


**REGION
IX
OIL
&
HAZARDOUS
SUBSTANCE
POLLUTION
CONTINGENCY
PLAN**

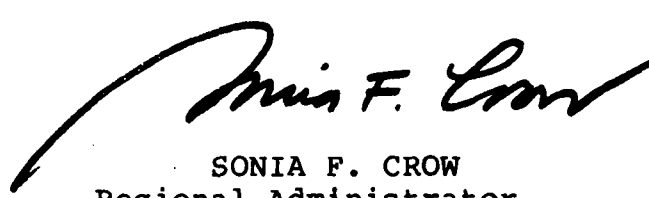


LETTER OF PROMULGATION

From: Co-Chairpersons, Region 9 Response Team
To: Distribution
Subject: Region 9 Oil and Hazardous Substances Pollution
Contingency Plan, Revised December 1982.

1. The Region 9 Oil and Hazardous Substances Pollution Contingency Plan, revised December 1982, is effective upon receipt.
2. The Region 9 Oil and Hazardous Substance Pollution Contingency Plan, revised May 1979, is hereby cancelled.
3. The plan shall remain in effect until superseded.
4. Procedures for amendments are contained in Section 502 of the plan.
5. This plan is a non-registered, unclassified publication. Extracts may be made.
6. Comments and recommendations concerning this plan are invited and should be addressed to Commander (mepps), Twelfth Coast Guard District, Government Island, Alameda, CA 94501.


C.E. LARKIN
Vice Admiral, U. S. Coast Guard
Commander, Coast Guard Pacific Area


SONIA F. CROW
Regional Administrator
EPA Region 9

RECORD OF AMENDMENTS

Amendment Number	Entered By	Date Entered
Errata Sheet	W. Lewis	19 Jan 83

TABLE OF CONTENTS

Letter of Promulgation.....	i
Record of Amendments.....	ii
Table of Contents.....	iii
List of Effective Pages.....	iv,v
Correction Sheet.....	vi

Executive Summary

100 Introduction	1
200 Policy and Responsibility	6
300 Planning and Response Organization	9
400 Coordinating Instructions	26
500 Procedure for Updating the Regional Plan and Annexes	35

Annexes

I	-	1100 Distribution	
II	-	1200 Regional Response Team	
III	-	1300 Regional Response Center	
IV	-	1400 Geographical Boundries	
V	-	1500 Notifications, Communications and Reports	
VI	-	1600 Public Information	
VII	-	1700 Legal Authorities	
VIII	-	1800 Documentation for Enforcement and Cost Recovery	
IX	-	1900 Funding	
X	-	2000 Cleanup Techniques and Policies	
XI	-	2100 Arrangements for Participation of Non-Federal Groups	
XII	-	2200 Interagency Support Agreements/Arrangements	
XIII	-	2300 State Contingency Plans	
XIV	-	2400 Multi-national Contingency Plans	
XV	-	2500 Regional Data Base	
XVI	-	2600 Local Contingency Plans	
XVII	-	2700 Training and Drills	
XVIII	-	2800 Disposal	
XIX	-	2900 FWPCA, CERCLA	
XX	-	3000 National Contingency Plan (Distributed Under Separate Cover)	
XXI	-	3100 Index of Other Relevant Operations/Contingency Plans	

Associated Local Contingency Plans (Distributed under seperate cover)

- a. San Diego Area Local Contingency Plan
- b. Los Angeles/Long Beach Area Local Contingency Plan (includes Santa Barbara)
- c. San Francisco Area Local Contingency Plan (Includes Monterey and Humboldt Bay)
- d. EPA Inland Area Region IX - Local Contingency Plan
- e. Hawaii Area Local Contingency Plan

List of Effective Pages

Letter of Promulgation	(i)	ORIGINAL
Record of Amendments	(ii)	ORIGINAL
Table of Contents	(iii)	ORIGINAL
List of Effective Pages	(iv-v)	ORIGINAL
Correction Sheet	(vi)	ORIGINAL
Executive Summary	(1-35)	ORIGINAL
 Annex I	 (I-1)	 ORIGINAL
 Annex II	 (II-1)	 ORIGINAL
TAB A	(II-A-1)-(II-A-12)	ORIGINAL
TAB B	(II-B-1)-(II-B-12)	ORIGINAL
TAB C	(II-C-1)-(II-C-2)	ORIGINAL
 Annex III	 (III-1)	 ORIGINAL
 Annex IV	 (IV-1)-(IV-13)	 ORIGINAL
 Annex V	 (V-1)-(V-7)	 ORIGINAL
 Annex VI	 (VI-1)-(VI-2)	 ORIGINAL
 Annex VII	 (VII-1)-(VII-5)	 ORIGINAL
 Annex VIII	 (VIII-1)-(VIII-5)	 ORIGINAL
 Annex IX	 (IX-1)-(IX-8)	 ORIGINAL
 Annex X	 (X-1)-(X-5)	 ORIGINAL
TAB A	(X-A-1)-(X-A-2)	ORIGINAL
TAB B	(X-B-1)	ORIGINAL
 Annex XI	 (XI-1)-(XI-2)	 ORIGINAL
 Annex XII	 (XII-1)	 ORIGINAL
TAB A	(XII-A-1)-(XII-A-4)	ORIGINAL
TAB B	(XII-B-1)-(XII-B-4)	ORIGINAL
TAB C	(XII-C-1)-(XII-C-5)	ORIGINAL
TAB D	(XII-D-1)-(XII-D-2)	ORIGINAL
TAB E	(XII-E-1)-(XII-E-3)	ORIGINAL
TAB F	(XII-F-1)-(XII-F-6)	ORIGINAL
TAB G	(XII-G-1)-(XII-G-11)	ORIGINAL
TAB H	(XII-H-1)-(XII-H-2)	ORIGINAL
 Annex XIII	 (XIII-1)	 ORIGINAL
 Annex XIV	 (XIV-1)	 ORIGINAL
TAB A	(XIV-A-1)-(XIV-A-13)	ORIGINAL
 Annex XV	 (XV-1)	 ORIGINAL

Annex XVI	(XVI-1)-(XVI-2)	ORIGINAL
Annex XVII	(XVII-1)	ORIGINAL
Annex XVIII	(XVIII-1)-(XVIII-5)	ORIGINAL
TAB A	(XVIII-A-1)	ORIGINAL
TAB B	(XVIII-B-1)-(XVIII-B-19)	ORIGINAL
Annex XIX	(XIX-1)	ORIGINAL
Annex XX	(XX-1)-(XX-19)	ORIGINAL
Annex XXI	(XXI-1)	ORIGINAL

CORRECTION SHEET FOR REGION IX

Please indicate any mistakes, additions, or deletions to your agency on this page and return to:

Commander (mepps)
Twelfth CG District
Government Island
Alameda, CA 94501
Phone: 415-273-7211

1. Name of your agency:

2. Complete address:

3. Representative's Name:

a. Rep. Title:

b. Rep. Office Phone:

c. Rep. Home or 24-hr Phone:

4. Alternate's Name:

a. Alt. Title:

b. Alt. Office Phone:

c. Alt. Home Phone:

5. Any additional comments:

100 INTRODUCTION

101 AUTHORITY

101.1 The Federal Water Pollution Control Act as amended by the Clean Water Act of 1977, (CWA) (33 USC 1321 et. seq.) and the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA) (46 USC 4605) states that the President shall prepare and publish a National Contingency Plan for removal of oil and hazardous substances. Such a plan shall provide for efficient, coordinated and effective action to minimize damage from oil discharges or hazardous substance releases. Accordingly, the Environmental Protection Agency developed the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300).

101.2 The NCP calls for the establishment of a nationwide system of regional contingency plans. This plan is part of that system and encompasses Standard Federal Region IX.

101.3 The NCP and this plan require a regionwide net of Local Contingency Plans. Predesignated On Scene Coordinators (OSC) have prepared such plans for their zones of responsibility. Local Plans include data on vulnerable resources, potential pollution sources, cleanup equipment, marine and related environmental features and other information that will allow the On Scene Coordinator to quickly plan and organize his response to a pollution incident. Though published separately, the Local Plans for Region IX are considered attachments to this plan.

102 PURPOSE AND OBJECTIVES

This plan provides for a pattern of coordinated and integrated response by agencies of the Federal, State, and local governments to pollution incidents. It establishes a Regional Response Team, and local response teams. This plan promotes the coordination of Federal, State, and local response systems and encourages the development of capabilities by both local government and private interests to handle or prevent pollution incidents.

103 SCOPE

103.1 This Plan is effective for all inland waters, adjoining shorelines, waters of the contiguous zone and territorial sea, and those waters related to activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act or containing resources under the exclusive management authority of the United States as applies to discharges of oil. The plan applies to releases or substantial threats of releases of hazardous substances or pollutants or contaminants which may present an imminent and substantial danger to public health or welfare or to any environmental media. Within the framework of Region IX there are two major geographic zones of responsibility:

1. Region IX-Mainland (California, Nevada, and Arizona)
2. Region IX-Oceania (Hawaiian Islands, Guam, the Trust Territories, and the Commonwealth of the Northern Marinas Island)

103.2 The provisions of this plan are applicable to all Federal Agencies. This plan is based upon the NCP and may be complemented by Federal interagency and local assistance plans and agreements.

103.3 This plan is compatible with and complementary to the Joint United States-Mexico Plan.

104 ABBREVIATIONS

104.1 Abbreviations as used in the NCP are used in this Plan without change.

104.2 General abbreviations-Regionwide:

- a. Department and Agency Title abbreviations.
COE U.S. Army Corps of Engineers
 - 1. CDC - Center for Disease Control
 - 2. DOC - Department of Commerce
 - 3. DOD - Department of Defense
 - 4. DOE - Department of Energy
 - 5. DOI - Department of Interior
 - 6. DOJ - Department of Justice
 - 7. DOL - Department of Labor
 - 8. DOS - Department of State
 - 9. DOT - Department of Transportation
 - 10. EPA - Environmental Protection Agency
 - 11. FEMA - Federal Emergency Management Agency
 - 12. HHS - Department of Health and Human Services
 - 13. FWS - Fish and Wildlife Service
 - 14. NIOSH - National Institute for Occupational Safety and Health
 - 15. NMFS - National Marine Fisheries Service
 - 16. NOAA - National Oceanic and Atmospheric Administration
 - 17. OSHA - Occupational Safety and Health Administration
 - 18. USCG - U. S. Coast Guard
 - 19. USDA - United States Department of Agriculture
- b. Operational title abbreviations:
 - 1. ERT - Environmental Response Team
 - 2. FCO - Federal Coordinating Officer
 - 3. NRC - National Response Center

4. NRT - National Response Team
 5. NSF - National Strike Force
 6. OSC - On Scene Coordinator
 7. PAAT - Public Affairs Assist Team
 8. PIAT - Public Information Assist Team
 9. RRC - Regional Response Center
 10. RRT - Regional Response Team
 11. SSC - Scientific Support Coordinator
- c. Other:
1. CHRIS - Chemical Hazard Response Information System
 2. OCS - Outer Continental Shelf
 3. PIRS - Pollution Incident Reporting System
 4. TCC - Transportation Communications Center (a self contained sustaining portable communications center)
 5. SKIM - Spill cleanup inventory system (a Coast Guard maintained data base listing equipment and resources)

104.3 General Abbreviations - California

1. CA F&G - California Department of Fish and Game
2. CBI - Clean Bay Incorporated - An Industry Co-op serving the San Francisco Bay area.
3. CCW - Clean Coastal Waters - An Industry Co-op serving the coastal/harbor area south of Point Dume.
4. CS - Clean Seas - An Industry Co-op serving the Santa Barbara area
5. DOHS - California Department of Health Services
6. HB-SC - Humboldt Bay Oil Spill Cooperative - An Industry Co-op serving the Humboldt Bay area.
7. PSL-EBRT - Port San Luis - Estero Bay Response Team - An Industry Co-op serving the Estero Bay area.
8. RWQCB - Regional Water Quality Control Board.

104.4 General abbreviations - Hawaii

1. C & C Honolulu - City and County of Honolulu Government.
2. C.I.C. - Clean Islands Council, an Industry Co-op serving the Hawaiian Islands

104.5 General abbreviations - Guam

1. GOVGUAM - Government of Guam
2. GEPA - Guam (EPA) Environmental Protection Agency
3. P.W. - Public Works
4. P.S. - Public Safety (Police)
5. COMPORT - Commercial Port of Guam
6. G.P.A. - Guam Power Authority
7. G.T.A. - Guam Telephone Authority
8. GEDA - Guam Economic Development Association
9. GORCO - Guam Oil Refinery Company
10. DILCO - Dillingham Corporation of Guam
11. MARSEC - Marianas Section, U. S. Coast Guard

104.6 General abbreviations - Trust Territories of the Pacific Islands (TTPI)

1. HICOM - High Commissioner of T.T.P.I. (Same as Commissioner below)
2. T.T.H.Q. - Headquarters Trust Territory Government located on Capital Hill, Saipan, CNMI

105 DEFINITIONS

105.1 Definitions as used in the NCP are used in this plan without change.

105.2 The following are additional definitions used in this plan.

1. Harmful Quantity of Oil - is a discharge of oil that violates applicable water quality standards, or that causes a film or sheen or discoloration upon the surface of the water or adjoining shorelines or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

2. Reportable Quantity of Hazardous Substance - are predetermined quantities of specific substances determined to be hazardous by the EPA and listed in 40 CFR Part 117, and other quantities as defined by Section 102 of CERCLA (42 USC 9602). These substances in the quantities specified require notification to the cognizant Federal agency.
3. Navigable Waters - are waters as defined in Section 502.(7) of the Clean Water Act, and includes (1) all navigable waters of the United States, as defined in current judicial decisions, and tributaries of such waters; (2) interstate waters; (3) intrastate lakes, rivers, and streams which are utilized by interstate travelers for recreational or other purposes; and (4) intrastate lakes, rivers, and streams from which fish or shell fish are taken and sold in interstate commerce.
4. Waters of the United States - Includes not only the more traditionally recognized "Navigable Waters" but all streams, creeks, lakes, and ponds tributary thereto, upstream to their various sources; and storm drains whose discharges are not processed through treatment plants; and waters of the U. S. Lakes and ponds not part of the tributary system; or waters of the U. S. when the Federal Government may exercise constitutionally authorized powers over them.

105.3 General Definitions - Trust Territory of the Pacific Islands (TTPI)

1. Commissioner - Governor of the T.T.P.I. under D.O.I appointed by the United States President. Authority of the Commissioner does not extend to governments of CNMI.

200 POLICY AND RESPONSIBILITY

201 POLICY

201.1 "The Congress has declared that it is the policy of the United States that there should be no discharge of oil or hazardous substances into or upon the waters of the United States, the adjoining shorelines or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Fishery Conservation and Management Act of 1976.)." Section 311 (b)(1) of the CWA. Section 104 of CERCLA documents the intent of Congress to provide for removal or remedial action or other response measures consistent with the NCP whenever any hazardous substance or any pollutant or containment which may present an imminent and substantial danger to the public health or welfare is released or threatens to be released into the environment.

201.2 The primary thrust of this Plan is to provide a coordinated Federal response capability at the scene of an unplanned or sudden, and usually accidental, discharge of oil or hazardous substance that poses a threat to the public health or welfare. Initial actions taken by the Federal OSC shall be to determine in accordance with Section 311 (c)(1) of CWA or Section 104 (a)(1) of CERCLA, if the actions taken by the person responsible for the discharge or potential discharge of oil or hazardous substance are proper to remove the discharge or threat. The OSC should, if practicable, insure that the person responsible for the discharge or threat is aware of his * responsibility and is encouraged to undertake necessary countermeasures. In the event that the person responsible for the discharge or threat does not act promptly, does not take or propose to take proper and appropriate actions to remove the discharged pollutants or mitigate the threat of pollution, or if the person responsible for the discharge or potential discharge is unknown, further Federal response actions shall be instituted as required in accordance with this Plan. When the person responsible for the discharge or potential discharge is taking proper action, the OSC shall observe and monitor progress, and provide advice, counsel, and logistical support as may be necessary.

201.3 Federal policy has been extended by the intervention of the High Seas Act to include taking action on the high seas when the Commandant of the Coast Guard declares a grave and imminent danger exists to the coastline or related interests of the U. S. from pollution or the threat of pollution.

201.4 In accordance with section 311(d) of the Act, whenever a marine disaster in or upon the navigable waters of the United States has created a substantial threat of a pollution hazard to the public health or welfare, because of a discharge or an imminent discharge of large quantities of oil or a hazardous substance from a vessel, the United States may: (coordinate and direct all public and private efforts directed at the removal or elimination of such threat; and (2) summarily remove and, if necessary, destroy such vessel by whatever means are available without regard to any provisions of law governing the employment of personnel or the expenditure of appropriated funds. This authority has been delegated under Executive Order 11735 to the

* (use of pronoun throughout is intended to be indiscriminate and a matter of convenience)

Administrator of EPA and the Secretary of the Department in which the Coast Guard is operating, respectively, in and for the waters for which each has responsibility to furnish or provide the OSC under this Plan.

201.5 In addition to any other actions taken by a State or local government, when the Administrator of EPA or the Secretary of the Department in which the Coast Guard is operating determines there is an imminent and substantial threat to the public health and welfare because of an actual or threatened discharge of oil into or upon the waters of the United States from any onshore or offshore facility, or release of a hazardous substance to the environment, he may require, through the Attorney General, that the U.S. Attorney of the district in which the threat occurs secure the relief necessary to abate the threat. The NRT may request the EPA or the USCG to exercise this authority.

201.6 Response actions to remove discharges originating from Outer Continental Shelf Lands Act operations shall be in accordance with the August 1971 Memorandum of Understanding between DOI and DOT concerning respective responsibilities under this Plan.

202 MULTI-NATIONAL POLICY

202.1 The appropriate U.S. and Mexican agencies will cooperate as fully as possible to respond expeditiously to pollution incidents that effect or threaten to effect both parties.

202.2 It is recognized that good across-the-border communication is vital to successful joint response and removal operations. Any pollution incident which presents a potential threat to the other party shall be reported promptly to the appropriate agency of that party in accordance with the Joint United States-Mexico Plan.

202.3 In a response situation which applies to the Joint Plan, the designated agencies shall make available any resources which may be on hand and used for joint response operations, subject to commitments in their national areas. In addition, each party shall have available a mechanism by which private sectors may be brought to bear to achieve a successful outcome and to a joint response operation. That success will be a function of the cooperation between the two nations.

203 FEDERAL RESPONSIBILITY

203.1 To implement Federal policy, Federal agencies have responsibilities, established by statute, to respond to an oil discharge or hazardous substance release. Subpart B of the NCP outlines the specific responsibilities of each agency.

203.2 All Federal agencies are responsible for minimizing the occurrence of discharges and for developing the capability to respond promptly in cases of discharges from facilities they operate or supervise, and for making resources available for Regional spill response operation. Participating agencies have the following additional responsibilities: to lead all Federal agencies in developing programs to minimize environmental damage from pollution incidents; to develop the capability for rapid coordinated response to any pollution incidents; to provide representatives to the RRT; to advise the RRT and OSC; to keep the RRT informed of changes in the availability of resources affecting the operation of this plan.

204 NON-FEDERAL RESPONSIBILITY

204.1 Federal responsibility is not all inclusive with respect to oil discharges and hazardous substance release response. The states of Region IX and many local agencies have passed laws, developed contingency plans and assumed responsibilities consistent with the mitigation of oil discharges and hazardous substances releases.

204.2 Industry groups have committed resources for response through organized spill cooperatives.

204.3 The States of Arizona, Nevada, Hawaii, and California have committed resources for response operations through State oil and hazardous substance contingency plans. In addition, they have designated representatives to the RRT.

1. In California, State response operations are supervised by the Department of Fish and Game for off highway incidents and California Highway Patrol for incidents involving State Highways.
2. In Nevada, State response operations are supervised by the Nevada Civil Defense and Disaster Agency.
3. In Arizona, State response operations are supervised by the State Department of Health Services.
4. In Hawaii, State response operations are supervised by the Civil Defense division of the State Department of Defense.
5. In Guam, Territorial response operations are supervised by the Guam Environmental Protection Agency.

300 PLANNING AND RESPONSE ORGANIZATION

301 SPILL RESPONSE ACTIVITY AND COORDINATION - GENERAL

For pollution response activities, Federal On-Scene Coordination is accomplished through a single predesignated agent, the OSC. He reports to and receives advice from an RRT. Generally the OSC for the coastal zone is from the U. S. Coast Guard and for the inland waters from the EPA. Immediate removal action concerning releases or threat of releases at "hazardous waste management facilities" will be monitored or directed by EPA in both inland and coastal areas, except in cases when the USCG OSC determines that action must be taken pending arrival on scene of the EPA OSC. DOD will furnish OSC with respect to releases or discharges from DOD facilities. Minerals Management Service will provide OSC for spills within 500 meters of an offshore drilling platform.

302 REGIONAL RESPONSE TEAM

302.1 The Regional Response Team is comprised of representatives of the Federal and State agencies. Local municipalities are invited to attend through the state representative. Industry and special interest organizations are granted observer status upon request. Observer status places the named organization on the mailing list of RRT activities and minutes. Meetings of the Regional Response Team are open to the public. The full participation of high level representation from states and local municipalities located around major ports and waterways is desired. The RRT serves as the regional body for planning and preparedness actions prior to a pollution incident and for coordination and advice during a pollution incident, the representatives of EPA and USCG act as co-chairman of the RRT. Each participating agency should designate one member and at least one alternative member to the RRT. When the RRT is activated for a pollution incident, the chairman shall be the EPA or USCG representative, depending upon the area in which the response is taking place. Local agencies are invited to participate. When the RRT is activated for a pollution incident, the chairman shall be the representative from the lead agency. When the RRT is activated for CERCLA fund-financed planned removal or remedial action, the chairman shall be the representative of EPA.

302.2 Each participating agency shall designate one member and a minimum of one alternate member to the RRT. Participating states and local municipalities should also designate one member and a minimum of one alternate member to the team. Agencies may also provide additional representatives as observers to meetings of the RRT.

302.3 RRT Functions and Responsibilities:

1. The Chairman of RRT shall ensure that the provisions of the regional and local contingency plans are adequate to provide the OSC with appropriate technical and professional assistance from the participant agencies commensurate with an agency's resources, capabilities and responsibilities within the Region. During a pollution emergency the members of the RRT shall insure that the resources of their respective agencies are made available to the OSC as agreed to and specified in the Regional and local contingency plans.

302.3 (cont'd)

2. The RRT shall designate representatives of participating agencies to work with the OSC's to develop local plans and to plan for the use of agency resources located within the OSC's area of responsibility which do not require RRT involvement.

3. When not activated for a pollution incident, the RRT serves as a standing committee to recommend needed policy changes in the regional response organization, to revise the Regional Plan as needed and to evaluate the preparedness of the agencies and effectiveness of local plans for coping with pollution emergencies. The RRT shall:

a. Maintain a continuing review of regional and local pollution emergency response operations and equipment readiness to insure adequacy of regional and local planning, and coordination for combating discharges of oil and releases of hazardous substances. RRT shall also recommend revision of the NCP to EPA via the NRT on the basis of observations of response operations.

b. Review the functioning of OSC to insure that local plans are developed and fully coordinated among involved agencies.

c. Develop procedures to promote the coordination of Federal, State, and local governments and private agencies to respond to pollution incidents.

d. Consider necessary changes in policy on the basis of continuing evaluation of Regional response actions taken in combating discharges of oil and releases of hazardous polluting substances.

e. Maintain a readiness posture to respond to a nationally significant discharge of oil or release of a hazardous substance.

f. Maintain a continuing surveillance of incoming reports from all OSC's and activate the RRT when appropriate.

4. The RRT shall act as an emergency response team to be activated in the event of a discharge involving oil or release of a hazardous substances, ~~which, when activated during a pollution response, agency representatives shall meet at the call of the chairman and shall:~~

a. Monitor and evaluate reports from the OSC insuring their completeness. The RRT shall advise the OSC on the duration and extent of the Federal response and may recommend specific courses of action in combating the discharge or release for consideration by the OSC.

b. Request other Federal, State, local government or private agencies to consider taking action under their existing authorities to provide resources necessary for combating a discharge or deployment of personnel to monitor response operations.

302.3 (cont'd)

c. Assist and coordinate with the OSC in formulating public information releases and for information transfer between the OSC and the Washington, DC headquarters of the agencies concerned, so as to minimize or prevent dissemination of spurious and incomplete information.

d. Advise the regional head of the agency providing the OSC if a shift of on-scene coordination from the predesignated OSC to another OSC is indicated by the circumstances or progress of a pollution discharge.

302.4 Specific Agency Responsibilities

1. Department of Agriculture, (Forest Service)

The Department of Agriculture provides expertise in the area of forest and wilderness management. USDA Forest Service personnel frequently act as OSC until relieved by the pre-designated OSC.

2. Department of Commerce, (NOAA, NOAA-NMFS, NOAA-NWS, NOAN-NOS)

The Department of Commerce, through NOAA, provides support to the NRT, RRT and OSC with respect to living marine resources for which it has management authority, including marine mammals and endangered species; meteorological, hydrologic, ice and oceanographic data for marine, coastal and certain inland waters; tide and current information; charts and maps; and satellite imagery. In response to requests from the OSC, NOAA provides on-scene scientific assistance for releases in coastal and marine waters through its regional Scientific Support Coordinators (SSC). NOAA also serves on behalf of the Secretary of Commerce as a Federal trustee for natural resources under Federal jurisdiction that are damaged or destroyed as the result of a release of oil or hazardous materials in coastal and marine waters and certain upland areas. It is responsible for assessing damages, presenting claims and developing and implementing restoration or replacement plans.

3. Department of Defense, (USA, USN, USA-COE, USN, USAF, USN-Sup. Sal USMC.)

The Department of Defense, consistent with its operational requirements, may provide assistance in critical pollution discharges and in the maintenance of navigation channels, salvage, and removal of navigation obstructions. Upon authenticated request of the OSC, NRT or competent USCG authority, the services of the Supervisor of Salvage, U. S. Navy may be provided as available for the cleaning and control of major oil spills as well as oil spills associated with salvage operations. With respect to discharges or releases from DOD facilities and vessels the predesignated OSC will be provided by DOD in accordance with the NCP. DOD will also be the immediate removal response authority with respect to incidents involving DOD military weapons and munitions.

to the NRT with respect to the identification
of the source and extent of radioactive -

302.4 (cont'd)

4. Department of Energy

The Department of Energy is designated the agency for administration, implementation, and coordination of the Interagency Radiological Assistance Plan (IRAP). DOE will provide advice and assistance to the active contamination, and removal and disposal of radioactive discharges.

5. Department of Health and Human Services (CDC NIOSH)

The Department of Health and Human Services is responsible for providing expert advice and assistance relative to those discharges that constitute, or may constitute, a threat to public health and safety.

6. Federal Emergency Management Agency

The Federal Emergency Management Agency maintains an awareness of pollution emergencies and evaluates any request for a major disaster declaration received from a governor of a State pursuant to Public Law 93-288. If the President declares that a pollution emergency constitutes a major disaster, or that a major disaster is imminent as defined by Public Law 93-288, the Administrator of the Federal Emergency Management Agency will coordinate and direct the Federal response. FEMA is delegated authority as required for permanent relocation of residents, businesses and community facilities or temporary evacuation and housing of threatened individuals not otherwise provided for. The agency may aid in development and evaluation of regional and local contingency plans and monitor responses related to such plans.

7. Department of Interior (USFWS, USGS/MMS, BLM, NPS, BIA)

The Department of Interior, through the USGS/MMS, supplies expertise in the fields of oil drilling, producing, handling, and oil pipeline transportation. Also, the USGS/MMS has access to and supervision over continuously manned facilities which can be used for command, control and surveillance of discharges occurring from operations conducted under the Outer Continental Shelf Land Act. Additionally, the Fish and Wildlife Service of DOI will provide, through Regional Coordinators, technical expertise to the OSC and RRT with respect to land, fish and wildlife, including migratory birds, marine mammals and endangered plants and animals. Liaison with American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Marianas Islands is accomplished by the Department of the Interior. DOI is designated by the NCP as a Federal Trustee for natural resources under authority of executive order 12316. DOI is also charged with promulgation of regulations for assessment of loss or damages to resources resulting from an oil discharge or hazardous substance release. DOI will be responsible for damage assessment of resources for which it is trustee.

302.4 (cont'd)

8. Department of Justice (U. S. Attorney, Torts)

The Department of Justice can supply expert legal advice to deal with complicated judicial questions arising from discharges and Federal agency responses. The Department of Justice will also assist by issuing orders and by providing litigation.

9. Department of Labor (OSHA)

The Department of Labor in cooperation with the Department of Health and Human Services provides advice and assistance concerning occupational health guidelines.

10. Department of Transportation (USCG, MARAD)

The Department of Transportation provides expertise regarding all modes of transporting oil and hazardous substances. Through the USCG, DOT supplies support and expertise in the domestic/international fields of port safety and security, marine law enforcement, navigation and construction, the manning, operation, and safety of vessels and marine facilities. Additionally, the Coast Guard maintains continuously manned facilities that are capable of command, control and surveillance for oil discharges occurring on the waters of the United States or the high seas. The USCG is responsible for co-chairing the RRT and for implementing, developing and revising, as necessary, the Regional and Local Plans for those areas where it is assigned the responsibility to furnish or provide for OSC's. DOT, through MARAD will provide advice on the design, construction and operation of merchant ships.

11. Department of State

The Department of State will provide leadership in developing joint international contingency plans. It will also provide assistance in coordination when a pollution discharge transects international boundaries or involves foreign flag vessels.

12. Environmental Protection Agency

The Environmental Protection Agency provides expertise regarding environmental effects of pollution incidents and environmental pollution control techniques, including assessment of damages. EPA shall also advise the RRT and OSC of the degree of hazard a particular discharge or release poses to the public health and safety, and coordinate scientific efforts in support of the RRT and OSC in the inland sectors. EPA is responsible for co-chairing the RRT and for development, revision and implementation, as necessary, of Regional and local plans for those areas in which it has responsibility to furnish or provide for the OSC. EPA will coordinate with USCG regarding pollution control and protection of the environment in the preparation of Regional and Local Plans.

302.5 Organizational Chart of Region IX Response Team (See next page)

REGION IX RESPONSE TEAM

Co-Chairman - Commander, Coast Guard Pacific Area
Regional Administrator, EPA Region IX

location - San Francisco

functions - 1. Promulgate Regional Contingency Plan (RCP, combined inland/coastal)
- 2. Serve as coordinating and distributing point for information from NRC and other agencies

REGION IX RESPONSE TEAM - OCEANIA

Co-Chairman - Chief, Marine Safety Division Director, Toxic and Waste
14th Coast Guard District Management Division,
EPA Region IX

location - Prince Kalaniana'ole Federal Bldg. 215 Fremont Street
300 Ala Moana Blvd., 9th Floor San Francisco, CA 94105
Honolulu, HI 96850

functions - Using RCP promulgated by Region IX Response Team, the Oceania team performs independently all the normal functions of an RRT as set forth in the NCP, section 300.32(b), which includes maintenance of a Response Center (RRC) and scheduling of, at a minimum, semi-annual RRT meetings.

REGION IX RESPONSE TEAM - MAINLAND

	<u>NORTH COASTAL RESPONSE TEAM</u>	<u>INLAND RESPONSE TEAM</u>	<u>SOUTH COASTAL RESPONSE TEAM</u>
<u>Chairman-</u>	Chief, Marine Safety Division, 12th CG District	Director, Toxic and Waste Management Division, EPA Region IX	Chief, Marine Safety Division 11th CG District
<u>locations-</u>	Government Island Alameda, CA 94501	215 Fremont Street San Francisco, CA 94105	Union Bank Bldg., 400 Oceangate Blvd. Long Beach, CA 90822

functions- These three teams, using the RCP promulgated by the Region IX Response Team, perform independently all the functions of an RRT as set forth in the NCP, section 300.32(b), which includes maintenance of a Response Center.

Meetings of the Region IX Response Team - Mainland shall be rotated between the three sectors with each sector chairman responsible for the arrangement of the meetings in their area once per year.

*Note: Mainland RRT's are Co-Chaired by Coast Guard and EPA representatives.

302.6 Membership directories of the RRT-Mainland and RRT-Oceania are provided as Annex II to this plan.

302.7 Reports:

1. Each Regional Response Team shall provide letter reports outlining its activities as a mechanism for rapidly identifying techniques and procedures that have worked well and should be passed on to other RRTs. The reports will also serve to identify those practices that need improvement. These reports shall be submitted to CCGD12 (mepps) for consolidation into a summarized Region IX report to be submitted to the NRT. Reports will be submitted to the Chairman of the NRT not later than 31 January and 31 July. As a minimum, reports will contain paragraphs addressing:

a. Summary of Activities. This section will contain a synopsis of the highlights of routine meetings and activations which have occurred since the last report.

b. Organizational Matters. This paragraph will outline organizational changes and improvements that have been made since the last report. Any organizational matters that are considered to require NRT action should also be addressed. RRTs are encouraged to submit enclosures which detail procedures that have worked exceptionally well so that these may be transmitted to other RRTs for possible adoption.

c. Operations. This section will include recommendations comments or observations concerning response methods, equipment, training or other operational concerns which have not been addressed in the review of OSC reports. This section shall also discuss efforts to improve State and Local conditions.

2. When activated, the RRT shall submit POLREPS (Pollution Reports) to the NRC in a timely manner as developments occur and not later than 1600 local time on each day of the operation.

302.8 Meetings

The RRT Mainland and RRT Oceania shall have a minimum of four meetings a year. The meetings of the RRT - Mainland shall be rotated between the three sectors with each sector chairman responsible for the arrangement of meetings within his or her area.

302.9 RRT Alerting

1. The RRT will be alerted whenever the potential exists for activation of the RRT. Alerting will be made by telephone notification or other rapid means to the primary person designated the RRT membership list in Annex II to this plan. Alerting shall be the responsibility of the RRT Chairman. It may be initiated at any time, but normally it is appropriate when one of the following circumstances exists:

- or actual
- a. A potential ~~medium~~ spill is apparent
 - b. An actual or threatened release of any designated hazardous substance which may present an imminent and substantial danger to the public health or welfare.
 - c. An adjacent RRT is activated
 - d. A determination by the Chairman or other member of the RRT that alerting is prudent.

302.9 (cont'd)

2. Whenever the RRT alert is initiated, RRT members will be advised of the particulars of the incident and whether on-scene staff assistance is likely. RRT members should initiate those actions necessary to allow a prompt response on-scene or at the RRC if later activated.

3. Whenever the RRT is alerted, all ~~many~~ members will be notified even if the incident will only require the services of selected RRT members.

302.10 RRT Activities - General

1. The RRT comprises of members of many agencies who must, with no prior notice, be capable of responding to an incident and call out personnel and equipment from their agency in an expeditious manner. The key to successful response actions is the prompt activation and implementation of this Plan.

2. The RRT will be activated whenever one of the following situations exists:

a. A major or potential major discharge which brings automatic activation.

b. A significant release of a hazardous substance which threatens human life or health or the environment.

c. Any pollution emergency when any primary member of the RRT makes a request to the RRT Chairman or

d. At any time when determined by the Chairman RRT, including periodic training sessions as specified in Annex XXVI to this Plan.

3. The RRT may be activated by any means of communications but will normally be done by telephone to the persons designated in Annex II of this Plan. The activation call will specify the time of RRT activation, the meeting place if assembly is planned and as much about the incident and the requirements to be placed on the particular agency as are known. Whenever the RRT is activated, all members will be notified even if the incident will require the services of only selected RRT members. A membership activation will normally be called whenever a major incident occurs.

4. The RRT Chairman, will determine if assembly of the RRT is advantageous or whether telephone activation is sufficient to handle the incident.

5. It is anticipated that lesser incidents for which a limited membership activation is necessary will normally be handled by telephone. Activated members will operate from their home or business location and will coordinate their agency's on-scene staff tasks and RRT staff tasks from that point. The Regional Response Center (RRC) will be staffed by USCG or EPA personnel and a contact system will be maintained with each activated member. Members will call into the RRC whenever the assigned tasks are initiated or completed, whenever the member needs to discuss matters with the RRT Chairman or whenever the member is about to make a change of location and telephone contact number.

302.10 (cont'd)

The RRC contact numbers are listed in Annex III to this Plan, however, these numbers are not used except when the RRC is activated. Non-emergency contact to the RRT shall be through the address and phone number of the RRT Chairman listed in Annex II to this Plan.

302.11 RRT Deactivation

Deactivation of the RRT will occur for both alerts or activations after mutual agreement by the senior USCG and EPA members. Deactivation will normally be by telephone notification unless the RRT is assembled.

303 REGIONAL RESPONSE CENTER

303.1 The Regional Response Center (RRC) is the regional control point for pollution emergency response activities. Each RRC provides communications, information storage, personnel and facilities necessary for the proper functioning and administration of regional pollution emergency response operations. In Region IX there are four RRCs. One RRC is located at each Coast Guard District office and one is located at the EPA's Regional office. The facilities available at the RRCs are described in Annex III to this Plan.

303.2 Each Regional Response Center in Region IX is autonomous. Under normal circumstances it is expected that pollution discharge response would be handled totally by one RRC. Each RRC would report directly to the NRC with POLREPS, reports, and other documentation as required.

304 ON-SCENE COORDINATION

304.1 Coordination and direction of Federal pollution control efforts at the scene of a spill or potential spill shall be accomplished through the On-Scene Coordinator. The OSC is the single agent predesignated by this plan to coordinate and direct such pollution control activities in each area of the region. In the event of a spill of oil or other hazardous substances, the first Federal official arriving at the site from any of the agencies having responsibilities under the NCP shall assume the coordination responsibilities until the predesignated OSC arrives. The duties of the OSC are detailed in Section 300.33(b) of the NCP.

304.2 The OSCs for Region IX are predesignated by Annex IV to this plan.

304.3 All Federal agencies should plan for emergencies and develop procedures for dealing with oil discharges and releases of hazardous substances (designated under section 311(b)(2) of the CWA) from vessels and facilities under their jurisdiction. All Federal agencies, therefore, are responsible for designating the offices that can coordinate response to such incidents in accordance with this Plan and applicable Federal regulations and guidelines. If, in the opinion of the OSC, the responsible Federal agency does not act promptly or take appropriate action to respond to a discharge or release caused by a facility or vessels under its jurisdiction, the OSC in charge of area where the discharge or release occurs may conduct appropriate response activities. With respect to discharges or releases from Department of Defense (DOD) facilities and vessels, the OSC shall be furnished by the

304.3 (cont'd)

DOD. The OSC should advise the affected land managing agency and trustees of natural resources, as promptly as possible, of releases and discharges affecting Federal resources under its jurisdiction. The OSC is responsible for addressing worker health and safety concerns at a response scene, in accordance with 300.57 and 300.71 of the NCP. The OSC shall submit pollution reports to the RRC and appropriate agencies as significant developments occur during removal actions.

305 SPECIAL POLLUTION CONTROL FORCES

305.1 To enhance the ability of Federal forces to respond to pollution incidents and to provide the greatest expertise in protecting the marine environment from pollution, Section 300.34 of the NCP prescribes the development of Special Pollution Control Forces and teams. The forces that have evolved are:

- a. U. S. Coast Guard National Strike Force.
- b. EPA Emergency Response Team (ERT)
- c. EPA Technical Assistance Team (TAT)
- d. USCG Emergency Task Forces.
- e. USCG Public Information Assist Team (PIAT)
- f. Scientific Support Coordinator (SSC) and Hazardous Materials Response Project (HAZMAT)

305.2 National Strike Force, Pacific (PST)

1. The Pacific Strike Team, one of three teams comprising the National Strike Force, is a USCG unit with a high level of training and expertise in pollution response matters. The PST maintains personnel on standby to respond to incidents occurring in the Western area of the United States. For use in incidents of a large magnitude, the PST maintains selected equipment to augment response and removal equipment available locally. The PST also provides assistance in training OSCs in all phases of response activities.

2. The PST can provide assistance:

a. By contact directly from the OSC for advice in response activities.

b. By a request to provide on scene assistance in matters beyond the capabilities of the OSC and other locally available forces. Official requests for PST assistance shall be made by the OSC through the cognizant District Commander, to the Commander, Pacific Area, however, direct contact between the OSC and PST is recommended to allow rapid deployment when approval is received.

305.2 (con't)

c. To assist in training personnel in all facets of response activities including:

- (i) response staff organization
- (ii) monitoring techniques
- (iii) cleanup techniques
- (iv) equipment used and deployed
- (v) accounting procedures

305.3 Environmental Response Team

The functions and responsibilities of the ERT are to develop and maintain a 24-hour emergency response capability to assist Regional Offices during single or multi-media emergency episodes. When activated, the Team will be responsible to the OSC for technical decisions or methods of mitigations, deployment of resources available to the Team, damage assessments, restoration techniques, disposal methods and documentation of the incident for preparation of agency reports. The ERT also provides both introductory and intermediate level training courses to prepare response personnel.

305.4 Technical Assistance Team

The functions of the TAT are to assist the EPA OSC in response and provide technical data as needed. This team works under a contract for the EPA. Each Federal region has a TAT who may be reached through the EPA 24-hour response number.

305.5 USCG Emergency Task Force

Emergency Task Forces established pursuant to section 311(c)(2)(c) of the Act and section 300.34 of the NCP are detailed in local contingency plans. Teams consist of trained personnel and adequate supplies of oil and hazardous substance control equipment. Local Contingency Plans detail discharge removal plans for their areas of responsibility.

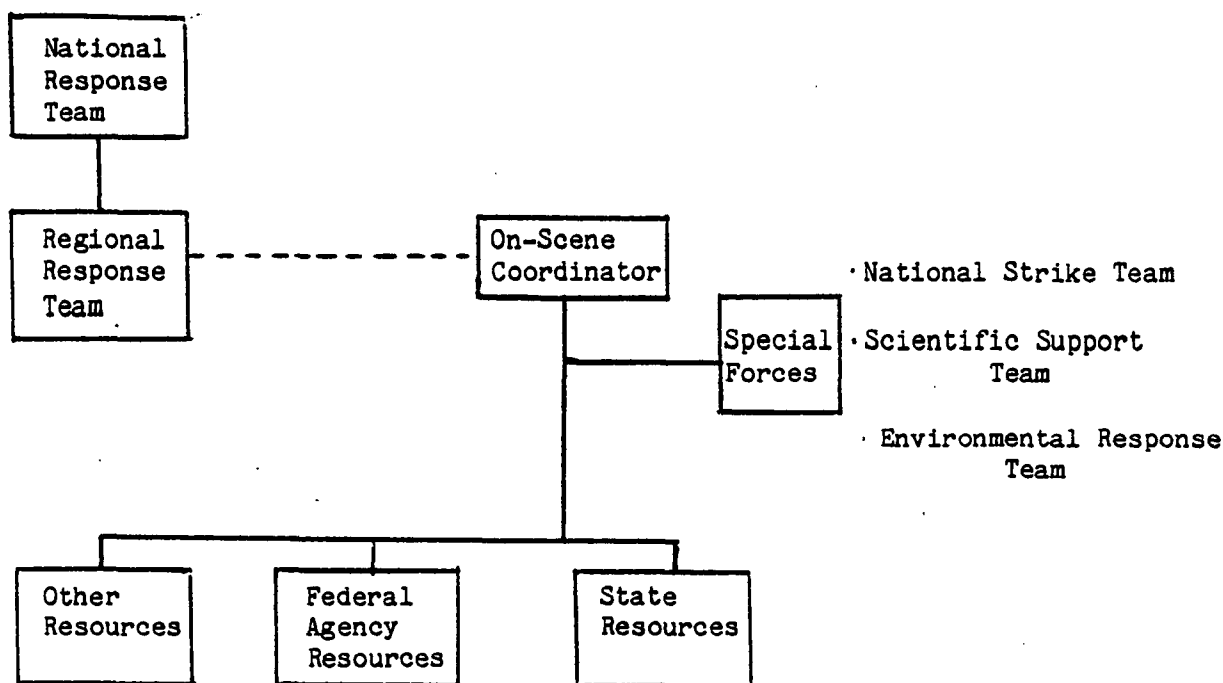
305.6 Coast Guard Public Information Assist Team (PIAT)

The Coast Guard Public Information Assist Team (PIAT) has been created to assist On-scene Coordinators, District, and Regional Public Affairs staffs in meeting the informational demands inherent in a major or potential major pollution incident. Team members are trained in journalism, public relations, photography and are knowledgeable in pollution response techniques, equipment and the laws and regulations relating to pollution incidents. The PIAT is available upon request from an OSC, Coast Guard District or Regional Public Affairs Officer.

305.7 NOAA'S SCIENTIFIC SUPPORT COORDINATORS (SSC) AND HAZARDOUS MATERIALS RESPONSE PROJECT (HAZMAT) (11/28)

A scientific support coordinator (SSC) is one member of the group of special forces available upon request to Federal On-Scene Coordinators (OSC) during actual or potential releases of pollutants and other special forces as described in the National Contingency Plan (fig. 1). During spills, SSC's serve on the OSC's staff to provide technical information pertinent to a particular incident and generally coordinate scientific activity on-scene. During non-response periods, SSC's can be utilized by the OSC and the Regional Response Teams (RRT) to assist in the development of local and regional contingency plans.

Figure 1. National Response Organization



For coastal areas, where the OSC is a pre-designated Coast Guard officer, SSC's are provided by NOAA's (National Oceanic and Atmospheric Administration) Hazardous Materials Response Project (HAZMAT). This project consists of a team of scientific support coordinators, assigned to various regions of the country, and five functional support groups (Fig. 2). SSC's and the HAZMAT response teams seek out and synthesize information from regional scientific experts and industry representatives, e.g., chemical manufacturers, as part of their response activities.

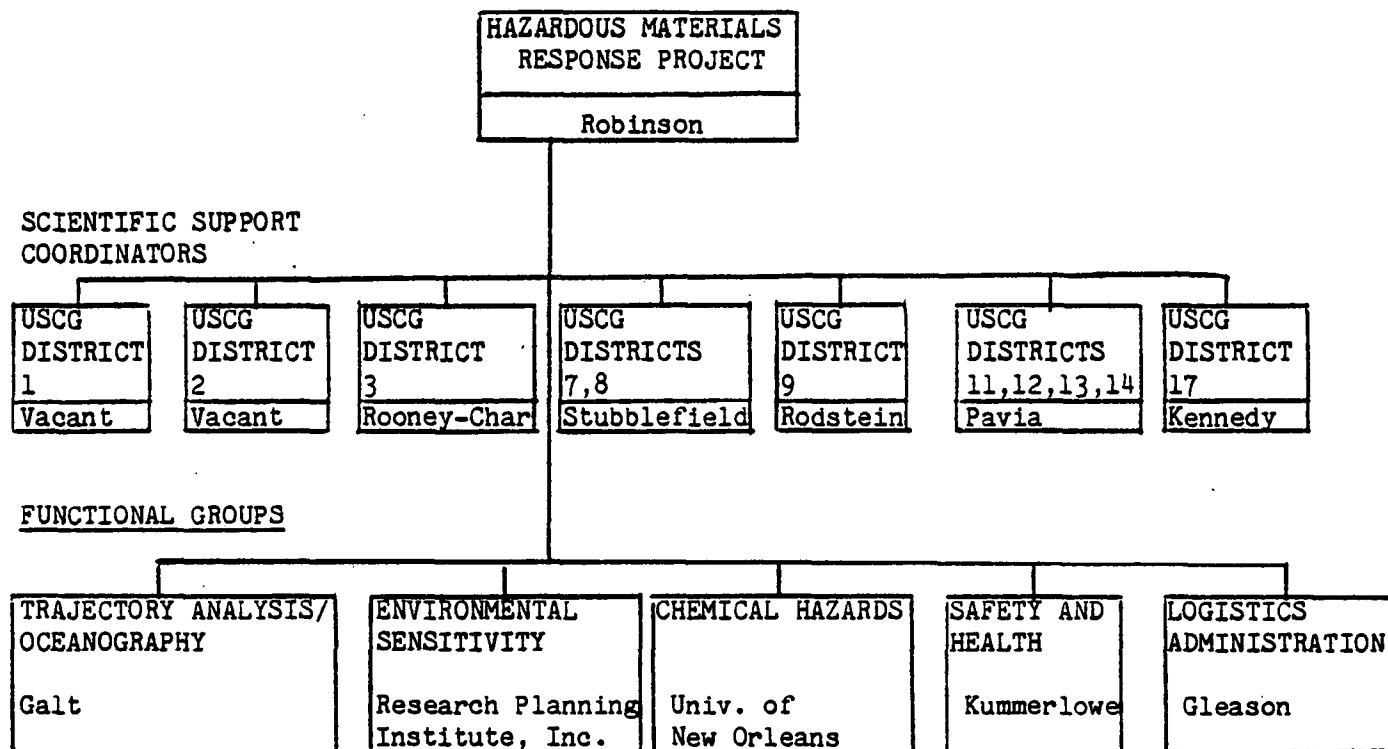


FIGURE 2. HAZARDOUS MATERIALS RESPONSE ORGANIZATION

RESPONSE ASSISTANCE FROM SSC's

The overall goal of this Program is to provide timely and effective deployment of scientific resources during an emergency oil or hazardous substance release to minimize environmental and socioeconomic impact.

Response Objectives

The major objectives of the program are:

- (1) To provide the National Response Team, Regional Response Team, and On-Scene Coordinators with highly qualified scientific assistance in (a) evaluating imminent hazards to human health and the environment and socioeconomic impacts of oil and hazardous substance releases;
- (2) To provide scientific assistance in assessing the environmental and socioeconomic damage resulting from such incidents; and
- (3) To maximize the research advantage offered by the spill situation, especially for improving future response capabilities.

In an emergency situation, these objectives will be approached in the order of precedence indicated.

Specific Assistance Provided by the Scientific Support Team

The level of the SSC's involvement depends upon the nature of the OSC's requests, the specifics of the particular pollution incident, and the status of the Federal pollution funds. The SSC is available for consultation on any or all spills-- the key to the SSC's involvement is activation by the OSC.

Phase I: Discovery and Notification

The SSC is activated by a call from the OSC or his representative. The timing of notification and activation of response forces is of major importance in any spill response. Acute environmental impacts will be most severe during the early stages of the incident. This fact argues strongly for the prompt activation of the special forces whose assistance can be especially helpful during the initial stages of an incident.

Initial details of a pollution incident are often sketchy so the first order of business is to assemble information critical for determining the ultimate nature and scope of the response--the potential magnitude of the spill, the nature of the pollutant, and the prognosis for containment. In a spill situation, the SSC can provide preliminary information by telephone and then, if requested, depart immediately for the spill scene. The SSC should arrive within six hours of notification. While the SSC is enroute, a HAZMAT staff contact will be designated for the OSC. This contact can provide additional information and respond to OSC requests until the SSC arrives. If the spill has potentially serious consequences, the SSC can notify the appropriate HAZMAT response team functional leaders, and regional and local experts to provide the OSC with the scientific information pertinent to his response decisions. The extent and nature of SSC involvement is determined by the OSC. Extensive assistance can be obtained over the telephone, even if the pollution fund is not opened.

Phase II: Evaluation and Initiation of Action

Activities undertaken during this phase may be conducted away from the spill site with information passed via telephone to the SSC who conveys it to the OSC.

Specific actions include:

- (1) Liaison with natural resource, chemical, and medical experts;
- (2) Support in mapping pollutant location and trajectory modeling, e.g., prediction of the movement of a contaminant in a given period, time and location of landfall;
- (3) Rapid assessment of and advice on the nature, behavior, and fate of the pollutant, e.g., toxic properties, alteration in physical and chemical characteristics which can be expected under a variety of environmental conditions, and the prospects of water column mixing, sinking;

- (4) Advice on safety precautions for response personnel and general public health considerations, and the location of emergency medical experts and facilities (if requested);
- (5) Advice in dealing with oil and hazardous materials under unusual environmental conditions, e.g., sea ice and severe storms.

