

## WORKSHOP OVERVIEW

<b>Exercise Name</b>	Colorado River Area Planning Workshop
<b>Exercise Date</b>	June 9, 2015
<b>Scope</b>	This exercise is a Workshop, planned for 6 hours at the Grand Fire Building in Granby, CO. Exercise play is limited to the review of federal, state, local, and private plans, as well as policies and procedures related to oil response, discharge removal, impact mitigation, and recovery activities.
<b>Mission Areas</b>	Response and Transition to Recovery
<b>Core Capabilities</b>	Environmental Response/Health and Safety, Operational Coordination, and Public Information and Warning.
<b>Goals</b>	<ul style="list-style-type: none"> <li>Identify existing plans, procedures, and systems in place and changes required to ensure the highest level of preparedness for removal of a major discharge of oil and implementation of recovery operations.</li> <li>Reinforce public/private partnerships to develop a viable response capacity for a major discharge of oil.</li> </ul>
<b>Objectives</b>	<ul style="list-style-type: none"> <li>Exchange knowledge of existing plans, policies, and procedures to enable timely and informed decision-making during an incident involving a significant oil release/discharge in the region.</li> <li>Identify incident management practices and public information procedures that best mitigate risks associated with a major oil release/discharge.</li> <li>Anticipate policy issues and technical challenges associated with oil spill clean-up operations.</li> <li>Review hazard assessment processes and long-term activities associated with the recovery of local communities and the environment.</li> </ul>
<b>Threat or Hazard</b>	A major discharge involving 90,000 gallons of crude oil that impact nearby waterways.
<b>Scenario</b>	A derailment causes 3 rail cars containing crude oil to become compromised. The resulting spill reaches the Colorado River.
<b>Sponsor</b>	The Colorado Emergency Planning Commission and the U.S. Environmental Protection Agency, Region 8
<b>Participating Organizations</b>	<p>City: 7      County: 3      Federal: 8</p> <p>State: 4      Private: 6</p>
<b>Points of Contact</b>	<p>Craig Myers, Federal On-Scene Coordinator, U.S. EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202, 303-312-7067, <a href="mailto:myers.craig@epa.gov">myers.craig@epa.gov</a></p> <p>Carol Way, Colorado LEPC Assistant, 720.233.8729 <a href="mailto:Carol.Way@q.com">Carol.Way@q.com</a></p>



## GENERAL INFORMATION

### Exercise Objectives and Core Capabilities

The following exercise objectives describe the expected outcomes for the exercise. The objectives are linked to core capabilities, which are distinct critical elements necessary to achieve the specific mission area(s). Exercise objectives and aligned core capabilities were selected by the Exercise Planning Team.

**Table 1: Exercise Objectives and Associated Core Capabilities**

Exercise Objective	Core Capability
Exchange knowledge of existing plans, policies, and procedures to enable timely and informed decision-making.	Operational Coordination
Clarify command/control systems and incident management practices expected to develop over the duration of the event.	
Anticipate developments in public information and warning procedures over the course of the event.	Public Information and Warning
Anticipate policy issues and technical challenges encountered during response and recovery operations.	Environmental Response/Health and Safety
Clarify hazard assessment processes, clean-up end points, and recovery activities expected before the incident's termination.	

### Participant Roles and Responsibilities

The term *participant* encompasses many groups of people, not just those playing in the exercise. Groups of participants involved in the exercise, and their respective roles and responsibilities, are as follows:

- **Players.** Players are personnel who have an active role in discussing or performing their regular roles and responsibilities during the exercise. Players discuss or initiate actions in response to the simulated emergency.
- **Observers.** Observers do not directly participate in the exercise. However, they may support the development of player responses to the situation during the discussion by asking relevant questions or providing subject matter expertise.
- **Facilitators.** Facilitators provide situation updates and moderate discussions. They also provide additional information or resolve questions as required. Key Exercise Planning Team members also may assist with facilitation as subject matter experts (SMEs) during the exercise.



