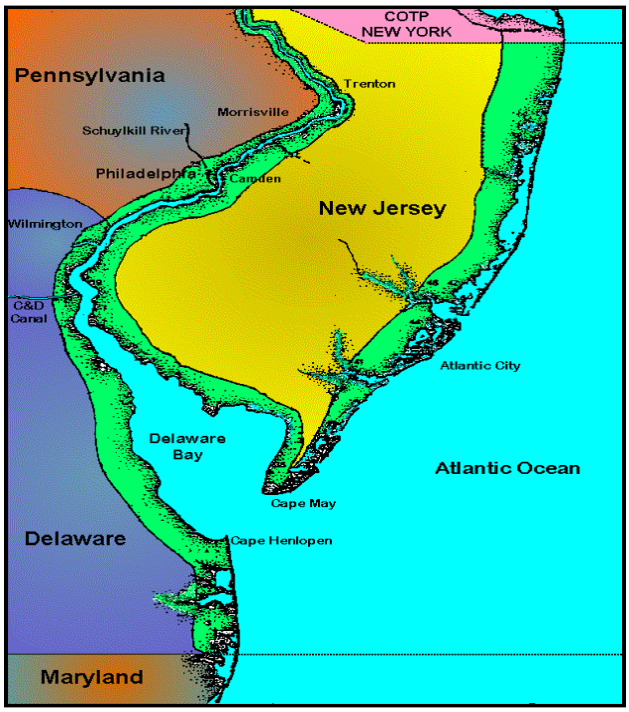
SECTOR DELAWARE BAY AREA CONTINGENCY PLAN



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February 2016

Approval Letter (*Letter of Promulgation*)

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27 May 2005

From: Federal On-Scene Coordinator Sector Delaware Bay

To: Distribution

Subj: PROMULGATION OF SECTOR DELAWARE BAY AREA CONTINGENCY PLAN

1. This letter promulgates the new Sector Delaware Bay Area Contingency Plan (ACP).

2. Prior to this revision, the ACP had been primarily developed and used for response to oil spills that were caused by the unintentional actions of individuals, equipment failure or natural disasters. In today's environment where terrorism is a greater reality, the intentional release of a hazardous substance, oil, biological agent or radiation poses unique challenges to those who respond. Unified Commanders may have to simultaneously manage protecting public health, safety and the environment along with coordinating a law enforcement response. The revised ACP incorporates guidance for responders to assist them in managing these unique challenges. The ACP is a blueprint designed to ensure that initial actions taken are effective from the start.

3. The ACP is designed to meet the requirements and intent of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), is aligned with the National Response Plan (NRP), and is built around the principles of the National Incident Management System (NIMS). The ACP is formatted similar to the NRP and contains a Base Plan supported by five incident annexes: oil, hazardous substances, biological, radiological and terrorism.

4. This ACP is electronic, enabling users to rapidly access a wide range of supporting documents that are linked to the ACP. For the ACP to provide maximum support, responders and members of the Area Committee, along with other port partners, must continuously update and revise the ACP with lessons learned through exercises and actual responses. Response personnel, from Unified Commanders to Division Supervisors, should make themselves familiar with this plan.

5. This ACP highlights the national importance of the Delaware River Port Complex, both environmentally and economically and is the culmination of excellent cooperation and teamwork from the members of the Sector Delaware Bay Area Committee and other port partners from Federal, State, Local government, industry and non-governmental organizations.

J. D. SARUBBI

DISTRIBUTION: Sector Delaware Bay Area Committee Members

Record of Changes

Change Number	ACP Section # and Page or Attachment	Date Entered	Change Entered By
1	Oil Annex 2012 Update	2/18/12	R. Clavner
2	Section 4300 Revision for Volunteers	2/19/12	R. Clavner
3	Section 4300 Revision for Volunteers	5/17/14	R. Clavner
4	9700 S Water Intakes	2/20/16	R. Clavner/G. Conrad
5	Updated Geographic Response Strategies	8/2016	G. Conrad
6	Oil Spill Annex Org Chart LANT IMAT to CG IMAT	2/24/2018	G. Conrad
7	Oil Spill Annex Pg 7 NSF to CG IMAT PIAT	2/24/2018	G. Conrad
8	Changed Sector "Baltimore" to "Maryland-NCR"	1/3/2019	J. Ursin
9	Spellchecked document	1/4/2019	J. Ursin
10	Added hyperlinks to CFR sites	1/8/2019	J. Ursin
11	Changed MSD "Roosevelt Inlet" to Lewes and updated Lewes contact info.	1/8/2019	J. Ursin
12	Revised hyperlinks	1/23/2019	J. Ursin
13	Removed excess amount of ICS description text and added link to IMH and ICS job aids	1/11/2019	J. Ursin
14	Removed links that do not exist and are not necessary.	1/23/2019	J. Ursin
15	Revised local area aviation phone numbers.	1/22/2019	J. Ursin
16	Added special teams hyperlinks.	1/22/2019	J. Ursin

17	Removed all SITL and RESL sub-sections.	1/23/2019	J. Ursin
18	Revised DOCL and DMOB section	3/12/2019	J. Ursin
19	Updated hyperlinks	3/12/2019	J. Ursin
20	Updated hyperlinks	5/1/2019	T. Plank
21	Updated Table of Contents	5/1/2019	T. Plank
22	Updated Images Sec 1620.2	5/2/2019	T. Plank
23	Updated Geographic Boundaries Sec 1200	5/23/2019	T. Plank
24	Updated Sec 1320	6/5/2019	T. Plank
25	Updated AC Charter	6/5/2019	T. Plank
26	Updated ESA Section	6/5/2019	T. Plank
27	Updated HP Section	6/5/2019	T. Plank
28	Updated WCD	6/8/2019	T. Plank
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Table of Contents

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1000 – Introduction

Multi-agency (public agencies, nongovernmental organizations, industry, and general public) and multi-discipline responses are the norm in today's environment. The ability of local responders to conduct multi-agency response operations is absolutely essential to minimizing loss of life and damage to the environment, and protecting property.

Through Sector Delaware Bay Area Committee, port stakeholders have worked together to develop the Sector Delaware Bay Area Contingency Plan (ACP). The mandate for an ACP came about from an amendment to the Clean Water Act to strengthen pre-planning and provide for a well-coordinated response effort. The ACP defines the basis from which response operations will be conducted in response to hazardous substances, oil, and pollutants or contaminants.

The ACP has taken on even greater importance following the events of September 11, 2001. Historically, the users of the ACP have been confronted with incidents that were caused by nature (i.e. hurricane) or from the unintentional actions of individuals (i.e. grounding a vessel). In today's environment where terrorism is a greater reality, the intentional release of a hazardous substance, oil, biological agent or radiation poses unique challenges to those who respond. Unified Commanders may have to simultaneously manage protecting public health, safety and the environment along with coordinating a law enforcement response.

The national importance of the Delaware River Port Complex and environmentally sensitive areas throughout Commander, Sector Delaware Bay's Area of Responsibility requires strong partnerships among federal, state and local governments and industry to prevent, and, if necessary, respond to incidents threatening the port.

The ACP is a blueprint that is designed to ensure that the initial actions taken in response to a hazardous substance release, oil spill, radiological or biological incidents that occur in the maritime environment are effectively managed from the start. However, incidents, like fingerprints, are never identical and once initial actions have been taken responders will assess the incident and tailor their strategies and tactics to match the reality of the situation on the ground.

The Sector Delaware Bay Area Contingency Plan has been designed to meet the requirements and intent of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), is aligned with the National Response Framework (NRF), and built around the principles the National Incident Management System (NIMS).

1010 – Area Contingency Plan Purpose

ACP's contain critical elements of sound oil and hazardous substance spill response, incident management, and all-hazards preparedness. The ACP is a critical tool for the FOSC and other responders, providing practical and easily accessible information to assist in conducting an effective response. Information found in the ACPs related to certain items, such as the availability and response time for operational resources should not be viewed as performance standards, but rather as planning criteria.

In general, the ACP serves the following purposes:

- Provide for orderly and effective implementation of response actions to protect the people, natural resources, and property of the Coastal Zone from the impacts of an actual or substantial threat of oil discharges and/or hazardous substance releases;
- Promote the coordination of and describe the strategy for achieving a unified and coordinated federal, state, local, tribal, territorial, Responsible Party, response contractors, and community response to an actual or substantial threat of oil discharges and/or hazardous substance releases;
- Align with the NCP and RCPs to ensure consistency of planning and preparedness from the local to national level; and
- Maintain the ability to guide actions to remove a WCD and to mitigate or prevent a substantial threat of such a discharge or release, from an offshore facility, onshore facility, or vessel operating in or near the area.

The Philadelphia Area Contingency Plan describes the strategy for a coordinated federal, state and local response to any vessel, offshore facility, submerged pipeline or waterfront facility within Sector Delaware Bay Area of Responsibility, that experience:

- A discharge or substantial threat of discharge of oil
- A release or threat of release of a hazardous substance
- An exposure to or threat of an exposure to harmful biological substances
- An exposure to or threat of an exposure to a radiological substances
- One of the above incidents combined with a threat of an act of terrorism

Discharges, releases or exposure incidents can occur for various reasons and the causes can include human error, mechanical failure, fire, and explosion and/or hostile or terrorist activity. In the writing of this plan, a number of factors were considered such as:

- Spill histories
- Vessel traffic flow through the area
- Hazard and risk assessments
- Seasonal considerations
- The maximum product capacities and the operating records of facilities and vessels within the area

This plan shall be used as:

- A resource and response guide during actual spills or incidents
- A framework for response mechanisms to evaluate shortfalls and weaknesses in the response structure before a spill or incident
- A guide for reviewing vessel and facility response plans required by OPA 90, to ensure consistency.

This plan and its annexes can be used for any spill or hazmat release, regardless of size or cause. Annexes to this plan can be found at the following sites:

1. Area Contingency Base Plan, Appendices and References
2. Area Maritime Security Plan, Appendices and References
3. Sector Delaware Bay Local Contingency Plans and reference documents
4. Regional Response Team II
5. Regional Response Team III

1100 – Introduction/Authority

This Area Contingency Plan is required by Title IV, Section 4202 of the Oil Pollution Act of 1990 (OPA 90) which amends Subsection (j) of Section 311 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1321 (j)) as amended by the Clean Water Act (CWA) of 1977 (33 U.S.C. 1251) to address the development of a National Planning and Response System.

This ACP is also written in conjunction with the National Oil and Hazardous Substance Pollution Contingency Plan (NCP) (40 CFR 300) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA, 42 U.S.C. 9601), as Amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA).

As part of this National Planning and Response System, Area Committees were established for each area designated by the president. Qualified personnel from federal, state, and local agencies comprise the Area Committees. Each Area Committee, under the direction of the Federal On-Scene Coordinator (FOSC) for the area, is responsible for developing their local Area Contingency Plan (ACP).

Per OPA 90 and the NCP, ACPs are a fundamental component of domestic spill preparedness and response. The pre-designated Federal On-Scene Coordinator (FOSC) directs an Area Committee comprised of local subject matter experts. Area Committees, under the direction of the pre-designated FOSC, are required to develop and maintain ACPs unique to a geographically defined area of responsibility. For the Coast Guard in general, the COTP shall serve as the designated FOSC for Coastal Zone areas unless otherwise specified. Area Commanders shall ensure each COTP maintains a standalone ACP, and associated Area Committee, for their predesignated Coastal Zone. These ACPs must remain distinct from Regional Contingency Plans (RCPs).

The U.S. Environmental Protection Agency (EPA) is the designated OSC (On-Scene Coordinator) for the Inland Zone. The EPA retains the responsibility for all area contingency planning and response functions within the designated Inland Zones. Coast Guard units residing within EPA OSC Inland Zones should contact their District for additional instruction regarding their specific roles and responsibilities.
On an incident-specific basis, EPA OSC authority may be transferred between the Coast Guard and vice versa. FOSC authority may be transferred between the Coast Guard and EPA if both the FOSCs are in agreement (i.e., an incident that originates in the Inland Zone, but may have substantial impacts to a Coastal Zone). The transfer of FOSC authority shall be documented.

Executive Order 12777 of 22 October 1991, gave the Commandant of the U.S. Coast Guard (through the Secretary of Transportation) for coastal zones[1] and the Administrator of the Environmental Protection Agency for the inland zones, the functions of designating areas, appointing area committee members, determining the information to be included in area contingency plans, and reviewing and approving area contingency plans.

Title IV of the Homeland Security Act, Section 402 transferred functions of the U.S. Coast Guard from the Department of Transportation to the Department of Homeland Security.

1200 – Geographic Boundaries

The legal description of the Area of Responsibility for Captain of the Port Philadelphia (COTP) Zone, Sector Delaware Bay, is defined in 33 CFR 3.25-05 and is pictured below in Fig.1:

Sector Delaware Bay's office is located in Philadelphia, PA. The boundaries of Sector Delaware Bay's Marine Inspection Zone and Captain of the Port Zone start near the New Jersey coast at latitude 40°18’00” N, longitude 73°58’40” W, proceeding west to latitude 40°18’00” N, longitude 74°30’30” W, thence north-northwest to the junction of the New York, New Jersey, and Pennsylvania boundaries near Tristate at latitude 41°21’27” N, longitude 74°41’42” W; thence northwest along the east bank of the Delaware River to latitude 42°00’00” N, longitude 75°21’28” W; thence west along the New York-Pennsylvania boundary to latitude 42°00’00” N, longitude 78°54’58” W; thence south to latitude 41°00’00” N, longitude 78°54’58” W; thence west to latitude 41°00’00” N, longitude 79°00’00” W; thence south to the Pennsylvania-Maryland boundary at latitude 39°43’22” N, longitude 79°00’00” W; thence east to the intersection of the Maryland-Delaware boundary at latitude 39°43’22” N, longitude 75°47’17” W; thence south along the Maryland-Delaware boundary to latitude 38°27’37” N, longitude 75°41’35” W and east along the Maryland-Delaware boundary to and including Fenwick Island Light at latitude 38°27’03” N, longitude 75°02’55” W. The offshore boundary starts at Fenwick Island Light and proceeds east to a point at latitude 38°26’25” N, longitude 74°26’46” W; thence southeast to latitude 37°19’14” N, longitude 72°13’13” W; thence east to the outermost extent of the EEZ at latitude 37°19’14” N, longitude 71°02’54” W; thence northeast along the outermost extent of the EEZ to latitude 37°56’50” N, longitude 69°18’15” W; thence northwest to latitude 38°28’00” N, longitude 70°11’00” W; thence northwest to a point near the New Jersey coast at latitude 40°18’00” N, longitude 73°58’40” W.

Fig. 1

Generally, the Area of Responsibility for Sector Delaware Bay includes the eastern three quarters of Pennsylvania, the entire state of Delaware, all of southern New Jersey and a major portion of northwest New Jersey. This area includes the Delaware Bay and River and its seaward approaches and the Chesapeake & Delaware (C&D) Canal to the Delaware/Maryland border. (Fig. 1)

1210 – USCG / EPA Area of Responsibility

The boarder between the US EPA Region 2 and 3 inland area contingency plans and the Philadelphia Area Contingency Plan for Sector Delaware Bay Area of Response for pollution Incidents is illustrated below in Fig. 2.

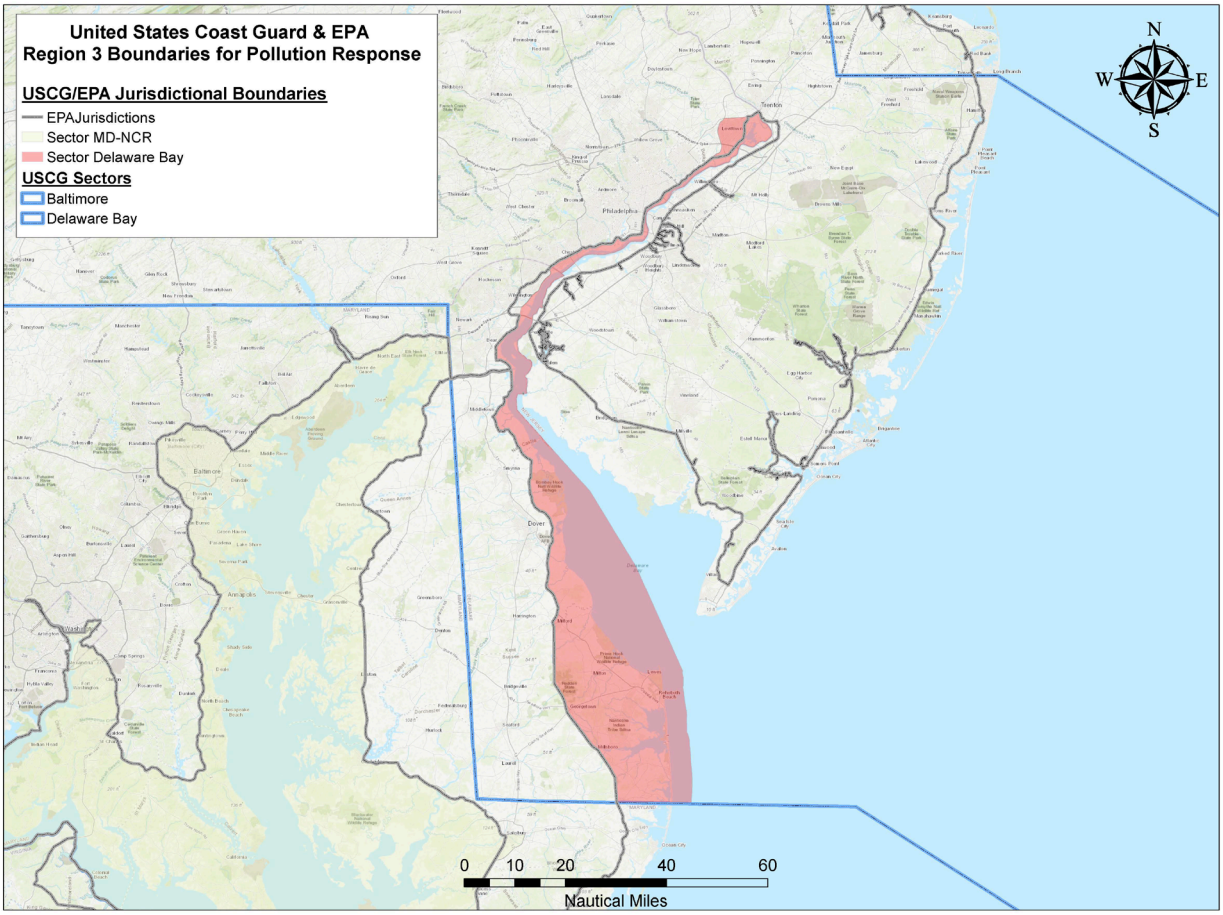


Fig. 2

EPA Region II will respond to spills inland of, and on the highway boundaries described below. The demarcation lines in the State of New Jersey between the inland and coastal response zones are as follows:

In New Jersey, the coastal zone for USCG response, includes:

1. Delaware River: From the Delaware Bay to the US Route 1 Bridge in Trenton.
2. Rancocas Creek: From the Delaware River to the I-295 Bridge in Willingboro.
3. All of the Cooper River
4. All of Newton Creek and its tributaries
5. All of Little Timber Creek
6. Big Timber Creek: From the Delaware River to the Route 42 Bridge.
7. Salem River: From the Delaware River to the Route 49 Bridge in Salem.
8. Tuckahoe River: From Egg Harbor to the drawbridge at Route 50.
9. Great Egg Harbor River: From Great Egg Harbor to Routes 50 and 559 in Mays Landing.
10. Mullica River: From Great Bay to Route 563.

From Trenton, South to Cape May:

The EPA/USCG boundary begins at the US Route 1 Bridge between Morrisville, PA and Trenton, NJ; continues east to its intersection with Route 29 in Trenton; then south along Route 29, which becomes Route 29/129, and merges into Interstate 195. The boundary continues on I-195 to its junction with Route 206 in the vicinity of White Horse; then south on Route 206 to Route 130 in Bordentown. The boundary then continues south on Route 130 to Route 49 in the vicinity of Deepwater; then continues on Route 49 south and east, to its junction with Route 47 in Millville. The boundary then continues south on Route 47, to its junction with the Garden State Parkway in the vicinity of Rio Grande.

From the Delaware/Maryland State Line North to PA Border

North along State Highway 113 from the MD/DE state line to its intersection with SR 9 in DE; then northward along SR 9 to the southern bank of the Chesapeake and Delaware Canal (C & D Canal); then westward along the southern bank to the DE/MD state line, and then eastward along the northern bank of the C & D Canal to SR 9, and then north along SR 9 to its intersection with I-495; then northward along I-495 to its intersection with I-95 at the PA/DE border;

From PA/DE Border North to Trenton NJ

Northward along I-95 to its intersection with US Highway 1; then northward along US Highway 1 to the US Highway 1 bridge between Morrisville, PA and Trenton, NJ.

EPA Region III will respond to spills inland of, and on the highway boundaries described below. The demarcation lines within the States of Pennsylvania and Delaware between the inland and coastal response zones are as follows:

Inland Zone Boundary Designation.

The U.S. Environmental Protection Agency (EPA), Region III provides the pre- designated On-Scene Coordinator (OSC) for pollution response in the Inland Zone, as defined in the NCP, 40 C.F.R. § 300.5. All discharges or releases, or a substantial threat of such a discharge or release of oil or hazardous substances into or upon the navigable waters of the United States or adjoining shorelines originating within the Inland Zone will be the responsibility of the EPA. Included are discharges and releases from unknown sources or those classified as “mystery spills.”

Coastal Zone Boundary Designations.

The cognizant U.S. Coast Guard Captain of the Port (COTP) is the pre-designated On- Scene Coordinator (OSC) for pollution response in the Coastal Zone, as defined in the NCP, 40

C.F.R. § 300.5. All discharges or releases, or a substantial threat of such a discharge or release of oil or hazardous substances into or upon the navigable waters of the United States or adjoining shorelines originating within the Coastal Zone will be the responsibility of the

U.S. Coast Guard OSC. Included are discharges and releases from unknown sources or those classified as “mystery spills.”

The Inland and Coastal Zone geographical boundary for EPA Region III and USCG Sector Delaware Bay shall extend from:

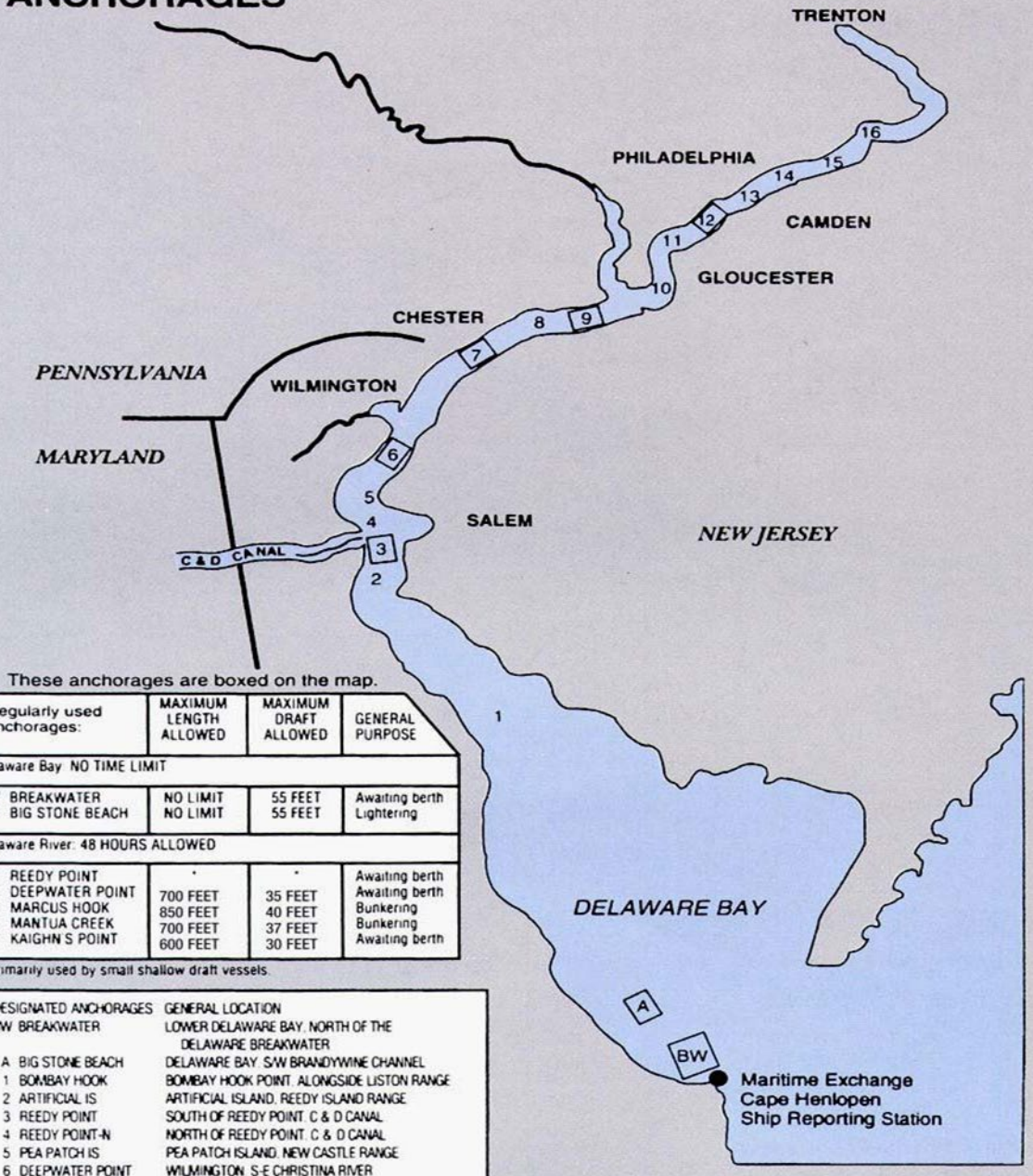
Highway Transportation

There are several major interstates that serve the Philadelphia area. Inter-state 95 parallels the Delaware River on the Pennsylvania side, while Interstate 295 parallels the Delaware River on the New Jersey side. Interstate 76 runs along the Schuylkill River and crosses over the Delaware River where it meets with Interstates 676 and 295 near Camden. In addition, there are several major U.S. routes in the area. Routes 1 and 13 parallel I-95 in Pennsylvania. Route 130 parallels the Delaware River in New Jersey, running to the west of I-295. Route 322 intersects I-95 and crosses over the Delaware River into New Jersey.

Oil and Hazardous Substance Transportation Patterns

There is a constant flow of coastwise and foreign trade vessels that proceed offshore along the New Jersey and Delaware coastlines. For those vessels bound for the Ports of Philadelphia, two sets of shipping lanes from the Atlantic Ocean converge to a pilot transfer area at the mouth of the Delaware Bay. With a pilot on board, vessels proceed through the precautionary area to Big Stone Beach Anchorage or to the beginning of the navigable channel. The channel winds its way up river to the falls at Trenton in a series of ranges. The channel is dredged to a depth of 40 feet to Fairless, PA, and to 25 feet thereafter, varying in width from 1,000 feet in the Delaware Bay to 400 feet in the northern reaches. In many areas, vessels are moored at waterfront facilities and anchored in upriver anchorages just outside the channel. See Figs. 3 and 4

ANCHORAGES



These anchorages are boxed on the map.

Regularly used anchorages:	MAXIMUM LENGTH ALLOWED	MAXIMUM DRAFT ALLOWED	GENERAL PURPOSE
Delaware Bay NO TIME LIMIT			
BW BREAKWATER	NO LIMIT	55 FEET	Awaiting berth
A BIG STONE BEACH	NO LIMIT	55 FEET	Lightering
Delaware River: 48 HOURS ALLOWED			
3 REEDY POINT	*	*	Awaiting berth
6 DEEPWATER POINT	700 FEET	35 FEET	Awaiting berth
7 MARCUS HOOK	850 FEET	40 FEET	Bunkering
9 MANTUA CREEK	700 FEET	37 FEET	Bunkering
12 KAIGHN S POINT	600 FEET	30 FEET	Awaiting berth

*Primarily used by small shallow draft vessels.

