

Planning and Preparedness for Oil Spill Response Historic Properties Specialist Workshop February 28 – March 2, 2023

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Overview

- Authorities
- National Contingency Plan (NCP)
- Regional Response & Planning (RRT/RCP)
- Local Area Committees & Planning (AC/ACP)
- National Response Framework (NRF) ESF10
- HPS Support to FOSC: Helpful Hints

National Multi-Agency Oil & Hazardous Materials Contingency Plan (1968)

- 1968: T/V TORREY CANYON massive oil spill off coast of UK.
- First national multi-agency contingency plan developed.
- Established the first comprehensive national system for oil spill reporting and response in the U.S.



National Oil & Hazardous Substances Pollution Contingency Plan

FEDERAL

Clean Water Act (**CWA**), as amended by the Oil Pollution Act of 1990 (**OPA90**) Oil Spill Liability Trust Fund

Comprehensive Environmental Response, Compensation, and Liability Act (**CERCLA 1980**) as amended by SARA (1986)

National Oil and Hazardous Substances Pollution Contingency Plan (NCP) 40CFR300

STATE

Lempert-Keene-Seastrand Act
(following MV AMERICAN TRADER)



Authorities

- CWA/OPA and CERCLA provide designated authority to address releases or threatened releases which pose a threat to public health, welfare, and the environment: Both laws require “polluter pays” and carry enforcement authorities
- CWA/OPA authorities apply to discharge or substantial threat into navigable waters and shorelines as well as EEZ and discharges affecting US natural resources
- CERCLA is broader than OPA as it applies to a more comprehensive list of regulated hazardous substances and allows a federal response to other pollutants and contaminants not specifically listed but where an imminent and substantial endangerment to public health



NCP Regulation at 40 CFR 300 Implements OPA/CERCLA

Establishes three (3) fundamental activities for spill response:

Preparedness planning and coordination for spill responses.

Incident notification and interagency communications.

Response operations at the scene of a spill or release.

- **Planning and Preparedness for Oil Spill Response Cultural Resource Professionals:**

- National Response Team (NRT)
- Regional Response Team (RRT)
- Area Committees (AC)
- Federal/State/Tribal On-Scene Coordinator (OSC)



National Response System Under NCP

- **CWA/OPA EPA** coordinates/directs response for inland areas
USCG coordinates/directs response for the coastal zone
- Other federal agencies **support** the lead agency activities in partnership with state, tribal, locals
- **Industry** is responsible for being prepared for, responding to, and paying for cleanup and damages from pollution incidents
- **Special Teams: NSF, SSC, SupSalv, ERT, RERTs, DRAT/DRG**



National Response Team (NRT)



FEMA





USDA



U.S. Department of the Interior

Regional Response Teams (RRTs)

- **13 RRTs** comprised of **15 federal agencies** plus **state** reps and **tribal** governments
- Co-chaired by EPA  USCG 
- Engage in pre-incident **planning** and **training** activities year-round
 - EPA leads development of inland GRPs
 - USCG leads development of coastal ACPs
- Define line of demarcation between **Coastal & Inland jurisdiction**
- Authorize use of **Applied Response Technologies (ART)**
- Provide technical expertise, resources, **support to the FOSC**
- **Region IX:** Meets twice per year

Regional Teams (RRTs)



Regional Contingency Plans



- Developed by **multi-agency** RRTs
- Provide for effective regional response coordination
- Ensure clear roles & responsibilities
- Includes information on government, commercial, academic, facilities, & resources in each region
- Identifies the boundary between the coastal & inland zones
- Work closely with States and Tribes

Area Contingency Plans (Local)

- Federal and State On Scene Coordinators
- Area Committees
- Area Contingency Plan (coastal)
- Direct the Area Committees to develop ACPs for each Captain of the Port zone
- Regional planning bodies of local, state, federal, tribal and industry
- Identify resources at risk (cultural) and provide for removal of a Worst-Case Discharge