## Workshop Structure

This workshop will be a discussion-based facilitated exercise. Players will participate in the discussions that have been organized into three modules, roughly corresponding with the general pattern and overall chronology of an oil spill incident:

- Module 1: Emergency Response Actions
- Module 2: Oil Removal and Cleanup Actions
- Module 3: General Questions and Wrap-Up

Each module begins with a general scenario that summarizes key events occurring up to that point in the overall incident. The modules contains two or more vignettes that raise specific issues with the response actions expected to occur in the time period covered by a module:

### Module 1: Emergency Response Actions

- Vignette 1: Initial Response
- Vignette 2: Incident Management
- Vignette 3: Public Health Issues
- Vignette 4: Public Information and Community Relations

### Module 2: Oil Removal and Cleanup Actions

- Vignette 5: Assessing Impacts and Measuring Cleanup Progress
- Vignette 6: Oil Spill Removal Tactics
- Vignette 7: Staffing and Response Resources
- Vignette 8: Waste Management

### Module 3: General Questions and Wrap-Up

- Vignette 9: Oil Spill Liability

Participants will be asked to rank order the vignettes they want to discuss as part of the exercise and facilitators will work through the vignettes in this sequence, as time permits, to ensure that the most significant issues are addressed first. Depending upon the amount of discussion generated and the follow-up questions asked by the participants, not all vignettes may be covered during the exercise. Nevertheless, facilitators will make every effort to ensure the discussions are meaningful and productive for all participants by moving through vignette topics efficiently.

After the scenario and any updates or requested clarifications, participants review the situation and engage in both “whole of community” and functional group discussions of the selected response/recovery issues, as appropriate for the topic, to ensure everyone remains engaged.

For this exercise, the functional groups are as follows:

- Industry Management and Oil Spill Removal Organizations (OSROs)
- Local Emergency Management Officials and Response Agencies
- State On-Scene Coordinator and Supporting Agencies
- Federal On-Scene Coordinator and Supporting Agencies



After any functional group discussions, participants will engage in a moderated plenary discussion in which a spokesperson from each group will present a synopsis of the group's actions, based on the scenario and the problems/issues presented.

## Workshop Guidelines

- This workshop will be held in an open, low-stress, no-fault environment. Varying viewpoints, even disagreements, are expected.
- Respond to the scenario using your knowledge of current plans and capabilities, as well as insights derived from your training and experience.
- Decisions are not precedent setting and may not reflect your organization's final position on a given issue. This workshop is an opportunity to discuss and present multiple options and possible solutions.
- Issue identification is not as valuable as suggestions and recommended actions that could benefit response/recovery efforts. Problem-solving efforts should be the focus.
- Not every issue/problem can be discussed exhaustively. In order to meet the overall objectives, the facilitators may move the group to subsequent questions once the key points have been covered. Please, trust your facilitators.

## Workshop Assumptions and Artificialities

In any exercise, assumptions and artificialities may be necessary to complete play in the time allotted and/or account for logistical limitations. Exercise participants should accept that assumptions and artificialities are inherent in any exercise, and should not allow these considerations to negatively impact their participation. During this exercise, the following apply:

- The exercise is conducted in a no-fault learning environment wherein capabilities, plans, systems, and processes will be evaluated.
- There is no hidden agenda, and there are no trick questions.
- All players receive information at the same time.
- All necessary communications links are in place and operational among response agencies.
- The exercise scenario is plausible, and events occur as they are presented.

# MODULE 1: EMERGENCY RESPONSE ACTIONS

## General Scenario for 1<sup>st</sup> 24 Hours

Initial attack resources for this incident are limited, with oil spill response equipment coming largely from Denver or Salt Lake City. This discussion should focus on actions that will be taken by locals while more resources arrive in theater.



## Key Issues

- Local Expectations of Industry/RP
- Local Expectations of State/Federal Agencies
- State Expectations
- Federal Expectations

## Vignette 1: Initial Response

### Local Response

Capabilities (Air Monitoring, Divert/Dam/Dike, On Water)

### RR/Industry Response

Timeframe and where resources are staged (on water response)

### State Response

What role will the state play at this phase? What about State Trustees?

