, as amended, authorized the establishment of a fund to be available for the removal of discharges of oil or other hazardous polluting substances. The Treasury Department has assigned the following account symbol and title to the fund:

69X5168 Oil Pollution Fund, Coast Guard

The prime purpose of the fund is to have readily available a source of financing for the removal of a discharged pollutant by the Government or its agent when the discharger is unknown, does not act promptly, or does not take or propose to take appropriate action.

3. Action.

a. Private Response Activity. Reference (a) states that it is the Federal policy to encourage the discharger to take appropriate remedial actions voluntarily. The principal thrust of Federal activities under these circumstances is to observe and monitor progress and to provide advice and counsel. Such activities are carried out under existing programs and authorities; hence no reimbursement to Federal agencies from the Pollution Fund is authorized.

b. Federal Response Activity. Federal response activities are instituted when the discharger is unknown, does not act promptly, or does not take or propose to take appropriate action. Expenditures proper for charge against the pollution fund are for Phase II and Phase III response activities for oil or hazardous polluting substances discharged into or upon the navigable waters of the United States, adjoining shorelines or into or upon the waters of the contiguous zone, when authorized by the on-scene commander. Expenditures may be handled as follows:

(1) Direct Charge. When advised by the cognizant Coast Guard district comptroller, expenditures may be incurred directly chargeable to the fund. Included are contractual arrangements with private contractors (including non-profit organizations) entered into by the on-scene commander with the assistance of the district comptroller, and items listed in paragraph (2)(c).

(2) Reimbursable. Expenditures may be incurred by Federal agencies or states and political subdivisions thereof as authorized by the on-scene commander subject to reimbursement from the fund. Reimburseable expenditures include:

(a) Costs incurred by industrial type facilities, including charges for overhead in accordance with the agency's industrial accounting system.

(b) Actual costs where an agency is required or authorized by law to obtain full reimbursement. For example, under certain conditions the Corps of Engineers collects for the cost of equipment, facilities, and services furnished at rates which include charges for overhead and related expenses, etc.

(c) Out-of-pocket costs specifically and directly incurred as a result of recovery activity which were not charged directly to the fund. They include, but are not limited to, the following:

1 Travel costs (transportation and per diem) specifically requested by the on-scene commander.

2 Overtime for civilian personnel specifically requested by the on-scene commander.

3 Incremental maintenance cost of vessels, aircraft, vehicles and equipment to the extent that these costs are increased by the hours they are utilized.

4 Fuel expended by vessels, aircraft, vehicles and equipment in connection with the response activity.

5 Supplies, materials and minor equipments procured specifically for the recovery activity.

6 Rental or lease costs for equipment obtained specifically for the recovery activity.

7 Payments to private contractors (including non-profit organizations), states and political subdivisions thereof for costs incurred as a result of recovery activity.

Personnel and equipment costs which are funded by other appropriations and which would have been incurred during normal operations are not reimbursable as out-of-pocket costs. Also, the fund is not available for the purchase of large and expensive equipment.

c. On - Scene Commander. The on-scene commander predesignated in accordance with reference (a) will:

(1) Contact cognizant Coast Guard district commander or his designated representative in accordance with reference (b) and determine that the pollution incident meets the criteria specified in the Act (for example an incident involving non-navigable waters is not included).

(2) Request the cognizant Coast Guard district comptroller to assign a specific project number for the spill and authorize a specific dollar commitment based on initial estimate of funds needed.

(a) Pending advice of specific project number and amount of authorized commitment, the on-scene commander may make informal commitments when conditions are of an emergency nature and work on the discharge must be commenced immediately.

1 Informal commitments with provate contractors (including non-profit organizations) must not exceed $20,000 for an individual discharge.

2 Under these conditions, the on-scene commander should reduce to writing, if practicable, the informal contractual commitments and inform the cognizant Coast Guard district comptroller within 24-hours, the total of all informal commitments made.

3 The writing confirming informal contractual commitments should contain the minimum information shown in enclosure (1).

(3) Insure that commitments do not exceed authorization limitation without obtaining additional commitment authorization from congizant Coast Guard comptroller.

(4) Insure appropriate surveillance by qualified Government personnel during performance to give reasonable assurance that private contractors (including non-profit organizations) are performing as agreed.

(5) Advise the Coast Guard district comprtoller when cleanup (Phase III) has been physically completed. As soon as practicable, submit to the district comptroller a list summarizing the agencies, and contractors he authorized to participate in recovery activities, showing in general terms the functions each was to perform, referencing or providing any documents (such as, contracts or memoranda pertaining to those functions) and the best estimate of costs available for each.

d. Agency Reimbursement Procedure. Within 60 days after terminating Phase III activities, each Federal agency, state or political subdivision thereof, concerned shall submit to the appropriate district commander an itemized list of all costs properly chargeable to the fund, as outlined in paragraph 3b, using the format illustration in enclosure (2). the agency shall maintain and, when requested by the district commander, furnish adequate accounting data to support the itemized list of costs submitted.

e. Costs Recoverable by Fund Against A Responsible Party. Within 60 days after termination of Phase II activities, each Federal agency concerned shall submit to the appropriate district commander an itemized list of all costs recoverable against the owner or operator under Section 11(f) or (g) of the Act. These costs will include all costs reimbursed to an agency plus the following costs to the extent not reimbursed under paragraph 3b above:

(1) Personnel costs, including those assigned to operate equipment or a manned facility, such as a Coast Guard cutter, listed by hourly rates, limited to a maximum of eight hours per calendar day.

(2) Equipment costs, including any hourly rate for depreciation and maintenance determined by applying generally accepted accounting principles.

(3) Additional supplies and materials expended.

(4) All other specific determinable costs.

The agency will use the format illustrated in enclosure (3) and shall maintain and, when requested by the district commander, furnish adequate accounting data to support the itemized list of costs, submitted. The data maintained should be sufficient to stand scrutiny in a court of law.

f. Cognizant Coast Guard District.

(1) District Commander or designated representative will assist the on-scene commander in determining that the pollution incident meets the criteria specified in the Act.

2. District Comptroller.

(a) Assigns specific project number as prescribed in Section 1P, Comptroller Manual.

(b) Advises the on-scene commander the amount of commitment authorized. Also advises and counsels him regarding expenditures to be charged directly to the pollution fund as opposed to the use of the reimbursement technique.

(c) Formalizes on-scene commander's initial informal contractual commitments as soon as possible by negotiating definitive time and material contracts, and provides technical direction or the assistance of qualified personnel to accomplish required procurement action subsequent to the initial emergency. When procurements are or will be required either in excess of the $20,000 limitation on informal commitments or subsequent to the initial 24 hour period the Comptroller will assure that qualified personnel are assigned at the scene to handle contracting and financial arrangements.

(d) Takes action to financially close the project as prescribed in Section 1P. Comptroller Manual.

(e) Asserts claim for actual costs incurred during response activities that result in a charge ageinst the pollution fund or involve the use of Federal resources for which the discharger involved in a pollution incident may be liable.

(f) Deposits collections received into the pollution fund.

E. D. Scheiderer
Comptroller

Minimum Information For Written Confirmation Of Informal Contractual Commitments

The writing should include the following:

1. Description of services to be performed.

2. Limitations as to Government's obligation. (Total of all informal contractual commitments made for an individual discharge must not exceed $20,000 without authority of the consgnizant District Commander or designated representative.)

3. Maximum amount for which Government will be liable if commitment is terminated. (Total of all contractual contigent liabilities for contracts must not exceed $20,000 without authority of the cognizant district Commander or designated representative.)

4. If practical, a statement that the definitized contract will contain all the clauses required by law, statute, or regulation.

5. Statement that the contraction officer of the cognizant district office will negotiate a definitive time and material contract as soon as practicable.