DESIGNATED ANCHORAGES	GENERAL LOCATION
BW BREAKWATER	LOWER DELAWARE BAY, NORTH OF THE DELAWARE BREAKWATER
A BIG STONE BEACH	DELAWARE BAY, S/W BRANDYWINE CHANNEL
1 BOMBAY HOOK	BOMBAY HOOK POINT, ALONGSIDE LISTON RANGE
2 ARTIFICIAL IS	ARTIFICIAL ISLAND, REEDY ISLAND RANGE
3 REEDY POINT	SOUTH OF REEDY POINT, C & D CANAL
4 REEDY POINT-N	NORTH OF REEDY POINT, C & D CANAL
5 PEA PATCH IS	PEA PATCH ISLAND, NEW CASTLE RANGE
6 DEEPWATER POINT	WILMINGTON, S-E CHRISTINA RIVER
7 MARCUS HOOK	DELAWARE/PENNA BORDER
8 THOMPSON POINT	THOMPSON POINT, TINICUM RANGE, CRAB POINT
9 MANTUA CREEK	PHL AIRPORT TO SCHUYLKILL RIVER, MIFFLIN RANGE
10 NAVAL BASE	PHL NAVAL BASE, HORSESHOE RANGE
11 GLOUCESTER	GLOUCESTER, SOUTH OF WALT WHITMAN BRIDGE
12 KAIGHN'S POINT	GLOUCESTER, CAMDEN, PHILADELPHIA HARBOR
13 CAMDEN	CAMDEN, TO COOPER POINT
14 PORT RICHMOND	PORT RICHMOND NEAR PETTY'S ISLAND
15 PETTY'S ISLAND	NORTH TO PETTY'S ISLAND
16 PORT RICHMOND-N	BETWEEN PORT RICHMOND AND FIVE MILE POINT

Fig. 3

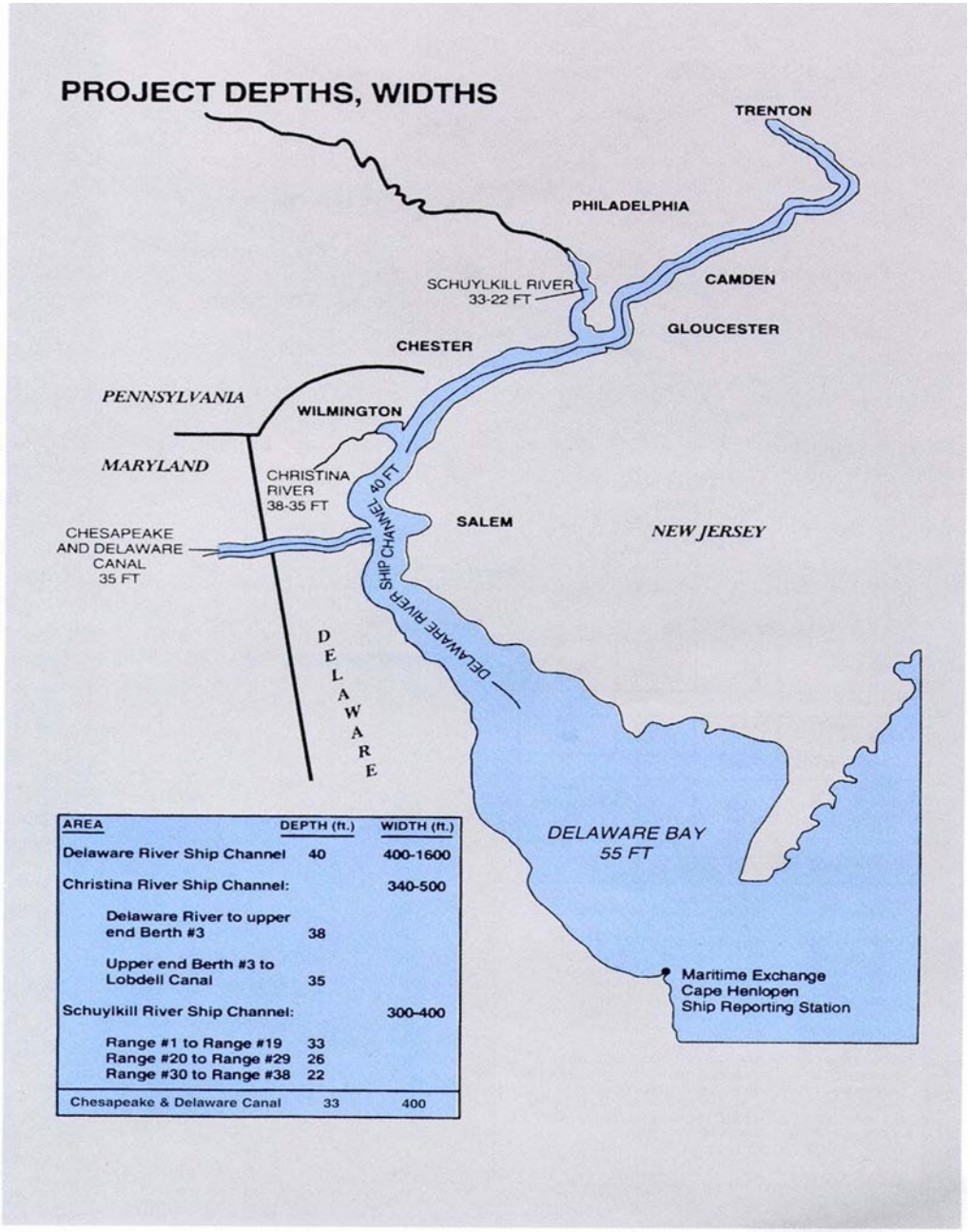


Fig. 4

Big Stone Beach Anchorage

Large tankers bound for upriver ports often lay over at the Big Stone Beach Anchorage, where lightering operations are conducted to bring deep-draft vessels up to the controlling draft of 39 feet saltwater or 40 feet freshwater. Vessels carrying crude oil upriver constitute 43% of the vessel traffic in the Delaware estuary. Along with crude oil, vessels arrive daily carrying a variety of finished products, including industrial chemicals and other hazardous cargoes.

The C & D Canal

The Chesapeake and Delaware Canal provides access between the Delaware and Chesapeake Bays. Finished products are transported through the canal by both tanker and barge.

Oil

Finished oil products from the area's seven major refineries are transported by a variety of transportation modes including pipeline, tank truck, rail car, barge, and tanker. The marine mode makes up a large percentage of oil movements from these refineries. Tankers and barges carry products within the port area and to other East Coast ports. While oil products are shipped throughout the port area, the major facilities for receiving crude oil are located in Marcus Hook, PA; Philadelphia, PA; West Deptford, NJ; Paulsboro, NJ; and Delaware City, DE.

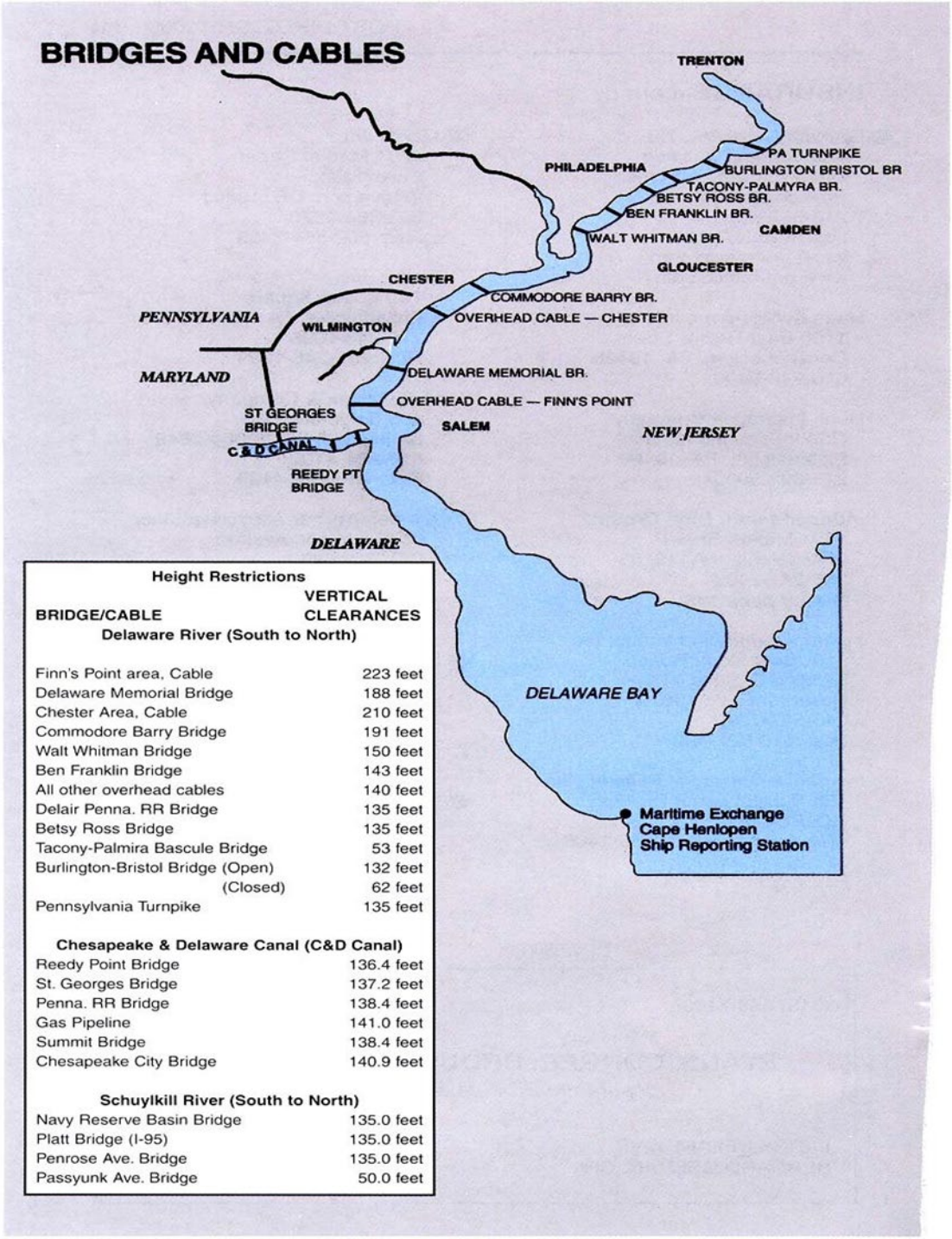
Hazardous Materials

Hazardous substances move through the Delaware Valley region by all modes of transportation. Bulk shipments of hazardous substances move by both ship and barge and go upriver as far north as Rohm & Haas Co., Croyden, PA. A potential threat is posed by the chemical tank vessels or product carriers, which carry numerous chemicals. In the event of a marine casualty, these vessels could release a mixture of hazardous substances.

Large shipments of packaged hazardous materials are also moved by ship and by barge. These cargoes are loaded and unloaded at the ports of Salem, Wilmington, Chester, Gloucester City, Camden, Pennsauken, and Philadelphia.

Bridges

Highway and rail transport of refined products constitutes a threat of pollution most acutely when crossing a bridge over the Delaware or Schuylkill River, or one of their tributaries. The Delaware River has twenty bridges from the Delaware Memorial Bridge at Wilmington, DE, north to the U. S. Route 1 Highway Bridge at Trenton, NJ. Eighteen bridges cross the navigable part of the Schuylkill River between the mouth and the dam behind the Art Museum. See Fig. 5



Height Restrictions

BRIDGE/CABLE	VERTICAL CLEARANCES
Delaware River (South to North)	
Finn's Point area, Cable	223 feet
Delaware Memorial Bridge	188 feet
Chester Area, Cable	210 feet
Commodore Barry Bridge	191 feet
Walt Whitman Bridge	150 feet
Ben Franklin Bridge	143 feet
All other overhead cables	140 feet
Delair Penna. RR Bridge	135 feet
Betsy Ross Bridge	135 feet
Tacony-Palmira Bascule Bridge	53 feet
Burlington-Bristol Bridge (Open)	132 feet
(Closed)	62 feet
Pennsylvania Turnpike	135 feet
Chesapeake & Delaware Canal (C&D Canal)	
Reedy Point Bridge	136.4 feet
St. Georges Bridge	137.2 feet
Penna. RR Bridge	138.4 feet
Gas Pipeline	141.0 feet
Summit Bridge	138.4 feet
Chesapeake City Bridge	140.9 feet
Schuylkill River (South to North)	
Navy Reserve Basin Bridge	135.0 feet
Platt Bridge (I-95)	135.0 feet
Penrose Ave. Bridge	135.0 feet
Passyunk Ave. Bridge	50.0 feet

Fig. 5

Continental Shelf

To date, lightering activity off the New Jersey and Delaware coasts has been minimal. With current draft restrictions on the Delaware River ship channel and the increasing capacity of tank ships, an increase is expected over the next few years.

Southern New Jersey

The area from Toms River, NJ, south to Cape May, NJ, then north to Deepwater, NJ, contains mainly small refueling facilities for commercial fishing and recreational vessels. These facilities are primarily located inside the many bays and inlets and along the shores of the Inter-Coastal Waterway (ICW). The area from Deep-water, NJ, north to Trenton, NJ, contains the majority of the large transfer, storage and processing facilities. The area north of Trenton, NJ, contains mainly small recreational vessel refueling facilities.

Delaware and Eastern Pennsylvania

This area is comprised of the coastal zone from Morrisville, PA, south along the Delaware River and Delaware Bay to Cape Henlopen then south along the Delaware Atlantic Coast to Fenwick Island Light, DE, including the Schuylkill and Christina Rivers.

The area from Morrisville, PA, south to Delaware City, DE, including the Schuylkill and Christina Rivers, contains the majority of the transfer, storage, and processing facilities. The area south of Delaware City along the Delaware River and Delaware Bay to Cape Henlopen, DE, and south along the coast to Fenwick Island Light, DE, contains primarily small commercial fishing and recreational vessel refueling facilities. Big Stone Beach and Big Stone Beach Anchorages, located in Delaware Bay off Big Stone Beach, DE, are used for the lightering of oil from deep-draft tank vessels to allow passage up the restricted depth channel of the Delaware River.

HYDROLOGICAL AND CLIMATOLOGICAL CONSIDERATIONS

Hydrology

The Delaware Bay and River system is a coastal plain estuary, with the Port of Philadelphia located at the upstream end of the estuarine influence of the system. The region is characterized by very low salinities (0-3 ppt) throughout the year due to the relatively high freshwater discharges of the Delaware and Schuylkill Rivers. Water temperatures vary from 8°C (winter) to 26°C (summer). The navigational channel entering the port is maintained at 12 meters depth throughout the year, but decreases (to 8 meters) as it progresses further upstream of Philadelphia.

The Delaware River Valley and Coastal Plains are composed of layered sand and gravel, which allows filtration of surface waters into aquifers. South Jersey is equally divided into two drainage basins, the Delaware River Basin, and the Atlantic Coastal Basin:

- The Delaware River Basin (See Fig. 6) covers a drainage area of 13,628 square miles, including parts of Southern New Jersey, Eastern Pennsylvania, and Delaware. The natural hydraulic

gradient is such that the aquifer discharges ground water into the Delaware River. Downstream of Trenton, the river becomes estuarine in nature. The estuary tends to be well mixed in summer and fall and somewhat stratified in winter and spring. The Delaware River widens into the Delaware Bay. This estuarial bay occupies an area of 720 square miles. It is somewhat teardrop shaped, almost 41 nautical miles long, and 24 nautical miles at its widest point. The average depth is 32 feet with a maximum depth of 150 feet. Mean tidal ranges vary between six and four feet at various locations. Tidal currents range from 0.4 to 3.0 knots between the Capes, 0.5 to 2.0 knots in the lower Bay and 0.5 to 3.0 knots in the upper Bay. Wind-induced currents have been measured up to 1.8 knots. There is a large rotary current that normally flows southward along the western edge of the bay. These flows are reinforced by the flood and ebb tides. The mean water temperature is 12.8 degrees C (55.0 degrees F) with a minimum of about -2.0 degrees C (28.4 degrees F) and a maximum of 32.2 degrees C (90.0 degrees F).

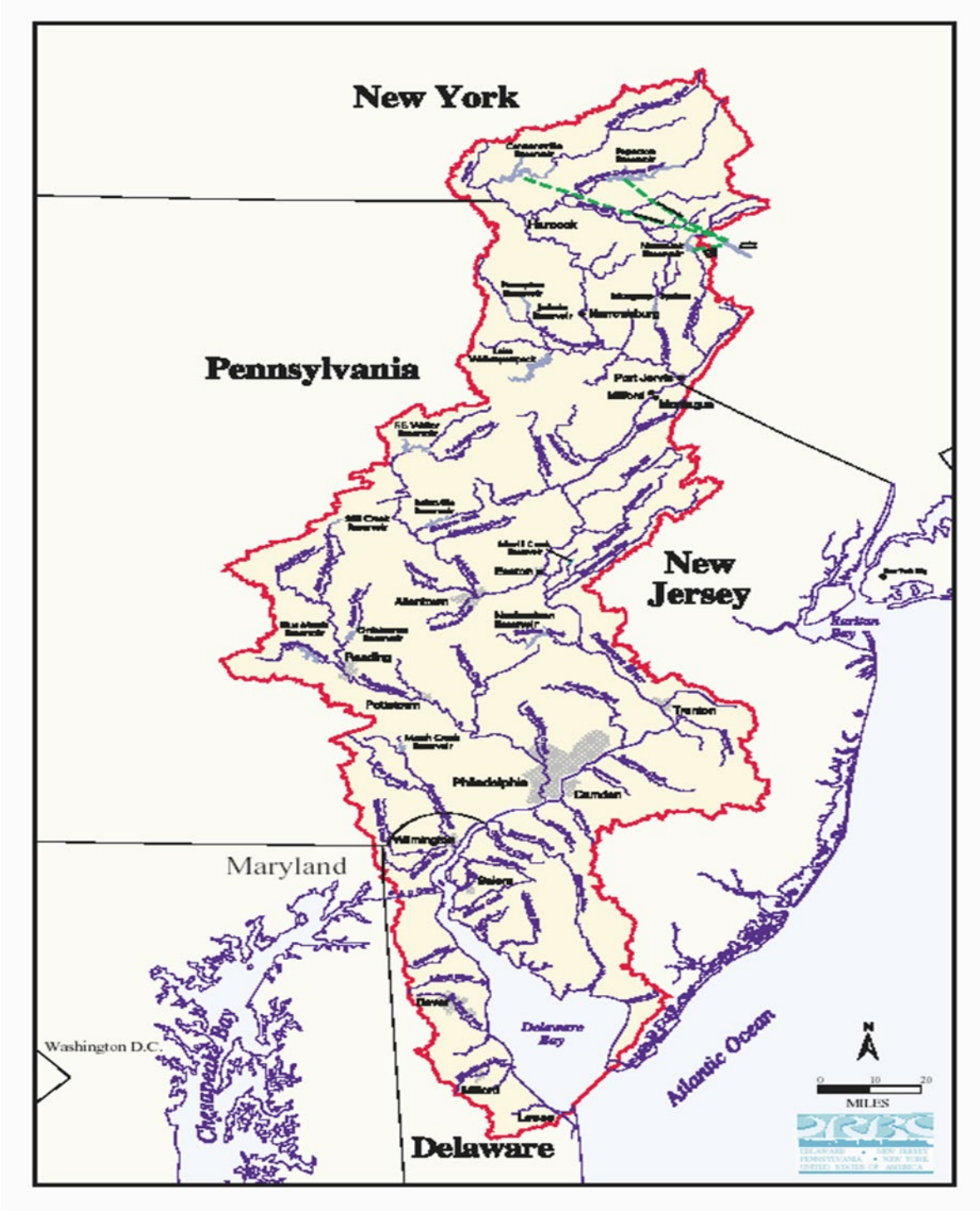


Fig. 6

- The Atlantic Coastal Basin is comprised of the eastern half of Southern New Jersey. This area is mainly low, nearly level plains, barrier islands, and lagoons drained by shallow estuaries. The

Coastal Basin is divided into five drainage areas: Barnegat Bay, Great Bay, Great Egg Harbor, Absecon Bay, and Cape May County-Atlantic Coast Line.

Climatology

The sub-regional area can be characterized as between humid sub-tropical and continental. The presence of the Atlantic Ocean to the east and the Appalachians to the west significantly affects the weather, which is characterized by rapid changes and major storms. The average annual air temperature is generally moderate.

A change in wind direction can cause fairly large fluctuations in temperature. Typically, July is the hottest month, while January is the coldest. The average rainfall for the Delaware River Valley is 46 inches; wide fluctuations from the average are likely to occur.

The prevailing surface winds in the sub-regional area are from a westerly direction with a shift to the northwest during winter and southwest during the summer.

Southern New Jersey

Long Branch to Cape May:

The coastal region along the Atlantic Ocean is made up of numerous barrier islands and coastal wetlands. The barrier islands separate the ocean from the many bays and the ICW, constituting a large part of the New Jersey seacoast. The region is predominantly a resort area.

Cape May to Camden:

The coastal region along the Delaware Bay and Delaware River is predominately marshland with limited population. The area south of Salem is completely marshlands with only small villages existing.

Camden to Trenton:

The coastal region along the Delaware River is continuing to urbanize. Most of what was marshland has been filled and developed, but a couple of small wetland areas still exist.

Delaware and Eastern Pennsylvania

Morrisville to Philadelphia:

The coastal region along the Delaware River is predominantly urbanized, with most of the shoreline covered with piers. A couple of parks still exist with natural beachfront.

Philadelphia, Schuylkill River:

The Schuylkill River is navigable up to the Fairmount Park Dam. This section of the river is highly industrialized; the banks are either covered with piers or have bulkheads.

Philadelphia to Wilmington:

The coastal region along the Delaware River is highly urbanized with the exception of the John Heinz Wildlife Refuge at Tinicum and several small parks.

Wilmington, Christina River:

The Christina River is highly industrialized within the city boundaries. The Port of Wilmington is situated at its mouth.

Wilmington to Cape Henlopen:

The coastal region along the Delaware River and Delaware Bay is mostly undeveloped and is protected by the State of Delaware Coastal Resources legislation.

Cape Henlopen to Bethany Beach:

The coastal region along the Atlantic Ocean is an expanding resort area with restricted development.

HIGHLY VULNERABLE AREAS

Highly vulnerable resources include water intakes, local populations, environmentally sensitive areas, and attractive or popular natural features. The Delaware Estuary is a vulnerable area simply as an estuary. Estuaries are complex zones of transition between fresh and saltwater and are the breeding or spawning grounds for many types of wildlife.

1300 – Area Committee

The Sector Delaware Bay Area Committee is a multi-agency and industry organization that is responsible for planning, exercising and responding to an oil spill, hazardous substance release, biological or radiological incident that occurs in the coastal zone.

The Committee's primary responsibility is to ensure the port community's readiness to mitigate the impact of an incident on public health, the environment and the economy.

The Area Committee is comprised of federal, state and local government agencies, industry representatives (facility owner/operators, shipping companies, response companies, etc.), non-government organizations, emergency response officials, marine pilot associations, academia, environmental groups, consultants, and concerned citizens.

The Commander, Sector Delaware Bay as the Federal On-scene Coordinator (FOSC) for the area is the chairman of the committee. The FOSC in consultation with state partners designates a vice-chairman,

selects and or approves committee members, and provide general direction and guidance for the committee.

The FOSC coordinates and assists the Area Committee in the development and maintenance of the Area Contingency Plan (ACP). The ACP will be consistent with both the National Contingency and National Response Plans.

An Executive Steering Committee assists the FOSC and provides direction to the committee. Sub-committees and workgroups are formed, as necessary, to help accomplish committee goals and tasks.

1310 – Purpose

The Delaware Bay Area Committee, created under the Oil Pollution Act of 1990, is a component of the National Response System, as established under the National Oil and Hazardous Substances Contingency Plan (NCP). The Area Committee complements the National Preparedness System as defined by the Department of Homeland Security (DHS), by facilitating preparedness efforts of the "whole community" to promote and strengthen the National Preparedness mission areas of Prevention, Protection, Mitigation, Response, and Recovery. The Area Committee prepares an Area Contingency Plan (ACP) for their area, under the direction of the Federal On-Scene Coordinator (FOSC) and in conjunction with the Regional Response Teams (RRT), National Strike Force, State Emergency Response Commissions (SERCs), Local Emergency Planning Committees (LEPCs), the District Response Advisory Team and Preparedness Staff, Scientific Support Coordinator, and other stakeholders. The Area Committee also promotes affirmative conservation of threatened and endangered species and historical/cultural resources, in accordance with applicable law. The Area Committee's Executive Steering Committee (ESC) performs strategic oversight and provides direction for fulfillment of Area Committee missions and initiatives. The Executive Steering Committee (ESC) will focus their efforts on strengthening public-private preparation and response partnerships and pre-planning; engaging stakeholders; maintaining and improving the ACP, including Geographic Response Strategies; and setting strategic priorities and work plans for training, exercises, and/or other preparedness initiatives.

1320 – Organization and Purpose

Per the Coast Guard Marine Environmental Response Manual, COMDTINST M16000.14(series), broad Area Committee representation provides for effective spill response planning and preparedness. Appendix A of the Marine Environmental Response Manual contains a list of agencies for potential inclusion on the Area Committee.

The ESC will function as a representational team of government, non-government organizations (NGO), and members of the private sector. This team has a shared role in preparedness and response activities within Coastal Zone, as defined by the 1997 Coast Guard/EPA Memorandum of Understanding and ACP, within Sector Delaware Bay's Captain of the Port (COTP) area of responsibility, as defined by Title 33 of the Code of Federal Regulations (CFR) part 3.25.

The Commander, Coast Guard Sector Delaware Bay, serves as the FOSC in the Coastal Zone, and is the Chairman of the ESC and the Area Committee. The FOSC, in consultation with the state agency Area Committee representatives from New Jersey, Delaware, and Pennsylvania, designates a State co-chairman to serve on an annual basis from January 1 through December 31. The charter members of the ESC represent a broad spectrum of interests, expertise, and jurisdictions from the COTP zone to provide for effective contingency response planning and preparedness. The default composition of the ESC should include the following (Table 1):

ESC Appointed Permanent Members	ESC At-Large Representatives
• USCG, Federal On-Scene Coordinator	• Oil Spill Response Organization (OSRO) Rep
• NJ State Representative	• Wildlife Response/Rehabilitation NGO
• DE State Representative	• Estuary/Water Environmental Quality NGO
• PA State Representative	• Industry Technical Specialist(s): Vessel
• NOAA	• Industry Technical Specialist: Facility
• DOI / USFWS Representative(s)	• Industry Technical Specialist: Pipeline
• US Army Corp of Engineers	• Industry Technical Specialist: Rail
• EPA Regions 2 and 3 (observers)	• Local Emergency Preparedness Committee (LEPC) Rep
	• Sub Committee Chair(s)

Table 1

In accordance with Coast Guard Marine Environmental Response Manual, COMDTINST M16000.14(series), the FOSC will designate in writing all Appointed Permanent Executive Committee members. These members will serve indefinitely until a replacement is appointed. In coordination with ESC members, the FOSC will invite At-Large Representatives to participate on the ESC for a term of three years. The ESC may solicit a particular individual to fill an At-Large position based on a specific and desirable skill set or experience, or solicit applicants from the General Members of the Area Committee. If a pool of potential candidates for a particular position is desired, a solicitation will be advertised electronically to the Area Committee general membership, and verbally at an Area Committee general members meeting. Applicants will be asked to provide a resume and/or letter of interest to the ESC, via the Executive Secretary, by a set deadline. The ESC will decide on the method for filling a particular position (i.e. targeted individual outreach or solicitation for candidates) by majority vote, and in accordance with paragraphs 5 and 6 of this Charter. There is no limit to the amount of sequential terms that At-Large Representatives may serve. However, At-Large positions should be re-solicited from within the Area Committee upon vacancy or end of term so that the ESC may consider best qualified individuals to serve in respective roles.

The Area Committee Charter contains a complete list and descriptions of ESC representative positions.
Area Contingency Base Plan, Appendices and References

1330 – Charter Members

Refer to Area Committee Charter

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1400 – National Response System (NRS)

The National Response System (NRS) was developed to coordinate all government agencies with responsibility for environmental protection, in a focused response strategy for the immediate and effective cleanup of an oil or hazardous substance discharge. The NRS is a three tiered response and preparedness mechanism that supports the pre-designated Federal OSC in coordinating national, regional, local government agencies, industry, and the responsible party during response.

1410 – National Response Structure

The NRS supports the responsibilities of the OSC, under the direction of the Federal Water Pollution Control Act's federal removal authority. The OSC plans and coordinates response strategy on scene, using the support of the

- National Response Team (NRT)
- Regional Response Team (RRT)
- Area Committees, and responsible parties as necessary

This three-tiered response supplies the needed trained personnel, equipment, and scientific support to complete an immediate and effective response to any oil or hazardous substance discharge.

The NRS is designed to support the OSC and facilitate responses to a discharge or threatened discharge of oil or a hazardous substance. The NRS is used for all spills, including a Spill of National Significance (SONS). When appropriate, the NRS is designed to incorporate a unified command and control support mechanism (unified command) consisting of the OSC, the State's Incident Manager, and the Responsible Party's Incident Manager. The unified command structure allows for a coordinated response effort, which takes into account the Federal, State, local and responsible party concerns and interests when implementing the response strategy. A unified command establishes a forum for open, frank discussions on problems that must be addressed by the parties with primary responsibility for oil and hazardous substance discharge removal. A unified command helps to ensure a coordinated, effective response is carried out and that the particular needs of all parties involved are taken into consideration. The OSC has the ultimate authority in a response operation and will exert this authority only if the other members of the unified command are not present or are unable to reach consensus within a reasonable time frame.

- During hazardous substance release responses in which local agencies usually assume a leading role, the local agency may assume one of the unified commander roles when a unified command is used.
- During responses to oil spills, local agencies are not usually involved as part of a unified command, but provide agency representatives who interface with the command structure through the Liaison Officer or the State representative.

Under certain conditions when a unified command is used, a Joint Operations Center and Joint Information Bureau shall be established. The Joint Operations Center should be located near and convenient to the site of the discharge. All responders (Federal, State, local and private) should be incorporated into the OSC's response organization at the appropriate level.

1410.1 – Spill of National Significance (SONS)

A Spill of National Significance (SONS) is that rare, catastrophic spill event, which captures the nation's attention due to its actual damage or significant potential for adverse environmental impact. A SONS is defined as a spill which greatly exceeds the response capability at the local and regional levels and which, due to its size, location, and actual or potential for adverse impact on the environment is so complex, it requires extraordinary coordination of Federal, State, local and private resources to contain and clean up. Only the Commandant of the Coast Guard or the Administrator of the EPA can declare a SONS.

The response to a SONS event must be a coordinated response that integrates the OSC's response organization with the SONS response organization.

If a discharge occurs in the coastal zone and is classified as a substantial threat to the public health or welfare of the United States (40 CFR 300.320 (a)(2)), or the necessary response effort is so complex that it requires extraordinary coordination of Federal, State, Local, and RP resources to contain and clean up the discharge, the Commandant may classify the incident as a Spill of National Significance (SONS) under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR 300.5).

The NCP describes, in part, the Federal government's responsibility for strategic coordination and support of Federal On-Scene Coordinators (FOSC) when responding to a SONS. To meet these responsibilities, the Coast Guard may establish an Area Command.