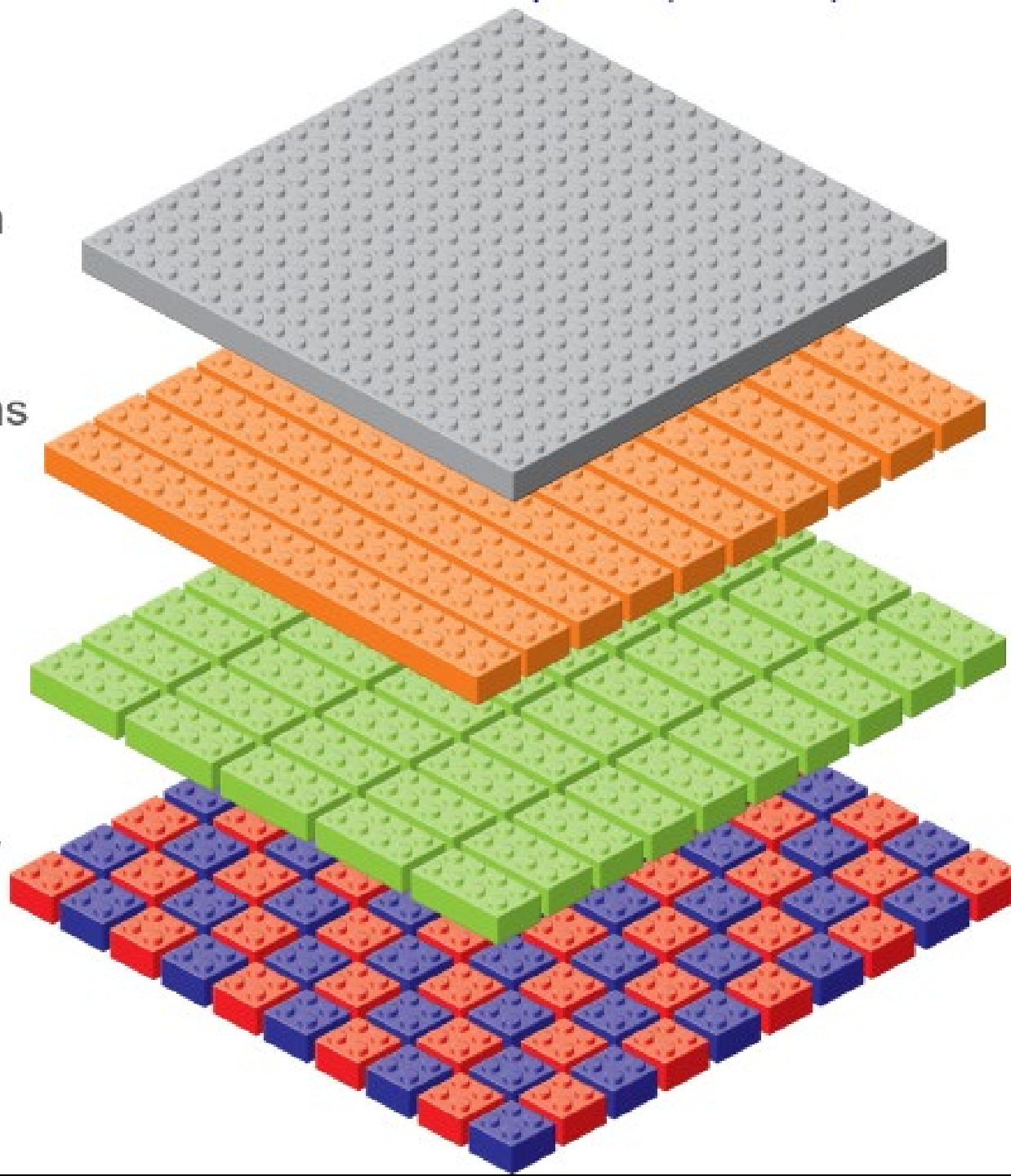
Area Contingency Plans (Continued)

- Area Contingency Plan drills and exercises
- Area Contingency Plan approval
- NPREP, SONs, Area, Deployment
- Submitted by Area Committee to FOSC for Promulgation
- Approved by District Commander
- Annual updates and 5 year National Review Panel



NRS Plans

- National Contingency Plan
- Regional Contingency Plans
- Area Contingency Plans
- Local Emergency Planning Committee Plans
- Industry Plans



Planning Groups

- National Response Team
- Regional Response Teams
- Area Committees
- State Emergency Response Commissions
- Tribal Emergency Response Commissions
- Local Emergency Planning Committees
- Industry



National Response Framework

*Fourth Edition
October 28, 2019*



National Response Framework (PPD-8)

- Planning, Prevention, Preparedness, Response, Recovery
- 15 Emergency Support Functions
- NRF provides single comprehensive approach to domestic incident management “whole Community”
- Manmade and natural disasters
- Requires Stafford Act declaration and request from state or tribe
- FEMA leads NRF implementation

An aerial photograph of a city during a major flood. A large multi-lane bridge spans a wide river. The surrounding urban area, including residential houses and commercial buildings, is completely submerged in floodwater. In the far distance, a city skyline with several tall skyscrapers is visible under a hazy, overcast sky.

Emergency Support Function #10

- #10 out of 15 ESFs
- Oil and Hazardous Materials
- Incorporates Federal Interagency Operation Plan (oil and haz sub annex)
- US EPA is lead agency, USCG is supporting agency
- NCP/NRS/OSC Authorities remain in effect during an activation
- Funding should shift from OSLTF/CERCLA to Stafford Act funding through FEMA Mission Assignments

Helpful Hints

- Understand concept & function of ICS & UC
- Know HPS role within ICS
- Where HPS functions in an ICS structure
- Know your authorities, capabilities, limitations
- Understand FOSC's expectation of an HPS
- Operate as a Team Member
- Speak the same language

Questions?