ENCLOSURE (2) to COMDTINST 7302.2

From:

To : Commander, _____ Coast Guard District (f)

Subj: Reimbursement of costs incurred in connection with pollution incident project number _____

1. I certify that the costs itemized below were incurred over and above those programmed for normal operations, were directly incurred in connection with the subject project number, and are proper for charge against 69X5168, Oil Pollution Fund, Coast Guard. Accounting data and supporting documentation are on hand and will be furnished when requested.

| Item | Amount |
|---|---|

_____
(Signature)

From:

To : Commander, _____ Coast Guard District (f)

Subj: Itemization of costs recoverable against person responsible for pollution incident connected with project number _____

1. The costs summarized below were specifically and directly incurred in connection with the subject project number. Documentation to support these costs is available and will be furnished upon request.

| Item | Amount |
|---|---|

_____
(Signature)

1905 General Limitations on Funding

1905.1 Care must be exercised to ensure that misunderstandings do not develop about reimbursement of funds expended for containment and cleanup activities. The OSC should not knowingly request services for which reimbursement is mandatory unless reimbursement funds are known to be available. Similarly, the agency supplying a reimbursable service should determine the source of reimbursement before committing resources necessating reimbursement.

1906 Availability of Federal Funding in Areas where EPA provides On-Scene Coordinator

1906.1 Section 11 (k) of the Federal Water Pollution Control Act authorizes a revolving fund to finance Federal cleanup of oil and hazardous substance discharges. The authority to administer this fund has been delegated to the Coast Guard by the Secretary of Transportation in accordance with Executive Order 11548.

1906.2 The Coast Guard has promulgated regulations (33 CFR Part 153) in accordance with Executive Order 11548 specifying the policies, procedures, and requirements to be followed in administering the fund. These regulations are supplemented by Coast Guard Commandant Instruction 7302 dated April 2, 1971, which is previously attached.

1906.3 There are two sources of funds available to the Regions for financing Federal oil and hazardous substance cleanup actions:

1906.3-1 section 11(k) revolving fund

1906.3-2 EPA regional operating funds up to $10,000 in accordance with FWPCA Delegation of Authority No. 7-36 dated March 8, 1968, which is still in effect according to EPA Order 1110.1 dated December 2, 1970.

1906.4 Availability of cleanup funds from either of these sources depends upon various constraints such as:

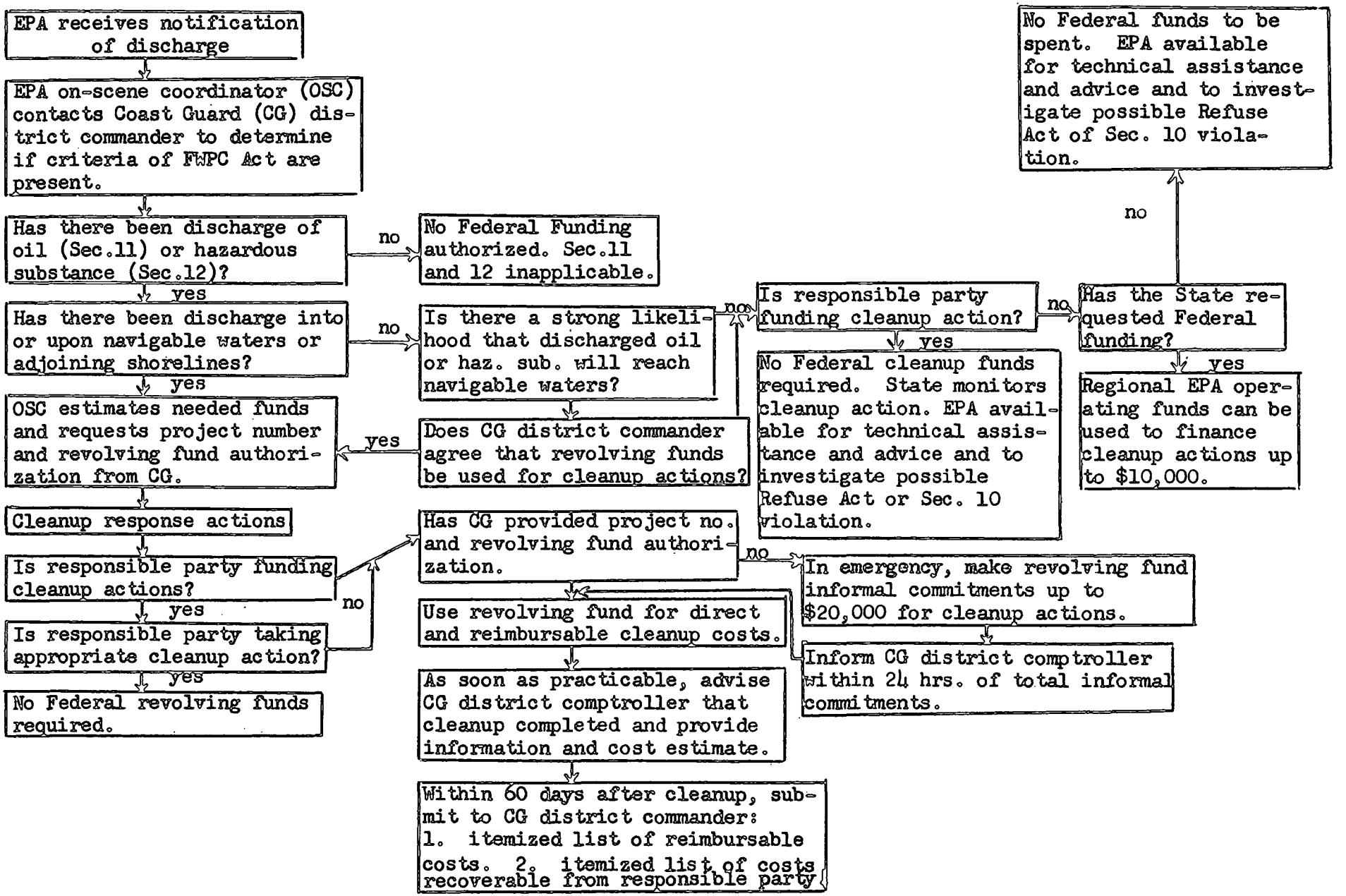
1906.4-1 The responsibility of the Coast Guard for administering the revolving fund.

1906.4-2 The jurisdictional criteria limiting the applicability of sections 11 and 12 of the FWPC Act of 1970, particularly "navigable waters."

1906.4-3 The responsibility of the States for cleanup actions.

1906.4-4 The limited regional EPA operating funds available to finance cleanup actions.

## 1906.5-1 PROCEDURAL GUIDELINES FOR FUNDING CLEANUP ACTIONS IN AREAS WHERE EPA PROVIDES ON-SCENE COORDINATOR



1906.5 The determination as to whether Federal funds can be made available for cleanup must be made on a case-by-case basis, utilizing criteria and determinations as shown on the enclosed flow-digram.

## 1907 Navigability

1907.1 The U. S. Coast Guard, Corps of Engineers and the Federal Power Commission have been making determinations of "navigability" for some time. Determinations of "navigability" by Federal agencies are made in accordance with Congressional declarations and Federal court decisions. The term "navigability" as used in Federal laws is a word of art used by Congress as a legal standard to define for Federal administrative agencies, Federal courts, and the public the limits of Federal jurisdiction in accordance with the U. S. Constitution. There is no precise and exact definition of "navigability" which fits every type of stream under all circumstances and at all times. Each determination of "navigability" must rest on the facts and circumstances of the particular case.

1907.2 A finding of "navigability" requires an affirmative answer to one of the following questions:

1907.2-1 Has the waterway been used or was it suitable for use in the past by the public for the purpose of trade or commerce?

1907.2-2 Is the Waterway presently used or suitable for use by the public for the purpose of trade or commerce?