When the Commandant classifies a discharge as a SONS, the Commandant may name a National Incident Management System (NIMS) Area Commander (AC). The NIMS AC will establish an Area Command organization described in Section 1410.1 [Link to Area Command]. Pursuant to 40 CFR 300.323, the NIMS AC will assume the role of the FOSC in:

- Communicating with affected parties and the public, and
- Providing strategic coordination of Federal, State, Local, and International resources at the national level.
- This strategic coordination will involve, as appropriate, the NRT, the RRT, the Governor(s) of the affected state(s), and the mayor(s) or other chief executive(s) of local government(s). In addition, the NIMS AC will coordinate with the senior corporate management of the RP(s).

1420 – Regional Response Team (RRT) Structure

There are thirteen RRTs, one for each of the ten federal regions and Alaska, the Caribbean, and the Pacific Basin. Each RRT has federal and state representation. EPA and the Coast Guard co-chair the RRTs. Like the NRT, RRTs are planning, policy and coordinating bodies, and do not respond directly to

incidents. The RRTs develop Regional Contingency Plans for their regions. These plans address region specific issues and provide guidance to the OSCs for developing their area plans. The RRTs also provide one level of review for the Area Contingency Plans. The RRTs may be activated for specific incidents when requested by the OSC. If the assistance requested by an OSC exceeds an RRT's capability, the RRT may request assistance from the NRT. During an incident, the RRT may either be alerted by telephone or convened. The cognizant RRTs will also be consulted by the OSC on the approval/disapproval of the use of chemical countermeasures, when that decision has not been pre-approved.

Locally within Sector Delaware Bay Area of Responsibility, there are two RRTs that can assist the OSC.

- RRT II – New Jersey
- RRT III – Pennsylvania and Delaware

During an incident that impacts both RRT II and III, a lead RRT will be agreed upon to provide guidance and authorize the use of chemical countermeasures.

1430 – Area Response Structure

In situations where there is a need for senior executive-level response coordination, command and control of an incident may include the use of an Area Command. The purpose of an Area Command organization is to oversee the overall management of the incident(s), focusing primarily on strategic assistance and direction and resolving competition for scarce response resources. This organization does not supplant the on- scene Incident Commander(s)/Unified Command, but supports and provides strategic direction. Execution of tactical operations and coordination remains the responsibility of the IC/UC.

Determination to Activate an Area Command

A District Commander, Area Commander, or the Commandant can determine when an incident is of such magnitude, complexity, or operational intensity that it would benefit from the activation of an Area Command. Factors that are considered when deciding to activate an Area Command include, but are not limited to:

- Complex incident overwhelming local and regional Coast Guard assets
- Overlapping Coast Guard districts
- An incident that crosses international borders
- The existence of, or the potential for, a high level of national political and media interest
- Significant threat or impact to the public health and welfare, natural environment, property, or economy over a broad geographic area

Responsibilities of Area Command

When the Coast Guard is the lead federal agency with primary response authority, the Area Command will have responsibility for overall strategic management of the incident and will:

- Set the overall incident objectives Establish overall incident priorities
- Allocate critical resources based on overall incident priorities
- Ensure that the incident is properly managed Ensure that the on-scene incident objectives are met and shall provide support to minimize conflict with supporting agency's priorities Communicate, at the commensurate level, with affected parties, stakeholders, and the public
- Coordinate acquisition of off-incident, unassigned resources. This could include federal, state, local, and international resources as appropriate. This coordination may involve other federal agencies and the Governor(s) of the affected state(s)

For Area Command to be effective both the Area Command team and the on-scene Incident Command team must work together in a cooperative environment. To facilitate cooperation the on-scene Incident Commander/Unified Command should provide at least the following to the Area Command:

- Critical Information Reporting
- Hours of Operation
- Copy of Incident Action Plan (IAP) per operational period
- Incident Priorities
- Agreed upon Operating Procedures at the local level
- Progress updates along with hindrances
- Critical resource shortfalls and impact of not receiving required resources
- Effects on political, social, economics, and environmental
- Incident Command Post contact directory
- Long term projections
- Critical needs
- Chart of the incident
- Meeting reporting and coordination meeting schedules

1430.1 – Federal Role in Incident Response

The NRT's membership consists of sixteen federal agencies with responsibilities, interests, and expertise in various aspects of emergency response to pollution incidents. The EPA serves as chair; and the Coast Guard serves as vice-chair of the NRT, except when activated for a specific incident. The NRT is primarily a national planning, policy, and coordination body and does not respond directly to incidents. The NRT provides policy guidance prior to an incident and assistance as requested by an FOSC via an RRT during an incident. NRT assistance usually takes the form of technical advice, access to additional resources/equipment, or coordination with other RRTs.

The following is a list of NRT members and their functions:

- **Environmental Protection Agency (EPA):** The EPA chairs the NRT, co- chairs the standing RRT's, provides predestinated Federal On-Scene Coordinators for the inland zone, provides Remedial Projects Managers (RPM's) for remedial actions, and generally provides Scientific Support

Coordinators for the inland zone. The EPA provides expertise on environmental effects of releases and on environmental pollution control techniques. The EPA provides legal expertise on the interpretation of CERCLA and other environmental statutes. The EPA may enter into a contract or cooperative agreement with the appropriate state to implement response actions.

- **United States Coast Guard (USCG):** The USCG provides predesignated Federal On-Scene Coordinators for the coastal zone, co-chairs the standing RRT's, and serves as the NRT vice-chair. The USCG staffs and administers the National Response Center; maintains continuously-manned facilities that can be used for command, control, and surveillance of releases in coastal waters; and serves as fund manager for the OSLTF. The Coast Guard's National Strike Force is especially trained and equipped to respond to major pollution incidents. In water pollution incidents, in which the USCG has financial responsibility jurisdiction, the USCG ensures the responsible parties, both U.S. and foreign, are able to compensate the U.S. and other impacted parties through the Certificate of Financial Responsibility Program.
- **Federal Emergency Management Agency (FEMA):** FEMA provides guidance, policy, and program advice, and technical assistance in hazardous materials and radiological emergency preparedness activities (planning, training, and exercising) to state and local governments. During responses, FEMA provides advice and assistance to the lead agency on coordinating relocation assistance and mitigation efforts with other federal agencies, state, and local governments, and the private sector. FEMA may enter into an agreement with the appropriate political entity to implement relocation assistance during responses.
- **Department of Defense (DOD):** The DOD must take all action necessary with regard to releases of hazardous substances where the release is on, or the site source of the release is from, a facility or vessel under jurisdiction, custody, or control of the DOD. The DOD may also, consistent with its operational requirements and at the request of the Federal On-Scene Coordinator, provide locally deployed U.S. Navy oil spill equipment and provide response assistance to other federal agencies upon request. The U.S. Navy (USN) also has an extensive array of specialized equipment and personnel available for use in ship salvage, shipboard damage control, and diving. The U.S. Army Corps of Engineers has specialized equipment and personnel for removing navigation obstructions and accomplishing structural repairs.
- **Department of Energy (DOE):** Except as otherwise provided in Executive Order 12580, the DOE provides Federal On-Scene Coordinators/RPM's that are responsible for taking all response actions with respect to releases of hazardous substances where either the release is on, or the sole source of the release is from, any facility or vessel under its jurisdiction, custody, or control. In addition, under the Federal Radiological Emergency Response Plan (FRERP), the DOE provides advice and assistance to other Federal On-Scene Coordinators/RPMs for emergency actions essential for the control of immediate radiological hazards.
- **Department of Agriculture (USDA):** The USDA has scientific and technical capability to measure, evaluate, and monitor, either on the ground or by use of aircraft, situations where natural resources including soil, water, wildlife, and vegetation have been impacted by hazardous substances. The USDA may be contacted through Forest Service emergency staff officers who are the designated members of the RRT. Agencies within USDA with relevant expertise are: the

Forest Service, the Agriculture Research Service, the Soil Conservation Service, the Food Safety and Inspection Service, and the Animal and Plant Health Inspection Service.

- **Department of Commerce (DOC):** Through the National Oceanic and Atmospheric Administration (NOAA), the DOC provides scientific support for responses and contingency planning in coastal and marine areas, including assessments of the hazards that may be involved, predictions of movement and dispersion of oil and hazardous substances through trajectory modeling, and information on the sensitivity of coastal environments to oil or hazardous substances. NOAA provides scientific expertise on living marine resources it manages and protects. It also provides information on actual and predicted meteorological, hydrologic, ice, and oceanographic conditions for marine, coastal, and inland waters, as well as, tide and circulation data.
- **Department of Health and Human Services (HHS):** The HHS is responsible for providing assistance on matters related to the assessment of health hazards at a response and protection of both response workers and the public's health. The HHS is delegated authorities under CERCLA relating to a determination that illness, disease, or complaints may be attributable to exposure to a hazardous substance, pollutant, or contaminant. Agencies within HHS that have relevant responsibilities, capabilities, and expertise are the Agency for Toxic Substances and Disease Registry (ATSDR) and the National Institutes for Environmental Health Sciences (NIEHS).
- **Department of the Interior (DOI):** The DOI has expertise on and jurisdiction over a wide variety of natural resources and federal lands and waters as well as certain responsibilities for Native Americans and U. S. Territories. The DOI may be contacted through Regional Environmental Officers (REO), who are the designated members of RRTs. Bureaus and offices with relevant expertise are: Fish and Wildlife Service, Geological Survey, Bureau of Indian Affairs, Bureau of Land Management, Minerals Management Service, National Park Service, Bureau of Reclamation, Office of Surface Mining and Reclamation Enforcement, and Office of Insular Affairs.
- **Department of Justice (DOJ):** The DOJ provides expert advice on complicated legal questions arising from discharges or releases, and federal agency responses. In addition, the DOJ represents the federal government, including its agencies, in litigation relating to such discharges or releases.
- **Department of Labor (DOL):** The Occupational Safety and Health Administration (OSHA) and the state' operating plans approved under the Occupational Safety and Health Act of 1970, have authority to conduct safety and health inspections of hazardous waste sites to assure that employees are being protected and to determine if the site is in compliance with safety and health standards and regulations. On request, OSHA will provide advice and assistance regarding hazards to persons engaged in response activities.
- **Department of Transportation (DOT):** The DOT provides response expertise pertaining to transportation of oil or hazardous substances by all modes of transportation. Through the Research and Special Programs Administration (RSPA), DOT offers expertise in the requirements for packaging, handling, and transporting regulated hazardous materials. RSPA promulgates and enforces the Hazardous Materials Regulations. RSPA provides technical assistance in the form of Emergency Response Guidebooks and, in a joint effort with FEMA, has developed Hazardous

Material Information Exchange (HMIX). RSPA also provides planning support in the development of protective action decision strategies and exercise scenarios.

- **Department of State (DOS):** The DOS takes the lead in the development of international joint contingency plans. It also helps to coordinate an international response when discharges or releases cross international boundaries or involve foreign flag vessels. Additionally, DOS coordinates requests for assistance from foreign governments and U.S. proposals for conducting research at incidents that occur in waters of other countries.
- **Nuclear Regulatory Commission (NRC):** The Commission responds, as appropriate, to releases of radioactive materials by its licensees, in accordance with the NRC Incident Response Plan (NUREG-0728). In addition, the NRC will provide advice to the FOSC/RPM when assistance is required in identifying the source and character of other hazardous substances releases where the commission has licensing authority for activities utilizing radioactive materials.
- **General Services Administration (GSA):** The GSA is responsible for carrying out the policy and regulatory functions assigned to it by Congress, as one of the central management agencies of the federal government. GSA collaborates with customer agencies and stakeholders to develop policies for the implementation of federal laws, executive orders and other executive branch guidance.
- **Department of the Treasury (DOT):** The DOT is the primary federal agency responsible for the economic and financial prosperity and security of the United States, and as such is responsible for a wide range of activities including advising the President on economic and financial issues, promoting the President's growth agenda, and enhancing corporate governance in financial institutions.

1430.2 – State Role in Incident Response

This Area Contingency Plan coordinates with the state response systems of Delaware, New Jersey, and Pennsylvania. The following information was supplied by the above referenced states and was adopted into this plan with minor font and formatting changes which did not alter the information or content.

1431 DELAWARE

The Department of Natural Resources and Environmental Control (DNREC), Division of Environmental Control, maintains listings of commercially available resources in Delaware. The department will provide response assistance on oil and hazardous materials incidents, public health exposures, and information and advice concerning local habitat, wildlife, and fisheries. The department is also responsible for enforcement of the state's pollution laws.

Employees of DNREC and Environmental Control's Environmental Response Branch will initially provide personnel to staff the Unified Command System. Additional DNREC personnel will become involved as needed. The DNREC will involve additional Delaware agencies as required. The DNREC will be the primary Delaware contact to the Unified Command System.

Additional information can be found in the Delaware's Oil and Hazardous Substance Incident Contingency Plan Area Contingency Base Plan, Appendices and References.

1432 NEW JERSEY

New Jersey is a home rule state. County, state and federal resources support local government. Operational organization for New Jersey state-level response agencies differ from day-to-day in that regional responders from New Jersey Office of Emergency Management (NJOEM) and the New Jersey Department of Environmental Protection (NJDEP) field offices are usually the lead individuals for their respective agencies. In emergencies of extreme magnitude which justify alerting and mustering bureau, division and/or department heads, notification will be made by operational personnel. Whenever, in the opinion of the governor, the control of any disaster is beyond the capabilities of local authorities, the Governor is authorized:

1. To proclaim a "state of emergency" if he/she deems necessary.
2. To assume control of all emergency management operations.
3. To use all resources of state and local governments and commandeer and use personnel services and privately-owned property to avoid or protect against any emergency, subject to future payment of reasonable value.

In the event of a State Disaster Proclamation, the state's response efforts will be coordinated from the State Emergency Operations Center (State EOC), at State Police Headquarters, West Trenton (609) 882-4201. (Philadelphia USCG has the ability to communicate with the EOC via the New Jersey State Police 800 MHz radio, located in the office of Information Resource Management). The Superintendent of the New Jersey State Police, as Director of the New Jersey Office of Emergency Management (NJOEM), has been designated to act on behalf of the Governor in emergency situations.

NJOEM is responsible for the coordination of state, county, and municipal response efforts. NJDEP has the overall responsibility for hazardous material pollution in the state. (New Jersey law defines oil as a hazardous material). The Chief, Bureau of Emergency Response DEP, represents the state on the RRT and is pre-designated the State On-Scene Commander. In most cases, regional responders from NJOEM and NJDEP will be the lead for state-level personnel and command.

New Jersey State Police Marine Bureau and/or Division of Criminal Justice, county, and local law enforcement agencies have the authority to enforce the New Jersey Clean Water Enforcement Act, NJSA 58:10A-1. Whenever a hazardous material (N.J. law defines oil as a hazardous material) is discharged into the state's fresh or tidal waters, an investigation may be initiated to determine if negligence is involved. If negligence is a contributory factor, civil or criminal proceedings may be implemented.

Operational scenarios - the below listed scenarios reflect a minimum response:

Average Most Probable Discharge

1. DEP - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
2. NJOEM - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
3. N.J. State Police Marine Bureau and/or the Division of Criminal Justice The degree of the discharge will dictate physical response.

Maximum Most Probable Discharge

1. DEP - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
2. NJOEM - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
3. N.J. State Police Marine Bureau and/or the Division of Criminal Justice The degree of the discharge will dictate physical response.

Worst Case Discharge

1. DEP - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
2. NJOEM - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
3. N.J. State Police Marine Bureau and/or the Division of Criminal Justice The degree of the discharge will dictate physical response.

Detailed emergency operations procedures can be obtained from the New Jersey State Emergency Operations Plan.

1433 PENNSYLVANIA

COMMUNICATIONS AND NOTIFICATIONS

1. AVAILABILITY
   a. DEP maintains a twenty-four hour, seven days per week availability to receive calls regarding environmental emergencies, natural disasters, or man-made disasters.
   b. The Director, Environmental Emergency Response, primary EPLO to PEMA, can be reached, when on duty, by commercial phone or pager. The secondary and tertiary EPLOs can also be reached in this manner. In addition to notification by PEMA, the director or his alternate can be notified independently during major disasters involving activation of the federal, national, or regional contingency plans.
   c. Each regional office, and the central office, contracts with an answering service to receive off-hour calls. Each office shall have, at all times, someone available to receive these calls from the answering service, either by being available at a number which

the answering service is made aware of or by being within pager range. Direct referral by the answering service is preferred; and, the capability to patch or forward a call directly to the DEP employee should be a requirement of the answering service contracts where available. The DEP employee who receives these calls will have the technical expertise to evaluate the severity of the incident and will have sufficient authority to contact, form, and dispatch an emergency response team. When personnel other than the Emergency Response Program Manager or the assistant serve in this capacity, the number of such backup personnel should be minimized so that they maintain a familiarity with the emergency response program duties and responsibilities.

1440 – Responsible Party Response Policy

Under OPA 90, the Responsible Party has primary responsibility for cleanup of a discharge. The response shall be conducted in accordance with their applicable vessel or facility response plan. Section 4201(a) of OPA 90 states that an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the National Contingency Plan and the applicable response plan. Section 4202 of OPA 90 states that these response plans shall:

- Be consistent with the requirements of the National Contingency Plan and Area Contingency Plans.
- Identify the qualified individual having full authority to implement removal actions, and require immediate communications between that individual and the appropriate Federal official and the persons providing personnel and equipment.
- Identify, and ensure by contract or other means approved by the President, the availability of private personnel and equipment necessary to remove to the maximum extent practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge.
- Describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or facility and to mitigate or prevent the discharge, or the substantial threat of a discharge.
- Be updated periodically; and be resubmitted to approval of each significant change.

As defined in OPA 90, each Responsible Party for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a Responsible Party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the Area Contingency Plan, and the applicable response plan required by OPA 90. If directed by the OSC at any time during removal activities, the Responsible Party must act accordingly.

Each Responsible Party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of a discharge, is liable for removal costs as specified in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

The Clean Water Act ("CWA"), the Oil Pollution Act of 1990 ("OPA 90"), and the Comprehensive Environmental Response, Compensation & Liability Act ("CERCLA") apply to U.S.-flag and foreign-flag vessels operating in U.S. waters. OPA 90's and CERCLA's requirements, however, vary based on the tonnage and type of vessel, while the CWA applies to all vessels. For example, under OPA 90 and CERCLA, all vessels are required to meet the reporting and spill response requirements, but only tank vessels and other vessels over 300 gross tons must demonstrate financial responsibility for potential cleanup liability, and only tank vessels must develop response plans.

1450 – Incident Command System (ICS)

ICS is a management system designed to enable effective and efficient domestic incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure. ICS is normally structured to facilitate activities in five major functional areas: command, operations, planning, logistics, Intelligence & Investigations, finance and administration. It is a fundamental form of management, with the purpose of enabling incident managers to identify the key concerns associated with the incident—often under urgent conditions—without sacrificing attention to any component of the command system.

1460 – Area Exercise Mechanism

The FOSC periodically shall conduct drills of removal capability (including fish and wildlife response capability), without prior notice, in areas for which ACP's are required to assess the effectiveness of such plans and relevant tank vessel and facility response plans. These drills may include participation by federal, state, and local agencies, the owners and operators of vessels and facilities in the area, and private industry. The National Strike Force Coordination Center (NSFCC) will act as a clearinghouse for these exercises, participating in the development, execution, and evaluation to the fullest extent practicable, with the cognizant program managers of the USCG and EPA.

Spill response exercises are a vital part of the preparation and training for actual cleanup operations. Whether on a small or grand scale, these exercises serve to:

- Open lines of communication and establish good working relationships with special forces, state, and local response groups, and other members of the response organization;
- Manifest problems with response schemes and plans to continuously hone response methods;
- Exercise the decision processes of the response organization; and
- Familiarize personnel with the storage, deployment, and working of pollution response equipment.

1460.1 - National Preparedness for Response Exercise Program (PREP):

The PREP was developed to establish a workable exercise program, which meets the intent of OPA 90 for spill preparedness. The PREP was developed to provide a mechanism for compliance with the exercise requirements, while being economically feasible for the government and oil industry to adopt and sustain. The PREP is a unified federal effort and satisfies the exercise requirements for all federal agencies, which adheres to its guidelines. The PREP represents the minimum guidelines for ensuring adequate response preparedness. Guidelines for PREP participation became effective January 1, 1994.

Commercial vessel and waterfront facility response plan holders are required to meet the pollution response exercise requirements under OPA 90. Although participation in the PREP satisfies these requirements, PREP is a strictly voluntary program. Plan holders are not required to follow the PREP guidelines and, if they choose not to, may develop their own exercise program that complies with the regulatory exercise requirements.

Area Contingency Plan holders (USCG/EPA) are required to follow PREP guidelines. The NSFCC is responsible for executing the National Response System Pollution Exercise Program (NRSPEP). All Coast Guard participation in exercises will be coordinated with and/or through the NSFCC.

The types of exercises are divided into two categories: internal and external. The internal exercises are:

- Quarterly qualified individual notification exercises
- Quarterly emergency procedures exercises for vessels and barges
- Annual emergency procedures exercises for facilities (optional)
- Annual spill management team tabletop exercises
- Semi-annual equipment deployment exercises for facility-owned equipment
- Annual equipment deployment exercises for OSRO or CO-OP equipment

All internal exercises are self-evaluated and self-certified.

The external exercises are:

- Area exercises
- Government-initiated unannounced exercises.

The PREP Guidelines outline the frequency and types of exercises plan holders should conduct to meet the exercise requirements of the appropriate response plan regulations and how plan holders can take credit for internal exercises when they respond to an actual incident.

At this time, PREP addresses the exercise requirements for oil pollution response only. Regulations for hazardous materials substance releases are currently under development; and once completed, the hazardous substance exercise requirements will be incorporated into PREP.

1470 – Federal Response Framework

The United States National Response Framework (NRF) is part of the National Strategy for Homeland Security that presents the guiding principles enabling all levels of domestic response partners to prepare for and provide a unified national response to disasters and emergencies.

1480 – Federal Radiological Response Plan

The objective of the Federal Radiological Emergency Response Plan (FRERP) is to establish an organized and integrated capability for timely, coordinated response by Federal agencies to peacetime radiological emergencies.

The FRERP:

1. Provides the Federal Government's concept of operations based on specific authorities for responding to radiological emergencies
2. Outlines Federal policies and planning considerations on which the concept of operations of this Plan and Federal agency specific response plans are based and
3. Specifies authorities and responsibilities of each Federal agency that may have a significant role in such emergencies.

There are two Sections in this Plan. Section I contains background, considerations, and scope. Section II describes the concept of operations for response.

Federal Radiological Emergency Response Plan (FRERP)

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1500 – State Response System

This Area Contingency Plan coordinates with the state response systems of Delaware, New Jersey, and Pennsylvania. The following information was supplied by the above referenced states and was adopted into this plan with minor font and formatting changes which did not alter the information or content.

1510 - DELAWARE

The Department of Natural Resources and Environmental Control (DNREC), Division of Environmental Control, maintains listings of commercially available resources in Delaware. The department will provide response assistance on oil and hazardous materials incidents, public health exposures, and information and advice concerning local habitat, wildlife, and fisheries. The department is also responsible for enforcement of the state's pollution laws.

Employees of DNREC and Environmental Control's Environmental Response Branch will initially provide personnel to staff the Unified Command System. Additional DNREC personnel will become involved as needed. The DNREC will involve additional Delaware agencies as required. The DNREC will be the primary Delaware contact to the Unified Command System.

Additional information can be found in the Delaware's Oil and Hazardous Substance Incident Contingency Plan.

1520 - NEW JERSEY

New Jersey is a home rule state. County, state and federal resources support local government. Operational organization for New Jersey state-level response agencies differ from day-to-day in that regional responders from New Jersey Office of Emergency Management (NJOEM) and the New Jersey Department of Environmental Protection (NJDEP) field offices are usually the lead individuals for their respective agencies. In emergencies of extreme magnitude which justify alerting and mustering bureau, division and/or department heads, notification will be made by operational personnel. Whenever, in the opinion of the governor, the control of any disaster is beyond the capabilities of local authorities, the Governor is authorized:

1. To proclaim a "state of emergency" if he/she deems necessary.
2. To assume control of all emergency management operations.
3. To use all resources of state and local governments and commandeer and use personnel services and privately-owned property to avoid or protect against any emergency, subject to future payment of reasonable value.

In the event of a State Disaster Proclamation, the state's response efforts will be coordinated from the State Emergency Operations Center (State EOC), at State Police Headquarters, West Trenton (609) 882-4201. (Philadelphia USCG has the ability to communicate with the EOC via the New Jersey State Police 800 MHz radio, located in the office of Information Resource Management). The Superintendent of the

New Jersey State Police, as Director of the New Jersey Office of Emergency Management (NJOEM), has been designated to act on behalf of the Governor in emergency situations.

NJOEM is responsible for the coordination of state, county, and municipal response efforts.
NJDEP has the overall responsibility for hazardous material pollution in the state. (New Jersey law defines oil as a hazardous material). The Chief, Bureau of Emergency Response DEP, represents the state on the RRT and is pre-designated the State On-Scene Commander.
In most cases, regional responders from NJOEM and NJDEP will be the lead for state-level personnel and command.

New Jersey State Police Marine Bureau and/or Division of Criminal Justice, county, and local law enforcement agencies have the authority to enforce the New Jersey Clean Water Enforcement Act, NJSA 58:10A-1. Whenever a hazardous material (N.J. law defines oil as a hazardous material) is discharged into the state's fresh or tidal waters, an investigation may be initiated to determine if negligence is involved. If negligence is a contributory factor, civil or criminal proceedings may be implemented.
Operational scenarios - the below listed scenarios reflect a minimum response:

Average Most Probable Discharge

1. DEP - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
2. NJOEM - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
3. N.J. State Police Marine Bureau and/or the Division of Criminal Justice The degree of the discharge will dictate physical response.

Maximum Most Probable Discharge

1. DEP - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
2. NJOEM - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
3. N.J. State Police Marine Bureau and/or the Division of Criminal Justice The degree of the discharge will dictate physical response.

Worst Case Discharge

1. DEP - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.
2. NJOEM - The degree of the discharge will dictate a physical response or just notification of the various state, county, or local authorities.

3. N.J. State Police Marine Bureau and/or the Division of Criminal Justice The degree of the discharge will dictate physical response.

Detailed emergency operations procedures can be obtained from the New Jersey State Emergency Operations Plan.

1530 - PENNSYLVANIA

Pennsylvania Department of Environmental Protection

COMMUNICATIONS AND NOTIFICATIONS

1. AVAILABILITY
   a. DEP maintains a twenty-four hour, seven days per week availability to receive calls regarding environmental emergencies, natural disasters, or man-made disasters.
   b. The Director, Environmental Emergency Response, primary EPLO to PEMA, can be reached, when on duty, by commercial phone or pager. The secondary and tertiary EPLOs can also be reached in this manner. In addition to notification by PEMA, the director or his alternate can be notified independently during major disasters involving activation of the federal, national, or regional contingency plans.
   c. Each regional office, and the central office, contracts with an answering service to receive off-hour calls. Each office shall have, at all times, someone available to receive these calls from the answering service, either by being available at a number which the answering service is made aware of or by being within pager range. Direct referral by the answering service is preferred; and, the capability to patch or forward a call directly to the DEP employee should be a requirement of the answering service contracts where available. The DEP employee who receives these calls will have the technical expertise to evaluate the severity of the incident and will have sufficient authority to contact, form, and dispatch an emergency response team. When personnel other than the Emergency Response Program Manager or the assistant serve in this capacity, the number of such backup personnel should be minimized so that they maintain a familiarity with the emergency response program duties and responsibilities.

2. NOTIFICATION
   a. Notifications to the Department
      Notification of environmental emergencies can come from a number of sources, including; fire services, police, emergency medical services, county emergency management agencies, PEMA, EPA, the Coast Guard, regulated industries, or the general public. Regional ERPM's are encouraged to develop personal contacts with the organizations in their regions who may be calling or DEP for assistance so that the regional personnel may be contacted directly. These regionally initiated requests are handled directly by the regions.
      i. Incidents involving potential or actual evacuations, injury or death, major road closings, or train derailment, or major spills or discharges, must be reported to the Director, Environmental Emergency.

ii. Calls referred to the regions from central office may simply be referrals on which no further reports are required or they may require continuing communications. In general, if PEMA becomes involved, the Director, EER, must be kept advised of the status of DEP's involvement until the incident is closed out. The specific requirements for call back will be transmitted with the initial discussions with the central office.

b. Notifications by the Department

i. It is the responsibility of the Emergency Response Program Manager or the employee serving in this capacity, to initiate the information flow and assure that the appropriate DEP program staff, the Fish Commission, the County Emergency Management Agencies, the Community Relations Coordinator, the Director, EER, and other parties are notified as appropriate.

ii. DEP program staff are responsible for making their own notifications, e.g., Water Supply and Community Health notifies downstream water users, BWQM notifies affected sewer authorities, the CRC notifies the media when appropriate, and the Director, EER, notifies senior staff, PEMA, and other affected regions or states.

3. COMMUNICATIONS

a. The department has an extensive VHF radio network that enables virtually statewide communication among technical staff in the field and the regional offices, district offices, and central office.

b. Each department facility maintains a base station console.

c. All of the emergency response vehicles and large numbers of program vehicles are equipped with mobile radios.

d. Portable radios are pooled for field assignment, should out-of-vehicle use be necessary.

e. The mobile radios assigned to the Emergency Response Teams are capable of accessing PSP, PEMA, and counties radio frequency to facilitate coordination during incidents.

f. Department EPLOs maintain current office, home, and pager phone numbers with PEMA to assure availability should the EOC be activated or some other response from the Department is requested. The EPLOs maintain a current on/off hour phone list of Emergency Response Program Managers and senior department management.

g. The Director, EER, has direct access to the Secretary during off-hours.

h. The Director, EER, maintains two phone lines at his residence in order to more easily accommodate emergency messages.

i. The Director, the ERPMs, and Assistant ERPMs also have mobile cellular telephones installed in their vehicles.

j. In the event of activation of the National or Regional Contingency Plans, the Director, EER, or his alternate, can be contacted on a twenty-four hour basis by the RRT Coordinator.

