



COMDTINST 16465.6

MAY 23, 2012

COMMANDANT INSTRUCTION 16465.6

Subj: SPILL OF NATIONAL SIGNIFICANCE (SONS) RESPONSE MANAGEMENT

- Ref:
- (a) National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300)
 - (b) Coast Guard Connectivity to the National Response Framework, COMDTINST 16000.22 (series)
 - (c) Clean Water Act; 33 U.S.C. §1251 *et seq.* (1972)
 - (d) Implementation of Section 311 of the Federal Water Pollution Control Act of October 18, 1972, as amended, and the Oil Pollution Act of 1990, Executive Order 12777
 - (e) Homeland Security Presidential Directive-5: Management of Domestic Incidents, 28 February 2003
 - (f) Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 745 (Nov. 25, 2002), as amended.
 - (g) Oil Pollution Act of 1990
 - (h) Department of Homeland Security Delegation 0170.1: Delegation to the Commandant of the U.S. Coast Guard
 - (i) Comprehensive Environmental Response Compensation & Liability Act, 42 U.S.C. § 9601 *et seq.*
 - (j) Superfund Implementation, Executive Order 12580
 - (k) U.S. Coast Guard Incident Management Handbook, COMDTPUB P1320.17 (series)

1. PURPOSE. This instruction provides guidance to the Coast Guard on classifying a spill a SONS within the coastal zone per reference (a) and designating a National Incident Commander (NIC), and describing roles and responsibilities of various Coast Guard staffs and commands in supporting the special challenges of a SONS.
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants and chiefs of headquarters staff elements shall comply with the provisions of this Instruction. Internet release is authorized.

DISTRIBUTION – SDL No. 160

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NON-STANDARD DISTRIBUTION:

3. DIRECTIVES AFFECTED. This Instruction augments the regulation in references (a) and guidance provided in reference (b) for national level preparedness and response roles and responsibilities during a SONS.
4. CHANGES. This Instruction memorializes aspects of the *Deepwater Horizon* spill response and promulgates revised policy and doctrine to implement lessons from that response.
5. BACKGROUND. Reference (a), was amended in 1994 to incorporate provisions of the Oil Pollution Act of 1990 (OPA 90). This amendment included provisions for the classification of a SONS and designation of a NIC. The Coast Guard has conducted six SONS exercises since 1994 to test and refine SONS and NIC doctrine, which served as the basis for conducting the 2010 *Deepwater Horizon* SONS response. This Instruction updates policy and doctrine and incorporates lessons from this spill.
6. DISCUSSION. A SONS is a spill that due to its severity, size, location, actual or potential impact on the public health and welfare of the environment, or the response effort, is so complex it requires extraordinary coordination of Federal, State, local, tribal, and responsible party (RP) resources to contain and clean up the discharge.
 - a. Reference (a) establishes a provision for the Commandant to designate an incident within a coastal zone as a SONS if it is anticipated the response effort needed or the threat to public health and welfare requires extraordinary coordination of Federal, State, local and tribal governments and RP resources (40 CFR §300.323(a) and 300.5 of reference (a)). Once a SONS is designated, the Commandant may designate a NIC pursuant to 40 CFR §300.323 of reference (a), which states:

The NIC will assume the role of the On-Scene Coordinator (OSC) in communicating with affected parties and the public, and coordinating Federal, state, local and international resources at the national level. This strategic coordination will involve, as appropriate, the National Response Team (NRT), Regional Response Team (RRT), the Governor(s) of affected state(s), and the mayor(s) or chief executive(s) of local government(s).

- b. Classifying an oil spill a SONS provides additional support to the Federal On-Scene Coordinator (FOSC) to manage national, political, and policy level issues that result from a catastrophic spill or release. This additional support consists of the designation of a NIC. The NIC is responsible for assisting in coordinating with the public and for coordinating national level resource and strategic policy concerns with the White House and the Department of Homeland Security (DHS) senior leadership.
 - c. Pursuant to references (b), (c), and (d), the Secretary of Homeland Security has organic Clean Water Act (CWA) § 311 (c) and (e) authorities to oversee and direct response actions in the coastal zone. Reference (e) designates the Secretary as the principal Federal official for domestic incident management. The Secretary's exercise of 311 (c) and (e) authorities during a SONS coupled with the Secretary's roles under references (e) and (f), ensures an effective and coordinated national response. In particular, the Secretary may convene an Executive-level meeting of the NRT under the authority of § 300.110 of reference (a) to clarify Administrative priorities and address Cabinet level political concerns in support of the response to a SONS.

- d. The Commandant, subject to the Secretary of Homeland Security's oversight, direction, and guidance, may declare a SONS and designate a NIC. DHS, and when necessary Presidential, endorsement of the SONS declaration and NIC appointment will ensure clarity of roles and full Executive Branch support needed to successfully conduct the response.
 - e. Where appropriate, the NIC likely will be a Coast Guard Flag Officer/Senior Executive Service (SES) corps member. The NIC can expect to be committed full time to the response. As such, any individual designated as the NIC will normally relinquish other Coast Guard responsibilities while serving in that capacity.
 - f. A NIC will require CWA §311 (c) and (e) authorities to carry out his or her responsibilities. These authorities allow the NIC to legally direct RP actions, authorize removal actions, and approve expenditures against the Oil Spill Liability Trust Fund (OSLTF). Currently, these authorities are not automatically delegated to a NIC when designated, but should be delegated simultaneously with the NIC designation. The use of these authorities allows the NIC to assist other agencies in carrying out their authorities in directing the RP to execute activities associated with the response (such as well-control).
 - g. The following factors, alone or in combination, may justify declaring a spill a SONS.
 - (1) The actual or potential worst case discharge in the Area Contingency Plan (ACP) or Oil Spill Response Plan (OSRP) for offshore facilities is met or exceeded;
 - (2) Multiple FOSC Zones, Districts, or international borders may be affected;
 - (3) Significant impact or substantial threat to public health and welfare, wildlife, population, economy and/or property over a broad geographic area;
 - (4) Protracted period of significant or substantial discharge and/or expected cleanup;
 - (5) Significant public concern and demand for action by associated parties;
 - (6) The existence of, or the potential for, an unusually high level of national political, media and public interest; and/or,
 - (7) Additional ongoing incidents or disasters seriously degrading response capability.
7. SONS DECLARATION AND NIC DESIGNATION PROCEDURES.
- a. In consultation with LANTAREA/PACAREA and the NRT, Commandant (CG-5R) shall draft and route a decision memo to the Commandant recommending the classification of a SONS and a NIC designation.
 - b. The Commandant will coordinate the NIC designation with the Secretary of Homeland Security, and the President when appropriate. Upon a SONS declaration, the National Command Center (NCC) shall send a notification message to LANTAREA, PACAREA, and the National Operations Center (NOC) Watch conveying the SONS classification and designation and listed authorities of the NIC.
 - c. The Coast Guard shall notify the NRT regarding the SONS declaration and NIC designation and assume role as NRT Chair during the response.
 - d. Coast Guard Public Affairs, Commandant (CG-0922), and the on-scene Joint Information Center (JIC), shall process initial information and provide public announcements on the

SONS declaration and NIC designation in conjunction with the DHS Office of Public Affairs (OPA) and the White House Office of Communications (WHOC).