### Federal Response

Timeframes and roles in UC structure.

## Vignette 2: Incident Management (Days 2-5)

### Scenario Update

BNSF's Incident Management Team is on-scene. All sections of the ICS structure are active, with command staff and general staff positions filled. The Unified Command is currently represented by BNSF, Local, State, and Federal incident commanders.

### Common Issues and Discussion Questions (All Groups/Tables)

The following list of questions addresses some of the many issues expected to arise as the incident develops. These questions are not meant to constitute a definitive list of concerns to be addressed. Discussion should focus more on the operational and strategic actions than tactical operations. Please address these common questions before moving to specific questions developed for your group.

1. What is the ideal operational period length at this point and how might that change over time as the cleanup continues?
2. Is this sustainable for every agency/organization involved in the response?
3. How will agency personnel be integrated into the incident command structure? Who goes where?



4. Which agencies/organizations should be represented by incident commanders within Unified Command?
5. Who is the RP for this incident? The line owner? The train owner? The shipper? The producer? Are there subsequent UC conflicts?
6. What legal authority do these incident commanders have for responding to a petroleum spill, committing resources, and directing oil removal actions, if any?
7. Will the composition of the UC change over the course of the response/recovery? How will it change and when are those changes expected to occur?
8. Are there potential jurisdictional issues with having only one “local” incident commander for this spill?
9. What are the top three strategic objectives for your organization in the overall response to this incident?
10. How can your organization’s conflicting or lower priority objectives be incorporated into future IAPs? (Resource Trustees, RPs are intended audience for this)
11. What if your organization’s objectives are outside the scope of the oil removal action as outlined by the Unified Command?
12. Which agencies/organizations will serve as Technical Specialists to UC? Which agency personnel will serve as Liaisons to UC?
13. What information will Liaisons be providing to Unified Command? What are their expectations from UC?
14. Given that the cleanup is expected to last several weeks, which government organizations might have difficulty staffing incident support without assistance?
15. What are the mechanisms available to local and state governments to fund oil spill response activities?
16. How are these funding mechanisms accessed?
17. Which agencies would likely need to be brought in by EPA for their expertise or specialized functions to support the FOSC and accomplish UC objectives?
18. What “strings” are attached to agency reimbursement mechanisms?

### **Oil Industry Management and Oil Spill Removal Organizations (OSROs)**

19. Does the responsible party have any recourse if they dispute the FOSC rationale for bringing in supporting agency personnel or resources?
20. Will industry response contractors be able to take technical direction from agency personnel if they are installed as section chiefs or division/group supervisors?



## Local Emergency Management Officials and Response Agencies

21. Will the County Emergency Manager be serving as the Local Incident Commander once the first responders have completed any life-safety functions at the incident?
22. How will local agencies, including the Department of Health, Public Works, Parks and Recreation engage with the UC during this timeframe?

## State On-Scene Coordinator and Supporting Agencies

23. Who would be serving in the role of State On-Scene Coordinator (SOSC) on behalf of the Governor? Would this person be in the ICP?
24. How do the other state agencies plan to support the UC and/or the SOSC? Would they be sending Liaison Officers to the ICP or supporting remotely?
25. How are state agencies planning to staff any augmentation that may become necessary during the response, including state wildlife response expertise, state natural resource trustees, and cultural resource trustees?

## Federal On-Scene Coordinator and Supporting Agencies

26. What role might the FRA play in this incident and in restarting operations? Are they a Technical Specialist or Liaison?
27. Which DOI resources will be brought into this incident to support the FOSC? How will these resources be requested and funded? Where will they fit into UC?

## Vignette 3: Public Health Issues

### Scenario Update

It is likely that authorities will issue evacuation and shelter in placed orders based on the presence of both volatile organic compounds (VOCs), as detected by first responder 4-gas meters, and a slight odor of sulfur in the air downwind of the spill site. Local water treatment plants and agricultural water users have stopped drawing water until further notice at the surface intakes. Responders and the news media have reported several instances of local residents and river guides fishing and boating on closed segments of the river.