1907.2-3 Could the waterway be made suitable in the future by reasonable improvements for use by the public for the purpose of trade or commerce?

1907.3 Rivers or portions thereof in New England which have been determined as navigable are as follows:

1907.3-1 U. S. Army Corps of Engineers

a. CRITERIA USED BY CORPS OF ENGINEERS TO DETERMINE NAVIGABILITY

Title 33, Chapter 11 -- Code of Federal Regulations

209.260 Navigable waters of the United States.

(a) In the administration of the laws enacted by Congress for the protection and preservation of the navigable waters of the United States, the Department of the Army is frequently called upon to make determinations as to the navigability of waterways. It should be understood that such determinations merely represent the views of the Department since the jurisdiction of the United States can be conclusively determined only through judicial proceedings. As information, definitions as to what constitutes a navigable water of the United States based on decisions of the Supreme Court are as follows: Those rivers must be regarded as public navigable rivers in law which are navigable in fact. And they are navigable in fact when they are used, or are susceptible of being used, in their ordinary condition, as highways for commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water. And they constitute navigable waters of the United States within the meaning of the acts of Congress, in contra-distinction from the navigable waters of the States, when they form in their ordinary condition by themselves, or by uniting with other waters, a continued highway over which commerce is or may be carried on with other States or foreign countries in the customary modes in which such commerce is conducted by water. (The Daniel Ball, 10 Wall. 557.)

(b) The capability of use by the public for purposes of transportation and commerce affords the true criterion of the navagibility of a river, rather than the extent and manner of that use. If it be capable in its natural state of being used for purposes of commerce, no matter in what mode the commerce may be conducted, it is in fact, and becomes in law a public river of highway. As Chief Justice Shaw said (21 Pikering 344), it is not every small creek in which a fishing skiff or gunning canoe can be made to float at high water which is named navigable, but, in order to give it the character of a navigable stream, it must be generally and commonly useful to some purpose of trade or agriculture. (The Montello 20 Wall. 430)

(c) Navigability, in the sense of the law, is not destroyed because the watercourse is interrupted by occasional natural obstructions or portages: nor need the navigation be open at all seasons of the year, or at all stages of the water. A river having actual navigable capacity in its natural state and capable of carrying commerce among the States, is within the power of Congress to perserve for purposes of future transportation, even though it be not at present used for such commerce, and be incapable of such use according to present methods, either by reason of changed

conditions or because of artificial obstructions. It is not difficult to believe that many streams require only the exertion of Federal control to make them again important avenues of commerce among the States. If they are to be abandoned, it is for Congress, not the courts, so to declare. (Economy Light and Power Co. v. U.S. 256 U.S. 113)

(d) It is obvious that the uses to which streams may be put vary from the carriage of ocean liners to the floating out of logs: that the density of traffic varies equally widely from the busy harbors of the seacoast to the sparsely settled regions of the Western monutains. The tests as to navigability must take these variations into consideration. To appraise the evidence of navigability on the natural condition only of the waterway is erroneous. Its availability for navigation must also be considered. "Natural and ordinary" conditions refers to volume of water, the gradients and the regularity of flow. A waterway, otherwise suitable for navigation, is not barred from that calssification merely because artificial aids must make the highway suitable for use before commercial navigation may be undertaken. There are obvious limits to such improvements as affecting navigability. These limits are necessarily a matter of degree. There must be a balance between cost and need at a time when the improvement would be useful. Not is it necessary that the improvements should be actually completed or even authorized. The power of Congress over commerce is not to be hampered because of the necessity for reasonable improvements to make an interstate waterway available for traffic. Improvements that may be entirely reasonable in a thickly populated, highly developed, industrial region may have been entirely too costly for the same region in the days of the pioneers. The changes in engineering practices or the coming of new industries with varying classes of freight may affect the type of the improvement. Although navigability to fix ownership of the river bed or riparian rights is determined, as of the formation of the Union in the original states of the admission to statehood of those formed later, navigability, for the purpose of the regulation of commerce, may later arise. (U.S. v. Appalachain Electric Power Co. 311 U.S. 377.)

b. NEW ENGLAND WATERS DECLARED NAVIGABLE BY THE CORPS OF ENGINEERS

| RIVER | HEAD OF NAVIGATION LOCATION | DIST. ABOVE MOUTH MILES | APPROVED BY CHIEF OF ENGINEERS | FILE NO. |
|---|---|---|---|---|
| Androscoggin, Me. & NH. | Brunswick | 3 | 6/23/31 | 5 |
| Annisquam, Mass | River & Canal Nav. thruout | | 6/19/31 | 13 |
| Bass, Mass. (Beverly Creek) | 880' ab. whf. af U.S. M. Company | 1.5 | 8/25/31 | 57 |
| Chandler, Me. | Jonesboro Mill Dam | 4.5 | 9/21/31 | 65 |
| Charles, Mass. | Watertown Dam | 9 | 7/21/31 | 42 |
| Chelsea River, Mass. | Slades Spice Mill Dam | 3 | 7/21/31 | 46 |
| Cocheco, N.H. | Dover | 3 | 6/17/31 | 11 |
| Concord, Mass. | Middlesex County Dam | 0.36 | 12/28/31 | 80 |
| Damaiscotta, Me. | Fixed RR Bridge | 17 | 9/21/31 | 62 |
| Danvers, Mass. | Navigable throughout | | 8/26/31 | 82 |
| Eastern, Me. | Rdway & Culvert 1 mile below E. Pittston | 10 | 10/08/31 | 73 |
| Essex, Mass. | RR br 1,000' ab. hwy br | 5 | 3/27/31 | 83 |
| Exeter, N.H. | Exeter | 8.3 | 6/17/31 | 14 |
| Georges, Me. | See St. George R. | | | |
| Harrington, Me. | Rdway & Culvert 1 mile ab Harrington Village | 6 | 10/31/31 | 71 |
| Ipswich, Mass. | Stone arch br. | 3.3 | 9/18/31 | 54 |
| Kennebec, Me. | Waterville, C of E doubtful | 62 | 1/15/32 | 82 |
| Kennebunk, Me. | Kennebunk Lndg. | 3 | 8/03/31 | 15 |
| Machias, Me. | Machias | | 6/17/31 | 16 |
| Malden, Mass. | Std Oil Whf. 200' ab. Med St. Br. | 1.4 | 7/21/31 | 44 |
| Madonak, Me. | First Fall ab. mo. | 7.2 | 10/26/31 | 74 |
| Merrimack, N.H. & Mass. | Town of Merr. 4 miles ab. mo. Nashua R. | 54.5 | 12/23/31 | 79 |
| Mystic, Mass. | Lower Mystic Lake, Med. & Arl. | 7 | 7/25/31 | 47 |
| Narraguagus, Me. | Lower dam at Cherryfield | 7.9 | 10/26/31 | 72 |
| Neponset, Mass. | Milton Lower Mills | 4 | 8/28/31 | 53 |
| New Meadow, Me. | Fixed bridge | 11.5 | 10/28/31 | 73 |
| North, Mass. | Stone Arch Br. Hanover Four Cor. | 12.5 | 9/8/31 | 80 |
| Parker, Mass | Low fixed br. 1 mile ab new Turn br. | 5.6 | 9/8/31 | 59 |
| Pemigewasset, N.H. | Non-navigable | | 6/23/31 | 5 |
| Penobscot, Me. | Bangor | 27 | 6/23/31 | 12 |
| Piscataqua, Me. & N.H. | Navigable throughout | | 6/17/31 | 12 |
| Pleasant, Me. | Columbia Falls | 9 | 7/22/31 | 23 |