8. IDENTIFYING A NATIONAL INCIDENT COMMANDER. In recommending a NIC candidate in accordance with the process described in paragraph 7.a of this Instruction, Commandant (CG-5R) should be guided by the following considerations:
 - a. The NIC is a full-time position.
 - b. Candidates should have:
 - (1) the ability to communicate complex issues and extensive experience interacting with national media;
 - (2) a thorough knowledge of references (a) and (b) and practical experience with the national response organizations;
 - (3) the experience and knowledge of oil spill response authorities, policy, doctrine, and capabilities including knowledge of the OSLTF access and limits;
 - (4) the reputation as a renowned leader within the response community;
 - (5) exceptional political acumen; and,
 - (6) established relationships and trust within DHS, interagency partners, the White House and Congress.
9. OIL SPILL AND HAZARDOUS CHEMICAL RESPONSE AUTHORITIES.
 - a. Reference (a) is the blueprint for response to oil spills and hazardous substance releases. Established in 1968, the NCP has been amended several times, most recently in 1994 to incorporate the requirements of reference (g).
 - b. Under references (c) and (g), an owner, operator, or other RP participates in removal actions in accordance with the NCP. Reference (c) also provides the President with very broad removal authorities. As codified in §311(c) and (e) of reference (c), the President is empowered to ensure effective and immediate removal of a discharge by:
 - (1) Directing Federal, State, and private sector response removal actions (see §311(c) (1) (B) of reference (c)).
 - (2) Issuing administrative orders that may be necessary to protect public health and welfare (see §311(e) (1) (B) of reference (c)).
 - c. Per reference (c) and (d), the President delegated within the coastal zone and without abdication, authority to the Secretary of the Department in which the Coast Guard is operating. These authorities were further delegated to the Coast Guard Commandant and to Coast Guard field commanders serving as the FOSC for an oil spill or hazardous substance release per reference (h) and 33 CFR § 1.01-80.
 - d. The delegation of §311 authority cited above should be included in the NIC designation letter. Delegating this authority to the NIC does not eliminate or lessen the authority of the FOSC. However, it does require close coordination between the NIC and the FOSC in directing the response.

- e. The “polluter pays and cleans up” principle is the major underpinning of spill response authorities, such as references (a), (c), and (g). Although the polluter, also referred to as the RP is legally responsible to pay and clean-up, they are not always capable or prepared to do so in a timely manner. In those cases where it is deemed necessary, the FOSC will access the OSLTF, which is managed by the National Pollution Fund Center to pay for qualified removal costs and damages. The government will then initiate actions to recover all costs from the RP. In accordance with 40 CFR §300.335(d) of reference (a), response actions other than removal shall be provided by the agency with statutory authority for those specific actions. The NIC, at the national level, will coordinate with other Federal agencies regarding funding for and execution of these ‘other than removal’ activities.

10. FIRST 96 HOURS (After NIC designation).

- a. The scope and complexity of a SONS requires special considerations not present during other spills. Once a NIC has been designated, actions in establishing a solid foundation for governance and resourcing during the first 96 hours of a SONS will be crucial in successfully establishing command and control and achieving unity of effort as the response organization rapidly grows.
- b. The NIC should quickly establish and communicate national strategic objectives that govern the SONS response to:
 - (1) establish Unity of Effort,
 - (2) ensure whole of government and whole of community response,
 - (3) designate a single unified Common Operational Picture (COP) and ensure situational awareness for senior level political leadership,
 - (4) develop national strategic communications plan (information management and critical communications),
 - (5) leverage coordinating elements of the National Response Framework (NRF) required for a unified, whole of government/whole of community approach,
 - (6) support FOSC’s operational objectives, and
 - (7) activate International offers of assistance protocols.
- c. The FOSC should quickly establish and communicate operational objectives that govern the SONS response to:
 - (1) ensure the health and safety of all responders and the public,
 - (2) ensure protection of critical national security infrastructure and key assets,
 - (3) ensure optimal response objectives related to stopping the discharge of oil, containing the oil and stabilizing the impacted vessels or facilities in order to mitigate and manage environmental impact,
 - (4) communicate transparently with all stakeholders, and
 - (5) establish a structure and operational rhythm that safely supports the massive and sustained effort required to respond to the incident.

d. Within 96 hours after SONS declaration, the following actions should be taken:

(1) Governance:

- (a) The Coast Guard, as the incident-specific NRT Chair, will convene the NRT to provide strategic and operational support to the NIC and the RRTs.
- (b) The incident-specific NRT Chair will consult with the Secretary of DHS and the NIC to verify the need to convene an Executive-level NRT meeting to support the Secretary and the Incident - specific NRT in addressing Congressional, Administration, and National media issues throughout the incident.
- (c) The NRT Executive Secretariat will:
 - [1] Establish and maintain linkage between the Executive-level and Incident-specific NRT to facilitate implementation of level guidance and objectives.
 - [2] Coordinate with the Secretary of Homeland Security, the NRT/affected Regional Response Teams (RRTs) and the FOSC to initiate a conference call with the Governors of impacted States, if appropriate.

(2) Organization – The FOSC supported by the NIC will (as appropriate):

- (a) Determine the number and location of the Unified Area Command(s) (UAC) and Incident Command Post(s) (ICP) taking into account span of control, jurisdictional considerations, and anticipated growth of the incident's area.
- (b) Require the establishment of branches to maintain span of control and achieve appropriate State, local, and tribal representation in tactical operations and planning.
- (c) Assign liaison officers to State and local elected officials in jurisdictions impacted or possibly impacted.
- (d) Establish a single COP platform for the response.
- (e) Designate an authoritative Information System to collect and manage response documentation and data in order to meet the requirements of reference (a), section 300.315, documentation and cost recovery.
- (f) Establish a Technical Unit to quantify the amount of oil spilled.
- (g) Coordinate with the RRT and the NRT to determine the need to establish an "Interagency Alternative Response Technology Assessment Program" (IATAP) to provide a defensible, government-led process to provide guidance on usage and effectiveness of current oil spill response technologies as well as accept, screen, and evaluate potential response solutions. Commandant (CG-5R) will coordinate with Commandant (CG-926) and the Coast Guard Research and Development Center to activate an IATAP protocol.
- (h) Establish and implement procedures to preserve response data and documents as required by reference (a).