Phase III: Containment and Countermeasures and

Phase IV Cleanup, Mitigation, and Disposal

Scientific activities initiated during Phase II are continued during Phases III and IV, with further refinement of accuracy and detail. This may require additional members of the scientific support team to be on-scene to gather data at the spill site.

Activities would include:

- (1) On-scene trajectory modeling of spilled material;
- (2) Detailed evaluation of the nature, behavior, and fate of the pollutant, e.g., toxic properties, alteration in physical and chemical characteristics which can be expected under a variety of environmental conditions;
- (3) Development of sampling strategies and chemical analysis of samples to assist in the identification of chemical contaminants;
- (4) Monitoring and sampling in areas of chemical hazards;
- (5) Advice on the likely environmental impact of various alternative containment, cleanup, and disposal strategies;
- (6) Identification of critical habitats requiring extraordinary protective efforts;
- (7) Assistance in public relations efforts on scientific issues.

Phase V: Documentation and Cost Recovery

The value of natural resource damage resulting from spills may be recoverable from the spiller or pollution fund. Damage to natural resources includes (1) immediate or long-term injury, alteration, or destruction of naturally occurring organisms, populations, communities, habitats or functional properties of ecological systems, and (2) associated impacts on aesthetic, recreational, commercial, or other benefits derived from these resources. Assistance in this area includes providing sound scientific information, analysis and opinions that can be used in litigation or administrative proceedings. The emphasis on litigation is important and has major bearing on both the conduct and the scope of work performed under this objective.

Operationally, environmental damage assessment activities involve four major components:

- (1) On-scene surveys (sampling and analysis) of acute and other directly measureable impacts on natural resources;
- (2) Other scientific studies, including laboratory investigations, that establish the more subtle, sub-lethal environmental effects of the incident;
- (3) Surveys of potential socioeconomic losses; and
- (4) Interpretation and analysis of findings from the studies above to provide information to be used in legal or administrative proceedings.

CONTINGENCY PLANNING ASSISTANCE FROM SSC's

In addition to assisting the OSC during spills, SSC's also work ^{for} the the Regional Response Teams, U. S. Coast Guard Marine Safety Offices, and the scientific community on response-related scientific matters in between pollution incidents. During these non-response periods, the SSC concentrates on sharpening the scientific aspects of the contingency plans to improve the quality of future response activities.

Prior to a spill, considerable information can be provided to the OSC to help in the development of contingency plans. This information includes (1) probability that spills originating from selected sites will impact specific areas or critical environments, (2) the location of environmentally sensitive regions, (3) background data on the behavior of the various pollutants known to be present in a given area under a range of environmental conditions, and (4) the likely environmental impact of various alternative cleanup strategies.

At a minimum, SSC's and HAZMAT are working toward having the following elements in place prior to a major spill event:

- (1) A trained core scientific response team whose members are current in the "state-of-the-art" in mitigation, damage assessment, and operational functions;
- (2) Development of sufficient equipment and supplies with which to undertake an effective response;
- (3) Ensuring that regional scientific response plans are developed and updated, as necessary.
- (4) Developing detailed scientific plans, including chemical action plans, for varying spill scenarios in conjunction with the MSO's;
- (5) Establishing a liaison with other Special Forces and representatives of Federal, State, academic, and public groups concerned with pollution in coastal offshore waters;
- (6) Conducting scientific studies that are supportive of prespill or spill activities (e.g., mapping of the sensitivity of coastal environments to spilled oil, identification of critical natural resources and habitats, and projections of pollutant trajectories);

- (7) Providing scientific assistance to the RRT and OSC in planning regional responses; and
- (8) Establishing data management and chain of custody systems according to specific guidelines for samples taken during spills.

For Further Information ...

Regional SSC's are located within the NOAA Hazardous Materials Response Project in Seattle, Washington. SSC's are assigned for the North-, Mid-, and South Atlantic coasts; Gulf of Mexico; Great Lakes; Pacific Ocean; and Alaska.

Scientific support within Region IX can be obtained by contacting the Regional SSC or through the Project office as follows:

Project Office

FTS 446-6314
206-527-6314
24-hour pager 206-343-3432

NOAA/OMPA/HMPR/RD/MP2
7600 Sand Point Way, N.E.
Seattle, WA 98115

Regional SSC

Robert Pavia
Seattle, WA
FTS 446-6319
24-hr pager 206-343-3432

306 VOLUNTEERS

306.1 The OSC will designate one or more persons to take charge of volunteers. This designee should be selected based on his knowledge of response techniques, ability to deal with non-military persons, and leadership capabilities.

306.2 Volunteer assistance is essential for a complete, successful waterfowl conservation operation. FWS will designate a volunteer coordinator to supervise these responsibilities. The FWS is responsible for establishing and maintaining training programs for biologists and volunteers.

306.3 Local plans should also identify specific areas in which volunteers can be used such as: beach surveillance, logistical support, bird and other wildlife treatment, and scientific investigations. Normally volunteers should not be used for physical removal of pollutants. If a substance is toxic to humans, volunteers shall not be permitted at on-scene operations. Regional and local plans should provide for education and training of volunteers as a matter of pre-spill routine to preclude the need for such training during an actual incident. During contingency plan operations, information on discharge and removal efforts should be provided to volunteers frequently to insure a coordinated effort and a sense of meaningful participation.

306.4 When the spiller is known and has assumed responsibility for cleanup he will also be responsible for managing volunteers.

306.5 Further guidance is provided in Section 2104 of this Plan.

400 COORDINATING INSTRUCTIONS

401 DELEGATION OF AUTHORITY

401.1 The Commander, Coast Guard Pacific Area and the Regional Administrator, EPA Region IX co-chair the Region IX Regional Response Team. Authority to conduct RRT response activities is delegated to those individuals outlined in section 302.3 of this plan.

401.2 Predesignated On-Scene Coordinators may not delegate their authority particularly in regard to the administration and certification of expenditures under the Pollution Revolving Fund (33 CFR 153.105 and 107) or the Hazardous Substance Response Trust Fund. Predesignated On-Scene Coordinators may be represented on scene by qualified personnel of a grade commensurate with the spill situation.

402 NOTIFICATION

402.1 The CWA and CERCLA, and regulations issued thereunder, require that any person in charge of a vessel, onshore or offshore facility, notify the NRC as soon as he has knowledge of any discharge of oil into water of the United States or release of a hazardous substance of reportable quantity to the environment. The Toll free number (1-800-424-8802) has been provided to the NRC for receipt of discharge reports from anywhere in the continental U.S. and State of Hawaii.

402.2 Discharge Notification To State Agencies

The predesignated OSC shall ensure that the notification is made in all cases to the appropriate state contact point. See section 300.33(b)(5).

403 MULTI-REGIONAL ACTIONS

403.1 In the event that an actual or threatened discharge or release moves from the area covered by one regional contingency plan into another area, the authority to initiate pollution control actions shall shift as appropriate. In the event that an actual or potential incident affects areas covered by two or more regional plans, the response mechanism called for by both plans shall be activated. The NRT will be activated in the event of a discharge which transects regional boundaries.

403.2 There shall be only one OSC at any time during the course of a spill response. Should an incident affect two or more areas, the affected RRTs will, by mutual agreement, designate the OSC, giving prime consideration to the area vulnerable to the greatest damage. The NRT shall designate the OSC if members of one RRT or of two adjacent RRTs are unable to agree on the designation.

404 MULTI-NATIONAL RESPONSES

There has always existed the need for multi-national agreements on oil and hazardous substance pollution response. Until recently, the only such agreement for the United States was with Canada. Using the U.S./Canada agreement as a base, the Coast Guard and Mexico have collaborated on a joint contingency plan. The agreement was signed by Mexico and the U.S. Department of State and is now binding on both countries.

405 COORDINATION WITH SPECIAL FORCES

Request for special forces can be made in accordance with Appendix II pp. II-C-1.

406 TERMINATION OF RESPONSE ACTIVITIES

The OSC will make the decision regarding termination of Federal response activities after consulting with the RRT.

407 RESOLUTION OF DISPUTES

The Chairman of the RRT will resolve disputes in accordance with Section 300.32B of the NCP.

408 SCHEDULE OF CHEMICALS TO REMOVE OIL AND HAZARDOUS SUBSTANCES

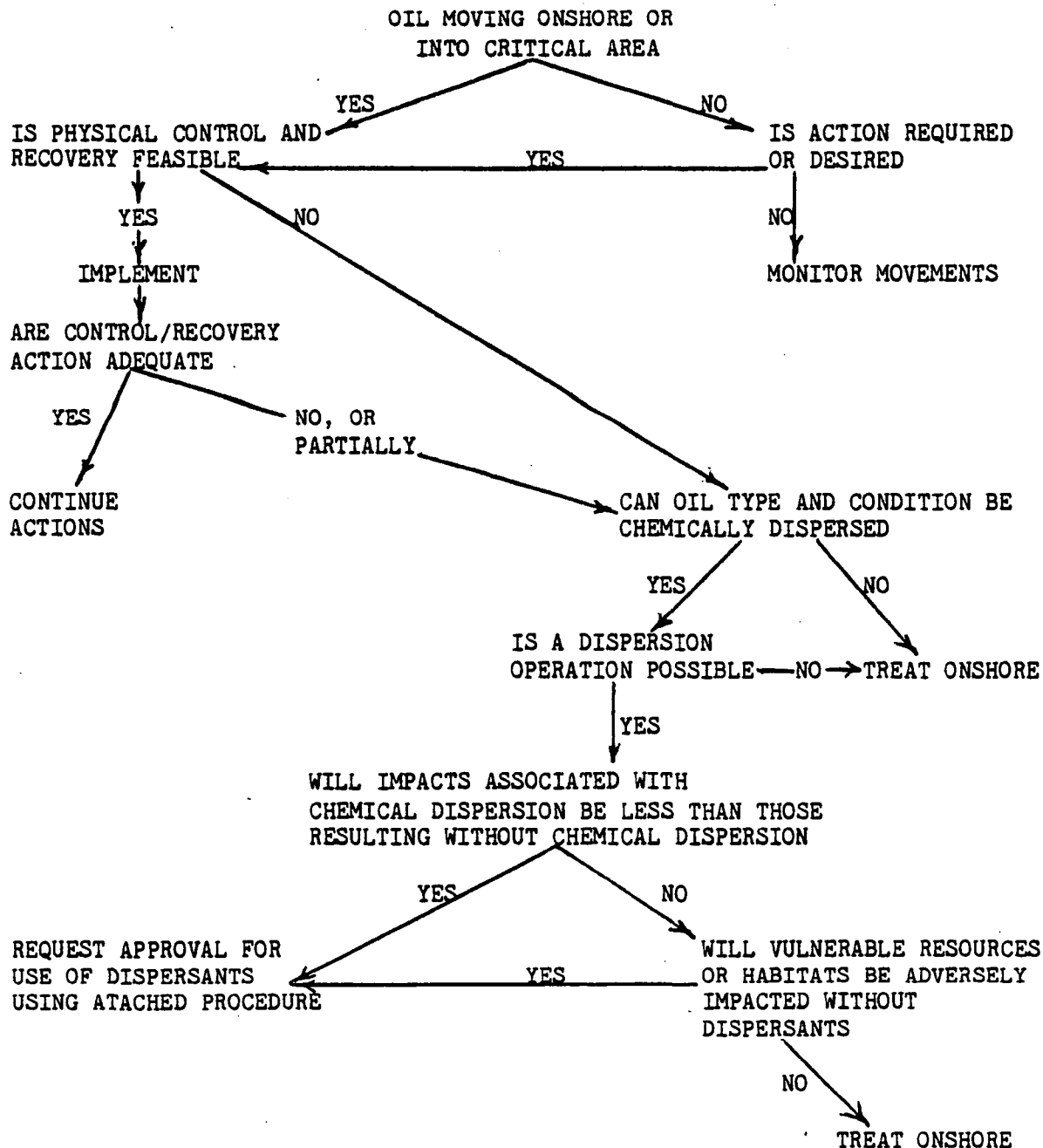
408.1 The use of chemical agents for oil spill removal is discouraged in preference to mechanical means. The use of chemicals may be applicable under certain circumstances, as outlined in Subpart H of the National Oil Spill Contingency Plan. Basically chemicals may be used anytime, anywhere at the discretion of the OSC to reduce the immediate hazards to life and property due to explosion and fire. Other situations will be evaluated by the senior EPA representative on scene on a case-by-case basis, in consultation with other appropriate State/Federal representative. A list of acceptable removal agents is found in Annex X of this Plan. The OSC with the concurrence of the EPA representative to the RRT and in consultation with the States, may authorize the use of dispersants and other chemicals on oil spills; provided, however, that such dispersants and other chemicals must be on the list of accepted dispersants prepared by EPA. In the case of dispersants and other chemicals not included on the list of accepted dispersants, EPA will continue to authorize use on a case-by-case basis. Case-by-case approvals will be made by the Administrator or her designee.

408.2 The form on page 29 is intended as an aid to the OSC in deciding whether or not to request and use dispersants in response to an oil spill. A decision relative to the use of dispersants will not be finalized prior to consultation with the RRT. This will insure proper consultation with state and other appropriate federal agencies. If the OSC determines that dispersants are a useful tool for spill mitigation, he should provide the information requested on this form and forward this information to the appropriate RRT Chairman or EPA representative.

As soon as possible the OSC will contact the various agencies involved and advise them that a spill has occurred which has the potential to develop into a situation where the use of dispersants may be requested. The OSC will provide as much information as possible; each agency should prepare to answer all the questions over which the agency has responsibility. As additional data is obtained it will be provided by the OSC to the agencies as soon as possible. Once advised that such a spill has occurred, support agencies should not wait to be requested to answer each question. As soon as they obtain the answers to a significant number of questions, the OSC or SSC should be advised of that information.

The following steps should be utilized in deciding if the use of dispersants will be requested.

NOTE: Immediate threat to life and property pre-empt the following matrix by the OSC in the use of dispersants.



408.2-1 DISPERSANT USE FORM COMPILATION OF DATA

1. Spill data
 - a. Circumstances (Fire, grounding, collision, etc.)
 - b. Time/Date of Incident
 - c. Location of spill (Latitude, Longitude, river mile, etc.)
 - d. Location of spill
 - e. Volume of product released
 - f. Total potential of release
 - g. Type of release (instantaneous, continuous, intermittent, etc.)
2. Characteristics of the spilled oil
 - a. Specific gravity:
 - b. Viscosity
 - c. Pour Point
 - d. Volatility - (Flash point)
 - e. Relative Toxicity
3. Weather and Water Condition/Forecasts
 - a. Air temperature, wind speed, and direction:
 - b. Tide and Current information
 - c. Sea Conditions
 - d. Water temperature and salinity
 - e. Water depth and depth of the mixed layer

408.2-1(cont'd)

4. Oil Trajectory Information

a. 48-hour surface oil trajectory forecast:

1. Surface area of slick
2. Expected areas of land fall

b. 48-hour dispersed oil trajectory forecast:

1. Oil movement in water column
2. Surface oil movement and expected land fall

5. Characteristics of available dispersants and application equipment.

a. Characteristics of the dispersants:

- | | Product One | Product Two | Product Three |
|-------------------------------------|-------------|-------------|---------------|
| 1. name | | | |
| 2. manufacturer | | | |
| 3. when available | | | |
| 4. location(s) | | | |
| 5. amount available | | | |
| 6. type of containers | | | |
| 7. characteristics | | | |
| (a) toxicity | | | |
| (b) reactions | | | |
| (c) applicability
to spilled oil | | | |
| (d) other | | | |
| 8. application methods | | | |
| 9. misc. | | | |

408.2-1(cont'd)

b. Type of transportation and dispersing equipment:

	Company One	Company Two	Company Three
--	-------------	-------------	---------------

- | | | | |
|------------------------|--|--|--|
| 1. name | | | |
| 2. location | | | |
| 3. time to arrive | | | |
| 4. equipment available | | | |
| 5. other | | | |

6. Information about available dispersant and dispersing equipment.

- Name of the proposed dispersant on EPA and state acceptance list:
- Type (self-mix, concentrate, etc)
- Proposed application methods and rates
- Efficiency under existing conditions (% dispersed and volume dispersed)
- Schedule of the dispersant operation
- Location of the area to be treated
- Surface area of the slick which can be treated in the scheduled time period

7. Conventional methods and time considerations for containment and cleanup feasible and available.

Dispersant treated spill

Untreated spill

- Containment at the source
- Shoreline protection strategies
- Shoreline cleanup strategies
- Time necessary to execute response

408.2-1(cont'd)

8. Habitats and resources at risk:

	<u>Dispersant treated spill</u>	<u>Untreated spill</u>
a. Shoreline habitat type and area of impact		
1.		
2.		
3.		
4.		
b. Resources *		
1. endangered/threatened species		
2. marine mammals (pupping, migration)		
3. waterfowl use (nesting, migration)		
4. shellfish (spawning, harvesting)		
5. finfish (spawning, release migration, harvest)		
6. commercial use (aquaculture, water intakes, etc)		
7. public use areas (parks, marinas, etc)		
8. other resources of special significance		

* indicates seasonal considerations

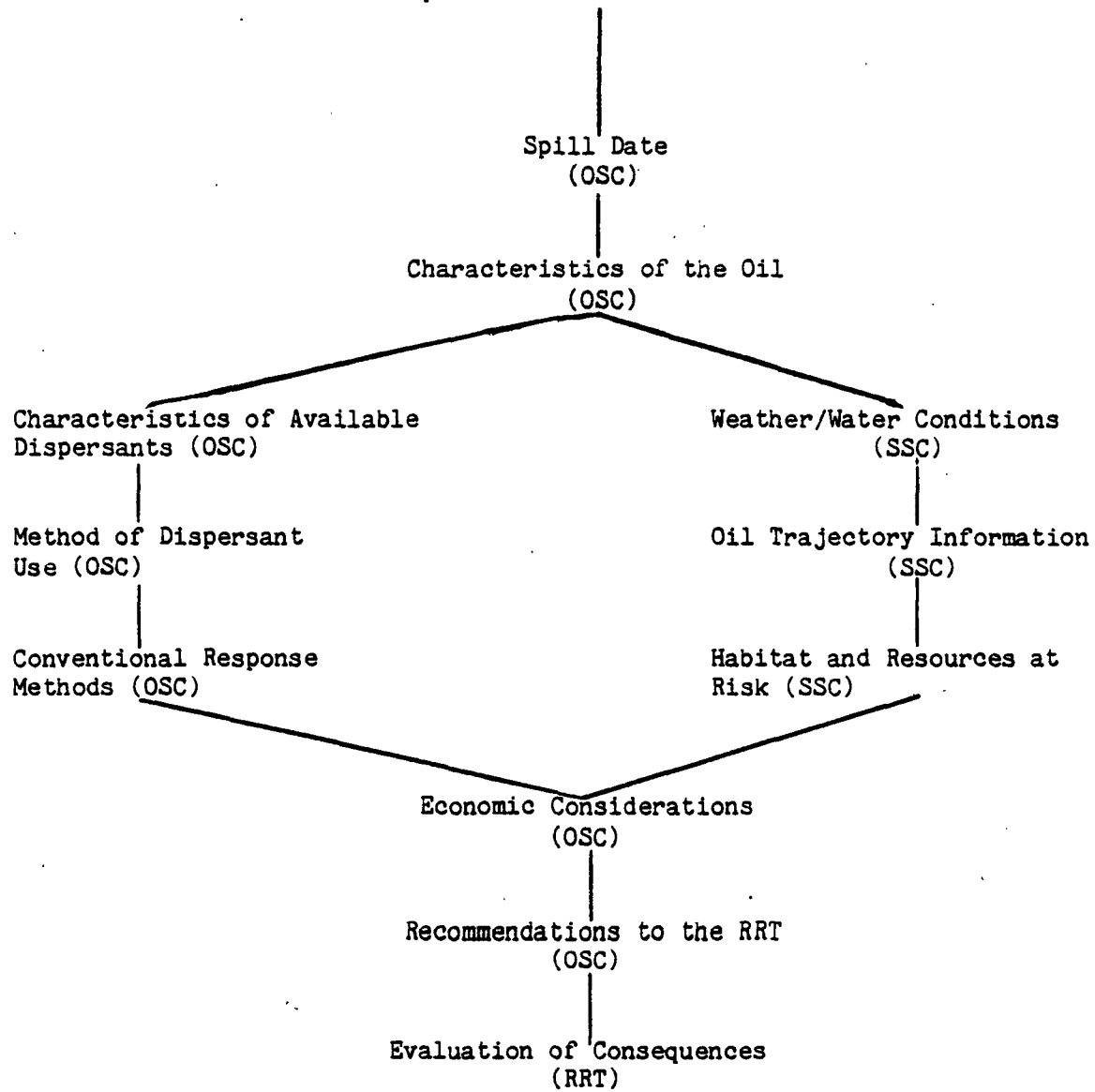
9. Economic Considerations

- a. Cost of the dispersant operation

408.2-1Cont'd)

- b. Cost of conventional containment and protection
 - 1. with dispersant use
 - 2. without dispersant use
 - c. Cost of shoreline cleanup (cost per barrel x number of barrels reaching shoreline)
 - 1. with dispersant use
 - 2. without dispersant use
10. Recommendation to the RRT
- a. Do not use dispersants
 - b. Use dispersants on a trial basis, to ensure effectiveness
 - c. Disperse in limited or selected areas
 - d. Disperse to the maximum extent possible with accepted methods
11. RRT Evaluation of the consequences of a dispersant application decision.
- a. Will application of dispersant remove a significant amount of the slick from surface water?
 - b. Can dispersants alter the extent or location of shoreline impacts.
 - c. Can the damage to endangered or threatened species, marine mammals, and waterfowl be lessened?
 - d. Will the damage to habitats and resources resulting from chemical dispersion be less than those resulting without chemical dispersion?
 - e. If recreational, economic and aesthetic considerations are a higher priority than natural resource consideration, what is the most effective means of their protection?

Dispersant Checklist Flow Chart



500 - PROCEDURE FOR REVIEWING AND UPDATING THE REGIONAL AND LOCAL

CONTINGENCY PLANS

501 RESPONSIBILITY

501.1 General responsibility for coordinating revisions and distribution of the basic plan and annexes will rest with the Commander, Twelfth Coast Guard District (mepps).

501.2 Amendments to the Local Contingency Plans will be coordinated by the Chairman of the Response Team responsible for developing that plan. Each Coast Guard Predesignated OSC is responsible for revising his local plan.

502 PROCEDURES FOR REVIEW

502.1 This plan will be reviewed annually for errors, changes and omissions. All revisions will be coordinated with and have the concurrence of any agency affected by such change. Comments may be solicited by mail; however, if there is significant discussion, meetings should be held to resolve any differences. All revisions will be coordinated with the Commander, Twelfth Coast Guard District for format and amendment numbering. All revisions should be accompanied by a revision to the list of effective pages. Sufficient copies will be printed to effect distribution as per Annex I.

502.2 The Regional Response Team Directories included in Annex II require current accurate information. These directories will be amended as often as necessary. The date the directory is corrected to will be indicated in the upper right corner of the directories title page.

ANNEX I

1100 DISTRIBUTION

1100 General

This Plan, and all approved amendments and changes, will be distributed to the primary and advisory agencies, and other Federal , State, Local/Private agencies and organizations which are cooperating with activities in support of the Plan; and any other individuals, groups or organizations upon request.

1102 Distribution

Copies

Commandant U. S. Coast Guard (G-WER)	1
Administrator EPA (WH-548)	1
Commander, CG Pacific Area (Pom)	1
USCG Pacific Strike Team	1
USCG Alantic Strike Team	1
USCG Gulf Strike Team	1
EPA Environmental Response Team	2
Region IX Response Team members and other State, Federal and Local Agencies (listed in Annex II sections 1201 and 1202)	1 ea
Eleventh Coast Guard District Office	5
Twelfth Coast Guard District Office	5
Thirteenth Coast Guard District Office	1
Fourteenth Coast Guard District Office	5
EPA Region IX Office	10
EPA Region X Office	1
USCG Marine Safety Office San Diego, CA	4
USCG Marine Safety Office Honolulu, HI	4
USCG Marine Safety Office San Francisco, CA	4
USCG Marine Safety Office Los Angeles/Long Beach, CA	4
USCG Station Kauai, HI	1
USCG Group Humboldt Bay, CA	1
USCG Group San Francisco, CA	1
USCG Group Monterey, CA	1
USCG Marine Safety Detachment Santa Barbara, CA	1
USCG Port Safety Station Concord, CA	1
USCG Vessel Traffic System San Francisco, CA	1
USCG Commander MARSEC	1
USCG Cape Small	1
USCG Reserve Group MSO Los Angeles/Long Beach	1
USCG Reserve Unit MSO San Diego	1
USCG Reserve Unit Santa Barbara	1
USCG Reserve Group San Francisco	1
USCG Reserve Group MSO San Francisco	1
USCG Reserve Group Humboldt Bay	1

Interested Federal, State, and Local agencies and private parties may obtain copies of this Plan by written request to:

Commander(mepps)
Twelfth CG District
Government Island
Alameda, CA 94501

ANNEX II

1200 - REGIONAL RESPONSE TEAM

1201 Region IX Response Team - Mainland

A directory of the members of the Region IX Response Team - Mainland is included a TAB A to this Annex.

1202 Region IX Response Team - Oceania

A directory of the members of the Region IX Response Team - Oceania is included as TAB B to this Annex.

1203 Emergency Disaster Response Organizations Directory

A directory of national emergency and disaster response organizations is provided as TAB C.

TAB A
REGION IX MAINLAND POLLUTION RESPONSE TEAM DIRECTORY

REGION IX CO-CHAIRMAN	- MS. SONIA CROW
REGION IX CO-CHAIRMAN	- VADM CHARLES E. LARKIN
CHAIRMAN Inland	- MR. HARRY SERAYDARIAN
EXEC. SEC. Inland	- MR. CHRIS VAIS
CHAIRMAN North Coastal	- CAPT C. GLASS
EXEC. SEC. North Coastal	- CDR G. H. BROWN III
CHAIRMAN South Coastal	- CAPT L. E. BEAUDIN
EXEC. SEC. South Coastal	- CDR L. A. ONSTAD

PARTICIPATING AGENCIES

I=Inland Team Representatives
N=North Coastal Representatives
S=South Coastal Representatives

* Indicates lead agency representative for coastal spills

** Indicates lead agency representative for inland spills

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Regional Forester, Region III
517 Gold Avenue, S. W.
Albuquerque, NM 87102
Office phone: (505) 766-2401

FOREST SERVICE (I)

Regional Forester, Region IV
234 25th Street
Ogden, UT 84401
Office phone: (801) 399-6202

FOREST SERVICE (I)

Regional Forester, Region V
630 Sansome Street
San Francisco, CA 94111

Representative: Mr. John Chaffin
Title: Regional Emergency Director,
State & Private Forestry
Office phone: FTS 556-4310 Comm: (415) 556-4310
Home phone: (707) 763-5648

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (N.S.)

Office of Marine Pollution Assessment
Pacific Office-NOAA/OMPA
7600 Sand Point Way N. E.
BIN C15700
Seattle, WA 98115

- * Representative: Dr. Howard S. Harris
 Title: Director, OMPA Pacific Office
 Office phone: (206) 527-6340 - FTS 446-6340
 Home phone: (206) 232-6073
- * Alternate: LCDR Lawrence E. Keister
 Title: Office of Marine Pollution Assessment
 Office Phone: (206) 527-6341 - FTS 446-6341
 Home Phone: (206) 527-0496
- * Alternate: Robert Pavia
 Title: Scientific Support Coordinator
 Office Phone: (206) 527-6319 - FTS 446-6319
 24 hour Phone: (206) 343-3432

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (N,S)

National Marine Fisheries Service
 300 South Ferry Street
 Terminal Island, CA 90731

Representative: Mr. Alan W. Ford
 Title: Regional Director
 Office Phone: (213) 548-2575
 FTS: 796-2575
 Home Phone: (213) 541-8294

Alternate: Rodger S. C. Wolcott Jr.
 Office Phone: (415) 556-0565 FTS 556-0565
 Home Phone: (415) 892-1859

Alternate: James J. Slawson
 Office Phone: (213) 548-2518 FTS 796-2518
 Home Phone: (213) 427-3722

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (N,S)

National Marine Fisheries
 3150 Paradise Drive
 Tiburon, CA 94920

Representative: Mr. Thomas G. Yocom
 Office Phone: (415) FTS 556-0565
 Home Phone: (415) 333-3762

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (N,S)

National Weather Service
 660 Price Avenue
 Redwood City, CA 94063

Representative: Mr. Richard Wagoner
 Title: Meteorologist in Charge, NWS Office
 Office Phone: (408) 275-7767 FTS 463-7767
 Home Phone: (415) 369-8599

Alternate: Mr. Dale A. Goudeau
Title: Deputy Meteorologist in Charge, NWS office
Office Phone: (408) 275-7767 FTS 463-7767
Home Phone: (415) 648-6143

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (S)

National Weather Service
11102 Federal Building
11000 Wilshire Blvd.
Los Angeles, CA 90024

Representative: Mr. Arthur C. Lessard
Title: Meteorologist in Charge
Office Phone: (213) 824-7214(24hr) FTS 799-7818
Home Phone: (213) 472-9602

Alternate: Mr. John Henderson
Title: Marine Focal Point
Office Phone: (213) 834-7214(24hr) FTS 799-7818
Home Phone: (213) 328-3679

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (I)

NOAA.NWS Regional Office
P.O. Box 11188
Salt Lake City, UT 84147

** Representative: Mr. Thomas Bowers
Title: Regional Hydrologist
Office Phone: (801) 524-5137 FTS 588-5137
Home Phone: (801) 355-2034

DEPARTMENT OF DEFENSE

HEADQUARTERS SIXTH U. S. ARMY (I,N,S)
Presidio of San Francisco, CA 94129

Representative: ~~Major Clayton Scott~~ *LT. Col. Donald R. Horton*
Title: Chief, Emergency Operations Center
Office Phone: (415) 561-5671(24hr)

Alternate: LT Colonel Jack A. Craig
Title: Chief, Operations Readiness
Office Phone: (415) 561-5671(24hr)

ELEVENTH NAVAL DISTRICT (I,S)

937 North Harbor Drive
San Diego, CA 92132

Representative: Mr. David Fischer
Title: Env. Prot. Program Coord. (CODE 0 3E)
Office Phone: (714) 235-3853
FTS Phone: 894-3547(24hr)

Alternate: Mr. Villi Jepsen
Title: Head, Env. Engineering Branch
Office Phone: (714) 235-3547(24hr)

ELEVENTH NAVAL DISTRICT (I,N)
NAVSUPPACT, Treasure Island
San Francisco, CA 94130

Representative: CW03 Jerry Rice
Title: Asst. Port Services Officer
Office Phone: (415) 765-5043, 765-5823(24hr)

U. S. ARMY CORPS OF ENGINEERS (I,N,S)
South Pacific Division
630 Sansome Street, Room 1240
San Francisco, CA 94111

Representative: Col. Gary Lord
Title: Mobilization Chief
Office Phone: (415) FTS 556-6780
(24hr) Phone: (415) FTS 556-3108

Alternate: Mr. R. E. Skillings
Title: Emergency Operations Manager
Office Phone: (415) FTS 556-1675
(24hr) Phone: (415) FTS 556-3108

SUPERVISOR OF DIVING AND SALVAGE (I,N,S)
Naval Sea Systems Command
Code: OOC
Washington, DC 20362

Representative: CDR Charles MACLIN
Title: Supervisor of Salvage and Diving
Office Phone: (202) 697-7386 Not manned 24 hr.

Alternate: CDR Raymond SWANSON
Title: Supervisor of Diving
Office Phone: (202) 697-7386

Alternate: CDR Harley OIEN
Title: Supervisor of Salvage
Office Phone: (202) 897-7386

DEPARTMENT OF ENERGY (I,N,S)
San Francisco Operation Office
1333 Broadway
Oakland, CA 94612

Representative: Mr. Philbert Fong
Office Phone: (415) 273-7963
24 hr phone: (415) 273-4237

Alternate: Mr. Warren Warner
Office Phone: same as above

DEPARTMENT OF HEALTH AND HUMAN SERVICES (I,N,S)

Regional Disaster Assistance Coordinator
50 United Nations Plaza, Room 133
San Francisco, CA 94102

Representative: Mr. J. D. Knochenhauer
Title: Regional Emergency Coordinator
Office Phone: (415) 556-3687
Home Phone: (415) 345-9511

Alternate: Ms Evelyn C. Wachtel
Title: Federal Real Property and Emergency Program Specialist
Office Phone: (415) 556-3687
Home Phone: (415) 658-4651

Alternate: Joel D. Mulder
Title: HHS/CDC Liaison
Office Phone: (415) 974-8134 (24 hr.) FTS 454-8134

DEPARTMENT OF INTERIOR

MINERALS MANAGEMENT SERVICE (I,N,S)

Pacific OCS Region
1340 West Sixth Street
Los Angeles, CA 90017

Representative: Mr. Reid Stone
Title: Area Oil & Gas Supervisor
Office Phone: (213) 688-6990
Home Phone: (213) 823-1289

Alternate: Mr. Harry Cypher
Title: Deputy Minerals Manager, Field Operations
Office Phone: (213) 688-2846
Home Phone: (213) 693-4287

U. S. FISH AND WILDLIFE SERVICE (I,N,S)

2800 Cottage Way
Room E-2727
Sacramento, CA 95825

Representative: Mr. Randall Smith
Title: Regional Pollution Response Coordinator
Office Phone: (916) 484-4731 FTS 468-4731
Home Phone: (916) 753-6067

Alternate: Mr. David J. Lenhart
Title: ECE Staff Specialist
Office Phone: (503) 231-6160 FTS 429-3160
Home Phone: (503) 254-2739

U. S. FISH AND WILDLIFE SERVICE (I)

Region 2
P. O. Box 1306
Albuquerque, NM 87103

Representative: Mr. Charlie Sanchez Jr.
Title: Regional Pollution Response Coordinator
Office Phone: (505) 766-3187 FTS 474-2914
Home Phone:

Alternate: Mr. Harry D. Kennedy
Title: Alternate Regional Pollution Response Coord.
Office Phone: (505) 766-3590 FTS 474-2914
Home Phone: (505) 298-1495

BUREAU OF INDIAN AFFAIRS (I)

Director, Phoenix Area
P. O. Box 7007
Phoenix, AZ 85001
Office Phone: (602) 241-2305 FTS 261-2305

BUREAU OF LAND MANAGEMENT (I)

Director, State of California
Federal Office Building
2800 Cottage Way
Sacramento, CA 95825

Representative: Lois E. Payne
Office Phone: (916) 484-4701 FTS 468-4701

Alternate: Mr. Paul Lynch
Office: (916) 484-4625 FTS 468-4625
Home Phone: (916) 331-2280

BUREAU OF LAND MANAGEMENT (I)

Director, State of Nevada
Federal Building, P.O. 12000
300 Booth Street
Reno, NV 89502
Office Phone: Commercial: (702) 784-5452 FTS 470-5452

OFFICE OF THE SECRETARY

P.O. Box 36098
450 Golden Gate Ave.
San Francisco, CA 94102

Representative: Patricia Port
Title: Regional Environmental Officer
Office Phone: (415) 556-8200 FTS 556-8200
Home Phone: (415) 322-8273

BUREAU OF RECLAMATION

Regional Director
Lower Colorado Region
P. O. Box 427
Boulder City, NV 89005
Office Phone: (712) 293-8411 FTS 598-7411

NATIONAL PARK SERVICE

Superintendent

Lake Mead National Recreation Area
601 Nevada Highway
Boulder City, NV 89005
Office Phone: (702) 293-4041

Channel Islands National Park
1699 Anchors Way Drive
Ventura, CA 93003

Representative: Mr. William Ehorn
Title: Superintendent
Office Phone: Commercial and FTS (805) 644-8157

DEPARTMENT OF JUSTICE

TORTS BRANCH, CIVIL DIVISION

U. S. Dept. of Justice
450 Golden Gate Ave.
P. O. Box 36028
San Francisco, CA 94102

Representative: Mr. Philip A. Berns
Title: Attorney in Charge
Office phone: (415) 556-3146
Home Phone: (415) 938-6745

Alternate: LCDR Robert G. Frame
Title: Attorney
Office Phone: (415) 556-3145
Home Phone: (707) 429-4487

U. S. DISTRICT ATTORNEY OFFICES

ARIZONA

U. S. Attorney
4000 Federal Building
230 N. First Ave.
Phoenix, AZ 85025

Representative: Mr. A. Melvin Mc Donald
Title: U. S. Attorney
Office Phone: (602) 261-3011 FTS 261-3011

Alternate: Mr. Steve Mc Namee
Title: Chief Assistant U. S. Attorney
Office Phone: (602) 261-3011

CALIFORNIA

U. S. Attorney
1200 U. S. Courthouse
312 N. Spring Street
Los Angeles, CA 90012

Representative: Richard Drooyan
Title: Chief, Criminal Complaint Section
Office Phone: (213) 688-2423 FTS 798-2423
24-hr Phone: (213) 688-2434

SACRAMENTO (I,N,S)

U. S. Attorney
650 Capitol Mall, Room 3305
Sacramento, CA 95841

Representative: Mr. Donald Ayer
Title: U. S. Attorney
Office Phone: (916) 440-2331 FTS 448-2331
Home Phone: (916) 442-7059

Alternate: Charles Renda
Title: Assistant U. S. Attorney
Office Phone: (916) 440-2331 FTS 448-2331
Home Phone: (916) 486-9323

SAN DIEGO (I,S)

U. S. Attorney
U. S. Courthouse
940 Front Street, Room 5-M-19
San Diego, CA 92189

Representative: Mr. Peter K. Nunez
Office Phone: (714) 293-5610 FTS 895-5610

Alternate: Peter Bowie
Office Phone: (714) 293-5610 FTS 895-5610

SAN FRANCISCO

U. S. Attorney
Federal Building, 16th Floor
Box 36055
450 Golden Gate Ave.
San Francisco, CA 94102

Representative: Mr. Rodney Hamblin
Title: Assistant U. S. Attorney
Office Phone: (415) 556-5131
Home Phone: (415) 756-4934

Alternate: Mr. Charles M. O'Conner
Title: Assistant U. S. Attorney
Office Phone: (415) 556-2245
Home Phone: (415) 383-6293

NEVADA (I)

U. S. Attorney
300 Las Vegas Blvd. South
P. O. Box 16030
Las Vegas, NV 89101-0030

Representative: Mr. Lamond Mills
Title: U. S. Attorney
Office Phone: (702) 385-6336 FTS 598-6336

DEPARTMENT OF LABOR
OSHA- Technical Support
Box 36017
450 Golden Gate Ave.
San Francisco, CA 94102

Representative: Mr. Jim Guenther
Title: Safety Engineer Technical Support
Office Phone: (415) FTS 556-1636
Home Phone:

DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD (I,N)
Commander, Twelfth Coast Guard District
Government Island
Alameda, CA 94501

Representative: CAPT Charles Glass
Title: Chief, Marine Safety Division
Office Phone: (415) 273-7211 FTS 536-7211

Alternate: CDR G. H. Brown III
Title: Chief, Marine Env. Prot. & Port Safety Br.
Office Phone: (415) 273-7211 FTS 536-7211
24 Hour Phone: (415) 556-5500

U. S. COAST GUARD
Commander, Eleventh Coast Guard District (I,S)
Union Bank Building
400 Oceangate Blvd.
Long Beach, CA 90822

Representative: CAPT Leon E. Beaudin
Title: Chief, Marine Safety Division
Office Phone: (213) 590-2301 FTS 984-9301
Home Phone: (714) 857-8358

Alternate: CDR L. A. Onstad
Title: Chief, Marine Env. Prot. & Port Safety Br.
Office Phone: (213) 590-2301 FTS 984-9301
Home Phone: (714) 960-6661

NATIONAL STRIKE FORCE
PACIFIC STRIKE TEAM-U.S. COAST GUARD (I,N,S)
Hanger #2, Building 390
Hamilton AFB, CA 94934

Representative: LCDR O'Brien
Title: CO, Pacific Strike Team
Office Phone: (415) 556-2655
Home Phone: (415) 883-3075
24 Hour: (415) 883-3311

Altetnate: LCDR B. Rome
Title: XO, Pacific Strike Team
Office Phone: (415) 556-2655
Home Phone: (415) 883-6978

ENVIRONMENTAL PROTECTION AGENCY

Region IX
215 Fremont Street
San Francisco, CA 94105

Representative: Mr. Harry Seraydarian
Title: Acting Director, Toxic & Waste Management Division
Office Phone: (415) 974-7460 FTS 454-7460
24-hour phone: (415) 974-8131 FTS 454-8131

Alternate: Mr. Terry Brubaker
Title: Chief, Emergency Response Section
Office Phone: (415) 974-7511 FTS 454-7511
24 hr. Phone: (415) 974-8131 FTS 454-8131

Alternate: Mr. Chris Vais
Title: Oil and Hazardous Materials Coordinator
Office Phone: (415) 974-8133 FTS 454-8133
Home Phone: (415) 521-4347

FEDERAL EMERGENCY MANAGEMENT AGENCY

FEMA Region IX
Building 105 Presidio of San Francisco
San Francisco, CA 94129

Representative: Roy J. Gorup
Title: Public Assistance Officer
Office Phone: (415) 556-9830
Home Phone: (707) 762-9407

Alternate: Mr. Tom C. Hamner
Title: Chief, Disaster Assistance Programs
Office Phone: (415) 556-9830
Home Phone: (415) 922-1132

STATE OF ARIZONA

Arizona Dept. of Health Services
Division of Environmental Health, Room 202
1740 West Adams Street
Phoenix, AZ 85007

Representative: Mr. Ted Blackburn
Title: Hazardous Waste Section
Office Phone: (602) 255-1160 FTS 765-1160
Home Phone: (602) 971-2189

Alternate: Mr. Bill Williams
Title: Manager, Hazardous Waste Section
Office Phone: (602) 255-1160 FTS 765-1160
Home Phone: (602) 253-6052

ARIZONA DIVISION OF EMERGENCY SERVICES (I)

5636 E. McDowell Rd.

Phoenix, AZ 85008

Representative: Mr. Emory G. Vickers
Title: Hazardous Materials Program Coordinator
Office Phone: (602) 273-9880
24 Hour Phone: (602) 262-8011

ARIZONA GAME & FISH DEPARTMENT (I)

Director

2222 W. Greenway Road

Phoenix, AZ 85023

Office Phone: (602) 942-3000

24 Hour: (602) 255-5507

STATE OF CALIFORNIA

California Department of Fish & Game

1416 Ninth Street

Sacramento, CA 95814

Representative: LT Ed A. Simons
Title: State Agency Coordinator
Office Phone: (916) 323-0635
Home Phone: (415) 634-5802

OFFICE OF EMERGENCY SERVICES (I,N,S,)

P.O. Box 9577

Sacramento, CA

Representative: Gerald R. Schimke
Title: Chief, Hazardous Material Section
Office Phone: (916) 427-4287 24 Hour

CALIFORNIA HIGHWAY PATROL (I)

P.O. Box 898, 2555 First Ave.

Sacramento, CA 95804

Representative: CAPT Tedd Starr
Alternate: LT Dave Moore
Office Phone: (916) 445-1626
24 hour Phone: (916) 445-2211

CALIFORNIA DEPARTMENT OF HEALTH SERVICES (I,N,S)

714 P Street, Room 584

Sacramento, CA 95814

Representative: Mr. Cody Begley
Title: Emergency Response Coordinator
Office Phone: (916) 324-2445
Home Phone: (209) 473-4033

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD (I,N,S)

1416 9th Street

Sacramento, CA 95814

Representative: Dr. Fred Lercari
Title: Environmental Specialist
Office Phone: (916) 322-0210
Home Phone: (916) 791-7583

STATE OF NEVADA (I)

Nevada Civil Defense & Disaster Assistance Division
Capitol Complex
Carson City, NV 89710

Representative: Mr. Robert Andrews
Title: Director
Office Phone: (702) 885-4240 FTS 450-4334
Home Phone: (702) 882-6194
24 hr. Phone: (702) 885-5300

Alternate: Donald L. Dehne
Title: Plans & Program Officer
Office Phone: (702) 885-4240 FTS 450-4240
Home Phone: (702) 882-8965

DEPARTMENT OF CONSERVATION & NATURAL RESOURCES

Administrator
Division of Environmental Protection
201 South Fall Street Room 221
Carson City, NV 89710

Representative: Mr. Lewis Dodgion
Office Phone: (702) 885-4670

NEVADA DEPARTMENT OF WILDLIFE

Director
P.O. Box 10678
Reno, NV 89520

Representative: Mr. William Molini
Office Phone: (702) 784-6214

TAB B
REGION IX OCEANIA POLLUTION RESPONSE TEAM DIRECTORY

CHAIRMAN - CAPT R. JANECEK
EXECUTIVE SECRETARY - LT S. P. PURVINE

H - Hawaiian Island Representative
G - Guam Representative
TT - Trust Territory of Pacific Is. Rep
NM - Commonwealth No. Marianas Is. Rep.
AS - American Samoa Representative

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (H,G,TT,NM,AS)

NOAA/OMPA Marine Pollution Assessment

Pacific Office RD/MPF 25

7600 Sand Point Way N.E BIN C15700

Seattle, WA 98115

Representative: Dr. Howard S. Harris
Title: Director
Office Phone: (FTS) 446-6341 (COMM) 206-527-6341
Home Phone: 206-232-6073

Alternate: LCDR Lawrence E. Keister, NOAA
Title:
Office Phone: (FTS) 446-6341 (COMM) 206-527-6341
Home Phone: 206-527-0496

NATIONAL MARINE FISHERIES SERVICE (NOAA) (H,G,TT,NM,AS)

Western Pacific Program Office

2570 Dole Street

P. O. Box 3830

Honolulu, HI 96812

Representative: Mr. Doyle E. Gates
Title: Director
Office Phone: 808-946-2181
Home Phone: 808-261-1800

Alternate: Mr. John J. Naughton
Title: Fisheries Biologist
Office Phone: 808-955-8831
Home Phone: 808-262-9029

Alternate: Mr. Eugene Nitta
Title: Marine Mammal And Endangered Species Program
Coordinator
Office Phone: (808) 955-8831
Home Phone: (808) 487-5256

SCIENTIFIC SUPPORT COORDINATOR (H,G,TT,NM,AS)

National Oceanic and Atmospheric Administration
7600 Sand Point Way NE
BIN C15700
Seattle, WA 98115

TELEX ADDRESS: RHWIFUD/NOAA
OMPA HAZMAT SEATTLE WA

Representative: Mr. Robert Pavia
Title: Scientific Support Coordinator
Office Phone: 206-527-6319 FTS 446-6319
24 Hour Pager: Commercial (206) 343-3432

NATIONAL WEATHER SERVICE (NOAA) (H,G,TT,NM,AS)

Forecast Office
Honolulu International Airport
Honolulu, HI 96819

Representative: Mr. Clarence Lee
Title: Meteorologist in Charge
Office Phone: 808-836-1831/2102
Home Phone: 808-455-5405

Alternate: Mr. Andrew K.T. Chun
Title: Deputy Meteorologist in Charge
Office Phone: 808-836-1831/2102
Home Phone: 808-395-1885

DEPARTMENT OF DEFENSE

COMMANDER IN CHIEF PACIFIC (CINCPAC) (H,G,TT,NM,AS)

Facilities Engineering Division
CINCPAC Staff Box 20
Camp H. M. Smith, HI 96821

Representative: CDR W. H. Hatter, CEC, USN
Title: Facilities Plans Officer
Office Phone: 808-477-6894
24-hour Phone: 808-477-6601

Alternate: CAPT D. S. BOLINGER, CEC, USN
Title: Chief, Facilities Engineering Division
Office Phone: 808-477-5023
24-Hour Phone: 808-477-6601

COMMANDER, NAVAL BASE, PEARL HARBOR (H)

Box 110
Pearl Harbor, HI 96860 Attn: N3

Representative: CDR J. I. JUDGE
Title: Operations Officer
Office Phone: 808-471-3084 24-Hour Phone 808-474-9201
Home Phone: 808-254-3090

Alternate: LCDR J. P. Nelson
Title: Assistant Operations Officer
Office Phone: 808-471-3084 24-Hour Phone 808-474-9201
Home Phone: 808-487-0414

COMNAVMARIANAS/COMNAVBASE GUAM//COMMANDER IN CHIEF PACIFIC GUAM AND
THE TRUST TERRITORIES OF THE PACIFIC ISLANDS (G,TT,NM)

COMNAVMARIANAS/COMNAVBASE GUAM//TTPI

Fleet Support Office (N3)

Box 9

FPO San Francisco 96630

Representative: CDR J. R. Walker
Title: Fleet Support Officer (N-3)
Office Phone: Com: 349-5231/AUTOVON: 321-5623
Home Phone: 332-2128

Alternate: YNC J. L. Adams
Title: N-3 Office Supervisor
Office Phone: COM: 349-5231/AUTOVON: 321-5623
Home Phone: 332-2203

U. S. ARMY CORPS OF ENGINEERS (H,AS)

District Engineer

Building 230

Fort Shafter, HI 96858

Representative: COL Alfred J. Thiede
Title: District Engineer
Office Phone: 808-438-1091
Home Phone: 808-623-5077

Alternate: Mr. James H. S. Lee
Title: Emergency Operations Manager
Office Phone: 808-438-1673
Home Phone: 808-235-1514

Alternate: MAJ Edmund A. Thal
Title: Deputy District Engineer
Office Phone: 808-438-1069
Home Phone: 808-841-3518

U. S. AIR FORCE (H,AS)

Commander

15th Air Base Wing/DEMRL

ATTN: Chief, Readiness and Logistics

Hickman AFB, HI 96853

Representative: 2nd LT Leonard A. Patrick
Title: Chief, Readiness and Logistics
Office Phone: 808-449-1640
Home Phone: 808-423-1785

Alternate: Mr. Reggie Yamada
Title: Environmental Engineer
Office Phone: 808-449-1831 (24-Hour)

Alternate: Capt Stephen W. Lee
Title: Chief, Resources and Requirements
Office Phone: 808-449-1640
Home Phone: 808-423-1785

U. S. NAVAL OCEANOGRAPHY COMMAND CENTER, GUAM M.I. (G,TT,NM)

Commanding Officer
U. S. Naval Oceanography Command Center
COMNAVMARIANAS Box 12
FPO San Francisco, CA 96630

Representative: LCDR W. A. Butler
Title: Oceanographic & Technical Services Officer
Office Phone: 344-7198 (Guam)
Home Phone: 332-6294 (Guam)

Alternate: CDR R. A. Garcia
Title: Operations Officer
Office Phone: 344-4230 (Guam)
Home Phone: 332-2169 (Guam)

DEPARTMENT OF INTERIOR (H,G,TT,NM,AS)

U. S. Fish and Wildlife Service
300 Ala Moana Blvd.
Room 6037
Honolulu, HI 96850

Representative: Mr. John I. Ford
Title: Fisheries Biologist
Office Phone: 808-546-7530/7531/7508
Home Phone: 808-488-4435

Alternate: Mr. Stuart Fefer
Title: Wildlife Biologist
Office Phone: (808) 546-5608

REGIONAL ENVIRONMENTAL OFFICER

Regional Environmental Officer
P. O. Box 36098
450 Golden Gate Avenue
San Francisco, CA 94102

Representative: Mrs. Pat Port
Title: Regional Environmental Officer
Office Phone: FTS 556-8200

DEPARTMENT OF TRANSPORTATION (H,G,TT,NM,AS)

Commander, 14th Coast Guard District
300 Ala Moana Blvd.
Honolulu, HI 96850

Representative: CAPT R. A. Janecek
Title: Chief, Marine Safety Division
Office Phone: 808-546-7510
24-hour Phone: 808-546-7109

Alternate: LT S. P. Purvine
Title: Chief, Marine Environmental Protection Branch
Office Phone: 808-546-7510
Home Phone: 808-833-2105

Representative: CAPT B. G. Burns
Title: CO, Marine Safety Office, Honolulu (OSC)
Office Phone: 808-546-7146
Address: 433 Ala Moana Blvd., Rm 1,
Honolulu, HI 96813

Representative: (AS) LTJG M. D. Morse
Title: CG LIASON OFFICER (OSC's Representative)
Office Phone: 633-1277 (American Samoa)
Home Phone: 633-9821 (American Samoa)
Address: P. O. Box 249, Pago Pago, American Samoa 96799
NOTE: To dial direct to Samoa, use: 011 plus 684 then the seven
digit number.