| RIVERS | HEAD OF NAVIGATION LOCATION | DIST. ABOVE MOUTH MILES | APPROVED BY CHIEF OF ENGINEERS | FILE NO. |
|---|---|---|---|---|
| Powow, Mass. | Amesbury | | 6/23/31 | 5 |
| Presumpscot, Me. | Grand Trunk Rwy Br. | 1.7 | 6/22/31 | 26 |
| Royal, Me. | Yarmouth | 3 | 6/08/31 | 27 |
| Saco, Me. | Saco-Biddeford | 6 | 6/23/31 | 3 |
| St. George, Me. | Lower dam at Town of Warren | 18 | 10/22/31 | 76 |
| St. John, Me. & N.H. | Nav fr int bnd to NW & Sw brs | | 6/25/31 | 3 |
| Salmon Falls, Me. | Dam 1 mi. below town of Salmon Falls | 5.5 | 6/29/31 | 41 |
| Saugus, Mass. | Rdway & culvert across river | 5.86 | 8/18/31 | 61 |
| Sheepscot, Mass. | Hwy br at vill of Head Tide | 25 | 11/07/31 | 70 |
| Town, Mass. | 200' ab upriver end of Quincy Elec Lt Whf. | 1.6 | 6/18/31 | 56 |
| Union, Me. | Ellsworth | 3.8 | 6/08/31 | 24 |
| Weymouth Fore, Mass. | Old dam at East Braintree | 6.2 | 6/13/31 | 22 |
| Weymouth Back, Mass. | Mann's Wharf | 4 | 8/04/31 | 45 |
| York, Me. | Fixed Bridge | 4 | 8/62/31 | 49 |

VERMONT

| Body of Water | Navigable Distance Above Mouth |
|---|---|
| Dead Creek | 3.0 |
| Lamoille River | 6.0 |
| La Platte River | 0.2 |
| Lewis Creek | 1.2 |
| Little Otter Creek | 3.4 |
| Mallets Creek | 0.8 |
| Missiquoi River | 7.8 |
| Mud Creek | 0.8 |
| Otter Creek | 7.8 |
| Poultney River | 4.0 |

| Lake Champlain | Length of Channel or Sailing Course Miles |
|---|---|
| Main Channel | 175.1 |
| Appletree Bay | 1.3 |
| Burlington Bay | 3.0 |
| Button Bay | 0.8 |
| Cary Bay | 0.9 |
| City Bay | 0.5 |
| Converse Bay | 0.6 |
| Field Bay | 0.6 |
| Hibbard Bay | 0.6 |
| Keeler Bay | 2.4 |
| Kingsland Bay | 0.6 |
| Lapans Bay | 1.0 |
| Mallets Bay | 5.5 |
| Maquam Bay | 1.4 |
| McNeill Cove | 0.5 |
| Missiquoi Bay (Main Channel) | 13.5 |
| Chapman Bay | 0.3 |
| Charcoal Creek | 1.6 |
| Gander Bay | 0.5 |
| Goose Bay | 0.7 |
| Narrows Lake Champlain | 39.8 |
| Pelot Bay | 1.1 |
| Porter Bay | 0.6 |
| Ransom Bay | 0.8 |
| St. Albans Bay | 3.0 |

| | Length of Channel or Sailing Course Miles |
|---|---|
| Shellburne Bay | 3.5 |
| Thompsons Pt. Bay | 3.0 |
| Lake Memphremagog | |
| Main Channel | 9.1 |
| Derby Bay | 3.1 |
| Holbrook Bay | 0.5 |

CONNECTICUT

| Body of Water | Length of Channel Miles |
|---|---|
| Byram River | 1.1 |
| Porchester Harbor | 0.6 |

1907.3-2 U. S. Coast Guard Criteria to determine Navigability and waters declared navigable in New England (attached).

# CRITERIA USED BY COAST GUARD TO DETERMINE NAVIGABILITY

## Title 33, Chapter I -- Code of Federal Regulations

**§ 2.10-5 Navigable waters of the United States.**

(a) As used in the Federal Boating Act of 1958 (46 U.S.C. 527a and 527e), the act of April 25, 1940, as amended (46 U.S.C. 526u), the act of May 10, 1956 (46 U.S.C. 390b), and other laws, the term "navigable waters of the United States" shall be construed to mean those waters of the United States, including the territorial seas adjacent thereto, the general character of which is navigable, and which, either by themselves or by uniting with other waters, form a continuous waterway on which boats or vessels may navigate or travel between two or more States, or to or from foreign nations. A stream which otherwise conforms with the above definition would not change its navigable character because of the existence of natural or artificial obstructions such as falls, shallows, rapids, dams, or bridges.

(b) The Federal Government has the power to improve the navigable capacity of streams and declare such waters to be navigable waters of the United States in order to regulate the use thereof and navigation thereon. The erection of dams or other structures on navigable waters would not change their navigable character unless a clear intent to do so was manifested by the Congress under its authority to regulate commerce among the several States and with foreign nations. Statutory declarations by Congress and decisions pronounced by the Federal courts as to the navigability of specific waters are binding upon the Coast Guard.

**§ 2.10-10 Waters subject to the jurisdiction of the United States.**

(a) As used in section 2 of Title 14, U.S. Code, the term "waters subject to the jurisdiction of the United States", for the purpose of enforcement of navigation and vessel inspection laws and regulations administered by the Coast Guard, means the navigable waters of the United States, and the navigable

public waters of its territories and possessions.

§ 2.10–15 *State waters.*

(a) As contemplated by section 13 of the Federal Boating Act of 1958 (46 U.S.C. 527h), if State waters are navigable waters of the United States, the laws administered or enforced by the Coast Guard will also be enforced on such waters.

## Subpart 2.15—Availability of Determinations

§ 2.15–1 Coast Guard determinations.

(a) In the administration and enforcement of laws enacted by Congress the Coast Guard is frequently called upon to make determinations with respect to jurisdiction. It should be understood that such determinations represent the Coast Guard's views until the status of the waters is determined conclusively through judicial or legislative proceedings.

(b) Where no federal judicial proceeding or act of Congress has declared specific waters to be navigable waters of the United States or non-navigable waters of the United States, the Coast Guard when necessary will make a determination to ascertain its jurisdiction. When determining such jurisdiction incident to determining whether or not a particular body of water is a part of the navigable waters of the United States, the Coast Guard will apply the legal principles usually followed by Federal Courts, as set forth by the Supreme Court in such cases as The Daniel Ball (10 Wall. 55), 77 U.S. 557, The Montello (20 Wall. 430), 87 U.S. 431, the Economy Light and Power Company v. U.S. (256 U.S. 113) and U.S. v. Appalachian Electric Power Co. (311 U.S. 377).

§ 2.15–5 Determinations made by other Federal Agencies.

(a) Determinations made by other Federal Agencies for the purpose of defining the extent of their jurisdiction over a specific body of water or a segment thereof will be considered by the Coast Guard and given great weight in determining whether or not the Coast Guard has jurisdiction over such waters. Such determinations made by other Federal Agencies are not considered as binding on the Coast Guard.

§ 2.15–15 Procedures for making determinations.

(a) When a question arises as to whether or not a particular body of water or segment of a body of water is subject to Coast Guard jurisdiction in the administration and enforcement of navigation and vessel inspection laws, the matter will be determined by the Commandant, United States Coast Guard.

(b) The Coast Guard District Commander in whose district the body of water is located will submit to the Commandant (LMI) information as to the physical characteristics of the waterway under consideration, the nature and extent of its use, and a recommendation as to whether or not it should be considered as coming within the jurisdiction of the Coast Guard in the administration of the navigation and vessel inspection laws.

(c) After considering administrative determinations made by other Federal Agencies with respect to the body of water in question, and where necessary, after consulting with such agencies, the Commandant will determine whether or not such waterway is subject to Coast Guard jurisdiction.