(3) Personnel – To support the FOSC and the NIC and in accordance with their established procedures, the Areas, Districts and Deputy Commandant for Mission Support (DCMS) will:

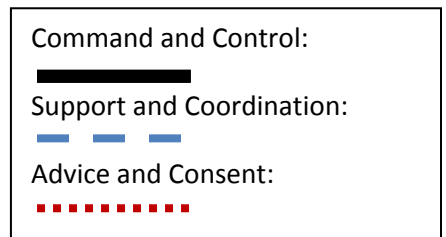
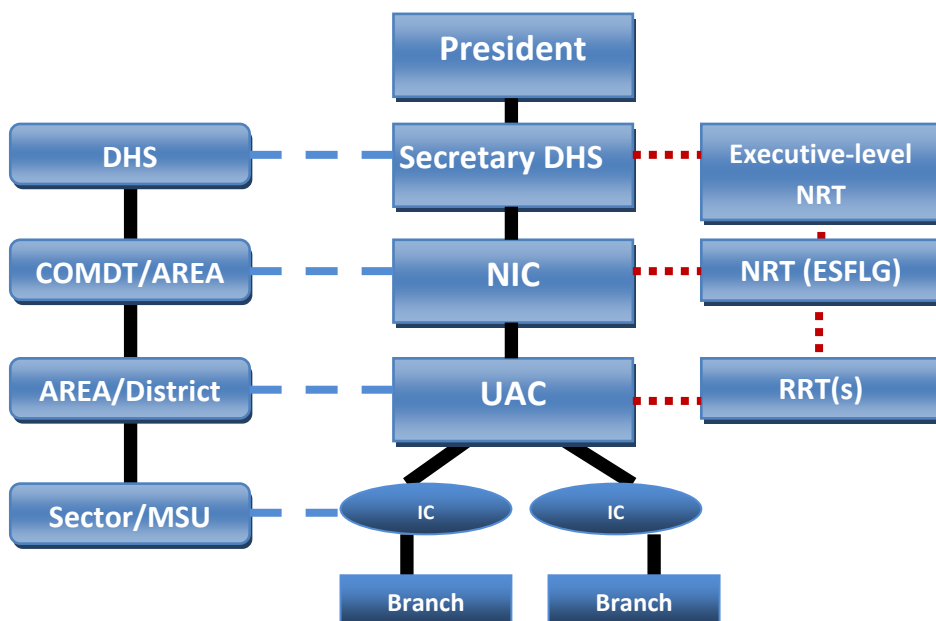
- (a) Continue mobilization of personnel resources from Coast Guard contingency sources such as the Incident Management Assist Teams (IMATs), Strike Teams, District Response Advisory Teams (DRATs), other government agencies (OGAs), and contractors, as deemed necessary.
 - (b) Establish the Personnel Service Center Surge Staffing Branch (PSC SSB) as the sourcing agent for Coast Guard personnel requests for forces and to activate SONS staffing requirements for key positions in the Coast Guard's Mobilization Readiness Tracking Tool (MRTT).
 - (c) Establish an incident-specific Coast Guard assignment policy that assigns personnel to key positions for the duration of the response and that provide sufficient relief frequency for those individuals.
- (4) Funding – The FOSC, as supported by the NPFC and the NIC will (as appropriate):
- (a) If RP is identified and acting responsibly:
 - [1] Discuss with the RP response requirements under reference (g) or (i).
 - [2] Coordinate all activities involving the RP's direct response funding to governments or entities outside of the NCP and OPA 90 framework to avoid independent response activities outside of the unified command framework.
 - (b) In the absence of a RP or in event of a spill originating in foreign waters where CG does not have jurisdiction over the RP, review funding requirements and restrictions under references (g) and (i) for a Federally directed response.
 - (c) Given the likelihood of major expenditures under the OSLTF, evaluate the need for funds transfers into the Emergency Fund and initiate appropriate actions to address potential Emergency Fund shortfalls.
- (5) Logistics – To support the FOSC & the NIC, and in accordance with their established procedures, the Areas, Districts and DCMS will (as appropriate):
- (a) Activate a Director of Operational Logistics (DOL) specifically for the SONS response.
 - (b) Source an Aviation Coordination Center (ACC) to coordinate, integrate and de-conflict air assets in the operational area.
 - (c) Establish appropriate workspace for the NIC.
- (6) Public Affairs-The NIC, supported by Commandant (CG-0922), and in coordination with the FOSC, will:
- (a) Proactively and transparently communicate to the public about the declaration of a SONS and the designation and establishment of a NIC.
 - (b) Produce initial communications that frame the national narrative about the government's response to the spill, including Federal primacy to direct all removal operations for the spill.
 - (c) Establish the credibility of the NIC as an essential element of future effective communications.

(d) Designate the NIC Press Secretary (with assistance from the Public Information Officer) to produce public affairs products and execute public affairs tactics that communicate:

- [1] Who has been designated the NIC.
- [2] Where the NIC is physically located.
- [3] What are the roles and authorities of the NIC.
- [4] How field units align under the NIC.
- [5] Priorities of the NIC for the first 96 hours of the incident.

11. SONS RESPONSE ORGANIZATION.

(Figure 1. The NIC Role during a SONS Response)



12. ROLES AND FUNCTIONS.

- a. Secretary of Homeland Security: As mentioned, the Secretary of Homeland Security may exercise key CWA § 311(c) and (e) authorities during a SONS. The Secretary is also designated as the Principal Federal Official for domestic incident management. These authorities are complementary, since the exercise of CWA authorities ensures an effective and coordinated response under reference (a) and through the NRT, will

typically achieve the goals of references (e) and (f). Throughout the SONS, the NIC should confer regularly with the Secretary to ensure alignment between national goals and objectives, the actions of the Federal interagency and the needs of the FOSC in directing the response.

- b. National Response Team (NRT): The NRT is a multi-agency body having authority under 40 CFR 300.110 of references (a) and (j) for national oil spill and hazardous substance release strategic planning and coordination. The Environmental Protection Agency (EPA) chairs the NRT and the Coast Guard serves as vice-chair. The following applies specifically to a SONS response in the coastal zone:

- (1) The Secretary of Homeland Security may request meetings of an Executive-level NRT to ensure national and Cabinet-level coordination. During periods of NRT activation for a coastal zone spill, the Coast Guard chairs an incident-specific NRT. When an Executive-level NRT is convened, the Coast Guard will continue to serve as the chair of the standing incident-specific NRT, which will continue to conduct its roles and functionality as outlined in the NCP in support of the RRTs and FOSC.

- (2) NRT activation as an “emergency response team” and per reference (a) should be requested by the NIC during a SONS.

- (a) Pursuant to 40 CFR §300.110(k), the NRT may monitor and evaluate reports, and recommend actions to combat the discharge or release; request other Federal, State, local and tribal governments, or private agencies, to provide resources under their existing authorities; and coordinate the supply of equipment, personnel or technical advice to the affected region from other regions.

- (b) The NIC may request the incident-specific NRT serve as an advisory body to address interagency issues referred by the NIC, and also coordinate with the Emergency Support Function Leadership Group (ESFLG), if appropriate. This enables a coordinated implementation of activities using existing agency authorities and, on behalf of the NIC, to help embed other functions independent of the NCP for a “whole of government” response approach. The incident-specific NRT, in accordance with its bylaws, may establish and will manage national incident-specific NRT workgroups (IWGs) to address issues referred to it. Even though the IWGs report to the incident-specific NRT and the incident-specific NRT advises the NIC, these incident-specific NRT groups and their individual representatives serve as representatives of their respective agencies, and not a subordinate of the NIC. The incident-specific workgroup is described in more detail below.