NATIONAL STRIKE FORCE- PACIFIC STRIKE TEAM (I,N,S)

Hanger #2, Bldg. 390
Hamilton AFB, CA 94934

Representative: LCDR J. O'Brien
Title: CO, Pacific Strike Team
Office Phone: 415-556-2655 - After hours 556-5500; ask
the Strike Team OOD to return call.
Home Phone: 415-883-3075

Alternate: LCDR Dennis "Buzz" Rome
Title: XO, Pacific Strike Team
Office Phone: 415-556-2655 after hours 415-556-5500
ask the Strike Team OOD to return call

ENVIRONMENTAL PROTECTION AGENCY (H,G,TT,NM,AS)

Region IX
215 Fremont Street
San Francisco, CA 94105

Representative: Mr. Harry Seraydarian
Title: Acting Director, Toxic Waste Management Division
Office Phone: 415-974-7460 FTS 454-7460
24-hour Phone: 415-974-8131 FTS 454-8131

Alternate: Mr. Christopher Vais
Title: Oil & Hazardous Materials Coordinator
Office Phone: 415-974-8130 FTS 454-8130
Home Phone: 415-521-4347
24-hour Phone: 415-974-8131 FTS 454-8131

STATE OF HAWAII (H)

HAWAII STATE DEPARTMENT OF DEFENSE (Lead Agency; Hawaii Liaison Group)

State of Hawaii
Civil Defense Division
3949 Diamond Head Road
Honolulu, HI 96816

Representative: Mr. Thomas O. Batey
Title: Chief, Plans and Operations Branch
Office Phone: 808-734-2161
Home Phone: 808-247-2922

Alternate: Mr. Robert Sorg
Title: Economic Resources Mobilization Officer
Office Phone: 808-734-2161
Home Phone: 808-261-0346

MEMBERS HAWAII LIAISON GROUP

HAWAII STATE DEPARTMENT OF TRANSPORTATION

Harbors Division
P. O. Box 397
Honolulu, HI 96816

Representative: Mr. Homer Maxey
Title: Oahu District Manager
Office Phone: 808-548-6255
Home Phone: 808-261-1059

OFFICE OF ENVIRONMENTAL QUALITY CONTROL (OEQC)

550 Halekauwila Street, Room 301
Honolulu, HI 96813

Representative: Ms. Jacqueline Parnell
Title: Director
Office Phone: 808-548-6915
Home Phone: 808-524-2572

Alternate: Mr. Michael Lim
Title: Environmental Planner
Office Phone: 808-548-6915

DEPARTMENT OF LAND AND NATURAL RESOURCES

Division of Aquatic Resources
1151 Punchbowl Street
Honolulu, HI 96813

Representative: Mr. Henry Sakuda
Title: Director
Office Phone: 808-548-5920
Home Phone: 808-396-0155

Alternate: Mr. Ronald Walker
Title: Wildlife Branch Chief
Office Phone: 808-548-5917
Home Phone: 808-235-1681

HAWAII STATE DEPARTMENT OF HEALTH
Pollution Investigation/Enforcement Branch
P. O. Box 3378
Honolulu, HI 96801

Representative: Mr. Eugene Akazawa
Title: Supervisor
Office Phone: 808-548-6355
Home Phone: 808-524-6410

Alternate: Mr. Daniel Hori
Title: Environmental Health Specialist
Office Phone: 808-548-6355
Home Phone: 808-839-5623

MEMBERS OF HAWAII LIAISON GROUP (Cont'd)

UNIVERSITY OF HAWAII
Oceanography Department
100 Pope Road
Honolulu, HI 96822

Representative: Dr. Klaus Wyrcki
Title:
Office Phone: 808-948-7037
Home Phone: 808-949-2229

UNIVERSITY OF HAWAII
P. O. Box 1346
Kaneohe, HI 96744

Representative: Dr. Steve Smith
Title:
Office Phone: 808-247-6631
Home Phone: 808-237-4746

CITY AND COUNTY OF HONOLULU
Oahu Civil Defense
650 S. King Street
Honolulu, HI 96813

Representative: Mr. Malcolm A. Sussel
Title: Administrator
Office phone: 808-523-4121 24-Hr
Home Phone:

TERRITORY OF GUAM
TERRITORY OF AMERICAN SAMOA
COMMONWEALTH OF NORTHERN MARIANAS ISLANDS
TRUST TERRITORY OF PACIFIC ISLANDS

TERRITORY OF GUAM

GUAM ENVIRONMENTAL PROTECTION AGENCY (G)

P. O. Box 2999
Agana, Guam 96910

Representative:

Title: Director, Solid/Hazardous Waste Mgt Program
Office Phone: 646-8863/4/5 (Guam)
Home Phone: 734-2570

DEPARTMENT OF AGRICULTURE, DIVISION OF AQUATIC AND WILDLIFE RESOURCES (G)

P. O. Box 2950
Agana, Guam 96910

Representative: Mr. H. T. Kami

Title: Chief, Aquatic & Wildlife Resources Division
Office Phone: 734-3944
Home Phone: 734-2591

Alternate: Mr. Robert D. Anderson

Title: Assistant Chief, Aquatic & Wildlife
Office Phone: 734-3945
Home Phone: 789-1496

Alternate: Mr. Alan J. Hosmer

Title: Fishery Supervisor
Office Phone: 734-3945
Home Phone: 789-1105

NOTE: To dial Guam direct use 011 plus 671 & dial the seven digit number

DEPARTMENT OF PUBLIC HEALTH (G)

Box 2816
Agana, Guam 96910

Representative:

Title:
Office Phone: 734-9901 (Guam)
Home Phone:

UNIVERSITY OF GUAM (G)

Marine Laboratory
UOG Station
Mangilao, Guam 96913

Representative: Dr. Charles Birkeland

Title: Director, Marine Laboratory
Office Phone: 671-734-2421 (Guam)
Home Phone: 671-789-2462

Alternate: Dr. James A. Marsh, Jr.
Title: Professor
Office Phone: 671-734-2421
Home Phone:

COMMERCIAL PORT OF GUAM (G)

P. O. Box 1445
Agana, Guam 96910

Representative: Mr. F. G. Santos
Title: Harbor Master
Office Phone: 477-8752/477-8911 (Guam)
Home Phone: 472-6589 (Guam)

Alternate: Mr. Joseph Grant
Title: Assistant Harbor Master
Office Phone: 477-8697 (Guam)
Home Phone: 789-6103 (Guam)

TERRITORY OF AMERICAN SAMOA (AS)
ENVIRONMENTAL QUALITY COMMISSION

Environmental Quality Commission
Office of the Governor
American Samoa Government
Pago Pago, American Samoa 96799

Representative: Lyle Richmond
Title: Chairman, Environmental Quality Commission
Office Phone: 633-4116
Home Phone:

Alternate: Mr. Pati Faiai
Title: Executive Secretary
Office Phone: 633-4116
Home Phone:

COMMONWEALTH OF NORTHERN MARIANAS (NM)

(To be Developed)

TRUST TERRITORY OF PACIFIC ISLANDS (TT, NM)

TRUST TERRITORY ENVIRONMENTAL PROTECTION BOARD (TT, EPB)

Trust Territory Environmental Protection Board
TTPI Headquarters
Saipan, CNMI 96950

Representative: Mr. Caleb T. Otto
Title: Chairman, TTEPB
Office Phone: 9433
Home Phone:

Alternate: Mr. Nachsa Siren
Title: Executive Officer, TTEPB

Office Phone: 9433 (Saipan)
Home Phone:

ORGANIZATION WITH OBSERVER STATUS

H - HAWAII
G - GUAM
TT - TRUST TERRITORY OF PACIFIC ISLANDS
CN - COMMONWEALTH OF NORTH MARIANAS ISLANDS
AS - AMERICAN SAMOA

OCEANIC INSTITUTE (H)

Marine Biology Department
Makapuu Point
Waimanalo, HI 96795

Representative: Dr. Paul K. Bienfang
Title: Senior Scientist
Office Phone: 808-259-7951, 24 Hour

CLEAN ISLAND COUNCIL (H)

2569 Halekoa Drive
Honolulu, HI 96821

Representative: Mr. Harold Mehlberg
Title: Director
Office Phone: 808-923-5726
Home Phone: 808-734-4998

Alternate: Mr. Willaim D. Aldenderfer
Title:
Office Phone: 808-548-4206
Home Phone: 808-373-3495

PEPPER INDUSTRIES, INC. (H)

91-294 Kauhi Street
Ewa Beach, HI 96706

Representative: George Krakie
Title: Operations Manager
Office Phone: 808-682-2431
Home Phone: 808-422-2980

Alternate: Mr. Jeffrey W. Metzger
Title: Production Manager
Office Phone: 808-682-2431
Home Phone:

GUAM OIL REFINING CO. (G)

P. O. Box 3190
Agana, Guam 96910

Representative: Mr. Roberto H. Jurinario
Title: Safety Superintendent
Office Phone: 565-2921/2929 (Guam)

Alternate: Mr. Joseph G. Baza & Mr. Pete Dela Paz

DILLINGHAM CORPORATION OF GUAM (G,TT,NM)

Marine Services Division
P. O. Box FN
Agana, Guam 96910

Representative: Mr. Roger E. Olegario
Title: Manager
Office Phone: 477-9319, 339-8154, 472-8515 (Guam)
Home Phone: 472-6059 (Guam)

Alternate: Mr. Paul M. Davidson
Title: Production Manager
Office Phone: 477-9319, 339-8154, 472-8515 (Guam)
Home Phone: 565-2367 (Guam)

MOBIL INTERNATIONAL PETROLEUM CORP. AND MOBIL OIL MICRONESIO, INC (G,TT,NM)

P. O. Box EU
Agana, Guam 96910

Representative: Mr. R. Strom Rideout
Title: Terminal Manager
Office Phone: 472-8861/2/3 (Guam) or 477-9971 (Guam)
Home Phone: 734-2377 (Guam)

Alternate: Mr. Thomas H. Hale
Title: Supply & Program Assistant
Office Phone: 472-8861/2/3 (Guam) or 477-9971 (Guam)
Home Phone: 342-2288 (Guam)

UNITEK ENVIRONMENTAL SERVICES, INC. (H)

723 Umi Street
Honolulu, HI 96819

Representative: Mr. Randy Herold
Title: Business Development Manager
Office Phone: 808-845-2211

PACIFIC MARINE, A UNITEK COMPANY

Pier 13-14
Honolulu, HI 96817

Representative: Mr. James V. Sterling, Jr.
Title: Vice President/General Manager
Office Phone: 808-531-0182

Organizations are granted observer status upon request to the RRT via:

Commander (m)
Fourteenth Coast Guard District
300 Ala Moana Blvd.
Honolulu, HI 96850

Organizations with observer status are placed on the mailing list of RRT activities and minutes. Observers status is not required for attendance at RRT meetings.

ADVISORY MEMBERS

H - HAWAII REPRESENTATIVE
G - GUAM REPRESENTATIVE
TT - TRUST TERRITORY PACIFIC ISLAND REP.
NM - COMMONWEALTH NO. MARIANAS ISLAND REP.
AS - AMERICAN SAMOA REP.

TO BE DEVELOPED

TAB C

EMERGENCY DISASTER RESPONSE ORGANIZATION DIRECTORY

SPILL RESPONSE ENTITIES

NATIONAL RESPONSE CENTER-POLLUTANT PROJECTORY FORECASTS

24-hr: 800-424-8802

PACIFIC STRIKE TEAM (USCG)

0800-1600 415-883-3311

After working hours call 415-556-5500

GULF STRIKE TEAM (USCG)

24-hr: Commercial: (601) 688-2380 FTS 494-2380

ATLANTIC STRIKE TEAM (USCG)

24-hr: Commercial: (919) 338-1100 FTS 931-0268

PUBLIC INFORMATION ASSISTANCE TEAM (USCG)

0730-1600 FTS 426-9568

After working hours call 800-424-8802

STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES

24-hr: 800-852-7550

INTERAGENCY RADIOLOGICAL ASSISTANCE PLAN

24-hr: 415-273-4237

NOAA SCIENTIFIC SUPPORT COORDINATION

Representative: Dr. Robert Pavia

Office: (206) 527-6319 FTS 446-6319

Pager: (206) 343-3432

INFORMATION ON SUPPORT

USCG POLLUTION RESPONSE PROGRAM MANAGEMENT (G-WPE-4)

0730-1600 FTS 426-9568

EPA ENVIRONMENTAL RESPONSE SECTION

24-hr: 415-974-8131 FTS 454-8131

Provides damage assessment, landward of the tidal baseline

CHEMICAL TRANSPORTATION EMERGENCY CENTER (CHEMTREC)

24-hr: 800-424-9300

Provides immediate advice for those personnel at the scene of a chemical spill, provides contact with the shipper/manufacturer of the chemicals involved.

EPA OIL AND HAZARDOUS MATERIALS TECHNICAL ASSISTANCE DATA SYSTEM (OHMTADS)

24-hr: 415-974-8131 FTS 454-8131

Provides a broad range of information on a large number of hazardous chemicals. (Similar information content to CHRIS systems)

HYDRAULIC MODEL OF SAN FRANCISCO BAY (U. S. ACOE)

0730-1630 415-332-3870

After working hours call 415-388-5444 Attn: Mr. Johnson

MEDICAL ASSISTANCE

POISON CENTER

24-hr: 415-666-2845

OTHER

GOLDEN GATE NATIONAL RECREATION AREA

24-hr: (415) 556 7940

MUIR WOODS NATIONAL MONUMENT

Office Phone: 415-388-2595

POINT REYES NATIONAL SEASHORE

Office Phone: 415-663-8525

INTERNATIONAL BIRD RESCUE

24-hr: (415) 841-9086

ANNEX III

1300 REGIONAL RESPONSE CENTER

1301 General

The physical facilities provided at Region IX RRCs parallel those outlined for the NRC in the NCP Section 300.36. There are four RRCs in Region IX.

	<u>RRC Phone Numbers</u>
Eleventh Coast Guard District	213-590-2301 (COMM)
Union Bank Building	984-9301 (FTS)
400 Ocean Gate	984-9225 (24 Hr. FTS)
Long Beach CA 90822	
Twelfth Coast Guard District	415-273-7211 (COMM)
Government Island	536-7211 (FTS)
San Francisco, CA 94501	273-5500 (24 Hr. FTS)
Fourteenth Coast Guard District	808-546-7510 (COMM-FTS)
Room 9141	808-546-7109 (24 Hr. COMM/FTS)
300 Ala Moana Blvd.	
Honolulu, HI 96850	
EPA Region IX Office	415-974-7460 (COMM)
215 Fremont Street	415-974-8131 (COMM 24 Hr.)
San Francisco, CA 94105	454-8131 (FTS)

ANNEX IV

1400 GEOGRAPHICAL BOUNDARIES

1401 General

It is the purpose of this Annex to (a) describe the USCG/EPA boundaries between coastal areas and inland zones for the purpose of providing on scene coordinators in Region IX (b) predesignate on scene coordinators, and (c) define important state agency districts within Standard Federal Region IX

1402 Dividing Lines Between Coastal and Inland Zones

1402.1 The Coast Guard furnishes the OSC for the coastal zone and the EPA for the inland zone. This part gives the dividing lines of these two zones of responsibility in Region IX.

1402.2 In the California coastal zone, the Coast Guard and EPA boundary lines generally follows the coast highway. The dividing line deviates from the coast highway in most urban areas to other thoroughfare bordering the immediate coastline. (Maps delineating the EPA/USCG boundary line in the southern area can be obtained from CCGD11(m)). The boundary line crosses inlets, estuaries and bays as follows:

Otay River - Railroad bridge at Imperial Beach.

Sweetwater River - Interstate Highway 5 Bridge at mouth.

San Diego River - Interstate Highway 5 Bridge.

San Dieguito River - State Route 521 Bridge.

San Luis Rey River - Interstate Highway 5 Bridge at mouth.

San Margarita River - Santa Fe Railroad Bridge.

Newport Bay - Pacific Coast Highway Bridge

Anaheim Bay/Huntington Harbor Complex - Pacific Coast Highway Bridge.

Alamitos Bay - 2nd Street Bridges.

San Gabriel River - Pacific Coast Hwy Bridge.

Los Angeles River - Anaheim Street Bridge.

Dominguez Channel - Anaheim Street Bridge.

Ballona Creek - Line drawn across river mouth.

Santa Clara River - Harbor Blvd. Bridge.

Ventura River - Southern Pacific Railroad Bridge crossing at mouth.

Canada Del Refagio - Southern Pacific Railroad Bridge crossing the mouth.

Canada De Cija - Southern Pacific Railroad Bridge crossing the mouth.

Jalama Creek - Southern Pacific Railroad Bridge crossing the mouth.

Santa Ynez River - Southern Pacific Railroad Bridge crossing the mouth.

Santa Maria River - Line drawn across river mouth.

Big Sur River - Line drawn across river mouth.

Little Sur River - Highway 1 Bridge.

Carmel River - Line drawn across river mouth.

Moss Landing Harbor - To two miles inland of Highway 1 Bridge.

Pajaro River - McGowan Road Bridge.

San Lorenzo River - Line drawn across river mouth.

Estero de San Antonio - Line drawn across river mouth.

Estero Americano - Line drawn across river mouth.

Russian River - Line drawn across river mouth.

Gualala River - Line drawn across river mouth.

Navarro River - Line drawn across river mouth

Albion River - Highway 1 Bridge.

Little River - Highway 1 Bridge.

Big River - Highway 1 Bridge.

Noyo River - to flow of tide.

Tenmile River - Line drawn across river mouth.

Matole River - Line drawn across river mouth.

Bear River - Line drawn across river mouth.

Eel River - Line drawn across river mouth.

Humboldt Bay - All USCG responsibility.

Mad River - Line drawn across river mouth.

Klamath River - Interstate Highway 101 Bridge.

Smith River - Interstate Highway 101 Bridge.

1402.2 (cont'd)

Magu Lagoon - All USCG responsibility.

Magu Harbor - All USCG responsibility.

Ventura Harbor - All USCG responsibility.

Santa Barbara Harbor - All USCG responsibility.

San Francisco Bay and Tributaries:

San Francisco Bay - Coast Guard Responsibility within the following boundaries: (See chart)

Eastern Boundary:

From the intersection of Longitude 122 22'00"W and Highway 121 south to the intersection of Longitude 122 22'00"W and Atlas road. East on Atlas Road to San Pablo. Northeast on San Pablo Avenue to Highway 4. East on Highway 4 to Interstate 80. South on Interstate 80 to Highway 17. South on Highway 17 to Highway 237.

Southern Boundary:

From the intersection of Highway 17 and Highway 237. East on Highway 237 to Highway 101. Northwest on Highway 101 to Interstate 280. Southwest on Interstate 280 to Highway 1. South on Highway 1 to a point directly east of Pescadero Point. A line west to the coast at Pescadero Point.

Western Boundary:

From Pescadero Point on the Coast at Latitude 37 14'00"N. Thence to Latitude 39 00'00"N, Longitude 124 00'00"W. Thence to Latitude 40 00'00"N on the California coast.

Northern Boundary:

From Latitude 40 00'00"N on the California coast due east to Highway 1. South on Highway 1 to Highway 101. North on Highway 101 to highway 116. East on Highway 116 to Highway 121. East on highway 121 to the intersection of Longitude 122 22'00"W and Highway 121.

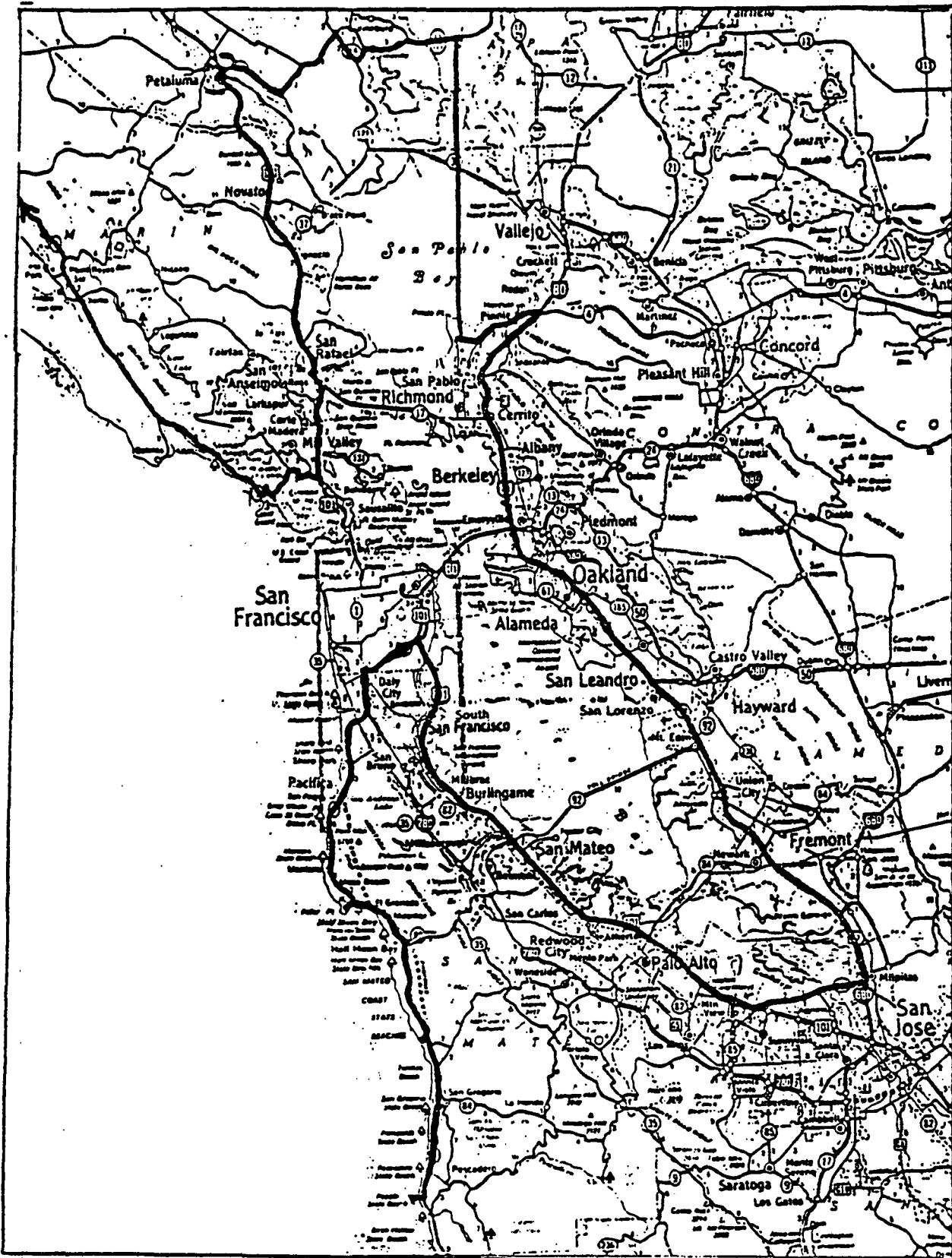
Petaluma River - The Petaluma River as far north as the junction with San Antonio Creek.

Napa River - As far north as Cutting Wharf Road.

Sacramento River - As far inland as the Highway 16 Bridge at Sacramento.

San Joaquin River - As far inland as the Marengo Road Bridge at Stockton.

San Francisco Bay
Coast Guard Boundaries



Sacramento-San Joaquin Delta - Coast Guard Responsibility within the following boundaries: (See Chart)

Northern Boundary:

From the intersection of Longitude 122 22'00"W and Highway 121, east along Highway 121 to Highway 29 (NAPA), south along Highway 29, to Highway 12, east along Highway 12 to Highway 113, north along Highway 113 to Interstate 80, east along Interstate 80 to Interstate 880, east along Interstate 880 to the intersection of Interstate 880 and Interstate 5.

Eastern Boundary:

From the intersection of Interstate 880 and Interstate 5, south on Interstate 5 to Highway 99, south along Highway 99 to Highway 4 (STOCKTON), west along Highway 4 to Interstate 5, south along Interstate 5 to the intersection of Interstate 5 and interstate 205.

Southern Boundary:

From the intersection on Interstate 5 and Interstate 205, west on Interstate 205 to the Southern Pacific right of way at Van Sosteen Road (TRACY), north along the Southern Pacific right of way through Brentwood to Highway 4 (ANTIOCH), west along Highway 4 to San Pablo Avenue (PINOLE), west along San Pablo Avenue to Atlas Road, west along Atlas Road to the intersection of Atlas Road and Longitude 122 22'00"W (POINT PINOLE).

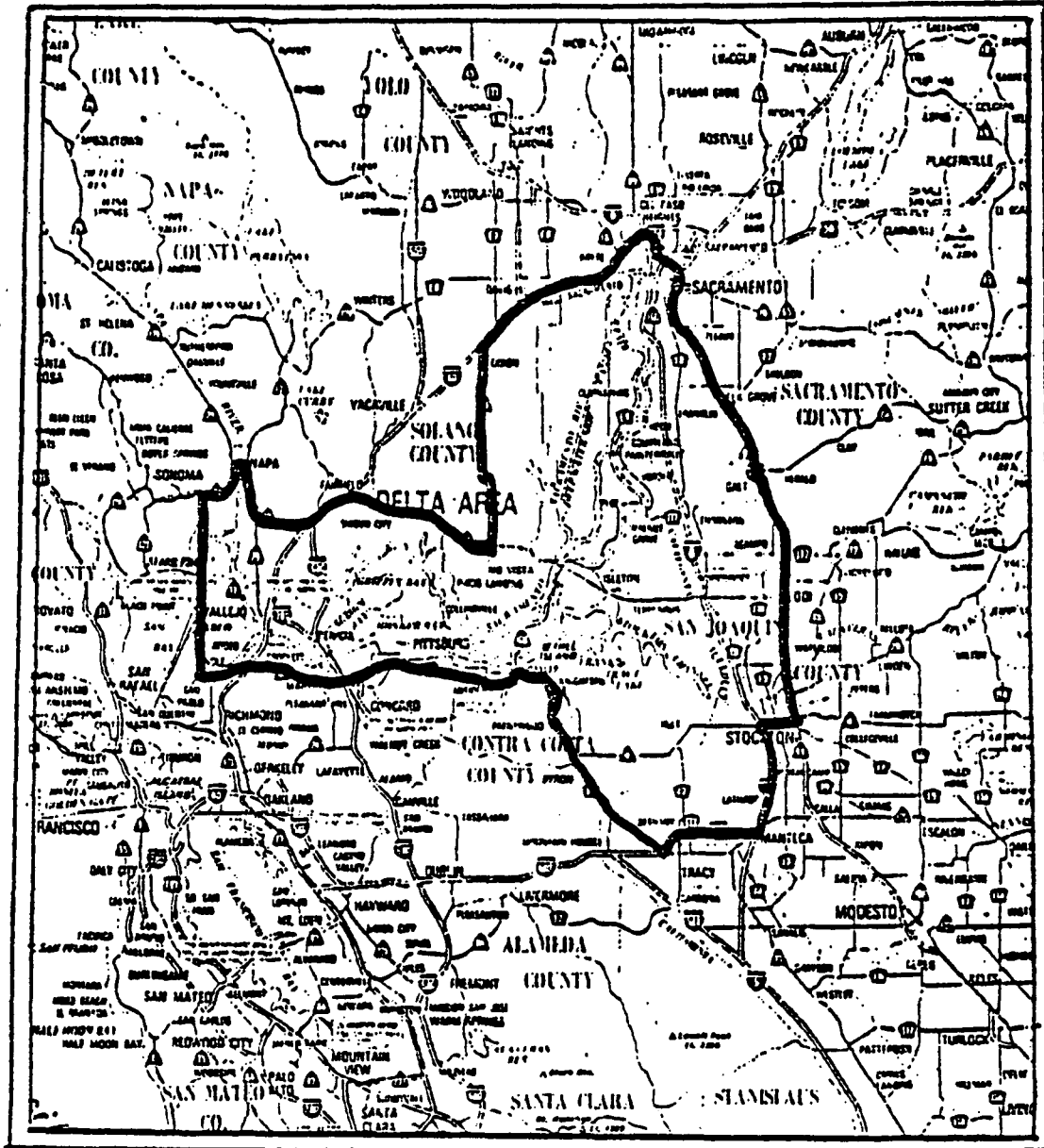
Western Boundary:

From the intersection of Atlas Road and Longitude 122 22'00"W, north to the intersection of Longitude 122 22'00"W and Highway 121.

Annex IV, 1402.3

"The fourteenth Coast Guard District furnishes the OSC for all oil discharges and hazardous substance releases (except as delegated to EPA in the EPA/DOT 9 October 1981 Instrument of Redelelegation) in Hawaii, American Samoa, Guam, Trust Territory of the Pacific Islands, Commonwealth of the Northern Marianas Islands, and all other Territories or possessions over which the United States has jurisdiction."

Sacramento - San Joaquin Delta Coast Guard Boundaries



1403 Predesignated OSC Assignments

1403.1 Eleventh Coast Guard District

- | | <u>Areas of Assigned Responsibility</u> |
|--|---|
| a. Commanding Officer, Marine Safety Office Los Angeles/Long Beach | Coastal areas of Los Angeles and Orange Counties Latitude 34 02' 38"N to 33 23' 26"N
Leo Carrillo Beach to 1/2 mile NW of San Mateo Pt.
Coastal areas of Santa Barbara and Ventura Counties Latitude 34 58' 00"N to 34 02' 38"N
Santa Maria River to 1/2 mile west of Wequit Pt. at Leo Carrillo State Beach |
| b. Captain of the Port, San Diego | Coastal areas of San Diego County Latitude 33 23' 26"N to 1/2 mile NW of San Mateo Pt. to the Mexican Border. |

1403.2 Twelfth Coast Guard District

- | | |
|---|--|
| a. Commanding Officer, Marine Safety Office San Francisco | San Mateo, Santa Clara, Alameda, Contra Costa, San Joaquin, Sacramento, Solano, Yolo and Napa Counties Latitude 40 00' 00"N to 34 58' 00"N
Pt. Del Gada to Pescadero Pt.
Coastal areas of Santa Cruz, Monterey and San Luis Obispo Counties
Latitude 37 14' 00"N to 34 58' 00"N
Pescadero Pt. to the Santa Maria River |
| b. Commanding Officer, Port Safety Station Concord | Coastal areas in the Sacramento, San Joaquin Delta and Carquinez Strait area east of Longitude 122 22' 00"W (except when CO MSO San Francisco assumes OSC). |
| c. Naval On-Scene Coordinator | Spills from Naval vessels or facilities in the San Francisco Bay area, and from Naval vessels in offshore locations as per CCGD12/COM12 Support Agreement (except when Coast Guard assumes OSC). |

1403.3 Fourteenth Coast Guard District

- | | |
|--|---|
| a. Commanding Officer, Marine Safety Office Honolulu, Hawaii | State of Hawaii, Territory of American Samoa, Territory of Guam, Commonwealth of the Northern Marianas Islands, Trust Territory of the Pacific Islands, Johnston Atoll, Wake Island, Midway Island, Howland Island, Baker Island, Jarvis Island, Palmyra Island, Kingman Reef |
|--|---|

1403.3 Fourteenth Coast Guard District (con't)

Areas of Assigned Responsibility

- b. Designated OSC Representative
- | | |
|---|-----------------------------|
| 1. CG Liaison Officer, American Samoa | Territory of American Samoa |
| 2. Guam Environmental Protection Agency (agreement under development) | Territory of Guam |
- c. Designated DOD OSC's for DOD discharges and releases:
- | | |
|--|----------------|
| 1. Officer in Charge, NAF Midway Island | Midway Island |
| 2. Base Civil Engineer, Johnston Atoll | Johnston Atoll |
| 3. Commanding Officer, Detachment 4, 15th Airbase Wing | Wake Island |

1403.4 EPA Region IX

- a. Oil and Hazardous Materials Coordinator and other OSC's predesignated by the Chief, Emergency Response Section Toxic and Waste Management Division
- Nevada, Arizona, and inland portions of California
(EPA Region IX OSC's and their supporting TAT resources are not assigned specific areas within the Inland Zone. Assignment to specific incidents are made on a rotational system, occasionally modified by needs for specific on-site skills)

1403.5 Minerals Management Service

Areas of Assigned Responsibility

- a. Ventura District Supervisor, Mr. James Wright
24-hr Commercial (805) 648-5131
FTS 960-6305
- for spills within 500 meters of an off-shore drilling platform over entire EPA Region IX area

1403.6 Additional OSC Predesignation

Respective District Commanders retain authority to designate On Scene Coordinators in addition to those listed in Sections 1403.1 through 1403.3 after considering personnel qualifications and the particular spill situation.

1403.7 Seaward Extension of Authority

OSC authority extends seaward as provided by the statute or authority being administered. Authority of the OSC may be extended to the High Seas under the Intervention on the High Seas Act PL 93-248. After the Secretary of the Department in which the Coast Guard is operating makes a determination that a vessel is in such a situation as to pose a grave and imminent danger to the coastline or related interests of the United States.

1404 Primary Agency Boundaries

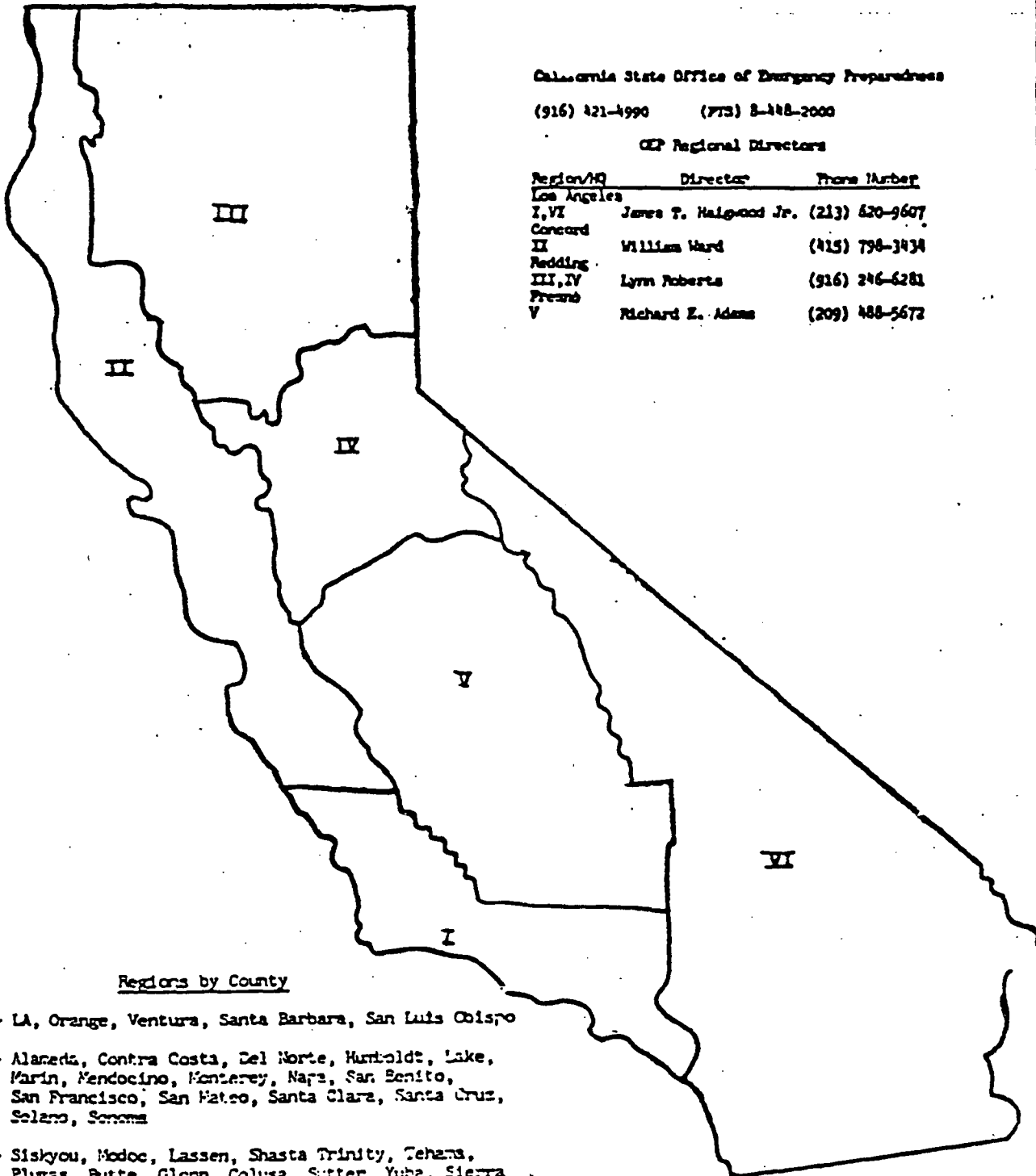
Regional contingency plans are based on the Standard Federal Regions. However, few of the participating agencies on the regional response teams use the Standard Federal Region boundaries.

Contact points for representatives of the participating agencies are listed in section 1201 of this Plan.

This section will outline important State agency district and regional boundaries within the coastal states and territories of Standard Region IX.

1404 State Agency Boundaries

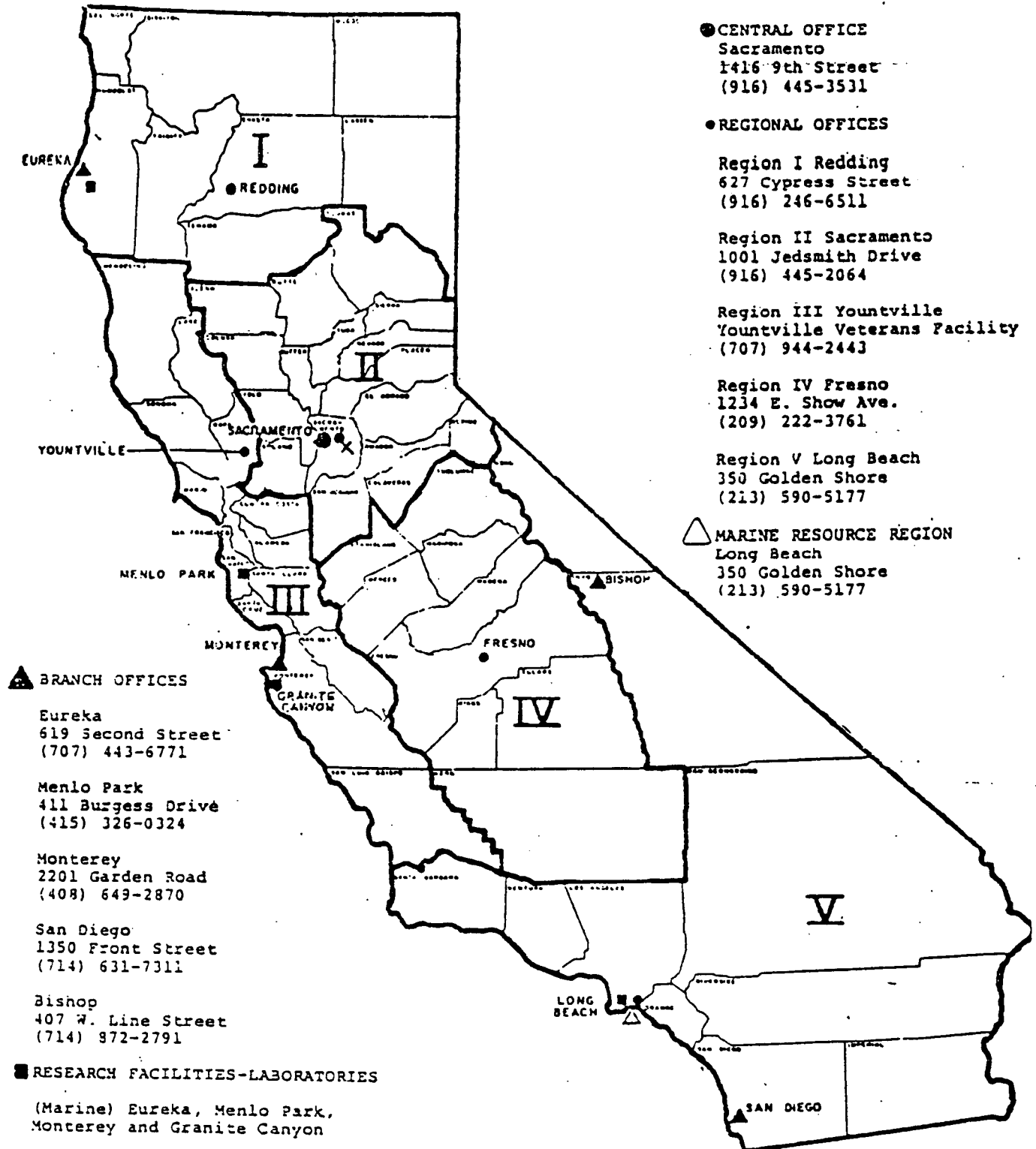
1404.1 STATE OF CALIFORNIA
OFFICE OF EMERGENCY PREPAREDNESS
GEOGRAPHIC REGIONS



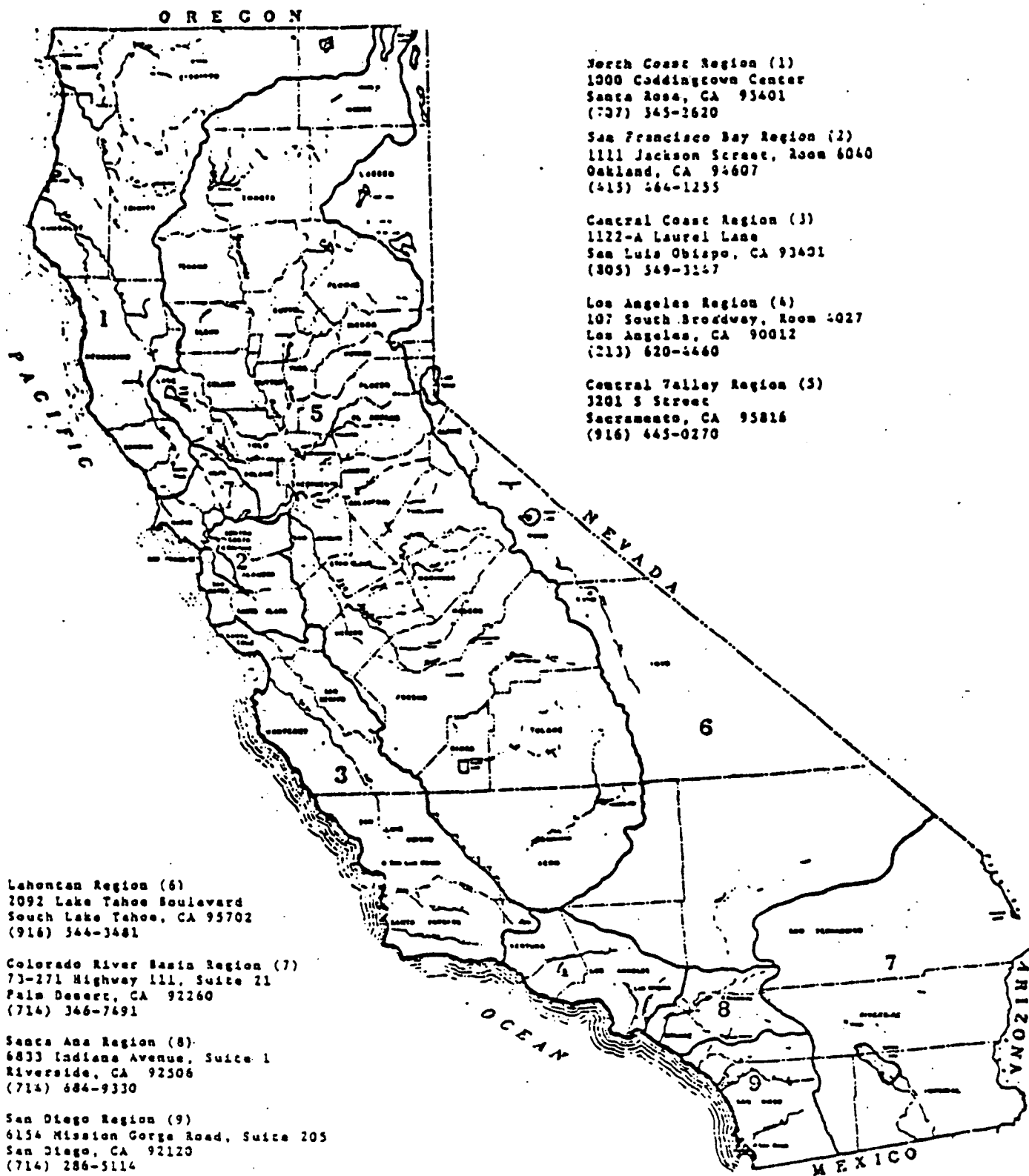
Regions by County

- Region 1 - LA, Orange, Ventura, Santa Barbara, San Luis Obispo
- Region 2 - Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma
- Region 3 - Siskiyou, Modoc, Lassen, Shasta Trinity, Tehama, Plumas, Butte, Glenn, Colusa, Sutter, Yuba, Sierra
- Region 4 - Nevada, Placer, Eldorado, Sacramento, Yolo, Amador, Alpine, Calaveras, Tuolumne, Stanislaus, San Joaquin
- Region 5 - Merced, Mariposa, Madera, Fresno, Kings, Tulare, Kern
- Region 6 - Mono, Inyo, San Bernardino, Riverside, San Diego, Imperial

1404.2 Department of Fish and Game



1404.3 Regional Water Quality Boards



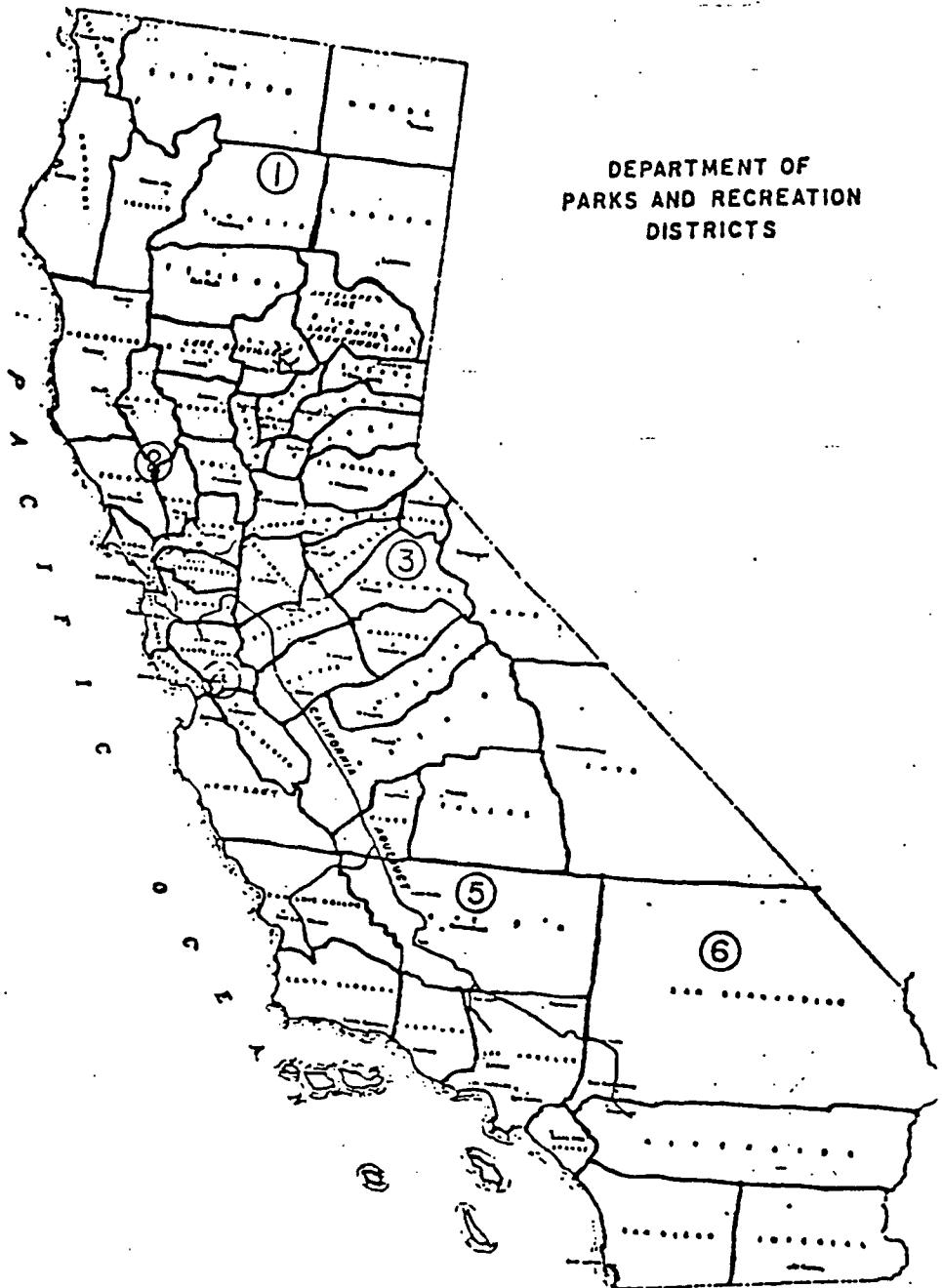
1404.4 California Department of Parks & Recreation Districts

DEPARTMENT OF PARKS AND RECREATION

DISTRICT OFFICES

District	Address and Phone Number
1	3431 Fort Ave. Eureka, CA 95501 ATSS No. 538-2345 Public No. 707-443-4568
2	1621 Cleveland Ave. Santa Rosa, CA 95403 ATSS No. 567-0260 Public No. 707-542-7190
3	4125 West Lane Stockton, CA 95204 ATSS No. 441-3161 Public No. 209-466-5591
4	2211 Garden Road Monterey, CA 93940 ATSS No. 567-0170 Public No. 408-375-5111
5	111 La Patera Lane Goleta, CA 93017 ATSS No. None Public No. 805-967-3494
6	1350 Front Street, Room 6054 San Diego, CA 92101 ATSS No. 631-2366 Public No. 714-232-4361, Ext. 366

DEPARTMENT OF
PARKS AND RECREATION
DISTRICTS



ANNEX V

1500 NOTIFICATION, COMMUNICATIONS, REPORTS

1501 Notification of Discharges

1501.1 Federal Notification

To facilitate the reporting of discharges of oil and releases or potential releases of hazardous substances into the navigable waters of the U.S. a single report should be made to the following offices:

1. Mainland and State of Hawaii Discharge Reports

Duty Officer
National Response Center
United States Coast Guard
400 7th Street
Washington, D.C.
Telephone (toll free): 800-424-8802 (within Continental U.S. and State of Hawaii.)

2. Oceania Discharge Reports (outside State of Hawaii)

Duty Officer
USCG Marine Safety Office
433 Ala Moana Blvd
Honolulu, HI 96813
Telephone: (808) 546-7146

If this reporting procedure is impractical, the report may be made to one of the following:

1501.1.1 State of Arizona:

<u>Counties</u>	<u>Agencies</u>	<u>Telephone</u>
All counties	EPA, San Francisco, CA	415-974-8131 FTS 454-8131
All counties	(Alternate) USCG, LA/Long Beach, CA	213-590-2315 FTS-984-9315

1501.1.2 State of California:

<u>Counties</u>	<u>Agencies</u>	<u>Telephone</u>
Del Norte and Humboldt Mendocino, Sonoma, Marin San Francisco, San Mateo Santa Clara, Alameda, Contra Costa, San Joaquin, Sacramento, Solano, Yolo and Napa Santa Cruz, Monterey, and San Luis Obispo	USCG MSO, San Francisco, CA	(415) 273-7405 COMM 536-7405 FTS

1501.1.2 State of California (cont'd)

<u>Counties</u>	<u>Agencies</u>	<u>Telephone</u>
Santa Barbara, Ventura, Los Angeles and Orange	USCG MSO, Los Angeles/ Long Beach, CA	213-590-2315 984-9315 FTS
San Diego	USCG MSO San Diego, CA	714-293-5860 COM 895-5860 FTS
All other counties	EPA, San Francisco, CA	415-974-8131 COM 454-8131 FTS

The alternate telephone number for Eureka, Monterey or San Francisco is San Francisco Coast Guard Rescue Coordination Center 415-556-5500. The alternate telephone number for Santa Barbara and Ventura Counties is USCG Station Channel Islands 805-985-9822.