[CGFR 61–53, 26 F.R. 12159, Dec. 20, 1961, as amended by CGFR 66–2, 31 F.R. 4956, Mar. 25, 1966; CGFR 69–04, 34 F.R. 2204, Feb. 14, 1969]

§ 2.15–20 Availability of determinations.

(a) The Coast Guard records setting forth determinations describing waters subject to Coast Guard jurisdiction are considered to be public records and the information will be made available upon oral or written request. The determinations made by the Commandant are available at Coast Guard Headquarters, and, for particular waters within a specific Coast Guard district, will be made available at the office of the Coast Guard District Commander. The application shall clearly state or describe the information desired, identify the applicant, set forth the interest of the applicant in the subject matter, the purpose for which the information is desired and whether or not the information is intended for use in prosecuting a claim against the United States.

## Subpart 2.20—Navigable Waters of the United States—General

§ 2.20–1 Listings.

(a) The listing of navigable waters of the United States in this part does not

purport to be a complete listing of such waters. There are numerous waterways which historically have been considered navigable waters of the United States and their listing in this part would serve no useful purpose. The waters listed are internal waters of the United States which have been the subject of determinations by the Coast Guard.

2.20-5 Navigable waterways generally.

(a) The waters of tha Atlantic and Pacific Oceans which comprise the territorial waters of the United States, the Mississippi River, the Potomac River, the Great Lakes, and many other prominent waterways are unquestionably navigable in fact and navigable in the constitutional sense. Therefore, such waters are by common knowledge considered to be navigable waters of the United States. All tidewaters whether salt of fresh which are navigable in fact are as a matter of law navigable waters of the United States.

(b) Sections 1-12 of Title 33, U.S. Code, set forth Acts of C ongress regarding navigable waters of the United States, and in the same sections in the United States Code Annotated are references to court decisions designating specific waters to be navigable waters. The Acts of Congress and Federal Court decisions contained in these referneces are binding on the Coast Guard.

(c) Navigable waters of the United States which have been the object of special determinations by the Coast Guard are enumerated in Subparts 2.21 et seq. Those waters, which the Coast Guard does not consider "navigable" for the purpose of assuming jurisdiction under certain navigation laws, are enumerated in Subpart 2.99. Lakes and reservoirs which may be situated on those waters are included in the determinations but are not necessarily listed separately. (CGFR 61-53, 26 F.R. 12159, Dec. 20, 1961, as amended by CGFR66-2, 31 F.R. 4956, Mar. 25, 1966)

Subpart 2.27 - Navigable Waters of the United States - Conn.

22.27-1 Connecticut River.
Connecticut River

(CGFR 64-80,29 FR.R 18162, Dec. 22, 1964)

Subpart 2.41 - Navigable Waters of the United States - Maine

2.41-1 Taunton Bay.
Taunton Bay

2.41-5 Salmon Falls River.
Salmon Falls River, including Milton Pond, Town House Pond and Northeast Pond, Known as Milton Three Ponds, and Horn Pond and Great East Lake.
(CGFR 62-29,27 F.R. 9724, Oct 2, 1962)

Subpart 2.43 - Navigable Waters of The United States - Massachusetts

2.43-1 Connecticut River
Connecticut River

(CGFR 64-80,29 F.R. 18162,Dec. 22 1964)

Subpart 2.68 - Navigable Waters of the United States Vermont

2.68-1 Connecitcut River
Connecticut River

(CGFR 64-80, 29 F.R. 18162,Dec. 22, 1964)

Subpart 2.51 - Navigable Waters of the United States-New Hampshire

2.51-1 Salmon Falls River.

Salmon Falls River, including Milton Pond, Town House Pond and Northeast Pond known as Milton Three Ponds, and Horn Pond and Great East Lake.

(CGFR 62-20,27 F.R. 9724, Oct.2, 1962)

2.51-5 Connecticut River

Connecitcut River.

(CGFR 64-80,29 F.R. 18162, Dec. 22, 1964)

1907.3-3 Streams Found Navigable in New England States By The Federal Power Commission and Project Licensed Farthest Upstream on Basis Of Navigable Waters

| Stream | State | Project | Approx. River Mile |
|---|---|---|---|
| W. Branch Penobscot and Penobscot | Maine | Ripogenus | 123 |
| Kennebec | Maine | Harris (Indian Pond) | 168 |
| Androscoggin | New Hampshire | Sawmill | 130 |
| Saco | Maine | Hiram | 46 |
| Presumscot | Maine | North Gorham | 22 |
| Connecticut | Vt., N.H. & Conn. | Moose | 345 |
| Squa Pan | Maine | Squa Pan Lake | 70 |
| Millinocket | Maine | Millinocket Lake | 7 |
| Aroostook | Maine | Caribou | 16 |
| Deerfield | Massachusetts | Searsburg | 70 |
| Shetucket | New Hampshire | Greenville | 16 |
| Pemigewassett and Merrimack | New Hampshire & Massachusetts | Ayers Island | 16 |
| Otter Creek | Vermont | Center Rutland | 70 |
| St. Croix | Maine | Vanceboro | 65 |
| Clyde | Vermont | West Charleston | 29 |
| Lamoille | Vermont | Fairfax Falls | 46 |

1907.4 It should be realized that the above determinations of navigability are based only on the opinion of the agency making the determination. Whether or not streches of particular waterways are part of the navigable waters of the United States is a question of fact to be decided by the courts based on the cability or suspectibility of the waterway being used for navigation in interstate or international commerce. An example of judicial navigability ruling follows:

## 1907.4-1 Example of Judicial Navigability Ruling

Excerpt From:

Pennsylvania Environmental v. Bartlett
(U.S. District Court, Middle District of Pennsylvania,
April 30, 1970, 1 ER 1281)

The Rivers and Harbors Act of 1899 provides, in pertinent part:

> "It shall not be lawful to construct or commence the construction of any bridge, dam, dike, or causeway over or in any port, roadstead, haven, harbor, canal, navigable river, or other navigable water of the United States until the consent of Congress to the building of such structures shall have been obtained and until the plans for the same shall have been submitted to and approved by the Secretary of the Army:. . . " 33 U.S.C. 401.

Defendants challenge any contention that the channel encroachment constitutes a "dike within the contemplation of Section 401 or that the Sinnemahoning Creek qualifies as a "navigable river, or other navigable water of the United States".

It is unnessary to reach the issue as to what Congress intended when it included the term "dike" in the same context with "bridge, dam, . . . or causway . . . ", but see Citizens Committee for the Hudson Valley v. Volpe, supra, at 1088-1089, because I think it is apparent that the First Fork of the Sinnemahoning Creek does not qualify as a navigable river or other navigable water of the United States. Plaintiffs bottom their navigability claim on a Pennsylvania Statuts, the Act of May 21, 1874, P. L. 299, which allegedly designates the First Fork as a "public highway" and the testimony of James Sproull that on April 19, 1970, he and two others paddled two kayak-type canoes on the Creek for a distance of 9 to 10 miles. He admitted scraping bottom on occasion, but stated that portions of his trip could have been navigated with an outboard motor.

In considering the question of navigability, we must start with the test announced in the Daniel Ball, 10 Wall 557 (1870):

> "Those rivers must be regarded as public navigable rivers in law which are navigable in fact. And they are navigable in fact when they are used, or are susceptible of being used, in their ordinary condition, as highways for commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water. And they constitute navigable waters of the United States within the meaning of the acts of Congress, in contradistinction from the navigable

> waters of the States, when they from in their ordinary condition by themselves, or by uniting with other waters, a continued highway over which commerce is or may be carried on with other States of Foreign countries in the customary modes in which such commerce is conducted by water."