- (3) National Response Team Incident-Specific Workgroup (IWG):

- (a) The NRT shall manage the IWG in accordance with its bylaws. The IWG will report to the incident-specific NRT.

- (b) The IWG form teams to address specific information needs, policy issues and potential compliance gaps as they arise and to forecast potential needs. These teams may form and stand down/stand by at varying levels of formality and as appropriate. Teams may address such topics as: countermeasures and alternative technology; State and community engagement; spill quantification and oil fate

analysis; economic recovery; environmental, archeological and cultural impact; claims oversight; and public health and safety.

- (c) The IWG serves as an incident specific workgroup for the NRT to coordinate the “whole of government” policy and procedural recommendations for the NIC, UAC and applicable UICs. The IWG coordinates between Federal agencies to de-conflict competing organizational goals, mandates and statutory requirements so the NIC and UAC(s) can speak with ‘one voice’.
 - (d) The IWG membership should be comprised of NRT member agencies. The NRT may invite other Federal, State and local agencies as well as industry groups, academic organizations and others to provide subject matter experts to support the IWG. IWG members will serve as conduits of information back to their respective agency leadership, as needed.
- c. National Incident Commander (NIC):
- (1) The NIC is responsible for coordinating national level resource and strategic policy with the White House and DHS leadership to assist the FOSC.
 - (2) In accordance with 40 CFR §300.335(d) of reference (a), response actions other than removal (i.e. non-NCP actions) shall be provided by the agency with statutory authority for those specific actions. The NIC at the national level and the FOSC at the regional level will engage via the National Response Coordination Center (NRCC) and at the Regional Response Coordination Center (RRCC) to coordinate with those agencies.
 - (3) Although not normally expected, if circumstances warrant, the NIC may provide guidance to the FOSC on operational matters. Any NIC decisions regarding operational or tactical oil spill removal actions should be carefully coordinated with the FOSC to ensure unity of effort.
 - (4) The NIC staff will normally be located in Washington DC to coordinate communications with the White House, Congress, Departments and agencies. If needed, the NIC may deploy a staff element to the UAC(s) for additional coordination.
 - (5) The NIC shall maintain a national level strategic communications plan that:
 - (a) Acts as the primary national spokesperson for the response to brief senior governmental leaders and the national media who then communicate with the public.
 - (b) Serves as the primary point of contact for the response for the Administration, as well as for Congress and participating agency leadership.
 - (c) Ensures strategic coordination with the NRT, RRTs, the governors of affected States, other government and agency executives, and the RP’s corporate offices.
 - (d) Coordinates with the FOSC and maintain a common operating picture and situational awareness.
 - (6) The NIC shall promote unity of effort by:

- (a) Interfacing with senior Federal, State, territory, tribal officials regarding the overall Federal incident management strategy and execution.
 - (b) Assisting the FOSC in resolving national level policy issues, in consultation with the Secretary of Homeland Security, as appropriate.
 - (c) Promoting collaboration and resolving Federal interagency issues that may arise at the national level by leveraging the relationship with the NRT and, if appropriate, the ESFLG.
 - (d) Monitor the need for and support the deployment and application of national assets and resources through the UAC(s) in support of the FOSC and in collaboration with other Federal officials identified in existing plans.
 - (e) Coordinating international resources, as appropriate, to support the response.
- d. Federal On-Scene Coordinator (FOSC) (Unified Area Commander):
- (1) Reference (a) states the FOSC directs response efforts and coordinates all efforts at the scene of a discharge or release. Additionally, the FOSC, in conjunction with the other members in a unified command, is responsible for the overall management of the incident. Reference (a) requires the FOSC to direct all Federal, State, tribal, local or private actions to remove a discharge in the case of substantial threats to public health and welfare. FOSCs have access to the OSLTF, enabling them to fund the activities of other agencies and, in the absence of a RP to fund all removal actions.
 - (2) Reference (a) states there shall be only one FOSC at any time during the course of a response operation. In the case of a SONS, a Sector Commander will likely serve as the FOSC during initiation of action and the initial response. However, when several Sectors are impacted, the District Commander or the Area Commander, may designate a more senior Coast Guard official to serve as FOSC regardless of whether a SONS is declared. Such designation shall be made in consultation with the RRTs and NRT. In this case, commanders of impacted sectors should be designated as Incident Commanders (ICs), in accordance with reference (k), and be delegated by the FOSC to direct and coordinate response activity in their areas of responsibility to support the designated FOSC. Should the scope of response operations require the establishment of an area command, the FOSC serves as the Unified Area Commander. The Unified Area Command is comprised of ICs from impacted States, the RP and appropriate governmental agencies. The UAC may include those agencies authorized and funded independently of the NCP to provide governmental support, as needed.
 - (3) FOSCR Definition: Pursuant to 40 CFR §300.120(h) and 135(d) of reference (a) FOSCs may designate a person to act as their on-scene representative if the person is adequately trained and prepared to carry out actions under the NCP, to the extent practicable.
- e. Incident Commander(s) in support of the designated FOSC:
- (1) Incident Commanders (ICs) shall be assigned by the FOSC to serve as Coast Guard Unified ICs at each of the Unified ICPs. The Sector Commanders in the impacted area will typically serve as the ICs. The ICs shall be delegated authority by the FOSC in writing to direct and coordinate removal actions in their operational area, and

should be provided specifically delineated authority for spending, use of alternative countermeasures and critical resource ordering.

- (2) When a SONS impacts multiple States, the FOSC should consider establishing unified incident commands within each affected State to ensure each one has adequate representation in the planning and execution of the response. The State Unified Incident Command (UIC) should report to the UAC and ensure actions undertaken in the State support the UAC objectives, priorities and operations, as well as the UAC planning, logistics, finance and other processes.

f. Branch Directors in support of the ICs:

- (1) To maintain span of control during a SONS and ensure robust representation of local authorities in the response, the ICs in consultation with the FOSC, may designate Branch Directors of subdivided operational areas.
- (2) Branch Directors shall serve in the Operations Section of an UIC and shall integrate appropriate local officials into the branch organization.
- (3) When establishing branch boundaries, local political subdivisions should be a consideration.
- (4) Should be delegated authority in writing to direct and coordinate tactical operations, planning and resource allocation within the assigned Branch. The delegation shall require the Branch Directors to report to the IC. Importantly, Branch Director action must be integrated to support the IC objectives and priorities, as well as, the IC planning, logistics and finance processes.

g. Regional Response Teams (RRT):

- (1) RRTs are responsible for regional planning and coordination of preparedness and response actions including State, local and tribal representation. During a SONS, the FOSC may request incident-specific RRTs convene as an “incident specific team” per the NCP to include representatives from affected States. The FOSC should seek the assistance and counsel of the incident-specific RRT based on the operational requirements of the SONS, and may include requests for approval of the use of alternative countermeasures, assistance with policy determinations and support in acquiring interagency resources.
- (2) Should there be insufficient policy guidance on a matter brought before the incident-specific RRT (i.e. a technical issue, an interpretation of the NCP, or a disagreement on discretionary actions) that cannot be resolved at the regional level, the Coast Guard representative on the RRT should request the matter be formally referred to the incident-specific NRT per reference (a).
- (3) Should a SONS impact more than one RRT region, the FOSC should request that RRTs meet jointly, as necessary, to facilitate cross regional support.

h. States:

- (1) The FOSC should request each governor of an impacted State designate State OSC (SOSC) to represent the State in the UAC(s) and subordinate ICs as necessity dictates.