4. ORGANIZATION AND RESPONSIBILITIES

a. Regional Emergency Response Program Manager:

i. Receives notification of incident from PEMA, EPA, the Coast Guard, County EMA's, fire companies, state or local police, the DEP regulated community, the DEP staff, the statewide duty officer, Director EER, or the general public.

ii. Makes initial determination whether an immediate response is necessary and whether problem is under Regional Director's authority.
iii. If no immediate response is necessary, logs relevant information, and forwards to appropriate program area next business day.
iv. If problem is not under Regional Director's authority, refers to the Director, Environmental Emergency Response, or the appropriate DEP program area.
v. If an immediate response is necessary, formulates and coordinates the response through the emergency response staff, the volunteer teams, and the appropriate program bureaus. Manages response from his home, on-site, or the regional office (if wide area radio coverage is necessary for the response).
vi. Arranges for necessary staff, equipment, and supplies on scene at the incident.
vii. Notifies the Director EER or any major incidents, any incidents involving injuries or death, major highway closings, train derailments, evacuations, or any other incidents of a politically or publicly sensitive nature.
viii. Keeps Director informed of the progress of these major incidents, as decided during initial notification.
ix. Ensures downstream water users notified of any potential impacts from pollution.
x. Arranges for containment, mitigation, and clean-up of incident, either through the responsible party, a local fire company, or through emergency contract procedures.
xi. Serves as DEP team leader on scene at an incident.
xii. Provides technical assistance to fire, police, and county EMA's in responding to emergency incidents.
xiii. Provides a liaison to a specified Area Emergency Operations Center.

b. Director, Environmental Emergency Response
i. Receives notification of incident from EPA, the Coast Guard, County EMA's, fire companies, state or local police, the DEP regulated community, the DEP staff, the Regional Emergency Response Coordinator, the DEP regulated community, PEMA, or the general public.
ii. Refers incidents to the appropriate regional ERPM, or the appropriate program area.
iii. Notifies the Secretary and appropriate deputies of any major incidents, any incidents involving injuries or deaths, major highway closings, train derailments, evacuations, or any other incidents of a politically or publicly sensitive nature.
iv. Notifies PEMA of any of the above major incidents as soon as confirmation is received from on site or as soon as their need for involvement becomes clear.
v. Coordinates with other commonwealth agencies to obtain needed assistance at emergency incidents.
vi. Authorizes expenditures of emergency funds to contain, mitigate, or clean-up incidents, when necessary to protect the public health.

vii. Deploys emergency response representatives to the State EOC as requested by PEMA, for the coordination of Department emergency activities.

c. Regional Emergency Response Staff.
   i. Serve as technical consultants at emergency incidents to provide consultations on the levels of concern, the potential paths of dispersion, the areas of impact, and protective actions for the public and for the responders.
   ii. Provide real-time monitoring around the area of an incident to depict the area affected and assist in defining the need for various control zones.
   iii. Provide assistance in acceptable methods of containment and clean-up and ensure work proceeds in an environmentally acceptable manner.
   iv. Collect samples at emergency incidents to attempt to characterize the materials involved and the extent of the contamination.
   v. Assist other DEP program areas by providing needed resources and assistance during emergency situations.

d. Field Operations Programs.
   i. Air Quality Control:
      - Provides assistance in modeling releases of hazardous materials.
      - Provides real-time meteorological information at nineteen stations across the state on a 24-hour basis.
   ii. Water Supply and Community Health.
      - Warns downstream water users of potential contamination and recommends protective actions.
      - Samples water supplies and emergency water supplies.
      - Assists in providing emergency supplies of drinking water.
      - Inspects evacuation centers, mass care centers, and temporary housing to ensure safe water and sanitary conditions.
      - Reports any information on damage to public water supply systems to Emergency Response Program Manager or Director Environmental Emergency Response for collation and transmittal to PEMA.
      - Supplies technical advice in the repair or replacement of public water supply systems damaged during a disaster.
      - Supplies technical advice and assistance in air, water, food, or vector transmitted diseases.
      - Conducts field surveys in coordination with the Department of Health of actual or potential public health hazards.
      - Disseminates information of federal financial assistance available to the operators of publicly owned water supply systems.
      - Provides staff assistance for the development and promulgation of water conservation orders.

- Coordinates emergency sources of water or interconnections with other suppliers for purveyors who are experiencing shortages due to insufficient or contaminated supplies.
- Provides technical assistance to water suppliers on conservation or rationing measures.
- Prepares and maintains the State Water Plan and other water supply plans identifying communities and water supply systems with potential drought, yield, distribution, drinking water quality, and other water supply problems.
- Cooperates with federal, state, county, municipal, and other agencies in planning and implementation of water supply improvements.
- Assures the development of appropriate drought and water supply emergency plans by water suppliers.
- Cooperates with basin commissions, state, and other agencies in the development and implementation of comprehensive interstate and regional drought and water supply emergency plans.

iii. Waste Management
- Provides assistance at spills of any materials which have a potential adverse impact on the environment or on public health.
- Provides spill containment and mitigation activities commensurate with degree of risk posed by the incident.
- Provides assistance in disposing of materials resulting from the cleanup of an emergency or pollution incident.
- Maintains detailed records of toxic waste sites in the Commonwealth.
- Disseminates information of federal financial assistance available to the operators of solid waste facilities.

iv. Water Quality Management
- Provides assistance at spills of any materials which impact ground or surface water.
- Provides spill containment and mitigation activities commensurate with degree of risk posed by the incident.
- Conducts sampling of ground or surface water during an environmental emergency or pollution incident.
- Reports any damage or disruption of sewage disposal facilities to Emergency Response Program Manager or Environmental Emergency Response Director for collation and transmittal to PEMA.
- Supplies technical advice in the repair or replacement of sewage disposal facilities damaged in a disaster.
- Disseminates information of federal financial assistance available to the operators of sewage disposal systems.

1540 – State Response Policies

This Area Contingency Plan coordinates with the state response policies of Delaware, New Jersey, and Pennsylvania. The following information was supplied by the above referenced states and was adopted into this plan with minor font and formatting changes which did not alter the information or content.

1540.1- DELAWARE

Delaware Pollution Control Act of 1949: Title 7, Delaware Code, Chapters 60-64.

Provisions: General water-quality criteria are as follows: "The waters shall not contain substances attributable to municipal, industrial, agricultural, or other discharges in concentrations or amounts sufficient to be adverse or harmful to water uses to be protected, or to a human, animal, aquatic, and wildlife. The waters shall be free from unsightly and malodorous nuisances due to floating solids or sludge deposits, debris, oil, and scum."

The Delaware Department of Natural Resources & Environmental Control, headquartered at Dover, Delaware, carries out enforcement of the state's pollution laws.

1540.2 - NEW JERSEY

In New Jersey, the state's main role in any hazmat incident is to assist local government, and take part in the unified command as appropriate. Certain resources exist at the state level, and if requested can be made available to assist federal and local responders in a marine hazmat incident.

A release or threatened release of a hazardous material within the State of New Jersey must be reported to the DEP Hotline (1 877 WARN DEP; 1 877 927-6337).

Hazardous material includes any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health or safety or to the environment, if released. Under New Jersey law petroleum products, including crude and refined oils, are hazardous substances.

There is no minimum reportable quantity. An immediate verbal report of any release or threatened release of hazardous material must be made to the DEP Hotline by either the discharger or any local government entity that discovers a discharge. This immediate report should include: location of the release or threatened release; the name(s) of the person(s) reporting; hazardous material involved; estimates of the quantity, and potential hazards presented by the material.

NJDEP will notify other federal and state agencies and appropriate local government contacts as specified in law. Assistance may be sought from local agencies, other state agencies, or the federal government for any incident response. In New Jersey, the primary state agencies that will assist the incident responders are the following:

Department of Environmental Protection – has enforcement authority for violations of regulations and statutes protecting all environmental media and human health exposures. Operates the Bureau of Emergency Response capable of responding twenty four hours a day statewide. Has access to the N. J. Spill Fund to engage additional spill response assets. Operates the Hotline, which receives all reports of environmental incidents and distributes information to state, county, and local resources.

New Jersey State Police – Operates the State Office of Emergency Management which coordinates planning and response issues at the State, County and Local levels of government. Has statewide law enforcement authority and patrol responsibility for all major highway systems.

1. Five levels of emergency management will be used statewide to create uniform organization and terminology. The five levels are field/incident, local government, county government, OEM region, and state.
2. Five standard functions of the emergency response organization (ICS/IMS) at all levels will be used. The five levels are command/management, operations, plans/intelligence, logistics, and finance/administration.
3. A statewide master mutual-aid system exists for coordination of county, regional, and state resources during major emergencies.
4. All state and local agencies must coordinate with the Office of Emergency Management during disaster responses and it is an eligibility requirement for local governments and agencies to receive state reimbursement following a disaster.

For most hazmat emergencies, local-government responders will be on scene first at an incident within their jurisdiction. If not present on the scene, local-government representatives should be brought into the management of the incident as soon as possible. This is accomplished by the notification of local entities by the DEP Hotline. Generally, in any hazmat incident-assisting agencies will respond from three functional areas:

1. Fire Services - Certain fire departments have established a hazmat response team whose organizational structure will provide the necessary supervision and control for the essential functions required at a hazmat incident.
2. Law Enforcement - The local law-enforcement agency will respond to most hazmat incidents. Depending on the incident factors, law enforcement may be a partner in the unified command of the incident, or may participate as an assisting agency. Some functional responsibilities which may be handled by law enforcement include: isolating the incident area; managing crowd control; traffic control; providing protective public action, such as evacuations or sheltering-in-place; and managing criminal investigations.
3. County Environmental-Health Agencies (CEHA) - In most cases, the local or county environmental-health agency will be at the scene as a partner in the command of the incident. Some functional responsibilities which may be handled by environmental-health agencies include: determining the nature and identity of the hazardous material; establishing the criteria for cleanup and disposal of the material; declaring the site safe for

reentry by the public; providing the medical history of exposed individuals; monitoring the surrounding environment; assisting in the cleanup of the site; and providing technical advice.

These three functional areas will be addressed through local, state and federal officials responding to the incident utilizing the incident-command system. The design of the ICS structure and the makeup of the unified command will be determined by the specifics of a particular incident.

New Jersey Pollution Response Posture

The New Jersey State Law requires that all Hazmat pollution incidents be reported to the Department of Environmental Protection's Emergency Hotline (877) 927-6337.

Initial reports are screened and appropriate incidents are immediately forwarded to a BER duty officer, to a NJSP-OEM duty officer and to the designated municipal contact in the impacted municipality. Incidents received by the Bureau of Emergency Response Duty Officer are evaluated to determine if an immediate deployment is required. When multiple deployments are required, the incidents are prioritized and the deployments are made in order of priority.

Generally, BER staff is deployed immediately to a credible report of:

1. A significant release, spill or discharge of a T.C.P.A. - Extraordinary Hazardous Substance.
2. An incident resulting in fatalities or multiple hospitalizations directly due to a release, spill or discharge of hazardous materials.
3. An incident resulting in significant residential evacuations and/or in a significant facility evacuation.
4. An incident having inter-state impact.
5. Medium or major oil spills & minor spill in pristine waters.
6. Numbered highway closure directly due to release, spill, or discharge of hazardous materials.
7. An emergency requiring authorization for opening the New Jersey Spill Fund or involving National Pollution Trust Fund compensation.

Incidents, which do not meet immediate response criteria, are referred to the County Health Act (CEHA) counties or to qualified local Hazmat teams for initial investigation. BER may subsequently respond to these incidents when incident resolution starts to go beyond the local unit's capabilities. BER will also deploy at the request of Federal Agencies: EPA, USCG, DEA, etc.

Significant incidents such as major oil spills, chemical explosions or chemical fires with casualties or mass evacuations normally generate a joint regional response with the New Jersey State Police's Office of

Emergency Management (NJSP-OEM). State support continues on-site until the emergency is terminated.

Additional information concerning New Jersey policy on oil and hazardous material releases can be found in the New Jersey DEP Contingency Plan.

1540.3 - PENNSYLVANIA

The emergencies to which DEP responds can also be divided into these groups. The first of these include those emergencies, which do not pose a significant threat to the response personnel (e.g., an oil spill, a water shortage, or a food-borne illness). The second group includes those emergencies, which although they do pose a risk to the response personnel, are within the normal range of duties of the responsible program staff (e.g., a forest fire, a mine accident, or a fixed nuclear facility incident). The third group includes hazardous materials releases to the air, ground, or water, which are beyond the response capabilities of the normal program staff, due to the specialized sampling, mitigation, and personal protective equipment and training required. For the purpose of clarification in this plan, the term "emergency" shall refer to all three of the above groups; and the term “hazardous materials incident” shall refer specifically to this last group.

The Environmental Emergency Response Program's mission is to ensure prompt response to the above first two groups through coordination of the regular program staffs and to form and train emergency response teams to respond to hazardous materials incidents.

The Environmental Emergency Response Program is structured to protect the natural environment and to protect the public health and safety at the above-listed emergencies by providing timely assistance to the organization or persons primarily responsible for the control of the emergency. This might be a DEP program, a fire chief, police, elected officials, a facility owner, or a federal agency. For the purposes of this manual, these parties, who are responsible for the response, will be called "Incident Commanders." The Environmental Emergency Program is not structured to provide those services normally under the province of these incident commanders, nor is it structured to preempt the incident commanders' prerogatives in carrying out their duties. It is a program which provides consultation in the techniques to be used for a particular situation to best protect public health and the environment and which provides coordination of DEP multi-program responses.

The Environmental Emergency Response Program will also assist in the assessment of damages resulting from natural disasters or major environmental emergencies. In carrying out this portion of the program, emergency management personnel will rely heavily on the expertise of the individual program areas within the deputates.

An important aspect of DEP's program is the tenet that the person responsible for causing the problem is responsible for all aspects of correcting the problem. In the case of spills, local elected officials, through their emergency response agencies, are generally responsible for providing immediate

containment and mitigation, at least until the responsible party can take over the response. Mitigation, containment, and clean-up are generally not proper functions of the Emergency Response Program. However, all personnel involved with this program will carry, in their vehicles and in the vans, a small quantity of commonly used containment supplies and equipment.

They will use this equipment in a limited number of cases under special circumstances (e.g., a dire emergency, they are first on the scene, low hazard exposure to the DEP personnel). Additionally, the department's Regional Emergency Response Program Managers (ERPM's) are authorized to enter into emergency contracts on behalf of the department, when the responsible party or the first responders are unable or unwilling to act; and, immediate action is necessary to protect the public health or the environment.

1. STAFFING AND LINES OF AUTHORITY

The Director of DEP's Environmental Emergency Response Program has the direct authority of the Secretary of DEP in directing the department's response to environmental emergencies and natural disasters. Although this position is organizationally under the Deputy Secretary for Field Operations, it is nevertheless responsible for coordination of the entire department's response effort. The Field Operations Deputate's Regional Emergency Response Program Managers (ERPMs) have the direct authority of the Regional Directors in directing response to incidents within their respective regions. Volunteer personnel are drawn from the regular program staff to provide the manpower for the response as necessary. The ERPM's also have authority to coordinate responses in their respective regions for the other deputates under this plan.

2. EMPLOYEE HEALTH AND SAFETY

The health and safety of DEP emergency response personnel is of the highest importance. DEP employees shall not be permitted to participate in field activities involving hazardous materials until they receive adequate training, as defined in the training section, or otherwise demonstrate they have the knowledge to safely respond to a given incident by virtue of their work experience. The determination whether an employee without formal training has adequate experience to respond shall be made jointly by the ERPM and the employee's supervisors. Additionally, employees will not be sent into a hazardous situation without being made aware of the hazards involved, either by virtue of previous training or by a briefing by a knowledgeable person, prior to entry. And finally, DEP employees will not be sent into a hazardous situation without appropriate personnel protective equipment to provide them with adequate protection. The ERPM has ultimate authority in making sure the Health and Safety Program is enforced at the scene of an incident, but he may delegate this authority to a health and safety officer.

3. COMMUNICATIONS

Communications at the scene of an incident are under the control of the DEP team leader. All communications between DEP and other operational response organizations will be made through the

team leader. No communications with the press shall be made by anyone other than the team leader or his designee. In major instances, the community relations' coordinator will be on scene and will serve in this capacity.

4. REGIONALIZATION OF PROGRAM

To be an effective program, the emergency response program must provide the quickest possible response to environmental emergencies. To this end, the field operations portion of the response program has been decentralized to the FO regional offices. Direct initial contacts are encouraged at the regional level for all incidents, except those reported by PEMA. The regions are then responsible for notifying the Director of Environmental Emergency Response of incidents, which require his attention as defined in the section on general response patterns and major organizational responsibilities.

5. HEADQUARTERS FOR DEP RESPONSE

Major DEP responses will be run out of the DEP headquarters. Availability of DEP communications equipment, technical reference material, computer equipment, and access to program and senior management personnel necessitate this approach to managing an effective response. Regional responses will be run out of the regional headquarters. The decision to go from a regional response to a major DEP response will be made by the director of Environmental Emergency Response or the appropriate deputy secretary.

1550 – Local Response System

This Area Contingency Plan coordinates with the state local response systems of Delaware, New Jersey, and Pennsylvania. The following information was supplied by the above referenced states and was adopted into this plan with minor font and formatting changes which did not alter the information or content.

1550.1 - DELAWARE Local response system

Refer to the Delaware Oil & Hazardous Substance Incident Contingency Plan for more information.

1550.2 - NEW JERSEY Local Response System

There are nine New Jersey counties which border the Delaware River and Bay and the Atlantic Ocean. Each county is sub-divided with numerous municipalities within the Captain of the Port's jurisdiction:

Mercer County	3 municipalities	Cumberland County	11 municipalities
Burlington County	15 municipalities	Cape May County	15 municipalities
Camden County	4 municipalities	Atlantic County	13 municipalities
Gloucester County	6 municipalities	Ocean County	23 municipalities
Salem County	8 municipalities		

Each county and municipality have an Emergency Management Coordinator available 24-hours a day. The County Coordinator has the ability to access all county and municipal resources in the event of disaster or emergency situations.

All of the counties, except Mercer, have an agent contracted by the New Jersey Department of Environmental Protection (NJDEP), under the County Environmental Health Act (CEHA). In Salem County, the County Office of Emergency Management (Co. OEM) is the contracted agent. In the remaining counties, the County Health Department is the agent.

The C.E.H.A. contract authorizes the County Agents to act in DEP's behalf in areas of: water, solid waste, spills of hazardous substances (N.J. State laws defines oil as a hazardous substance), and emergency response. The County Agents are activated by various means: DEP, NJOEM, County OEM, county communications, or direct requests from municipalities.

Mercer County has no C.E.H.A. contract Agent. Trenton City and Hamilton Township, both bordering the Delaware River, have Hazardous Material Response Units. Trenton city's unit is under the jurisdiction of the full-time, paid fire department. Hamilton Township's unit consists of volunteers and is somewhat limited in response. These units can be activated through the Mercer County Emergency Management Coordinator (EMC). For specific county information, all the county plans are on file, and all of the County Emergency Operations Plans have the same plan format.

All of the counties have their respective Municipal Emergency Operations Plans on file, and specific municipal information can be accessed through the county EMC.

1550.3 - PENNSYLVANIA: Local Response System

Each county has an emergency management coordinator who maintains an emergency management organization. This organization provides logistics and resource support for the emergency response forces.

County Emergency Management Coordinators:

a. Notify PEMA of any accident involving a spill of oil or other hazardous substance.
b. Brief emergency services personnel concerning response actions for oil spills
c. Provide access and egress control for accident-affected areas in coordination with state and municipal police.
d. Provide county hazardous materials team to assist.
e. Provide information on local conditions including road network, surface water supplies, and environmentally sensitive risk areas.
f. Coordinate the safe and efficient use of volunteers.
g. Maintain or obtain county and municipal response cost documentation for possible use in recovery action.

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1600 – National Policy and Doctrine

This section provides policy and guidance for FOSCs to ensure compliance with key environmental statutes, regulations, Executive Orders, and Coast Guard policy during oil spill contingency planning and response activities. This guidance is not intended to comprehensively address all situations and all aspects of the law. Guidance and advice on specific issues and operational environments can be obtained from the servicing judge advocate.

1610 – Public vs. Private Resource Utilization

The Oil Pollution Act of 1990 (OPA 90) reaffirmed the basic principle that the primary source of an oil spill preparedness and response system in the U.S. should be implemented and maintained by the private sector. It is not, nor should it be, the Coast Guard's intent to compete with the commercial oil and hazardous materials pollution response industry. The utilization of government resources in lieu of commercial resources can place the government in a competitive environment. This is not the intent of OPA 90, as it defeats the incentive for commercial enterprise to maintain equipment and trained personnel in a competitive market. The Coast Guard's pre-positioned response equipment, other publicly owned response equipment, and other initiatives under the Coast Guard's oil spill response program are only intended to supplement the oil and clean-up industry's response program or be used if the commercial industry does not have readily available resources, and only until such time that the Federal On-Scene Coordinator (FOSC) or the Unified Command decides to release the resources.

The FOSC has the authority and responsibility in accordance with the National Contingency Plan to contain, control, and carry out response activities for the removal of a discharge where a substantial threat to public health or welfare, or where natural resources are endangered. At the direction and discretion of the FOSC and the Unified Command, when the responsible party executes a suitable response, any government equipment deployed should be withdrawn as commercial equipment becomes available and is placed into service.

The FOSC may consider using Coast Guard/Department of Defense (DOD) or Oil Spill Cooperative resources in such instances when the spill has been federalized and/or private sector resources cannot respond to the incident in a timely manner, or there are certain specific resources not available from the private sector.

1620 – Best Response Concept

The term “Best Response” means that a response organization will effectively, efficiently, and safely respond to all incidents, minimizing the consequences to save lives, protect public and responder health, safeguard the security of the homeland and protect or infrastructure, environment and economy. “Best Response” considerations represent a set of general goals for Unified Command to achieve if they are conducting a comprehensive and effective response. “Best Response” equals a successful response based on achievement of certain key success factors (i.e. the things that a response must accomplish to be considered successful).

When conducting an incident response, Incident Commander's/Unified Command and their Command and General Staffs should always consider the "Best Response" concept while managing operational and support/coordination functions. The table below lists the various "Best Response" goals.

Best Response Considerations

Human Health and Safety
• No public injuries, illness or deaths • No responder injuries, illness or deaths • Aggressive responder stress management • Highly effective family outreach program
Environment
• Sensitive areas protected • Resource damage minimized
Property
• Infrastructure damage minimized
Economy
• Economic impact minimized
Security
• Highly coordinated law enforcement and emergency management operation
Public Communication
• Conduct Risk Communications • Accurate and timely information • Positive media coverage of response • Positive public perception
Stakeholders Support
• Minimize stakeholder impact • Stakeholders well informed • Positive meetings with stakeholders • Prompt Handling of damage claims
Organization
• Implementation of an effective and efficient Incident Command System organization • Mobilize and effectively use response resources

1620.1 – Cleanup Assessment Protocol (How Clean is Clean)

The determination for "How Clean is Clean" will be made on a case by case basis by the FOSC in conjunction with the appropriate State On-Scene Coordinator (SOSC) and/or Responsible Party; along with other technical specialist as needed. Although the final decision rests with the FOSC, the FOSC will review the recommendations made by the SOSC, Responsible Party, Natural Resource Damage Assessment Team, members of the Area Committee, and others involved in the welfare of the environment, before making the final determination.

Additional Resources for Determining "How Clean is Clean" can be obtained through the Atlantic Strike Team and NOOA's Scientific Support Coordinator (SSC). Qualified Shoreline Cleanup and Assessment Team's (SCAT) are available for assistance to the FOSC. This team has specialized trained personnel to determine whether further cleanup is necessary or if natural cleansing would be more viable. NOAA's Hazardous Materials Response and Awareness Division has developed a "Shoreline Countermeasure Manual" and "Characteristics of Response Strategies: A Guide for Spill Response Planning in Marine Environments" which have proven to be highly effective in determining the damage state to a shoreline or vessel after a spill has occurred. This manual is a tool for shoreline countermeasure planning and response written to assist Regional Response Teams, Area Planning Committees, and State response agencies. The manual is presented as a template that can be tailored for each region. To obtain a copy of the manual, visit their website at http://www.noaa.gov.

Refer to response reference 9737 and NOAA Shoreline Assessment Manual for "how clean is clean".

1620.2 – Dispersant Pre-Approval/Monitoring/Decision Protocol

Dispersant References:

- Response references 9720 and 9746,
- National Response Team,
- Regional Response Team II, and
- Regional Response Team III

Under Subpart J of the NCP the FOSC may authorize the use of chemical countermeasures on oil discharges, with concurrence of the EPA representative to the Regional Response Team and the States with jurisdiction over the navigable waters threatened by the oil discharge, and in consultation with the natural resources trustees (U.S. Department of Commerce and U.S. Department of the Interior).

The critical scientific issue behind dispersant deployment is whether the environmental effects associated with dispersed oil are preferable to those associated with un-dispersed oil. Dispersing spilled oil does not remove it from the environment and should not preclude the use of other clean-up methods.

Important factors to be considered before reaching a final decision on dispersant use include:

1. Is the oil dispersible?
2. Are chemical countermeasures necessary and appropriate?
3. What are the resources at risk?

a. How will they be affected if chemical countermeasures are used?
b. How will they be affected if chemical countermeasures are not used?
c. Are the appropriate dispersants available?
4. Where are they located?
5. Is dispersant application equipment available?
6. Are weather conditions appropriate for dispersant use?

It is critical to decide whether or not to use dispersants early in the spill response. Dispersants generally need to be applied within 24-hours to be effective. As the oil weathers and the slick spreads, mousse and tarballs form, volatile components evaporate, and dispersant use becomes less effective.

Trial Application

In cases where it is difficult to predict if a dispersant will be effective, it may be advisable to conduct a field trial, prior to requesting approval for a full-scale dispersant operation.

Conditions under which a field trial may be desirable include:

1. The oil has weathered and present viscosity and pour point may have become too high to permit efficient dispersion of oil
2. The properties of the oil which has been spilled are not known and it is suspected that the oil may be difficult to disperse
3. The dispersant which is available has not been used sufficiently or tested adequately to assure that it will disperse the spilled oil effectively
4. The spilled oil is likely to impact sensitive resources but such impact is not imminent. That is, sufficient time is available for testing before shoreline impact.

Trial application will only take place on an area of the spill covered by **50 barrels or less** to determine the product's effect on the specific oil under the current set of environmental and meteorological conditions. Trial application may begin prior to the initial request of the appropriate Regional Response Team (RRT) for operational use of the chemical countermeasures on a greater portion of the spill. Monitoring protocol is waived for trial use applications; however, it must be supervised by a trained observer (i.e. Strike Team or NOAA SSC) and be reported as a qualitative visual observation (pass/fail) and reported to the RRT.