### Common Issues and Discussion Questions (All Groups/Tables)

The following list of questions addresses some of the many issues expected to arise as the incident develops. These questions are not meant to constitute a definitive list of concerns to be addressed. Discussion should focus more on the operational and strategic actions than tactical operations. Please address these common questions before moving to specific questions developed for your group.

28. Who can order and enforce temporary restrictions on agricultural water usage among water rights holders for the river? Would this happen in Colorado?





29. Who can assist UC in getting access private lands for damage assessment and oil removal activities?
30. How would the UC respond to reports of odors and chemical vapors? Who would investigate, and how would they determine the hazards?
31. If a fire or explosion hazard were found to exist anywhere in the response, what steps would be taken to protect responders and mitigate this hazard?
32. Would AFFF potentially be used to protect human life and eliminate vapor hazards? How and by whom?
33. Who notifies downstream water users of an oil spill incident?
34. Who will determine when agricultural users may begin using water rights again and what criteria will be used?
35. Can alternate drinking or agricultural water supplies be arranged? By whom?
36. Are associated costs with securing alternative water supplies and/or agricultural losses incurred by lack of water reimbursable?
37. Who will enforce river closures to prevent exposures to spilled oil and further impacts to operations? Can this happen in Colorado?

### **Oil Industry Management and Oil Spill Removal Organizations (OSROs)**

38. What health and safety infrastructure would RP personnel have at this Control Point 2 to corroborate with any UC air monitoring findings?

### **Local Emergency Management Officials and Response Agencies**

39. Who has the authority to issue evacuation orders?
40. What information is needed by local authorities to make decisions on lifting evacuation and/or shelter-in-place orders?

### **State On-Scene Coordinator and Supporting Agencies**

41. Who can prohibit recreational use and/or impose fishing/hunting bans along the affected rivers?
42. How would officials determine whether or not there was a threat to recreational fishermen from consumption of fish? Who would be responsible for such an effort?
43. Is this type of acute exposure pathway study (fish tissue uptake of petroleum constituents) covered by a NRDA process or under NCP response activities?

### **Federal On-Scene Coordinator and Supporting Agencies**

44. Who is responsible for determining the safety of drinking water and POTW distribution systems impacted by the spill in Colorado?





## Vignette 4: Public Information and Community Relations

### Scenario Update

At a public meeting impacted landowners express confusion about impact assessment activities, cleanup activities, priorities, and the RP claims process. Contractors are being denied access to the river by a landowner. The owner has posted no trespassing signs along the perimeter of his entire property and there is potential for this standoff to escalate. Social media and traditional media outlets are featuring the spill response, seeking information on all the impacts, and trying to determine what comes next.

### Common Issues and Discussion Questions (All Groups/Tables)

The following list of questions addresses some of the many issues expected to arise as the incident develops. These questions are not meant to constitute a definitive list of concerns to be addressed. Discussion should focus more on the operational and strategic actions than tactical operations. Please address these common questions before moving to specific questions developed for your group.

45. Which organizations are providing PIOs to staff the JIC? How is the JIC organized and who is managing it?
46. Which organization is providing public affairs surge capacity and who are the spokespersons for the UC?
47. How are media releases drafted and approved? What is the process and timing?
48. Is there a physical JIC established on/near the scene or would a virtual JIC be coordinated and staffed remotely?
49. How often should media briefings and public meetings be held to keep stakeholders informed during this trust-building portion of the response?
50. Is a call center established to address public inquires and landowner concerns? Is one call center enough? How are concerns tracked and closed?
51. Who is managing call center operations?
52. What is the linkage between the call center and Claims?
53. Would a “community relations plan” be developed?
54. If so, what are some objectives and implementation steps expected to be outlined in the plan?
55. How will non-traditional and social media be addressed by the JIC? Is someone monitoring rumors, both community and political?
56. How will public information be posted, what tools and who’s accounts will be used?