- (2) The SOSCs should have appropriate background and seniority to represent the governor and State interests, establish and execute unified response objectives within the UAC and UIC(s), and coordinate and communicate with other State and local agencies.

- i. Coast Guard (CG):

- (1) The Deputy Commandant for Operations (DCO) shall:

- (a) Preparedness Phase

- [1] Oversee the execution of SONS policy and international engagement at the strategic level.
 - [2] Represent CG strategic policy equities with the White House, DHS leadership and other interagency bodies.
 - [3] Establish and maintain engagement with interagency partners and maritime stakeholders to support policy development and resource needs.

- (b) Incident Phase

- [1] Provide a recommendation to the Commandant for SONS classification.
 - [2] Ensure alignment within mission areas to optimize mission execution.
 - [3] Develop operations orders for deploying the NIC and NIC Stand-Up Team.

- (2) The Deputy Commandant for Mission Support (DCMS) shall:

- (a) Coordinate with Areas to flow CG resources via the DOL to support the NIC and/or SONS response.
 - (b) Carry out the NIC space requirements as defined by Commandant (CG-5R).
 - (c) Provide administrative support for the NIC and/or SONS response, to include Records Management and Freedom of Information Act (FOIA) responses.
 - (d) Empower the DOL to flex mission support systems to optimize the SONS response by CG Forces.

- (3) As the lead component for the management, oversight and execution of the SONS program, Director of Response Policy (CG-5R) shall:

- (a) Preparedness Phase

- [1] Develop doctrine for NIC policy implementation.
 - [2] Provide programmatic oversight, strategic guidance, exercise support guidance, deployment coordination and CG Headquarters-level logistical support to the NIC when designated.
 - [3] Provide training to potential NIC candidates prior to an incident.
 - [4] Develop and update SONS response policy and guidance.
 - [5] Provide oversight for SONS exercise design and NIC training.
 - [6] Maintain a NIC go-kit to support NIC staff requirements when deployed.

- [7] Conduct outreach activities to assist potential NICs broaden awareness of Federal, State, territory, local, private sector, and non-governmental organization (NGO) stakeholders prior to an incident.
- [8] Develop a SONS exercise program in consultation with the NRT that incorporates a 3-year progressive exercise cycle and ensures participation of senior leaders across the whole of government, and when practicable the local community.
- [9] Define parameters required for NIC space.
- [10] Coordinate with the Office of C4 and Sensors Capabilities (CG-761) to determine the COP for a SONS response.

(b) Incident Phase

- [1] In consultation with the Areas and the NRT, draft and route a decision memo to the Commandant (CG-00) recommending the classification of a SONS and NIC designation.
- [2] Conduct outreach activities to assist the NIC to broaden awareness of Federal, State, territory, local, tribal, private sector and NGO stakeholders.
- [3] Provide technical assistance to the NIC Stand-Up Team as needed.

(c) Post-Incident Phase

- [1] Collect lessons learned during a SONS or SONS exercise and develop an After Action Report (AAR) for submission into the Coast Guard Standard After Action Information and Lessons Learned System (CG-SAILS) in accordance with the Coast Guard After Action Program (CGAAP) COMDTINST 3010.19 (series). Prepare an Incident Specific Preparedness Review (ISPR) if directed by the Commandant.
 - [2] Coordinate with the NRT regarding generation of a FOSC Report.
 - [3] Consider partnering with the Federal interagency, States, industry and environmental NGOs to conduct an ISPR.
- (4) The National Response Center (NRC) is the sole Federal point of contact for reporting oil and hazardous substance spills. The NRC will provide NRT members with initial SONS declaration notification reports, summaries and statistics, as well as assist in coordinating non-work hours meetings.
 - (5) The Coast Guard NCC facilitates vertical communications with the Commandant (CG-00) and Area Commanders and will leverage coordination elements of the NRF through the ESFLG.
 - (6) The Area Commanders are responsible for executing the eleven CG missions and managing operational risk across their respective areas of responsibility (AOR). During a SONS, the Area Commanders ensure the proper response structure is in place; assume the role as, or assign a Flag Officer/SES to, the UAC; retain ADCON of deployed Area forces; monitor the response; and act as the Coast Guard's primary provider of operational resources. In supporting the SONS response, Area Commanders must balance risk between the SONS response and standing missions.

In support of this instruction, Area Commanders shall:

(a) Preparedness Phase

- [1] Constantly assess the maximum deployable CG force available to respond to a SONS without assuming unacceptable risk levels for all other missions across their AOR.
- [2] Monitor and support the use of all available tools to ensure Coast Guard personnel achieve the level of skill required for a SONS response as applicable to incident management activities. Training should include established ICS training and government/industry-led preparedness exercises.
- [3] Participate, when appropriate, with District- and Sector- required training and exercises to provide a minimum level training and experience base for Area personnel that could be involved in a SONS response.
- [4] Support planning and exercises to ensure preparedness for a SONS.
- [5] Be prepared to assume the duties of either the UAC/FOSC or the NIC if so designated.

(b) Incident Phase

- [1] Consult with the District Commander(s) and make recommendations to the Commandant (CG-00) on the decision to declare a SONS and designate a NIC.
- [2] In consultation with the District Commander(s) determine the appropriate UAC/UC structure and assign the appropriate Flag Officer/SES to the UAC.
- [3] Assume the role as the UAC/FOSC or NIC if so designated.
- [4] Establish methods with the NIC, Incident Specific NRT and UAC to ensure requests for surge support are appropriately communicated, tracked and managed given the potential impact on CG missions and mission risk across the respective AORs providing support personnel/equipment.
- [5] To the greatest extent possible, direct the reassignment of CG assets and personnel to meet temporary, specific surge requests from the UAC/FOSC in accordance with the established request for forces (RFF) process; taking into consideration other CG mission demands. This procedure includes the surge staffing process and use of MRTT used to capture all CG personnel transactions.
- [6] Ensure all available Area and National Strike Force (NSF) resources, including Strike Teams and Public Information Assist Team (PIAT) personnel assist the affected area.
- [7] Consult with the UAC to ensure the safety of all CG forces assigned to the response.

(c) Post-Incident Phase

- [1] Collect and implement lessons learned after a SONS or a SONS exercise to improve readiness for future responses.

13. **NIC STAND-UP TEAM.** The NIC staff is a flexible entity that reports directly to the NIC and represents the key initial positions to be filled.

- a. Table 1 lists the NIC pre-designated staff positions and the offices responsible for identifying the sources of these positions.