1501.1.3 State of Nevada:

<u>Counties</u>	<u>Agencies</u>	<u>Telephone</u>
All counties	EPA, San Francisco, CA	415-974-8131 COMM 454-8131 FTS
Clark County	USCG, MSO LA/Long Beach, CA (Alternate)	213-590-2315 FTS 984-9215
All other counties	USCG, MSO San Francisco, CA	415-433-5397 FTS 556-1698

1501.1.4 State of Hawaii:

<u>Agency</u>	<u>Telephone</u>
USCG MSO, Honolulu, HI	808-546-7146 Commercial and FTS

1501.1.5 Guam/TTPI/CNMI:

<u>Agency</u>	<u>Telephone</u>
USCG Marianas Section Agana, Guam	671-339-8181 Comm and AUTOVON
<u>Alternate:</u> USCG Rescue Sub-Center Guam	671-339-6100 Comm and AUTOVON

1501.1.6 American Samoa:

<u>Agency</u>	<u>Telephone</u>
USCG Liaison Officer	684-633-4116
Pago Pago, American Samoa	

1501.2 State Notification

Reports of discharges received by the EPA or USCG will be provided by message and telephone as soon as possible to the State agency that provides the State Agency Coordinator (SAC). It is the responsibility of that agency to notify other State agencies as outlined in each State's contingency plan.

1501.2.1 State of Arizona

Arizona Department Public Safety	(602) 262-8212
Duty Officer	(602) 262-8209
24-hour phone	

1501.2.2 State of California

Office of Emergency Services	800-852-7550
(24-hour toll free number)	

1501.2.3 State of Nevada

Nevada Civil Defense and Disaster Assistance Agency

24-hour number (Highway Patrol)	702-885-5300
---------------------------------	--------------

(1) Robert Andrews Office Telephone	702-885-4240
	FTS 450-4334
Home Telephone	702-882-6194

(2) Don Dehne Office Telephone	702-885-4240
	FTS 450-4240
Home Telephone	702-882-8965

1501.2.4 State of Hawaii

Hawaii Civil Defense Division
State Department of Defense

24 Hr 803-734-2161

1501.2.5 Territory of Guam

Port Authority of Guam

671-477-8752

1502 Reporting

1502.1 Water Pollution Situation Reports (POLREPS)

1502.1.1 OSC POLREPS to RRC

Initial OSC notification to the RRC may be by telephone followed by a teletype message. Initial assessment and all subsequent information will be forwarded expeditiously in pollution report format outlined in Local Contingency Plans. POLREPS will be submitted in a timely manner as developments occur and as plans for the next day's activities are formulated.

1502.1.2 RRC POLREPS to the RRT and NRC

The RRC will expedite notification to the RRT and NRC by telephone or teletype POLREP message as the situation dictates for medium and major spills, and for spills involving high public interest. POLREPS will be sent to the NRC in a timely manner.

1502.1.2.1. RRC POLREP Notification Responsibilities

1502.1.2.1.1 National

Utilize message address indicator group AIG 8909. Distribution under AIG 8909 is as follows:

Action - Commandant, U. S. Coast Guard

Info COMLANTAREA COGARD Governors Island, NY
COMPACAREA COGARD San Francisco, CA
Department of Defense (DOD)
Environmental Protection Agency (EPA) Washington, DC
Department of Interior (DOI), Washington, DC
Army Corps of Engineers, Washington, DC
Chief of Naval Operations (CNO)

NOAA OMPA HAZMAT, Seattle, WA
COGARD NSG Atlantic Elizabeth City, NC
COGARD NSF Gulf Bay St. Louis, MO
COGARD NSF Pacific San Francisco, CA
Federal Emergency Management Administration (FEMA) Washington, DC
Federal Preparedness Agency, Washington, DC

1502.1.2.2 Regional

No AIG distribution has been established. POLREPS will be addressed to regional offices providing primary and advisory RRT members and to other agencies interested or involved with the incident as appropriate.

1502.1.3 Coast Guard POLREP Format

FROM (appropriate Coast Guard District RRT)

ACTION Commandant, U.S. Coast Guard

INFO AIG eight nine zero nine (see section 1502.1.1.11 National)
Regional addressess (see section 1502.1.2.2 Regional)
COGARD National Response Center, Washington, DC

BT

UNCLASS (subject classification numbers)

POLREP (sequential number)(description/title)(medium/major)

1. SITUATION: (give full details of the spill or sighting)
2. ACTION: (summarize all action taken by the party responsible for the spill, by state and local forces, and by the Coast Guard and their Federal agencies)
3. PLANS AND RECOMMENDATIONS: (include all planned action by the party responsible for the spill, by the State and local forces, and by the Coast Guard and other Federal agencies. Include any recommendations as to future Coast Guard involvement related to the need for RRT or NRT assistance in containment of the spill or assistance in cleanup)
4. STATUS: (indicate case closed, case pends or Federal participation terminated, as appropriate)

BT

1502.2 OSC Report

1502.2.1 General

The OSC Report is a document which outlines the specific details surrounding the pollution incident, and cleanup efforts. Its purpose is to distribute the knowledge and experience gained by the OSC during the course of the incident, to highlight any problem areas and/or solutions for the problems encountered for the benefit of all. The NRT and RRT will review all OSC Reports.

1502.2.2 Responsibility

It is the responsibility of the OSC to submit the report within 60 days after the completion of cleanup activities. Content of the report is outlined in Section 300.56 of the NCP. A report will be submitted for each major oil discharge, or hazardous substance release and each medium discharge or release involving unique problems or solutions. A report will also be required for any discharge or release when requested by the RRT. The RRC staff will ensure transmission of the OSC Report to the NRT and appropriate members of the RRT.

1502.3 Peacetime Disaster Warnings

If the properties of the hazardous substance spilled, pose an immediate threat to human life and property, through toxic gases, explosive or flammable hazard, dissemination of peacetime disaster warnings will be made to local governments of the threatened areas with the utmost speed. The OSC will make every reasonable attempt to accomplish direct communication with appropriate authorities.

The OSC of a coastal area will forward all information available on the situation to the appropriate RRC. The RRC will forward the information to Coast Guard radio facilities or the Marine Exchange for further broadcast. Federal military facilities will be included in OSC and RRC warnings.

Local Contingency Plans shall include appropriate telephone numbers to accomplish the warning dissemination.

1503 Communications

1503.1 General

Timely and efficient dissemination of information to all interested parties is paramount to the successful coordination of operations undertaken in response to the reported oil discharged or hazardous substances released.

1503.2 Communications Facilities

Normal communications circuits and facilities of participating agencies will be used by these agencies for internal communication. Communications between agencies may be accomplished on compatible interagency circuits or through the RRC.

1503.3 Coast Guard Radio Communications (Pacific Area)

Pacific area long range radio communications are handled primarily by communication stations at Honolulu, Kodiak and San Francisco. Primary methods of communications include radio teletype, radio telegraph and radio telephone. Other Coast Guard radio stations are available to handle medium and short range communications within their respective areas of coverage. Coast Guard communications systems will be the primary system utilized by the OSC and RRC.

1503.4 Use of Pacific Area Transportable Communications Centrals (TCC)

A TCC is a self-contained self-supporting air and surface portable communications center. Commander, U.S. Coast Guard Pacific Area, controls deployment of assigned TCC's (AN/TRC 168) within the Pacific Area.

TCC's are equipped with two vehicles and staged at Coast Guard Air Station San Francisco. At least one TCC is on 6 hour standby for deployment when directed.

Requests for use of a TCC will be to the Commander, Pacific Area.

1503.5 Use of Channel 81, 157.075 (MHZ)

Channel 81 is established for use by mobile stations, including portables, for communications required to coordinate marine environmental protection operations, principal of which are oil discharge removal operations. Channel 81 will be under the control of the Coast Guard in those areas where it pre-designates On-Scene Coordinators.

Channel 81 will be used for interface communications among government agencies and non-government entities involved in discharge removal operations in support of the plans. Use by non-government entities will be on Coast Guard owned equipment and should be limited to supervisory personnel. Equipment loaned for this purpose would be operated as Coast Guard stations not licensed by the Federal Communications Commission.

Channel 81 may be used for other maritime mobile operations. Plans for the use of Channel 81 should consider the lower priority of maritime mobile communication requirements and the fact that routine use of Channel 81 shall be pre-empted for oil discharge removal operations whenever necessary.

ANNEX VI

1600 PUBLIC INFORMATION

1601 General

A major oil or significant hazardous substance spill or pollution incident can generate wide spread public interest and concern. It is imperative to give the public prompt, accurate information on the nature of the incident and actions underway or to be taken to mitigate any damage.

1602 Regional News Office

In the case of spills in an area of Coast Guard responsibility, Coast Guard District Public Affairs Officers are designated Regional News Offices (RNO). District Public Information Offices (PIO) will coordinate activities and act as the director of the Regional News Office. In the case of spills in an area of EPA responsibility, a central information office will be established at the Regional Response Center, located at the EPA Region IX office, 215 Fremont Street, San Francisco, CA 94105. In addition there may be a field office located with the On-Scene Coordinator (OSC) at or near the actual scene of the spill. The location and circumstances of the spill will dictate whether the bulk of public information activities will take place from the Regional News Office or from the field office.

1603 Interim Public Information

In the period following a spill and before the Regional News Office (RNO) and/or a field office is established the OSC will handle local public information activities based on the concepts in this plan.

1604 Public Information Procedures

The RNO will maintain close liaison with the OSC. The RNO will insure timely news is released as the situation develops (roughly parallel to OSC POLREP preparation), and in accordance with the National Plan.

All releases concerning policy matters must be cleared through the OSC and Chairman of the RRT.

The RNO Director will coordinate releases with the National News Director, and maintain appropriate liaison with industry and public relations personnel from other concerned organizations. All participating agencies are encouraged and requested to provide input to the news releases to enable a coordinated release of properly credited information.

1604 Public Information Procedures (con't)

To avoid releasing opinion, incomplete or inaccurate information, on-scene forces will be directed to advise the press that all inquiries should be made to the OSC, the RNO, or to the spiller's representative. Comments to the press on scene will be made by the OSC or the RNO Director.

All information from government agencies concerning response to a spill should be released through the RNO.

All requests for press conferences, whether initiated by the news media, the OSC, or the RRT will be coordinated by the RNO.

At times it will be necessary for the Regional News Office and/or field office to operate in shifts or watches. The RNO will organize these watches and will designate a person to be in charge of each such public information watch.

1605 Procedures for Prominent Individuals

The RNO will make all arrangements to accomodate VIP's including over-flights, briefings, media notifications, and press briefings. These arrangements will be coordinated with the OSC. If operational commitments of the OSC preclude utilization of on-scene forces from the RRT. All participating agencies are expected and encouraged to provide sufficient notice of VIP itinerary to the RNO via the RRC. ?

1606 Special Public Information Procedures for Pollution Spill

1606.1 Correspondence

After the crisis has subsided, a model letter reporting on the situation will be drafted by the RNO. After the model letter has been approved by the Chairman of the NRT or the RRT, copies will be sent to the primary agencies for their guidance in responding to mail inquiries.

ANNEX VII
1700 LEGAL AUTHORITIES

1701 Federal Laws and Treaties

Federal statutes, regulations and administrative orders relative to pollution control are administered by various Federal departments and agencies. The following is a tabular summary of the most important of these authorities:

1701.1 STATUTE AND AGENCY(IES)

Comprehensive Environmental Response, Compensation, and Liability Act, (42 USC 96701): EPA, FEMA, USCG, DOI, DOL, DHHS, and others.

Federal Water Pollution Control Act, as amended (33 USC 1251, et. seq.): EPA, USCG, ~~CORPS~~, Justice.
COE

Safe Drinking Water Act amendment to the Public Health Service Act (42 USC 201): EPA.

Refuse Act of 1899 (33 USC 407;411): ~~CORPS~~, USCG, Customs, Justice.
COE

Toxic Substance Control Act, 1976 (42 USC 2601): EPA.

Resource Conservation and Recovery Act of 1976 (42 USC 6901): EPA.

Marine Protection, Research and Sanctuaries Act of 1976 (33 USC 1401, et. seq.): EPA, USCG, NOAA, CORPS.

Hazardous Materials Transportation Act of 1974 (49 USC 1801, et. seq.): EPA.

Ports and Waterways Safety Act, as amended (33 USC 1221 et. seq.): USCG

Federal Insecticide, Fungicide and Rodenticide Act of 1972 (7 USC 121 et. seq.): EPA.

Deepwater Port Act of 1974 (33 USC 1501 et. seq.): DOT, DOI.

Outer Continental Shelf Lands Act, as amended (43 USC 1331): DOI, DOT.

Oil Pollution Act of 1961, as amended (33 USC 1001-1001.5): USCG, Customs, ~~CORPS~~, State.

COE
Endangered Species Act of 1973, as amended (16 USC 1531): FWS, NOAA.

Intervention on the High Seas Act (33 USC 1471-1487): USCG

Related federal statutes, not specific to oil and hazardous materials control; but, nonetheless, applicable to release prevention and cleanup in certain cases are:

Disaster Relief Act of 1974: FEMA, all federal agencies.

U.S. Navy Ship Salvage Authority: U.S. Navy.

The Migratory Bird Treaty Act (16 USC 701-718): FWS

1702 State (Territory) Oil Pollution Control Statutes

State and Territory oil pollution control statutes are summarized in the following table.

1702.1 California

<u>Statute</u>	<u>Operating Agencies Involved</u>	<u>Prohibited Act or Authorization</u>	<u>Territorial Application</u>	<u>Sanction</u>	<u>Excepted Discharges/Remarks</u>
Porter Cologne Water Qual- ity Control	Resources Agency RWQCB	1. Establishes waste discharge requirements for industry. 2. Authorizes State to implement programs of the FWPCA of 1972 (NPDES). 3. Establishes State water pollution clean-up and abatement fund. 4. Prohibits discharge of oil or waste into State waters in violation of permit. 5. Provides for liquid waste haulers licensing. 6. Provides for approval of liquid waste dump sites.	CA	1. RWQCB's may issue cease and desist orders. 2. \$6000 civil penalty per day of violation. 3. \$2500 - \$25000 civil penalty per day of discharge willful or negligent.	
CA Penal Code Sec. 409.5	CHP Police Sheriffs	Agencies may close areas during emergency including areas around command post activated for the purpose of abating emergency.	CA	Misdemeanor (\$1000 fine and/or 1 year imprisonment).	CA State Plan Excepts news media

1702.1 California (cont'd)

<u>Statute</u>	<u>Operating Agencies Involved</u>	<u>Prohibited Act or Authorization</u>	<u>Territorial Application</u>	<u>Sanction</u>	<u>Excepted Discharges/Remarks</u>
CA Govt Code Sec. 8574.1	Governor's Office	1. Authority to establish oil spill contingency plan conferred to Governor. 2. Authorizes use of volunteer workers and places them under State Workmen's Compensation. 3. Provides for oil spill contingency plans by companies handling oil.	CA	Misdemeanor (\$1000 fine and/or 1 year	
Harbors and Navigation Code Sec.		1. Prohibits discharge of oil. 2. Establishes liability for cleanup.	CA	1. \$6000 civil penalty per spill. 2. All actual and reasonable cleanup costs.	
CA F&G Code Sec. 1008	CA F&G	1. Discharge of pollutants deleterious to fish and aquatic life.	CA	1. Establishes pollution as a misdemeanor.	
		1. Authorities AC & FG as agency to investigate diseases of & problems relating to birds/mammals/fish of CA. 2. Authorizes establishment of laboratories to assist in investigation.	CA	(\$1000 fined and or 1 year imprisonment).	Permittance Authority
CA Administrative Code, Title 14, Sec. 250	CA F&G	1. Provides for confinement of injured or diseased animals for treatment.	CA		Permittance Authority

Government Code Sec. 8574.5	State Operating Authority	Requires approved oil spill contingency plans prior to offshore lightering.	Any area of the Pacific Ocean off the coast of Calif- ornia including bays & estuar- ies	Misdemeanor	Additional plans are not required for inland water areas covered by contingency plans of cer- tain Pacific Basin petro- leum industry cooperatives.
-----------------------------------	---------------------------------	--	--	-------------	--

1702.2 Hawaii

<u>Statute</u>	<u>Operating Agencies Involved</u>	<u>Prohibited Act or Authorization</u>	<u>Territorial Application</u>	<u>Sanctions</u>	<u>Excepted Discharges/ Remarks</u>
Hawaii Environmental Quality, CH 342 Re- vised & CH 27 Health Regs.	HI State Health Dept.	Limits and controls pollution as it affects public health	HI		Permitting Authority

1702.3 Guam

<u>Statute</u>	<u>Operating Agencies Involved</u>	<u>Prohibited Act or Authorization</u>	<u>Territorial Application</u>	<u>Sanctions</u>	<u>Excepted Discharges/ Remarks</u>
Environmental Protec- tion Act	Guam EPA	Monitor, control and regulate pollution of all kinds	Territory of Guam		Permitting Authority

1702.4 American Samoa

<u>Statute</u>	<u>Operating Agencies Involved</u>	<u>Prohibited Act or Authorization</u>	<u>Territorial Application</u>	<u>Sanction</u>	<u>Excepted Discharges/ Remarks</u>
T 20-1412 Harbors Dept.	Harbors Dept.	Monitor, control & regulate industrial waste.	American Samoa	Misdemeanor \$1000 fine	
T 21-CH 15 Health Dept.	Health Dept.	Monitor, control & regulate Industrial waste	American Samoa	1 month Im- prisonment and/ or \$100 fine	

1702.5 Trust Territory of Pacific Islands

<u>Statute</u>	<u>Operating Agencies Involved</u>	<u>Prohibited Act or Authorization</u>	<u>Territorial Application</u>	<u>Sanction</u>	<u>Excepted Discharges/ Remarks</u>
Statute Code of TTPI	Public Health Pollution Board	Monitor, control and regulate pollution of all kinds	TTPI	\$1000 per day	
Environmen- tal Quality Protection Act	TTPI En- vironmen- tal Pro- tection Board	Monitor, control and regulate pollution of all kinds	TTPI	\$1000 per day	

ANNEX VIII

1800 DOCUMENTATION FOR ENFORCEMENT AND COST RECOVERY

1800 General

1801.1 The On Scene Coordinator (OSC) is responsible for proper documentation of a Federal response activity. Collectively, investigation, documentation and enforcement procedures include all actions taken by the OSC, RRT, and Federal or State staff components to record the events of the spill situation and to ensure adequate documentation for FWPCA prosecution and cleanup cost recovery.

1801.2 Proper documentation for costs incurred as a result of Federal response to a pollution incident is of extreme importance for two primary reasons. First, costs must be sufficiently documented to allow for subsequent recovery from the responsible parties. Frequently, this involves legal proceedings and cost documentation must, in all cases, be sufficient to withstand scrutiny of the court. Second, costs must be documented to permit recovery from the Oil Pollution Fund for out-of-pocket expenses incurred by Coast Guard or other government agency units involved in a pollution response.

1802 Violations and Penalties Under Section 311 FWPCA

1802.1 Section 311(b)(3) of the Act prohibits the discharge of harmful quantities of oil into or upon the waters of the United States (to 3 miles), the adjoining shorelines, into or upon the waters of the contiguous zone (3-12 miles), in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States. A harmful quantity is defined in 40 CFR 110 as that amount which will cause a film or sheen on, or sludge or emulsion in or under the water. The only exception is the minor amount of oil discharged from the exhaust of a "properly functioning" marine engine.

The Act provides for a civil penalty of up to \$5000 against the owner/operator or person in charge of the source of the discharge.

1802.2 Section 311(b)(5) of the Act mandates that, as soon as the "person-in-charge" of the vessel or facility has "knowledge" of a discharge, he should report the discharge to the U.S. Coast Guard or to the Environmental Protection Agency. The Coast Guard National Response Center is prepared to receive such calls.

The Act provides for a criminal penalty of up to \$10,000 fine, imprisonment for one year or both, for failure to notify.

1802.3 Section 311(j) of the Act provides for the creation of regulations (a) establishing methods and procedures for removal of discharged oil and hazardous substances (33 CFR 153), and (b) establishing procedures, methods and equipment and other requirements for equipment to prevent discharges and to contain discharges (33 CFR 154, 155, 156).

1802.3 (cont'd)

The Act provides for a civil penalty of up to \$5000 for violation of liability or pollution prevention regulations.

1802.4 Section 311(f)(1) establishes that, "except where the spiller can prove that the discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the U.S. Government, or (D) act of a third party," financial liability to the U.S. Government will be in an amount not to exceed in the case of an inland oil barge \$125 per gross ton or \$125,000 whichever is greater and in an amount not to exceed \$5,000,000 for an onshore or offshore facility, for oil spill cleanup. Cleanup liability is unlimited if the discharge is proven to result from willful negligence or willful misconduct within the privity and knowledge of the owner. Further, vessels must carry a Certificate of Financial Responsibility to cover their potential liability. Such cleanup costs constitute a maritime lien collectible in an action in rem against the vessel in a U.S. District Court.

1803 Investigations to Substantiate Violations of Section 311 of the FWPCA

1803.1 Investigation and documentation of evidence must be performed in a timely manner throughout the oil or hazardous substance spill event, as winds, tide, and current will disperse and remove evidence. Further, eyewitnesses to the incident may no longer be available if not interviewed in a timely manner. As several agencies may be on scene and documenting the incident for violations of other laws and codes, cross exchange of evidence may be valuable and is encouraged. General procedures for evidence gathering are outlined in OSC area contingency plans, however, elements of the violations are summarized below.

1803.2 The elements which must be established to support a violation of Section 311(b)(3) are as follows:

1. Establish that an oil or hazardous substance was discharged.
2. Establish that a harmful quantity was discharged (for oil: verify that a film or sheen was created on or a sludge or emulsion was deposited in the waters; for a hazardous substance: that a reportable quantity was discharged within a 24 hour period).
3. Establish that the discharge entered into or upon the waters of the U.S. or upon the adjoining shorelines or into or upon the waters of the contiguous zone.
4. Establish the source of the discharge, (particular attention must be paid to establishing the "link" between the discharge and the source).
5. Establish the identity of the owner or operator or person in charge of that source.

1803.3 The elements which must be established to support a violation of Section 311(b)(6) are as follows:

1. Establish a violation of Section 311(b)(3) of the Act.
2. Establish the time that the incident occurred.
3. Establish the identity of the person in charge of the vessel or facility at that time.

1803.3 (cont'd)

4. Establish the time the person in charge had knowledge of the discharge.
5. Establish any reporting procedures taken by the person in charge.
6. If the incident was reported by a person other than the person in charge, identify the relationship to the person in charge.

1803.4 Elements to establish a violation of the Pollution Prevention, or Liability Regulations are varied. The investigator must be familiar with the regulations and their interpretation. The regulations specify the type of equipment that must be available, testing procedures, operations manuals, transfer procedures, and objectives and priorities for cleanup techniques. Generally, violations of these regulations do not involve the multi-element determinations that section (b)(3) and (b)(5) require. Documentation of these violations should include enough background to indicate that a violation of a particular regulation did occur, and should indicate the severity of the violations.

1804 Documentation of Cleanup Costs

1804.1 Background

ensure that cleanup contractors are paid only that to which they are entitled → Documentation also serves to facilitate

Cleanup costs are always documented when the OSC is in the "Federal cleanup role" to ~~facilitate payment of participating agencies from the Pollution Revolving Fund~~ and to enable the U.S. Attorney to substantiate a liability claim against the discharger in court as provided in section 311(f)(1) of the Act. Further, if the discharger is known, he must be provided with legal notification of his liability for cleanup under the Act. If the cleanup is proceeding in an inadequate manner, the spiller must be advised to increase his efforts, or the cleanup will be taken over by the Federal government.

1804.2 Legal Notice to Suspected Discharger

If an alleged spiller can be identified, and cleanup is required, the OSC must immediately notify the owner/operator or appropriate responsible person, in writing of Federal interest regarding his liability of cleanup, and other aspects of Section 311 FWPCA as appropriate and as required by Annex VII of the NCP.

1804.3 Legal Notice of Improper Action

If the alleged spiller fails to initiate cleanup action, or initiates improper or inadequate cleanup action, the OSC must advise the spiller in writing that his actions are considered inadequate and that he is liable for cleanup costs incurred in the event of a Federal cleanup.

1804.4 Documentation Procedures

Cleanup funding is discussed in section 1900 of this plan. It is noted again that the Fund may only be utilized when:

1. The elements of section 1803.2 of this plan are satisfied and
2. The source of the discharge is unknown
3. The spill occurred from a civilian vessel or facility and the owner/operator after legal notification refused cleanup, and

1804.4 (cont'd)

4. The OSC must directly request or order services or equipment and effect a purchase contract (verbal or otherwise) before services can be paid from the Revolving Fund.

Accounting procedures for administration of the Fund are outlined in 33 CFR 153 and the Coast Guard Comptrollers Manual. Detailed documentation procedures are outlined in Coast Guard District OPLANs 1-FY; Annex Q and in Local Area Contingency plans.

The OSC is required to keep detailed records of men and equipment (Federal and non-Federal) utilized in the cleanup. Participants must submit invoices to the OSC for certification prior to being paid. Federal agencies submit claims for "Direct" costs on Form SF 1080. Federal agencies are also to submit documentation on "Indirect" costs. State agencies will submit "Direct" costs on the State equivalent to Form SF 1080. Private contractors will use normal invoice procedures.

The OSC must reconcile all invoices with the purchase orders and with completed records of performance/receipt. The OSC then makes a certification on the original invoice. This statement certifies that the actions for which reimbursement is being requested were authorized as Phase III or IV removal costs, and that they are reasonable, and proper for payment from the Fund.

Documentation of resources expended must be made by all parties to carry out the provisions outlined above.

1805 Enforcement Procedures

1805.1 Civil Penalty Hearings

Violations of Section 311(b)(3) (discharge) and 311(j) (pollution prevention and liability regulations) carry civil penalties of up to \$5,000 per offense. Documentation of these violations is developed by the OSC and sent to the Marine Environmental Protection (MEPPS) office in the District where the violation occurred. The violation is then checked for legal sufficiency, and the violator is given an opportunity for an informal hearing on the matter. A designated Hearing Officer will conduct the informal hearing and assess an appropriate penalty. The amount of the penalty is based on the size of the business of the owner/operator, the ability of the owner/operator to remain in business and the gravity of the violation. The spiller may appeal the Hearing Officer's decision to the Commandant.

1805.2 Criminal Penalty Procedures

Violation of Section 311(b)(5) of the Act (failure to notify) carries a criminal penalty of \$10,000 fine, one year imprisonment or both. Documentation of this violation is developed by the OSC and sent to the District (MEPPS) office. The violation documentation must provide evidence "beyond a reasonable doubt" rather than the less stringent "preponderance" of evidence required for the civil penalty hearings.

Violations are processed and referred to the U.S. Attorney for action as he deems appropriate.

1805.3 Collection of Cleanup Costs

Collection of cleanup costs is accomplished under the Collection of Claims Act. OSC cost records and invoices are transferred to District Finance for assembly and payment of direct costs to participating agencies and companies. If the spiller is known, a total claim including direct and indirect costs is prepared for collection by the Coast Guard District Legal Officer and/or the U. S. Attorney.

ANNEX IX

1900 FUNDING

1901 Purpose

1901.1 The primary thrust of this plan is to encourage the person responsible for a discharge to take appropriate remedial actions promptly. Usually this will mean that the cost of removal of the discharge shall be borne by the person responsible for the discharge. The OSC and other officials associated with the handling of a pollution emergency shall make a substantial effort to have the discharger voluntarily accept this responsibility.

1901.2 In the event that the person responsible for the discharge or threat of discharge does not act promptly, does not take or propose to take appropriate actions to remove the discharged pollutants, or if the person responsible for the discharge is unknown, Federal discharge removal actions may be initiated pursuant to section 311(c)(1) of the Act. The discharger if known, is liable for the costs of such Federal removal actions in accordance with section 311(f) of the Act.

1902 Background and References

1902.1 Section 1900 of the NCP outlines the types of funds which may be available to clean up certain oil and hazardous substance spills, and the agency responsible for administering those funds.

1902.2 33 CFR 153 outlines the specific use of the National Pollution Revolving Fund (The Fund) established by Section 311(k) of the FWPCA.

1902.3 Detailed guidance for use of the Fund within a specific Coast Guard District may be obtained from Annex Q to the District Operation Plan 1-FY, the Coast Guard Comptrollers Manual and Local Area Contingency plans.

1903 Pollution Fund

1903.1 A Pollution Fund, administered by the Commandant, USCG has been established pursuant to subsection (k) of Section 311 of the Act. Regulations governing the administration and use of the Fund are contained in 33 CFR 153, and applicable Coast Guard directives. Access to the Fund is gained only by the Federal predesignated OSC through the Chief, Marine Environmental Protection Branch of the appropriate Coast Guard District. Normally any activities prior to obtaining approval from the predesignated OSC shall be at the expense of the agency ordering them.

1903.2 The OSC must determine that the following situation exists to meet the criteria for access to the Fund.

1. That oil or a hazardous substance has been discharged into or upon the waters of the United States or adjoining shoreline; and

1903.2 (cont'd)

2. That the OSC has given the discharger legal notification of improper or inadequate cleanup action and the discharger has failed to voluntarily conduct adequate cleanup action; or

3. The identity of the discharger is unknown.

1903.3 The OSC shall exert adequate control of removal operations so that he can certify that reimbursement from the Fund is appropriate. Care must be exercised to insure that misunderstandings do not develop about reimbursement of funds expended for removal 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 necessitating reimbursement.

1903.4 Funding of response actions not associated with any 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. Surveys of whether pollution cleanup or abatement is appropriate can be charged to the Fund.

1904 Procedure for Activating the Fund

The OSC for oil and hazardous substance spills will provide the Commander, 11th, 12th, or 14th Coast Guard District, with the following information in writing (after initial telephone contact):

1. Statement that the OSC has determined that Federal discharge removal actions are necessary;
2. Description and location of the discharge;
3. Date spill occurred and type of pollutant;
4. Estimated cost of removal actions reimbursable from the Fund. The estimate should include costs of all Phase III and IV activities;
5. Estimated time needed for removal;
6. Name of discharger or suspected discharger, if known.

1905 Reporting and Accounting Requirements

1. As soon as practicable after termination of Phase IV actions, the On-Scene Coordinator will submit to the appropriate District Commander a list that includes:

- a. Names of agencies and contractors authorized by the On-Scene Coordinator to participate in Phase III or IV actions;
- b. a general description of the functions each agency performed; and
- c. an estimate of the cost of each function performed.

2. Within 60 days after termination of Phase IV actions, each Federal agency must submit to the appropriate District Commander:

- a. An itemized list of costs that it desires to be paid from the Fund (billing action under Section 1904.7 of this plan is acceptable in lieu of this list).
- b. an itemized list of costs to be recovered against the responsible party under Section 311(f) or (g) of the FWPCA.

3. Each Federal agency desiring payment of costs from the Fund must keep accounting data to support the itemized costs and submit that data to the District Commander at his request in such form as the Commandant may prescribe.

1906 Reimbursable Expenditures

Federal agencies or States and political sub-divisions thereof will be reimbursed from the Fund for expenditures authorized by the OSC which were financed from agency funds and which were incurred in removal operations. Reimbursable expenditures follow:

33 CFR 153

Section 153.407, Payments or Reimbursement from the Pollution Fund

1. The following costs incurred during performance of a Phase III or IV activity, defined by the NCP, as authorized by the appropriate OSC under the authority of Section 311(c) of the FWPCA and of the provisions of the NCP, or during the removal or elimination of threats of pollution hazards from discharges, or imminent discharges, of oil or hazardous substances, and the removal and destruction of vessels, so authorized by the appropriate OSC under the authority of Section 311(d) of the FWPCA are reimbursable to Federal and State agencies:

- a. Costs found to be reasonable by the OSC incurred by government industrial type facilities, including charges for overhead in accordance with the agency's industrial accounting system.

1906 (cont'd)

- b. Actual costs for which an agency is required or authorized by law to obtain full reimbursement.
- c. Costs found to be reasonable by the OSC incurred as a result of removal activities that are not ordinarily funded by an agency's regular appropriations and that are not incurred during normal operations. These costs include, but are not limited to the following:
 - i. Travel (transportation and per diem) specifically requested of the agency by the On-Scene Coordinator.
 - ii. Overtime for civilian personnel specifically requested of the agency by the On-Scene Coordinator.
 - iii. Incremental operating costs for vessels, aircraft, vehicles, and equipment incurred in connection with the removal activity.
 - iv. Supplies, material, and equipment procured for the specific removal activity and fully expended during the removal activity.
 - v. Lease of rental equipment for the specific removal activity.
 - vi. Contracts costs for the specific removal activity.
 - vii. Claims payable under Part 25, Subpart J of this title.

1907 Limitations on Use of the Fund

1907.1 The Fund may be used only during Phase III and Phase IV response activities and to eliminate substantial threats.

1907.2 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. These are "indirect" costs and are tabulated separately.

1907.3 The purchase of large and expensive equipment is not chargeable to the Fund.

1908 Billing Actions-

1908.1 Federal Agencies

Within 60 days after termination of Phase IV operations, prepare SF-1080 and indicate the paying office to be:

Commander, Twelfth Coast Guard District(f)
Government Island
Alameda, CA 94501

1908.1 (cont'd)

or

Commander, Eleventh Coast Guard District(f)
Union Bank Building
400 Oceangate Blvd.
Long Beach, CA 90822

or

Commander, Fourteenth Coast Guard District(f)
300 Ala Moana Blvd.
Honolulu, HI 96850

Refer to the Project Number assigned by the U.S. Coast Guard and mail the SF-1080 to the OSC for certification that service and materials for which billing is submitted was requested and received by him.

1909 The Reporting of "Indirect" Costs Incurred Not Reimbursable from the Fund (other than out of pocket costs, Federal agencies only)

Within 60 days, submit a report to the OSC itemizing those costs which the Federal agency would have incurred whether or not the discharge had occurred; but for which the Federal Government will seek recovery costs from the discharger as a user charge for employing Federal resources in the removal actions. Such costs include but are not restricted to:

1. Personnel costs, including those assigned to operate equipment or to any facility 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 incurred as a result of Phase III or IV response activity.

1910 State Access to the Pollution Fund

1910.1 State Removal Activities

1. The State or States affected by a discharge may act where "necessary" to remove such discharge and may be reimbursed for the Fund for the reasonable costs incurred in such removal. FWPCA Section 311(c)(2)(H) states that removal by a State is "necessary" when the OSC determines that the owner or operator of the vessel onshore facility from which the discharge occurs does not effect removal properly and that:

1910.1 (cont'd)

a. State action is required to minimize or mitigate significant damage to the public health or welfare which Federal action cannot minimize or mitigate; or

b. removal or partial removal can be effected by the State at a cost which is not significantly greater than the cost which would be incurred by the Federal departments or agencies.

Notwithstanding the above, State removal actions are not necessary if not in compliance with Section 2000 of the NCP.

2. State removal operations are considered to be Response Phase III and/or Response Phase IV actions to the extent that the same operations undertaken by a Federal agency would be so considered.

3. When supervised by the State SAC, removal operations of a local government are considered to be actions of the State for purposes of this section.

4. Access of the Fund by the State shall be through the predesignated OSC (Section 1700).

1910.2 State Agency Reimbursement

The State government elements identified in this Plan will seek reimbursement for removal operation expenditures in behalf of all State agencies and political subdivisions thereof. They shall use their regular billing system and prepare the State equivalent for SF-1080. Indicate the paying office to be the same as that shown above for Federal agencies.

Refer to the Project Number assigned by the U.S. Coast Guard to the OSC. Mail the bill to the OSC for certification that services and materials for which billing is submitted were requested by him.

1911 Monitoring Cleanup Operations

When the discharger undertakes appropriate cleanup operations, the OSC monitors progress and provides counsel. No operating funds are provided for this activity. The Fund is not activated; and thus there is no provision for paying State or Federal agencies for their monitoring efforts.

1912 Federal Cleanup Operations

1912.1 Prohibited Discharge from a Federal or State Facility

Expenses for cleanup action for such discharges are to be borne by the appropriation(s) of the Federal agency whose facility is responsible for the prohibited discharge. The Pollution Fund is not available to pay any foreign, Federal, State or local government or agency for the payment or reimbursement of its costs incurred in the removal of oil or hazardous substances discharged from a vessel or facility that it owns or operates.

1912.3 Prohibited Discharge from a Non-Federal Facility

Federal cleanup activities are instituted when the water pollution discharger is (1) unknown, or (2) does not act promptly, or does not take or purport to take appropriate cleanup action. "Direct" costs incurred for this purpose are chargeable to the Fund. If and when the identity of the discharger is established, the Coast Guard bills these "direct" costs to the discharger as well as certain "indirect" costs.

1913 Agency Funding

Actions undertaken by the primary agencies in response to pollution emergencies shall be carried out under existing programs and authorities insofar as practicable. It is not envisioned that any Federal agency will make resources available, expend funds or participate in operations in connection with pollution emergency operations unless such agency can so respond in conformance with its existing authority. Authority to expend resources will be in accordance with the agencies' basic statutes and, if required, through cross-servicing agreements. Interagency agreements should be developed 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.

1913.1 The Environmental Protection Agency can provide funds to insure timely initiation of discharge removal actions in those instances where the OSC is an EPA representative. Funding of continuing Phase III and IV actions, however, shall be determined on a case-by-case basis by the Division of Oil and Hazardous Materials at EPA. Inasmuch as EPA does not have funds provided for this purpose by statute or regulation, initiation of Phase III and IV activities is funded out of program operating funds.

1913.2 The U. S. Coast Guard pollution control efforts are funded under "Operating Expenses." These funds are utilized in accordance with agency directives and applicable regional plans.

1913.3 The Department of Defense has two specific sources of funds which may be used in pollution incidents under appropriate circumstances. (This does not include military resources which might be made available under certain conditions.)

1913.4 Funds required to remove a sunken vessel or similar obstruction to navigation are available to the Corps of Engineers through Civil Functions Appropriations, Operations and Maintenance, General.

1913.5 The U. S. Navy has funds available on a reimbursable basis to conduct salvage operations.

1914 Disaster Relief Funds

1914.1 Certain pollution control emergency 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, FDAA. After the President has declared a "major disaster" and authorized certain reimbursements to Federal agencies for disaster assistance provided under direction of his office. Applicable policies and procedures are stated in Title 24 CFR Chapter XIII, Part 2201, "Reimbursement of Other Federal Agencies Performing".

1914.2 In addition to the authority provided for actions taken subsequent to the declaration of a "major disaster", if the President determines that a major disaster is imminent, he is authorized pursuant to U.S.Code Citation to use the resources of the Federal Government to avert or lessen the effects of such disaster before its actual occurrence.

1914.3 The Director, FDAA may also make financial assistance available to State governments and to local governments through the States in accordance with policies and procedures stated in Title 24 CFR Chapter XIII, Part 2205, "Federal Disaster Assistance."

1915 Planning

1915.1 The availability of funds and requirements for the reimbursement of expenditures by certain agencies must be included in resource utilization planning. Local contingency plans should show under what conditions and what cost arrangement resources are available.

1915.2 Local interagency agreements may be necessary to specify when reimbursement is required.

ANNEX X

2000 Cleanup Techniques and Policy

2001 General

Since the location and magnitude of discharge can vary so greatly, this Annex is presented to furnish general guidance and useable techniques for containment and cleanup operations. OSC area plans will further specify cleanup techniques and applicable State or Territory regulations for each area of responsibility. When a discharge is discovered, the first actions taken should be to safeguard life and property. Secondly, the source of the pollution should be determined and an attempt made to stop any additional discharge.

Regulations in 33 CFR 153 outline objectives for cleanup techniques. These regulations give the OSC the authority to direct the type of equipment and methodology to be used for cleanup. They outline that removal methods minimizing secondary containment will be utilized to the maximum extent practicable. Further, they establish the precedence of (1) mechanical, (2) manual, and (3) chemical methods for cleanup.

2002 Securing the Source

To minimize the extent of the discharge, all efforts should be made to secure the source of a continuing spill. In some cases, a valve left open after a transfer operation can be quickly shut off or plugged. If a valve failure has occurred and the valve is inoperative; it may be possible to direct the oil to a sump or holding tank, or to restrict the flow with a saddle clamp. In the event of a large non-continuous discharge, such as a ruptured storage tank, equipment and manpower should be concentrated well ahead of the leading edge of the pollutant to insure ample time to rig containment and removal equipment.

2003 Containment and Removal

2033.1 General

As initial countermeasures are being taken, equipment and manpower necessary for mitigating the environmental damage caused by the discharge should be activated. The successful cleanup of an oily discharge relies on the combination of one or more techniques of confinement, removal disposal and restoration in an integrated operation which is appropriate for that unique situation. The first priority is to limit the spread of the pollutant mass to the smallest possible area.

2003.2 Containment

2003.2.1 Boom Deployment

A floating boom or surface flow barrier is an effective means of controlling the spread of oil on water. Different types of environmental conditions require that booms be placed in certain configurations to best utilize their containment potential.

2003.2.1 (cont'd)

Booms become ineffective in currents over 1.0 knots with oil loss starting at about 3/4 knots if the boom is placed perpendicular to the current flow. In these cases booms should be deployed at an angle to the current, to divert the oil to a calm area where removal may be accomplished. For best results the boom should be deployed at an angle less than 20 degrees to the direction of flow. Booms may also be used to encircle a spill, expand the effective width of a skimmer or protect a shoreline or clean beach area.

2003.3 Removal Techniques

2003.3.1 Mechanical Methods

33 CFR 153 establishes that mechanical methods will be given first priority in the removal process because they do not contribute to secondary pollution. As much oil as possible should be consolidated using booms and other devices to permit more effective use of mechanical skimming devices. A major portion of the oil spill will be recovered by this method, and the oil can often be reprocessed. There are several types of skimmers including: weir, oleophilic belt, vertical plate and wiper, and dynamic inclined plane. Short lengths of boom can be attached to the sides of the skimmer, the oil may be transferred ashore by vacuum line or pump.

2003.3.2 Manual Methods

After the major part of the oil has been removed mechanical methods, sorbent material is either broadcast on the slick area or inserted into web tubes thereby forming a sorbent boom which may be used to sweep the slick area. The broadcast material is removed from the water by hand operated rakes, scoops, forks, etc. as it becomes saturated. This method should be utilized only after maximum amount of oil has been recovered using the mechanical means.

Sorbents come in many sizes and forms and have different application. In general, the large size sorbents (booms and Pads) should be used in preference to the smaller particle sorbents (granular sorbents, rice hulls and straw) in open water areas because they are easier to retrieve.

2003.3.3 Chemical Removal

1. Policy

- a. Refer to Section 2000 of the NCP.
- b. It is the intent of this Schedule that no harmful quantities of any substances be applied to the waters to remove or neutralize the effects of oil or hazardous substances.
- c. This Schedule advocates development and utilization of sorbents, skimmers, booms, and other mechanical control methods.

2003.3.3 (cont'd)

d. State laws, regulations, or written policies regulating the use of chemicals in the removal of oil and hazardous substances shall govern, when more stringent than EPA policy.

2. Use of Chemical Agents

Section 2000 of the NCP provides a detailed program for use of cleanup agents, including:

- a. Policy
- b. Definitions of types of agents
- c. Criteria for use of agents
- d. Recordkeeping
- e. Technical information required, and standard procedures for obtaining this information.

3. Oil Spill Cleanup Agents (OSCA)

- a. EPA accepted OSCA (see Annex X, TAB A)

<u>Company</u>	<u>Name of Product</u>	<u>Type of Product</u>
Shell Oil Company	Oil Herder	Surface Collector
Natural Hydrocarbon Elimination Company	NOSCUM	Biological Additive
Whale Chemical Company	Seamaster, NS-555	Dispersant
Ara Chem, Incorporated	Gold Crew Dispersant	Dispersant
Adair Equipment Company, Incorporated	Cold Clean	Dispersant
Exxon Chemical	Corexit 9527 Corexit 7664 Corexit 8661	Dispersant Dispersant Dispersant
Continental Chemical Company	Conoco Dispersant K	Dispersant
GFC Chemical Company	Atlantic Pacific Oil dispersant	Dispersant

2003.3.3 (cont'd)

b. State of California Licensed OSCA (see Annex X, TAB B)

<u>Company</u>	<u>Name of Product</u>	<u>Type of Product</u>
Shell Dutch Pride Products	ECO/+	Dispersant
GFC Chemical Company	K Petrol Grab	Sorbent
Grefco, Incorporated	Dica-Sorb or Fiberperl	Sorbent
Nokomis Industries	Nokomis 3 (f-4)	Dispersant
Parker Systems Incorporated	Oil Snare	Sorbent
Innova Corporation	Sorb Oil	Sorbent
Conwed Corporation	Conwed Oil Sorbers	Sorbent
Exxon Chemical	Corexit 9527 Corexit 7664 OC-5	Dispersant Dispersant Surface Collector
Sorbent Sciences Corporation	S.S.C. Sorbent Material	Sorbent
Zorbite Corporation	Zorbite	Sorbent
Dow Chemical Company	Dow Imbiber Beads	Imbibing Agent
3M Company	3M Oil Sorbent	Sorbent
Shell Oil Company	Oil Herder	Surface Collector

2003.3.4 National Inventory Systems

A national inventory of pollution response and support equipment has been developed to assist OSCs and RRTs in rapidly accessing needed resources during times of emergency. This information is accessible through the NRC and remote data terminals at Coast Guard Districts and Marine Safety Offices, as well as at Captain of the Port offices. Appropriate planning shall be accomplished at the regional and local level to insure that data in the system is current and accurate so that full utilization can be made of this information and minimal delays incurred in obtaining needed resources. The Coast Guard is responsible for updating the national inventory with information from the regional offices of Federal agencies.

2003.3.5 Spills to Sewers and Treatment Facilities

Spills should not be allowed to reach or enter storm or sanitary sewers. Explosive concentrations of hydrocarbons in a confined sewer may be ignited and flash back along the sewer line. In most sewage treatment plants oil can severely disrupt the process by clogging the system or killing the bacteria used in the treatment process.

Dirt or other similar material can be placed around the catch basins to form a dike or barrier to protect the drain or intake from the flow of oil. If oil has entered the storm drain system a dirt dam can be constructed at the outfall to close off the system and contain the flow of oil to accomplish these control measures.

If oil enters a sanitary sewer, the downstream sewage treatment plant should be notified at once. The oil must be contained and removed early in the process prior to air injection of the effluent which will emulsify the oil and make it difficult to remove.

2003.3.6 Final Cleanup and Restoration

The final cleanup phase is to remove any residual oil remaining on beaches, vegetation, pilings, boats and shorelines.

Several methods have emerged as best for final cleanup. Straw works best on sandy beaches if spread over and raked into the oil. Motorized brush cutters work well on strands of tule grass and marsh plants having an oily band. A six inch stubble is left for plant regeneration and erosion control. Hydro blasters work well on pilings, rocks and riprap banded with oil. Booms should be placed around the shoreline area to confine any oil washed free.

Boats usually have to be hauled to perform adequate cleaning without causing secondary pollution.

Oil saturated earth must be removed and restored with clean fill if the area is in close proximity to water and leaching is possible.

2004 Ultimate Disposal

The most desirable method of disposing of spilled oil, before it has become emulsified, befouled with debris or deposited on shore, is to collect it for reuse or reprocessing. Once oil has come ashore and become contaminated with sorbents and floating debris, chances of recovery for recycling are negligible.

Oil soaked debris must be deposited in approved land fill areas that preclude its re-entry into water. Applicable State regulations will apply as to the designation and hauling to these sites. Care should be taken during transportation of contaminated debris to insure against spillage along the haul road. Further discussions is included in Annex XVIII, Disposal.

ANNEX X TAB A

EPA Accepted Dispersant Products

- | | |
|---|--|
| 1. Cold Clean | Adair Equipment Co., Inc.
5518 Mitchelldale
P. O. Box 19333
Houston, TX 77024
(713) 681-1371 |
| 2. Gold Crew | Ara Chemical Inc.
Box 5031 E.S.D.
San Diego, CA 92105
(714) 442-3346 |
| 3. Arco Chemical
D-609 Dispersant | Arco Chemical Company
P. O. Box 370
Sand Springs, OK 74063
(918) 588-8293 |
| 4. ECO Atlan'tol AT7 | Aspra Inc.
4401 23rd Ave., W.
Seattle WA 98199
(206) 284-9838 |
| 5. B01100X
BP1100WD | B. P. North America Inc.
620 Fifth Ave.
New York, NY 10020
(212) 399-0600 |
| 6. CONCO Dispersant K | Continental Chemical Co.
270 Clifton Blvd.
Clifton, NJ 07015
(201) 472-5000 |
| 7. Ameroid Oil Spill Dispersant/LT | Drew Chemical Corp.
One Drew Chemical Plaza
Boonton, NJ 07005
(201) 263-7600 |
| 8. Corexit 9527
Corexit 8667
Corexit 7664 | Exxon Chemical Co.
1333 West Loop South
Houston, TX 77027
(713) 656-0293 |
| 9. Atlantic Pacific Oil Dispersant | GFC Chemical Company
2539 Old Okiechobee Road
West Palm Beach, FL 33409
(415) 362-6065 |

10. Slik-A-Way
Mi-Dee Products Inc.
P. O. Box 4815
Hayward, CA 94540
(415) 782-8811
11. BTO-ALLPRO
PRO-FORM
Pro-Form Products Corp.
230 California Ave.
Palo Alto, CA 94306
(415) 321-5207, 5208
12. Sea Master, NS-555
Whale Chemical Co. Inc.
58 Winant Street
Staten Island, NY 10303
(212) 273-1324

ANNEX X TAB B

Dispersing Agents Licensed by the State of California

1. Corexit 9527
Corexit 7664
Exxon Chemical Co.
1333 West Loop South
Houston, TX 77027
(713) 656-0293
2. ECO/+
Dutch Pride Products
P. O. Box 2105
Houston, TX
Local number: (408) 356-9379
3. Nokomis 3(f-4)
Nokomois Industries
23588 Connecticut St., Suite #8
Hayward, CA 94545
(415) 782-8811
4. Slik-A-Way
Midee Products
P. O. Box 4815
Hayward, CA 94540
(415) 782-8811

ANNEX XI

2100 ARRANGEMENTS FOR PARTICIPATION OF NON-FEDERAL GROUPS

2101 General Policy

The policy of the Federal government is to initiate discharge removal operations when required and action is not being taken by the discharger or other private or public organization.

2102 Planning and Preparedness

2102.1 The planning and preparedness functions incorporated in this Plan also apply to non-Federal resources. The State and local government and private interests are encouraged to participate in regional planning and preparedness functions.

2102.2 State and local government agencies are encouraged to include contingency planning for discharge removal in existing and future emergency and disaster planning activities.

2103 Pollution Emergency Response Operations

State Agencies may be reimbursed from the Oil Pollution Fund established by Section 311(k) of the CWA Act for reasonable costs incurred in the removal of oil discharges from the waters and shore lines of the United States. State agencies may also be reimbursed for certain removal actions from the Hazardous Substances Response Trust Fund established by Section 221 of CERCLA, when prior authorization is granted by contract or cooperative agreement (Section 1900 of this plan).

2104 Volunteers

2104.1 In many pollution emergency situations, volunteers desiring to assist in response efforts present themselves at the scene.