Land Owner Issues



57. What are the ways to resolve access denial without legal wrangling? Are there ways to compel access?
58. If the property must be accessed for the contractor to complete work, how can this issue be resolved?
59. Will responders in the field be identified or credentialed in some way to indicate affiliation?
60. What steps will be taken to ensure properly credentialed responders have access to property?
61. What priority is given to cleanup on private land?
62. What factors might be considered when assessing losses/damage sustained by private landowners?
63. How would the claims process work with Spectra?
64. Will the RP establish a local claims office?
65. What is the RP's liability cap for economic damages?
66. Do landowners have any say in how clean-up operations proceed on their property?

## Report Out

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## MODULE 2: OIL REMOVAL AND CLEANUP ACTIONS

### General Scenario for 2<sup>nd</sup> Week of Incident:

As impact assessment continues and oil removal operations progress, response personnel in all divisions are reporting circumstances that may need to be addressed using alternative response tactics. For example, there are reports from the field of significant pooled oil in various natural catchments. OSROs who are working to recover this material are concerned about the potential for a precipitation and runoff event that may carry it further downstream before they are able to recover it all. These contractors are recommending that immediate action be taken to burn off oil in these catchments and to erect a temporary underflow dam near the confluence of a small creek with the Colorado River.

### Key Issues

- Significant pooled oil in various catchments.
- The RP is requesting permission to erect temporary containment structures at various locations to concentrate and recover spilled oil.
- Lots of oiled shoreline along both sides of the river.
- Unified Command is attempting to standardize assessment of impacted areas, while at the same time ensuring that cleanup actions are cognizant of natural and historic resources.
- Resource trustees are initiating the pre-assessment phase of Natural Resource Damage Assessment activities while cleanup operations continue.

### Vignette 5: Assessing Impacts and Measuring Cleanup Progress

#### Scenario Update

Responders in the field report a significant number of oiled waterfowl have been discovered. Dead animals have also been found by Operations. Areas along the banks of the Colorado near are known to contain artifacts. Responders are conducting assessments and cleanup on the banks.

#### Common Issues and Questions (All Groups)

The following list of issues and questions address some of the many challenges that may arise as the incident develops. With this in mind, these issues/questions are not meant to constitute a definitive list of concerns. Discussion should focus more on the operational and strategic actions than tactical operations. Please address the common questions before moving to specific issues and questions developed for your group.

67. Will Shoreline Cleanup Assessment Technique (SCAT) be used in this incident? If so, how should it be used and who should be on the teams? If not, then what?
68. Where, within the ICS structure, does SCAT belong; Operations or Plans?



69. How can SCAT be used to make cleanup operations more efficient, track progress, and establish endpoints?
70. What are the potential pitfalls of using SCAT, especially over the long-term as work occurs further from the spill site? How will “calibration” happen?
71. What are the expected wildlife impacts in terms of numbers and types of wildlife needing rehabilitation?
72. What efforts would be made to decontaminate waterfowl and other wildlife? By whom?
73. What organizations will contribute personnel, resources, and expertise for wildlife rehabilitation?
74. What is involved in an ESA Section 7 consultation and how could it impact operations on this incident?
75. Within Unified Command, who is responsible for ensuring compliance with NHPA and the Programmatic Agreement for the NCP?
76. What is involved in NHPA Section 106 review and how could it impact operations on this incident?
77. What is NRDA and who is responsible for conducting it?
78. How and when is the NRDA process initiated?
79. Who would likely take the lead for NRDA from the state and federal resource trustees?
80. Would cooperative NRDA be possible? Why or why not?
81. How does NRDA relate to the cleanup?
82. Could it impact operations or the Unified Command?

### **Oil Industry Management and Oil Spill Removal Organizations (OSROs)**

83. How would the RP participate in NRDA once initiated by the resource trustees?

### **Local Emergency Management Officials and Response Agencies**

84. What concerns do you anticipate from local elected officials as the cleanup effort enters a time-consuming and labor-intensive phase?
85. What concerns do you anticipate from the general public and members of the business community?

### **State On-Scene Coordinator and Supporting Agencies**

86. Which state agency would assist UC in coordinating with the State Historic Preservation Office for Section 106 review or state resource trustees for NRDA and Section 7 consultations?