Table 1. NIC Pre-Designated Staff Position

Position	Source
Deputy National Incident Commander (NIC)	Appointed by CCG
Chief of Staff	Appointed by CCG
Executive Assistant (EA)	Appointed by CCG
Press Secretary	CG-0922/COMDT
Information Requirements Manager (IRM)	CG-761
Documentation Preservation Officer	CG-094
Strategic Planning Chief	CG-5R/NSFCC
State/Local Gov. Affairs Officer	DHS
Congressional Affairs Officer	CG-0921
Interagency Affairs Officer	DHS
Logistics/Finance Section Chief	DCMS
Critical Resources Unit Chief	CG-5R
Senior Science Advisor	NOAA
Legal Officer	CG-094
NSFCC Representative	NSFCC
OSLTF Strategic Advisor	NPFC
Responsible Corporate Officer for RP (virtual)	Responsible Party

- b. Below lists the responsibilities of each pre-designated Staff Position:

- (1) The Deputy NIC operates under the authority and direction of the NIC and manages the NIC staff on behalf of the NIC to achieve established strategic objectives. This enables the NIC to interact with senior leadership and the media, and be available to communicate at critical times and places when necessary.
- (2) The Chief of Staff is responsible for directing, managing and overseeing all policy development, daily operations, and staff activities for the NIC and the Deputy NIC.
- (2) The Executive Assistant (EA) shall assist the NIC with the myriad of duties and responsibilities associated with the “whole of government” response effort. The EA will also maintain the NIC’s schedule and organize their appointment calendar.
- (3) The Press Secretary should be filled by an experienced public affairs professional with at least one completed tour as a Public Affairs Officer (PAO) at the District, Area or Headquarters level or similar experience if sourced from other than the Coast Guard. The NIC Press Secretary is responsible for facilitating communications by the NIC with the media on local (i.e. the incident area or responsibility), regional, national and international levels. The Press Secretary advises NIC on the condition of the information environment, provides feedback on previous communication efforts, provides counsel on areas of communication emphasis and advises on latent or active issues in the information environment the NIC should be prepared to address. The

- Press Secretary is responsible for ensuring alignment of prepared public affairs materials with DHS OPA and WHOC.
- (4) The IRM shall ensure individuals specialized in Command and Control Systems, Remote Sensing Systems, Business Intelligence Systems, and Enterprise Information Systems are assigned to the Planning Section of each subordinate Command staff. The IRM shall establish a common information management process for Command and Control, Information Management and Remote Sensing Data. The IRM shall coordinate with CG-094 as well as the Documentation Preservation Officer to establish response data preservation requirements. In order to unify the Information Management battle rhythm, each IRM, assigned to subordinate Commands shall be accountable to the NIC IRM.
 - (5) The Documentation Preservation Officer will act as a single POC for Documentation Preservation and will institute procedures to ensure all information, including Electronically Stored Information (ESI), and materials generated during the response are preserved and properly archived at all levels of the response organization. The Documentation Preservation Officer will coordinate with the UAC Documentation Unit Leader as appointed by the FOSC to ensure that a process is established to capture detailed records, including minutes and notes, of NIC/UAC activities at the start of the stand up team and during a SONS incident.
 - (6) The Strategic Planning Chief shall manage NIC information requirements and critical resource needs, as well as develop a battle rhythm for the NIC and the NIC staff members supporting the UAC planning cycle.
 - (7) The State/Local Governmental Affairs Officer shall serve as a conduit for information between key State and local officials and the NIC, as well as provide NIC with background on any political considerations associated with the incident. In conjunction with the FOSC external affairs staff, this officer will ensure timely responses to State, local, and tribal governmental inquiries. This officer should normally have prior governmental affairs experience and preferably knowledge of the affected AOR.
 - (8) The Congressional Affairs Officer shall serve as a conduit between the NIC and Federal officials, as well as provide background on important political issues at the Federal level associated with the incident. The Congressional Affairs Officer is also responsible for establishing an organization to respond to whole of government congressional inquiries and prepare for congressional requests for briefings and hearings.
 - (9) The Interagency Affairs Officer shall coordinate and advance the NIC's interaction with Federal, State, local, tribal and territorial agencies that are assisting with the response effort.
 - (10) The Logistics/Finance Section Chief shall communicate and coordinate logistical requirements for the NIC and NIC staff and work to facilitate any NRT requests for assistance. In addition, this officer will track the NIC and the NIC staff costs.
 - (11) The Critical Resources Unit Chief shall serve as the conduit to access international inventories of critical resources and international offers of assistance, coordinate with

- the UAC(s) and the Department of State (DoS), and serve as the arbitrator of resources aligned with UAC operational objectives and NIC strategic guidance.
- (12) The Senior Science Advisor is the principal advisor to the NIC for scientific issues.
 - (13) The Legal Officer provides specialized legal assistance and support to the NIC on matters including, but not limited to: applicable laws and regulations, legal authorities and responsibilities, relevant statutes and Executive Orders.
 - (14) The National Strike Force Coordination Center (NSFCC) Representative shall support access to the Response Resource Inventory (RRI) and assist with coordination of national response assets.
 - (15) The OSLTF Strategic Advisor will be the principal advisor to the NIC on OSLTF matters.
 - (16) Responsible Corporate Officer for the RP (virtual). This person is the direct conduit between the NIC and the RP company/corporate headquarters and possesses decision making authority on behalf of the RP. This person must understand and emphasize the RP is not in charge of the response, but is carrying out its response and fiduciary responsibilities within the unified command per reference (a).

13. INTERACTION BETWEEN ORGANIZATIONAL ELEMENTS.

- a. Communication between leadership at each organizational level of a SONS response is crucial to maintaining strategic alignment. The White House, DHS leadership and the NIC; the NIC and FOSC/Unified Area Commander; and the FOSC/Unified Area Commander and Unified ICs should communicate at least once daily during periods of rapidly evolving events to establish and reinforce objectives, discuss priorities, and raise issues. In a SONS response organization, the White House, DHS leadership and NIC function at the strategic level; the FOSC/Unified Area Commander functions at the operational level; and the Unified ICs function at the tactical level. These delineations will sometimes blur as tactical considerations develop strategic implications. Routine and timely communications will help all members understand their roles and avoid confusion.
- b. At the most senior level of the response, the White House and DHS leadership will meet when necessary to consider strategy and issues that demand whole-of-government attention. The Secretary of Homeland Security may convene an Executive-level meeting of the NRT as necessary for this purpose. If appropriate, the NIC should participate in these meetings to provide response-specific expertise and to enable strategic alignment between national objectives and the response organization.
- c. Within NIC, UAC(s), and ICP levels, the battle rhythm and reporting development should be synchronized early in the staging process and maintained to the conclusion of the response.
- d. The nature of a SONS produces extraordinary demands for timely, accurate and detailed information on the response. Using the procedures described in the knowledge management section below, NIC, UAC(s) and ICP planning staffs shall establish an incident-specific information flow battle rhythm that communicates information on the response at least once daily through formally established channels for dissemination.

This information should originate at the UAC and serve as the single source for all levels of the response as the consolidated and verified information to avoid a plethora of reports generated unnecessarily in different locations with differing information.