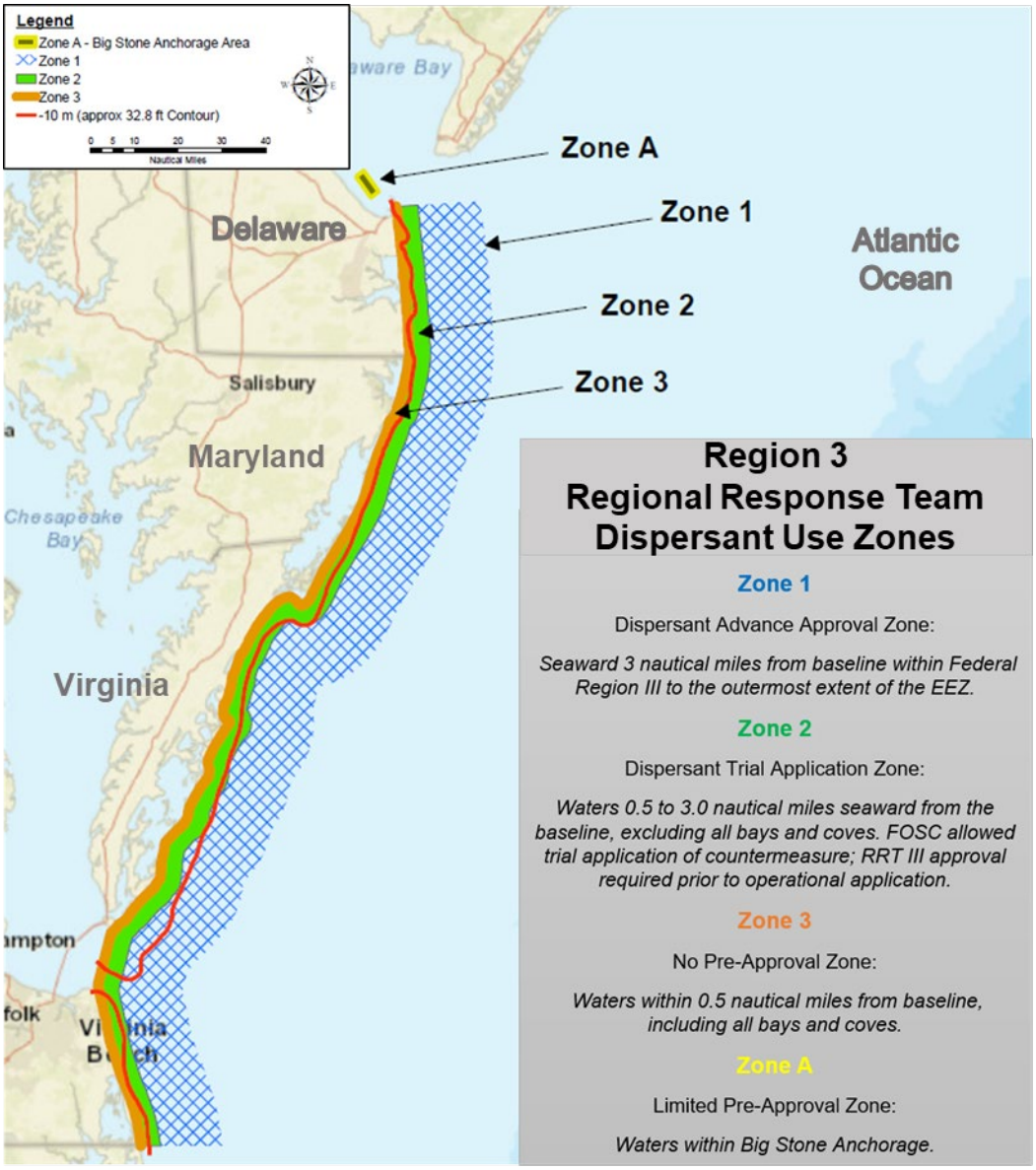
Dispersant Monitoring

The Coast Guard Strike Team should monitor dispersant application operations. The monitoring has two main objectives:

1. To determine the effectiveness of the dispersant
2. To determine the environmental effect of the dispersant.

Dispersant Use Pre-Authorization and Application Zones

Dispersants listed in the NCP Product Schedule may be used in spill response in accordance with the special conditions listed below:



Chemical Countermeasures Pre-authorization Appendices and Policy Annexes

1. Appendix A: Dispersant Pre-Authorization for coastal discharges
    a. Annex I - Pre-Authorization Zones and Zone Specific Conditions
    b. Annex II - Critical Decision Making Data
    c. Annex III - Trial Use Policy

d. Annex IV - Dispersant Monitoring Protocols
e. Annex V - Products with Completed Section 7 Consultation

2. Appendix B: In-Situ Burning Pre-Authorization for coastal discharges
    - Annex I - Pre-Authorization Zones and Zone Specific Conditions
3. Appendix C: Solidifier Pre-Authorization (CI Agent)
    - Annex I - Pre-Authorization Zones and Zone Specific Conditions

1620.3 – In Situ Burn (ISB) Approval/Monitoring/Decision Protocol

Appendix B: In-Situ Burning Pre-Authorization for coastal discharges

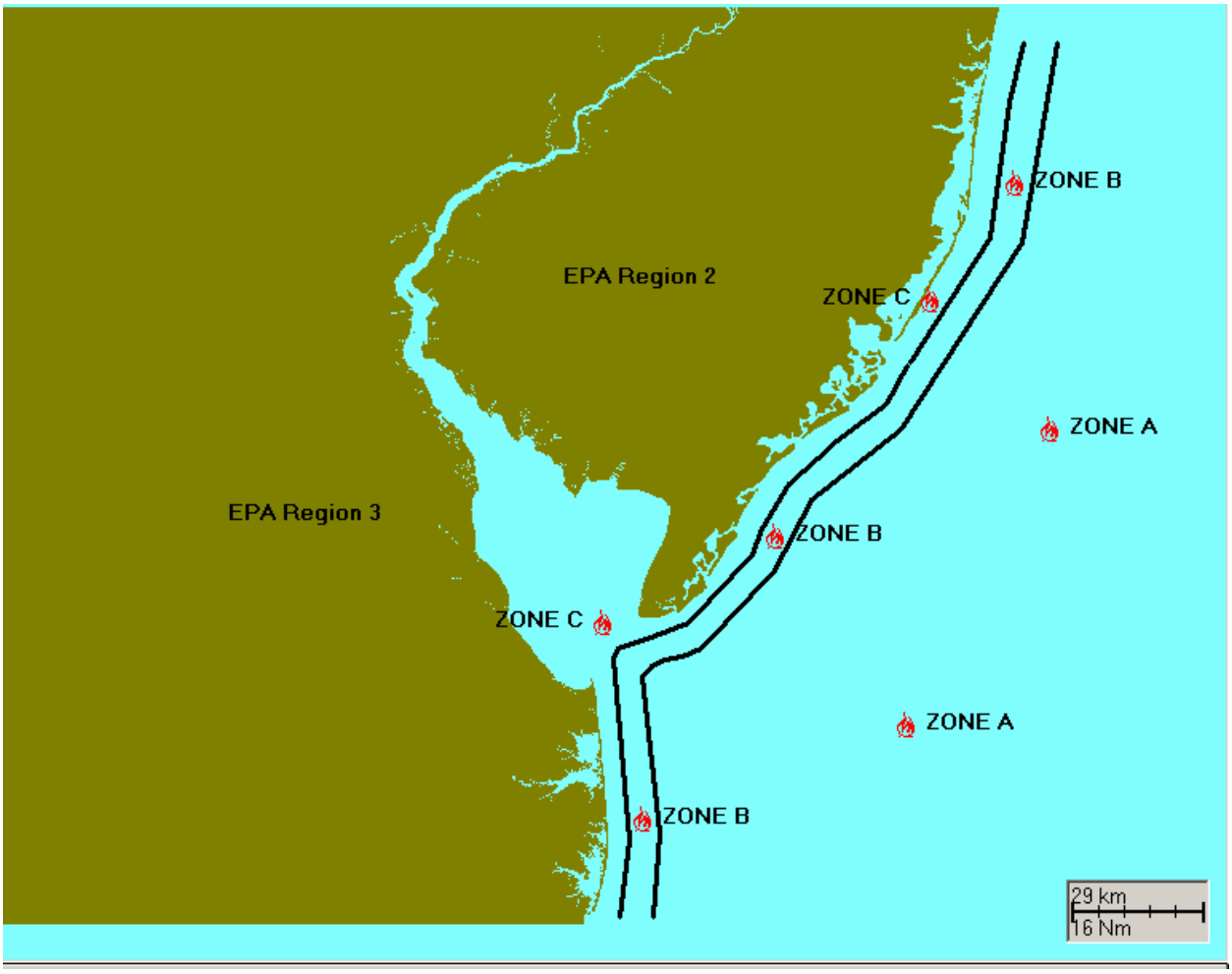
- Annex I - Pre-Authorization Zones and Zone Specific Conditions

In-situ burn (ISB) is a response technique where operations are conducted to remove oil by burning, it is used when the physical removal of oil is unfeasible or inadequate. ISB may be conducted on the open ocean, on land, or on a ship. While this technique requires specialized equipment, it requires less labor than most other response techniques and be applied in areas where other methods cannot be used. Burning can quickly remove large quantities of oil, and the need for recovery and storage is minimized.

The Federal On-scene Coordinator can use In-situ burn within the following set of guidelines:

1. Prevent or substantially reduce a hazard to human life
2. Minimize the environmental impact of the spilled oil
3. Reduce or eliminate economic or aesthetic losses which would otherwise presumably occur without the use of this technique.

In-Situ Burning Authorization Zones



Zone A

Open-water burning

Pre-authorized

Zone A includes any area falling exclusively under federal jurisdiction, which is at least 3 miles seaward from any state coastline; and seaward of any state waters, or as designated by separate Letter of Agreement with each individual state, the Coast Guard (USCG), Environmental Protection Agency (EPA), Department of Interior (DOI), and Department of Commerce (DOC).

The FOSC is pre-authorized to use ISB within Zone A. The USCG, EPA, DOC, DOI and the state(s) agree that the decision to use ISB rests solely with the pre-designated USCG FOSC, and no further approval, concurrence or consultation on the part of the USCG is required.

The FOSC will immediately notify the following entities of the decision to conduct burning within Zone A via the appropriate Regional Response Team representatives.

1. Environmental Protection Agency
2. Affected State(s)
3. Department of Commerce
4. Department of Interior

Zone B

Requires Case by Case Approval

Zone B includes:

1. Anywhere within state waters
2. Waters designated as a marine reserve
3. National Marine Sanctuary
4. National or State Wildlife Refuge
5. Unit of the National Park Service
6. Proposed or designated Critical Habitats
7. Coastal wetlands including aquatic vegetation and algal beds

To use In-situ Burn in Zone B the FOSC must:

1. Request authorization from the Regional Response Team and the affected state(s)
2. Receive consent from the Environmental Protection Agency and affected state(s)
3. Receive concurrence from Department of Interior
4. Consult with the Department of Commerce

Designated agency representatives must respond within (4) hours from the time the FOSC establishes deliberative communication. **If there is no response, the FOSC may proceed with ISB operations.**

Zone C (no preauthorization)

- *RRT II approval needed on a case-by-case basis.*

Zone R (Exclusion Zones)

- *No ISB operations will be conducted in Zone R unless ISB is necessary to prevent or mitigate a risk to human health and safety.*

Burning in Herbaceous Wetlands

FOSC can use ISB as a response countermeasure in herbaceous wetlands under the following conditions:

1. Obtain concurrence from the Regional Response Team
2. Approval from the Environmental Protection Agency and affected State(s)
3. Concurrence from the Department of Interior

4. Consult with the Department of Commerce and, if applicable, Native
5. American Community officials
6. The Wetland In-Situ Burn Evaluation Checklist from RRT III's Regional Contingency Plan must be used prior to ISB operations

Action to be taken prior to conducting In-situ Burn operations

1. Consult the In-situ burn Decision Flow Chart and Evaluation Checklist (Appendix 9788)
2. Ensure authorization to burn is approved
3. Notify appropriate agencies and the states of New Jersey, Pennsylvania and Delaware
4. Ensure the Atlantic Strike Team and National Oceanic Atmospheric
5. Administration (NOAA) Scientific Support Coordinator are prepared to support burning operations
6. Implement the Special Monitoring of Advanced Response Technologies (SMART) for conducting real time on-scene air monitoring and analysis
7. Ensure Safety Officer addresses the specific hazards of an In-situ burn operation in the Site Safety Plan
8. Ensure that In-situ burn is conducted in accordance with any consultations approved by the U.S. Fish and Wildlife Service and National Marine Fisheries Service, under Section 7 of the Endangered Species Act Prior to In-situ burn, a survey will be conducted to determine if any threatened or endangered species are present in the burn area or otherwise at risk from any burn operations
9. Ensure measures are taken to prevent risk of injury to any wildlife, especially endangered and threatened species

Conducting the In-situ burn

Burning will be conducted in a way that allows for effective control of the burn, including the ability to rapidly stop the burn if necessary. Contained and controlled burning is the preferred method of burning using fire-resistant boom.

Mechanical recovery equipment shall be mobilized on-scene, when feasible, for backup and complimentary response capability. Provisions must be made for collection of burn residue following the burn.

Post-Incident Report

Any use of ISB requires that a post-incident report be provided by the FOSC to the RRT within 45-days of the operation.

1620.4 – Bioremediation Approval/Monitoring/Decision Protocol

Bioremediation is a treatment technology that utilizes biodegradation to reduce the concentration and/or toxicity of chemical substances such as petroleum products and other hydrocarbons. Because microbes capable of degrading hydrocarbons are commonly found in nature, most untreated hydrocarbon spills eventually are removed from the environment by microbial degradation and other processes. Enhanced bioremediation, however, seeks to accelerate natural biodegradation processes by applying specially chosen nutrients and/or microbes to spilled substances. Although microbes have been used extensively and successfully for many years

to treat wastes and wastewater in controlled facilities, their potential as a tool for responding to spills of oil and hazardous substances in uncontrolled environments has only more recently received significant interest.

The RRT III Bioremediation Plan presents a plan for considering and implementing bioremediation, through either natural attenuation or nutrient/microbe enhancement. It was developed through the coordinated efforts of EPA's Subcommittee on National Bioremediation Spill Response and the members of the RRT, using EPA's Interim Guidelines for Preparing Bioremediation Spill Response Plans.

The RRT Bioremediation Plan can be found at Regional Response Team III

1630 – Fish and Wildlife Acts Compliance

1630.1 – Migratory Bird Treaty Act (MBTA)

The Migratory Bird Treaty Act (MBTA) implemented the 1916 convention between the United States and Great Britain for the protection of birds migrating between the U.S. and Canada. Similar conventions between the United States and Mexico (1936), Japan (1972) and the Union of Soviet Socialists Republics (1976) further expanded the scope of international protection of migratory birds. Each new treaty has been incorporated into the MBTA as an amendment and the provisions of the new treaty are implemented domestically. These four treaties and their enabling legislation, the MBTA, established Federal responsibilities for the protection of nearly all species of birds, their eggs and nests.

The MBTA made it illegal for people to "take" migratory birds, their eggs, feathers or nests. Take is defined in the MBTA to include by any means or in any manner, any attempt at hunting, pursuing, wounding, killing, possessing or transporting any migratory bird, nest, egg, or part thereof. In total, 836 bird species are protected by the MBTA, 58 of which are currently legally hunted as game birds. A migratory bird is any species or family of birds that live, reproduce or migrate within or across international borders at some point during their annual life cycle.

The U.S. Fish and Wildlife Service (USFWS), Division of Migratory Bird Management, issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, educational, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal.

On November 26, 2003, the USFWS established a new category of migratory bird permit, namely, bird rehabilitation (50 CFR Parts 17, 21 and 22). Rehabilitation permits take the place of the old special use permits for rehabilitation by specifically authorizing migratory bird rehabilitation, including rehabilitation of migratory bird species listed as threatened or endangered under the Endangered Species Act. The new permits, applicable to approximately 2500 bird rehabilitators nationwide (veterinarians are exempt), set specific requirements to take, temporarily possess, or transport any migratory bird for rehabilitation purposes. However, any person who finds a sick, injured, or orphaned migratory bird may, without a permit, take possession of the bird in order to immediately transport it to a permitted rehabilitator.

Prior to entering the location of an oil or hazardous material spill, a permitted rehabilitator must obtain authorization from the FOSC and a designated representative of the USFWS. All activities within the location of a spill are subject to the authority of the FOSC. The USFWS is responsible for the disposition of all migratory birds, dead or alive, and for overseeing migratory bird rehabilitation by permitted organizations, such a Tri-State Bird Rescue and Research or International Bird Rescue. Facilities used in migratory bird rehabilitation activities should conform as closely as possible with the facility specifications contained in the USFWS policy *Best Practices for Migratory Bird Care During Oil Spill Response*. Caging dimensions should follow standards developed by the National Wildlife Rehabilitators Association and the International Wildlife 1000-72 rehabilitation Council (Minimum Standards for Wildlife Rehabilitation, 2000).

1630.2 – Marine Mammal Protection Act (MMPA)

Mammals

Marine Mammal Protection Act of 1972(MMPA) established a Federal responsibility to conserve marine mammals. Management of sea otter, walrus, polar bear, dugong, and manatee is vested with the Department of the Interior's USFWS. The Department of Commerce's NOAA is responsible for managing cetaceans (whales and dolphins) and pinnipeds (seals and sea lions), other than the walrus. Under the MMPA, it is illegal to harass, hunt, capture or kill, or attempt to harass, hunt, capture or kill any marine mammal. Some marine mammals receive additional protection under the Endangered Species Act.

The NOAA Fisheries Office of Protected Resources works in collaboration with the NOAA Fisheries Regions, Fisheries Science Centers and Partners to develop and implement a variety of programs for the protection, conservation and recovery of the approximately 175 mammal stocks listed under MMPA. The USFWS has similar programs for mammals under its jurisdiction.

Over 30 species of marine mammals and sea turtles occur off the New Jersey and Delaware coast each year, many of which are endangered or protected species. These include the Atlantic bottlenose dolphin, Atlantic white-sided dolphin, Risso's dolphin, Common dolphin, Atlantic spotted dolphin, Short finned and Long finned pilot whale, Orca, Harbor porpoise, Sperm whale, Pygmy sperm whale, several species of beaked whales, Northern right whale, Humpback whale, Fin whale, Sei whale, Minke whale, Blue whale, Harbor seal, Harp seal, Grey seal and West Indian manatee.

Sea Turtles

All six species of sea turtles in the U.S. are protected under the Endangered Species Act. Through interagency coordination under Section 7, sea turtles are protected by ensuring that Federal actions do not jeopardize the continued existence of the turtles. Because sea turtles nest on land, responsibility for their conservation is shared between the USFWS and National Marine Fisheries Service. The Loggerhead sea turtle, Kemp's Ridley sea turtle, Leatherback sea turtle and Green turtle occur along the New Jersey and Delaware coastline.

Fishes

The USFWS has management authority for anadromous fish species, inter-jurisdictional (coastal) fishes, and inland threatened or endangered species under a variety of laws including, but not limited to the Endangered Species Act, Fish and Wildlife Conservation Act, Atlantic Stripped Bass Act and the Anadromous Fish Conservation Act. The NOAA has management authority over marine, estuarine and anadromous species under a variety of laws including the Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act and the Anadromous Fish Conservation Act. The individual states have responsibility for all fishes within their state boundaries, except where federal law supersedes.

It is unlikely that large numbers of adult fish in large bodies of water would be killed by petroleum discharge. However, suffocation can occur in small waterbodies if oxygen transport across gill surfaces is obstructed by a coating of oil or dissolved oxygen levels fall below sustainable amounts. If there is a fish kill, prompt collection and documentation should be accomplished in coordination with the appropriate management authority in order to avoid secondary impacts on predatory mammals and birds.

Chronic exposure to low concentrations of petroleum hydrocarbons in water, sediment or food produces sub lethal effects, including changes in heart and respiratory rate, enlarged liver, reduced growth, fin erosion, a variety of biochemical and cellular changes, and reproductive and behavioral responses. Various groups of fishes and their varied life stages differ in susceptibility to petroleum products. Generally, the egg and larval stages are most sensitive, followed by juveniles and adults.

Magnuson-Stevens Fishery Conservation and Management Act of 1996

This law, more popularly known as the Sustainable Fisheries Act, amended the Fishery Conservation and Management Act of 1976. The amendments mandate the Secretary of Commerce to promulgate guidelines for identification of essential fish habitat by Fishery Management Councils. Section 305(b)(2)-(4) outlines a process for the NMFS and Councils to comment on activities proposed by federal agencies that may adversely impact areas designated as essential fish habitat. Essential fish habitat is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, growth and maturity. The Mid-Atlantic Fishery Council currently lists essential fish habitat for summer flounder, scup, black sea bass, bluefish, Atlantic surfclam, ocean quahog, Atlantic mackerel, *Loligo* (Long-finned squid), *Illex* (Short-finned squid), butterfish, dogfish and Tilefish.

The consultation process is usually integrated into existing environmental review procedures, such as the Endangered Species Act or Fish and Wildlife Coordination Act. The NMFS provides the federal agency with essential fish habitat recommendations that would avoid, mitigate or offset the adverse impact of a proposed activity on essential fish habitat. The recommendations are advisory in nature, but the federal agency must respond within 30 days from the date the recommendations are received. If the federal agency chooses not to adopt the NMFS recommendations, it must provide an explanation.

Sources of rehabilitative assistance:

New Jersey - The Marine Mammal Stranding Center, Brigantine, New Jersey, (609-266-0538).

Delaware – Marine Education, Research and Rehabilitation Institute, Inc., Nassau, Delaware (302-228-5029).

1630.3 – Endangered Species Act (ESA)

The purpose of the ESA is to conserve "the ecosystems upon which endangered and threatened species depend" and to conserve and recover listed species. Under the law, species may be listed as either "endangered" or "threatened." Endangered means a species in danger of extinction throughout all or a significant portion of its range. Threatened means a species is likely to become endangered with the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.

The Endangered Species Act of 1973 (ESA) was enacted to conserve and recover threatened and endangered species and the ecosystems upon which they depend. The Act is administered by the USFWS in the Department of the Interior and the NMFS in the Department of Commerce. Under Section 7 of the ESA, federal agencies must consult with these trustee agencies on actions they take, permit, or fund which may jeopardize listed endangered species or adversely modify their designated critical habitat. During emergencies, such as disasters, casualties, national defense or security emergencies, and response to oil spills, the ESA allows for emergency consultation during the event, with formal consultation occurring after the event, if necessary.

Key Statutes and Responsibilities shall be referenced in the U.S. COAST GUARD MARINE ENVIRONMENTAL RESPONSE AND PREPAREDNESS MANUAL Chapter 4 Section D.

Implementation of the Interagency Memorandum of Agreement for the Endangered Species Act.

The Interagency Memorandum of Agreement Regarding Spill Planning and Response Activities under the Federal Water Pollution Control Act's National Oil and Hazardous Substances Pollution Contingency Plan and the Endangered Species Act (herein after referred to as the MOA), signed by the USCG, EPA, NOAA, DOI, USFWS, and NMFS, aligns the consultation requirements with the pollution response responsibilities outlined in the NCP, 40 CFR 300. The MOA is intended to be used at the Area Committee level primarily to identify and incorporate plans and procedures to protect listed species and designated critical habitat during spill planning and response activities.

A guidebook was developed for the MOA by the signatory agencies to further facilitate cooperation and understanding between the agencies involved in oil spill planning and response. This cooperation is highly successful when it is established before an incident occurs and should continue throughout an incident and the post-incident follow-up and review. By working proactively to identify the potential effects of spill response activities on species and their habitat, and then developing response plans and countermeasures, impacts to listed species and/or critical habitat can be reduced or avoided completely during an incident.

Specific Guidance for ESA section 7 and Essential Fish Habitat Consultation Process (Appendix 9).
National Response Team Guidance, Technical Assistance and Planning for Endangered Species Act Section 7

1640 – National Historic Preservation Act (NHPA)

On 15 October 1966, Congress passed 16 USC 470, known as the National Historic Preservation Act (NHPA) to preserve the historical and cultural foundations of our Nation. Under Section 106 of NHPA, federal agencies are required to consider the effects of their actions on historic properties and take steps to reduce or eliminate adverse effects. http://www.achp.gov/nhpp.html.

The Programmatic Agreement (PA) on Protection of Historic Properties during Emergency Response under the National Oil and Hazardous Substances Pollution Contingency Plan, Appendix 9715 Protection of Historic Properties, located at Area Contingency Base Plan, Appendices and References, which was signed by the Assistant Commandant for Marine Safety and Environmental Protection on May 13, 1997, provides an alternative to the process in section 106 of the NHPA to ensure appropriate consideration of historic properties within the meaning of the NHPA during emergency response to a discharge or a release under the NCP, 40 CFR 300. The alternative to following the process in the PA, including the pre-spill planning part of the process, is to follow the complete consultation process in section 106 of the NHPA.

The PA states that the FOSC is responsible for ensuring that historic properties are appropriately considered in planning and during emergency response. During *pre-spill planning* activities, the PA calls for identifying historic properties listed in or determined eligible for listing in the National Register of Historic Properties that might be affected by response to a release or spill and non-surveyed areas where there is a high potential for the presence of historic properties; identifying geographic areas or types of areas where historic properties are unlikely to be affected; identifying parties that are to be notified in the event of a spill in a non-excluded area; developing emergency response strategies to help protect historic properties; and identifying who will be responsible for providing expertise on historic properties to the FOSC's during emergency response (i.e., the FOSC's Historic Properties Specialist). Effective consideration of historic properties during emergency response in the absence of this advance planning is extremely difficult and may not be possible, so to take advantages of the benefits of the PA, FOSCs are to make every effort to conduct this planning effort and incorporate it into the ACP.

During *emergency response*, FOSCs are responsible for activating the agreed-upon mechanism for addressing historic properties; namely, the FOSC's Historic Properties Specialist. In turn, the FOSC's Historic Properties Specialist will notify and consult with parties identified in pre-incident planning and who are listed in the ACP; will assess potential effects of emergency response strategies on historic properties; and will recommend to the FOSC, response actions to help minimize or eliminate potential impacts to historic properties.

One of the essential key pre-spill planning elements is the identification of who will be responsible for providing reliable and timely expertise on historic properties to the FOSC during emergency response; i.e., the FOSC's Historic Properties Specialist. The PA provides that historic properties expertise and support may be obtained by the FOSC in any one of several ways:

- Implementing an agreement with State or Federal agencies that have historic properties specialists on staff;
- Executing a contract with experts identified in ACPs; or
- Hiring historic properties specialists on staff.

The PA specifies the professional qualifications and standards that a Historic Properties Specialist must meet. It should be noted that only the FOSC and not the Responsible Party, may contract with experts to serve as the FOSC's Historic Properties Specialist.

An FOSC may utilize a Pollution Removal Funding Authorization (PRFA) for funding the activation of a Historic Property Specialist during an emergency response. There is no funding available under the Oil Spill Liability Pollution Fund to conduct pre-incident planning.

If FOSCs choose to obtain historic properties expertise through executing contracts with appropriate archaeologists, it is possible to go through a solicitation process that includes technical input and assistance from appropriate State Historic Preservation Officer(s) and Federal land management agency cultural resources specialists. Blanket Purchase Request Agreements may then be established with one or more companies with one or more named individuals who may be activated during emergency response to serve as the FOSC's Historic Properties Specialist.

Historical/Cultural Resources Specialist

The Historical/Cultural (H/C) Resources Specialist is responsible for identifying and resolving issues related to any historic sites that are threatened or impacted during an incident. The Specialist must understand and be able to implement a "Programmatic Agreement on Protection of Historic Properties" and consult with State Historic Preservation Officers (SHPO), land management agencies, appropriate native tribes and organizations, and other concerned parties. The Specialist must identify H/C sites and develop strategies for protection and cleanup of those sites in order to minimize damage.

Roles and Responsibilities:

- Obtain briefing and special instructions from the Environmental Unit Leader
- Participate in Incident Command System (ICS) meetings as required
- Implement Programmatic Agreement (PA) for the FOSC
- If PA is not used, coordinate Section 106 consultations with the SHPO
- Consult and reach consensus with concerned parties on affected H/C sites and response strategies
- Identify and prioritize threatened or impacted H/C sites
- Participate in the testing and evaluation of cleanup techniques used on H/C sites
- Monitor and provide guidance on the cleanup of H/C sites to reduce or eliminate response-related impacts
- Ensure compliance with applicable Federal/State regulations

- Maintain Individual Log (ICS 214a) and provide it along with other incident related documentation to the Documentation Unit

Specific Guidance for ESA section 7 and Essential Fish Habitat Consultation Process (Appendix 9).

1650 – Alternative Response Technology Evaluation System (ARTES)

Alternative Response Tool Evaluation System (ARTES)

In Sector Delaware Bay, optional response technologies are evaluated using the Alternative Response Tool Evaluation System (ARTES). ARTES is designed to provide FOSCs with a method for evaluating optional response countermeasures in advance or during an oil or chemical spill. An FOSC may use the ARTES for evaluating proposed conventional but unfamiliar countermeasures as well, such as alternative sorbents.

The FOSC can use the ARTES as a means to rapidly evaluate unfamiliar products on an incident ñ specific basis. During a spill, FOSCs can be approached by vendors, responsible party representatives, Special Teams personnel, or members of their staff requesting that an optional cleanup countermeasure be considered. This optional countermeasure could be another viable "tool" for the FOSC to use during a spill. The ARTES provides an evaluation program that will help the FOSC and Regional Response Team (RRT) decide whether to use such less familiar cleanup tools. The ARTES evaluates a response tool on its technical merits and not economic factors.

1660 – Special Monitoring of Applied Response Technology (SMART)

Special Monitoring of Applied Response Technology (SMART)

Sector Delaware Bay believes that the use of optional response technologies, such as dispersants and in situ burning among others, needs to be monitored while the operation is underway. Sector Delaware Bay has adopted the Special Monitoring of Advanced Response Technologies (SMART) as the program that will be implemented whenever an in situ burning, dispersant operation is authorized in Sector Delaware Bay. SMART establishes monitoring protocols for advanced or optional response technologies used in an oil spill. However, those operations will not be delayed pending availability of personnel or equipment needed to operate SMART.

1700 – Reserved

1800 – Reserved

1900 – Reserved for Area/District

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2000 – Command

The primary responsibilities of all positions identified in this section are outlined in the Incident Management Handbook and all ICS Position Specific Job Aids can are located on CGPortal, HomePort, or FEMAs Resource Site.

2100 – Unified Command (UC)

Refer to the National Response Teams Guidance

While a single Incident Commander normally handles the command function, an ICS organization may be expanded into a Unified Command (UC). As a component of ICS, the Unified Command is a structure that brings together the "Incident Commanders" of all major agencies/organizations involved in the incident to coordinate an effective response while at the same time carrying out their own jurisdictional responsibilities.

The UC links the organizations responding to the incident and provides a forum for these agencies to make consensus decisions. Under the UC, the various jurisdictions and/or agencies and non-government responders work together to create an integrated response team. A strong Unified Command is essential to an effective response.

A UC may be used whenever multiple jurisdictions are involved in a response effort. These jurisdictions could be represented by:

- Geographic boundaries (i.e. two states, Indian Tribal Land)
- Governmental levels (i.e. Federal, State, Local)
- Functional responsibilities (i.e. fire, law enforcement, hazardous material releases)
- Statutory responsibilities (i.e. Federal Land Managers, Responsible Party under the Oil Pollution Act of 1990)
- Some combination of the above.

Actual UC make-up for a specific incident will be determined on a case-by-case basis taking into account:

1. The specifics of the incident;
2. Determinations outlined in existing response plans; or
3. Decisions reached during the initial meeting of the UC. The makeup of the UC may change as an incident progresses, in order to account for changes in the situation.

The UC is a team effort, but to be effective the number of personnel should be kept as small as possible. A well-defined process requires the UC to set clear objectives to guide the on-scene response resources.

Each UC member may assign Deputy Incident Commander(s) to assist in carrying out IC responsibilities. UC members may also be assigned individual legal and administrative support from their own organizations.