Further, navigability does not depend on the particular mode in which such use is or may be had -- whether by steamboats, sailing vessels or flagboats -- nor on an absence of occasional difficulties in navigation, but on the fact, if it be a fact, that the stream in its natrual and ordinary condition affords a channel for useful commerce. United States v. Holt State Bank, 270 U.S. 49 (1926). It is not, however, ". . . every creek in which a fishing skiff or gunning canoe can be made to float at high water which is deemed navigable, but, in order to give it the character of a navigable stream, it must be generally and commonly useful to some purpose of trade or agriculture." The Montello 20 Wall 430, 442 (1874). The test of the Daniel Ball was refined in United States v. Appalachian Power Co., 311 U. S. 377 (1940), so that navigability would not be confined only to a consideration or the natural condition of the waterway, but would also involve the consideration of "feasibility of interstate use after reasonable improvements which might be made.: 311 U. S. at 409. A recent well-reasoned Court opinion holds that a stream is navigable if (1) it presently is being used or is suitable for use, or (2) it has been used or was suitable for use in the past, or (3) it could be made suitable for use in the future by reasonable improvements. Rochester Gas and Electric Corp. v. F.P.C., 344 F.2d 594 (2dCir 1965). "Although the rule on navigability has been at time liberalized, . . . none of the authoritative cases has liberalized the rule so as to indicate that mere pleasure fishing on a stream of water is such usage as would constitute navigability."

George v. Beavark, Inc., 402 F. 2d 977 (8th Cir. 1968). A review of the cases on this particular issue reveals a much more extensive potential use of the stream, either commercial or private, than has been shown here. Furthermore, the testimony is presuasive that in the summer months the low level of the stream would even preclude the use of canoes in the First Fork area. As a matter of fact, Earl R. Hooftallen, who lives in the region of the First Fork, testified that in July and August he can ". . . walk across the stream in my sneakers without getting my feet wet". With reference to the purpose of the Act of 1874, Dr. Maurice K Goddard testified that the First Fork was statutofily declared a logging operation and not as a determination of navigability. Even so, a holding of navigability under State law is not determinative of navigability under Federal law. State of Wisconsin v. F.P.C., 214 F.2d 334 (7th Cir. 1954). As was observed in George v. Beavarkm Inc., supra, at 979: "Such pastime (float fishing), however, standing alone is too fragile a basis to support a holding of legal navigability, absent any evidence of a channel

of useful purpose to trade or commerce." Consequently, I conclude that the First Fork of the Sinnemahoning Creek is not a navigable river or other navigable water of the United States, as those terms are used in the Rivers and Harbose Act of 1899,33 U.S.C. 401.

1907.5 In addition to declarations of navigability, Congress may declare waterways nonnavigable. According to Title 33, United States Code, Congress has declared the following waterways in New England partially or wholly nonnavigable:

A. Park River, Connecticut - a tributary to the Connecticut River.

B. Burr Creek, Bridgeport, Connecticut

C. Fort Point Channel and South Bay, Boston, Massachusetts

D. Acushnet River section of New Bedford and Fairhaven Harbor-north of the Coggeshall Street Bridge, Mass.

E. West River, West Haven, Connecticut

F. Back Cove, Portland, Maine - from 2500 feet upstream of Turkey Bridge to head of Back Cove

G. Brewery Street Channel, New Haven Conn.

H. Cedar Creek, Bridgeport, Conn.

I. Portions of Greenwich Harbor, Greenwich, Conn.

J. Portion of Fort Point Channel and inner harbor Boston, Boston, Mass.
Northern Avenue to U.S.C.G. Base lying between Atlantic Avenue and Harbor line.

# ANNEX X

## 2000 SCHEDULE OF DISPERSANTS AND OTHER CHEMICALS TO TREAT OIL SPILLS

### 2001 General

2001.1 This schedule shall apply to the navigable waters of the United States and adjoining shorelines, and the waters of the contiguous zone as defined in Article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

2001.2 This schedule applies to the regulation of any chemical as hereinafter defined that is applied to an oil spill.

2001.3 This schedule advocates development and utilization of mechanical and other control methods that will result in removal of oil from the environment with subsequent proper disposal.

2001.4 Relationship of the Environmental Protection Agency with other Federal agencies and State agencies in implementing this schedule: in those States with more stringent laws, regulations or written policies for regulation of chemical use, such State laws, regulations or written policies shall govern. This schedule will apply in those States that have not adopted such laws, regulations or written policies.

2002 Definitions. Substances applied to an oil spill are defined as follows:

2002.1 Collecting agents - include chemicals or other agents that can gell, sorb, congeal, herd, entrap, fix, or make the oil mass more rigid or viscous in order to facilitate surface removal of oil.

2002.2 Sinking agents - are those chemical or other agents that can physically sink oil below the water surface.

2002.3 Dispersing agents - are those chemical agents or compounds which emulsify, disperse or solubilize oil into the water column or act to further the surface spreading of oil slicks in order to facilitate dispersal of the oil into the water column.

2003 Collecting Agents. Collecting agents are considered to be generally acceptable providing that these materials do not in themselves or in combination with the oil increase the pollution hazard.

2004 Sinking Agents. Sinking agents may be used only in marine waters exceeding 100 meters in depth where currents are not predominately onshore, and only if other control methods are judged by EPA to be inadequate or not feasible.

2005 Authorities Controlling Use of Dispersants

2005.1 Regional response team activated: dispersants may be used in any place, at any time, and in quantities designated by the On-Scene Coordinator, when their use will:

**2005.1 - 1 in the judgment of the OSC, prevent or substantially reduce hazard to human life or limb or substantial hazard of fire to property;**

2005.1 - 2 in the judgment of EPA, in consultation with appropriate State agencies, prevent or reduce substantial hazard to a major segment of the population(s) of vulnerable species of waterfowl; and,

2005.1 - 3 in the judgment of EPA, in consultation with appropriate State agencies, result in the least overall environmental damage, or interference with designated uses.

2005.2 Regional response team not activated: provisions of Section 2005.1-1 shall apply. The use of dispersants in any other situation shall be subject to this schedule except in States where State laws, regulations, or written policies that govern the prohibition, use, quantity, or type of dispersant are in effect. In such States, the State laws, regulations or written policies shall be followed during the cleanup operation.

2006 Interim Restrictions on Use of Dispersants for Pollution Control Purposes. Except as noted in 2005.1, dispersants shall not be used:

2006.1 on any distillate fuel oil;

2006.2 on any spill of oil less than 200 barrels in quantity;

2006.3 on any shoreline;

2006.4 in any waters less than 100 feet deep;

2006.5 in any waters containing major populations, or breeding or passage areas for species of fish or marine life which may be damaged or rendered commercially less marketable by exposure to dispersant or dispersed oil;

2006.6 in any waters where winds and/or currents are of such velocity and direction that dispersed oil mixtures would **likely, in the judgment of EPA,** be carried to shore areas within 24 hours; or

2006.7 in any waters where such use may affect surface water supplies.

2007 Dispersant Use. Dispersants may be used in accordance with this schedule if other control methods are judged to be inadequate or infeasible, and if:

2007.1 information has been provided to EPA, in sufficient time prior to its use for review by EPA, on its toxicity, effectiveness and oxygen demand determined by the standard procedures published by EPA. [Prior to publication by EPA of standard procedures, no dispersant shall be applied, except as noted in Section 2005.1-1 in quantities exceeding 5 ppm in the upper 3 feet of the water column during any 24-hour period. This amount is equivalent to 5 gallons per acre per 24 hours.]; and

2007.2 applied during any 24-hour period in quantities not exceeding the 96 hour $TL_{50}$ of the most sensitive species tested as calculated in the top foot of the water column. The maximum volume of chemical permitted, in gallons per acre per 24 hours, shall be calculated by multiplying the 96-hour $TL_{50}$ value of the most sensitive species tested, in ppm, by 0.33; except that in no case, except as noted in Section 2005.1-1, will the daily application rate of chemical exceed 540 gallons per acre or one-fifth of the total volume spilled, whichever quantity is smaller.