- e. The NIC should initiate a routine conference call to governors or their delegated representatives of impacted States to ensure alignment and timely updates provided. Though governors are represented in the response by their State On-Scene Coordinators at the UAC(s) and ICPs, these routine conference calls shall provide a conduit for State interests to be represented and addressed at the national level. This call should be chaired by the NIC and attended by the Unified Area Commander, Unified Incident Commanders and State On-Scene Coordinators to ensure discussions can be incorporated into response objectives, strategies and priorities.

14. INFORMATION MANAGEMENT.

a. Information Management:

- (1) Communications: All communications capabilities (voice, data, video) provided by the Communications Liaison in the Logistics Section must be aligned with the Command and Control Hierarchy identified by the Information Requirements Manager. The Communications Liaison shall provide the communications infrastructure identified by the Information Requirements Manager assigned to the Planning Section that supports the Command and Control information flow from Strike Team Members, Strike Team Leaders, Task Force Leaders and Incident Commanders.
- (2) Data Collection: An authoritative Information System shall be designated by the NIC, if one is not previously identified by CG-6 and in place at the time of the SONS. The Information System shall collect and manage the Incident Management System data. The desired end-state is a Federal Incident Management System IT database that provides interface standards to be used by all participants to exchange data. Until such a system is available, the Information Requirements Manager shall recommend a system that provides the most effective incident data collection capability to the NIC for designation as the Incident Management System IT database. Once designated, all subordinate commands shall modify their business processes to collect data and efficiently submit the required information. Subordinate commands are prohibited from collecting additional data, or applying non-standard definitions, parameters or collection periods to the NIC defined and required data sets. The authoritative Information System selected must be compliant with the requirements of Department of Defense Electronic Records Management Software Applications Design Criteria Standard, DoD 5015.02-STD.
- (3) File Management: Permanent records shall be maintained in accordance with the IRMs requirements and transfer, in appropriate format and in a timely manner, to the Documentation Preservation Unit (DPU) and ultimately, after the Response and utility of the DPU ends, the National Archives in accordance with NARA requirements.
- (4) Inter-Command Briefings: The NIC shall designate HSIN's Connect Online (HCO) feature to perform real-time briefings using the COP to maintain vertical and horizontal alignment within the response organization.

- b. Remote Sensing: The FOSC and Incident Commanders must identify their incident specific Commanders' Critical Information Requirements (CCIRs) to manage the remote sensing platforms (aircraft, satellite, etc). CCIRs will be separated into Priority Information Requirements (PIRs) about the oil and the Friendly Forces Information Requirements (FFIRs) on responders, vessels, and critical resources. A Remote Sensing (RS) Officer shall be assigned to the UAC(s) and ICP Planning Sections and report to the Information Requirements Manager at the NIC. The RS Officers will coordinate the activities of the DHS Interagency Remote Sensing Coordination Cell Officer to ensure the Tasking, Collection, Processing, Exploitation and Dissemination process shall be completed and published to the COP within three hours of the collect for it to be tactically useful. The Assistant Commandant for Intelligence (CG-2) shall lead the development of the DHS Interagency Remote Sensing Coordination Committee (IRSCC) SOP for SONS. This SOP will include typical CCIRs, PIRs, FFIRs and their associated Product Matrix and Collection Plan template. The Assistant Commandant for Capabilities (CG-7) and Commandant (CG-2) will develop a Sensor matrix to identify common sensor/craft operational envelope mix to aid in selecting assets to support the SONS event.

15. DOCUMENT PRESERVATION.

- a. In accordance with reference (a), section 300.315, all OSLTF users need to collect and maintain documentation to support all actions taken under the CWA. In general, documentation shall be sufficient to support full cost recovery for resources utilized and shall identify the source and circumstances of the incident, the responsible party or parties, and the impacts and potential impacts to public health and welfare and the environment.
- b. While reference (a) requires OSTLF users (i.e. FOSC, NIC) to collect and preserve all response data and documentation to support its actions taken and subsequent claims, the documentation effort supports resulting litigation. The efforts to support this challenge must extend from the highest to the lowest levels of the organization. The duty to preserve, and do so in an orderly manner, must be established early and enforced immediately within the first days of the incident.
- c. The FOSC/NIC shall coordinate with CG-094 to address all Coast Guard Units that support the response but are located outside the ICS/UAC/NIC structure. Both CG-094 as well as the FOSC/NIC shall appoint Document Preservation Officers at each Unit (Districts) who will train and reemphasize preservation methods, maintain the necessary archives, and act as POC for DPU.

16. CRITICAL RESOURCES.

- a. The declaration of a SONS will require extraordinary coordination of Federal, State, local, and RP resources to contain and mitigate the discharge. The UAC will have a Critical Resources Unit (CRU); the UAC CRU shall serve as the arbitrator of resources aligned with UAC operational objectives and NIC strategic guidance. The UAC CRU will reach out through the RRT and District to access additional regional level resources. If regional level resources are insufficient, the UAC CRU will request the NIC establish a national level NIC Critical Resources Unit (CRU) to serve as the conduit to access national and international resources necessary to support response operations.

- b. Critical resource management is vital. For a SONS event, all critical resources shall be aggressively sourced to exceed stated requirements established in Area Contingency Plans (ACPs) and Oil Spill Response Plans (OSRPs). There is no maximum requirement for these resources. While it is imperative to focus efforts on maximizing critical resource availability for meeting the current requirements, staffs should prepare for unseen contingencies and the inevitable attrition of equipment through normal use and required downtime for maintenance and renewal.
- c. If necessary, the NIC CRU should be divided into two divisions: an International Offers of Assistance Branch and a National Resources Acquisitions Branch.
 - (1) International Offers of Assistance: When considering international offers of assistance, additional coordination is required to ensure applicable legal issues are vented prior to acceptance of those resources. The NIC CRU shall coordinate with the UAC CRU and the DoS to manage and track offers of resources and equipment from foreign governments, regions, international bodies and private entities. In some cases, a Jones Act waiver (enclosure 1) or exemption may be necessary to allow foreign-flagged vessels and skimmers to participate in a SONS response. All international offers of assistance should be coordinated with DoS prior to consideration.
 - (2) The National Resource Acquisitions Branch will coordinate with the NRT, the ESFLG and national Oil Spill Response Organizations to identify and source resources and personnel required by the UAC CRU.
- d. The NSFCC shall provide an onsite liaison to the NIC CRU to support access to the RRI and assist with coordination of national response assets, if requested.
- e. International Offers of Assistance may be classified in the following manner:
 - (1) Government to Government: A foreign government is making an offer directly to the U.S. government.
 - (2) Government Facilitated: A foreign government is representing a company or entity in their country.
 - (3) Private: A private company or entity has submitted their product and/or services through their government.
- f. The RP may also contract directly with private contractors and foreign companies.
- g. All Government to Government, Government Facilitated or International Response Organization offers will either be accepted or rejected within three days, or suitable time period determined by the CRU Leader. Whether rejected or accepted, they shall be catalogued, so it can be quickly reevaluated in the event operational objectives or on-scene conditions change. If rejected, the specific reason for rejection shall be documented in the letter to the offerer along with a statement that the offer may be reconsidered if operational needs change.