To be considered for inclusion as a UC representative, your organization must:

- Have jurisdictional authority or functional responsibility under a law or ordinance for the incident; and,
- The incident or response operations must have impact on your organization's Area of Responsibility (AOR); and,
- Your organization must be specifically charged with commanding, coordinating or managing a major aspect of the response; and,
- Your organization must have the resources to support participation in the response organization.

Unified Command representatives must be able to:

- Have the capability to sustain a 24-hour-7-day-a-week commitment to the incident;
- Have the authority to commit agency or company resources to the incident;
- Have the authority to spend agency or company funds;

It is important to note that participation in a UC occurs without any agency abdicating authority, responsibility, or accountability.

Decisions by the Unified Command:

- Agree and establish incident priorities (allows for trade-off decisions)
- Determine the Operational Period
- Agree on a common set of incident objectives
- Designate the agency providing the Operations Section Chief
- Establish location of the Incident Command Post
- Approve and authorize implementation of the Incident Action Plan
- Set policy for releasing information to the media
- Commit to speak with "one voice" through the Public Information Officer (PIO) or Joint Information Center (JIC), if established;
- Agree on logistical support procedures; and
- Agree on cost-sharing procedures, as appropriate.
- Does the complexity or duration of the incident response necessitate the support of an Incident Management Assist Team?

In the Unified Command structure decisions are made jointly. However, there will be some instances where an operational issue is the primary jurisdiction of a single agency. In these instances, the primary agency will request input from all Unified Commanders before deciding on a particular course of action.

2110 – Command Representatives

Federal, state, and responsible party Incident Commanders should utilize the Incident Commander Job Aid located in the previous noted links under section 2000.

2110.1 – Federal Representative

In accordance with the NCP (40 CFR 300.120), the Sector Delaware Bay Commander shall serve as the pre-designated Federal On-Scene Coordinator (FOSC)/Incident Commander (IC) for oil discharges, including facilities and vessels under the jurisdiction of another federal agency, within or threatening the coastal zone, except when the sole source of the discharge is from a facility or vessel under the jurisdiction, custody, or control of the Department of Defense (DOD) or Department of Energy (DOE). During such incidents, the DOD or DOE shall serve as the FOSC for responses within their respective jurisdictions.

FOSC authority may be placed on a higher authority within the U.S. Coast Guard during a major oil spill, such as the Worst Case Discharge scenarios in Section 9440, although the Sector Delaware Bay Commander may remain as the IC for the local response efforts within the incident specific response organization. The Environmental Protection Agency shall serve as the pre-designated FOSC for oil discharges and hazardous substances releases in the inland zone.

The first federal official affiliated with an NRT member agency to arrive at the scene of a discharge should coordinate activities under the NCP and is authorized to initiate, in consultation with the FOSC, any necessary actions normally carried out by the FOSC until the arrival of the predesignated FOSC. This official may initiate federal Fund-financed actions only as authorized by the FOSC.

The FOSC shall, to the extent practicable, and as soon as possible after the incident occurs:

1. Collect pertinent facts about the discharge, such as its source and cause;
2. Identify responsible parties, the nature, amount, and location of discharged materials along with predicting the trajectory of discharged materials;
3. Determine whether the discharge is a worst case discharge, the pathways to human and environmental exposure, the potential impact on human health, welfare, safety and the environment and whether the discharge poses a substantial threat to the public health or welfare;
4. Identify the potential impact on natural resources and property;
5. Discuss priorities for protecting human health, welfare and the environment;
6. Ensure appropriate resource documentation;
7. Ensure that the trustees for natural resources are promptly notified of discharges and coordinate all response activities with the affected Natural Resource Trustees and shall consult with the affected trustees on the appropriate removal action to be taken;
8. Consult with the Regional Response Team IV (RRT), when necessary, in carrying out the requirements of the NCP and keep the RRT informed of activities under the NCP;
9. Notify the Health and Human Services (HHS) representative to the RRT in instances where a public health emergency exists;

10. Submit pollution reports to the RRT and other appropriate agencies as significant developments occur during response actions, through communication networks or procedures agreed to by the RRT and covered in the RCP;
11. Ensure that all appropriate public and private interests are kept informed and that their concerns are considered throughout a response, to the extent practicable.

A special situation could occur when National Parks are involved. In addition to the U.S. Coast Guard Sector Delaware Bay Commander, a Unified Command may include the National Parks Service due to highly regulated geographic area that may potentially be affected by a discharge or release. When a Responsible Party (RP) is identified, the FOSC should consult with the RP on all response actions, but should not delay taking action due to the inability to contact the RP or while awaiting a consensus. When a FOSC believes time is a critical factor in a response, he or she is expected to act, although this may require action without conferring with the RP. The FOSC is responsible for taking those actions deemed to be in the environment's best interests, which occasionally may include obtaining resources without prior consultation with the RP. The FOSC is expected to continuously evaluate response action in all cases and be kept informed by the RP of all activities and action plans. In turn, the FOSC should convey the specific response objectives that the RP should accomplish and review and concur with the RP's action plans. Three factors will dictate the degree of the FOSC's direct involvement:

1. Severity of the event;
2. Complexity of the response operations; and
3. The RP's actions

2110.2– State Representative

Each state governor is requested to designate a lead state agency that will direct state-led response operations. This agency is responsible for designating the lead state response official for federal and/or state-lead response actions, and coordinating/communicating with any other state agencies, as appropriate.

The SOSC is responsible to ensure all pertinent resource, cultural, archaeological, environmental and economic issues are discussed and decisions within the UC are based on sound state-specific information. This individual must be able to make decisions with minimal internal agency consultation.

Because state and local public safety organizations may be the first government representatives at the scene of a discharge or release, they are expected to initiate public safety measures that are necessary to protect public health and welfare that are consistent with containment and cleanup requirements in the NCP, and are responsible for directing evacuations pursuant to existing state or local procedures. State and local governments, however, are not authorized to take actions under Subpart D of the NCP that involve expenditures of the Oil Spill Liability Trust Fund (OSLTF) unless a Pollution Removal Funding Authorization (PFRA) has been completed between the FOSC and local government representative.

2110.3– Responsible Party Representative

Under OPA 90, the responsible party has primary responsibility for cleanup of a discharge. The response shall be conducted in accordance with their applicable response plan. Section 4201(a) of OPA 90 states that an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the NCP and the applicable response plans as required. Section 4202 of OPA 90 states that these response plans shall be consistent with the requirements of the NCP and ACPs. Each owner or operator of a tank vessel or facility required by OPA 90 to submit a response plan shall, do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements, are located in 33 CFR Parts 154 and 155, respectively.

As defined by OPA 90, each responsible party of a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the ACP, and the applicable response plan required by OPA 90. Each responsible party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of a discharge, is liable for removal costs as specified in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. 9601 et seq.).

2110.4 – Transfer of Command

The Transfer of Command Briefing is critical to providing the incoming Incident Commander with an accurate assessment of on-scene operations.

Note: The guidance provided in this Section under *Providing an Accurate and Detailed Briefing* should be used by Sector Delaware Bay personnel when responding to an incident (security or response) to brief the Chief, Response Department and the Sector Commander. The picture you "paint" of the incident during your brief will enable the command to determine the best course of action. Depending on the size of the incident, incident complexity and political interests the command may decide to assume the duties of the incident commander or continue to let you manage on-scene operations.

Responsibilities of the incoming Incident Commander

- If possible, get a first-hand assessment of the incident with the off going Incident Commander (IC)
- Following the briefing, determine an appropriate time that the actual transfer of command will take place
- Notify the following when a change in Incident Commanders takes place
    - Incident personnel
    - District 5 (i.e. through message, verbal etc.)
    - All cooperating and assisting agencies
- Ensure that the transfer of command is recorded in
    - SITREP POLS
    - In your ICS-214, Unit Log

Providing an accurate and detailed briefing

Documentation

At a minimum, you should have:

- Chart/Maps
- A completed ICS-201, Incident Briefing Form
- Photographs

Command Briefing Checklist

- Ensure Command has a copy of the ICS-201 or Incident Action Plan
- Use charts and/or maps as an aid
    - Point out locations and details about the incident you have documented
- Cover current situation "Paint incident picture as you saw it."
- Cover initial response objectives and priorities
- Discuss current actions and tactics
- Review planned actions
- Review current organization to deal with the situation
- Discuss and make recommendations on short-term changes to the response organization
- Review how you are currently utilizing the resources on scene
- Provide a rundown on all additional resources that have been ordered of that you need to support planned actions
- Give a status of communications
- Summarize briefing by providing Command with your overall assessment of the incident potential
- Solicit comments from Command
- Request direction from Command

2120 – Guidance for setting response objectives

Some incident objectives apply to any type of contingency response. Although not inclusive, the objectives listed below should be considered to determine if they are applicable to the incident you are responding to.

Criteria for developing response objectives:

- Achievable – Realistic; Can the end state be achieved as desired (time, quality, cost, etc.)
- Measurable – What are the measures to determine desired progress or the end state has been achieved?
- Flexible – Can alternative strategic or tactical courses of action be applied to better results?

1. Human Health and Safety
    a. Conduct response operations in accordance with established regulations and policy.
    b. Initiate actions to make "safe to respond" determination [Link to Policy]
    c. Establish hazard control zones

d. Rescue, consider decontamination, triage, treat and transport victims
e. Account for all victims
f. Locate and mitigate any secondary devices, if present
g. Determine people casualties and symptoms from a distance
h. Provide Critical Incident Stress Management (CISM) services to responders.

Critical Incident Stress Management Specialist Job Aid

Chaplain Emergency Response Technical Specialist

i. Establish a Family Assistance Coordinator

2. Environment
    a. Develop response strategies and tactics that minimize impact to historic properties (Historic Properties are defined as "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the National Register.")
    b. Initiate sampling to identify substance and determine if present
    c. Mobilize hazardous materials, health and environmental responders to assist in securing/containing perceived threat
3. Property
    - Identify and mitigate any potential impacts on critical infrastructure
4. Economy
    - Minimize the economic impact of the incident by continuing to facilitate and/or restore commerce
5. Security
    a. Establish a secure perimeter (landside/waters)
    b. Question witnesses and carry out LE functions
    c. Secure evidence and treat as crime scene
    d. Establish secure communications
6. Public Communications
    a. Institute an effective Risk Communications Program (communicate with the public in a calm, confident and competent manner) [Link to Risk Communications Section 2320]
    b. Message, Method (DHS release?), Messenger (medical professional)
7. Stakeholder Support
    a. Minimize impact on stakeholders
    b. Keep stakeholders well informed
    c. Meet with stakeholders
    d. Handle claims questions and concerns promptly
8. Organization
    a. Ensure notification of all principal parties using the appropriate notification system or procedures. *For Water Intake Emergency Warning System consult Appendix S-9757 and S-9758.*
    b. Effective and efficient ICS Organization
    c. Determine makeup of Unified Command
    d. Mobilize and effectively use response resources

2130 – General response priorities

The priorities set forth in this section are broad in nature, and should not be interpreted to preclude the consideration of other priorities that may arise on a site-specific basis.

1. Safety of human life must be given the top priority during every response action. This includes any search and rescue efforts in the general proximity of the discharge and the insurance of safety of response personnel.
2. Stabilizing the situation to preclude the event from worsening is the next priority. All efforts must be focused on saving a vessel that has been involved in a grounding, collision, fire, or explosion, so that it does not compound the problem. Comparable measures should be taken to stabilize a situation involving a facility, pipeline, or other source of pollution. Stabilizing the situation includes securing the source of the spill and/or removing the remaining oil from the container (vessel, tank, or pipeline) to prevent additional oil spillage, to reduce the need for follow-up response action, and to minimize adverse impact to the environment.
3. The response must use all necessary containment and removal tactics in a coordinated manner to ensure a timely, effective response that minimizes adverse impact to the environment.
4. All parts of this national response strategy should be addressed concurrently, but safety and stabilization are the highest priorities. The OSC should not delay containment and removal decisions unnecessarily and should take actions to minimize adverse impact to the environment that begins as soon as a discharge occurs, as well as actions to minimize further adverse environmental impact from additional discharges.

2200 – Safety

Key requirements for incidents and pre-planned events or exercises can be found in 29 CFR 1910. During all incidents and pre-planned events or exercises a safety officer shall be appointed.

2210 – Safety Officer

The Safety Officer (SO) serves a vital function on the response team as an advisor to the Incident Commander/Unified Command. The primary function of the Safety Officer is to protect the responders and the public from the hazards of an incident. The SO must be highly integrated with the Operations Section Chief and Operations personnel to ensure that response tactics are executed safely. The Safety Officer works closely with the Planning Section Chief to ensure the Incident Action Plan is a safe one. The SO functions as a risk manager and must evaluate response options, select the most effective safeguards, and advise the Incident Commander/Unified Command and the Section Chiefs on the relative risks and benefits of the strategies and tactics being considered.

2220 – Safety Officer Responsibilities:

- Comply with Federal, State and municipal regulations
- Prepare documentation that will withstand the scrutiny of legal challenges and the public.

- Conduct operational risk assessment of planned activities using either:
- Clarify Safety Officer authorities with IC/UC (i.e. emergency stop work authority)
- Work with the Operations Section Chief to identify safety hazards associated with tactical plans
- Develop the appropriate safety plans for the response addressing job hazards and risks to responders
- Approve or develop various contingency plans (i.e. evacuation from a burning vessel should the fire become uncontrolled)
- Address both the risks in the current operational period and anticipate risks in future operational periods
- Monitor ongoing operations to ensure the safety of the responders.
- Anticipate evolving risks, needed safeguards, and make recommendations to adjust strategies or tactics to reduce risks
- Review and approve the Medical Plan
- Investigate accidents that have occurred on the incident
- Ensure responders have adequate safety training under local, State and Federal regulations
- Attend required meetings and briefings

Some rules of thumb on the number of Assistants Safety Officers that the incident may require:

- One Assistant Safety Officer for each high-risk activity
- One Assistant Safety Officer for every 100 responders
- One Assistant Safety Officer for completing the Site Safety Plan and providing input into the Incident Action Plan
- One Assistant Safety Officer for each Division
- One Assistant Safety Officer to coordinate air monitoring
- One Assistant Safety Officer to assist the Operations Section Chief with real-time tactical decisions

If the incident is large or complex, consider requesting support from the:

- Atlantic Strike Team
- Occupational Safety and Health Administration (or State equivalent agency)
- State safety and health agencies
- District 5 Safety Officer
- Environmental Protection Agency
- Agency for Toxic Substances and Disease Registry

2230 – Site characterization

Site characterization provides the information needed to identify site hazards and to select worker protection methods. The more accurate, detailed, and comprehensive the information available about a site, the more the protective measures can be tailored to the actual hazards that may be encountered. The person with primary responsibility for site characterization and assessment is the SO. In addition, outside experts may be needed to accurately and fully interpret all the available information on site conditions.

2240 – Site Safety Plan Development

A Site Safety Plan, which establishes policies and procedures to protect workers and the public from the potential hazards posed by n incident, must be developed before site activities proceed. The Site Safety Plan must provide measures to minimize accidents and injuries that may occur during normal daily activities or during adverse conditions such as hot or cold weather.

Development of a written Site Safety Plan helps ensure that all safety aspects of site operations are thoroughly examined prior to commencing field work. The Site Safety Plan should be modified as needed for every stage of site activity.

Because planning requires information, planning and site characterization should be coordinated. An initial Site Safety Plan should be developed so that the preliminary site assessment can proceed in a safe manner. The information from this assessment can then be used to refine the Site Safety Plan so that further site activities can proceed safely. Plans should be revised whenever new information about site hazards is obtained.

Development of a Site Safety Plan should involve both the offsite and onsite management and be reviewed by other appropriate personnel.

Supporting the Incident Action Plan:

- Consider including a daily Safety Message in the Incident Action Plan
- Review the draft ICS-204s (Assignment List) to determine if there is a need to include any safety guidance, requirements or special “watch out” advisories.
- Review and approve the ICS-206 (Medical Plan) to determine if the plan is compatible with the expected work activities and reflects appropriate notification and transportation procedures.
- Complete site Health and Safety Plan
- Complete overall Safety Message

Other supporting plans that may be included in the IAP and that the Safety Officer should be actively involved in:

- Decontamination Plan: Ensure that decontamination processes are in compliance with the safety plan. This may incorporate air monitoring and developing PPE protocols for a hazardous materials decontamination sites, or may entail confined space entry procedures being implemented for the decontamination of a holding tank on an oil skimming and recovery vessel.
- Incident Map: The Safety Officer should coordinate with the Situation Unit Leader to assure that the map includes the location of the nearest hospitals (if nearby) and other safety related information including designated helispots for emergency medical transport, location of EMT/Paramedics on site, etc..
- Chemical Hazard Documentation: The Safety Officer must document the hazards of a chemical by reviewing and extracting information from several chemical references including Material Safety Data Sheets. This information is used to ensure a proper risk assessment is conducted to identify controls for safeguarding responders and the public from the hazards of an incident.

- Air Monitoring Plans: The Safety Officer provides input into air monitoring plans with emphasis on ensuring responders are operating under safe conditions and the public is properly protected.
- Chemical, Biological, Weapons of Mass Destruction Agent Sampling Plans: The Safety Officer reviews these plans to ensure the plans are executed in a safe manner and meet the Unified Command's primary goal of protecting responders and the public.
- Other Plans: The Safety Officer may review other plans with the safety of the responder and the public in mind. For example, the Demobilization Plan should be reviewed to ensure personnel and equipment are not demobilized too soon and therefore increase an existing fatigue or other safety hazard.

2300 – Information

The Public Information Officer (PIO) is designated by the Incident Commander/Unified Command to support the information needs of the response. The PIO establishes, maintains, and deactivates the Joint Information Center (JIC); and represents and advises the Incident Commander/Unified Command on all public information matters relating to the incident. A Public Information Officer should possess public affairs, crisis response JIC and/or management experience. Personnel are assigned to this position based on skills and ability, not rank or employer.

2310 – Protocol for Access/Timing of Media Briefings

Coast Guard District 5 Public Affairs will be contacted via duty officer at the beginning of the incident for inclusion into the command structure. Contact information is listed in the ACP Phonebook at Area Contingency Base Plan, Appendices and References.

Press release templates are in the 96-hour plan located in 9787 of the plan.

Refer to USCG Media Guidance for most up to date information and Refer to the Joint Information Center Model for specific guidance.

2320 – Joint Information Center (JIC)

Refer to the Joint Information Center Model for specific guidance.

https://www.nrt.org/Main/Resources.aspx?ResourceType=Public%20Information&ResourceSection=2

2400 – Liaison

Only one primary Liaison Officer will be assigned for each incident including incidents operating under UC and multi-jurisdictional incidents.

The Liaison Officer may have assistants as necessary, and the assistants may also represent assisting agencies or jurisdictions.

Major duties of the Liaison Officer are:

- Be a contact point for Agency Representatives

- Maintain a list of assisting and cooperating agencies and Agency Representatives, including name, and contact information. Monitor check-in sheets daily to ensure that all Agency Representatives are identified.
- Assist in establishing and coordinating interagency contacts.
- Keep agencies supporting the incident aware of incident status.
- Monitor incident operations to identify current or potential inter-organizational problems.
- Participate in planning meetings; provide limitations and capability of assisting agency resource.
- Coordinate response resource needs for Natural Resource Damage Assessment and Restoration activities with the On-Scene Coordinator during oil and HAZMAT response.
- Coordinate response resource needs for incident investigation activities with the On Scene Coordinator.
- Coordinate activities of visiting dignitaries.
- Ensure that all required agency forms, reports, and documents are completed prior to demobilization.
- Brief command on agency issues and concerns.
- Have debriefing session with the Incident Commander prior to demobilization.
- Maintain Unit Log (ICS 214-CG)

During major and Offshore oil spill incidents (e.g. Deepwater Horizon), information release policy dictates that information provided to the media and other stakeholders on flow rate is based only on fact and not conjecture. In the absence of factual information, ensure that information providers acknowledge the uncertainty and efforts to obtain reliable information.

2410 – Investigators

While many if not all spills and releases are marine casualties over which the Coast Guard has jurisdiction under Title 46 Code of Federal Regulations part 4, the National Transportation Safety Board (NTSB) often investigates accidents resulting in large oil or hazardous substance discharges. Accordingly, relationships between investigators will be governed by the Memorandum of Understanding between the Coast Guard and the NTSB, as well as side-bar agreements on investigation between state and local investigators. The FOSC will normally group the investigation as a separate entity from the response through the Liaison Officer. The Liaison will normally appoint an assistant solely to handle the investigators during a large response or complex investigation; this assistant should immediately contact the Coast Guard's Office of Investigation and Analysis in Washington DC through the Coast Guard chain of command to discuss the details of the investigation/response relationship in the particular case at hand.

2420 – Federal/State/Local Trustees

Trustee means an official of a federal natural resources management agency designated in subpart G of the NCP or a designated state official or Indian tribe or, in the case of discharges covered by the OPA, a foreign government official, who may pursue claims for damages under section 107(f) of CERCLA or section 1006 of the OPA.

Upon notification or discovery of injury to, destruction of, loss of, or loss of use of, natural resources, or the potential for such, resulting from a discharge of oil, the trustees, pursuant to section 1006 of the OPA, are to take the following actions:

- In accordance with OPA section 1006(c), determine the need for assessment of natural resource damages, collect data necessary for a potential damage assessment, and, where appropriate, assess damages to natural resources under their trusteeship; and
- As appropriate, and subject to the public participation requirements of OPA section 1006(c), develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent, of the natural resources under their trusteeship.

When circumstances permit, the FOSC shall share the use of federal response resources (including but not limited to aircraft, vessels, and booms to contain and remove discharged oil) with the trustees, providing trustee activities do not interfere with response actions. The lead administrative trustee facilitates effective and efficient communication between the FOSC and the other trustees during response operations and is responsible for applying to the FOSC for non-monetary federal response resources on behalf of all trustees. The lead administrative trustee is also responsible for applying to the NPFC for funding for initiation of damage assessment for injuries to natural resources.

State officials designated by the Governor to act as trustee for natural resources within the States' boundaries or for resources belonging to, controlled by, or appertaining to the States of Delaware, New Jersey and Pennsylvania.

State trustees shall act on behalf of the public as trustees for natural resources, including their supporting ecosystems, within the boundary of a state or belonging to, managed by, controlled by, or appertaining to such state. The state's lead trustee would designate a representative to serve as contact with the FOSC. This individual should have ready access to appropriate state officials with environmental protection, emergency response, and natural resource responsibilities.

Examples of resources under the state trusteeship:

- State forest lands;
- State-owned minerals;
- State parks and monuments;
- State rare, threatened, and endangered species; and
- State wildlife refuges and fish hatcheries

Any lands or areas assigned to local trustees will be coordinated through the State Trustee.

Tribal nation officials designated by the governing body of any tribe may act as trustee on behalf of the tribe. The Department of the Interior may act as trustee if requested.

Examples of resources under the trusteeship (there are zero federally recognized tribes in SDB's AOR):

- Ground and surface water resources on Tribal lands; and
- Any other natural resources found on Tribal land

2420.1 - Lead Administrative Trustee (LAT)

Lead administrative trustee means a natural resource trustee who is designated on an incident-by-incident basis for the purpose of pre-assessment and damage assessment and chosen by the other trustees whose natural resources are affected by the incident. The lead administrative trustee facilitates effective and efficient communication during response operations between the FOSC and the other natural resource trustees conducting activities associated with damage assessment, and is responsible for applying to the FOSC for access to response operations resources on behalf of all trustees for initiation of a damage assessment.

The trustees shall assure, through the lead administrative trustee, that the FOSC is informed of their activities regarding natural resource damage assessment that may affect response operations in order to assure coordination and minimize any interference with such operations. The trustees shall assure, through the lead administrative trustee that all data from the natural resource damage assessment activities that may support more effective operational decisions are provided in a timely manner to the FOSC.

The Natural Resource Trustee will notify the U.S. Coast Guard of the LAT as soon as possible after an oil spill. As required by E.O. 12777 (October 22, 1991), the Federal Natural Resource Trustee must select a LAT. Depending on the resources at risk and other relative factors, it might be appropriate for the LAT to be a non-federal agency. In such cases, the Federal Natural Resource Trustees would still select a Federal LAT for the purpose of coordination with the representatives of the Oil Spill Liability Trust Fund (OSLTF) to initiate the damage assessment. The non-federal LAT will coordinate all other damage assessment activities.

The Natural Resource Trustees intend to execute a general Memorandum of Agreement (MOA) to coordinate damage assessment and restoration activities. Among other things, the MOA will identify trustees, establish criteria for selecting a LAT, and provide procedures for decision making and handling monetary recovery efforts.

See also Fact Sheet Natural Resource Trustees (Federal)

2420.2 - Natural Resource Damage Assessment (NRDA) Representative

The Natural Resource Damage Assessment (NRDA) Representatives are responsible for coordinating NRDA needs and activities of the trustee team. NRDA activities generally do not occur within the structure, processes, and control of the ICS. However, particularly in the early phases of a spill response, many NRDA activities overlap with the environmental assessment performed for the sake of spill response. Therefore, NRDA Representatives should remain coordinated with the spill response organization through the LNO, and they may need to work directly with the UC, Planning Section, Operations Section, and the NOAA SSC to resolve any problems or address areas of overlap. This includes close coordination with the LNO for obtaining timely information on the spill and injuries to natural resources.

While NRDA resource requirements and costs may fall outside the responsibility of the Logistics and Finance/Administrative Sections, coordination is important. The NRDA Representative will coordinate NRDA or injury determination activities.

2430 – Agency Reps

For incidents involving multiple jurisdictions, an agency or jurisdiction will send a representative to assist with coordination efforts. An Agency Representative is an individual assigned to an incident from an assisting or

cooperating agency who has been delegated authority to make decisions on matters affecting that agency's participation at the incident.

Agency Representatives report to the Liaison Officer or to the Incident Commander in the absence of the Liaison Officer.

2440 – Stakeholders

A Stakeholder is a group or organization that has a vested interest in a specific area that may be affected by a pollution incident. Many of these groups are government agencies that are responsible for the management and the upkeep of a specific area but are not the designated trustee. Refer to the ACP Phonebook at Area Contingency Base Plan, Appendices and References for a listing of stakeholder contact information.

2440.1 – Environmental (Sierra Club, Save the Bay, etc.)

Reserved for Area Committee Development

2440.2 – Economic (Port operators, tourist hotels, etc.)

Reserved for Area Committee Development

2440.3 – Political (local, state, etc.)

Reserved for Area Committee Development

2500 – Reserved

2600 – Reserved

2700 – Reserved

2800 – Reserved

2900 – Reserved for Area/District

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3000 – Operations

The primary responsibilities of all positions identified in this section are outlined in the Incident Management Handbook and all ICS Position Specific Job Aids can are located on CGPortal, HomePort, or FEMAs Resource Site.

All incidents begin with operations. Typically, the first responder will act in the capacity of both the initial Incident Commander and as the Operations Section Chief (OSC). The OSC must be both tactically competent in responding to the incident that they are responding to and they have to possess a thorough understanding of the Incident Command System. Some of the primary responsibilities of the OSC include:

- Manage tactical operations
- Ensure tactical operations are conducted safely
- Maintain close communications with the Incident Commander/Unified Command
- Identify required tactical resources to accomplish response objectives
- Identify staging areas
- Assemble and disassemble strike teams and task forces
- Assist in the development of the Incident Action Plan

This Section of the Base Plan provides guidance on Operations that can apply to any type of incident. It addresses Operations from the actions of the initial responder up to the activities required in supporting the ICS Planning Process.

Based on the type of incident you are responding to, this Section should be used in conjunction with one or more of the Annexes located at Area Contingency Base Plan, Appendices and References, Sector Delaware Bay Local Contingency Plans and reference documents and Area Maritime Security Plan, Appendices and References.

3100 – Operations Section Organization

The Operations organization is designed to be highly flexible so that it can be used during any type of emergency. Unlike the other Sections in the ICS organization, Operations builds from the bottom up, only adding layers of management to maintain span of control when the size of the Operations Section requires more focused oversight. See figure 1 for example Operations Section Organization chart.