2104.2 The OSC with RRT concurrence will arrange for safe and effective utilization of volunteer forces.

2104.3 Volunteers will normally be either under the direction of: (a) a contracted company or (b) an appropriate Federal/State agency or (c) party responsible for discharge.

2104.4 Volunteers may be used in the following specific area of response:

- a. Beach surveillance
- b. Logistical support
- c. Bird and other wildlife treatment, and
- d. Scientific investigations

2104.5 Volunteers normally should not be used for physical removal of pollutants. Specifically, volunteers should not be permitted at on-scene operations involving hazardous substances.

2104.6 On scene training of volunteers should be accomplished through:
(a) a contracted company or (b) the appropriate Federal/State agency.

2105 Waterfowl Conservation

2105.1 State of California

1. The State of California, Department of Fish and Game (SAC) and the U.S. Fish and Wildlife Service has designated and are stocking bird cleaning stations within the State of California for the treatment of oiled waterfowl during discharges. Any one or all of these stations may be activated during an incident by State Operating Team Personnel on scene.

2. The Department of Fish and Game, in cooperation with the DOI/FWS, will coordinate actions of professional and volunteer groups during bird collection, cleaning and recovery operations.

2105.2 State of Arizona and Nevada

The Arizona Game and Fish Department and the Nevada Department of Fish and Game will coordinate waterfowl reclamation activities with the DOI at the site of a discharge on a case by case basis.

2106 Scientific Interest Coordination

2106.1 Oil discharges and hazardous material releases frequently present valuable opportunities for scientific observations and marine biological studies of the effects of pollution on the marine environment that cannot normally be duplicated.

2106.2 Analysis of environmental damage, marine biota mortality and recovery rates will aid future water quality predictions. In order for studies of acute pollutant damage to be meaningful, background data and trends must be available for comparison.

2106.3 Many individuals representing diverse disciplines are actively engaged in some form of marine or estuarine study. They represent Federal, State and local government agencies, academic institutions and private industry. Generally, these activities are spotty and tied to some particular interest or specific goal. Most cover relatively restricted areas of concern. Specific spill studies must be integrated with background data surveys, ongoing marine scientific studies, and the cleanup efforts of the OSC. Studies must proceed so as not to hamper, nor be destroyed by the cleanup effort. Further, research efforts of all groups must be integrated so that conclusions drawn will benefit from the results of all other studies.

ANNEX XII

2200 INTERAGENCY SUPPORT AGREEMENTS/ARRANGEMENTS

- TAB A - Memorandum of Understanding between the Departments of Interior and Transportation concerning respective responsibilities under the National Oil and Hazardous Substances Pollution Contingency Plan dated August 16, 1971

- TAB B - USGS OSC Order No. 7, Pollution and Waste Disposal

- TAB C - Agreement between the United States and the State of California concerning reimbursement from the Federal Pollution Fund (Northern California - Oregon Border to the Northern Boundary of Santa Barbara County)

- TAB D - MOU EPA & USCG

- TAB E - MOU US F&W and USCG

- TAB F - Agreement between the United States Navy and the United States Coast Guard for cooperation in oil spill cleanup operations and salvage operations.

- TAB G - Memorandum of Understanding between USGS and USCG concerning regulation of offshore facilities and activities on the Outer Continental Shelf dated 18 December 1980.

- TAB H - Agreement between the United States and the State of Hawaii concerning notifications of discharges of oil and hazardous substances.

TAB A

DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20240

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20590

MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENTS OF THE INTERIOR
AND TRANSPORTATION CONCERNING RESPECTIVE RESPONSIBILITIES UNDER
THE NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN.

In order to assure the most efficient use of resources under the National Oil and Hazardous Substance Pollution Contingency Plan, the Secretaries of the Department of the Interior and Transportation agree that the following provisions shall be observed by the agencies of the two Departments in the exercise of their authority and the discharge of their responsibilities under the Contingency Plan.

1. The U. S. Geological Survey has the expertise and capability for coordination and direction in respect to measures to abate the source of pollution when the source is an oil, gas, or sulfur well.
2. The U. S. Coast Guard has the expertise and capability for coordination and direction in respect to measures to contain and remove pollutants.
3. With respect to spills originating from operations conducted under the Outer Continental Shelf Lands Act of 1953, the U. S. Coast Guard shall furnish or provide for the On-Scene Coordinator (OSC) with authority and responsibilities as provided by the National Contingency Plan subject to the following qualifications:
 - a. The authorized representative of the U. S. Geological Survey on the scene shall have the exclusive authority with respect to coordination and direction of measures to abate the source of pollution.
 - b. The authorized representative of the U. S. Geological Survey on the scene shall make the determination, which shall be binding upon the On-Scene Coordinator, that pollution control activities within a 500 meter radius of the source of pollution should be suspended to facilitate measures to abate the source of pollution
 - c. The authorized representative of the U. S. Geological Survey on the scene shall make the determinations necessary under Section 250.43 of Title 30 of the Code of Federal Regulations, which shall be binding upon the On-Scene Coordinator.
 - d. In regard to those matters arising under Section 1334 et seq. of Title 43 of the U. S. Code and the regulations and Outer Continental Shelf Orders issued thereunder, the On-Scene Coordinator shall communicate with the lessee through the authorized representative of the U. S. Geological Survey on the Scene.

e. The On-Scene Coordinator and the authorized representative of the U. S. Geological Survey on scene shall maintain close liaison in all matters.

4. With respect to spills originating from operations conducted under the Submerged Lands Act of 1953 or in internal waters of the United States, the U. S. Geological Survey, upon request of the U. S. Coast Guard, will furnish expertise, guidance, and such other assistance as may be appropriate in respect to measures to abate the source of pollution when the source is an oil, gas, or sulfur well.

5. This Memorandum of Understanding shall be reviewed annually and shall continue in force until it shall be amended or terminated by mutual agreement.

Done this Sixteenth day of August, 1971, at the City of Washington, D. C.

FOR THE DEPARTMENT OF THE INTERIOR

UNDER SECRETARY OF INTERIOR

/s/ William T. Pecora

FOR THE DEPARTMENT OF TRANSPORTATION

UNDER SECRETARY OF TRANSPORTATION

/s/ James M. Beggs

Legal Background of the Memorandum of Understanding Between the Departments of the Interior and Transportation Concerning Respective Responsibilities Under the National Oil and Hazardous Polluting Substances Contingency Plan

Section 311 of the Federal Water Pollution Control Act as amended (FWPCA), has only limited application to the Outer Continental Shelf (OCS). (The OCS is defined as that portion of the geologic continental shelf lying seaward of the territorial sea, except in the case of Texas and the Gulf coast of Florida where the OCS commences nine miles seaward of the baseline). The definitions of both onshore and offshore facilities exclude by their terms any OCS structure. The provisions of Section 311(b)(4) and 311(b)(5), for example, are inapplicable to fixed structures or artificial islands on the OCS.

In order to provide a mechanism parallel to Section 311, FWPCA, the U. S. Geological Survey has established in 30 CFR 250.43 provisions requiring the lessee to take the necessary measures to abate the source of a discharge and to remove the pollutant. Under these regulations, the lessee is required to fund such activities, and he has no legal defenses of the nature available under Section 311 (e.g. an act of God, an act of war, negligence on the part of the U. S. Government, or an act or omission of a third party) nor any financial limitation to his liability (such as the \$100/ton, \$14 million maximum for vessels and \$8 million maximum for onshore and offshore facilities). Accordingly, one of the principle aims of the Memorandum of Understanding is to assure that in the ordinary case the government's position vis-a-vis the lessee be such that the application of the provisions of 30 CFR 250.43 will not be hazarded.

The Outer Continental Shelf Lands Act (OCSLA) contains many provisions that have not been fully explored legally. Where the exigencies of a particular case may require such action, we may choose to proceed under other authority ~~than~~ that derived from 30 CFR 250.43 (which regulations are based upon the OCSLA, 43 USC 1334). Examples of these other avenues include treating mobile drilling platforms as vessels within the definition of vessel in Section 311, FWPCA. The difficulty here, of course, is that only incidents relatively close to territorial waters would be subject to Section 311 liability provisions. Also, the OCSLA assimilates the law of the state adjacent to the OCS structures. Any state pollution control or liability measures are also applicable. It is possible that by virtue of the Assimilative Crimes Act, current state law of a criminal nature would be applicable. It is also possible that the provisions of 50 USC 191 have application on the OSC structures. This would provide the government with the necessary authority to take action but would not, of course, provide any basis for the recovery of cleanup costs from the lessee. Additional regulations of a pollution prevention nature could be promulgated by the U. S. Coast Guard under 43 USC 1333(e), but again it is doubtful that recovery of government removal costs could be had under the law.

The Memorandum of Understanding must be read, therefore, as an attempt to provide a basis for the most effective pollution abatement and cleanup measures available to the government on the OCS rather than ~~an~~ an attempt to establish or circumscribe the authority of either agency principally involved. It is expected that in nearly all cases arising on the OCS, the government will wish to assure that the lessee undertakes and funds the abatement and cleanup measures. Exceptional cases should be referred to the Commandant cleanup measures. Exceptional cases should be referred to the Commandant for guidance. However, each district should be prepared to indicate in such cases whatever state laws concerning pollution liability may apply.

TAB B

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
CONSERVATION DIVISION
BRANCH OF OIL AND GAS OPERATIONS
PACIFIC REGION

NOTICE TO LESSEES AND OPERATORS OF FEDERAL OIL AND GAS
LEASES IN THE OUTER CONTINENTAL SHELF, PACIFIC REGION

This Order is established pursuant to the authority prescribed in 30 CFR 250.11 and in accordance with 30 CFR 250.43. Section 250.43 provides as follows:

- (a) The lessee shall not pollute land or water or damage the aquatic life of the sea or allow extraneous matter to enter and damage any mineral- or water- bearing formation. The lessee shall dispose of all liquid and non-liquid waste materials as prescribed by the supervisor. All recorded by the lessee and, upon request of the supervisor, shall be reported to him. All spills or leakage of a substantial size or quantity which cannot be immediately controlled also shall be reported by the lessee without delay to the supervisor and to the Coast Guard and the Regional Director of the Federal Water Pollution Control Administration. All spills or leakage of oil or waste materials of a size or quantity specified by the designee under the pollution contingency plan shall also be reported by the lessee without delay to such designee.
- (b) If the waters of the sea are polluted by the drilling or production operations conducted by or on behalf of the lessee, and such pollution damages or threatens to damage aquatic and total removal of the pollutant, wheresoever found, proximately resulting therefrom shall be at the expense of the lessee. Upon failure of the lessee to control and remove the pollutant the supervisor, in cooperation with other appropriate agencies of the Federal, State and local governments, or in cooperation with the lessee, or both, shall have the right to accomplish the control and removal of the pollutant in accordance with any established contingency plan for combating oil spills or by other means at the cost of the lessee. Such action shall not relieve the lessee of any responsibility as provided herein.
- (c) The lessee's liability to third parties, other than for cleaning up the pollutant in accordance with paragraph (b) of this section, shall be governed by applicable law.

The operator shall comply with the following requirements. Any departures from the requirements specified in this Order shall be subject to approval pursuant to 30 CFR 250.12 (b).

1. Pollution Prevention. In the conduct of all oil and gas operations, the operator shall not pollute land or water. The operator shall comply with the following pollution prevention requirements.
 - A. Liquid Disposal.
 - (1) The disposal of produced water and sewage shall be in accordance with the provisions of OCS Order No. 8.
 - (2) Oil shall not be disposed of into ocean waters.
 - (3) Liquid waste materials containing substances which may be harmful to aquatic life or wildlife, or injurious in any manner to life or property, shall be treated to avoid disposal of harmful substances into the ocean waters.
 - (4) Drilling mud containing oil or toxic substances shall not be disposed of into the ocean waters.
 - B. Solid Waste Disposal.
 - (1) Drill cutting, sand, and other solids containing oil shall not be disposed of into the ocean waters.
 - (2) Mud containers and other solid waste materials shall be transported to shore for disposal.
 - C. Production Facilities.
 - (1) All production facilities, such as separators, tanks, treaters, and other equipment, shall be operated and maintained at all times in a manner necessary to prevent pollution.
 - (2) The operator's personnel shall be thoroughly instructed in the techniques of equipment maintenance and operation for the prevention of pollution. Non-operator personnel shall be informed in writing, prior to executing contracts, of the operator's obligations to prevent pollution.

2. Inspections and Reports. The operator shall comply with the following pollution inspection and reporting requirements and operators shall comply with such instructions or orders as are issued by the Supervisor for the control or removal or pollution.

A. Pollution Inspections.

- (1) Manned drilling and production facilities shall be inspected daily to determine if pollution is occurring. Such maintenance or repairs as are necessary to prevent pollution of ocean waters shall be immediately undertaken and performed.
- (2) Unattended facilities, including those equipped with remote control and monitoring systems, shall be inspected at intervals as prescribed by the District Engineer and necessary maintenance or repairs immediately made thereto.

B. Pollution Reports.

- (1) All spills or leakage of oil and liquid pollutants shall be reported orally without delay to the District Engineer and the Coast Guard and shall be followed by a written report to the District Engineer showing the cause, size of spill, and action taken.
- (2) All spills or leakage of oil and liquid pollutants of a substantial size or quantity and those of any size or quantity which cannot be immediately controlled, shall be reported orally without delay to the Supervisor, the District Engineer, the Coast Guard, and the Regional Director, Environmental Protection Agency.
- (3) Operators shall notify each other upon observation of equipment malfunction or pollution resulting from another's operation.

3. Control and Removal.

- A. Corrective Action. Immediate corrective action shall be taken in all cases where pollution has occurred. Each operator shall have an emergency plan for initiating corrective action to control and remove pollution and such plan shall be filed with the Supervisor. Corrective action taken under the plan shall be subject to modification when directed by the Supervisor.

- B. Equipment. Standby pollution control equipment shall be maintained at each operation or shall be immediately available to each operator at an onshore location. This includes containment booms, skimming apparatus, and chemical dispersants and shall be available prior to the commencement of operations. This equipment shall be the most effective available resulting from the current state of pollution control and removal research and development efforts. The equipment shall be regularly inspected and maintained in good condition for use. The equipment and the location of land bases shall be approved by the Supervisor. Chemical dispersants shall not be used without prior approval of the Supervisor. The operator shall notify the Supervisor of the location at which such equipment is located for operations conducted on each lease. All changes in location and equipment maintained at each location shall be approved by the Supervisor.

Approved: 1 June 1971

D. W. SOLANAS
SUPERVISOR

RUSSELL G. WAYLAND
CHIEF, CONSERVATION DIVISION

TAB C

AGREEMENT BETWEEN THE UNITED STATES AND THE
STATE OF CALIFORNIA CONCERNING REIMBURSEMENT
FROM THE FEDERAL POLLUTION FUND
(Northern California - Oregon Border to the
Northern Boundary of Santa Barbara County)

WHEREAS, the State of California, through its Department of Fish & Game, and the U. S. Coast Guard through its Twelfth Coast Guard District has a mutual interest of pollution discharged into the navigable waters of the United States and the adjoining shorelines within their mutual jurisdictions; and

WHEREAS, the U. S. Coast Guard is authorized by the Federal Water Pollution Control Act as Amended in 1972 (P.L. 92-500), hereinafter called the "Act", and the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 1510), hereinafter called the "NCP", to reimburse state agencies from the Federal Pollution Fund under certain circumstances in which the appropriate Federal On-Scene-Coordinator determines that such action is necessary; and

WHEREAS, the State of California, through its Department of Fish and Game, and other political subdivisions and state instrumentalities, is authorized by state statute and local ordinances to pursue vigorous action to abate, contain, and recover pollutants discharged into its waters; and

WHEREAS, the Department of Fish and Game, is the agency of the State of California authorized pursuant to 40 CFR 1510.23(a), to supervise the cleanup of pollution by state and local agencies and to be the sole agency to submit requests for reimbursement for all state agencies, political subdivisions and instrumentalities; and

WHEREAS, The California Department of Fish and Game, and the Twelfth Coast Guard District desires to establish uniform procedures for the authorization, documentation, certification, and reimbursement from the Federal Pollution Fund of Phase III (containment) and Phase IV (Cleanup, Removal, and Disposal) expenses incurred by the California Department of Fish and Game, or other state agencies, instrumentalities, and political subdivisions under its supervision and NCP, and appropriate implementing regulations;

NOW THEREFORE, the California Department of Fish and Game (hereinafter referred to as CDF&G) and the Twelfth Coast Guard District (hereinafter referred to as "Coast Guard") agree as follows:

- (1) The Federal On-Scene-Coordinator, designated in accordance with the National Contingency Plan (hereinafter called the "OSC") is the person solely responsible for coordinating federal pollution control efforts and the only person who may authorize efforts and the only person who may authorize activities which are reimbursable from the Pollution Fund.

(2) This agreement is not intended to limit to those situations in which reimbursement from the Pollution Fund is permissible, the activities of CDF&G, other state agencies, instrumentalities, and political subdivisions in carrying out the mandate of statutorily approved programs. It is anticipated that exercise of state authority may be appropriate in circumstances in which federal action is not deemed necessary by the OSC. Activities of CDF&G and State agencies, instrumentalities, and political subdivisions may include expenditure of funds which under other circumstances would be reimbursable, or it may include such expenditures as restoration expenses which are beyond the purview of the Act.

(3) The OSC may request of the designated representative of CDF&G what, if any equipment, personnel, or materials of CDF&G, other state agencies, instrumentalities, or political subdivisions is available for use hereunder. The designated representative of CDF&G, shall inform the OSC what items, if any are available, and ~~to inform the OSC what items, if any are available,~~ and to what extent, if any CDF&G desires to assume a portion of the responsibility for Phase III or IV action in a particular spill, and the estimated cost of such action.

(4) Upon determination by the OSC that the following conditions are met, he may authorize CDF&G to proceed with, certain work to contain, cleanup, and remove oil or hazardous substances deposited upon the navigable waters of the United States or on adjacent shorelines or beaches:

(a) That the party causing the discharge is unknown, or

(b) That the party responsible for the discharge has been notified, if possible, of the liability for the costs of federal removal in accordance with Section 311(f) or (g) of the Act; the need to perform the removal in accordance with existing federal and state statutes and regulations, including the NCP; the name and status of the OSC; and

(c) That despite these efforts by the OSC or other officials, the discharger does not act promptly to remove the discharge; and

(d) That state action is required to minimize or mitigate significant damage to the public health or welfare which federal action cannot mitigate or minimize, or

(e) Removal or partial removal can be affected by the state at a cost which is not significantly greater than the cost which would be incurred if the cleanup were conducted by the Federal departments or agencies.

(5) If the OSC determines that the conditions of paragraph (4) have been met and that State action is necessary, he may then authorize the designated representative of CDF&G to proceed with the performance of appropriate services. This notice to proceed may be limited in any fashion and may be terminated at any time by the OSC, in whole or in part by notice to the designated representative.

(6) All labor and equipment offered by the designated representative of CDF&G and authorized by the OSC shall be performed using the employees and equipment and political subdivisions. Except as specifically authorized in accordance with paragraph (8), no work is authorized to be performed hereunder by private contractors. All authorized work shall be supervised by the designated representative of CDF&G. Work authorized hereunder, whether rendered by CDF&G, other state agencies, instrumentalities, or political subdivisions, shall be paid for by state or local appropriations and shall be considered, for the purpose of this agreement, as work rendered by CDF&G. If the service of private contractors is deemed necessary by the designated representative of CDF&G, he shall notify the OSC of the need. It is expected that the OSC, if he concurs, normally will independently obtain the services of concerns under contract to the United States, or obtain the necessary contracts through his Contracting Officer.

(7) CDF&G shall be reimbursed for the following costs incurred hereunder and paid for by state or local appropriations upon the submission of a report, supported by accounting data, itemizing the actual costs incurred via the OSC, to Commander (f), Twelfth Coast Guard District:

(a) Costs found to be reasonable by the Coast Guard incurred by government industrial type facilities, including charges for overhead in accordance with the agency's industrial accounting system.

(b) Actual costs for which an agency is required or authorized by any law to obtain full reimbursement.

(c) Costs found to be reasonable by the Coast Guard incurred as a result of removal activity that are not ordinarily funded by an agency's regular appropriations and that are not incurred during normal operations. These costs include, but are not limited to, the following:

(i) Travel (transportation and per diem) specifically requested of the agency by the OSC.

(ii) Overtime for civilian personnel specifically requested of the agency by the OSC.

(iii) Incremental operating costs for vessels, aircraft, vehicles, and equipment incurred in connection with the removal activity.

(iv) Supplies, materials, and equipment procured for the specific removal activity and fully expended during the removal activity.

(v) Lease or rental of equipment for the specific removal activity.

(vi) Contract costs for the specific removal activity authorized in accordance with paragraph (8).

(vii) Salaries of state employees shall not normally be reimbursed.

(8) Subcontracts.

(a) No subcontract shall be made by CDF&G for the furnishing of any of the work herein contracted for without the prior approval of the OSC. For the purpose of this clause, purchase of raw material or commercial stock items shall not be considered work.

(b) No subcontract placed under this agreement by CDF&G shall provide for payment on a cost-plus-percentage-of-cost basis.

(9) All individual requests for services hereunder shall be by order of the OSC. Oral orders will be confirmed in writing. CDF&G shall issue daily, in a form acceptable to Commander, Twelfth Coast Guard District (f), a complete listing of personnel, equipment, and material provided hereunder, the inclusive times of their employment, together with the cost, if known, or an accurate estimate thereof if actual cost is not yet determinable. The listing shall be sufficiently itemized to permit the OSC to maintain an accurate estimate of each type of costs as it accrues, and to identify each item of work for which actual cost will be included in the final billing. For minor incidents the OSC may require less frequent reports at intervals not less than three days. Each daily report should also include an estimate of the percent of the work completed, an estimate of expense necessary to complete the requested operation, and remarks concerning any unusual problems encountered or expected.

(10) Hourly charges under paragraph (7) shall commence with the time personnel and equipment depart for the location of the spill. Charges will terminate at the conclusion of necessary cleanup and necessary transportation of the personnel and equipment to their respective bases of operation, or in the case of a notice of termination of authorization to proceed on certain work, issued by the OSC, after the time which would have been required for necessary cleanup and return had the work been terminated at the time of the notice.

(11) If it is deemed in the best public interest, the United States reserves the right to request cleanup services simultaneously from competitive firms and will expect harmonious cooperation between one or more contractors on the same or adjacent areas. The apportionment of services will be solely within the discretion of the OSC and no guarantee of volume of services requested during the period of this agreement is intended or implied.

(12) Services provided hereunder by CDF&G , will be in accordance with the following General Provisions:

(a) Officials not to Benefit. No member of or delegate to Congress, or resident commissioner shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

(b) Covenant Against Contingent Fees. CDF&G warrants that no person or selling agency has been employed or retained to solicit or secure for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by CDF&G for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this agreement without liability or in its discretion to deduct from the contract price, its discretion to deduct from the contract price, or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

(c) Relationship of Parties. The parties of this contract act in an independent capacity in the performance of their respective functions under this contract and neither party is to be considered the officer, agent, or employee of the other.

(d) This agreement may be terminated by either party upon 60 days written notice.

(13) This agreement shall go into force thirty (30) days after signing by both parties to the agreement.

UNITED STATES OF AMERICA
UNITED STATES COAST GUARD

OCT 18, 1977

E. C. Fullerton
Director, State of California
Department of Fish and Game

4 Aug 1977

VADM A. C. WAGNER
Commander, 12th USCG District
United States Coast Guard

TAB D
MEMORANDUM OF UNDERSTANDING BETWEEN THE
ENVIRONMENTAL PROTECTION AGENCY AND THE UNITED STATES
COAST GUARD CONCERNING THE MITIGATING OF DAMAGE TO THE PUBLIC
HEALTH OR WELFARE CAUSED BY A DISCHARGE OF A HAZARDOUS
SUBSTANCE UNDER SECTION 311 OF THE CLEAN WATER ACT
(33 USC 1321)

The U.S. Coast Guard (USCG) and the Environmental Protection Agency (EPA) agree that the responsibility for the mitigation of damage to the public health and welfare caused by the discharge of hazardous substances shall be shared by the USCG and EPA. This Memorandum establishes policy concerning the responsibilities of the EPA and USCG regarding mitigation actions.

SECTION I

GENERAL

Section 311(b)(6)(C) of the Clean Water Act, as amended, authorizes the Administrator of EPA to act to mitigate the damage caused by the discharge of hazardous substances. The cost of mitigation shall be deemed a removal cost incurred under Section 311(c) of the Clean Water Act.

Through Executive Order 11735 (or as amended), the authority of the President pursuant to Section 311(j)(1)(A), relating to the establishment of methods and procedures for the removal of discharged oil and hazardous substances, is delegated to both EPA and USCG.

The waters and areas for which each agency has responsibility are defined in the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 1510. Section 1510.36(b)).

According to the NCP, EPA is responsible for inland waters and the USCG is responsible for coastal waters and the waters, ports and harbors of the Great Lakes. These geographical areas are further defined in applicable Regional Contingency Plans.

SECTION II

COORDINATION

In accordance with the predesignated geographical areas of responsibility, EPA and the USCG agree to undertake appropriate mitigation actions of discharges of hazardous substances within each agency's defined area of responsibility.

The cost of such mitigation actions shall be considered a cost of removal incurred under subsection (c) the the Clean Water Act and shall be reimbursable through the 311(k) revolving fund.

Mitigation efforts include, but are not limited: activities such as containment measures; measures required to warn and protect the public of acute danger; activities necessary to provide and monitor the quality of temporary drinking water sources; monitoring for spread of the pollutant; biomonitoring to determine the extent of the contamination; physical measures to identify and contain substances contaminated by the discharge; providing navigational cautions while response to the problem is underway; efforts to raise sunken vessels which are the source of the discharge; implementation of emergency treatment facilities; and any efforts necessary to locate the source of the discharge and identify properties of the pollutants discharged. The long term solution to many spills may be the construction of major capital structures, including advanced treatment systems or extension dikes. While such major construction may well mitigate the danger to public health or welfare, they are not appropriate mitigation actions under Section 311(b)(6)(C).

Thomas C. Jorling
Assistant Administrator for
Water and Waste Management
United States Environmental
Protection Agency

W. E. Caldwell, Rear Admiral
Chief, Office of Marine
Environment and Systems
United States Coast Guard

Sep 6, 1979

3 Oct 1979

TAB E

INTERAGENCY AGREEMENT BETWEEN THE U.S. FISH & WILDLIFE SERVICE
AND THE U. S. COAST GUARD FOR PARTICIPATION IN POLLUTION INCIDENTS

I. PURPOSE: The purpose of this Interagency Agreement (IAA) is to specify the conditions and procedures under which the U. S. Fish and Wildlife Service will provide U. S. Coast Guard Federal On-Scene Coordinators with appropriate technical expertise as well as services in support of the Federal Government's efforts to control and cleanup oil and hazardous chemical discharges. This IAA is implemented to enhance cooperation, efficiency and effectiveness of response activities.

II. SERVICES TO BE PROVIDED: Under the terms of this agreement:

A. The Fish and Wildlife Service will provide or furnish Coast Guard with technical expertise with respect to populations and habitats of fish and wildlife, including migratory birds, marine mammals and endangered and threatened plants and animals; specialized bird-hazing and cleanup equipment; and personnel to coordinate efforts to mitigate the threat to and rehabilitate birds affected by discharges of oil and hazardous chemicals, as a force integrated into the predesignated On-Scene Coordinator's (OSC's) local response team.

B. The Fish and Wildlife Service also will provide storage at its facilities for Coast Guard spill response equipment under the predesignated OSC's jurisdiction to the extent practicable to allow for prestaging of response equipment near vulnerable environmentally sensitive areas.

C. The Coast Guard will provide storage at their facilities for Fish and Wildlife Service response equipment to the extent practicable to allow for prestaging of Fish and Wildlife Service response equipment.

D. Responsibility for maintaining equipment prestaged at the other party's facility rests solely with the agency owning the equipment. Host agencies will, however, assist in making arrangements to transport equipment stored at their facilities when requested by the other agency. The cost of transporting equipment will be borne by the owner agency, unless agreed to otherwise.

III. SOURCES OF AND PROCEDURES FOR OBTAINING U.S. FISH AND WILDLIFE
SERVICE SUPPORT

A. Fish and Wildlife Service personnel and equipment will be furnished as indicated in appropriate OSC local response plans and regional contingency plans. These plans shall specify the Fish and Wildlife Service personnel who are available to function on each OSC's local response team.

B. Procedures for obtaining Fish and Wildlife Service support shall be specified in appropriate predesignated OSC's local response and regional contingency plans.

IV. U. S. COAST GUARD RESPONSIBILITIES

A. The Coast Guard will advise all of its District Commanders, predesignated OSC's and Regional Response Team (RRT) members of the terms of this Agreement.

B. The Coast Guard is designated as administrator of the pollution revolving fund established by the Federal Water Pollution Control Act of 1972 (P.L. 92-500), as amended. As such, the Coast Guard is responsible for reimbursing Federal agencies that provide support to Federal OSC's.

C. In the event that Fish and Wildlife Service involvement is desired by the Coast Guard during an incident not covered by the Federal Water Pollution Control Act, or Outer Continental Shelf Lands Act, the Coast Guard shall advise the Fish and Wildlife Service the extent to which reimbursement can be expected when the request for assistance is made.

D. Commandant (G-WEP) shall coordinate agreements for prestaging equipment at National Strike Force locations.

E. Coast Guard RRT representatives shall coordinate agreements for prestaging equipment at Coast Guard and Fish and Wildlife Service facilities within the RRT's geographical area of responsibility.

V. U. S. FISH AND WILDLIFE SERVICE RESPONSIBILITIES

A. It is understood that subsequent to formalizing this IAA, the Fish and Wildlife Service will advise its Regional Offices and Pollution Response Coordinators of the terms of this Agreement, their respective duties and responsibilities, methods of accounting, and reimbursement or payment for Fish and Wildlife Service efforts during pollution incidents covered by this Agreement.

B. The Fish and Wildlife Service National Pollution Response Coordinator shall coordinate agreements for prestaging response equipment at National Strike Force locations.

C. The Fish and Wildlife Service RRT representative shall coordinate agreements for prestaging response equipment at facilities within the RRT's geographical area of responsibility.

VI. REIMBURSEMENT PROCEDURES AND POLICIES

A. The Federal OSC is responsible for insuring that proper cost documentation records are maintained

B. Federal agencies providing advice and assistance are responsible for providing OSC's with supporting documentation for cost accounting.

C. Agencies providing assistance in support of a Federal cleanup operation as requested by an OSC are entitled to reimbursement for the following items:

1. Travel, per diem, and overtime costs for personnel.

2. Rental costs, as approved by the parent agency, for non-expendable equipment provided.
3. Replacement costs for expendable materials provided and utilized.
4. Replacement or repair costs for nonexpendable equipment which is damaged while under the administrative control of the OSC. For purposes of this Agreement items are under the OSC's administrative control from the time they are delivered for his/her use, whether the delivery is made at the scene of the incident or to an agent of the OSC at another location, until the time when the item is returned to the custody of the agency providing the equipment or its duly appointed agent.
5. Transportation costs incurred in delivering items to and from the scene.
6. Incremental operating and contract costs incurred in providing assistance to OSC's.

D. Normal salary costs of Government employees in positions that are not normally intended to provide services in support of response operations are reimbursable.

E. The fiscal agent for the Coast Guard will be the Comptroller of the cognizant Coast Guard District.

Approved: _____
Associate Director, U. S. Fish and Wildlife
Service

Jun 6, 1979

Date

Approved: _____
Chief, Office of Marine Environment
Systems, U. S. Coast Guard

24 Jul 1979

Date

TAB F

INTERAGENCY AGREEMENT (IAA) BETWEEN THE UNITED STATES NAVY AND THE
UNITED STATES COAST GUARD FOR COOPERATION IN OIL SPILL CLEAN-UP
OPERATIONS AND SALVAGE OPERATIONS

I. PURPOSE: To specify for U. S. Coast Guard and U. S. Navy application:

A. Conditions and procedures under which the U. S. Coast Guard can request and the U. S. Navy will provide oil spill clean-up and/or salvage equipment and services to support the U. S. Coast Guard in non-Navy oil spills and other operations requiring salvage expertise.

B. Conditions and procedures under which the U. S. Navy can request and the U. S. Coast Guard will provide equipment and services to support the U. S. Navy in salvage operations and in response to oil spills which are caused by facilities or vessels under Navy jurisdiction.

C. Reimbursement procedures and policies.

II. BACKGROUND: The National Oil and Hazardous Substances Pollution Contingency Plan, promulgated under the authority of the Federal Water Pollution Control Act, (FWPCA) (33 USC 1251, et. seq.) confers on the Coast Guard (or the Environmental Protection Agency in designated areas) responsibility for designating Federal On-Scene Coordinators (OSC) to coordinate Federal agency resources in cleaning up any oil or hazardous substance discharged in U. S. navigable waters, the contiguous zone or waters beyond the contiguous zone up to approximately 200 miles. In addition to having the responsibility and expertise to respond promptly in cases of discharges from Navy operated or supervised ships and facilities, the Navy is also the governmental agency possessing expertise in ship salvage and salvage-related operations. The OSC, may access this expertise for the cleanup and control of any oil spill. The Coast Guard may also access the Navy's salvage expertise to assist during other operations conducted by the Coast Guard. Alternatively, the Navy may access the Coast Guard's expertise in oil spill control and other assets for salvage operations.

III. RESOURCES: Under the terms of this Agreement, the following resources may be provided:

A. When requested by the U. S. Coast Guard pursuant to Section V herein, the U. S. Navy will furnish to the U. S. Coast Guard the following resources consistent with availability and operational commitments as determined by the Navy:

- (1) Salvage equipment and specialized oil spill control and clean-up equipment.
- (2) Salvage, diving and oil spill control consultation, evaluation, planning and operational services.
- (3) Naval Craft, vessels and aircraft.

B. When requested by the U. S. Navy pursuant to Section VI herein the U. S. Coast Guard will furnish to the U. S. Navy the following resources consistent with availability and operational commitments as determined by the Coast Guard.

- (1) Oil spill consultation, evaluations, planning and operational services
- (2) Specialized oil spill control and clean-up equipment.
- (3) Coast Guard craft, vessels and aircraft.

IV. FEDERAL ORGANIZATION AND RESPONSIBILITIES: U. S. Navy response to U. S. Coast Guard Federal On-Scene Coordinator (OSC) requests for services and equipment in non-Navy oil spills will be provided in accordance with the NCP (Part 1510, Chapter V, Title 40 CFR) and the terms of this IAA.

The Coast Guard OSC will coordinate direct Federal oil spill control and cleanup efforts in the event of an incident in his area of responsibility. In the event that commercial resources and/or expertise are not available to carry out the required cleanup, the OSC will arrange for the use of Federal and/or State resources. Unless prearrangements have been made, the OSC will seek the assistance of the Regional Response Team in accessing the needed advice and/or resources.

U. S. Navy Salvage operations, conducted in support of other Coast Guard activities, will be coordinated by the Coast Guard On-Scene Commander or Coast Guard Officer-In-Charge of the operation, subject to the operational and technical control of the Navy Salvage Officer.

V. COAST GUARD REQUESTS FOR NAVY ASSISTANCE:

A. When local or regional interagency contingency plans contain adequate provision for identification, deployment of, and reimbursement for locally available Navy pollution control assets, OSC requests for such assets will be made through the Navy or DOD member of the RRT. The Navy (or DOD) member will have prearranged with the Navy Area Coordinator and the cognizant Navy supplier activity commander for authority to commit these resources to the OSC to follow up such a request with a confirming message to the supplier activity and Navy Area Coordinator referencing the request and citing pertinent operation and funding information. Request forwarded by OSCs shall include the following information:

(1) Circumstances of the spill, e.g., location, quantity and

(2) Extent of assistance required.

B. When adequate local activity assets are not available or difficulties arise in arranging for their deployment and cannot be resolved on the RRT level, the matter shall be referred to the National Response Team (NRT) for resolution. Requests forwarded by RRTs shall include the information called for in V. A. above.

(1) The Coast Guard NRT representative or National Response Center (NRC) Duty Officer will relay all requests for assistance from the OSC/RRT to the Chief of Naval Operations Navy Department Duty Captain (OP-641/642) for action. (24 hour telephone: 202-695-0231). Such referrals will specify the above mentioned information relating the the conditions and circumstances of the oil spill.

(2) All Coast Guard telephonic requests for assistance referred to in paragraph (1) will be followed promptly by a documenting message from the Coast Guard. This message will reference and detail the initial OSC request and must include accounting data identification for reimbursement to the Navy of the costs identified in Section VIII of this Agreement. The message shall be addressed to CNO, Washington D. C., Attn: OP-64/45/23/37, to CHNAVMAT, be addressed to CNO, Washington D. C., Attn: Mat-044; to COMNAVSEASYSOM, Washington D. C., Attn: NAVSEA-OOC; to COMNAVFACENGCOM Alexandria, VA to CINCLANTFLT, Norfolk, VA. or CINCPACFLT, Pearl Harbor, HI., (as appropriate); and to Commandant U. S. Coast Guard and the NRC (as appropriate). The Navy will properly document increases in the projected cost of its assistance and will so inform the OSC by message referancing the Coast Guard's message.

C. If NAVSEASYSOM assistance is anticipated, OSCs may, prior to formal tasking, directly communicate with NAVSEASYSOM at 202-697-7403 (normal workday), other times 202-692-7527 for technical matters.

D. In oil spill related cases where it becomes necessary to assist the Coast Guard by mobilizing Navy forces other than Navy pollution control assets, the Coast Guard representative to the NRT or the Coast Guard NRC Duty Officer will relay requests received from the Coast Guard OSC via the RRT to the Navy Department Duty Captain (OP-641/642) outlining the specific circumstances of the request. Each request for such assistance will contain the information set forth in paragraph V. A. of this Agreement.

E. For purposes of this Agreement items are to be considered under the administrative control of the OSC from the time they are delivered for his use, whether such delivery is made at the scene of the incident or to a representative of the OSC at a location other than at the scene, through the time the item is redelivered to the Navy or its representative.

F. All Coast Guard requests for salvage assistance in other Coast Guard operations will be relayed by the appropriate Coast Guard Headquarters authority to the Navy Department Duty Captain. The requests shall include information similiar to that called for in V. A. of this Agreement.

VI. NAVY REQUESTS FOR COAST GUARD ASSISTANCE:

A. Coast Guard resources will be provided, subject to their availability, to assist Naval Activities in responding to pollution Discharges caused by facilities or vessels under Navy jurisdiction. Requests for such assistance shall be relayed by the Navy representative to the NRT or to the National Response Center. Reimbursement will be made in accordance with the guidelines established in Section VIII of this Agreement.

B. Coast Guard resources will be provided, subject to their availability, to assist the Navy during salvage operations. Requests for such assistance shall be relayed by the cognizant Navy Commander to the Coast Guard Commander Atlantic Area (Aom) for resources located on the Atlantic and Gulf Coasts, and to Commander Pacific Area (Pom) for resources located on the Pacific Coast. Reimbursement will be made in accordance with the guidelines established in Section VIII of this Agreement

C. For purposes of this Agreement items are to be considered under the administrative control of the Navy from the time they are delivered to the location and/or representative specified by the Navy, through the time the item is redelivered to the Coast Guard or its representative.

VII. LOCAL ARRANGEMENTS FOR ASSISTANCE:

Coast Guard OSC's and local Naval commands, having oil spill cleanup capabilities, are encouraged to enter into agreements for the utilization of those capabilities to respond immediately to discharges of oil occurring within, or in threatening proximity of, the waters of a U. S. Naval base or facility regardless of whether the Navy is responsible for the discharge. Wherever such agreements are reached, the Coast Gaurd will reimburse the Navy for Navy costs incurred in undertaking such actions as per Section VIII of this Agreement, unless it is subsequently determined that the Navy was responsible for discharge.

VIII. REIMBURSEMENT PROCEDURES AND POLICIES:

A. The Federal On-Scene Coordinator is responsible for insuring that proper cost documentation records are maintained.

B. Navy and Coast Guard activities providing advice and assistace are responsbile for providing OSCs with supporting documentation for cost accounting.

C. Navy and Coast Guard activities providing assistance in support of the cleanup operation as requested by an OSC are entitled to reimbursement for the following items:

- (1) Travel, per diem, and overtime costs for personnel.
- (2) Rental costs, as approved by the parent agency, for nonexpendable equipment provided.
- (3) Replacement costs for expendable materials provided and utilized
- (4) Replacement or repair costs for nonexpendable equipment which is damaged while under the administrative control of the OSC.
- (5) Transportation costs incurred in delivering items to and from the scene.
- (6) Incremental operating and contract costs incurred as a result of providing assistance to OSCs.

D. Normal salary costs of government employees in positions that are not normally intended to provide services in support of response operations are reimbursable. Salaries of reserve personnel called on active duty specifically to assist in a Federal response activity are reimbursable.

E. The fiscal agent for the U. S. Coast Guard will be the Comptroller of the cognizant Coast Guard District.

F. The fiscal agent for the U. S. Navy under Section V. A. of this Agreement will be the local activity Commanding Officer, and under V. B. will be the Commander, Naval Sea Systems Command (NAVSEA-01), Washington, D. C. 20362.

G. Subject to the Coast Guard's ultimate collection responsibility for services and operations provided by the Navy under this agreement, NAVSEA-01 or the local activity, depending on the applicability of V. A. or V. B., shall be responsible for making collections from the Coast Guard and shall make appropriate disbursements of transfer of funds within the respective Navy organizations.

H. Paragraphs A through G above apply only to the reimbursement of costs to the Navy in connection with FWPCA response actions. Paragraphs E and F apply to all reimbursements covered by this Agreement. Normal accounting procedures (interagency transfers) apply (1) to reimbursements not related to FWPCA response actions, and (2) to reimbursements to the Coast Guard for the use of their equipment and services in a FWPCA response action conducted by the Navy.

IX. NOTIFICATION: The terms of this Agreement, amplified as necessary to provide detailed guidance and procedures for reimbursement, will be promulgated to components of the Coast Guard and the Navy.

Approved: J. P. STEWART
Chief of Staff

13 AUG 1980

Approved: W. J. COWHILL
Vice Admiral, U. S. Navy
Deputy Chief of Naval
Operations (Logistics)

15 SEP 1980

TAB G

MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES GEOLOGICAL
SURVEY OF THE DEPARTMENT OF THE INTERIOR AND THE UNITED STATES
COAST GUARD OF THE DEPARTMENT OF TRANSPORTATION CONCERNING
REGULATIONS OF ACTIVITIES AND FACILITIES ON THE OUTER
CONTINENTAL SHELF OF THE UNITED STATES

I. PURPOSE:

The purpose of this Memorandum of Understanding is to promote the safety of activities and facilities on the Outer Continental Shelf of the United States (OCS) associated with the exploration, development, and production of mineral resources, to avoid duplication of effort, and to promote consistent, coordinated and less burdensome regulation of these facilities.

II. DEFINITIONS:

For purposes of this Memorandum of Understanding, the following definitions apply:

ACT - The Outer Continental Shelf Lands Act of 1953 (43 USC 1331 et. seq.), as amended by the Outer Continental Shelf Lands Act Amendments of 1978 (Pub. L. 95-372)

DEEPWATER PORT - A facility licensed by the Secretary of Transportation under the Deepwater Port Act of 1974.

VESSEL - Every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the water. This term does not include atmospheric or pressure vessels used for the containment of fluids or gases.

OUTER CONTINENTAL SHELF - The submerged lands which are subject to the Act.

OCS ACTIVITY - Any offshore activity associated with exploration for, development of, or production of mineral resources of the OCS.

OCS FACILITY - Any artificial island, platform, installation, or other device, permanently or temporarily attached to the seabed or subsoil of the OCS, and used for any OCS activity. This term does not include a deepwater port or vessel engaged in transportation, but does include a:

1. FIXED OCS FACILITY - Any fixed, bottom-founded facility permanently attached to the seabed or subsoil of the OCS, including platforms, guyed towers, articulated columns, gravity platforms and other structures;

2. FLOATING OCS FACILITY - Any buoyant facility securely and substantially moored to the seabed or subsoil of the OCS, including tension leg platforms, permanently moored semi-submersibles, ship-barge shape hulls, or other buoyant structures. This term does not include mobile offshore drilling units;
3. MOBILE OFFSHORE DRILLING UNIT (MODU) - Any vessel capable of engaging in drilling operations for the exploration of mineral resources of the OCS. This term includes mobile offshore drilling units engaged in OCS activities that are U. S., foreign, or not documented under the laws of any nation;
4. OCS TERMINAL - Any fixed or floating facility which is used or intended for use primarily as a port or terminal for transferring produced oil, gas, or other OCS mineral resources to or from a vessel;
5. MOBILE WELL SERVICING UNIT (MWSU) - Any vessel other than a MODU which engages in well servicing operations on the OCS.

III. AGENCY AUTHORITIES ON THE OCS:

A. General

1. The Department of the Interior is responsible for management of mineral leasing on the OCS of the United States, including coordinating Federal Activities related to this program. Within the Department of the Interior, the U. S. Geological Survey regulates all mineral exploration, drilling, and production activities on leased or leasable land.

2. The United States Coast Guard of the Department of Transportation regulates to promote the safety of life and property on OCS facilities and vessels engaged in OCS activities, and the safety of navigation.

B. Statutory Authorities of the Geological Survey on the OCS Include:

1. Providing for the prevention of waste and the conservation of the natural resources of the OCS, and the protection of correlative rights.

2. Requiring suspension or temporary prohibition of any operation of any operation or activity on a lease if there is a threat of serious or irreparable harm or damage to life, to property, to mineral deposit or to the marine, coastal, or human environment.

3. Reviewing allegations of violations of safety regulations issued under the Act.

4. Reviewing and approving exploration plans, development and production plans, and applications for permits to drill necessary for prompt and efficient exploration, development, and production of a lease area.

5. Reviewing and approving applications for remedial work on completed wells.

6. Approving rights of use and easement.

7. Inspecting drilling and production operations to ensure compliance with applicable lease terms and Geological Survey regulations and orders.

8. Ensuring compliance with the national ambient air quality standards pursuant to the Clean Air Act (42 USC 7401 et. seq.) to the extent that activities authorized under the Act significantly affect the air quality of any State.

9. Exercising the Secretary of the Interior's responsibilities for the assessment, compromise, and collection of civil penalties under section 24(b) of the Act.

C. Statutory Authorities of the Coast Guard on the OCS Include:

1. Promoting the safety of life and property on OCS facilities and adjacent waters.

2. Requiring hazardous working conditions related to activities on the OCS be minimized.

3. Reviewing allegations of violations of occupational safety and health regulations under the Act.

4. Administering applicable vessel navigation, safety and inspection laws contained in Titles 46 and 33 of the United States Code.

5. Inspecting OCS facilities and vessels engaged in OCS activities to ensure compliance with applicable Coast Guard Requirements.

D. Similar Statutory Authorities Involving Both Agencies Include:

1. Establishing minimum requirements or standards of design, construction, alteration, and repair for vessels, rigs, platforms, or other vehicles or structures engaged in OCS activities.

2. Performing scheduled and unannounced inspections of OCS facilities to assure compliance with regulations promulgated pursuant to the Act.

3. Enforcing regulations promulgated pursuant to the Act, including authority to utilize by agreement the services of other Federal agencies.

4. Investigating and making public reports on deaths, serious injuries, fires, and oil spillage occurring as a result of OCS operations.

5. Requiring the use of the best available and safest technologies on OCS drilling and production operations as set forth in sections 21(b) of the Act.

IV. RESPONSIBILITIES:

To accomplish the purposes of this memorandum both agencies agree to observe the following guidelines with respect to overseeing OCS facility design and construction systems and equipment and operations.

A. Facility Design and Construction Requirements, Including Plan Approval

1. The Geological Survey exercises technical review and approval responsibility for design, fabrication of all floating OCS facilities by the Coast Guard, the Geological Survey will have final approval responsibility for the installation of such facilities. The Geological Survey will coordinate technical and plan review as necessary with the Coast Guard to ensure that any applicable Coast Guard requirements affecting design or construction are complied with.

The Geological Survey verifies the following for all OCS facilities:

a. Site-specific considerations, such as oceanographic, meteorological, geological and geophysical conditions including bottom conditions and the capability of the seabed to support or hold the position of the facility to be installed and operated.

The Geological Survey establishes requirements and verifies the following:

b. Structural integrity involving design, fabrication, and installation;

c. General arrangement of drilling production and well control systems and equipment;

d. Modification and repair related to structural integrity.

2. The Coast Guard exercises technical review and approval responsibility for design and construction of all floating OCS facilities, and all vessels engaged in OCS activities, including MODUs and MWSUs. The Coast Guard will coordinate technical and plan review as necessary with the Geological Survey to ensure that any applicable Geological Survey requirements affecting design or construction are complied with.

The Coast Guard establishes requirements for the following on all OCS facilities:

a. Structural fire protection, including specifying fire endurance capabilities of bulkheads, decks, and escape routes, testing and classification of materials, and requirements for ventilation systems;

b. Access, landings, and emergency escape routes.

The Coast Guard establishes requirements for the following on floating OCS facilities and vessels engaged in OCS activities;

c. Design, loading, fabrication and construction requirements;

d. Stability and buoyancy;

e. Modification and repair requirements related to structural integrity;

f. General arrangement;

B. Systems and Equipment

Systems approved by one agency which are interconnected to systems approved by the other agency must be acceptable to both agencies.

1. The Geological Survey establishes requirements and verifies compliance with those requirements for systems and equipment for drilling, production, well control, and workover on all OCS facilities.

Systems and equipment for which the Geological Survey establishes requirements as necessary, on all OCS facilities include:

a. Blowout preventer and other well control equipment;

b. Surface production safety systems;

c. Emergency Shutdown System (ESD), including associated gas and fire detection systems;

d. Subsurface well-control equipment including safety valves;

e. Atmospheric pressure and fired vessels used for the processing of production;

f. Wellhead and flow-line equipment, including valves and sensors for wellheads, flow line, and pipelines;

g. Dehydration equipment and gas compressor units used in production operation;

h. Hydrogen sulfide control equipment, including the hydrogen sulfide gas detection system;

i. Production and production-associated piping systems, including incoming and departing pipelines;

j. Pumps used to transfer liquids within the production process systems and into pipelines;

k. Fire Loop System which is used for detection and to initiate platform shutdown;

l. Subsea completions;

m. Wellhead fire-prevention;

n. Gas detection systems for drilling production or gas transmission systems or equipment;

o. Oil and gas sale and metering equipment for production from OCS leases;

p. Containment systems for overflow from equipment associated with drilling and production.

Other systems and equipment for which the Geological Survey is responsible on fixed facilities include:

q. Electrical system design and equipment, including designation of classified locations;

r. Pressure vessels and piping associated with drilling operations;

s. Engine exhaust insulation and spark arrestors.

2. The Coast Guard establishes systems and equipment requirements, as appropriate, for propulsion machinery, auxiliary machinery and personnel safety equipment on all OCS facilities. The Coast Guard also establishes requirements for equipment on all OCS facilities to mitigate occupational safety or health hazards, or ensure the seaworthiness of a MODU, MWSU, floating OCS facility, or vessel. However, the Coast Guard will not establish requirements for drilling production or workover equipment that would duplicate or conflict with Geological Survey requirements. Nor will the Coast Guard establish requirements for safety factors, shutdown or relief valves for pressure vessels or piping in systems for which Geological Survey has design approval.

Systems and equipment for which the Coast Guard establishes requirements, as necessary, on all OCS facilities include:

a. Lifesaving systems and equipment;

b. Fire detection control and extinguishing systems and equipment not covered under IV.B.1(c) and (k) of this Memorandum;

- c. General alarms;
- d. Cranes, booms or other material handling equipment, including industrial trucks;
- e. Personnel protection equipment, excluding equipment for protection from hydrogen sulfide;
- f. Communications;
- g. Helicopter fueling facilities;
- h. Helicopter deck installations;
- i. Navigation lights, obstruction lights, and sound signals;
- j. Boilers, pressure vessels, and piping not covered under IV.B.1 of this Memorandum;
- k. Underwater working chambers designed for human occupancy and their support systems;
- l. Hotel services including fresh water flushing water, heating systems, etc.;
- m. Permanent and portable quarters.