## Federal On-Scene Coordinator and Supporting Agencies

87. Is an ESA Section 7 consultation required for this spill? Who is required to initiate this activity?
88. Would this spill require National Historic Preservation Act Section 106 Review? Why or Why Not?

## Vignette 6: Oil Spill Removal Tactics

### Scenario Update

Landowners want to burn isolated oil pools and contaminated vegetation on farmland near the river instead of waiting for cleanup contractors to remove it. The RP and their contracted OSROs are concerned about the potential for pooled oil being transported downstream by runoff from spring storms and are considering construction of an underflow dam structure at the confluence of a small creek and the Colorado River.

### Common Issues and Questions (All Groups)

The following list of issues and questions address some of the many challenges that may arise as the incident develops. With this in mind, these issues/questions are not meant to constitute a definitive list of concerns. Discussion should focus more on the operational and strategic actions than tactical operations. Please address the common questions before moving to specific issues and questions developed for your group.

89. Which agencies have authority to permit ISB in Colorado and how is permission requested for ISB?
90. What criteria must be met before ISB will be allowed?
91. How would the JIC explain this tactic and advise the public of hazards associated with ISB of crude oil?
92. Are there any circumstances where ISB can be approved for use on oiled vegetation in addition to oil?
93. What resources and guidance exist for ISB decisions?
94. Can any chemical listed in the NCP Product Schedule administered by EPA be used to mitigate the impacts of the spill along the Colorado River?
95. What are the procedures for getting approval to use a chemical listed in the NCP Product Schedule in Region 8 and what is CDPHE's role in this discussion?
96. What kind of justification is necessary to accompany a request to the RRT for chemical countermeasure use?
97. How long does approval typically take if justification is accepted during a RRT site-specific activation?
98. Would there be circumstances in this spill where heavy construction equipment would be needed in a waterway to assist with the cleanup operations?



99. Would underflow dam structures be constructed to retain oil and prevent it from traveling further downstream in a precipitation event?
100. What are the provisions of NWP 20 that must be met to qualify for use during oil response actions?
101. What is “Decanting” and why is it useful during oil spill response and removal actions?
102. Would UC, the RP, or OSROs ever request allowances for decanting during a spill event?
103. What are the procedures for making such a request?
104. Would decanting systems have to include some “treatment” system that includes both oil/water separation and carbon filtration? Oil Industry Management and Oil Spill Removal Organizations (OSROs)
105. If heavy construction equipment would be needed in the waterway or underflow dams might need to be constructed, will USACE Nationwide Permit 20 (NWP 20) be invoked by the RP? How and by whom?
106. Would industry or OSROs ever request allowances for decanting during a spill event when nearby facilities are capable of oil-water separation?
107. How would the RP participate in NRDA once initiated by the resource trustees?

### **Local Emergency Management Officials and Response Agencies**

108. What role would the local EM play in anticipation of an in-situ burn or other alternative oil removal techniques? What other local organizations would be involved in such an incident and what role would they play?
109. How might local response resources participate in significant actions?

### **State On-Scene Coordinator and Supporting Agencies**

110. Are there any concerns from resource trustees or the CDPHE regarding the possible use of the FOSC NPDES exemption for decanting in Colorado?
111. Are there concerns from public health officials about the inhalation hazards associated with using ISB to eliminate pooled oil in close proximity to residential areas?

### **Federal On-Scene Coordinator and Supporting Agencies**

112. Under what circumstances would the FOSC authorize a NPDES permit exemption, as outlined in 40 CFR 122.3(d), for decanting recovered oily water?
113. How will the FOSC consult with federal partners and the RRT membership to get more information on chemical countermeasures?



## Vignette 7: Staffing and Response Resources

### Scenario Update

RP's OSRO is unable to respond with sufficient containment boom and oil recovery equipment to address this discharge in a timely fashion due to a concurrent large spill in Utah. The FOSC indicates additional resources are available through the Region 8 Regional Response Team (RRT) to support cleanup and recovery efforts. Volunteers from the Sierra Club have teamed up with the Fire Department on a river cleanup to remove oil contaminated vegetation and cleanup shorelines. Numerous individuals in the area are seeking employment in the cleanup effort. Local officials are lobbying UC on behalf of local workers to augment response contractors with locals.