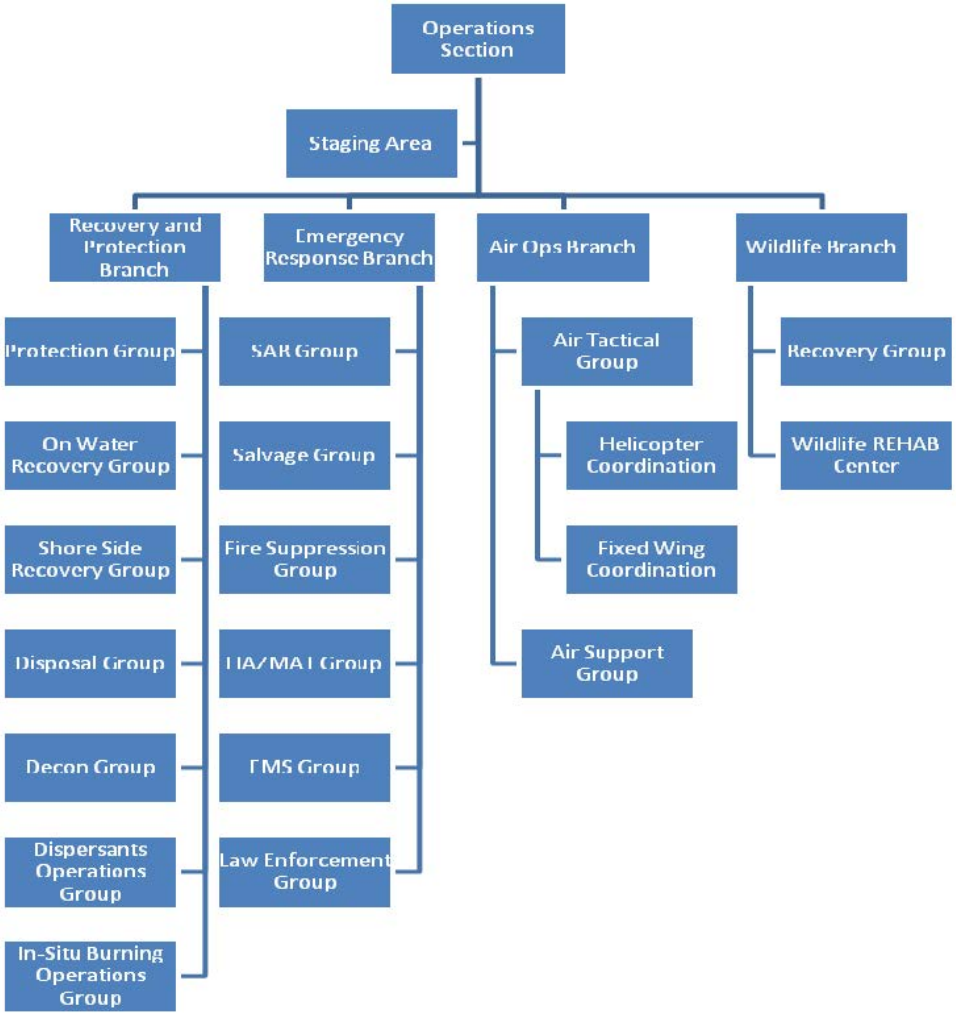

Figure 1

3110 – Organization Options

To effectively manage an incident the Operations Section Chief must divide the incident into manageable work units. Some things to consider when dividing the incident are:

- Incident priorities
- Size of effected area
- Complexity of the incident and number of tasks
- Amount of work to be accomplished

- Span of control
- Open water versus shoreline activities
- Topography
- Logistics requirements
- Kind of functions to be accomplished (i.e. marine firefighting, maritime security)
- Contingencies
- Need for staging areas
- Jurisdiction

Deputies

When an incident is particularly large and complex, it is highly recommended that deputies (you can have more than one) are employed to ensure effective operations. Deputies can be assigned to augment Operations in several ways:

- They can be used to provide more focused oversight of a particular aspect of operations
- They can provide relief during the evening shift
- They can provide support during the critical Planning Process
- Can be assigned to perform specific tasks that require their level of knowledge and expertise

Divisions are used to divide an incident geographically.

- Determine the geographic area each Division will cover. Consider:
- Terrain (if appropriate)
    a. Does the terrain limit mobility?
    b. Is there limited access?
    c. Amount of work to be accomplished
    d. Incident potential
- Designate the Division(s) using letters of the alphabet (i.e. Division A)
- For every Division established, order a Division Supervisor (DIVS)

Groups are used to divide an incident along functional lines. Operations are often divided functionally at the beginning of an incident.

- Determine the functions that have to be conducted to respond to the incident (i.e. Fire Fighting, On-water recovery, Air Monitoring)
- Designate each Group by their functional assignment (i.e. Triage Group, Disposal Group)
- For every Group established order a Supervisor (DIVS)

Branches are primarily used for span-of-control.

- They can be designated either by:
    a. Roman numerals (i.e. Branch I, II, III) if the Branch is responsible for a certain geographic location of the incident, or,
    b. Functionally (Search and Rescue Branch) if the Branch is made up of groups
- For every branch established order an Operations Branch Director (OPBD)

Staging Areas are temporary locations to hold tactical resources for immediate deployment.

- Determine location(s) to establish a Staging Area(s) by utilizing the Geographic Response Strategies.

- Designation of Staging Areas are by their physical location (i.e. 4th Street Staging)
- For every Staging Area, order in a Staging Manager (STAM)

Air Operations Branch Director may be activated to manage air assets as these critical, scarce, and expensive resources. There is no specific number of aviation assets that will trigger when the OSC establishes an Air Operations Branch, but the sooner this Branch Director is brought into the response, the better, especially when the number of air assets requires additional management support or when the incident requires both tactical and logistical aircraft to support operations.

3200 – Recovery and Protection

General strategies for response to all hazards in the Sector Delaware Bay AOR will follow the below response priorities.

- Protect People (human life and health);
- Protect Environment (minimize ecological impacts);
- Protect Property (minimize public impacts);
- Protect Economy (minimize economic impacts)

The response must use all necessary containment and removal tactics in a coordinated manner to ensure a timely, effective response that minimizes adverse impact to the environment. Sector Delaware Bay's detailed response strategies can be found utilizing the Coast Guard's mandated Common Operating Picture (COP) - Environmental Response Management Application (ERMA) – Atlantic

Click on the link below and navigate to Response Planning; Area Contingency Plans, Sector Delaware Bay. The COP will display the following:

Environmental Response Management Application (ERMA) – Atlantic – Sector Delaware Bay		
AOR Index Maps	NOAA ESI Maps	AOR Subset Maps
Booming Strategies	Collection Points	Railroad Water Nexus's
ICS 204A's	ICS 232's	Current Data
Staging Area's	In-Situ Burning Pre-Auth Zones	Dispersant Pre-Auth Zones

3210 – Protection

The Protection Group is responsible for the deployment of containment, diversion and absorbing boom in designated locations including fire boom.

Responsibilities include:

- Deploy and maintain booms, dikes, or other protection devices as directed to accomplish protection, diversion, or containment strategies, and modify planned strategies as required by actual field conditions.

- Provide estimates of protection completion times.
- Report on the effectiveness of booming to the Operations Section Chief.
- Maintain booms and mooring systems and ensure that product which has been contained, diverted, or captured is recovered.
- Identify protection resource and logistics needs, including boom types, lengths, mooring systems, and vessel support requirements.
- Propose alternative protection strategies based on field results and environmental conditions.

Refer to ERMA for protection strategies

3210.1 – Containment and Protection Options

A number of advanced response mechanisms are available for controlling oil spills and minimizing their impacts on human health and the environment. The key to effectively combating spills is careful selection and proper use of the equipment and materials best suited to the type of oil and the conditions at the spill site. Most spill response equipment and materials are greatly affected by such factors as conditions at sea, water currents, and wind.

The three principles of mechanical protection are containment, deflection, and exclusion. Containment consists of deploying a boom or other barrier to hold the oil in place, with oil recovery the main objective. Deflection consists of diverting moving oil either away from a sensitive area without any attempt to recover the oil at that site, or toward a containment site where recovery of the oil is more feasible. Exclusion consists of placing either temporary or permanent barriers to prevent oil from reaching an area; usually there is no attempt to recover the oil.

Refer to ERMA for containment and protection options.

3220 – On-Water Recovery

The On-Water Recovery Group is responsible for managing water recovery operations per the Incident Action Plan. Responsibilities include: The On-Water Recovery Group is responsible for managing water recovery operations per the Incident Action Plan. Responsibilities include:

- Direct the delivery, deployment, and operation of skimmers.
- Provide a field status of skimming operations to the Operations Section Chief.
- Maintain estimates of product recovered.
- Identify field conditions related to the effectiveness of skimming operations.
- Identify logistics support needs for skimming operations.
- Ensure recovery and holding containers operate efficiently.
-

3220.1 – Recovery Options

Many mechanical options exist for on-water recovery of oil, including but not limited to, skimming, dispersants, in-situ burn, skimming, and absorbent use.

NOAA Office of Response and Restoration website is an excellent starting point for understanding the various mechanical options. The "SPILL TOOLS" application can assist in selecting and staging response equipment, deploying equipment as effectively as possible and a calculator to assist in comparing the performance from different kinds of equipment or deployment strategies

Refer to NOAA's Characteristics of Response Strategies and Office of Response and Restoration for detailed recovery options, response tools and methods.

3220.2 – Storage

Refer to ERMA for storage options residing in the port.

3230 – Shoreside Recovery

The Shoreline Recovery Group is responsible for managing shoreline cleanup operations as per the Incident Action Plan. Responsibilities include:

- Manage the personnel and equipment necessary to accomplish shore side recovery and cleanup objectives established in the Incident Action Plan.
- Report on the efficiency of shore side recovery and cleanup methods.
- Identify resource and logistics support needs.
- Project cleanup completion dates.

3230.1 – Shoreline Cleanup Options

Based on the type of impact or anticipated impact, several approaches may be used.

- Manual: removal with small numbers of personnel, rakes, shovels, etc.
- Semi mechanical: removal-using trimmers to cut oiled grass and raking up debris.
- Mechanical: removal includes the use of ATV's towing debris rakes and front-end loaders or road graders for use in removal of larger area of contamination.

Refer to NOAA's Shoreline Cleanup and Assessment Technique (SCAT) for shore-line clean-up options.

3230.2 – Pre-Beach Cleanup

Pre-beach cleanup may include removal of debris, trash, and cutting back grasses where permissible to limit the amount of possible contamination. This type of activity is one that can be conducted through the Volunteer Coordinator (see Section 4320 Volunteer Management for details on utilizing volunteers).

3230.3 – Storage

Ample storage is necessary to enable oily debris to be collected safely and securely at the spill location(s). Storage can be limited to a few 55-gallon drums or can include tanks, bladders, or tank trucks for large operations. Small barges can also be anchored just offshore or beached at low tide. When selecting a medium for storage, it is essential that the selected container is compatible with the material being recovered and stored.

Roll-on/roll-off dumpsters can be used to collect large amounts of oily debris, while salvage drums can be used for smaller quantities. In either case, it is essential that the drum be capable of decontamination for re-use or in the case of a dumpster or a similar large container, that it be lined with a suitable plastic material to prevent further contamination.

3240 – Disposal

The Disposal Group is responsible for coordinating the on-site activities of personnel engaged in collecting, storing, transporting, monitoring, temporary storage, recycling, and disposal of all response wastes.

It is the responsibility of the FOSC to ensure that any recovered oil or hazardous substance is disposed of properly once cleanup has occurred. The Resource, Conservation and Recovery Act (RCRA) and its implementing regulations contained in Title 40, Code of Federal Regulations are quite specific in defining what is hazardous waste and how it should be handled and disposed. Also, State permit(s) for disposal of any solid waste will need to be granted/issued prior to removal from collection points. 40 CFR 261, Subpart C lists the characteristics a substance must exhibit to be considered hazardous.

Refer to appendices 9781 and 9782 at Area Contingency Base Plan, Appendices and References

3240.1 –Waste Management and Temporary Storage Options

Several factors must be taken into account when oily debris/waste begin to accumulate at a spill site:

- Amount of room to store waste containers;
- Proximity to waterway in the event a container leaks;
- Accessibility to roads and highways;
- Proximity to spill site to minimize travel for responders.

Also, when a waste storage location is established, particularly during a lengthy incident response, extra steps may need to be taken. There must be routine monitoring to ensure that the container size is appropriate, that the containers are leak free, that the plastic liners are secure, and that materials are removed promptly on a regular basis.

3240.2 – Decanting Policy

The Unified Command must approve any request for decanting that arises during a response. Large quantities of oily fluids are typically generated during an oil spill response. These fluids include the products of skimming and vacuuming operations, and are usually mostly water. Oil recovery operations can continue only as long as there is some place to store the recovered fluids. Once the field storage capacity is reached, skimming operations must terminate until additional storage is provided.

Recovered oil and water mixtures will typically separate into distinct phases when left in a quiescent state. When separation occurs the relatively clean water phase can be siphoned or decanted back to the recovery point with minimal, if any impact. Decanting therefore increases the effective on-site storage capacity and equipment operating time.

Because this process risks discharge of oil already recovered, it must be done carefully. Typically decanting water is discharged into a secondary storage container or into a boomed area where any accidentally discharged oil can be contained and recovered.

In addition to vacuum trucks, recovered oil may be temporarily stored and decanted in the field using other containers including:

- Tank trucks
- Portable tanks
- Portable bladders
- Oil field fractionation tanks
- Lined pits
- Rail Cars

Refer to Regional Response Team III for decanting guidance.

3240.3 – Sample Waste Management Plan

Refer to appendix 9782 for waste management plan at Area Contingency Base Plan, Appendices and References

3250 – Decontamination

The Decontamination Group is responsible for decontamination of personnel and response equipment in compliance with approved statutes. Each incident may require different decontamination operations. The nature of the incident, the type of oil, the weather, the temperature, the number of people to be decontaminated, and the number of trained personnel available are a few of the factors which dictate the size, method, and type of decontamination operation required. Responsibilities include:

- Identify decontamination needs and provide resources to accomplish required cleaning and decontamination of personnel and equipment.
- Identify resource and logistics needs to accomplish decontamination requirements

3250.1 – Sample Decontamination Plan

Refer to 9736 and 9748 in list of Appendices at Area Contingency Base Plan, Appendices and References.

3260 – Dispersants

Guidelines for authorizing the use of chemicals listed on the National Contingency Plan (NCP) product Schedule are found in NCP Subpart J and Section 300.310, Phase III. The Federal On-Scene Coordinator (OSC) may use chemicals and other materials to restrain the spread of oil and protect public health and welfare and the environment. Section 300.910 requires that the Regional Response Team (RRT) shall address the desirability of using appropriate dispersants, surface washing agents, surface collecting agents, bioremediation agents, or miscellaneous oil spill control agents listed on the NCP Product Schedule. Regional Contingency Plans (RCP) shall also include applicable preauthorization plans and address the specific contexts in which such products should and should not be used.

The OSC shall comply with the Memorandum of Agreement (MOA) regarding Oil Spill Planning and Response Activities under the NCP and the Endangered Species Act (ESA). Attached (Appendix A) is the ESA and Essential Fish Habit consultation regarding this document. These consultations may need periodic updating since species listings may change and/or surface washing agents may be added to the NCP product schedule. The OSC should also consult with the governing state agency regarding any recommended measures to avoid or minimize impacts to state-listed species and their habitats.

Refer to the National Response Team Website for dispersant and pre-authorization guidance.

3260.1 – Dispersant Options

Dispersant Application Observer Job Aid: This field guide is helpful for people who are observing the application of chemical dispersants to oil spilled on the water.

Refer to the RRT II and RRT III Regional Contingency Plans and Appendixes for dispersant options in the Sector Delaware Bay Region.

3260.2 – Dispersant Checklists

Refer to the RRT II and RRT III Regional Contingency Plans and Appendixes for the Dispersant Checklist in the Sector Delaware Bay Region.

3260.3 – Preauthorized Zones

Refer to ERMA and the RRT II and RRT III Regional Contingency Plans and Appendixes for pre-authorized zones.

PREAPPROVED ZONES

Zone A. BIG STONE BEACH ANCHORAGE in the Delaware Bay. The four corner points of which are: 38°53'57" N., 75°08'00" W., thence northwesterly to 39°01'22" N., 75°13'25" W., thence southwesterly to 39°00'49" N., 75°14'57" W., thence southeasterly to 38°53'22" N., 75°09'26" W., thence northeasterly to the point of beginning. (33 CFR 110.157)

Limited Preauthorization

The effects of the circular Delaware Bay current patterns in the Big Stone Beach Anchorage toward the channel side of the 15 meter contour are conducive to chemical agent use on spills of 50 barrels or less. The use of chemical countermeasures on spills of 50 barrels or less, or 50 barrel or less portions of larger spills, is approved, provided the former is a spill of opportunity and the latter is for trial use only. Trial use applications must satisfy the conditions of Annex III. Whether a spill of opportunity or a trial use application, the FOSC shall immediately notify State and Federal trustees of the decision to deploy, and provide information specified in the Protocols sections of this MOU. In addition, the FOSC will prepare and provide a written report detailing the results (i.e., effectiveness) of the deployment within 60 days of termination of the response.

Zone 1.

COTP SDB SUBREGIONAL AREA, the offshore waters under the jurisdiction of COTP SDB (as defined in 33 CFR ß3.25 - 05 & 10) that lie 3nm and seaward of the Territorial Sea Baseline (as defined in 33 CFR 2.05-10) along the coasts to the outermost extent of the Exclusive Economic Zone.

Advanced preauthorization

The water depth and surrounding topography of this area are suitable for the use of chemical agents. Preauthorization is granted with respect to spills of any size.

Zone 2.

COASTAL WATERS WITHIN THE COTP SDB SUBREGIONAL AREA - Greater than 0.5 miles from shore and water depth greater than 40 feet (12.2 meters) along the coasts. All bays and coves are excluded from this zone, with the exception of Zone A. Specifically, the demarcation of the Delaware and Chesapeake Bays is as follows:

Delaware Bay

A line between Cape May Point lighthouse on the southern shore of New Jersey and Cape Henlopen light on the northern shore of Delaware. Concurrence required for Operational Use Chemical countermeasures may be used in waters that are at least 0.5 nautical miles from any shoreline and where the water depth is greater than 40 feet (12.2 meters). Before authorizing operational use of chemical countermeasures in Zone 2, the FOSC must establish deliberative communication with the EPA DOC, DOI, and affected State representatives for concurrence. The FOSC may establish a time frame, not less than four hours, in which non-concurrence must be communicated. This time frame will commence once deliberative communications have been established with the designated representative. Trial use applications must satisfy the conditions of Annex III.

Zone 3.

NEARSHORE WATERS WITHIN THE COTP SDB SUBREGIONAL AREA - Less than 0.5 miles from shore or water depth less than 40 feet (12.2 meters), beyond the inland waters demarcation line along the coasts. Concurrence Required for Operational Use Dispersants are not a primary tool in this zone. Before authorizing operational use of chemical countermeasures in Zone 3, the FOSC must establish deliberative communication with the EPA DOC, DOI, and affected State representatives for concurrence. The FOSC may establish a time frame, not less than four hours, in which non-concurrence must be communicated. This time frame will commence once deliberative communications have been established with the designated representative.

Trial use applications must satisfy the conditions of Annex III. For spill response in Sensitive Areas, defined as natural resources which could be irretrievably damaged by contact with discharged oil, and identified in the ACP, application of dispersants may be appropriate. In such cases, the FOSC may establish a time frame, not less than four hours, in which non-concurrence must be communicated. This time frame will commence once communications have been established with the designated representatives.

3260.4 – Dispersant Response Plan Worksheet

Refer to appendix 9724 at Area Contingency Base Plan, Appendices and References for Dispersant Response Plan Worksheet or to the RRT II and RRT III Regional Contingency Plans and Appendixes.

3260.5 – SMART Protocol (incorporate by reference)

Special Monitoring of Applied Response Technologies (SMART) is a cooperatively designed monitoring program for in situ burning and dispersants. SMART relies on small, highly mobile teams that collect real-time data using portable, rugged, and easy-to-use instruments during dispersant and in situ burning operations.

Data are channeled to the Unified Command (representatives of the responsible party and the state and federal governments who are in charge of the spill response) to address critical questions:

- Are particulates concentration trends at sensitive locations exceeding the level of concern?
- Are dispersants effective in dispersing the oil?

Having monitoring data can assist the Unified Command with decision-making for dispersant and in situ burning operations.

Dispersants

To monitor the efficacy of dispersant application, SMART recommends three options, or tiers.

- **Tier I:** A trained observer, flying over the oil slick and using photographic job aids or advanced remote sensing instruments, assesses dispersant efficacy and reports back to the Unified Command.
- **Tier II:** Tier II provides real-time data from the treated slick. A sampling team on a boat uses a monitoring instrument to continuously monitor for dispersed oil 1 meter under the dispersant-treated slick. The team records and conveys the data to the Scientific Support Team, which forwards it, with recommendations, to the Unified Command. Water samples are also taken for later analysis at a laboratory.
- **Tier III:** By expanding the monitoring efforts in several ways, Tier III provides information on where the dispersed oil goes and what happens to it.
    1. Two instruments are used on the same vessel to monitor at two water depths.
    2. Monitoring is conducted in the center of the treated slick at several water depths, from 1 to 10 meters.
    3. A portable water laboratory provides data on water temperature, pH, conductivity, dissolved oxygen, and turbidity.

In Situ Burning

For in situ burning operations, SMART recommends deploying one or more monitoring teams downwind of the burn, at sensitive locations such as population centers. The teams begin sampling before the burn begins to collect background data. After the burn starts, the teams continue sampling for particulate concentration trends, recording them both manually at fixed intervals and automatically in the data logger, and reporting to the Monitoring Group Supervisor if the level of concern is exceeded. The Scientific Support Team forwards the data, with recommendations, to the Unified Command.

More Information about SMART

SMART has already been successfully tested in the field. SMART was used to monitor both dispersant applications and in situ burning operations in the Gulf of Mexico during the 2010 Deepwater Horizon/BP oil spill, and in February 1999 it was used to monitor the in situ burning of the *New Carissa*, a freighter grounded offshore of Coos Bay, Oregon. Spills and exercises like these help us to enhance SMART.

SMART: SMART is a monitoring program for dispersant application and in situ burning.

Special Monitoring of Applied Response Technologies (SMART) [PDF, 769.6 KB]: The SMART protocol, updated in August 2006.

SMART at the *New Carissa* Oil Spill [PDF, 387.0 KB]: A summary of how SMART was used during the *New Carissa* response in 1999.

Matrix Effects on Fluorometric Monitoring and Quantification of Dispersed Oil in the Open Ocean and Coastal Environment: Results of the 1999 R/V *Ferrel* Research Project [PDF, 519.0 KB]: A 2001 report on a 1999 research project aboard the NOAA Ship *Ferrel*, designed to identify the potential for matrix effects related to monitoring of dispersed oil.

In Situ Burning: Find more information about in situ burning and burn monitoring.

Estimated Dispersant System Potential (EDSP) calculator: This is a tool that oil spill planners and responders can use to assess dispersant application system performance.

Dispersant Application Observer Job Aid: This is a field guide for those trained in observing and identifying dispersed and undispersed oil, describing oil characteristics, and reporting this information to decision-makers.

SMART Link

3260.6 – Types of Equipment Required

The MOST CURRENT list of resources required for this response can be found in the United States Coast Guard Response Resource Inventory System.

3270 – ISB

In situ burning, or ISB, is a technique sometimes used by people responding to an oil spill. In situ burning involves the controlled burning of oil that has spilled from a vessel or a facility, at the location of the spill. When conducted properly, in situ burning significantly reduces the amount of oil on the water and minimizes the adverse effect of the oil on the environment.

3270.1 – ISB Options

Guidance on Burning Spilled Oil In Situ [PDF, 12.7 KB]: A 1995 position paper from the National Response Team on the recommended limits for short-term human exposure to particulates measuring less than 10 microns (PM-10) while spilled oil is burned in situ.

Open-water Response Strategies: In Situ Burning [PDF, 36.4 KB]: Why conduct in situ burning? How is it done? What about the emissions that it produces? Where has in situ burning been conducted? What factors might prevent its use?

RRT VI Guidelines for Inshore/Nearshore In Situ Burn [PDF, 17.4 KB]: Advantages and disadvantages of in situ burning of oiled wetlands, safety and operational guidelines, and a checklist for in situ coastal wetland burns.

Health and Safety Aspects of In Situ Burning of Oil [PDF, 31.1 KB]: Presents health and safety considerations for response personnel, the general public, and the environment.

Sample Site Safety Plan for Marine In Situ Burn Operations [PDF, 65.3 KB]: A draft sample site safety plan that includes elements unique to ISB. The sample is not a standard but rather a suggested starting point.
Refer to the RRT II and RRT III Regional Contingency Plans and Appendixes for ISB options in the Sector Delaware Bay Region.

3270.2 – ISB Checklists

In Situ Burn Unified Command Decision Verification Checklist [PDF, 17.1 KB]: This checklist, created in 1997 with input from the Region II Regional Response Team, summarizes important information the Unified Command should consider when planning oil spill in situ burning in marine waters of Region II.
Refer to the RRT II and RRT III Regional Contingency Plans and Appendixes for the ISB Checklist in the Sector Delaware Bay Region.

3270.3 – Preauthorized Zones

Refer to the RRT II and RRT III Regional Contingency Plans and Appendixes for Preauthorized Zones in the Sector Delaware Bay Region.

3270.4 – Types of Equipment Required

The MOST CURRENT list of resources required for this response can be found in the United States Coast Guard Response Resource Inventory System.

3280 – Bioremediation

Biodegradation is a natural process in which microorganisms chemically alter and breakdown organic molecules into other substances - such as fatty acids, carbon dioxide and water - in order to obtain energy and nutrients. The basis for this process is relatively simple: microorganisms require minerals and sources of carbon, as well as water and other elements, to survive and function. The process can involve one step or a series of steps that proceed through the formation of molecules with successively fewer carbons. Generally, the extent to which a particular organic molecule is biodegradable and the rate of degradation depend on the molecule's structural characteristics (chain length, amount of branching, number and arrangement of rings, stereochemistry) and the environmental conditions (temperature, available oxygen, substrate).

Bioremediation is a treatment technology that utilizes biodegradation to reduce the concentration and/or toxicity of chemical substances such as petroleum products and other hydrocarbons. Because microbes capable of degrading hydrocarbons are commonly found in nature, most untreated hydrocarbon spills eventually are removed from the environment by microbial degradation and other processes. Enhanced bioremediation, however, seeks to accelerate natural biodegradation processes by applying specially chosen nutrients and/or microbes to spilled substances. Although microbes have been used extensively and successfully for many years to treat wastes and wastewater in controlled facilities, their potential as a tool for responding to spills of oil and hazardous substances in uncontrolled environments has only more recently received significant interest.

Guidelines for the use of bioremediation techniques can be found at:
GUIDELINES FOR THE BIOREMEDIATION OF MARINE SHORELINES AND FRESHWATER WETLANDS

3300 – Emergency Response

The Emergency Response Branch is responsible for overseeing and implementing emergency measures to protect life, mitigate further damage to the environment, and stabilize the situation.

3310 – Search and Rescue (SAR)

Search and Rescue (SAR) efforts primarily focus finding and assisting persons in actual or apparent distress and are carried out within a well-defined SAR response system. The Search and Rescue (SAR) Group is responsible for prioritization and coordination of all SAR resources directly related to the specific incident.

3310.1 – SAR Area Resources

In addition to the CG Stations within the Sector Delaware Bay AOR and Air Station Atlantic City; additional resources can be located in the Sector Command Center QRCs and Sector Delaware Bay Local Contingency Plans and reference documents.

3320 – Salvage/Source Control

The Salvage Group is responsible for coordinating and directing salvage activities and source control related to the incident.

Protect/Minimize damage to:

- Life
- Environment
- Property
- Marine Transportation Infrastructure

In addition to the objectives listed in the Base Plan, Unified Commanders should consult the following list of objectives for consideration:

- Ensure that non-essential crew members and any passengers are evacuated
- Ensure all crew members and passengers are accounted for

- Create a salvage plan
- Stop/slow flooding
- Extinguish the vessel fire

Possible Elements of a Comprehensive Salvage Plan

- Ground reaction/force to free determination (force the vessel exerts on the ground if grounded)
- Stability analysis: grounded or afloat
- Strength analysis: for example hull girder stresses, damage areas, attachment points and rigging, etc.
- A summary of the engineering rationale employed for the selection of the salvage methods chosen (may be attached as appendices to the salvage plan)
- Hydrographic information
- Potential pollution risks
- List of specific safety hazards involved
- Lightering considerations
- Means for controlling interference between pollution response efforts and salvage efforts
- Location to which the vessel will proceed after salvage
- Means for controlling the vessel as it is freed
- Any special issues if transit to safe refuge is needed

3320.1 – Assessment & Survey

Refer to Sector Delaware Bay's MTS Recovery Plan and Salvage Response Plan

3320.2 – Stabilization

Refer to Sector Delaware Bay's MTS Recovery Plan and Salvage Response Plan

3320.3 – Specialized Salvage Operations

Refer to Sector Delaware Bay's MTS Recovery Plan and Salvage Response Plan

3320.4 – Types of Equipment required

Refer to Sector Delaware Bay's MTS Recovery Plan and Salvage Response Plan

3320.5 – Salvage Guidelines

Refer to Sector Delaware Bay's MTS Recovery Plan and Salvage Response Plan

3330 – Marine Fire Fighting

The response and organizational structure to a marine fire can vary widely depending on the location of the vessel and proximity to firefighting resources, capabilities of the municipal and industrial fire departments, type of vessel, nature of the cargo, and source of the fire.

Although the Coast Guard does not directly conduct firefighting, it does have a major role in coordination and support. A marine fire can bring to the scene fire departments, law enforcement, public health, technical cargo experts, industrial fire departments, private firefighting and salvage experts.

Refer to the Shipboard Marine Fire Fighting Plan

3340 – Hazmat

The Hazardous Material Group is responsible for coordinating and directing all hazardous material activities related to the incident. Refer to the Hazardous Substance Incident Annex

3340.1 – Initial Emergency Response Procedures

Refer to the Hazardous Substance Incident Annex

3340.2 – Evacuation Procedures

Refer to the Hazardous Substance Incident Annex

3340.3 – Hazmat POCs

Refer to the Hazardous Substance Incident Annex

3340.4 – Types of Equipment required

Refer to the Hazardous Substance Incident Annex

3350 – Emergency Medical Services (EMS)

The Emergency Medical Group is responsible for coordinating and directing all emergency medical services related to the incident.

3350.1 – EMS (reference Logistics as needed)

This section is reserved for future Area Committee Development.

3360 – Law Enforcement

The Law Enforcement Group is responsible for coordinating with federal/state/local law enforcement activities related to the incident, which include, but are not limited to isolating the incident, crowd control, traffic control, evacuations, beach closures, and/or perimeter security.

3360.1 – Perimeter/Crowd/Traffic/Beach Control

The Law Enforcement Group is responsible for coordinating with federal/state/local law enforcement activities related to the incident, which include, but are not limited to isolating the incident, crowd control, traffic control, evacuations, beach closures, and/or perimeter security.

3360.2 – Safety/Security Zones

SAFETY ZONE: A safety zone is a water area or a water/shore side area to which, for safety or environmental protection purposes, access is limited to authorize persons, vehicles or vessels. The safety zone is established by the COTP to protect vessels, structures, and shore areas. The safety zone can be fixed or mobile around a moving vessel. The COTP may direct who and what may operate within the safety zone.