2007.3 Dispersant containers are labeled with the following information:

2007.3 - 1 name, brand or trademark, if any, under which the chemical is sold;

2007.3 - 2 name and address of the manufacturer, importer or vendor;

2007.3 - 3 flash point;

2007.3 - 4 freezing or pour point;

2007.3 - 5 viscosity;

2007.3 - 6 recommend application procedure(s), concentration(s), and conditions for use as regards water salinity, water temperature, and types and ages of oils; and

2007.3 - 7 date of production and shelf life.

2007.4 Information to be supplied to EPA ON THE:

2007.4 - 1 chemical name and percentage of each component;

2007.4 - 2 concentrations of potentially hazardous trace materials, including, but not necessarily being limited to lead, chromium, zinc, arsenic, mercury, nickel, copper or chlorinated hydrocarbons;

2007.4 - 3 description of analytical methods used in determining chemical characteristics outlined in 2007.4-1, 2 above;

2007.4 - 4 methods for analyzing the chemical in fresh and salt water are provided to EPA or reasons why such analytical methods cannot be provided; and

2007.4 - 5 for purposes of research and development, EPA may authorize use of dispersants in specified amounts and locations under controlled conditions irrespective of the provisions of this schedule.

*NOTE:

In addition to those agents defined and described in Section 2002 above, the following materials which are not a part of this Schedule, with cautions on their use, should be considered:

1. Biological agents - those bacteria and enzymes isolated, grown and produced for the specific purpose of encouraging or speeding biodegradation to mitigate the effects of a spill. Biological agents shall be used to treat spills only when such use is approved by the appropriate State and local public health and water pollution control officials.

2. Burning agents - are those materials which, through physical or chemical means, improve the combustibility of the materials to which they are applied. Burning agents may be used and are acceptable so long as they do not in themselves, or in combination with the material to which they are applied, increase the pollution hazard and their use is approved by appropriate Federal, State and local fire prevention officials. *

# ANNEX XI

## 2100 Non-Federal Interests

### 2101 General Policy

2101.1 The policy of the Federal government is to respond to those spills in which cleanup is required and in which adequate action is not being taken by the responsible party or other entity.

### 2110 Planning and Preparedness

2110.1 The planning and preparedness functions incorporated in the Contingency Plans also apply to non-Federal resources. The State and local governments and private interests are to be encouraged to participate in Regional planning and preparedness functions.

2110.2 State and local governments should be encouraged to incorporate the pollution spill contingency plans into existing planning.

### 2120 Commitment

2120.1 Firm commitments for response personnel and other resources should be obtained from State and local governments. Response personnel and resources in each State are detailed in the appropriate sub-regional plan.

2120.2 State attendance at appropriate meetings of the RRT will be requested to participate in matters relating to their areas.

2120.3 Each State is invited to serve in an advisory capacity to the RRT when a spill occurs in their area. In addition, each state shall have full membership status on the Sub-RRT operating within their jurisdiction.

2120.4 State rules and regulations regarding the discharge of oil are included in the appropriate sub-regional plan.

2120.5 It is anticipated that Federal resources would only be used if the response requirements exceed the State and local capabilities. Whenever Federal resources are required, the predesignated OSC would monitor and be available to offer advice.

### 2130 Volunteers

2130.1 During some spill incidents, volunteers may present themselves wishing to aid in the cleanup. If such people make themselves present, the following procedures should be followed:

2130.1-1 If the polluter is known, and a representative of such is available, volunteers should be directed to him for deployment.

2130.1-2 If the polluter is not known or is not assuming responsibility, the engineer of the RESET team will coordinate the use of volunteers for beach cleanup and shore patrols.

## 2140 Scientific Response

2140.1 The scientific community can gather valuable information during spill situations. Liason should be established and maintained with the various institutions within each subregion. A listing of scientific institutions, the type of spills in which they would be interested and a method of alerting their community when appropriate, is contained in Tab E of each subregional plan.

# Annex XV

## 2500 TECHNICAL INFORMATION

### 2501 Technical Library

2501.1 A technical library of pertinent pollution control technical documents will be maintained in the NRC and in each RRC. Such information should be useful as reference information to the experienced OSC and instructional to less experienced personnel:

### 2502 Specific References

2502.1 As a minimum the following reference documents will be maintained in the NRC and in each RRC technical library.

2502.1-1 Current National **Oil and Hazardous Materials** Pollution Contingency Plan.

2502.1-2 Current Regional Oil and Hazardous Materials Pollution Contingency Plan.

2502.1-3 Oil and Hazardous Materials, Emergency Procedures in the Water Environment. (USDOI, **FWQA, CWR-10-1)**

2502.1-4 Chemical Data Guide for Bulk Shipment by Water (U.S. Coast Guard CG-388).

2502.1-5 Oil Spillage Study Literature Search and Critical Evaluation for Selection of Promising Techniques to Control and Prevent Damage (Battelle Northwest, November 1967).

2502.1-6 U. S. Corps of Engineers' Regulations ER 500-1-1 and ER 500-1-8 Emergency Employment of Army Resources (Natural Disaster Activities).

2502.1-7 Natural Disaster Manual for State and Local Applicants (OEP Circular 4000.4A,1968).

2502.1-8 Handbook for Federal Agency Inspectors (OEP Circular 4000.6A February 1969).

2502.1-9 Handbook of Toxicology (National Academy of Sciences/ National Research Council).

2502.1-10 Character and Control of Sea Pollution by Oil (American Petroleum Institute, October 1963).

2502.1-11 Manual for the Prevention of Water Pollution During Marine Oil Terminal Transfer Operations (American Petroleum Institute, 1964).

2502.1-12 46 CFR-146, Transportation or Storage of Explosives or other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels.

2502.1-13 33 CFR, 3, 6, 121, 122, 124-6. Security of Vessels and Waterfront Facilities (USCG CG 239).

2502.2 In addition to this minimum library, additional technical information of a pertinent nature will be maintained in each RRC library. Such items as State or local Pollution Control Contingency Plans and disaster or other plans may be included.

## 2503 Definitions of Terms

2503.1 API GRAVITY: An empirical scale for measuring the density of liquid petroleum products, the unit being called the "degree API".

2503.2 ASH: Inorganic residue remaining after ignition of combustible substances determined by definite prescribed methods.

2503.3 ASPHALTS: Black, solid or semisolid bitumens which occur in nature or are obtained as residues during petroleum refining.

2503.4 BILGE OIL: Waste oil which accumulates, usually in small quantities, in the lower spaces in a ship, just inside the shell plating. Usually mixed with larger quantities of water.

2503.5 BLOWOUT: A sudden violent escape of gas and oil from an oil well when high pressure gas is encountered and preventive measures have failed.

2503.6 BOILING POINT: The temperature at which the vapor pressure of a liquid is equal to the pressure of the atmosphere.

2503.7 BUNKER "C" OIL: A general term used to indicate a heavy viscous fuel oil.

2503.8 BUNKER FUEL: A general term for heavy oils used as fuel on ships and in industry. It often refers to No. 5 and 6 fuel oils.