17. STRATEGIC COMMUNICATION/PUBLIC AFFAIRS.

- a. A SONS and NIC designation should relieve subordinate units of certain functions to allow them to focus on operational and tactical level activities. Therefore, the NIC shall provide:

- (1) A national Joint Information Center (JIC) with delineated points of contacts;
 - (2) A national level spokesperson capable of instilling confidence in the whole of government response and capable of effectively communicating to a national audience;
 - (3) A staff that produces high quality and relevant communications products in a timely manner;
 - (4) A mechanism for receiving public input and resolving public information policy issues;
 - (5) A capacity to quickly and effectively respond to national level media inquiries; and,
 - (6) A capacity to effectually align messaging up and down the response organization.
- b. Strategic communication, for the purpose of a SONS, defined as the effort to understand and engage key audiences to create, strengthen or preserve conditions favorable to the successful execution of a whole of government response for which a NIC has been designated.
 - c. Strategic communication requires the synchronization of crucial themes, messages, images, and activities in support of the response. Consistent with the “unity of effort” philosophy, the NIC and the NIC public affairs staff are responsible for achieving this synchronization throughout the response organization. The NIC public affairs staff shall be prepared to harmonize the organizational structures created to sustain communication efforts under both the NCP NRT JIC Model and the NRF ESF-15, External Affairs. Specifically, the NIC should carefully consider establishing a national level JIC to effectively support the NIC’s public information role.
 - d. Public Information Role of the NIC: The NIC shall be the “face” and “voice” of the response, and serve as the primary Federal spokesperson for matters of national importance. The NIC, as the principal spokesperson, shall be augmented by the FOSC, Subject Matter Experts and designated spokespersons, as circumstances dictate. The public information roles of the NIC, FOSC and other personnel should be defined within the first 24 hours of a response. Effective and timely public information requires all levels of response officials to communicate in an aligned manner about their roles and activities.
 - e. Because of the NIC’s direct linkage to DHS and the White House, the NIC should expect to receive messages and themes of national significant from the White House and DHS. The NIC’s Press Secretary should proactively obtain those messages and themes and provide them throughout the response organization and for incorporation in incident action plans.
 - f. Local strategic communication, outreach, and public affairs are also critically important. The UAC(s) and UIC will need to be empowered via the NIC strategic communication plan, to conduct local public and media outreach to serve as the “local voice and authority” of the response. The UAC(s) and UIC will require the organization, typically a JIC, and experienced and/or trained personnel to conduct effective outreach.

18. STRATEGIC PLANNING.

- a. Regional and International Impacts: In coordination with the NRT and ESFLG, the NIC Strategic Planning Division will proactively monitor regional and international impacts caused by a SONS. If appropriate, the Division will develop a variety of high-level strategic plans and associated contingencies. These plans may address a variety of topics ranging from international engagement, international shoreline impact, waste stream management, national and international response resource allocation, funding and claims, public health, economic impacts, fisheries management and seafood safety, Natural Resource Damage Assessments (NRDA), etc. The objective of NIC level regional and international impacts strategic planning is to provide the NIC and FOSC/UAC(s)/ICs, as well as other governmental agencies and private stakeholders, actionable strategies to enable synchronization and coordination at all levels and across all boundaries. In addition, these high-level strategic plans facilitate the evolution of the organization and response effort complementary to the NCP with a continually adaptive and capable response construct.
- b. Severe Weather Planning:
 - (1) The severe weather contingency plan provides contingencies for directing the timely and effective suspension of response operations, relocation of response assets and the reconstitution of those assets thereafter. The plan establishes severe weather preparedness and response guidelines for personnel, equipment and resources assigned to support the oil spill response and is designed to encompass all Coast Guard, RP, direct hire contractors, as well as other military and civilian personnel under the direction of, or collocated with, the UAC(s).
 - (2) Due to the possibility of a non-SONS related oil spill resulting from a severe weather event and mixing with SONS oil, the cleanup process after a storm may require a comprehensive post-storm assessment and spill sampling plan to ensure accountability and chain of custody are maintained. The sampling process should be conducted as quickly as possible to identify the source of the oil. Continuous coordination between the ICPs, UAC(s) and the Federal Emergency Management Agency (FEMA) RRCC shall be maintained to ensure cleanup costs after a severe weather incident are correctly allocated to the RP or the appropriate Federal emergency funds.
 - (3) If post storm conditions or other events occur that warrant an emergency declaration by the President, FEMA shall administer the funding necessary for disaster response efforts, in accordance with the Robert T. Stafford disaster Relief and Emergency Assistance Act. If an emergency declaration due to a natural disaster occurs concurrently with an ongoing SONS response, both response organizations shall be linked under the NRF's ESF-10 per reference (a).
- c. NIC/SONS Response Organization Transition/Demobilization: The demobilization of the NIC and the other response organizations should be conditions based. Conditions could include: the risk of additional discharge has been eliminated; there is no recoverable oil in the water; no new shoreline impacts have been observed for a certain period of time; a structure has been created to assume recovery and restoration efforts, national level issues can be assumed by permanent bodies, and national level media and political interest has significantly diminished. As these conditions occur, the need for a

NIC with a full staff will be greatly diminished and should begin to transition from a national level effort to a traditional regional oil spill response.

- d. Air Space Control: During a SONS, there is the potential for hundreds of daily public, private and military flights. Aviation coordination for large contingencies is vital. The FOSC should consider establishing an ACC for the effective command and control of the airspace. This will enable safe, effective and efficient air operations to meet the priorities of the UAC. The NIC should be prepared to support the UAC in establishing the ACC by resolving matters arising in obtaining Federal Aviation Administration (FAA) or U.S. Air Force (USAF) support for the ACC.

19. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.

- a. The development of this directive and the general policies contained within it have been thoroughly reviewed by the originating office and are categorically excluded under current USCG categorical exclusion (CE) 22 from further environmental analysis, in accordance with Section 2.B.2 and Figure 2-1 of the National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1 (series).
- b. This directive will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial change to existing environmental conditions; or inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment. All future specific actions resulting from the general policies in this Manual must be individually evaluated for compliance with the National Environmental Policy Act (NEPA), Council on Environmental Policy NEPA regulations at 40 CFR Parts 1500-1508, DHS and Coast Guard NEPA policy, and compliance with all other environmental mandates.

20. RECORDS MANAGEMENT CONSIDERATIONS. This Instruction has been thoroughly reviewed during the directive clearance process, and it has been determined there are no records scheduling requirements, in accordance with Federal Records Act, 44 U.S.C. 3101 et seq., NARA requirements, and Information and Life Cycle Management Manual, COMDTINST M5212.12 (series).

21. FORMS/REPORTS. None

Brian M. Salerno/s/
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Deputy Commandant for Operations

Enclosure: (1) Process to Assess and Approve Offers of Foreign-Flagged Vessels for Spill Response

**Enclosure 1. PROCESS TO ASSESS & APPROVE
OFFERS OF FOREIGN-FLAGGED VESSELS FOR
SPILL RESPONSE**