### Common Issues and Questions (All Groups)

The following list of issues and questions address some of the many challenges that may arise as the incident develops. With this in mind, these issues/questions are not meant to constitute a definitive list of concerns. Discussion should focus more on the operational and strategic actions than tactical operations. Please address the common questions before moving to specific issues and questions developed for your group.

114. What other response resources could be called upon during this incident to support?  
Where are they?
115. If the FOSC decides to mobilize EPA contractors, would this automatically “federalize” the incident?
116. What oil spill resource database could be used to find specialized response equipment and qualified OSROs?
117. What is the role of regional oil spill cooperatives in an emergency situation like this one?
118. What is the RRT, how is activated, and what support can the RRT and member agencies provide?
119. How are response resources available from the RRT tasked-out and funded during the response?
120. How does UC respond to the use of affiliated volunteers?
121. What are the UC's responsibilities for accommodating volunteers and ensuring their health and safety?
122. Is this different for unaffiliated volunteers?
123. Can unaffiliated volunteers be used for other activities?
124. Would the RP or OSROs entertain this request?
125. What would it take to ensure local workers were qualified to support the cleanup efforts?





126. What types of problems may result from hiring local workers? What are the advantages to local hiring?
127. How large is the pool of qualified individuals in western Colorado that would require little training for cleanup?
128. Will local residents receive consideration for response staffing in this response due to political pressure?

### **Oil Industry Management and Oil Spill Removal Organizations (OSROs)**

129. How long will it take to muster the bulk of the personnel and resources necessary to remove the discharge of oil from the environment on Colorado's Western Slope?
130. How will the OSROs be mobilized and will sub-contracts be used to supplement organic response capacity? Will local contractors be utilized?
131. Would a "just-in-time" training program be developed to incorporate volunteers into the cleanup? Would OSROs entertain this request?

### **Local Emergency Management Officials and Response Agencies**

132. What experience do local EM's have in coordinating volunteer response actions within this community? How should it work in western Colorado and who will advise the UC on these considerations?
133. How will local elected officials and businesses want to engage in the discussions of economic impacts, local hiring, subcontracting, and spill volunteers?

### **State On-Scene Coordinator and Supporting Agencies**

134. How might the Governor or other elected officials engage in the discussion of local job creation as part of the cleanup? Would these support or distract UC?

### **Federal On-Scene Coordinator and Supporting Agencies**

135. Would the RRT or National Response Team (NRT) be activated for this incident?
136. How would this incident change if were designated as a Spill of National Significance (SONS)? Based upon the scenario, could this be a SONS?

## **Vignette 8: Waste Management**

### **Scenario Update**

EPA is contacted by a third-party contractor that was recently hired by the responsible party to manage the waste staging area. The contractor wants EPA and state to verify disposal options that have been approved for recovered product, oiled debris, and oily water remaining at the site. The Environmental Unit has developed a Waste Management Plan to address both solid and liquid wastes recovered from the cleanup. They are seeking approval from UC before implementing any waste disposal scheme and all material is currently being staged for disposal.



## Common Issues and Questions (All Groups)

The following list of issues and questions address some of the many challenges that may arise as the incident develops. With this in mind, these issues/questions are not meant to constitute a definitive list of concerns. Discussion should focus more on the operational and strategic actions than tactical operations. Please address the common questions before moving to specific issues and questions developed for your group.

- 137. What response resources will be utilized to remove the discharge from the river?
- 138. What are the estimates as to the amount of oil and water these devices will recover during the clean-up?
- 139. What are the logistical and cost considerations for oily water recovery?
- 140. Where will recovered oily water be taken for separation and proper treatment?
- 141. Is decanting a viable solution if transportation resources are unable to keep up with recovery systems?