Other systems and equipment for which the Coast Guard establishes requirements, as necessary on floating OCS facilities, MODUs, MWSUs and vessels include:

- n. Electrical system design and equipment, including designation of classified areas;
- o. Mooring systems;

Other systems and equipment for which the Coast Guard establishes requirements as necessary on OCS terminals include:

- p. Oil transfer, gas inerting and vapor recovery systems.

C. Operations

1. The Geological Survey administers procedures, including training, drills, inspections, and emergency procedures on all OCS facilities with respect to:

- a. Drilling, workover and production operations, including well control.
- b. Pollution prevention, except for transfers to or from a vessel (as vessel is defined in section II of this Memorandum);

- c. Safe welding, burning and tapping procedures;
- d. Control of hydrogen sulfide;
- e. Pipeline operations associated with an OCS facility;
- f. Wellhead and platform removal;
- g. Underwater and above water structural inspection and repair;

2. The Coast Guard administers requirements, including those for training drills, inspections and emergency procedures on all OCS facilities for:

- a. Firefighting;
- b. Emergency egress from a facility including use of lifesaving and other general emergency equipment;
- c. Handling, transfer and stowage of explosives, radioactive, flammable (other than produced hydrocarbons) and other hazardous materials;
- d. Transfer of petroleum and other products from or to a vessel (as vessels is defined in section II of this Memorandum);
- e. Transfer of materials and personnel on or off the facility by crane or other means;
- f. Vehicle and vessel operations;
- g. Helicopter operations on OCS facilities;
- h. Occupational safety and health of personnel;
- i. Diving operations;
- j. Underwater and above water structural inspection and repair;
- k. Stability considerations.

V. INSPECTIONS

A. Each agency will conduct scheduled and unannounced inspections, as necessary to ensure compliance with its own requirements. Both agencies will coordinate inspections to minimize disruption of operations. If, in the course of a routine inspection, deficiencies falling within the responsibility of the other agency are apparent, the deficiencies will be reported to the other agency for action. This is not intended, however, to prevent any inspector from either agency from taking such action as is considered necessary to prevent serious or irreparable harm to persons, property or the environment on the OCS. Such action, however, will be subsequently reported to the other agency.

B. The Geological Survey administers procedures for requiring shut-down of drilling and production operations and may initiate such procedures upon request by the Coast Guard.

C. The Coast Guard issues certificates indicating compliance with Coast Guard requirements for all OCS facilities and vessels engaged in OCS activities, including MODUs and MWSUs.

VI. INVESTIGATIONS

A. Responsibility

Investigation and public report by the Geological Survey or the Coast Guard are required for fires, oil pollution, deaths and injuries associated with OCS activities. In addition, the agencies investigate certain other incidents relating to other regulatory responsibilities, e.g. loss of well control, sinking, capsizing, or major damage to a vessel or facility. To avoid duplicative efforts and simplify administration, the primary agency regulating a particular facility, system, or operation will be responsible for leading the investigation and reporting on incidents involving that facility, system or operation. Where only one agency has an investigative interest in an incident, that agency will investigate and report. Where both agencies have investigative interest in an incident, one agency will assume lead responsibility with supporting participation by the other agency. Assumption of lead agency responsibility, the extent of supporting coordination will be determined by the circumstances of the particular incident. Normally, all investigations which involve both agencies will be coordinated by applying the following guidelines in numerical order to determine lead agency.

B. Guidelines

1. Collisions - The Coast Guard will normally be the lead agency.

2. Fires and Explosions - The Geological Survey will normally be the lead agency for incidents of fires or explosion involving drilling or production operations. Coast Guard participation will be requested in all investigations of fires or explosions that involve death or injuries or vessels equipment, or operations for which the Coast Guard is responsible under paragraphs IV.B.2 or C.2 of this Memorandum.

3. Deaths and Injuries - The Coast Guard will normally be the lead agency for all incidents involving death or injuries. Geological Survey participation will be requested in investigations of all deaths and injuries associated with oil or gas drilling or production operations or equipment, including hydrogen sulfide exposure.

4. Pollution - The Geological Survey will normally be the lead agency for incidents involving pollution from all OCS facilities. Coast Guard participation will be requested in all investigations of pollution.

5. Facilities, Material and Equipment -

a. The Coast Guard will normally be the lead agency for incidents involving damage to MODUs, MWSUs or other vessels, or floating OCS facilities, and failure of or damage to propulsion, auxiliary, or emergency systems and equipment covered under IV.B.2 of this Memorandum.

b. The Geological Survey will normally be the lead agency for all other incidents involving failure of or damage to fixed OCS facilities.

C. Conduct of Investigations

1. The lead agency responsible for an investigation under these guidelines will conduct, review, approve and release the investigation report in accordance with the normal procedures of that agency. Comments by the supporting agency will be included in the investigation report.

2. If both agencies participate in an investigation, the lead agency will forward an information copy of the final report to the supporting agency.

3. Reports prepared by a single agency need not be routinely forwarded to the other agency, but will be available upon request.

VII. OIL SPILL CONTINGENCY PLAN

Exploration Plans or Development and Production Plans are submitted to the Geological Survey for review and the Geological Survey for review and approval. The Coast Guard will provide a technical review of that portion of the Plan which addresses the adequacy of the oil spill contingency plan, including the adequacy of oil spill response, cleanup equipment, and procedures. The criteria by which to judge the adequacy of a plan will be jointly agreed upon by the Geological Survey and the Coast Guard.

VIII. EXCHANGE OF SERVICES AND PERSONNEL

To the extent its own operations permit, each agency will provide the other agency with such assistance, technical advice and support, including transportation, as may be requested. Such exchange of services and use of personnel shall be on a nonreimbursable basis.

IX. COOPERATION IN STANDARDS AND REGULATION DEVELOPMENT

A. Both agencies will exchange data and study results, participate in research and development projects of mutual interest, and exchange early drafts of rulemaking notices.

B. Both agencies will review current standards, regulations and orders and will propose revisions to them as necessary in keeping with the provisions of this Memorandum of Understanding.

C. Both agencies will review reporting and data collection requirements imposed on operators of OCS facilities and, wherever feasible, will eliminate or minimize duplicate reporting and data collection.

X. Implementation

A. Each agency will review its internal procedures and where appropriate, will revise them to accommodate the provisions of this Memorandum of Understanding. Each agency will also designate one senior official who will be responsible for implementation of the provisions of this Memorandum of Understanding.

B. On the effective date of this agreement, the Coast Guard/ Geological Survey Memorandum of Understanding for mobile offshore drilling units, dated April 11, 1977, is cancelled.

XI. SAVINGS PROVISION

Nothing in this Memorandum of Understanding shall be deemed to alter, amend, or affect in any way the statutory authority of the Geological Survey or the Coast Guard.

XII. EFFECTIVE DATE

This Memorandum of Understanding is effective upon signature. It may be amended at any time by mutual written agreement of both agencies and may be terminated by either agency upon 30 days written notice.

Signed at Washington, D. C., this 18th day of December 1980.

J. B. HAYES
COMMANDANT, U. S. COAST GUARD
DEPARTMENT OF TRANSPORTATION

H. WILLIAM MENARD
DIRECTOR, U. S. GEOLOGICAL SURVEY
DEPARTMENT OF THE INTERIOR

TAB H

AGREEMENT BETWEEN THE UNITED STATES AND THE STATE OF HAWAII
CONCERNING NOTIFICATIONS OF DISCHARGES OF OIL AND
HAZARDOUS SUBSTANCES

Whereas, the State of Hawaii and the U. S. Coast Guard have a mutual interest in protecting the environment from the damaging effects of pollution discharged into the navigable waters of the United States and the adjoining shorelines within their mutual jurisdictions; and

Whereas, the appropriate Federal Agency is required by the Federal Water Pollution Control Act as amended in 1972 (P.L. 92-500) and the National Oil and Hazardous Substances and to respond to all reports of discharges of oil and hazardous substances into the navigable waters of the United States and adjoining shorelines, and throughout the State of Hawaii the appropriate Federal Agency is the U. S. Coast Guard, Fourteenth Coast Guard District, Marine Safety Office Honolulu; and

Whereas, the Clean Water Act of 1977 as it amends the Federal Water Pollution Control Act requires the earliest possible notice of oil and hazardous substance discharges or potential threats of discharges to the appropriate State Agency, and the appropriate State Agency is the State of Hawaii, Department of Defense, Civil Defense Division, which, acting within the Division's statutory authority, is the coordinator of emergency response activities of State agencies;

Nowherefore, the State of Hawaii, Department of Defense, Civil Defense Division (hereinafter referred to as "State"), and the Fourteenth Coast Guard District, Marine Safety Office, (hereinafter referred to as "Coast Guard"), agree as follows:

1. The Federal On-Scene Coordinator, designated in accordance with the NCP (hereinafter called the "OSC") is the person solely responsible for coordinating Federal pollution control efforts. Unless provided otherwise through the NCP, the predesignated Federal On-Scene Coordinator for oil and hazardous substances spills in U. S. waters in and around the State of Hawaii is the Commanding Officer of the U. S. Coast Guard Marine Safety Office, Honolulu, Hawaii and
2. The Coast Guard will investigate all reports of pollution or potential pollution by spills of oil or hazardous substances in U. S. waters in or around the State of Hawaii, unless by formal or informal agreement any reports are otherwise investigated by another Federal or State Agency; and
3. The Coast Guard shall notify the State of reported pollution in accordance with the requirements of the Clean Water Act Amendments of 1977 subject to the following:

- (a) All reported or confirmed medium or major spills or potential medium or major spills as defined in the NCP immediately (within one hour);
 - (b) All reported or confirmed minor spills which might effect vessel traffic or densely populated beaches or otherwise be considered significant immediately (within one hour);
 - (c) All reported or confirmed spills being discharged or suspected as being discharged from State sources (i.e. State pipelines) immediately (within one hour);
 - (d) All other reported and confirmed minor spills not considered otherwise significant during the next regular working day (Monday - Friday); and
- (4) The appropriate notification to the State shall be to the State of Hawaii, Department of Defense, Civil Defense Division at 24-hour phone 734-2161 and/or by copy of Pollution Report (POLREP) message; and
 - (5) The State shall notify the Coast Guard of all reported (even if not confirmed) spills in U. S. waters immediately (within one hour).
 - (6) The appropriate notification of the Coast Guard shall be to the U. S. Coast Guard Marine Safety Office Honolulu at 24-hour phone 546-7146.

This agreement shall go into force immediately after signing by both parties to the agreement.

BERNIE E. THOMPSON
Rear Admiral, U. S. Coast Guard
District Commander
Fourteenth Coast Guard District

13 AUG 1980

VALENTINE A. SIEFERMANN
Adjutant General
Director of Civil Defense

22 AUG 1980

ANNEX XIII
2300 STATE CONTINGENCY PLANS

2301 General

State Contingency Plans are published separately from this document, and are critical to coordinated Federal/State pollution response. - Information concerning the State Contingency Plans may be obtained by writing to the following addresses:

2301.1 State of Arizona

Arizona Division of Emergency Services
5636 E. Mc Dowell Road
Phoenix, AZ 85008

Attn: Mr. Emory G. Vickers

2301.2 State of California

Office of Emergency Services
P.O. Box 9577
Sacramento, CA 95823

Attn: Mr. Gerald R. Schimke

2301.3 State of Hawaii

State of Hawaii Department of Defense, Civil Defense Division
Building 24 Fort Ruger
Honolulu, Hawaii 96816

2301.4 State of Nevada

Nevada Civil Defense & Disaster Agency
2525 South Carson
Carson, Nevada 89710

Attn: Mr. Louis F. Murphy

ANNEX XIV

2400 MULTI-NATIONAL CONTINGENCY PLANS

TAB A - United States-Mexico joint contingency plan for spills of hydrocarbons and other hazardous substance.

TAB A
UNITED STATES-MEXICO
JOINT CONTINGENCY PLAN

For Spills of Hydrocarbons and
Other Hazardous Substances

24 July 1980

AGREEMENT OF COOPERATION BETWEEN THE UNITED STATES
OF AMERICA AND THE UNITED MEXICAN STATES REGARDING
POLLUTION OF THE MARINE ENVIRONMENT BY DISCHARGES
OF HYDROCARBONS AND OTHER HAZARDOUS SUBSTANCES

The Government of the United States of America and the Government of the United Mexican States,

Aware of the importance of preserving the marine environment and conserving the living organisms which inhabit it,

Recognizing that the pollution of the marine environment by hydrocarbons or other hazardous substances causes or may cause damage to the ecological conditions of the sea by affecting the natural resources therein and may constitute a threat to the public health and welfare,

Have agreed to the following:

ARTICLE I

The parties agree to establish a United States-Mexico joint contingency plan regarding pollution of the marine environment by discharges of hydrocarbons and other hazardous substances (here-after, "the Plan"), with the object of developing measures to deal with such polluting incidents and ensuring an adequate response in each case that may affect in a significant manner the areas set forth in Article VII.

ARTICLE II

For the purpose of this Agreement:

(a) A polluting incident means a discharge or the threat of an imminent discharge of hydrocarbons or of any hazardous substance in the sea, of a magnitude or significance that requires an immediate response in order to contain, recover or destroy the substance for the purpose of eliminating the threat or of minimizing its effects on the marine flora and fauna and on the public health and welfare.

(b) Hydrocarbons means petroleum in all its forms, including crude oil, fuel oil, sludge, oil wastes, and refined products.

(c) Hazardous substances means elements and compounds which when discharged into the marine environment present an imminent and substantial danger to the public health or welfare, or which may affect natural resources, including, among others, fish, shellfish, wildlife, shorelines and beaches.

ARTICLE III

The parties, consistent with their means, commit themselves to the development of nationally operative systems, applicable within their respective areas, as set forth in Article VII, that permit detection of the existence or the imminent possibility of the occurrence of polluting incidents, as well as providing adequate means within their power to eliminate the threat posed by such incidents and to minimize the adverse effects to the marine environment and the public health and welfare.

ARTICLE IV

The parties will cooperate, in accordance with this Agreement, including its Annexes, to avoid and combat the adverse effects on the marine environment of polluting incidents, the Parties undertake to exchange up-to-date information and consult to guarantee adequate cooperation between the competent authorities of each Party, with regard to matters falling within the scope of this Agreement, including its Annexes.

ARTICLE V

The coordination of the plan, with respect to the United States of America, is the primary responsibility of the United States Coast Guard and the United States National Response Team; with respect to the United Mexican States, the Secretariat of the Navy and of another agency or agencies of the Mexican Government, depending upon the nature of the polluting incident. The agencies of both Governments that will, when concerned, assist the coordinating authorities in their duties are enumerated in an Annex to this Agreement.

ARTICLE VI

In the case of the occurrence of a polluting incident, only the coordinating authorities of the Party in whose area, as set forth in Article VII, the incident or its effects occurred will have executive power under the Plan within its area. The coordinating authorities will recommend to their respective Governments the measures necessary to control the polluting incident.

ARTICLE VII

This Agreement and its Annexes shall be applicable in accordance with its terms to polluting incidents which may affect the marine environment of one or both Parties. For purposes of this Agreement, the marine environment of a Party is the area of the sea, including the adjoining shoreline, on its side of the maritime boundaries established with the other Party and other States and within 200 nautical miles of the baselines from which the breadth of its territorial sea is measured.

ARTICLE VIII

The joint response envisaged by this Agreement can only be applied when the Parties agree. The Parties will determine in the same manner the magnitude of the response action required by each polluting incident.

ARTICLE IX

None of the provisions of the present Agreement shall be interpreted as affecting the rights and obligations of the Parties under the treaties to which they are party and their respective positions with regard to the law of the Sea.

ARTICLE X

By agreement of the Parties, technical Annexes that they consider necessary will be added to this Agreement and shall form an integral part thereof. Those Annexes, including those existing on the date of signature of this Agreement, will have as their purpose the development of cooperative mechanisms envisaged in this Agreement.

ARTICLE XI

(1) The present agreement will be applied provisionally from the date of signature. This Agreement shall enter into force upon exchange of notes informing each Party that the other Party has completed its necessary internal procedures. Amendments to this Agreement shall enter into force in the same manner.

(2) Amendments to the Annexes and adoption of new Annexes shall be effected by exchange of notes.

(3) This Agreement shall remain in force for five years and shall continue in force thereafter until one Party notifies the other, in writing, six months in advance, of its intention to terminate the Agreement.

Done in Mexico City on the 24th of July 1980, in duplicate, in the English and Spanish languages, both texts being equally authentic.

For the
United States of America

For the
United Mexican States

Julian Nava

Jorge Castaneda

ANNEX I

1. On-Scene Coordinator

1.1 As soon as the Agreement enters into force the Parties will designate, without waiting for an incident to occur, federal officials responsible for exercising in their respective areas the authority to which Article VI of the Agreement refers. Said officials will have the title of "On-Scene Coordinator" (OSC). The Parties will also designate officials who will have advisory and liaison functions between the Parties, in the areas of the other Party; said officials will have the title of "On-Scene Advisory and Liaison Coordinator" (ALC).

1.2 The functions and responsibilities of the "On-Scene Coordinator" will be:

a. To coordinate and direct matters related to the detection and response operations to the incident.

b. To authorize the use of dispersants and other chemical products in accordance with respective national policy, provided that such use:

(i) prevents or substantially reduces the risk to human life and health or the risk of fire;

(ii) prevents or reduces a threat for an important segment of the population of a vulnerable species of aquatic bird, or

(iii) appears to be the most efficient method to reduce the overall adverse effects of a spill.

c. To determine the facts including: the nature, quantity and location of the pollutant, the direction and probable time of travel of same, the available resources and those required; and to obtain the necessary information to determine potential impacts on human health and welfare, and on natural resources including fish and wildlife and their habitats, and the areas which could be adversely affected;

d. To determine priorities and to decide when to initiate the phases described in Annex IV;

e. To permanently and in a detailed way inform the Joint Response Team (JRT) (see Annex II) about all aspects of the incident and of the response operation;

f. To recommend to the Chairman of the JRT of his country that he formally propose to the Chairman of the JRT of the other Party the initiation of the joint responses envisaged in Article VIII, for a specific pollution incident;

g. To decide on the termination of response action;

h. To prepare with the advice of the ALC a final report and recommendations for future incidents, in view of the experience obtained. Said report and recommendations shall be submitted to the JRT;

i. To coordinate, in consultation with the JRT, the official information to the information media.

1.3 If the response action is required in areas of the two Parties, the OSC's of both Parties will coordinate the measures to be adopted through the collaboration of both ALCs.

1.4 The OSC will notify by the most rapid means the two Chairmen of the JRT about every polluting incident which has occurred, or which is in imminent danger of occurring, which could have adverse effects in the marine environment of both Parties, or which is of such magnitude as in the judgment of the OSC would require the initiation of the joint response envisaged in Article VIII to the Agreement. This notification does not constitute a formal proposal for the initiation of the joint response. The authorities so notified will immediately acknowledge receipt and meet for the purpose of consultation.

1.5 The OSC will keep a journal of the events which occur during the application of the Plan to an incident; said journal will be placed at the disposal of the JRT.

1.6 The Parties will unilaterally divide their respective areas for purposes of the designation of an OSC and of a Joint Response Center (see Annex III) for each of those divisions.

1.7 In accordance with respective national legislation, upon initiation of a joint response special customs and immigration clearances will be sought by each Party for response resources including personnel and equipment. Prior arrangements will be sought by each Party to ensure that the clearance process can be accomplished in a timely manner and that it can be initiated by a communication between the ALC and the OSC as appropriate.

ANNEX II

2. Joint Response Team (JRT)

2.1 The Parties will designate, under the responsibility of the authorities mentioned in Article V of the Agreement, authorities and other persons who will constitute the JRT. That designation will be made as soon as the Agreement enters into force, without waiting for an incident to occur, and communicated to the other Party for the information of the authorities mentioned in Annex VI.

2.2 The United States authorities mentioned in Article V of the Agreement will designate the U. S. Chairman of the JRT. The Mexican authorities mentioned in Article V of the Agreement will designate the Mexican Chairman of the JRT.

2.3 When the JRT meets in the United States of America, the U. S. Chairman will preside. When the JRT meets in Mexico, the Mexican Chairman will preside.

2.4 Upon being informed of a specific polluting incident the two Chairmen of the JRT shall consult and may decide to formally propose to their Governments the initiation of the joint response envisaged in Article VIII. Agreement to initiate the joint response shall be communicated through diplomatic channels.

2.5 As soon as the U. S. and Mexican sections of the JRT are designated, the Chairmen will communicate and decide the place and date for the first meeting of the JRT to develop procedures to anticipate matters relative to a coordinated response to the eventual polluting incidents by all the competent agencies and persons. The JRT will meet as many times as necessary, both in periodic planning meetings and in emergency meetings, as decided by the Chairman.

2.6 The functions and responsibilities of the JRT will be the following:

a. Based on the report of the OSC, advise him about the response needs and inform him about available resources for each particular situation.

b. Evaluate the measures taken by the OSC and make recommendations in this regard, once the agreement for the initiation of the joint response to a specific polluting incident is perfected.

c. Consider the reports of the OSC and recommend improvements needed in the Plan through proposed amendments to existing Annexes or for new Annexes.

d. Based on the reports of the OSC, to identify the possible impacts of a specific polluting incident and therefore to recommend the necessary actions to assess the adverse effects of such incident.

e. Provide advice to the OSC. The JRT will have no control over the functions and responsibilities of the OSC.

f. Take measures to coordinate and use to the maximum the resources which agencies or persons of the United States of America, Mexico, or of a third country can contribute.

In order for the JRT to make decisions, the agreement of the Chairman is required.

ANNEX III

3. Joint Response Centers

3.1 As soon as the Agreement enters into force, and without waiting for an incident to occur, the Authorities mentioned in Article V will designate Joint Response Centers, preferably utilizing already existing installations, destined to serve as headquarters for the meetings of the JRT, unless the Chairman of the JRT decides to convoke the JRT in another place, in view of the circumstances.

ANNEX IV

4. Operational Phases.

- Phase I. Discovery, notification and alarm.
- Phase II. Evaluation of the incident, consultations and agreement on joint response.
- Phase III. Containment and measures against the spread of the pollutant.
- Phase IV. Cleanup and recovery.

PHASE I Discovery, notification and alarm

A pollution incident may be discovered and notification made; as a result of the regular surveillance activities of the national anti-pollution forces; by the local and regional authorities; by the general public; or as a result of reporting by the persons who caused the incident.

If there is an indication of a threat to the marine environment of the other Party, a speedy notification shall be given to the other Party in accordance with the procedures established in the Annexes.

PHASE II Evaluation of the incident, consultations and agreement on joint response

Evaluation of the incident, consultation and agreement on joint response will be made in conformity with the Agreement and its Annexes.

The level of anti-pollution response required will be determined by severity of the incident, the nature and quantity of the pollutant and the location of the specific polluting incident.

PHASE III Containment and measures against the spread of the pollutant

The containment is whatever physical or chemical measures are adopted to control or restrict the spread of a pollutant; the measures against the spread of the pollutant are those activities, different from containment, which are adopted to reduce the adverse impact of the pollutant.

PHASE IV Cleanup and recovery

The cleanup and recovery of pollutants are operations intended to reduce the effect of an incident to the minimum and include the elimination of the pollutant from the marine environment.

The pollutants which are recovered as a result of cleanup actions should be disposed of in conformity with the national procedures of the place where they are found.

ANNEX V

5. Response and Communication

5.1 System of Rapid Notification

The existence of any polluting incident which is affecting or threatens the other Party will be communicated, without delay, to the appropriate OSC, and if deemed necessary to the Chairman of the JRT, of that Party. A prompt reaction is vital to achieve satisfactory results from an operation. Examples of various message formats are enumerated within this Annex. Each message should be identified with a Date-Time Group (DTG) in Greenwich Mean Time. The first two digits of the DTG represent the day of the month; the second two digits, hours; and final two digits, minutes.

5.2 Even though some type of evaluation is necessary to make a decision with respect to whether or not to initiate a joint response, it is essential that a notification be given indicating that a joint response may be necessary. This notification by itself will not require a joint response. Nevertheless, it will permit the alerting of the Parties to the possibility of a joint response. the message of notification is specified in the following format:

FORMAT

DATE (DTG)

FROM (FM)

TO (TO)

INFORMATION (INFO)

MEXUS SPILL (OR POTENTIAL SPILL) (Identify the Incident)

1. Geographic situation
2. Any other details
3. Request for acknowledgement of receipt

NOTE: The message normally will come from a pre-designated On-Scene Coordinator (OSC). The addressees should acknowledge receipt as soon as possible.

5.3 Initiation of a Joint Response

A proposal for a joint response will only be made by a formal request. If both Chairmen of the JRT agree to propose to their Governments the initiation of a joint response the United States Chairman shall report the recommendation thus agreed to the United States Department of State and the Mexican Chairman shall report the same recommendation to the Mexican Secretariat of Foreign Relations. The message should be in the following format:

FORMAT

DATE (DTG)

FROM (FM)

TO (TO)

THE CHAIRMEN OF THE JRT PROPOSE INITIATION OF JOINT RESPONSE OSC

(Name of responsible person)

:CENTER ESTABLISHED AT (Location of Center) (Address and telephone numbers)

The message should also contain the information outlined in paragraph 5.2 of this Annex.

5.4 Situation Reports (SITREPS)

5.4.1 Up-to-date information on ;the situation of a polluting incident which has justified the joint response activity is essential for the efficient administration and the satisfactory outcome of an incident. This information should be sent by the On-Scene Coordinator in the format specified below. The situation reports (SITREPS) should be prepared with the frequency believed necessary with the objective of providing all interested authorities with a complete and up-to-date description of the problem and of informing them about what action has been taken, future plans, recommendations and requests for assistance.

5.4.2 The normal format of the message will be the following:

FORMAT

DATE (DTG)

FROM (FM)

TO (TO)

INFORMATION (INFO)

MEXUS SITREP (Number of SITREP)

POLLUTION INCIDENT (Identify the incident)

1. Situation
2. Action taken
3. Future plans
4. Recommendations
5. Status of case: (Pends, Closed or Participation terminated)

5.4.3 SITUATION

The section on situation should provide complete details on the polluting incident including what happened, the type and quantity of pollutant involved, the participating agencies, the areas covered and/or threatened the success of the control efforts, the prognosis and any other pertinent data.

5.4.4 ACTION TAKEN

The action section should include a summary of all actions taken up to the present by the discharger, local forces, governmental and non-governmental agencies.

5.4.5 FUTURE PLANS

The section on future plans should include all actions projected for the immediate future.

5.4.6 RECOMMENDATIONS

Any recommendations made by the On-Scene Coordinator (OSC) relative to the response shall be included in the recommendations section. This would include requests for assistance if necessary.

5.4.7 STATUS OF CASE

The section on status should indicate "Case Closed", "Case Pends", or "Participation Terminated", according to which is pertinent.

5.5 TERMINATION

5.5.1 A recommendation to terminate the joint response to a particular incident will be made after consultations between the On-Scene Coordinator (OSC) and the On-Scene Advisory and Liaison Coordinator (ALC) and will then be forwarded to the Joint Response Team (JRT). Following consultations, the Chairmen of the JRT may by joint decision or unilaterally terminate the joint response and will so advise the OSC(s), the ALC(s), the JRT, the United States Department of State and the Mexican Secretariat of Foreign Relations. The notification shall include date and time (in GMT) of the termination.

5.5.2 Normal format for the Termination Message:

FORMAT

DATE (DTG)

FROM (FM)

TO (TO)

INFORMATION (INFO)

JOINT MEXUS CONTINGENCY PLAN TERMINATED AT (GMT)

5.6 INCIDENT REPORTS

The reports of the OSC to the JRT, to which clauses (e) and (h) of paragraph 1.2 of Annex I refer will have the following format:

- a. Description of the cause and initial situation
- b. Organization of response action and resources committed
- c. Effectiveness of response and removal actions by:
 - the discharger
 - State and local forces
 - Federal agencies and special teams
- d. Unique problems encountered
- e. Means to prevent reoccurrence
 - Improvement of response actions
 - Changes to the joint plan

ANNEX VI

6. Coordinating and auxiliary agencies to which Article V refers

6.1 For the Government of the United States of America

Department of Transportation

United States Coast Guard (USCG)

Department of Interior

Department of Commerce

Department of Defense

Environmental Protection Agency (EPA)

Department of Agriculture

Department of Health and Human Services

Department of Justice

Department of State

Department of Energy

Department of Labor

Federal Emergency Management Agency

6.2 For the Government of the United Mexican States

Coordinating Authority;

Secretariat of the Navy

Auxiliary Agencies:

- a. Secretariat of Government
- b. Secretariat of Foreign Relations
- c. Secretariat of Agriculture and Hydraulic Resources
- d. Secretariat of Programming and Budget
- e. Secretariat of Communications and Transport
- f. Secretariat of Human Settlements and Public Works
- g. Secretariat of Health and Assistance
- h. Secretariat of Patrimony and Industrial Development
- i. Department of Fisheries
- j. Petroleos Mexicanos (PEMEX)

ANNEX XV

2500 REGIONAL DATA BASE

2501 General

The Regional Data Base for Region IX is divided geographically by the On-Scene Coordinator areas, with each section of the Data Base published in the appropriate Local Contingency Plan.

ANNEX XVI

2600 LOCAL CONTINGENCY PLANS`

2601 General

OSC Area Plans will be prepared by the predesignated OSC's outlined in section 1430 of the Plan, for their areas of responsibility utilizing the suggested organization and content in the NCP.

The Local Contingency Plans will consist of a basic planning document outlining response organization, policy and responsibility. The Plan will include detailed procedures for the five response phases, check-offs for operational responsibilities, coordinating and updating instructions.

Appended to the Local Contingency Plan will be regionalized geographic and assistance directories. The Geographic Directory will contain a geographic listing of potential pollution sources, natural features susceptible to environmental damage and water intakes plotted on local area maps. The Assistance Directory will inventory sources of material, manpower and technical assistance and organize them according to type of assistance. All entries will be detailed on data sheets. A physical resource matrix located in the Assistance Directory will grid, list and index major categories of physical resources, and the likely supplier. They should also include names of people with indepth local knowledge of terrain, water flows, current, tidal & wind effects, etc.,.

Although it is the responsibility of the OSC to accomplish the required planning, a successful planning effort can only be realized through full cooperation and participation of all agency representatives in the planning effort, including the development of a local response structure. The RRT must therefore assist in these efforts by ensuring that proper liaison is provided between local representatives of RRT organizations and the OSC responsible for plan development.

2602 Local Contingency Plan Services

Information concerning a Local Contingency Plan for Region IX is available from the appropriate address listed below.

2602.1 Santa Barbara Area Local Contingency Plan

Contact: Commanding Officer
Marine Safety Office LA/LB
165 North Pico Ave
Long Beach, CA 90802

2602.2 Los Angeles/Long Beach Area Local Contingency Plan

Contact: Commanding Officer
Marine Safety Office
Los Angeles/Long Beach
165 N. Pico Ave.
Long Beach, CA 90802

2602.3 San Diego Area Local Contingency Plan

Contact: Commanding Officer
Marine Safty Office San Diego
2710 Harbor Drive
San Diego, CA 92101

2602.4 San Francisco Area Local Contingency Plan (Including Humboldt Bay and Monterey)

Contact: Commanding Officer
Marine Safety Office San Francisco
U. S. Coast Guard
Government Island, Building 14
Alameda, CA 94501

2602.5 Hawaii Local Contingency Plan

Contact: Commanding Officer
U. S. Coast Guard Marine Safety Office Honolulu
P. O. Box 3160
Honolulu, HI 96802

2602.6 Nevada, Arizona, Inland California Local Contingency Plan

Contact: Director, Toxic and Waste Management Division
EPA Region IX
215 Fremont Street
San Francisco, CA 94105

ANNEX XVII

2700 TRAINING AND DRILLS

2701 General

Under the NCP, each RRT is required to evaluate the preparedness of the agencies and the effectiveness of local plans for the Federal response to discharges and releases. To accomplish this each coastal RRT will conduct annual training exercises in which response equipment is actually deployed. The intent is for the exercise to use all existing capabilities in the local port area. The RRT will cooperate to the fullest extent possible in the field exercises of its member agencies. Inland RRTs are strongly encouraged to conduct an annual training drill in which equipment is deployed.

2702 Planning

It shall be the responsibility of the coastal RRT Chairman to organize the exercise and provide a drill scenario which adequately utilizes the resources available in the local area. All funding required will be requested through the normal budgetary process.

ANNEX XVIII

2800 DISPOSAL

2800 General

Considerations for proper disposal of recovered waste must begin during the initial stages of discovery and containment of a pollution incident. This will allow sufficient time for the OSC to identify the most effective method of disposal which will not further damage the environment. The primary consideration should be toward permanent disposal of the collected wastes at a disposal facility licensed to handle the particular pollutants. However, in situations where a pollution incident may be isolated from proper disposal facilities or the volume of pollutant is too large to preclude timely permanent disposal, alternate means of temporary storage may be required. (ie., Drums, waste tanks, artificial impoundments, etc.)

2801 Resource Conservation Recovery Act (RCRA)

The Resource Conservation and Recovery Act of 1976, amended the Solid Waste Disposal Act (42 USC Chapter 82), to provide incentives to recycling of hazardous waste and prohibit its indiscriminate disposal. The implementing regulations in 40 CFR 260-265 and 122-125 were promulgated by the Environmental Protection Agency and went into effect on 19 November 1980. In the process of cleaning up spills of hazardous substances and certain oil, the recovered pollutant becomes hazardous waste, subject to RCRA regulations. If the spiller is known and accepts responsibility for cleanup, he is a "generator" of hazardous waste and has specific obligations as such. If the cleanup is Federally funded, the On-Scene Coordinator (OSC) becomes the "generator" and must fulfill the RCRA obligations. (See 2801.1 for emergency waivers)

2801.1 The OSC is authorized to temporarily waive RCRA requirements during an emergency removal operation that he is monitoring or conducting. Once the emergency phase has been concluded (As determined by the OSC) all RCRA requirements apply.

2802 Identifying Hazardous Waste

Title 40 CFR Part 261 contains the definition and listing of hazardous wastes regulated under RCRA. Extensive lists of chemical compounds by name are included and are growing with each revision. Particular attention should be paid to Title 40 CFR 261.3. this section contains specific definitions of hazardous waste which may include mixtures of waste with one or more hazardous wastes and in some cases waste generated from the treatment, storage or disposal of a hazardous waste. The specific waste that you are dealing with may not be listed in Title 40 CFR 261 and still be hazardous. In addition to the listed wastes, any discarded material is a hazardous waste if it in fact exhibits any of the characteristics described in 40 CFR 261.20 through 261.24.

2802.1 The waste exhibits the characteristic of ignitability if it has a flash point less than 140 degrees F, closed cup, or if it is subject to spontaneous combustion or violent burning (such as phosphorus or magnesium). Closed cup flash points for many pollutants are shown in block 6 of the appropriate page in CHRIS Manual-Hazardous Chemical Data (COMDTINST M-16465.12). Flammable compressed gasses and oxidizers as defined in the Dangerous Cargo Regulations (Title 49 CFR 173) are also hazardous waste if they are discarded.

2802.2 The waste exhibits the characteristic of corrosivity if it has a pH less than or equal to 2, or greater than or equal to 12.5 or if it is capable of eating through 1/4 inch of steel in one year.

2802.3 The waste exhibits the characteristic of reactivity if it is unstable, water-reactive; becomes explosive or releases toxic fumes when mixed with water or a corrosive, is capable of detonation, or is an explosive under the Dangerous Cargo Regulations. Reactivity data is shown in block 7 of CHRIS Manual 2.

2802.4 The waste exhibits the characteristic of Extraction Procedure toxicity if it contains any of the 14 contaminants listed in 40 CFR 261.24 in specified concentrations. This list of contaminants is expected to grow.

2803 Compliance with RCRA Regulations

40 CFR, part 262 contains the standards applicable to generators of hazardous waste. These standards apply fully to the person cleaning up a spill, including the Federal On-Scene Coordinator where the spiller is unknown.

2803.1 Any person who generates a waste must determine if the waste is hazardous using the criteria in part 261. The OSC must therefore identify any pollutant to the extent necessary to determine its characteristics, or test the waste for each characteristic.

2803.2 A generator of hazardous waste must notify the EPA on EPA Form 8700-12 the first time he begins generating hazardous waste. He will be issued an EPA Identification Number which he must have in order to treat, store, transport, or dispose of the listed waste. If the person finds himself generating other hazardous wastes, he must make another one-time notification to EPA but will continue to use the same ID Number. If a single generator produces waste at more than one location, a separate notification and ID Number are required for each "non-contiguous facility". This has been interpreted by EPA to mean that the OSC must obtain a separate EPA ID Number for each spill site where he conducts a Federally funded cleanup. The OSC may obtain a provisional ID number by contacting the EPA Duty OSC (24-Hr 415-974-8131; FTS 454-8131). Cleanup Contractors may also request and be issued a provisional ID number by the EPA Duty OSC when necessary to transport or dispose of hazardous wastes during non-working hours. Requests for provisional ID numbers during normal working hours (other than OSC's) should be submitted to the EPA Technical Assessment Section, 415-974-7472, except when transportation or disposal in the state of California is involved. In such cases requests will be submitted to the California Department of Health Services, attn: Anita Follett, 916-324-1781. The ID number will be entered on the California waste hauler record (section 2804).

2803.3 The generator must not use a transporter to move the hazardous waste off-site unless that transporter also has an EPA ID Number (unless 263.30(b) applies). The generator may not send the waste to a treatment, storage, or disposal facility unless that facility has a Permit or Interim Status, again evidenced by an EPA ID Number. The choice of the facility is the generator's responsibility and may not be left up to a contractor.

2803.4 The generator must prepare a hazardous waste manifest, analogous to the "shipping paper" required by the Dangerous Cargo Regulations. Annex XVIII TAB A is a sample form which will satisfy the requirements when up to 3 transporters handle the shipment enroute to the disposal facility. Enough copies must be prepared so that the original can accompany the shipment and be returned as a receipt, the generator can have a file copy to keep in the meantime, and the disposal facility and each transporter can keep a file copy. The generator must sign the manifest under a statement certifying the shipment is proper. This statement is identical to that required by the Dangerous Cargo Regulations, with the addition of the words "and the EPA".

2803.5 The shipment of hazardous waste may be packaged or shipped in bulk. In either case, it must be shipped in accordance with the Dangerous Cargo Regulations in Title 49, CFR including specification packaging, marking, labeling, and placarding. In addition, the following marking must appear on each package:

HAZARDOUS WASTE--FEDERAL Law Prohibits Improper Disposal.

If found, contact the nearest police or public safety authority or the U. S. Environmental Protection Agency.

Generator's Name and Address _____

Manifest Document Number _____

2803.6 Each transporter and the disposal facility signs a copy of the manifest which remains with the previous custodian of the waste, to facilitate tracing of the shipment. The generator must begin action to trace the shipment immediately if he does not receive a signed manifest by return mail from the disposal facility within 35 days. If the shipment is not acknowledged within 45 days (i.e., if the efforts to trace the shipment are not successful within 10 days), the generator must make a letter report to the EPA Regional Office stating the circumstances, outlining the efforts to trace the shipment and any results, and enclosing a legible copy of the manifest.

2803.7 The generator must retain signed copies of manifests, exception reports, and test/analysis results for at least 3 years. Instructions for or exemption from annual reporting requirements will be included in the notification package provided by EPA after the issuance of a provisional number.

2803.8 The remaining parts of 40 CFR contain corresponding responsibility of transporters (Part 263) and facilities (Parts 264 and 265) and permit procedures (Parts 122-125). Complete familiarity on the part of OSC's is not considered necessary.

2804 State of California Requirements

Each load of waste leaving the spill site must be accompanied by a California waste hauler record. It is the responsibility of the hauler to provide this form. In cooperation with the State of California the OSC will ensure it is filled out for each load. The OSC will also advise the hauler that a properly completed waste hauler record is needed before hauling invoices will be paid. It is the intent of these requirements to document the pollutant from the time of collection, through transportation to a disposal site, and ultimately ensure its final proper disposal.

2804.1 Hazardous waste oil and oily debris must be disposed of in a class I or II authorized (licensed) dumpsite willing to except the waste. On a case by case basis the California Regional Water Quality Control Board (RWQCB) may agree to establishing an emergency class I or II disposal site closer to the spill area, rather than utilizing existing available sites. A listing of Regional Water Quality Control Boards is on Page IV 12.

2804.2 The waste hauler and disposal industry is regulated by the RWQCBs and the State Department of Public Health. Disposal sites are certified by the appropriate regional board for the area in question (See page IV-12 for regional boards) and permitted and inspected by the Department of Health.

2805 Arizona Hazardous Waste Requirements

(to be developed)

2806 Nevada Hazardous Waste Requirements

(to be developed)

2807 Reserved

2808 Disposal Sites

A listing of disposal sites is included in TAB B of Annex XVIII. This list may be accessed through the U. S. Coast Guard spill cleanup equipment inventory system (SKIM). SKIM is a computerized data base containing information on cleanup contractors, spill cleanup cooperatives, equipment, and disposal facilities. This data base shall be maintained and updated by Coast Guard OSCs via SKIM terminals. The Coast Guard OSC is responsible to provide accurate up to date information to SKIM and provide this information to other OSCs or the RRT on an as needed basis. Requests for, or inputs to the SKIM system, may be made through the RRT Chairman by those not having SKIM terminals.

2809 OSC Actions

2809.1 Obtain, and maintain in an up-to-date condition, a copy of 40 CFR Parts 260-265 and Parts 122-125.

2809.2 For contingency planning purposes, survey local transporters and disposal sites to determine which ones have EPA I. D. Numbers, and in the case of facilities, Permits or Interim Status. Such facilities, and transporters, along with testing laboratories available to identify hazardous wastes, should be incorporated in the local contingency plan data base.

2809.3 Encourage any known spiller to accept responsibility for recovery and disposal of his own pollutant.

2809.4 If a Federally funded cleanup must be undertaken, make every effort to identify the pollutant and determine from its identity whether or not it is regulated under RCRA.

2809.5 If the identity of the pollutant is unknown, have a representative sample tested for the four characteristics of a hazardous waste.

ANNEX XVIII TAB A
DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

RCRA MANIFEST

Document Number: _____

Generator	Transporter (1)
Address	Address
Telephone	
EPA I.D. Number	EPA I.D. Number

Ship to	Transporter (2)
Address	Address
EPA I.D. Number	EPA I.D. Number

Alternate	Transporter (3)
Address	Address
EPA I.D. Number	EPA I.D. Number

Shipping Name	Class	Quantity	Type Container	Number
---------------	-------	----------	----------------	--------

This is to certify that the above named materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation and the EPA.

signed _____

Shipment received:

Transporter (1) _____

Transporter (2) _____

Transporter (3) _____

Disposal Facility _____

CLASS I SITES IN REGION IX

4/81

California

1. IT - Benecia

EPA ID#: CAD067786749

Office: IT Environmental Corporation of Solano County
4575 Pacheco Boulevard
Martinez, CA 94553

Telephone No.: (415) 228-5100

Contact: Mark Posson, Environmental Specialist

Hours: 8 am - 4:30 pm, Monday thru Friday

Disposal Site Location: Approx. 3 miles NE of Benicia, off
Lake Herman Road, 1 mile from
intersection with Highway 21

Service Area: Northern California

Materials accepted: Liquids and sludges only.

RWQCB Contact: Will Bruhns (415) 464-0903

2. IT - Martinez

EPA ID#: CAD000094711

Office: IT Environmental Corporation of Contra Costa County
4575 Pacheco Boulevard
Martinez, CA 94553

Telephone No.: (415) 228-5100

Contact: Mark Posson, Environmental Specialist

Hours: 24 hours, 7 days a week

Disposal Site Location: 2 miles E of Martinez, at the end
of Arthur Road, 1 1/2 miles NE of
intersection with Pacheco Boulevard

Service Area: Northern California

Materials accepted: Limited liquids and sludges, no pesticides
or herbicides

RWQCB Contact: Will Bruhns (415) 464-0903

3. West Contra Costa Sanitary Landfill

EPA ID#: CAD041844002

Office: Richmond Sanitary Service
205 - 41st Street
Richmond, CA 94805

Telephone No.: (415) 236-8000

Contact: Ceasar Nuti

Hours: Office: 8 am - 5 pm, Monday thru Friday

Site: 8 am - 4:30 pm, 7 days a week

Disposal Site Location: NW edge of Richmond, W. of Garden
Tract Road, foot of Parr Boulevard

Service Area: Northern California

Materials accepted: Liquids, sludges, and solid wastes

RWQCB Contact: Will Bruhns (415) 464-0903

4. Big Blue Hills Disposal Site

EPA ID#: CAT080010606

Office: Fresno County Department of Public Works
4499 East Kings Canyon Road
Fresno, CA 93702

Telephone No.: (209) 453-3805

Contact: Walter Clark

Disposal Site Location: 13 miles N of Coalinga, 1 mile W
of Highway 33, 2 miles N of
intersection of Highway 33 and Five
Points Road

Service Area: Fresno County and outside counties

Materials accepted: Only agricultural pesticides and their
containers

OPEN ONLY TWICE A YEAR: LAST 2 WEEKS IN APRIL & LAST 2
WEEKS IN OCTOBER

RWQCB Contact: Larry Batty (209) 445-5116

5. Liquid Waste Disposal's Kettleman Hills Site

EPA ID#: CAT00646125

Office: Environmental Disposal Service
430 West Elm
Coalinga, CA 93210

Telephone No.: (209) 935-2043 (24 hours)

Contact: John Markley

Hours: 7:30 am - 5 pm, Monday thru Friday; on-call basis:
7 days a week, 24 hours

Disposal Site Location: 4 miles SW of Kettleman City &
approx. 6 miles NW of the City of
Avenal; entrance is 3 miles S from
intersection of Highway I-5 and
Highway 41

Service Area: Northern & central California

Materials accepted: Everything except radioactive & water-
reactive wastes (re water-reactive wastes:
small amounts such as 1 gallon will be
accepted)

RWQCB Contact: Larry Batty (209) 445-5116

6. Casmalia Disposal Site

EPA ID#: CAD020748125

Office: Casmalia Disposal Company
P.O. Box 5275 (Use P.O. Box # for mailing address)
539 San Ysidro Road
Santa Barbara, CA 93108

Telephone No.: (805) 937-8449

Contact: James McBride, Director of Technical Services

Hours: Office: 9 am - 5 pm, Monday thru Friday

Site: 7:30 am - 8 pm, Monday thru Saturday

Disposal Site Location: Approx. 7 miles S of Guadalupe,
located 3 miles W on Black Road
from intersection with Highway 1,
1 mile W of Black Road, on NPU Road
in Casmalia

Site Telephone Nos.: (805) 937-7544 & 937-8686

Service Area: Central Coast Region

Materials accepted: Liquid, sludges (bulk and containers),
pesticide containers, no explosives or
radioactive materials

RWQCB Contact: Bill Meece (805) 549-3147

7. BKK Landfill

EPA ID#: CAD067786749

Office: BKK Corporation
3031 East I Street
Wilmington, CA 90744

Telephone No.: (213) 539-7150

Contact: Joe Johnson, Vice-President, Technical
Clarence Geick, Operations Director

Hours: 6 am - 5 pm, Monday thru Saturday

Disposal Site Location: Eastern portion of Los Angeles
County, 2210 South Azusa Avenue,
West Covina

Service Area: Southern California

Materials accepted: All nonradioactive wastes in any form
except PCBs and dioxin

RWQCB Contact: Hank Yacoub (213) 620-4460

NEVADA

8. U.S. Ecology, Inc.

EPA ID#: NVT330010000

Office: P.O. Box 578
Beatty, NV 89003

Telephone: (702) 553-2203

Contact: Stephen Carpenter, Manager

Hours: 7 am - 3 pm, Monday thru Friday

Disposal Site Location: 11 miles south of Beatty on Highway 95

CLASS II-1 SITES

ALAMEDA COUNTY

1. ALTAMONT SANITARY LANDFILL

OFFICE:

Altamont Sanitary Landfill
10840 Altamont Pass Road
Livermore, CA 94550

OPERATOR:

Oakland Scavenger Company
2601 Peralta Street
Oakland, CA 94607

TELEPHONE: (415) 465-2911
(John Sheannan)

QUANTITY OF WASTE RECEIVED:
1,700 Tons/Day

MATERIALS ACCEPTED:

Industrial Process; Waste
Water Treatment Sludge

SIZE OF SITE: 710 Acres

AMADOR COUNTY

2. BUENA VISTA LANDFILL

OFFICE:

Buena Vista Landfill
(Amador County Disposal Site)
One Mile South of Highway 38 on
Buena Vista Road (near Ione)
Ione, CA 95640

OPERATOR:

Amador County Public Works Department
108 Court Street
Jackson, CA 95642

TELEPHONE: (209) 223-1031
(Jim Tearpak)

QUANTITY OF WASTE RECEIVED:
45 Tons/Day -- Solids
2,400 Gallon/Day -- Liquids

MATERIALS ACCEPTED:

Sludge/Septage; Infectious
Pesticide Containers;
Pesticide Rinse Water

SIZE OF SITE: 99 Acres

COLUSA COUNTY

3. EVAN'S ROAD SOLID WASTE DISPOSAL SITE

OFFICE:

Evan's Road SWDS
546 Jay Street
Colusa, CA 95932

OPERATOR:

Colusa County
546 Jay Street
Colusa, CA 95932

TELEPHONE: (916) 458-5186
(Dan Klar)

QUANTITY OF WASTE RECEIVED:

50 Tons/Day

MATERIALS ACCEPTED:

Septic Tank Pumpings; Oil
Drilling Muds; Triple-Rinse
Pesticide Containers

SIZE OF SITE: 38 Acres

CONTRA COSTA COUNTY

4. ACME FILL (EPA #CAD041835695)

OFFICE:

ACME
North End of Arthur Road
Off Highway 680, Highway 4
Martinez, CA 94553

OPERATOR:

ACME Fill Corporation
P.O. Box 1108
Martinez, CA 94553

TELEPHONE: (415) 685-4711
(Boyd Olney)

QUANTITY OF WASTE RECEIVED:

1,150 Tons/Day

MATERIALS ACCEPTED:

Sludge/Septage; Infectious;
Hazardous Waste-Alum Flocc;
Asbestos; ASP Filter Cake; Oil
Wastes; Centrifuge Solids;
Hydrocarbons; Medical Wastes;
Pollution Equipment Waste;
Tanning Wastes; Wastewater Sludge

SIZE OF SITE: 536 Acres

FRESNO COUNTY
(Addendum)

CHEMICAL WASTE MANAGEMENT, INC.