2503.9 BUNKERING: The process of fueling a ship.

2503.10 COKER FEED (OR FUEL): A special fuel oil used in a coker furnace, one of the operating elements of a refinery.

2503.11 CONVERSION TABLES:

| Knowing | Multiply by factor below to obtain | | | | |
|---|---|---|---|---|---|
| | Gallon U.S. | Barrel U.S. | Gallon Imperial | Cubic Feet | Litre |
| Gallon (U.S.) | 1.000 | 0.023810 | 0.83268 | 0.13368 | 3.7853 |
| Barrel | 42.0* | 1.0000 | 34.9726 | 5.6146 | 158.984 |
| Gallon (Imp.) | 1.2009 | 0.02859 | 1.000 | 0.1605 | 4.546 |
| Cubic Feet | 7.4805 | 0.1781 | 6.2288 | 1.000 | 28.316 |
| Litres | 0.2641 | 0.00629 | 0.2199 | 0.03532 | 1.000 |

| | Pound | Ton (Short) | Ton (Long) | Ton (Metric) |
|---|---|---|---|---|
| Pounds | 1.00 | 0.00050 | 0.000446 | 0.00045359 |
| Ton (Short) | 2000.0* | 1.0000 | 0.89286 | 0.90718 |
| Ton (Long) | 2240.0* | 1.120 | 1.0000 | 1.0160 |
| Ton (Metric) | 2204.6 | 1.1023 | 0.98421 | 1.000 |

One Hectolitre equals 100 Litre.
One Ton (Metric) equals 1000 Kilograms.
Conversions marked (*) are exact by definition.

2503.12 APPROXIMATE CONVERSIONS:

| Material | Barrels per Ton (long) |
|---|---|
| crude oils | 6.7 - 8.1 |
| aviation gasolines | 8.3 - 9.2 |
| motor gasolines | 8.2 - 9.1 |
| kerosenes | 7.7 - 8.3 |
| gas oils | 7.2 - 7.9 |
| diesel oils | 7.0 - 7.9 |
| lubricating oils | 6.8 - 7.6 |
| fuel oils | 6.6 - 7.0 |
| asphaltic bitumens | 5.9 - 6.5 |

(As a general rule-of-thumb use 6.5 barrels or 250 gallons per ton of oil.)



442-907 O - 71 - 6

2503.13 CRUDE OIL: Petroleum as it is extracted from the earth. There may be several thousands of different substances in crude oil some of which evaporate quickly, while others persist indefinitely. The physical characteristics of crude oils may vary widely. Crude oils are often identified in trade jargon by their regions of origin. This identification may not relate to the apparent physical characteristics of the oil. Commercial gasoline, kerosene, heating oils, diesel oils, lubricating oils, waxes, and asphalts are all obtained by refining crude oil.

2503.14 DEMULSIBILITY: The resistance of an oil to emulsification, or the ability of an oil to separate from any water with which it is mixed. The better the demulsibility rating, the more quickly the oil separates from water.

2503.15 DENSITY: Density is the term meaning the mass of a unit volume. Its numerical expression varies with the units selected.

2503.16 EMULSION: A mechanical mixture of two liquids which do not naturally mix as oil and water. Water-in-oil emulsions have the water as the internal phase and oil as the external. Oil-in-water emulsions have water as the external phase and the internal phase is oil.

2503.17 FIRE POINT: The lowest temperature at which an oil vaporizes rapidly enough to burn for at least 5 seconds after ignition, under standard conditions.

2503.18 FLASH POINT: The lowest temperature at which an oil gives off sufficient vapor to form a mixture which will ignite, under standard conditions.

2503.19 FRACTION: Refinery term for a product of fractional distillation having a restricted boiling range.

2503.20 FUEL OIL GRADE: Numerical ratings ranging from 1 to 6. The lower the grade number, the thinner the oil is and the more easily it evaporates. A high number indicates a relatively thick, heavy oil. No. 1 and 2 fuel oils are usually used in domestic heaters, and the others are used by industry and ships. No. 5 and 6 oils are solids which must be liquified by heating. Kerosene, coal oil, and range oil are all No. 1 oil. No. 3 fuel oil is no longer used as a standard term.

2503.21 INNAGE: Space occupied in a product container.

2503.22 IN PERSONEM: An action in personem is instituted against an individual, usually through the personal service of process, and may result in the imposition of a liability directly upon the person of a defendent.

2503.23 IN REM: An action in rem is one in which the vessel or thing itself is treated as offender and made defendant without any proceeding against the owners or even mentioning their names. The decree in an action in rem is enforced directly against the res by a condemnation and sale thereof.

2503.24 LOAD ON TOP: A procedure for ballasting and cleaning unloaded tankers without discharging oil. Half of the tanks are first filled with seawater while the others are cleaned by hosing. Then oil from the cleaned tanks, along with oil which has separated out in the full tanks, is pumped into a single slop tank. The clean water in the full tanks is then discharged while the freshly-cleaned tanks are filled with seawater. Ballast is thus constantly maintained.

2503.25 OIL FILMS: A slick thinner than .0001 inch and may be classified as follows:

| standard term | gallons of oil per square mile | appearance |
|---|---|---|
| "barely visible" | 25 | barely visible under most favorable light conditions |
| "silvery" | 50 | visible as a silvery sheen on surface water |
| "slightly colored" | 100 | first trace of color may be observed |
| "brightly colored" | 200 | bright bands of color are visible |
| "dull" | 666 | colors begin to turn dull brown |
| "dark" | 1332 | much darker brown |

Note: Each one-inch thickness of oil equals 5.61 gallons per square yard or 17,378,709 gallons per square mile.

2503.26 OUTAGE: Space left in a product container to allow for expansion during temperature changes it may undergo during shipment and use. Measurement of space not occupied.

2503.27 pH: Term used to express the apparent acidity or alkalinity of aqueous solutions; values below 7 indicate acid solutions and values above 7 indicate alkaline solutions.

2503.28 POUR POINT: The lowest temperature at which an oil will flow or can be poured under specified conditions of test.

2503.29 RESIDUAL OIL: A general term used to indicate a heavy viscous fuel oil.

2503.30 SCUPPERS: Openings around the deck of a vessel which allow water falling onto the deck to flow overboard. Should be plugged during fuel transfer.

2503.31 SLUDGE OIL: Muddy impurities and acid which have settled from a mineral oil.

2503.32 SPECIFIC GRAVITY: The ratio of the weight of a given volume of the material at a stated temperature to the weight of an equal volume of distilled water at a stated temperature.

2503.33 SPONTANEOUS IGNITION TEMPERATURE: (S.I.T.): The temperature at which an oil ignites of its own accord in the presence of air oxygen under standard conditions.

2503.34 STOKE: The unit of kinematic viscosity.

2503.35 TONNAGE: There are various tonnages applied to merchant ships. The one commonly implied is gross tonnage although in these days tankers and other bulk-carriers are often referred to in terms of deadweight.

2503.35-1 Gross tonnage. 100 cubic feet of permanently enclosed space is equal to one gross ton--nothing whatever to do with weight. This is usually the registered tonnage although it may vary somewhat according to the classifying authority or nationality.

2503.35-2 Net tonnage. The earning capacity of a ship. The gross tonnage after deduction of certain spaces, such as engine and boiler rooms, crew accommodation, stores, equipment etc. Port and harbor dues are based on this tonnage.

2503.35-3 Displacement tonnage. The actual weight in tons, varying according to whether a vessel is in light or loaded condition. Warships are always spoken of by this form of measurement.

2503.35-4 Deadweight tonnage. The actual weight in tons of cargo, stores, etc. required to bring a vessel down to her load line, from the light conditon. Cargo deadweight is, as its name implies, the actual weight in tons of the cargo when loaded, as distinct from stores, ballast, etc.

2503.36 ULLAGE: The amount by which a tank or vessel lacks being filled. (See also OUTAGE)

2503.37 VISCOSITY: The property of liquids which causes them to resist instantaneous change of shape, or instantaneous re-arrangement of their parts, due to internal friction. The resistance which the particles of a liquid offer to a force tending to move them in relation to each other. Viscosity of oils is usually expressed as the number of seconds at a definite temperature required for a standard quantity of oil to flow through a standard apparatus.

2503.38 VISCOUS: Thick, resistant to flow, having a high viscosity.

2503.39 VOLATILE: Evaporates easily.

Annex XX

## 3000 Subregional Contingency Plans

3000.1 Subregional Contingency Plans are provided under separate cover.