## Oil Industry Management and Oil Spill Removal Organizations (OSROs)

- 142. Are OSROs trained and equipped to decant oily water using methods outlined by the FOSC or would RP prefer to haul and treat oily water at a permitted facility for perception and potential liability reasons?

## Local Emergency Management Officials and Response Agencies

- 143. Where will responders ultimately dispose of solid waste generated during oil cleanup operations? Are there any spill-specific restrictions at this facility?
- 144. What waste profiling will be necessary before disposal is allowed?

## State On-Scene Coordinator and Supporting Agencies

- 145. Would Colorado allow these alternative disposal techniques (land farming contaminated soils and/or composting stained/soiled vegetation)?

## Federal On-Scene Coordinator and Supporting Agencies

- 146. What steps would EPA take within UC to reduce the volume of waste produced in the cleanup actions? What lessons can be taken from other spills toward selecting and employing the most efficient field methods available?

## Report Out

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## MODULE 3: GENERAL QUESTIONS AND WRAP UP

### Vignette 9 – Oil Spill Liability

#### Scenario Update

The cleanup actions are finally complete, and all that remains to be done on the back end of the incident are finalizing the Natural Resource Damage Assessment, closing out claims with any litigious landowners, administrative work to reimburse local, state, and federal spill response costs, and state and federal enforcement actions and penalty negotiations.

#### Common Issues and Questions (All Groups)

The following list of issues and questions address some of the many challenges that may arise as the incident develops. With this in mind, these issues/questions are not meant to constitute a definitive list of concerns. Discussion should focus more on the operational and strategic actions than tactical operations. Please address the common questions before moving to specific issues and questions developed for your group.

1. What is the process for terminating an industry led oil removal action overseen by EPA? By Colorado?
2. What mechanisms are used by responding agencies to compile and bill response costs back to the RP?
3. How long do these processes typically take after an oil removal action has been completed?
4. Where do these bills come from and are they reviewed by the FOOSC or SOOSC before being sent?
5. What if there is a dispute associated with the bills generated by response agencies?
6. Once federal and state involvement in a spill cleanup end, what is the process for civil enforcement actions and penalties?
7. What is the statute of limitations for such actions?
8. Are contributions in kind or supplementary environmental projects allowable by EPA and/or the state during enforcement settlement negotiations? Would industry pursue these avenues if it led to a win-win in preparedness or redeeming corporate reputations?
9. How long before enforcement actions typically commence by EPA and Colorado and what is the process? Does it differ depending on state agency lead?
10. What is involved in the NRDA process following the completion of response and cleanup operations?
11. What is an Assessment Plan and what occurs during the Restoration Planning Phase?
12. What are the standards for assessment procedures?



13. How long does the damage assessment take and how are findings shared with the RP and the public?
14. How are appropriate restoration actions determined?
15. What occurs in the Restoration Implementation Phase and how is that process completed?

## Report Out

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## APPENDIX A: EXERCISE SCHEDULE

Time	Activity	Facilitator
<b>June 8</b>		
1500	Facilitator Briefing	
<b>June 9</b>		
0730	Registration	
0800	Welcome, Opening Remarks	Carol Way, CEPC
0815	Module 1: Scenario, Discussion Questions, Open Discussion, and Report Out/Summary	Craig Myers, EPA
1000	Break	
1015	Module 2: Scenario, Discussion Questions, Open Discussion, and Report Out/Summary	Craig Myers, EPA
1200	Networking Lunch	
1330	Module 3: Scenario, Discussion Questions, Open Discussion, and Report Out/Summary	Craig Myers, EPA
1430	Closing Comments and Wrap-up	

Note: Selected Subject Matter Experts will provide comments as appropriate during each Report Out/Summary period.



## APPENDIX B: EXERCISE PARTICIPANTS

Participating Agencies and Organizations
<b>Federal</b>
U.S. Bureau of Land Management
U.S. Bureau of Reclamation
U.S. Department of Homeland Security
U.S. Environmental Protection Agency Region 8
U.S. Fish & Wildlife Service
<b>State</b>
<b>County</b>
<b>City</b>
<b>Private and Non-Governmental Organizations</b>