OFFICE:

Chemical Waste Management, Inc.
7 Miles NW of Coalinga
Section 36
Township - 15
Range - 14 East

OPERATOR:

Chemical Waste Management Inc.
430 W. Elm Avenue
Coalinga, CA 93210

TELEPHONE: (209) 935-2043
(Bill McCay)

QUANTITY OF WASTE RECEIVED
1,700 Ton/Month

MATERIALS ACCEPTED:

Tank Bottom Sediment; Scrubber Sludge;
Oily Waste; Drilling Muds

SIZE OF SITE: 80 Acres

FRESNO COUNTY

5. CHEVRON U.S.A. INCORPORATED -- 23D
(Opened to Operator Only)

OFFICE:

Chevron U.S.A. Incorporated -- 23D
Central Portion of Section 23
Township 20 -- South
Range 14 -- East
Coalinga Area

OPERATOR:

Chevron U.S.A.
150 East Durian Avenue
Coalinga, CA 93210

TELEPHONE: (805) 393-1312
(Don Colbertson)

QUANTITY OF WASTE RECEIVED:

70 Tons/Month

MATERIALS ACCEPTED:

Tank Bottom Sediment; Oil Sump
Sludge; Drilling Mud; Formation
Water-Brine

SIZE OF SITE: 14 Acres

IMPERIAL COUNTY

6. I.T. IMPERIAL VALLEY II-1 DISPOSAL SITE

OFFICE:

I.T. Corporation
Superstition Hills
Baughman, West of Highway 86
Westmoreland, West of CA

OPERATOR:

I.T. Corporation
2450 Stanwell Drive, No. 100
Concord, CA 94520

TELEPHONE: (714) 339-5053
(Ralph Dicori)

(QUANTITY OF WASTE RECEIVED:

42,000 Gallon/Day

MATERIALS ACCEPTED:

Geothermal Brines; Pesticide
Containers; Neutralized Aqueous
Acids and Basis; Geothermal
Drilling Muds; Rinse Waters;
Petroleum Sludge

SIZE OF SITE: 400 Acres

KERN COUNTY

7. CHEVRON U.S.A. INCORPORATED — 3C
(Opened to Operator Only)

OFFICE:

Chevron U.S.A. Incorporated — 3C
Northwest Corner of Section 3
Township — 32 South
Range — 23 East
Buena Vista, CA

OPERATOR:

Chevron U.S.A. Incorporated
P.O. Box 5355
Midway and Highway 119
Taft, CA 93268

TELEPHONE: (805) 393-1312
(Don Colbertson)

QUANTITY OF WASTE RECEIVED:

145 Tons/Month

MATERIALS ACCEPTED:

Petroleum Brine; Drilling Mud;
Tank Bottom Sediment; Oil
Sump Sludge

SIZE OF SITE: 20 Acres

8. CHEVRON U.S.A. INCORPORATED — 5K
(Open to Operator Only)

OFFICE:

Chevron U.S.A. Incorporated — 5K
Southeast Corner of Section 5
Township 11 — North
Range 23 — East
Maricopa Area

OPERATOR:

Chevron U.S.A. Incorporated
Midway and Highway 119
Taft, CA 93268

TELEPHONE: (805) 393-1312
(Don Colbertson)

QUANTITY OF WASTE RECEIVED:

1,827 Tons/Month

MATERIALS ACCEPTED:

Petroleum Brines; Drilling Mud;
Tank Bottom Sediment; Oil Sump
Sludge

SIZE OF SITE: 20 Acres

KERN COUNTY (CONT.)

9. ENVIRONMENTAL PROTECTION CORPORATION -- EASTSIDE

OFFICE

Eastside Disposal Farm
10 Miles East of Bakersfield
Off Round Mountain Road
(805) 399-8644

OPERATOR:

Environmental Protection
Corporation
3040 19th Street, Suite no. 10
Bakersfield, CA 93301

TELEPHONE: (805) 327-9681
(Bill Park)

QUANTITY OF WASTE RECEIVED:

3,984,000 Gallon/Month

MATERIALS ACCEPTED

Oil Sump Sludge; Oil Field
Brine; Rotary Mud; Tank Bottom
Sediment; Scrubber Wastes

SIZE OF SITE: 250 Acres

10. ENVIRONMENTAL PROTECTION CORPORATION - WESTSIDE

OFFICE:

Westside Disposal Farm
Seven Miles North of Taft
Off Highway 33
Two Miles North of Fellows
(805) 768-4806

OPERATOR:

Environmental Protection
Corporation
3040 19th Street, Suite 10
Bakersfield, CA 93301

TELEPHONE: (805) 327-9681
(Bill Park)

QUANTITY OF WASTE RECEIVED:

7,334,000 Gallon/Month

MATERIALS ACCEPTED:

Oil Sump Sludge; Oil Field
Brine; Rotary Mud; Tank Bottom
Sediment; Scrubber Wastes

SIZE OF SITE: 80 Acres

KINGS COUNTY

11. CHEVRON U.S.A. INCORPORATED -- 350
(Open to Operator Only)

OFFICE:

Chevron U.S.A. Incorporated -- 350
Central Portion of East Half of 35
Township 22 -- South
Range 18 -- East
(209) 386-5055

OPERATOR:

Chevron U.S.A. Incorporated
150 East Durian Avenue
Coalinga, CA 93210

TELEPHONE: (209) 935-0931
(Don Colbertson)

QUANTITY OF WASTE RECEIVED:

1.3 Tons/Month

MATERIALS ACCEPTED:

Oil Sump Sludge; Tank Bottom
Sediment; Oil Field Brine;
Drilling Mud

SIZE OF SITE: 160 Acres

LAKE COUNTY

12. EASTLAKE SANITARY LANDFILL

OFFICE:

Eastlake Sanitary Landfill
Burns Valley Road
Clearlake, CA 95422

OPERATOR:

County of Lake
Public Works Department
255 North Forbes Street
Lakeport, CA 95453

TELEPHONE: (707) 273-2381
(Norma Tunis)

QUANTITY OF WASTE RECEIVED:

200 Tons/Day

MATERIALS ACCEPTED:

Pesticide, Herbicide, Fungicide,
and Miticide Containers

SIZE OF SITE: 55 Acres

LAKE COUNTY (CONT.)

13. GEOTHERMAL INCORPORATED

OFFICE:

Geothermal Incorporated
Butts Canyon Road, Box 480
Middletown, CA 95461

OPERATOR:

Geothermal Incorporated
Butts Canyon Road
Middletown, CA 95461

TELEPHONE: (707) 987-3305
(Kurt Kritikos)

QUANTITY OF WASTE RECEIVED:

400 Tons/Day

MATERIALS ACCEPTED:

Drilling Muds; Water Cake Sulfur;
H₂S Abatement Sludge; Strettford
Solution

SIZE OF SITE: 40 Acres

14. I.T. CORPORATION -- BENSON RIDGE (EPA #CAD000633289)

OFFICE:

I.T. Corporation -- Benson Ridge
7620 South Highway 29
Kelseyville, CA 95451
(707) 279-8860

OPERATOR:

I.T. Corporation
4575 Pacaeco Boulevard
Martinez, CA 94553

TELEPHONE: (707) 279-8851
(Rick Morton)

QUANTITY OF WASTE RECEIVED:

1,000 Ton/Month

MATERIALS ACCEPTED:

Geothermal Drilling Mud; Brines;
Scrubber Sludge

SIZE OF SITE: 134 Acres

LOS ANGELES COUNTY

15. PUENTE HILLS LANDFILL NO. 6

OFFICE:

Puente Hills Landfill No. 6
2800 South Workman Mill Road
Whittier, CA 90607

OPERATOR:

Los Angeles County Sanitation
District
1955 Workman Mill Road
Whittier, CA 90607

TELEPHONE: (213) 699-7411
(Gilbert Chang)

QUANTITY OF WASTE RECEIVED:

6,000 Tons/Day

MATERIALS ACCEPTED:

Sludge/Septage; Latex Waste;
Tank Bottom Sediment; Paint
Sludge; Drilling Muds;

SIZE OF SITE: 500 Acres

16. OPERATING INDUSTRIES INCORPORATED

OFFICE:

Operating Industries Incorporated
1000 Potrero Grande Drive
Monterey Park, CA 91754

OPERATOR:

Operating Industries Incorporated
2425 South Garfield Avenue
Monterey Park, CA 91754

TELEPHONE: (213) 721-5996
(Dick Harabedian)

QUANTITY OF WASTE RECEIVED:

1,250 Tons/Day

MATERIALS ACCEPTED:

Drilling Muds; Paint Sludge;
Tank Bottom Sediment; Mud and
Water (Laundry); Latex Waste

SIZE OF SITE: 130 Acres

MONTEREY COUNTY

17. AURIGNAC INDUSTRIAL WASTE PLANT

OFFICE:

Aurignac Industrial Waste Plant
6 Miles South of San Ardo
Off Highway 101 on Aluarado Road
San Ardo, CA 93450

OPERATOR:

John and Leslie Cederquist
P.O. Box 331
San Ardo, CA 93450

TELEPHONE: (408) 385-4821
(John Cederquist)

QUANTITY OF WASTE RECEIVED:

8.6 x 10⁶ Gallons/Year

MATERIALS ACCEPTED:

Drilling Muds and Brines

SIZE OF SITE: 10 Acres

PLACER COUNTY

18. WESTERN REGIONAL SANITARY LANDFILL

OFFICE:

Western Regional Sanitary Landfill
Intersection of Athens and
Fiddymont
Roseville, CA 95678

OPERATOR:

Western Regional Landfill Authority
11444 B Avenue
Auburn, CA 95603

TELEPHONE: (916) 823-4601
(Warren Telleson)

QUANTITY OF WASTE RECEIVED:

100 Tons/Day

MATERIALS ACCEPTED:

Drilling Muds/Fluids;
Limited Hazardous
Waste; Waste Water Sludge;
Septic Tank Sludge

SIZE OF SITE: 320 Acres

SAN BENITO COUNTY

19. JOHN SMITH SOLID WASTE DISPOSAL SITE

OFFICE:

John Smith Solid Waste Disposal Site
John Smith Road
Hollister, CA 95023

QUANTITY OF WASTE RECEIVED:

200 Tons/Day -- Solids

2 x 10⁶ Gallons/Day -- Liquid Maximum

OPERATOR:

City of Hollister
375 Fifth Street
Hollister, CA 95023

MATERIALS ACCEPTED:

Pesticides in Liquid Form

SIZE OF SITE:

68 Acres

TELEPHONE: (408) 637-8221
(Elmer Schaal)

SAN JOAQUIN COUNTY

20. FORWARD INCORPORATED

OFFICE:

Forward Incorporated
West/Side Austin Road, 2.5 Miles
South of Arch Road
Stockton, CA 95206

QUANTITY OF WASTE RECEIVED:

350 Tons/Day

MATERIALS ACCEPTED:

Heavy Metals; Sludge/
Septage; Drilling Muds/Fluids

OPERATOR:

Forward Incorporated/Greg Basso
P.O. Box 6336
Stockton, CA 95206

SIZE OF SITE: 157 Acres

TELEPHONE: (209) 466-5192
(Greg Basso)

SANTA CRUZ COUNTY

21. SANTA CRUZ CITY DISPOSAL SITE

OFFICE:

Santa Cruz City Disposal Site
Dimeo Lane
Three Miles West of Santa Cruz
Santa Cruz, CA 95060

OPERATOR:

City of Santa Cruz Public Works
809 Center Street
Santa Cruz, CA 95060

TELEPHONE: (408) 429-3636
(Ed Withrow)

QUANTITY OF WASTE RECEIVED:

100 Tons/Day -- Solids
40,000 Gallon /Day -- Liquids

MATERIALS ACCEPTED:

Sludge/Septage; Tannery Waste

SIZE OF SITE: 100 Acres

SHASTA COUNTY

22. ANDERSON SOLID WASTE INCORPORATED

OFFICE:

Anderson Solid Waste Incorporated
(Limited Class II-1)
Five Miles West of Anderson
19803 Cambridge
Anderson, CA 96007

OPERATOR:

Anderson Solid Waste Incorporated
P.O. Box 1365
Cottonwood, CA 96002

TELEPHONE: (916) 347-5241
(Bob Ray)

QUANTITY OF WASTE RECEIVED
7,000 Tons/Month

MATERIALS RECEIVED:

Emergency Petroleum Spills

SIZE OF SITE: 175 Acres

SISKIYOU COUNTY

23. SHEEPY RIDGE SOLID WASTE DISPOSAL SITE

OFFICE:

Tulelake Landfill
Sheepy Ridge Road Off Highway 161
Seven Miles Northwest
Tulelake, CA 96134

QUANTITY OF WASTE RECEIVED:

9 Tons/Day

MATERIALS ACCEPTED:

Pesticide Containers

OPERATOR:

City of Tulelake/Siskiyou County
P.O. Box 305
Tulelake, CA 96134

SIZE OF SITE: 142 Acres

TELEPHONE: (916) 667-2619
(W. C. Whitaker)

SOLANO COUNTY

24. FLANNERY ROAD DISPOSAL SITE

OFFICE:

Aqua Clear Farms
Between Highway 113 and Flannery
Road, Seven Miles West and Two
Miles North of Flannery
Rio Vista, CA 94571

QUANTITY OF WASTE RECEIVED:

1.26×10^6 Gallons/Month

MATERIALS ACCEPTED:

Drilling Muds

OPERATOR:

Aqua Clear Farms
19901 Yorba Linda Boulevard
Yorba Linda, CA 92686

SIZE OF SITE:

110 Acres

TELEPHONE: (707) 374-2559
(Orville Tucker)

SOLANO COUNTY (CONT.)

25. I.T. CORPORATION, MONTEZUMA HILLS (EPA #CAD079089512)

OFFICE:

I.T., Montezuma Hills at the
Intersection of Highway 12,
Collinsville Road and Little
Honker Bay Road Solano County, CA

OPERATOR:

I.T. Corporation
4574 Pacheco Boulevard
Martinez, CA 94553

TELEPHONE: (415) 228-5100
(Mark Posson)

QUANTITY OF WASTE RECEIVED:

2.2×10^6 Barrels/Year

MATERIALS ACCEPTED:

Drilling Muds; Geothermal Brines;
Neutralized Aqueous Acids and
Bases; Waste Water Treatment Solids

SIZE OF SITE: 50 Acres

VENTURA COUNTY

26. J.N.J. DISPOSAL SITE

OFFICE:

J.N.J. Disposal Site
Fifth and Harbor Boulevard
Oxnard, CA 93030

OPERATOR:

J.N.J. Sales and Services
Incorporated
4376 Varsity Street
Ventura, CA 93003

TELEPHONE: (805) 642-1246
(805) 642-5429
(Jack Jamar)

QUANTITY OF WASTE RECEIVED:

1.89×10^6 Gallons/Month

MATERIALS ACCEPTED:

Drilling Muds and Brines

SIZE OF SITE: 50 Acres

YOLO COUNTY

27. YOLO COUNTY CENTRAL LANDFILL

OFFICE:

Yolo County Central Landfill
Corner of Roads 28H and 104
Six Miles North of Davis
Yolo County, CA

OPERATOR

Yolo County Public Works
292 West Beamer Street
Woodland, CA 95695

TELEPHONE: (916) 666-8273
(Julio Carrascl)

QUANTITY OF WASTE RECEIVED:
600-800 Tons/Day

MATERIALS ACCEPTED:
Triple-Rinsed Pesticide
Containers; Drilling Muds

SIZE OF SITE: 660 Acres

ANNEX XIX

2900 FEDERAL WATER POLLUTION CONTROL ACT

(Distributed under serarate cover)

2901 Comprehensive Environmental Response, Compensation
and Liability Act of 1980

(Distributed under separate cover)

ANNEX XX

3000 NATIONAL CONTINGENCY PLAN

**PART 300—NATIONAL OIL AND
HAZARDOUS SUBSTANCES
POLLUTION CONTINGENCY PLAN**

Subchapter J—Superfund Programs

Subpart A—Introduction

See .

300.1 Purpose and objectives.

300.2 Authority.

300.3 Scope.

300.4 Application.

300.5 Abbreviations.

300.6 Definitions.

Subpart B—Responsibility

300.21 Duties of President delegated to
Federal agencies.

300.22 Coordination among and by Federal
agencies.

300.23 Other assistance by Federal
agencies.

300.24 State and local participation.

300.25 Non-government participation.

Subpart C—Organization

300.31 Organizational concepts.

300.32 Planning and coordination.

300.33 Response operations.

300.34 Special forces and teams.

300.35 Multi-regional responses.

300.36 Communications.

300.37 Response equipment.

Subpart D—Plans

300.41 Regional and local plans.

300.42 Regional contingency plans.

300.43 Local contingency plans.

**Subpart E—Operational Response Phases
for OS Removal**

300.51 Phase I—Discovery and notification.

300.52 Phase II—Preliminary assessment
and initiation of action.

300.53 Phase III—Containment,
countermeasures, clean-up and disposal.

300.54 Phase IV—Documentation and cost
recovery.

300.55 General pattern of response.

300.56 Pollution reports.

300.57 Special considerations.

300.58 Funding.

**Subpart F—Hazardous Substance
Response**

300.61 General.

300.62 State role.

300.63 Phase I—Discovery and notification.

300.64 Phase II—Preliminary assessment.

- Sec.
 300.65 Phase III—Immediate removal.
 300.66 Phase IV—Evaluation and determination of appropriate response—planned removal and remedial action.
 300.67 Phase V—Planned removal.
 300.68 Phase VI—Remedial action.
 300.69 Phase VII—Documentation and cost recovery.
 300.70 Methods of remedying releases.
 300.71 Worker health and safety.

Subpart G—Trustees for Natural Resources

- 300.72 Designation of Federal trustees.
 300.73 State trustees.
 300.74 Responsibilities of trustees.

Subpart H—Use of Dispersants and Other Chemicals

- 300.81 General.
 Appendix A—Uncontrolled Hazardous Waste Site Ranking System: a users manual.

Authority: Sec. 105, Pub. L. 96-510, 94 Stat. 2764, 42 U.S.C. 9605 and sec. 311(c)(2), Pub. L. 92-500, as amended; 86 Stat. 303, 33 U.S.C. 1321(c)(2); Executive Order 12316, 47 FR 42237 (August 20, 1982); Executive Order 11733, 38 FR 21243 (August 1973).

Subpart A—Introduction

§ 300.1 Purpose and objectives.

The purpose of the National Oil and Hazardous Substances Pollution Contingency Plan (Plan) is to effectuate the response powers and responsibilities created by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and the authorities established by section 311 of the Clean Water Act (CWA), as amended.

§ 300.2 Authority.

The Plan is required by section 105 of CERCLA, 42 U.S.C. 9605, and by section 311(c)(2) of the CWA, as amended, 33 U.S.C. 1321(c)(2). In Executive Order 12316 (46 FR 42237) the President delegated to the Environmental Protection Agency the responsibility for the amendment of the NCP and all of the other functions vested in the President by section 105 of CERCLA. Amendments to the NCP shall be coordinated with members of the National Response Team prior to publication for notice and comment. Amendments shall also be coordinated with the Federal Emergency Management Agency and the Nuclear Regulatory Commission in order to avoid inconsistent or duplicative requirements in the emergency planning responsibilities of those agencies.

§ 300.3 Scope.

(a) The Plan applies to all Federal agencies and is in effect for:

- (1) The navigable waters of the United States and adjoining shorelines, for the contiguous zone, and the high seas beyond the contiguous zone in

connection with activities under the Outer Continental Shelf Lands Act or, the Deep Water Port Act of 1974, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Fishery Conservation and Management Act of 1978). (See sections 311(b)(1) and 502(7) of the Clean Water Act.)

(2) Releases or substantial threats of releases of hazardous substances into the environment, and releases or substantial threats of releases of pollutants or contaminants which may present an imminent and substantial danger to public health or welfare.

(b) The Plan provides for efficient, coordinated and effective response to discharges of oil and releases of hazardous substances, pollutants and contaminants in accordance with the authorities of CERCLA and the CWA. It provides for:

(1) Division and specification of responsibilities among the Federal, State and local governments in response actions; and appropriate roles for private entities.

(2) The national response organization that may be brought to bear in response actions, including description of the organization, response personnel and resources that are available to respond.

(3) The establishment of requirements for Federal regional and Federal local contingency plans, and encouragement of pre-planning for response by other levels of government.

(4) Procedures for undertaking removal operations pursuant to section 311 of the Clean Water Act.

(5) Procedures for undertaking response operations pursuant to CERCLA.

(6) Designation of trustees for natural resources for purposes of CERCLA.

(7) National policies and procedures for the use of dispersants and other chemicals in removal and response actions.

(c) In implementing this Plan, consideration shall be given to the Joint Canada/U.S. Contingency Plan; the U.S./Mexico Joint Contingency Plan and international assistance plans and agreements, security regulations and responsibilities based on international agreements, Federal statutes and executive orders. Actions taken pursuant to this Plan shall conform to the provisions of international joint contingency Plans, where they are applicable. The Department of State should be consulted prior to taking any action which may affect its activities.

§ 300.4 Application.

The Plan is applicable to response taken pursuant to the authorities under CERCLA and section 311 of the CWA.

§ 300.5 Abbreviations.

(a) Department and Agency Title Abbreviations.

DOC—Department of Commerce
 DOD—Department of Defense
 DOE—Department of Energy
 DOI—Department of the Interior
 DOJ—Department of Justice
 DOL—Department of Labor
 DOS—Department of State
 DOT—Department of Transportation
 EPA—Environmental Protection Agency
 FEMA—Federal Emergency Management Agency
 HHS—Department of Health and Human Services
 NIOSH—National Institute for Occupational Safety and Health
 NOAA—National Oceanic and Atmospheric Administration
 OSHA—Occupational Safety and Health Administration
 USCG—U.S. Coast Guard
 USDA—U.S. Department of Agriculture

(b) Operational Title Abbreviations.

ERT—Environmental Response Team
 FCO—Federal Coordinating Officer
 NRC—National Response Center
 NRT—National Response Team
 NSF—National Strike Force
 OSC—On-Scene Coordinator
 PAAT—Public Affairs Assist Team
 PIAT—Public Information Assist Team
 RRC—Regional Response Center
 RRT—Regional Response Team
 SSC—Scientific Support Coordinator

§ 300.6 Definitions.

Terms not defined in this section have the meaning given by CERCLA or the CWA.

Claim, as defined by section 101(4) of CERCLA, means a demand in writing for a sum certain.

Claimant, as defined by section 101(5) of CERCLA, means any person who presents a claim for compensation under CERCLA.

Coastal zone, as defined for the purpose of this Plan, means all U.S. waters subject to the tide, U.S. waters of the Great Lakes, specified ports and harbors on the inland rivers, waters of the contiguous zone, other waters of the high seas subject to this Plan, and the land surface or land substrata, ground waters, and ambient air proximal to those waters. The term coastal zone delineates an area of Federal responsibility for response action. Precise boundaries are determined by EPA/USCG agreements and identified in Federal regional contingency plans.

Contiguous zone means the zone of the high seas, established by the United

States under Article 24 of the Convention on the Territorial Sea and Contiguous Zone, which is contiguous to the territorial sea and which extends nine miles seaward from the outer limit of the territorial sea.

Discharge, as defined by section 311(a)(2) of CWA, includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping of oil. For purposes of this Plan, discharge shall also mean substantial threat of discharge.

Drinking water supply, as defined by section 101(7) of CERCLA, means any raw or finished water source that is or may be used by a public water system (as defined in the Safe Drinking Water Act) or as drinking water by one or more individuals.

Environment, as defined by section 101(8) of CERCLA, means (a) the navigable waters of the United States, the waters of the contiguous zone, and the ocean waters of which the natural resources are under the exclusive management authority of the U.S. under the Fishery Conservation and Management Act of 1976, and (b) any other surface water, ground water, drinking water supply, land surface and subsurface strata, or ambient air within the United States or under the jurisdiction of the United States.

Facility, as defined by section 101(9) of CERCLA, means (a) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or (b) any site or area where a hazardous substance has been deposited, stored, disposed of or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any vessel.

Federally permitted release, as defined by section 101(10) of CERCLA, means (a) discharges in compliance with a permit under section 402 of the Federal Water Pollution Control Act; (b) discharges resulting from circumstances identified and reviewed and made part of the public record with respect to a permit issued or modified under section 402 of the Federal Water Pollution Control Act and subject to a condition of such permit; (c) continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 of the Federal Water Pollution Control Act, which are caused by events occurring within the scope of relevant operating or treatment systems; (d) discharges in compliance with a legally enforceable permit under section 404 of the Federal

Water Pollution Control Act; (e) releases in compliance with a legally enforceable final permit issued pursuant to section 3005 (a) through (d) of the Solid Waste Disposal Act from a hazardous waste treatment, storage, or disposal facility when such permit specifically identifies the hazardous substances and makes such substances subject to a standard of practice, control procedure or bioassay limitation or condition, or other control on the hazardous substances in such releases; (f) any release in compliance with a legally enforceable permit issued under section 102 or section 103 of the Marine Protection, Research and Sanctuaries Act of 1972; (g) any injection of fluids authorized under Federal underground injection control programs or State programs submitted for Federal approval (and not disapproved by the Administrator of EPA) pursuant to part C of the Safe Drinking Water Act; (h) any emission into the air subject to a permit or control regulation under section 111, section 112, title 1 part C, title 1 part D, or State implementation plans submitted in accordance with Section 110 of the Clean Air Act (and not disapproved by the Administrator of EPA), including any schedule or waiver granted, promulgated, or approved under these sections; (i) any injection of fluids or other materials authorized under applicable State law (1) for the purpose of stimulating or treating wells for the production of crude oil, natural gas, or water, (2) for the purpose of secondary, tertiary, or other enhanced recovery of crude oil or natural gas, or (3) which are brought to the surface in conjunction with the production of crude oil or natural gas and which are reinjected; (j) the introduction of any pollutant into a publicly-owned treatment works when such pollutant is specified in and in compliance with applicable pretreatment standards of section 307 (b) or (c) of the CWA and enforceable requirements in a pretreatment program submitted by a State or municipality for Federal approval under section 402 of such Act, and (k) any release of source, special nuclear, or by-product material, as those terms are defined in the Atomic Energy Act of 1954, in compliance with a legally enforceable license, permit, regulation, or order issued pursuant to the Atomic Energy Act of 1954.

Fund or Trust Fund means the Hazardous Substance Response Trust Fund established by section 221 of CERCLA.

Ground water, as defined by section 101(12) of CERCLA, means water in a saturated zone or stratum beneath the surface of land or water.

Hazardous substance, as defined by section 101(14) of CERCLA, means (a) any substance designated pursuant to section 311(b)(2)(A) of the CWA; (b) any element, compound, mixture, solution, or substance designated pursuant to section 102 of CERCLA; (c) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by Act of Congress); (d) any toxic pollutant listed under section 307(a) of the CWA; (e) any hazardous air pollutant listed under section 112 of the Clean Air Act; and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act. The terms do not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

Inland zone means the environment inland of the coastal zone excluding the Great Lakes and specified ports and harbors of inland rivers. The term inland zone delineates the area of Federal responsibility for response action. Precise boundaries are determined by EPA/USCG agreement and identified in Federal regional contingency plans.

Lead agency means the Federal agency (or State agency operating pursuant to a contract or cooperative agreement executed pursuant to section 104(d)(1) of CERCLA) that provides the on-scene coordinator or the responsible official.

Natural Resources, as defined by section 101(16) of CERCLA, means land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States (including the resources of fishery conservation zones established by the Fishery Conservation and Management Act of 1976), any State or local government or any foreign government.

Offshore facility, as defined by section 101(17) of CERCLA and section 311(a)(11) of the CWA, means any facility of any kind located in, on, or under any of the navigable waters of the U.S. and any facility of any kind which

is subject to the jurisdiction of the U.S. and is located in, on, or under any other waters, other than a vessel or a public vessel.

Oil, as defined by section 311(a)(1) of CWA, 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.

Oil pollution fund means the fund established by section 311(k) of the CWA.

Onshore facility, (a) as defined by section 101(18) of CERCLA means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under any land or non-navigable waters within the United States; and (b) as defined by section 311(a)(10) of CWA means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under any land within the United States other than submerged land.

On-Scene Coordinator means the Federal official pre-designated by the EPA or the USCG (or a State official acting pursuant to a contract or cooperative agreement executed pursuant to section 104(d)(1) of CERCLA) to coordinate and direct Federal responses under this Plan; provided, however, that with respect to releases from DOD facilities or vessels, the OSC shall be designated by DOD.

Person, as defined by section 101(21) of CERCLA, means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, U.S. Government, State, municipality, commission, political subdivision of a State, or any interstate body.

Plan means the National Oil and Hazardous Substances Pollution Contingency Plan published under section 311(c) of the CWA and revised pursuant to section 105 of CERCLA.

Pollutant or contaminant, as defined by section 104(a)(2) of CERCLA, shall include, but not be limited to, any element, substance, compound, or mixture, including disease causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingesting through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformation, in such organisms or their offspring. The term does not include petroleum, including crude oil

and any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under section 101(14)(A) through (F) of CERCLA, nor does it include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and synthetic gas).

Release, as defined by section 101(22) of CERCLA, means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons; (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine; (c) release of source, by-product or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under section 170 of such act, or, for the purposes of section 104 of CERCLA or any other response action, any release of source, by-product, or special nuclear material from any processing site designated under section 102(a)(1) or 302(a) of the Uranium Mill Tailings Radiation Control Act of 1978; and (d) the normal application of fertilizer. For the purposes of this Plan, release also means substantial threat of release.

Remove or removal, as defined by section 311(a)(6) of CWA refers to removal of oil or hazardous substances 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. As defined by section 101(23) of CERCLA, remove or removal means the clean-up or removal of released hazardous substances from the environment; such actions as may be necessary taken in the event of the threat of release of hazardous substances into the environment; such actions as may be necessary to monitor, assess, and evaluate the release or threat of release of hazardous substances; the disposal of removed material; or the taking of such other actions as may be necessary to prevent, minimize, or mitigate damage to the public health or welfare or the environment, which may otherwise result from such release or threat of release. The term includes, in addition, without being limited to, security fencing or other measures to limit access, provision of alternative water supplies,

temporary evacuation and housing of threatened individuals not otherwise provided for, action taken under section 104(b) of CERCLA, and any emergency assistance which may be provided under the Disaster Relief Act of 1974.

Remedy or remedial action, as defined by section 101(24) of CERCLA, means those actions consistent with permanent remedy taken instead of, or in addition to, removal action in the event of a release or threatened release of a hazardous substance into the environment, to prevent or minimize the release of hazardous substances so that they do not migrate to cause substantial danger to present or future public health or welfare or the environment. The term includes, but is not limited to, such actions at the location of the release as storage, confinement, perimeter protection using dikes, trenches, or ditches, clay cover, neutralization, clean-up of released hazardous substances or contaminated materials recycling or reuse, diversion, destruction, segregation or reactive wastes, dredging or excavations, repair or replacement of leaking containers, collection of leachate and runoff, onsite treatment or incineration, provision of alternative water supplies, and any monitoring reasonably required to assure that such actions protect the public health and welfare and the environment. The term includes the costs of permanent relocation of residents and businesses and community facilities where the President determines that, alone or in combination with other measures, such relocation is more cost-effective than and environmentally preferable to the transportation, storage, treatment, destruction, or secure disposition offsite of hazardous substances or may otherwise be necessary to protect the public health or welfare. The term does not include offsite transport of hazardous substances, or the storage, treatment, destruction, or secure-disposition offsite of such hazardous substances or contaminated materials unless the President determines that such actions (a) are more cost-effective than other remedial actions; (b) will create new capacity to manage in compliance with subtitle C of the Solid Waste Disposal Act, hazardous substances in addition to those located at the affected facility; or (c) are necessary to protect public health or welfare or the environment from a present or potential risk which may be created by further exposure to the continued presence of such substances or materials.

Respond or response, as defined by section 101(25) of CERCLA, means remove, removal, remedy, or remedial action.

Responsible official refers to the Federal official (or State official acting pursuant to a contract or cooperative agreement executed pursuant to section 104(d)(1) of CERCLA), assigned by the lead agency, responsible for coordinating planned removals, remedial actions and related activities under Subpart F of this plan. Where reference is made to the responsibilities and authorities of an OSC, those responsibilities and authorities also apply to a responsible official.

Size classes of discharges refers to the following size classes of oil discharges which are provided as guidance to the OSC and serve as the criteria for the actions delineated in Subpart E. They are not meant to imply associated degrees of hazard to public health or welfare, nor are they a measure of environmental damage. Any oil discharge that poses a substantial threat to the public health or welfare or results in critical public concern shall be classified as a major discharge regardless of the following quantitative measures.

(a) **Minor discharge** means a discharge to the inland waters of less than 1,000 gallons of oil or a discharge to the coastal waters of less than 10,000 gallons of oil.

(b) **Medium discharge** means a discharge of 1,000 to 10,000 gallons of oil to the inland waters or a discharge of 10,000 to 100,000 gallons of oil to the coastal waters.

(c) **Major discharge** means a discharge of more than 10,000 gallons of oil to the inland waters or more than 100,000 gallons of oil to the coastal waters.

Trustee means any Federal natural resource management agency designated in Subpart G of this plan, and any State agency which may prosecute claims for damages under section 107(f) of CERCLA.

United States, as defined by section 311(2)(5) of CWA, refers to the States; the District of Columbia; the Commonwealth of Puerto Rico; Guam; American Samoa; the Virgin Islands; and the Trust Territory of the Pacific Islands. As defined by section 101(27) of CERCLA, United States and State include the several States of the United States; the District of Columbia; the Commonwealth of Puerto Rico; Guam; American Samoa; the United States Virgin Islands; the Commonwealth of the Northern Mariana Islands; and any other territory or possession over which the U.S. has jurisdiction.

Volunteer means any individual accepted to perform services by a Federal agency which has authority to accept volunteer services (example: see 18 U.S.C. 7425(c)). A volunteer is subject to the provisions of the authorizing statute, and § 300.23 of this Plan.

Subpart B—Responsibility

§ 300.21. Duties of President delegated to Federal agencies.

(a) In Executive Order 11735 and Executive Order 12316 the President delegated certain functions and responsibilities vested in him by the CWA and CERCLA, respectively. Responsibilities so delegated shall be responsibilities of Federal agencies under this Plan unless:

(1) Responsibility is redelegated pursuant to section 3(f) of Executive Order 12316, or

(2) Executive Order 11735 or Executive Order 12316 is amended or revoked.

§ 300.22. Coordination among and by Federal agencies.

(a) Federal agencies should coordinate their planning and response activities through the mechanisms described in Subpart C of this Plan and other means as may be appropriate.

(b) Federal agencies should coordinate planning and response action with affected State and local government and private entities.

(c) Federal agencies with facilities or other resources which may be useful in a Federal response situation should make those facilities or resources available consistent with agency capabilities and authorities.

(d) When the Administrator of EPA or the Secretary of the Department in which the Coast Guard is operating determines:

(1) That there is an imminent and substantial threat to the public health or welfare because of a discharge of oil from any offshore or onshore facility; or

(2) That there may be an imminent and substantial endangerment to the public health or welfare of the environment because of a release or threatened release of a hazardous substance from a facility, he/she may request the Attorney General to secure the relief necessary to abate the threat. The action described here is in addition to any actions taken by a State or local government for the same purpose.

(e) In accordance with section 311(d) of CWA, whenever a marine disaster in or upon the navigable waters of the United States has created a substantial threat of a pollution hazard to the public health or welfare because of a

discharge or an imminent discharge from a vessel of large quantities of oil or hazardous substances designated pursuant to section 311(b)(2)(A) of CWA, the United States may:

(1) Coordinate and direct all public and private efforts to abate the threat;

(2) Summarily remove and, if necessary, destroy the vessel by whatever means are available without regard to any provisions of law governing the employment of personnel or the expenditure of appropriated funds. The authority for these actions has been delegated under Executive Order 11735 to the Administrator of EPA and the Secretary of the Department in which the Coast Guard is operating, respectively, for the waters for which each designates the OSC under this Plan.

(f) Response actions to remove discharges originating from the Outer Continental Shelf Lands Act operations shall be in accordance with this Plan.

(g) Where appropriate, discharges of radioactive materials shall be handled pursuant to the appropriate federal radiological plans.

§ 300.23. Other assistance by Federal agencies.

(a) Each of the Federal agencies listed in paragraph (b) of this section has duties established by statute, executive order, or Presidential directive which may be relevant to Federal response action following or in prevention of a discharge of oil or a release of a hazardous substance, pollutant or contaminant. These duties may also be relevant to the rehabilitation, restoration, and replacement of damaged or lost natural resources. Federal regional contingency plans should call upon agencies to carry out these duties in a coordinated manner.

(b) The following Federal agencies may be called upon by an OSC during the planning or implementation of a response to provide assistance in their respective areas of expertise, consistent with their capabilities and legal authorities:

- (1) Department of Agriculture.
- (2) Department of Commerce.
- (3) Department of Defense.
- (4) Department of Energy.
- (5) Federal Emergency Management Agency.
- (6) Department of Health and Human Services.
- (7) Department of the Interior.
- (8) Department of Justice.
- (9) Department of Labor.
- (10) Department of State.
- (11) Department of Transportation.
- (12) Environmental Protection Agency.

(c) In addition to their general responsibilities under paragraph (a) of this section Federal agencies should:

(1) Make necessary information available to the NRT, RRTs, and OSCs.

(2) Inform the NRT and RRTs (consistent with national security considerations) of changes in the availability of resources that would affect the operations of the Plan.

(3) Provide representative as necessary to the NRT and RRTs and assist RRTs and OSCs in formulating Federal regional and Federal local contingency plans.

(d) All Federal agencies are responsible for reporting releases of hazardous substances and discharges of oil from facilities or vessels which are under their jurisdiction or control in accordance with section 103 of CERCLA, and Subparts E and F of this Plan.

(e) Executive Order 12316 delegates to the USCG and EPA all authorities under sections 104 (a) and (b) and 101(24) of CERCLA subject to the following:

(1) HHS is delegated all authorities under section 104(b) of CERCLA relating to a determination that illness, disease or complaints thereof may be attributable to exposure to a hazardous substance, pollutant or contaminant. (In addition, section 104(i) of CERCLA calls upon HHS to: establish appropriate disease/exposure registries; conduct appropriate health surveys and studies; develop and provide appropriate testing for exposed individuals; develop, maintain and provide information on health effects of toxic substances; and maintain a list of areas restricted or closed because of toxic substance contamination.)

(2) FEMA is delegated the authorities vested in the President by section 104(a) of CERCLA to the extent they require permanent relocation of residents, businesses, and community facilities or temporary evacuation and housing of threatened individuals not otherwise provided for. (FEMA is also delegated authority under section 101(24) of CERCLA to the extent they require a determination by the President that "permanent relocation of residents and businesses and community facilities" is included within the terms "remedy" and "remedial action" as defined in section 101(24) of CERCLA.)

(3) DOD is delegated all authority of section 104 (a) and (b) of CERCLA with respect to releases from DOD facilities or vessels, including vessels owned or bareboat chartered and operated.

(f) If the situation is beyond the capability of State and local governments and the statutory authority of Federal agencies, the President,

acting upon a request by the Governor, may declare a major disaster or emergency and appoint a Federal Coordinating Officer to assume responsibility for direction and control of the Federal response.

§ 300.24 State and local participation.

(a) Each State governor is requested to assign an office or agency to represent the State on the appropriate RRT. Local governments are invited to participate in activities on the appropriate RRT as may be provided by State law or arranged by the State's representative. The State's representative may participate fully in all facets of activities of the appropriate RRT and is encouraged to designate the element of the State government that will direct State supervised response operations.

(b) State and local government agencies are encouraged to include contingency planning for response, consistent with this Plan and Regional Contingency Plans, in all emergency and disaster planning.

(c) States are encouraged to use State authorities to compel potentially responsible parties to undertake response actions, or to themselves undertake response actions which are not eligible for Federal funding.

(d) States may enter into contracts or cooperative agreements pursuant to section 104(c)(3) and (d) of CERCLA or section 311(c)(2)(H) of the CWA, as appropriate, to undertake actions authorized under Subparts E and F of this Plan. Requirements for entering into these agreements are included in §§ 300.58 and 300.62 of this Plan.

§ 300.25 Non-Government participation.

(a) Industry groups, academic organizations, and others are encouraged to commit resources for response operations. Specific commitments should be listed in Federal regional and Federal local contingency plans.

(b) It is particularly important to use the valuable technical and scientific information generated by the non-government local community along with those from Federal and State government to assist the OSC in devising clean-up strategies where effective standard techniques are unavailable, and to ensure that pertinent research will be undertaken to meet national needs.

(c) Federal local contingency plans should establish procedures to allow for well-organized, worthwhile, and safe use of volunteers. Local plans should provide for the direction of volunteers by the OSC, or by other Federal, State or

local officials knowledgeable in contingency operations and capable of providing leadership. Local plans also should identify specific areas in which volunteers can be used, such as beach surveillance, logistical support, and bird and wildlife treatment. Unless specifically requested by the OSC, volunteers generally should not be used for physical removal or remedial activities. If, in the judgement of the OSC or an appropriate participating agency, dangerous conditions exist, volunteers shall be restricted from on-scene operations.

(d) If any person other than the Federal government or a State or person operating under contract or cooperative agreement with the United States, takes response action and intends to seek reimbursement from the Fund, such actions to be in conformity with this Plan for purposes of section 111(a)(2) of CERCLA may only be undertaken if such person notifies the Administrator of EPA or his/her designee prior to taking such action and receives prior approval to take such action.

Subpart C—Organization.

§ 300.31 Organizational concepts.

Three fundamental kinds of activity are performed pursuant to the Plan: planning and coordination, operations at the scene of a discharge and/or release, and communications. The organizational elements created to perform these activities are discussed below in the context of their roles in these activities.

§ 300.32 Planning and coordination.

(a) National planning and coordination is accomplished through the National Response Team (NRT).

(1) The NRT consists of representatives from the agencies named in § 300.23. Each agency shall designate a member to the team and sufficient alternates to ensure representation, as agency resources permit. Other agencies may request membership on the NRT by forwarding such requests to the chairman of the NRT.

(2) Except for periods of activation because of a response action, the representative of EPA shall be the chairman and the representative of USCG shall be the vice chairman of the NRT. The vice chairman shall maintain records of NRT activities along with national, regional, and local plans for response actions. When the NRT is activated for response action, the chairman shall be the representative of the Federal lead agency.

(3) While the NRT desires to achieve a consensus on all matters brought before it, certain matters may prove unresolvable by this means. In such cases, each cabinet, department or agency serving as a participating agency on the NRT may be accorded one vote in NRT proceedings.

(4) The NRT may establish such by-laws and committees as it deems appropriate to further the purposes for which it is established.

(5) When the NRT is not activated for a response action, it shall serve as a standing committee to evaluate methods of responding to discharges or releases, to recommend needed changes in the response organization and to recommend revisions to this Plan.

(6) The NRT may consider and make recommendations to appropriate agencies on the training, equipping and protection of response teams and necessary research, development, demonstration, and evaluation to improve response capabilities.

(7) Direct planning and preparedness responsibilities of the NRT include:

(i) Maintaining national readiness to respond to a major discharge of oil or release of a hazardous substance or pollutant or contaminant which is beyond regional capabilities;

(ii) Monitoring incoming reports from all RRTs and activating when necessary;

(iii) Reviewing regional responses to oil discharges and hazardous substance releases, including an evaluation of equipment readiness and coordination among responsible public agencies and private organizations; and

(iv) Developing procedures to ensure the coordination of Federal, State, and local governments and private response to oil discharges and releases of hazardous substances, pollutants or contaminants.

(8) The NRT may consider matters referred to it for settlement by an RRT.

(b) The RRT serves as the regional body for planning and preparedness actions before a response action is taken and for coordination and advice during such action. The RRT consists of regional representatives of the participating agencies and representatives of State governments (and local governments as agreed upon with States):

(1) Except when the RRT is activated for a removal incident, the representatives of EPA and USCG shall act as co-chairmen.

(2) Each participating agency should designate one member and at least one alternate member to the RRT. Participating States may also designate one member and at least one alternate member to the Team. All agencies and

States may also provide additional representatives as observers to meetings of the RRT.

(3) RRT members should designate representatives from their agencies to work with OSCs in developing Federal local contingency plans, providing for the use of agency resources, and in responding to discharges and releases (see § 300.43).

(4) Federal regional and Federal local plans should adequately provide the OSC with assistance from the Federal agencies commensurate with agencies' resources, capabilities, and responsibilities within the region. During a response action, the members of the RRT should seek to make available the resources of their agencies to the OSC as specified in the Federal regional and Federal local contingency plans.

(5) Affected States are encouraged to participate actively in all RRT activities (see § 300.24(a)); to designate representatives to work with the RRT and OSCs in developing Federal regional and Federal local plans, to plan for and make available State resources, and to serve as the contact point for coordination of response with local government agencies whether or not represented on the RRT.

(6) The RRT serves as a standing committee to recommend changes in the regional response organization as needed, to revise the regional plan as needed, and to evaluate the preparedness of the agencies and the effectiveness of local plans for the Federal response to discharges and releases. The RRT should:

(i) Make continuing review of regional and local responses to discharges or releases, considering available legal remedies, equipment readiness and coordination among responsible public agencies and private organizations;

(ii) Based on observations of response operations, recommend revisions of the National Contingency Plan to the NRT.

(iii) Consider and recommend necessary changes based on continuing review of response actions in the region.

(iv) Review OSC actions to help ensure that Federal regional and Federal local contingency plans are developed satisfactorily.

(v) Be prepared to respond to major discharges or releases outside the region.

(vi) Meet at least semi-annually to review response actions carried out during the preceding period, and consider changes in Federal regional and Federal local contingency plans.

(vii) Provide letter reports on their activities to the NRT twice a year, no later than January 31 and July 31. At a minimum reports should summarize

recent activities, organizational changes, operational concerns, and efforts to improve State and local conditions.

(c) The OSC is responsible for developing any Federal local contingency plans for the Federal response in the area of the OSC's responsibility. This may be accomplished in cooperation with the RRT and designated State and local representatives (see § 300.43). Boundaries for Federal local contingency plans shall coincide with those agreed upon between EPA, DOD and the USCG (subject to Executive Order 12318) to determine OSC areas of responsibility and should be clearly indicated in the regional contingency plan. Where practicable, consideration should be given to jurisdictional boundaries established by State and local plans.

(d) Scientific support for the development of regional and local plans is organized by appropriate agencies to provide special expertise and assistance. Generally, the Scientific Support Coordinator (SSC) for plans encompassing the coastal area will be provided by NOAA, and the SSC for the inland area will be provided by EPA or DOL. This delineation of responsibility may be modified within a region by agreement between DOD, DOL, and EPA representatives to the RRT. SSCs may be obtained from other agencies if determined to be appropriate by the RRT.

§ 300.13 Response operations.

(a) EPA and USCG shall designate OSCs for all areas in each region provided, however, that DOD shall designate OSCs for releases from DOD facilities and vessels. DOD will be the immediate removal response authority with respect to incidents involving DOD military weapons and munitions. Immediate removal actions involving nuclear weapons should be conducted in accordance with the joint Department of Defense, Department of Energy, and Federal Emergency Management Agency Agreement for Response to Nuclear Incidents and Nuclear Weapons Significant Incidents, of January 8, 1981. The USCG will furnish or provide OSCs for oil discharges and for the immediate removal of hazardous substances, pollutants, or contaminants into or threatening the coastal zone except that the USCG will not provide predesignated OSCs for discharges and releases from hazardous waste management facilities or in similarly chronic incidents. EPA shall furnish or provide OSCs for oil discharges and hazardous substance releases into or

threatening the inland zone and, unless otherwise agreed, for all planned removals and remedial actions.

(b) The OSC directs Federal Fund-financed response efforts and coordinates all other Federal efforts at the time of a discharge or release subject to Executive Order 12318. As part of the planning and preparation for response, the OSCs shall be pre-designated by the regional or district head of the lead agency.

(1) The first official from an agency with responsibility under this plan to arrive at the scene of the discharge or release should coordinate activities under this Plan until the OSC arrives.

(2) The OSC shall, to the extent practicable under the circumstances, collect pertinent facts about the discharge or release, such as its source and cause; the existence of potentially responsible parties; the nature, amount, and location of discharged or released materials; the probable direction and time of travel of discharged or released materials; the pathways to human exposure; potential impact on human health, welfare and safety; the potential impact on natural resources and property which may be affected; priorities for protecting human health, welfare and the environment; and appropriate cost documentation.

(3) The OSC shall direct response operations (see Subparts E and F for descriptive details). The OSC's effort shall be coordinated with other appropriate Federal, State, local and private response agencies.

(4) The OSC shall consult regularly with the RRT in carrying out this Plan and will keep the RRT informed of activities under this Plan.

(5) The OSC shall advise the appropriate State agency (as agreed upon with each State) as promptly as possible of reported discharges and releases.

(6) The OSC shall evaluate incoming information and immediately advise FEMA of potential major disaster situations. In the event of a major disaster or emergency, under the Disaster Relief Act of 1974 (Pub. L. 93-288), the OSC will coordinate any response activities with the Federal Coordinating Officer designated by the President. In addition, the OSC should notify FEMA of situations potentially requiring evacuation, temporary housing, and permanent relocation.

(7) In those instances where a possible public health emergency exists, the OSC should notify the HHS representative to the RRT. Throughout response actions, the OSC may call upon the HHS representative for assistance in determining public health

threats and for advice on worker health and safety problems.

(8) All Federal agencies should plan for emergencies and develop procedures for dealing with oil discharges and releases of hazardous substances (designated under section 311(b)(2) of the CWA) from vessels and facilities under their jurisdiction. All Federal agencies, therefore, are responsible for designating the offices that can coordinate response to such incidents in accordance with this Plan and applicable Federal regulations and guidelines. If, in the opinion of the OSC, the responsible Federal agency does not act promptly or take appropriate action to respond to a discharge or release caused by a facility or vessels under its jurisdiction, the OSC in charge of area where the discharge or release occurs may conduct appropriate response activities. With respect to discharges or releases from Department of Defense (DOD) facilities and vessels, the OSC shall be furnished by the DOD.

(9) The OSC should advise the affected land managing agency and trustees of natural resources, as promptly as possible, of releases and discharges affecting Federal resources under its jurisdiction.

(10) The OSC is responsible for addressing worker health and safety concerns at a response scene, in accordance with §§ 300.57 and 300.71 of this Plan.

(11) The OSC shall submit pollution reports to the RRC and appropriate agencies as significant developments occur during removal actions.

§ 300.34 Special Forces and Teams.

(a) The National Strike Force (NSF) consists of the Strike Teams established by the USCG on the Atlantic, Pacific and Gulf coasts and includes emergency task forces to provide assistance to the OSC.

(1) The Strike Teams can provide communication support, advice and assistance for oil and hazardous substances removal. These teams also have knowledge of ship salvage, damage control, and diving. Additionally, they are equipped with specialized containment and removal equipment, and have rapid transportation available. When possible, the Strike Teams will train the emergency task forces and assist in the development of regional and local contingency plans.

(2) The OSC may request assistance from the Strike Teams. Requests for a team may be made directly to the Commanding Officer of the appropriate team, the USCG member of the RRT, the appropriate USCG Area Commander, or

the Commandant of the USCG through the NRC.

(b) Each USCG OSC manages emergency task forces trained to evaluate, monitor, and supervise pollution responses. Additionally, they have limited "initial aid" response capability to deploy equipment prior to the arrival of a clean-up contractor, or other response personnel.

(c)(1) The Emergency Response Team (ERT) is established by EPA in accordance with its disaster and emergency responsibilities. The ERT includes expertise in biology, chemistry, hydrology, geology and engineering.

(2) It can provide access to special decontamination equipment for chemical releases and advice to the OSC in hazard evaluation; risk assessment; multimedia sampling and analysis program; on-site safety, including development and implementation plans; clean-up techniques and priorities; water supply decontamination and protection; application of dispersants; environmental assessment; degree of clean-up required; and disposal of contaminated material.

(3) The ERT also provides both introductory and intermediate level training courses to prepare response personnel.

(4) OSC or RRT requests for ERT support should be made to the EPA representative on the RRT; the EPA Headquarters, Director, Office of Emergency and Remedial Response; or the appropriate EPA regional emergency coordinator.

(d) When requested by the OSC, the SSC shall serve as a member of the OSC's staff and assist the OSC in fulfilling responsibilities in support of response actions. The extent and nature of SSC involvement in the operational mode shall be determined by the OSC. The SSC may:

(1) Coordinate response from the scientific community to OSC requests for assistance and to requests from the OSC, as appropriate, for performance of environmental assessment.

(2) Serve as the principal liaison for scientific advice from the scientific community to the OSC. The SSC shall ensure that differing scientific views within the scientific community are communicated to the OSC in a timely manner.

(3) The SSC will assist in responding to requests for assistance from State and Federal agencies regarding scientific studies and environmental assessments. Details on provision of access to scientific support shall be included in regional contingency plans.

(e) The USCG Public Information Assist Team (PIAT) and the EPA Public Affairs Assist Team (PAAT) may help OSCs and regional or district offices meet the demands for public information and participation during major responses. Requests for these teams may be made through the NRC.

(f)(1) The RRT should be activated by the Chairman as an emergency response team when a discharge or release:

(i) Exceeds the response capability available to the OSC in the place where it occurs;

(ii) Transsects regional boundaries; or
(iii) May pose a substantial threat to the public health, welfare or to the environment, or to regionally significant amounts of property. Regional contingency plans shall specify detailed criteria for activation of RRTs.

(2) When the RRT is activated for an immediate removal action, the chairman shall be the representative of the lead agency. When the RRT is activated for a Fund-financed planned removal or remedial action, the chairman shall be the representative of EPA.

(3) The RRT may be activated during any pollution emergency by a request from any RRT representative to the chairman of the Team. Request for RRT activation shall later be confirmed in writing. Each representative, or an appropriate alternate, should be notified immediately when the RRT is activated.

(4) During prolonged removal or remedial action, the RRT may not need to be activated or may need to be activated only in a limited sense, or have available only those members of the RRT who are directly affected or can provide direct response assistance.

(5) When the RRT is activated for a discharge or release, agency representatives shall meet at the call of the chairman and may:

(i) Monitor and evaluate reports from the OSC. The RRT may advise the OSC on the duration and extent of Federal response and may recommend to the OSC specific actions to respond to the discharge or release.

(ii) Request other Federal, State or local government, or private agencies to provide resources under their existing authorities to respond to a discharge or release or to monitor response operations.

(iii) Help the OSC prepare information releases for the public and for communication with the NRT.

(iv) If the circumstances warrant, advise the regional or district head of the agency providing the OSC that a different OSC should be designated.

(v) Submit Pollution Reports (POLREPS) to the NRC as significant developments occur.

(6) When the RRT is activated, affected States may participate in all RRT deliberations. State government representatives participating in the RRT have the same status as any Federal member of the RRT.

(7) The RRT can be deactivated by agreement between the EPA and USCG team members. The time of deactivation should be included in the POLREPS.

(g) The NRT should be activated as an emergency response team when an oil discharge or hazardous substance release:

(1) Exceeds the response capability of the region in which it occurs;

(2) Transsects regional boundaries;
(3) Involves significant population hazards or national policy issues, substantial amounts of property, or substantial threats to natural resources; or

(4) Is requested by any NRT member.

(h) When activated for a response action, the NRT shall meet at the call of the chairman and may:

(1) Monitor and evaluate reports from the OSC. The NRT may recommend to the OSC, through the RRT, actions to combat the discharge or release.

(2) Request other Federal, State and local governments, or private agencies, to provide resources under their existing authorities to combat a discharge or release or to monitor response operations.

(3) Coordinate the supply of equipment, personnel, or technical advice to the affected region from other regions or districts.

§ 300.35 Multi-regional responses.

(a) If a discharge or release moves from the area covered by one Federal local or Federal regional contingency plan into another area, the authority for removal or response actions should likewise shift. If a discharge or release or substantial threat of discharge or release affects areas covered by two or more regional plans, the response mechanisms of both may be activated. In this case, removal or response actions of all regions concerned shall be fully coordinated as detailed in the regional plans.

(b) There shall be only one OSC at any time during the course of a response operation. Should a discharge or release affect two or more areas, the EPA, DOD and USCG, as appropriate, shall give prime consideration to the area vulnerable to the greatest damage. The RRT shall designate the OSC if EPA, DOD and USCG members are unable to agree on the designation. The NRT shall designate the OSC if members of one RRT or two adjacent RRTs are unable to agree on the designation.

(c) Where the USCG has provided the OSC for emergency response to a release from hazardous waste management facilities located in the coastal zone, the responsibility for response action shall shift to EPA, in accordance with EPA/USCG agreements.

§ 300.36 Communications.

(a) The NRC is the national communications center for activities related to response actions. It is located at USCG Headquarters in Washington, D.C. The NRC receives and relays notices of discharges or releases to the appropriate OSC, disseminates OSC and RRT reports to the NRT when appropriate, and provides facilities for the NRT to use in coordinating a national response action when required.

(b) The Commandant, USCG, will provide the necessary communications, plotting facilities, and equipment for the NRC.

(c) Notice of an oil discharge or a release of a hazardous substance in an amount equal to or greater than the reportable quantity must be made immediately in accordance with 33 CFR Part 153, Subpart B and section 103(a) of CERCLA, respectively. Notification shall be made to the NRC Duty Officer, HQ USCG, Washington, D.C. telephone (800) 424-8802 (or current local telephone number). All notices of discharges or releases received at the NRC shall be relayed immediately by telephone to the OSC and State.

(d) The RRC provides facilities and personnel for communications, information storage, and other requirements for coordinating response. Each regional plan will specify the location for the RRC.

§ 300.37 Response equipment.

The Spill Cleanup Inventory (SKIM) system is available to help OSCs and RRTs and private parties gain rapid information as to the location of response and support equipment. This inventory is accessible through the NRC and USCG's OSCs. The inventory includes private and commercial equipment, as well as government resources. The RRTs and OSCs shall ensure that data in the system are current and accurate. The USCG is responsible for maintaining and updating the system with RRT and OSC input.

Subpart D—Plans.

§ 300.41 Regional and local plans.

(a) In addition to the National Contingency Plan (NCP), a Federal regional plan shall be developed for

each standard Federal region and, where practicable, a Federal local plan shall be developed.

(b) These plans will be available for inspection at EPA regional offices or USCG district offices. Addresses and telephone numbers for these offices may be found in the United States Government Manual (issued annually) or in local telephone directories.

§ 300.42 Regional contingency plans.

(a) The RRTs, working with the States, shall develop Federal regional plans for each standard Federal region. The purpose of these plans is coordination of a timely, effective response by various Federal agencies and other organizations to discharges of oil and releases of hazardous substances, pollutants and contaminants in order to protect public health, welfare and the environment. Regional contingency plans should include information on all useful facilities and resources in the region, from government, commercial, academic and other sources. To the greatest extent possible, regional plans will follow the format of the National Contingency Plan.

(b) SSCs shall organize and coordinate the contributions of scientists of each region to the response activities of the OSC and RRT to the greatest extent possible. SSCs, with advice from RRT members, shall also develop the parts of the regional plan that relate to scientific support.

(c) Regional plans shall contain lines of demarcation between the inland and coastal zones, as mutually agreed upon by USCG and EPA.

§ 300.43 Local contingency plans.

(a) Each OSC shall maintain a Federal local plan for response in his or her area of responsibility, where practicable. In areas in which the USCG provides the OSC, such plans shall be developed in all cases. The plan should provide for a well-coordinated response that is integrated and compatible with the pollution response, fire, emergency and disaster plans of local, State and other non-Federal entities. The plan should identify the probable locations of discharges or releases, the available resources to respond to multi-media incidents, where such resources can be obtained, waste disposal methods and facilities consistent with local and State plans developed under the Resource Conservation and Recovery Act (42 U.S.C. 8901 et seq.), and a local structure for responding to discharges or releases.

(b) While the OSC is responsible for developing Federal local plans, a successful planning effort will depend upon the full cooperation of all the

agencies' representatives and the development of local capabilities to respond to discharges or releases. Particular attention should be given, during the planning process, to developing a multi-agency local response team for coordinating on-scene efforts. The RRT should ensure proper liaison between the OSC and local representatives.

Subpart E—Operational Response Phases for Oil Removal

§ 300.51 Phase I—Discovery and notification.

(a) A discharge of oil may be discovered through:

- (1) A report submitted by the person in charge of the vessel or facility in accordance with statutory requirements;
- (2) Deliberate search by patrols; and
- (3) Random or incidental observation by government agencies or the public.

(b) Reports of discharges should be made to the NRC or the nearest USCG or EPA office. All reports shall be promptly relayed to the NRC if not previously reported to the responsible OSC. Federal regional and Federal local plans shall provide for prompt reporting to the NRC, RRC, and appropriate State agency (as agreed upon with the State).

(c) Upon receipt of a notification of discharge, the NRC shall promptly notify the OSC. The OSC shall proceed with the following phases as outlined in Federal regional and Federal local plans.

§ 300.52 Phase II—Preliminary assessment and initiation of action.

(a) The OSC for a particular area is responsible for promptly initiating preliminary assessment.

(b) The preliminary assessment shall be conducted using available information, supplemented where necessary and possible by an on-scene inspection. The OSC shall undertake actions to:

- (1) Evaluate the magnitude and severity of the discharge or threat to public health and welfare and the environment;
- (2) Assess the feasibility of removal;
- (3) Determine the existence of potential responsible parties; and
- (4) Ensure that jurisdiction exists for undertaking additional response actions.

(c) The OSC, in consultation with legal authorities when appropriate, shall make a reasonable effort to have the discharger voluntarily and promptly perform removal actions. The OSC shall ensure adequate surveillance over whatever actions are initiated. If effective actions are not being taken to eliminate the threat, or if removal is not

being properly done, the OSC shall so advise the responsible party. If the responsible party does not take proper removal actions, or is unknown, or is otherwise unavailable, the OSC shall, pursuant to section 311(c)(1) of the CWA, determine whether authority for a Federal response exists; and, if so, take appropriate response actions. Where practicable, continuing efforts should be made to encourage response by responsible parties.

(d) The OSC should ensure that the trustees of affected natural resources are notified, in order that the trustees may initiate appropriate actions when natural resources have been or are likely to be damaged (see Subpart G).

§ 300.53 Phase III—Containment, countermeasures, clean-up, and disposal.

(a) Defensive actions should begin as soon as possible to prevent, minimize, or mitigate damage to the public health or welfare or the environment. Actions may include: analyzing water samples to determine the source and spread of the oil; controlling the source of discharge; measuring and sampling; damage control or salvage operations; placement of physical barriers to deter the spread of the oil or to protect endangered species; control of the water discharged from upstream impoundment; and the use of chemicals and other materials in accordance with Subpart H, to restrain the spread of the oil and mitigate its effects.

(b) Appropriate actions should be taken to recover the oil or mitigate its effects. Of the numerous chemical physical methods that may be used, the chosen methods should be the most consistent with protecting the public health and welfare and the environment. Sinking agents shall not be used.

(c) Oil and contaminated materials recovered in clean-up operations shall be disposed of in accordance with Federal regional and Federal local contingency plans.

§ 300.54 Phase IV—Documentation and cost recovery.

(a) Documentation shall be collected and maintained to support all actions taken under the CWA and to form the basis for cost recovery. In general, documentation should be sufficient to prove the source and circumstances of the incident, the responsible party or parties, and impact and potential impacts to the public health and welfare and the environment. When appropriate, documentation should also be collected for scientific understanding of the environment and for the research and development of improved response

methods and technology. Damages to private citizens (including loss of earnings) are not addressed by this Plan. Evidentiary and cost documentation procedures and requirements are specified in the USCG Marine Safety Manual (Commandant Instruction M16000.3) and 33 CFR Part 153.

(b) The OSC shall ensure the necessary collection and safeguarding of information, samples, and reports. Samples and information must be gathered expeditiously during the response to ensure an accurate record of the impacts incurred. Documentation materials shall be made available to the trustees of affected natural resources where practicable.

(c) Information and reports obtained by the EPA or USCG OSC shall be transmitted to the appropriate offices responsible for follow-up actions.

§ 300.55 General pattern of response.

(a) When the OSC receives a report of a discharge, actions normally should be taken in the following sequence:

(1) Immediately notify the RRT and NRC when the reported discharge is an actual or potential major discharge.

(2) Investigate the report to determine pertinent information such as the threat posed to public health or welfare, or the environment, the type and quantity of polluting material, and the source of the discharge.

(3) Officially classify the size of the discharge and determine the course of action to be followed.

(4) Determine whether a discharger or other person is properly carrying out removal. Removal is being done properly when:

(i) The clean-up is fully sufficient to minimize or mitigate damage to the public welfare (removal efforts are "improper" to the extent that Federal efforts are necessary to prevent further damage).

(ii) The removal efforts are in accordance with applicable regulations and guidelines, including this Plan.

(5) Determine whether a State or political subdivision has the capability to carry out response actions and a contract or cooperative agreement has been established with the appropriate fund administrator for this purpose.

(6) Notify the RRT (including the affected State), SSC, and the trustees of affected natural resources in accordance with the applicable regional plan.

(b) The preliminary inquiry will probably show that the situation falls into one of five classes. These classes and the appropriate response to each are outlined below:

(1) If the investigation shows that no discharge exists, the case shall be

considered a false alarm and should be closed.

(2) If the investigation shows a minor discharge with the responsible party taking proper removal action, contact should be established with the party. The removal action should be monitored to ensure continued proper action.

(3) If the investigation shows a minor discharge with improper removal action being taken, the following measures shall be taken:

(i) An immediate effort should be made to stop further pollution.

(ii) The responsible party shall be advised of what action will be so considered appropriate.

(iii) If the responsible party does not properly respond, he shall be notified of his potential liability for Federal response performed under the CWA. This liability includes all costs of removal and may include the costs of assessing and restoring damaged natural resources and other actual or necessary costs of a Federal response.

(iv) The OSC shall notify appropriate State and local officials, keep the RRT advised and initiate Phase III operations as conditions warrant.

(v) Information shall be collected for possible recovery of response costs in accordance with § 300.54.

(4) When the investigation shows that an actual or potential medium oil discharge exists, the OSC shall follow the same general procedures as for a minor discharge. If appropriate, the OSC shall recommend activation of the RRT.

(5) When the investigation shows an actual or potential major oil discharge, the OSC shall follow the same procedures as for minor and medium discharges.

§ 300.56 Pollution reports.

(a) Within 60 days after the conclusion of a major discharge or when requested by the RRT, the EPA or USCG OSC shall submit to the RRT a complete report on the response operation and the actions taken. The OSC shall at the same time send a copy of the report to the NRT. The RRT shall review the OSC's report and prepare an endorsement to the NRT for review. This shall be accomplished within 30 days after the report has been received.

(b) The OSC's report shall accurately record the situation as it developed, the actions taken, the resources committed and the problems encountered. The OSC's recommendations are a source for new procedures and policy.

(c) The format for the OSC's report shall be as follows:

(1) Summary of Events—A chronological narrative of all events, including:

(i) The cause of the discharge;

(ii) The initial situation;

(iii) Efforts to obtain response by responsible parties;

(iv) The organization of the response;

(v) The resources committed;

(vi) The location (water body, State, city, latitude and longitude) of the oil discharge and an indication of whether the discharge was in connection with activities regulated under the Outer Continental Shelf Lands Act (OCSLA), the Trans-Alaska Pipeline Authority Act or Deepwater Port Act or whether it might have or actually did affect natural resources managed or protected by the U.S.;

(vii) Comments on Federal or State efforts to replace or restore damaged natural resources and damage assessment activities; and

(viii) Details of any threat abatement actions taken under section 311 (c) or (d) of the CWA.

(2) Effectiveness of Removal Actions—A candid and thorough analysis of the effectiveness of removal actions taken by:

(i) The responsible party;

(ii) State and local forces;

(iii) Federal agencies and special forces; and

(iv) (If applicable) contractors, private groups and volunteers.

(3) Problems Encountered—A list of problems affecting response with particular attention to problems of intergovernmental coordination.

(4) Recommendations—OSC recommendations, including at a minimum:

(i) Means to prevent a recurrence of the discharge;

(ii) Improvement of response actions;

(iii) Any recommended changes in the National Contingency Plan or Federal regional plan.

§ 300.57 Special considerations.

(a) Safety of Personnel—The OSC should be aware of threats to human health and safety and shall ensure that persons entering the response area use proper precautions, procedures, and equipment and that they possess proper training. Federal local plans shall identify sources of information on anticipated hazards, precautions, and requirements to protect personnel during response operations. Names and phone numbers of people with relevant information shall be included. Responsibility for the safety of all Federal employees rests with the heads of their agencies. Accordingly, each Federal employee on the scene must be apprised of and conform with OSHA regulations and other deemed necessary

by the OSC. All private contractors who are working on-sites must conform to applicable provisions of the Occupational Safety and Health Act and standards deemed necessary by the OSC.

(b) *Waterfowl Conservation*—The DOI representative and the State liaison to the RRT shall arrange for the coordination of professional and volunteer groups permitted and trained to participate in waterfowl dispersal, collection, cleaning, rehabilitation and recovery activities (consistent with 18 U.S.C. 703-712 and applicable State laws). Federal regional and Federal local plans will, to the extent practicable, identify organizations or institutions that are permitted to participate in such activities and operate such facilities. Waterfowl conservation activities will normally be included in Phase III response actions (§ 300.53 of this subpart).

§ 300.58 Funding.

(a) If the person responsible for the discharge does not act promptly or take proper removal actions, or if the person responsible for the discharge is unknown, Federal discharge removal actions may begin under section 311(c)(1) of the CWA. The discharger, if known, is liable for the costs of Federal removal in accordance with section 311(f) of the CWA and other Federal laws.

(b) Actions undertaken by the participating agencies in response to pollution shall be carried out under existing programs and authorities when available. This Plan intends that Federal agencies will make resources available, expend funds, or participate in response to oil discharges under their existing authority. Authority to expend resources will be in accordance with agencies' basic statutes and, if required, through interagency agreements. Specific interagency reimbursement agreements may be signed when necessary to ensure that the Federal resources will be available for a timely response to a discharge of oil. The ultimate decision as to the appropriateness of expending funds rests with the agency that is held accountable for such expenditures.

(c) The OSC shall exercise sufficient control over removal operations to be able to certify that reimbursement from the following funds is appropriate:

(1) The oil pollution fund, administered by the Commandant, USCG, has been established pursuant to section 311(k) of the CWA. Regulations governing the administration and use of the fund are contained in 33 CFR Part 153.

(2) The fund authorized by the Deepwater Port Act is administered by the Commandant, USCG. Governing regulations are contained in 33 CFR Parts 136 and 150.

(3) The fund authorized by the Outer Continental Shelf Lands Act, as amended, is administered by the Commandant, USCG. Governing regulations are contained in 33 CFR Parts 136 and 150.

(4) The fund authorized by the Trans-Alaska Pipeline Authorization Act is administered by a Board of Trustees under the purview of the Secretary of the Interior. Governing regulations are contained in 43 CFR Part 29.

(d) Response actions other than removal, such as scientific investigations not in support of removal actions or law enforcement, shall be provided by the agency with legal responsibility for those specific actions.

(e) The funding of a response to a discharge from a Federally operated or supervised facility or vessel is the responsibility of the operating or supervising agency.

(f) The following agencies have funds available for certain discharge removal actions:

(1) EPA may provide funds to begin timely discharge removal actions when the OSC is an EPA representative.

(2) The USCG pollution control efforts are funded under "operating expenses." These funds are used in accordance with agency directives.

(3) The Department of Defense has two specific sources of funds which may be applicable to an oil discharge under appropriate circumstances. (This does not consider military resources which might be made available under specific conditions.)

(i) Funds required for removal of a sunken vessel or similar obstruction of navigation are available to the Corps of Engineers through Civil Works Appropriations, Operations and Maintenance, General.

(ii) The U.S. Navy may conduct salvage operations contingent on defense operational commitments, when funded by the requesting agency. Such funding may be requested on a direct costs basis.

(4) Pursuant to section 311(c)(2)(H) of the CWA, the State or States affected by a discharge of oil may act where necessary to remove such discharge and may, pursuant to 33 CFR Part 153, be reimbursed from the pollution revolving fund for the reasonable costs incurred in such a removal.

(i) Removal by a State is necessary within the meaning of section 311(c)(2)(H) of the CWA when the OSC determines that the owner or operator of

the vessel, onshore facility, or offshore facility from which the discharge occurs does not effect removal properly, or is unknown, and that:

(A) State action is required to minimize or mitigate significant damage to the public health or welfare which Federal action cannot minimize or mitigate, or

(B) Removal or partial removal can be done by the State at a cost which is less than or not significantly greater than the cost which would be incurred by the Federal departments or agencies.

(ii) State removal actions must be in compliance with this Plan in order to qualify for reimbursement.

(iii) State removal actions are considered to be Phase III actions, under the same definitions applicable to Federal agencies.

(iv) Actions taken by local governments in support of Federal discharge removal operations are considered to be actions of the State for purposes of this section. Federal regional and Federal local plans shall show what funds and resources are available from participating agencies under various conditions and cost arrangements. Interagency agreements may be necessary to specify when reimbursement is required.

Subpart F—Hazardous Substance Response

§ 300.61 General.

(a) This subpart establishes methods and criteria for determining the appropriate extent of response authorized by CERCLA when any hazardous substance is released or there is a substantial threat of such a release into the environment, or there is a release or substantial threat of a release into the environment of any pollutant or contaminant which may present an imminent and substantial danger to the public health or welfare.

(b) Section 104(a)(1) of CERCLA authorizes removal or remedial action unless it is determined that such removal or remedial action will be done properly by the owner or operator of the vessel or facility from which the release or threat of release emanates, or by any other responsible party.

(c) In determining the need for and in planning or undertaking Fund-financed action, response personnel should, to the extent practicable, consider the following:

(1) Encourage State participation in response actions (see § 300.63).

(2) Conserve Fund monies by encouraging private party clean-up.

(3) Be sensitive to local community concerns (in accordance with applicable guidance).

(4) Rely on established technology when feasible and cost-effective.

(5) Encourage the participation and sharing of technology by industry and other experts.

§ 300.62 State role.

(a) States are encouraged to undertake actions authorized under this subpart. Section 104(d)(1) of CERCLA authorizes EPA to enter into contracts or cooperative agreements with the State to take response actions authorized under CERCLA, when EPA determines that the State has the capability to undertake such actions.

(b) EPA will provide assistance from the Fund to States pursuant to a contract or cooperative agreement. The agreement can authorize States to undertake most actions specified in this Subpart.

(c)(1) Pursuant to section 104(c)(3) of CERCLA, before any Fund-financed remedial action may be taken, the affected State(s) must enter into a contract or cooperative agreement with the Federal government.

(2) Included in such contract or cooperative agreement must be assurances by the State consistent with requirements of section 104(c)(3) of CERCLA.

(d) Prior to remedial design activity, the State must make a firm commitment through either a cooperative agreement or a new or amended State contract, to provide funding for remedial implementation by:

(1) Authorizing the reduction of a State credit to cover its share of costs;

(2) Identifying currently available funds earmarked for remedial implementation; or

(3) Submitting a plan with milestones for obtaining necessary funds.

(e) State credits allowed under section 104(c)(3) of CERCLA must be documented on a site-specific basis for State out-of-pocket, non-Federal eligible response costs between January 1, 1978, and December 11, 1980. Prior to remedial investigation activity at a site, the State must submit its estimate of these costs as a part of the pre-application package when a cooperative agreement is used, or as a part of the State contract. State credits will be applied against State cost shares for Federally-funded remedial actions. A State cannot be reimbursed from the Fund for credit in excess of its matching share.

(f) Pursuant to section 104(c)(2) of CERCLA, prior to determining any appropriate remedial action, EPA shall consult with the affected State or States,

§ 300.63 Phase I—Discovery or notification.

(a) A release may be discovered through:

(1) Notification in accordance with sections 103(a) or (c) of CERCLA;

(2) Investigation by government authorities conducted in accordance with section 104(e) of CERCLA or other statutory authority;

(3) Notification of a release by a Federal or State permit holder when required by its permit;

(4) Inventory efforts or random or incidental observation by government agencies or the public;

(5) Other sources.

(b) If not reported previously, a release should be promptly reported to the NRC. Section 103(a) of CERCLA requires any person in charge of a vessel or facility to immediately notify the NRC as soon as he has knowledge of a release (other than a federally permitted release) of a hazardous substance from such vessel or facility in an amount equal to or greater than the reportable quantity determined pursuant to section 102(b) of CERCLA. The NRC shall convey the notification expeditiously to appropriate government agencies, and in the case of notices received pursuant to section 103(a), the NRC shall also notify the Governor of any affected State.

(c) Upon receipt of a notification of a release, the NRC shall promptly notify the appropriate OSC.

§ 300.64 Phase II—Preliminary assessment.

(a) A preliminary assessment of a release identified for possible CERCLA response should be undertaken by the lead agency. If the reported release potentially requires immediate removal, the preliminary assessment should be done as promptly as possible. Other releases shall be assessed as soon as practicable. The lead agency should base its assessment on readily available information. This assessment may include:

(1) Evaluation of the magnitude of the hazard;

(2) Identification of the source and nature of the release;

(3) Determination of the existence of a non-Federal party or parties ready, willing, and able to undertake a proper response; and

(4) Evaluation of factors necessary to make the determination of whether immediate removal is necessary.

(b) A preliminary assessment of releases from hazardous waste management facilities may include collection or review of data such as site management practices, information from generators, photographs, analysis of

historical photographs, literature searches, and personal interviews conducted as appropriate. In addition, a perimeter (off-site) inspection may be necessary to determine the potential for a release. Finally, if more information is needed, a site visit may be performed, if conditions are such that it may be performed safely.

(c) A preliminary assessment should be terminated when the OSC determines:

(1) There is no release;

(2) The source is neither a vessel nor a facility;

(3) The release involves neither a hazardous substance, nor a pollutant or contaminant that may pose an imminent and substantial danger to public health or welfare;

(4) The amount released does not warrant Federal response;

(5) A party responsible for the release, or any other person, is providing appropriate response, and on-scene monitoring by the government is not recommended or approved by the lead agency; or

(6) The assessment is completed.

§ 300.65 Phase III—Immediate removal.

(a) In determining the appropriate extent of action to be taken at a given release, the lead agency shall first review the preliminary assessment to determine if immediate removal action is appropriate. Immediate removal action shall be deemed appropriate in those cases in which the lead agency determines that the initiation of immediate removal action will prevent or mitigate immediate and significant risk of harm to human life or health or to the environment from such situations as:

(1) Human, animal, or food chain exposure to acutely toxic substances;

(2) Contamination of a drinking water supply;

(3) Fire and/or explosion; or

(4) Similarly acute situations.

(b) If the lead agency determines that immediate removal is appropriate, defensive actions should begin as soon as possible to prevent or mitigate danger to the public health, welfare, or the environment. Actions may include, but are not limited to:

(1) Collecting and analyzing samples to determine the source and dispersion of the hazardous substance and documenting those samples for possible evidentiary use.

(2) Providing alternative water supplies.

(3) Installing security fencing or other measures to limit access.

(4) Controlling the source of release.

(5) Measuring and sampling.

(6) Moving hazardous substances off-site for storage, destruction, treatment, or disposal provided that the substances are moved to a facility that is in compliance with subtitle C of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act.

(7) Placing physical barriers to deter the spread of the release.

(8) Controlling the water discharge from an upstream impoundment.

(9) Recommending to appropriate authorities the evacuation of threatened individuals.

(10) Using chemicals and other materials in accordance with Subpart H to restrain the spread of the substance and to mitigate its effects.

(11) Executing damage control or salvage operations.

(c) Immediate removal actions are complete when, in the opinion of the lead agency, the criteria in subsection (a) of § 300.65 are no longer met and any contaminated waste materials transported off-site have been treated or disposed of properly.

(d) Immediate removal action shall be terminated after \$1 million has been obligated for the action or six months have elapsed from the date of initial response to a release or threatened release unless it is determined that:

(1) Continued response actions are immediately required to prevent, limit or mitigate an emergency;

(2) There is an immediate risk to public health or welfare or the environment; and

(3) Such assistance will not otherwise be provided on a timely basis.

(e) If the lead agency determines that the release still may require planned removal or remedial action, the lead agency or a State may initiate, either simultaneously or sequentially, Phase IV or V as appropriate.

§ 300.66 Phase IV—Evaluation and determination of appropriate response—planned removal and remedial action.

(a) The purpose of this phase is to determine the appropriate action when the preliminary assessment indicates that further response may be necessary or when the OSC requests and the lead agency concurs that further response should follow an immediate removal action.

(b) As soon as practicable, an inspection will be undertaken to assess the nature and extent of the release and to assist in determining its priority for Fund-financed response.

(c)(1) Pursuant to section 104 (b) and (e) of CERCLA, the responsible official may undertake investigations, monitoring, surveys, testing and other

information gathering as appropriate. These efforts shall be undertaken jointly by the Federal or State officials responsible for providing Fund-financed response and those responsible for enforcing legal requirements.

(2) A major objective of an inspection is to determine if there is any immediate danger to persons living or working near the facility. In general, the collection of samples should be minimized during inspection activities; however, situations in which there is an apparent risk to the public should be treated as exceptions to that practice. Examples of apparent risk include use of nearby wells for drinking water, citizen complaints of unusual taste or odor in drinking water, or chemical odors or unusual health problems in the vicinity of the release. Under those circumstances, a sampling protocol should be developed for the inspection to allow for the earliest possible detection of any human exposure to hazardous substances. The site inspection may also address:

(i) Determining the need for immediate removal action;

(ii) Assessing amounts, types and location of hazardous substances stored;

(iii) Assessing potential for substances to migrate from areas where they were originally located;

(iv) Determining or documenting immediate threats to the public or environment.

(d) *Methods for Establishing Priorities.* (1) States that wish to submit candidates for the National Priorities List must use the Hazard Ranking System (included in Appendix A) to rank the releases.

(2) EPA will notify States at least thirty days prior to the deadline for submitting candidate releases for the National Priorities List or any subsequent revisions.

(3) Each State may designate a facility as the State's highest priority release by certifying, in writing signed by the Governor or the Governor's designee, that the facility presents the greatest danger to public health, welfare or the environment among known facilities in the State.

(e) *National Priorities List.* (1) Compiling the National Priorities List—EPA Regional Office will review State hazard rankings to ensure uniform application of the Hazard Ranking System and may add, in consultation with the States, any additional priority releases known to EPA. The States' priorities will be reviewed and consolidated by EPA Headquarters into a National Priorities List pursuant to section 105(b) of CERCLA. To the extent practicable, each State's designated top

priority facility will be included among the one hundred highest priority facilities.

(2) No facilities presently owned by the Federal Government will be included on the National Priorities List.

(3) EPA will submit the recommended National Priorities List to the NRT for review and comment.

(4) EPA will publish a proposed National Priorities List for public comment.

(5) The National Priorities List is presented in Appendix B.

(6) *Ranking of Releases.*—Similar hazard ranking scores assigned to releases cannot accurately differentiate among risks represented by the releases. Thus, in order to avoid misleading the public that real differences in risk exist, similar scores may be grouped on the National Priorities List.

(7) EPA will revise and publish the National Priorities List at least once annually. In addition, revisions will give notice of the deletion (if any) of releases previously listed.

§ 300.67 Phase V—Planned removal.

(a) Planned removal may be undertaken pursuant to a contract or cooperative agreement when the lead agency determines that:

(1) There would be a substantial cost savings by continuing a response action with the equipment and resources mobilized for an immediate removal action taken pursuant to § 300.64, but terminate pursuant to § 300.64(c); or

(2) The public and/or environment will be at risk from exposure to hazardous substances if response is delayed at a release not on the National Priorities List.

(b) Planned removal must be requested by the Governor of the affected State or his designee. Requests must include:

(1) A description of the nature and extent of the release;

(2) A description of actions taken or underway at the site;

(3) A description of the proposed planned removal; and

(4) Assurances that the State will pay at least 10 percent of the costs of the action, including all future maintenance, or at least 50 percent or such greater amount as EPA may determine appropriate, taking into account the degree of responsibility of the State or political subdivision, of any sums expended in response to a release at a facility that was owned at the time of any disposal of hazardous substances therein by the State or a political subdivision thereof.

(c) Among the factors that EPA will use to determine whether a planned removal is appropriate under § 300.67(a)(2) are the following:

(1) Actual or potential direct contact with hazardous substances by nearby population;

(2) Contaminated drinking water at the tap;

(3) Hazardous substances in drums, barrels, tanks, or other bulk storage containers, that are known to pose a serious threat to public health or the environment;

(4) Highly contaminated soils largely at or near surface, posing a serious threat to public health or the environment;

(5) Serious threat of fire or explosion; or

(6) Weather conditions that may cause substances to migrate and pose a serious threat to public health or the environment.

(d) Planned removal actions shall be terminated when the lead agency determines that the risk to the public health or the environment has been abated. In making this determination, the lead agency shall consider whether the factors listed in § 300.66(c) continue to apply to the release and whether any contaminated waste materials transported off-site have been treated or disposed of properly.

(e) Unless the EPA finds that (1) continued response actions are immediately required to prevent, limit or mitigate an emergency, (2) there is an immediate risk to public health or welfare or the environment, and (3) such assistance will not otherwise be provided on a timely basis, obligations from the Fund, other than those authorized by section 104(b) of CERCLA, shall not continue after \$1 million has been obligated for response actions or six months has elapsed from the date of initial response to the release.

§ 300.68 Phase VI—Remedial action.

(a) Remedial actions taken pursuant to this section (other than responses at Federal facilities) are those responses to releases on the National Priorities List that are consistent with permanent remedy to prevent or mitigate the migration of a release of hazardous substances into the environment.

(b) States are encouraged to undertake Fund-financed remedial actions in accordance with § 300.62 of this Plan.

(c) As an alternative or in addition to Fund-financed remedial action, the lead agency may seek, through voluntary agreement or administrative or judicial process, to have those persons

responsible for the release clean up in a manner that effectively mitigates and minimizes damage to, and provides adequate protection of, public health, welfare, and the environment. The lead agency shall evaluate the adequacy of clean-up proposals submitted by responsible parties or determine the level of clean-up to be sought through enforcement efforts, by consideration of the factors discussed in paragraphs (e) through (j) of this section. The lead agency will not, however, apply the cost balancing considerations discussed in paragraph (k) of this section to determine the appropriate extent of responsible party clean-up.

(d)(1) The lead agency, in cooperation with State(s), will examine available information and determine, based on the factors in paragraph (g) of this section, the type or types of remedial response that may be needed to remedy the release. This scoping will serve as the basis for requesting funding for a remedial investigation and feasibility study:

(i) In the case of initial remedial measures, a single request may be made by a State for funding the remedial investigation, feasibility study, design and implementation, in order that such measures may be expedited while continuing the remainder of the remedial planning process.

(ii) In the case of source control or off-site remedial action, the initial funding request should be for the remedial investigation and feasibility study. Requests for funding of design and implementation should be made after the completion of the feasibility study.

(2) As a remedial investigation progresses, the project may be modified if the lead agency determines that, based on the factors in 300.66(e), such modifications would be appropriate.

(e) In determining the appropriate extent of remedial action, the following factors should be used to determine the type or types of remedial action that may be appropriate:

(1) In some instances, initial remedial measures can and should begin before final selection of an appropriate remedial action if such measures are determined to be feasible and necessary to limit exposure or threat of exposure to a significant health or environmental hazard and if such measures are cost-effective. Compliance with § 300.67(b) is a prerequisite to taking initial remedial measures. The following factors should be used in determining whether initial remedial measures are appropriate:

(i) Actual or potential direct contact with hazardous substances by nearby population. (Measures might include fences and other security precautions.)

(ii) Absence of an effective drainage control system (with an emphasis on run-on control). (Measures might include drainage ditches.)

(iii) Contaminated drinking water at the tap. (Measures might include the temporary provision of an alternative water supply.)

(iv) Hazardous substances in drums, barrels, tanks, or other bulk storage containers, above surface posing a serious threat to public health or the environment. (Measures might include transport of drums off-site.)

(v) Highly contaminated soils largely at or near surface, posing a serious threat to public health or the environment. (Measures might include temporary capping or removal of highly contaminated soils from drainage areas.)

(vi) Serious threat of fire or explosion or other serious threat to public health or the environment. (Measures might include security or drum removal.)

(vii) Weather conditions that may cause substances to migrate and to pose a serious threat to public health or the environment. (Measures might include stabilization of berms, dikes or impoundments.)

(2) Source control remedial actions may be appropriate if a substantial concentration of hazardous substances remain at or near the area where they were originally located and inadequate barriers exist to retard migration of substances into the environment. Source control remedial actions may not be appropriate if most substances have migrated from the area where originally located or if the lead agency determines that the substances are adequately contained. Source control remedial actions may include alternatives to contain the hazardous substances where they are located or eliminate potential contamination by transporting the hazardous substances to a new location. The following criteria should be assessed in determining whether and what type of source control remedial actions should be considered:

(i) The extent to which substances pose a danger to public health, welfare, or the environment. Factors which should be considered in assessing this danger include:

(A) Population at risk;

(B) Amount and form of the substance present;

(C) Hazardous properties of the substances;

(D) Hydrogeological factors (e.g. soil permeability depth to saturated zone, hydrologic gradients, proximity to a drinking water aquifer); and

(E) Climate (rainfall, etc.).

(II) The extent to which substances have migrated or are contained by either natural or man-made barriers.

(III) The experiences and approaches used in similar situations by State and Federal agencies and private parties.

(IV) Environmental effects and welfare concerns.

(3) In some situations it may be appropriate to take action (referred to as offsite remedial actions) to minimize and mitigate the migration of hazardous substances and the effects of such migration. These actions may be taken when the lead agency determines that source control remedial actions may not effectively mitigate and minimize the threat and there is a significant threat to public health, welfare, or the environment. These situations typically will result from contamination that has migrated beyond the area where the hazardous substances were originally located. Offsite measures may include provision of permanent alternative water supplies, management of a drinking water aquifer plume or treatment of drinking water aquifers. The following criteria should be used in determining whether and what type of offsite remedial actions should be considered:

(i) Contribution of the contamination to an air, land or water pollution problem.

(ii) The extent to which the substances have migrated or are expected to migrate from the area of their original location and whether continued migration may pose a danger to public health, welfare or environment.

(iii) The extent to which natural or man-made barriers currently contain the hazardous substances and the adequacy of the barriers.

(iv) The factors listed in paragraph (e)(2)(f) of this section.

(v) The experiences and approaches used in similar situations by State and Federal agencies and private parties.

(iv) Environmental effects and welfare concerns.

(f) A remedial investigation should be undertaken by the lead agency (or responsible party if the responsible party will be developing a clean-up proposal) to determine the nature and extent of the problem presented by the release. This includes sampling and monitoring, as necessary, and includes the gathering of sufficient information to determine the necessity for and proposed extent of remedial action. During the remedial investigation, the original scoping of the project may be modified based on the factors in § 300.72(e). Part of the remedial investigation involves assessing whether the threat can be mitigated and

minimized by controlling the source of the contamination at or near the area where the hazardous substances were originally located (source control remedial actions) or whether additional actions will be necessary because the hazardous substances have migrated from the area of their original location (offsite remedial actions).

(g) *Development of Alternatives.* A limited number of alternatives should be developed for either source control or offsite remedial actions (or both) depending upon the type of response that has been identified under paragraphs (e) and (f) of this section as being appropriate. One alternative may be a no-action alternative. No-action alternatives are appropriate, for example, when response action may cause a greater environmental or health danger than no action. These alternatives should be developed based upon the assessment conducted under paragraphs (e) and (f) of this section and reflect the types of source control or offsite remedial actions determined to be appropriate under paragraphs (e) and (f) of this section.

(h) *Initial Screening of Alternatives.* The alternatives developed under paragraph (g) of this section will be subjected to an initial screening to narrow the list of potential remedial actions for further detailed analysis. Three broad criteria should be used in the initial screening of alternatives:

(1) *Cost.* For each alternative, the cost of installing or implementing the remedial action must be considered, including operation and maintenance costs. An alternative that far exceeds (e.g. by an order of magnitude) the costs of other alternatives evaluated and that does not provide substantially greater public health or environmental benefit should usually be excluded from further consideration.

(2) *Effects of the Alternative.* The effects of each alternative should be evaluated in two ways: (i) Whether the alternative itself or its implementation has any adverse environmental effects; and (ii) for source control remedial actions, whether the alternative is likely to achieve adequate control of source material, or for offsite remedial actions, whether the alternative is likely to effectively mitigate and minimize the threat of harm to public health, welfare or the environment. If an alternative has significant adverse effects, it should be excluded from further consideration. Only those alternatives that effectively contribute to protection of public health, welfare, or the environment should be considered further.

(3) *Acceptable Engineering Practices.* Alternatives must be feasible for the

location and conditions of the release, applicable to the problem, and represent a reliable means of addressing the problem.

(i) *Detailed Analysis of Alternatives.*

(1) A more detailed evaluation will be conducted of the limited number of alternatives that remain after the initial screening in paragraph (h).

(2) The detailed analysis of each alternative should include:

(A) Refinement and specification of alternatives in detail, with emphasis on use of established technology;

(B) Detailed cost estimation, including distribution of costs over time;

(C) Evaluation in terms of engineering implementation, or constructability;

(D) An assessment of each alternative in terms of the extent to which it is expected to effectively mitigate and minimize damage to, and provide adequate protection of, public health, welfare, and the environment, relative to the other alternatives analyzed; and

(E) An analysis of any adverse environmental impacts, methods for mitigating these impacts, and costs of mitigation.

(3) In performing the detailed analysis of alternatives, it may be necessary to gather additional data in order to complete the analysis.

(j) The appropriate extent of remedy shall be determined by the lead agency's selection of the remedial alternative which the agency determines to be cost-effective (i.e. the lowest cost alternative that is technologically feasible and reliable and which effectively mitigates and minimizes damage to and provides adequate protection of public health, welfare, or the environment).

(k) Section 104(c)(4) of CERCLA requires that the need for protection of public health, welfare and the environment at the facility under consideration be balanced against the amount of money available in the Fund to respond to other sites which present or may present a threat to public health or welfare or the environment, taking into consideration the need for immediate action. Accordingly, in determining the appropriate extent of remedy for Fund-financed response, the lead agency also must consider the need to respond to other releases with Fund monies.

§ 300.69 Phase VII—Documentation and cost recovery.

(a) During all phases, documentation shall be collected and maintained to support all actions taken under this Plan, and to form the basis for cost recovery. In general, documentation should be sufficient to provide the

source and circumstances of the condition, the identity of responsible parties, accurate accounting of Federal costs incurred, and impacts and potential impacts to the public health, welfare and environment.

(b) The information and reports obtained by the lead agency for Fund-financed response action should be transmitted to the RRC. Copies can then be forwarded to the NRT, members of the RRT, and others as appropriate.

§ 300.70 Methods of remedying releases.

(a) The following section lists methods for remedying releases that may be considered by the lead agency in taking response action. This list of methods should not be considered inclusive of all possible methods of remedying releases.

(b) *Engineering Methods for On-Site Actions.*—(1)(i) *Air emissions control.*—The control of volatile gaseous compounds should address both lateral movement and atmospheric emissions. Before gas migration controls can be properly installed, field measurements to determine gas concentrations, pressures, and soil permeabilities should be used to establish optimum design for control. In addition, the types of hazardous substances present, the depth to which they extend, the nature of the gas and the subsurface geology of the release area should, if possible, be determined. Typical emission control techniques include the following:

- (A) Pipe vents;
- (B) Trench vents;
- (C) Gas barriers;
- (D) Gas collection systems;
- (E) Overpacking.

(ii) *Surface water controls.*—These are remedial techniques designed to reduce waste infiltration and to control runoff at release areas. They also serve to reduce erosion and to stabilize the surface of covered sites. These types of control technologies are usually implemented in conjunction with other types of controls such as the elimination of ground water infiltration and/or waste stabilization, etc. Technologies applicable to surface water control include the following:

- (A) Surface seals;
- (B) Surface water diversion and collection systems:
- (1) Dikes and berms;
- (2) Ditches, diversions, waterways;
- (3) Chutes and downpipes;
- (4) Levees;
- (5) Seepage basins and ditches;
- (6) Sedimentation basins and ponds;
- (7) Terraces and benches.
- (C) Grading;
- (D) Revegetation.

(iii) *Ground water controls.*—Ground water pollution is a particularly serious problem because, once an aquifer has been contaminated, the resource cannot usually be cleaned without the expenditure of great time, effort and resources. Techniques that can be applied to the problem with varying degrees of success are as follows:

- (A) Impermeable barriers:
- (1) Slurry walls;
- (2) Grout curtains;
- (3) Sheet piling.
- (B) Permeable treatment beds:
- (C) Ground water pumping:
- (1) Water table adjustment;
- (2) Plume containment.

(D) *Leachate control.*—Leachate control systems are applicable to control of surface seeps and seepage of leachate to ground water. Leachate collection systems consist of a series of drains which intercept the leachate and channel it to a sump, wetwell, treatment system, or appropriate surface discharge point. Technologies applicable to leachate control include the following:

- (1) Subsurface drains;
- (2) Drainage ditches;
- (3) Liners.

(iv) *Contaminated water and sewer lines.*—Sanitary sewers and municipal water mains located down gradient from hazardous waste disposal sites may become contaminated by infiltration of leachate or polluted ground water through cracks, ruptures, or poorly sealed joints in piping. Technologies applicable to the control of such contamination to water and sewer lines include:

- (A) Grouting;
- (B) Pipe relining and sleeving;
- (C) Sewer relocation.

(2) *Treatment technologies.* (i) *Gaseous emissions treatment.*—Gases from waste disposal sites frequently contain malodorous and toxic substances, and thus require treatment before release to the atmosphere. There are two basic types of gas treatment systems:

- (A) Vapor phase adsorption;
- (B) Thermal oxidation.

(ii) *Direct waste treatment methods.*—In most cases, these techniques can be considered long-term permanent solutions. Many of these direct treatment methods are not fully developed and the applications and process reliability are not well demonstrated. Use of these techniques for waste treatment may require considerable pilot plant work. Technologies applicable to the direct treatment of wastes are:

- (A) Biological methods:

(1) Treatment via modified conventional wastewater treatment techniques;

(2) Anaerobic, aerated and facultative lagoons;

(3) Supported growth biological reactors.

(B) Chemical methods:

(1) Chlorination;

(2) Precipitation, flocculation, sedimentation;

(3) Neutralization;

(4) Equalization;

(5) Chemical oxidation.

(C) Physical methods:

(1) Air stripping;

(2) Carbon absorption;

(3) Ion exchange;

(4) Reverse osmosis;

(5) Permeable bed treatment;

(6) Wet air oxidation;

(7) Incineration.

(iii) *Contaminated soils and sediments.*—In some cases where it can be shown to be cost-effective, contaminated sediments and soils will be treated on the site. Technologies available include:

- (A) Incineration;
- (B) Wet air oxidation;
- (C) Solidification;
- (D) Encapsulation;
- (E) In situ treatment;
- (1) Solution mining, (soil washing or soil flushing);

(2) Neutralization/detoxification;

(3) Microbiological degradation.

(c) *Offsite Transport for Storage.*

Treatment, Destruction or Secure Disposition.—(1) *General.*—Offsite transport or storage; treatment, destruction, or secure disposition offsite may be provided in cases where EPA determines that such actions:

(i) Are more cost-effective than other forms of remedial actions;

(ii) Will create new capacity to manage, in compliance with Subtitle C of the Solid Waste Disposal Act, hazardous substances in addition to those located at the affected facility; or

(iii) Are necessary to protect public health, welfare, or the environment from a present or potential risk which may be created by further exposure to the continued presence of such substances or materials.

(2) *Contaminated soils and sediments may be removed from the site.* Technologies used to remove contaminated sediments on soils include:

- (i) Excavation;
- (ii) Hydraulic dredging;
- (iii) Mechanical dredging.

(d) *Provision of Alternative Water Supplies.*—Alternative water supplies can be provided in several ways:

(1) Provision of individual treatment units;

(2) Provision of water distribution system;

(3) Provision of new wells in a new location or deeper wells;

(4) Provision of cisterns;

(5) Provision of bottled or treated water;

(6) Provision of upgraded treatment for existing distribution systems.

(e) *Relocation*—Permanent relocation of residents, businesses, and community facilities may be provided where it is determined that human health is in danger and that, alone or in combination with other measures, relocation would be cost-effective and environmentally preferable to other remedial response. Temporary relocation may also be taken in appropriate circumstances.

§ 300.71 Worker health and safety.

Lead agency personnel should be aware of hazards, due to a release of hazardous substances, to human health and safety and exercise great caution in allowing civilian or government personnel into an affected area until the nature of the release has been ascertained. Accordingly, the OSC or responsible official must conform to applicable OSHA requirements and other guidance. All private contractors who are working at the scene of a release must conform to applicable provisions of the Occupational Safety and Health Act and any other requirements deemed necessary by the lead agency.

Subpart G—Trustees for Natural Resources.

§ 300.72 Designation of Federal trustees.

When natural resources are lost or damaged as a result of a discharge of oil or release of a hazardous substance, the following officials are designated to act as Federal trustees pursuant to section 111(h)(1) of CERCLA for purposes of sections 111(h)(1), 111(b) and 107(f) of CERCLA:

(a)(1) *Natural Resource Loss*. Damage to resources of any kind located on, over or under land subject to the management or protection of a Federal land managing agency, other than land or resources in or under United States waters that are navigable by deep draft vessels, including waters of the contiguous zone and parts of the high seas to which the National Contingency Plan is applicable and other waters subject to tidal influence.

(2) *Trustee*. The head of the Federal land managing agency, or the head of any other single entity designated by it to act as trustee for a specific resource.

(b)(1) *Natural Resource Loss*. Damage to fixed or non-fixed resources subject to the management or protection of a Federal agency, other than land in resources in or under United States waters that are navigable by deep draft vessels, including waters of the contiguous zone and parts of the high seas to which the National Contingency Plan is applicable and other waters subject to tidal influence.

(2) *Trustee*. The head of the Federal agency authorized to manage or protect these resources by statute, or the head of any other single entity designated by it to act as trustee for a specific resource.

(c)(1) *Natural Resource Loss*. Damage to resource of any kind subject to the management or protection of a Federal agency and lying in or under United States waters that are navigable by deep draft vessels, including waters of the contiguous zone and parts of the high seas to which the National Contingency Plan is applicable and other waters subject to tidal influence, and upland areas serving as habitat for marine mammals and other species subject to the protective jurisdiction of NOAA.

(2) *Trustee*. The Secretary of Commerce or the head of any other single Federal entity designated by it to act as trustee for a specific resource; provided, however, that where resources are subject to the statutory authorities and jurisdictions of the Secretaries of the Departments of Commerce or the Interior, they shall act as co-trustees.

(d)(1) *Natural Resource Loss*. Damages to natural resources protected by treaty (or other authority pertaining to Native American tribes) or located on lands held by the United States in trust for Native American communities or individuals.

(2) *Trustee*. The Secretary of the Department of the Interior, or the head of any other single Federal entity designated by it to act as trustee for specific resources.

§ 300.73 State trustees.

Pursuant to section 111(h)(1) of CERCLA and for purposes of sections 111(h)(1), 111(b) and 107(f) of CERCLA, States may act as trustee for damage to resources within the boundary of a State belonging to, managed by, controlled by, or appertaining to such State.

§ 300.74 Responsibilities of trustees.

(a) The Federal trustees for natural resources shall be responsible for assessing damages to the resources in accordance with regulations promulgated under section 301(c) of CERCLA, seeking recovery for the losses

from the person responsible or from the Fund, and devising and carrying out restoration, rehabilitation and replacement plans pursuant to CERCLA.

(b) Where there are multiple trustees, because of co-existing or contiguous natural resources or concurrent jurisdictions, they shall coordinate and cooperate in carrying out these responsibilities.

Subpart H—Use of Dispersants and Other Chemicals

§ 300.81 General.

(a) Section 311(c)(2)(G) of the Clean Water Act requires that EPA prepare a schedule of dispersants and other chemicals, if any, that may be used in carrying out the plan.

(b) The OSC, with the concurrence of the EPA representative to the RRT and in consultation with the States, may authorize the use of dispersants and other chemicals on oil spills; provided, however, that such dispersants and other chemicals must be on the list of accepted dispersants prepared by EPA.

(c) In the case of dispersants and other chemicals not included on the list of accepted dispersants, EPA will continue to authorize use on a case-by-case basis. Case-by-case approvals will be made by the Administrator or her designee.

ANNEX XXI

3100 INDEX OF OTHER RELEVANT OPERATIONS/CONTINGENCY PLANS

(to be developed by the North Coastal Team)

ANNEX XXI

3100 INDEX OF OTHER RELEVANT OPERATIONS/CONTINGENCY PLANS

(To be developed by North Coastal Team)