SECURITY ZONE: Security zones are designated areas of land, water, or land and water established for such time as is necessary to prevent damage or injury to any vessel or waterfront facility to safeguard ports, harbors, territories, or water of the United States, or to secure the observance of rights and obligations of the United States. The security zone is established by the COTP or CG District Commander. The designation of a security zone may only be made for areas within the territorial limits of the United States.

3400 – Air Ops

The Air Operations Branch Director is responsible for all aspects of incident aircraft from supporting tactical operations to logistical support of the aircraft.
Request declaration or cancellation of restricted air space area [Area Contingency Base Plan, Appendices and References 9747]. Airspace considerations, classifications and summary can also be found there.

- Providing enforcement of safety regulations
- Establishes Air Traffic Control procedures between helibases and helispots and the Air Tactical Group Supervisor, Helicopter Coordinator, and Fixed Wing Coordinator, if activated.
- Coordinates over flights with the closest Air Traffic Control Facility (ATCF), if needed.
- Checks Notice to Airmen (NOTAMs) and Temporary Flight Restrictions (TFRs) each day prior to over flights.

3410 – Air Tactical

The Air Tactical Group Supervisor is primarily responsible for the coordination and scheduling of aircraft operations. Such operations may be intended to locate, observe, and track; support dispersant applications or other response application techniques; or report on the incident situation when fixed and/or rotary-wing aircraft are airborne at the site. The Air Tactical Group Supervisor performs these coordination activities while assets are airborne. The Air Tactical Group Supervisor reports to the Air Operations Branch Director and updates the Situation Unit Leader.

3410.1 – Aerial Surveillance

- Direct and coordinate air operations missions to conduct oil spill tracking, observation, and remote sensing.
- Coordinate mission tasking with scientific and technical observers.
- Identify additional resources and logistics needs.

- Report oil spill tracking, observation, and remote sensing results and coordinate observations to direct operational activities.

Spotter Aircraft

The Spotter Aircraft Position or "Spotter" is physically located in an aircraft. The

Spotter is a person who "spots" or controls, guides, or lines up the sprayer aircraft or vessels over the spill target. Because a dispersant application can be made by both vessels and aircraft, the Spotter would maintain tactical control over both types of delivery systems. The Spotter is in charge of the dispersant operation on scene. Because dispersant operations can be executed in multiple geographic areas due to the spreading and breakup of the slick, multiple spotter aircraft may be needed.

Monitor Aircraft

The monitor aircraft or vessel or the "monitor" is primarily responsible for monitoring the effectiveness of the dispersant operation through aerial observation in aircraft and through the use of fluorometers on board vessels to sample the dispersed oil.

Effectiveness monitoring is concerned primarily with determining whether the dispersant was properly applied and how the dispersant is affecting the oil.

Observation Aircraft

The observation aircraft or vessels "observers" are platforms and persons specifically assigned to observe the dispersant operation. Their observer status should be authorized by the Unified command on the basis of their position as a stakeholder in the outcome of the operation. Observers might include corporate officials, agency representatives, political officials, scientists, trustees, interest group representatives, and so forth.

3410.2 – Aerial Dispersant Application

The Spray Aircraft or Vessel or "Sprayer" is the delivery system of the dispersants to the oil slick. The dispersant application can be either water-borne or airborne depending on the size of the spill and/or dispersant operation complexity. In both cases the "sprayer “reports to and receives tasking from the spotter aircraft. Because dispersant operations can be executed in multiple geographic areas due to the spreading and breakup of the slick, multiple "sprayer" aircraft or vessels may be needed.

Responsibilities include:

- Conduct air operations missions to apply dispersants, chemical countermeasures, bioremediation, or other alternative response technologies as directed by the
- Operations Section Chief.
- Identify additional resources and logistics needs.
- Report on the efficacy of alternative response technology applications

3410.3 – Procedures for Temporary Flight Restrictions

Due to the presence of three major and several regional airports in this area, it is necessary to be aware of possible interference with airspace even for a ‘routine over- flight’. In all cases, the Federal Aviation Administration (FAA) and/or nearest airport that could be affected should be contacted.

NOTAMs or similar advisories can be posted/broadcasted by the FAA to alert aviators of possible environmental hazards. Likewise, response personnel and media engaged in assessment or follow-up surveillance of a spill site, need to be fully aware of FAA or

DOD controlled airspace and any hazards or restrictions that may exist.

3410.4 – Permanent Area Restrictions

This section is reserved for future Area Committee Development.

3420 – Air Support

The Air Support Group Supervisor is responsible for supporting and managing Helibase and Helispot operations and maintaining liaison with Fixed- winged air bases. This includes:

- Providing fuel and other supplies.
- Providing maintenance and repair of helicopters.
- Keeping records of helicopter activity.
- Providing enforcement of safety regulations.

3420.1 – Airports/Helibases

Refer to Area Maritime Security Plan, Appendices and References

3420.2 – Helospots

Refer to Area Maritime Security Plan, Appendices and References

3420.3 – List of Certified Helos/Aircraft Providers

Refer to Area Maritime Security Plan, Appendices and References

3420.4 – Fuel/Maintenance Sources

Refer to Sector Delaware Bay Local Contingency Plans and reference documents

3420.5 – Air Traffic Control Procedures

- Direct and coordinate air operations as required by the Incident Operations Plan
- Prioritize and assign air ops missions.
- Request additional aircraft resources and release aircraft when authorized.
- Coordinate ground services and aircraft support.
- Identify additional resources and logistics needs.
- Report on the status of air operations.

3500 – Staging Areas

Staging Areas are established by the Operations Section Chief. The Staging Area

Manager is responsible for managing all activities within the designated staging areas and reports directly to the Operations Section Chief. Staging areas provide the ability to have tactical resources immediately available for deployment in the event that more resources are needed to manage the situation.

3510 – Pre-Identified Staging Areas

Refer to ERMA for pre-identified staging areas.

3520 – Security

All Staging Areas should include perimeter security to prohibit un-authorized entry and safety to the workers. Security needs will be dependent on incident specific operations. The Law Enforcement Group is responsible for coordinating with federal/state/local law enforcement activities related to the incident, which include, but are not limited to isolating the incident, crowd control, traffic control, evacuations, beach closures, and/or perimeter security.

3600 –Wildlife

The Wildlife Branch is responsible for minimizing wildlife losses during spill response, coordinating early ground and aerial reconnaissance of wildlife at the spill site, employing wildlife hazing measures per the IAP, and recovering and rehabilitating impacted wildlife. Rehabilitation activities shall be coordinated through the Unified Command (UC). The State and Federal OSC, working with the responsible party (if applicable), will provide guidance to the Operations section to ensure that all wildlife concerns of the public and appropriate trustees are addressed. Early initiation of wildlife rehabilitation activities within the Operations section will ensure adequate mobilization of staff, equipment and other applicable resources. The Wildlife Operations branch will be responsible for providing licensed, experienced rehabilitation personnel to coordinate and supervise all collection and rehabilitation activities. Untrained volunteers shall be trained and supervised by licensed rehabilitation personnel on the proper handling of wildlife as well as safety training including the use of personal protective equipment.

3610 – Fish and Wildlife Protection Options

In addition to wildlife initially impacted after the release or spill, continued exposure should be considered in planning due to migrating wildlife re-entering areas during the clean-up activities.

Several options available to the FOSC include hazing and capture/re-release. Any such measures should be evaluated through the Environmental Unit with appropriate recommendations made in accordance with applicable laws and regulations.

Refer to ERMA and geographic response strategies and Department of Interior for wildlife protection. Refer to DOI's resources at risk at Area Contingency Base Plan, Appendices and References

3620 – Recovery

The Wildlife Recovery Group is responsible for coordinating the search, collection and field tagging of dead and live impacted wildlife and transporting them to the processing center.

Responsibilities include:

- Direct, coordinate, and conduct wildlife recovery and capture operations.

- Maintain a central clearing point to direct recovered wildlife to appropriate rehabilitation facilities.
- Maintain evidence, tagging, and storage procedures for all wildlife recovered.
- Manage the capture, triage, first aid, and transportation of recovered wildlife.
- Provide training and briefing on actions and notifications required when response workers or members of the public encounter distressed wildlife.
- Identify resources and logistics support requirements.
- Report on wildlife recovery operations.

3620.1 –Wildlife Recovery Operations/Procedures

Recovery procedures will be specified as incident specific criteria dictates.

3620.2 – Recovery Processing

Processing procedures will be specified as incident specific criteria dictates.

3620.3 – Carcass Retrieval and Processing

The U.S. Fish and Wildlife Service is responsible for the disposition of all migratory birds, dead or alive.

3630 – Wildlife Rehab

The Wildlife Rehabilitation Group is responsible for receiving oiled wildlife at the processing center; recording essential information; collecting necessary samples; and conducting triage, stabilization, treatment, transport and rehabilitation of oiled animals.

Responsibilities include:

- Establish wildlife rehabilitation centers and conduct rehabilitation operations.
- Maintain documentation on wildlife delivered for rehabilitation.
- Store, document, coordinate laboratory analysis and necropsies, and properly handle deceased wildlife.
- Identify resources and logistics support requirements.

3630.1 –Wildlife Rehab Operations

Rehabilitation operations will be organized and coordinated as facility and incident specific criteria dictates.

3630.2 – Rehab Facilities

Rehabilitation facilities will be characterized as incident location dictates.

3630.3 – Rehab Procedures

The U.S. Fish and Wildlife Service's policy titled Best Practices for Migratory Bird

Care During Oil Spill Response (November 2003) are to be used in evaluating capture methods; making informed choices during spill responses; and evaluating oiled bird rehabilitation activities to improve field practices.

The following criteria will be used when considering and evaluating bird rehabilitators for conducting oiled-bird response.

- Hold all necessary permits for bird-related response activities;
- Experience in the capture, treatment, and care of oiled birds;
- Experience conducting bird-related response activities within the Incident Command
- System structure;
- Ability to quickly mobilize to perform bird capture, field evaluation, stabilization and transport, including remote locations if necessary;
- Access to appropriate facilities adequate for treating and housing oiled birds;
- Ability to establish and operate bird intake, holding, and isolation areas within 12-24 hours of wildlife response activation; and
- Ability to establish and operate bird cleaning and pre-release areas within 48 hours of wildlife response activation.
- Agreement with a licensed veterinarian, experienced in the treatment of oiled birds, to provide any necessary veterinary medical care.

3700 – Reserved

3800 – Reserved

3900 – Reserved for Area/District

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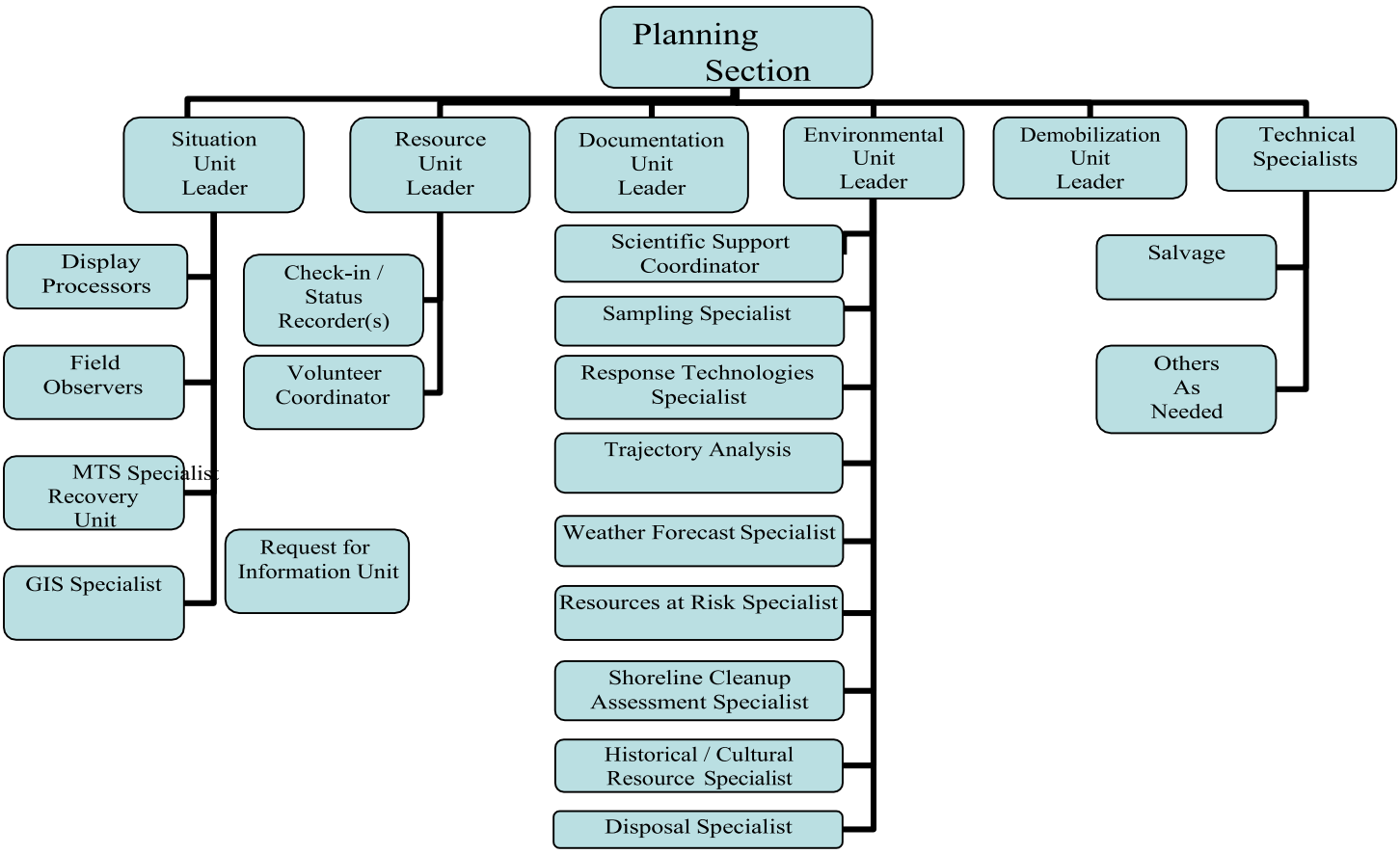
4000 – Planning

The primary responsibilities of all positions identified in this section are outlined in the Incident Management Handbook and all ICS Position Specific Job Aids can are located on CGPortal, HomePort, or FEMAs Resource Site.

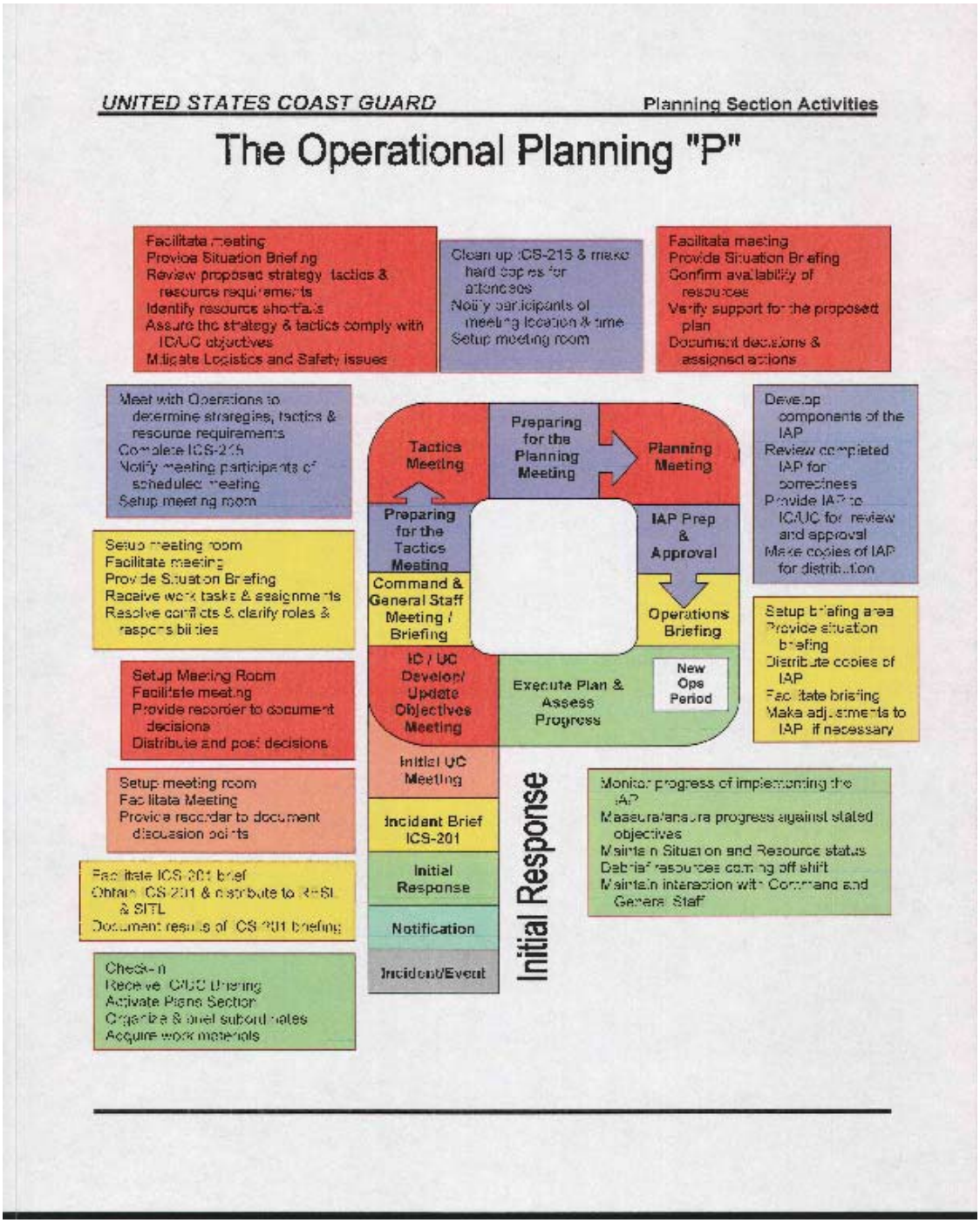
The Planning Section is responsible for the collection, evaluation, and dissemination of tactical information related to the incident, and for the preparation and documentation of Incident Action Plans. The section also maintains information on the current and forecasted situation, and on the status of resources assigned to the incident. Task Organization includes the Situation, Resource, Documentation, and Demobilization Units, as well as Technical Specialists. The Planning Section Units are shown below.

4100 – Planning Section Organization



Planning Section Diagram

4110 – Planning Section Planning Cycle Guide



4200 – Situation

The Situation Unit is responsible for the collection and evaluation of spill information, displaying that info, and forecasting the incident evolution. This responsibility includes the compilation of information regarding the type

and amount of oil spilled, the amount of oil recovered, the oil's current location and anticipated trajectory, and the impacts on natural resources.

4210 – Chart/Map of Area

Various methods may be established for displaying situational information to the UC. The method of choice will depend on availability of resources, the kind of system used, and the command post physical layout.

The maps and charts used in displaying incident information must be appropriate for the incident you are facing. The maps / charts must help responders to do their job and the more detailed the displays are for the area of operation the better.

4220 –Weather/Tides/Currents (Major seasonal patterns and sources for up to date information)

NOAA's National Weather Service is the primary source of weather data, forecasts and warnings for the United States. Television weathercasters and private meteorology companies prepare their forecasts using this information. The NWS is the official voice for issuing warnings during life-threatening weather situations.

The NWS Weather Forecast Office Product Listing provides immediate access to all available NWS weather products including the latest information on tornadoes, hurricanes, severe thunderstorms, flash floods, flood, winter storms, special marine weather events and more.

National Data Buoy Center (NDBC) is an agency within the National Weather Service (NWS) of the National Oceanic and Atmospheric Administration (NOAA). It provides high quality meteorological/environmental data in real time from automated observing systems that include buoys and a Coastal-Marine Automated Network (C-MAN) in the open ocean and coastal zone surrounding the United States.

4230 – Situation Unit Displays (reference or hyperlink to the FOG as appropriate)

Establish a visual story of what is happening on the incident. The story should include at a minimum:

- The current incident objectives
- Summary of the status of the incident. This includes information on the incident itself (e.g. number of injured) and information on response resources (e.g. number of vessels)
- The current situation (e.g. incident boundaries, weather, tides, currents)
- Predictions and potential impacts of what could happen if weather does not cooperate and mitigation strategies
- Schedule meeting times and location

Guiding principles to keep in mind when establishing and maintaining displays:

- Strive for high quality presentation
- Ensure accuracy of situational information

- Maintain current information
- Prominently display a map/ chart legend (important to standardize what the symbols mean)
- Establish a method to capture map / chart information for historical purposes
- Date and time-stamp the map / chart to reflect most recent updates

Common operating picture may include applications such as GIS, HSIN, ERMA, CG1V, and other visual applications available as the situation dictates.

4240 – On-Scene Command and Control (OSC2)

This section is reserved for future Area Committee Development.

4250 – Required Operational Reports

Throughout the course of the response cycle numerous operational reports will be developed for formal dissemination of information and archival reasons. Some reports are required by regulation; others are required by the U/C or specific agency. These reports include:

- Situation / Pollution Reports (SITREPs / POLREPs) (USCG/EPA)
- ICS Form 209
- Executive Summaries (State/Federal Agency)

4300 – Resources

The Resources Unit Leader (RESL) position is perhaps the most challenging position with the ICS organization. The RESL is responsible for maintaining the check-in, and tracking the current status (assigned, available, out of service) and location of all resources at an incident. The effectiveness and efficiency of the response is directly impacted by the how well the Resources Unit performs. To accomplish their responsibilities the RESL is reliant on everyone else involved in the response to support their resource tracking needs, however, the most critical relationship is between the RESL and the Operations Section Chief.

4310 – Resource Management Procedures

This section outlines the responsibilities for members of the resources unit in managing response resources for the Planning Section. Refer to the IMH and Job Aid as needed.

4310.1 – Check-in Procedures

Resource Check-in recorders are responsible for ensuring all assigned resources are accounted for at an incident.

During the early stages of a response when large numbers of resources are arriving check-in locations are usually established in many different locations to handle the influx of resources. Check –in may be found at any of the following locations:

- Incident Command Post
- Staging Areas
- Base or Camps
- Helibases

Check-in recorders are needed at each check-in location to ensure that each resource assigned to a unit is accounted for. The ICS Form 211 (Check–in List) will be used to record the necessary check-in information. All check-in information will be forwarded to the Resources Unit. Refer to the IMH and Job Aid as needed.

4320 – Volunteers

This section is primarily geared toward volunteer use and management during an oil spill. However, it is applicable in all hazard responses. In addition to this section, the Incident Commander/Unified Command (IC/UC) may refer to any guidelines developed by National Response Team (NRT) for Volunteer Use.

A volunteer is any individual accepted to perform services by the lead agency which has authority to accept volunteer services. The decision to accept volunteer services, affiliated or unaffiliated, is made by the IC/UC. The Sector Delaware Bay, Federal on Scene Coordinator (FOSC) may use the services of volunteers in accordance with his/her authorities when determined to be appropriate. The IC/UC will make that decision on a case-by-case basis; weighing the interest of the local volunteer community; benefit of volunteer efforts against health and safety concerns; resources needed for volunteer supervision and training; the concerns of a Responsible Party (RP), and other relevant issues. If the incident includes a RP, the input of the RP regarding the use of volunteers should be given strong consideration, but ultimately, the FOSC (along with any state or local commanders in the IC/UC) may make the decision to accept volunteers even if the RP objects. However, the FOSC should consult his/her agency counsel if considering using volunteers on the RP's property in order to determine the applicability of federal liability coverage to those volunteers.

Useful definitions:

- **Affiliated Volunteer**: an individual who comes forward following an incident to assist with response activities during the response or recovery phase without pay or other consideration and has a pre-existing formal or informal arrangement with either a governmental agency or non-Governmental Organization (NGO) and who has been trained for a specific role or function in incident response or disaster relief during the preparedness phase.
- **Unaffiliated Volunteer**: an individual who comes forward following an incident to assist a governmental agency or NGO with response activities without pay or other consideration. Unaffiliated volunteers are also sometimes referred to as "Convergent," "Emergent," or "Spontaneous". By definition, unaffiliated volunteers are not initially affiliated with a response or relief agency or pre-registered with an accredited disaster council.
- **Employee**: an "employee" is described for each agency in specific laws and regulations, and can vary across agencies. These requirements may also specify to what extent an agency may accept volunteer services and to what extent volunteers may be considered "employees" of that agency for specific purposes, such as work hours and compensation for injuries.

It is recognized that the presence of affiliated and/or unaffiliated volunteers may be a challenging management issue for the IC/UC. Due to the logistical requirements of coordinating and training volunteers, the response organization must be large enough to support volunteer participation. That is why the use of volunteers, or using every person that volunteers for a response, may not be appropriate during all incident responses.

It is also important to note that EPA and USCG have different authorities to use volunteers. Therefore, depending on whether EPA or USCG is providing the federal OSC for a specific incident, the relevant agency's authorities to use volunteers would apply and need to be considered by the IC/UC.

4320.1 – Assignment

Depending on the interests of the volunteer community, the media, and the public, the IC/UC may decide to manage volunteers by assigning a Liaison Officer (LNO) or designated Volunteer Officer (VO); a Volunteer Coordinator (VC) under the Resource Unit or LNO; or establishing a Volunteer Unit. The Sector LNO will generally be the first to receive external reports of volunteer interest due to the outreach responsibilities of that position. If volunteer interest exists, the LNO will advise the IC/UC.

It is recommended that a Federal or State Agency Representative fill the selected management position. Additionally, a representative from the Corporation for National and Community Service (CNCS) could be called upon to fill the volunteer manager's role (VO or VC), or to assist the designated volunteer manager. Insure that the Finance Section Chief is aware that the CNCS is being requested by the IC/UC as the Finance Section would prepare the Pollution Removal Funding Authorization (PRFA) for obtaining CNCS.

Interested unaffiliated volunteers may be encouraged to join affiliated volunteer organizations. However, the Sector Delaware Bay Area Committee federal and state governments do not endorse one organization over another.

Once volunteers are processed into the response organization, they may be assigned directly to an appropriate unit in the Operations Section, Planning Section or other appropriate section within the Response Incident Command System. If, and as necessary, they may be trained, provided safety or protective equipment, and informed where, when and to whom they should report.

Volunteers that do not possess required training will not be permitted to participate in UC sanctioned response activities. Volunteers will not be used in the physical removal of oil and/or hazardous substances from the environment.

In some incidents, state or local governments or NGOs may be prepared to establish a volunteer operations or reception center to be the focal point for unaffiliated volunteer recruitment, registration, orientation, and training. The Volunteer Coordinator/Volunteer Unit would be responsible for coordinating with a volunteer operations center established by another organization. If the response will include significant numbers of unaffiliated volunteers but states/locals do not have this capability, it may be advisable for the IC/UC to have the

Volunteer Coordinator/Volunteer Unit work with Logistics to establish a temporary federal volunteer operations center for these purposes. This center would provide a location separate from the ICP for volunteers to converge and prepare to deploy. If a center is established by the IC/UC, the Volunteer Coordinator/ Volunteer Unit would work with the Resource Unit to have appropriate personnel and resources assigned to manage and staff the center. The IC/UC should assign a Volunteer Manager to manage the federal volunteer center.

4320.2 – Assistance Options

Interested unaffiliated volunteers may be encouraged to join affiliated volunteer organizations. However, the Sector Delaware Bay Area Committee federal and state governments do not endorse one organization over another. Affiliated volunteer organizations that may be called on to support response operations include but are not limited to:

- Tri-State Bird Rescue & Research (302) 737-9543
- The Marine Mammal Stranding Center, Brigantine, NJ (609) 266-0538
- Marine Education, Research & Rehabilitation Institute, Nassau DE (302) 228-5029
- The Delaware RiverKeeper Network (215) 369-1188
- U.S. Coast Guard Auxiliary

4320.3 – Coordination

Volunteers may be deployed to set up and manage a Volunteer Reception Center (VRC) or Volunteer Congregation Site. Interested volunteers need experience in dealing with convergent, unaffiliated volunteers. Volunteers must also be in good physical condition, have a valid driver's license, be very familiar with the local area without the use of street signs, and must attend incident specific USCG orientation as well as three hour VRC training.

4320.4 – Training

Elements of required and recommended training will vary depending on the tasks of the individuals involved in the response. Training requirements and specific courses vary with level of involvement, agency policy, UC requirements, OSHA and state regulations. For additional guidance on OSHA training requirements view link. Volunteers that do not possess the required training will not be permitted to participate in UC sanctioned response activities. Generally, volunteers who respond to an oil spill incident will not be used in the physical removal of the hazardous substance. The acceptable level of training is outlined below:

At a minimum, volunteers should provide documentation of IS100 and IS700 training before being assigned to duties within the UC. This training is provided free of charge at: http://training.fema.gov/IS/crslist.asp.

Managers or supervisors of volunteers shall meet the state and Occupational Safety and Health Administration (OSHA) requirements for the area where they will be used and for the position which they will fill. The National Contingency Plan (40 CFR 300), Appendix E, paragraph 6.0, addresses the use of volunteers and OSHA pamphlet 3172 outlines the training required

Although volunteers are not employees of the federal government, state governments, responsible party, or volunteer organizations, they will be considered workers and will be required to complete or possess required hazardous substances, safety, and health hazard training per 29 CFR 1910.120(e) if participating in hazardous

waste operations (HAZWOPER). This regulation dictates that post-emergency response workers engaged in hazardous substance removal or other activities which expose or potentially expose workers to hazardous substances and health hazards shall receive a minimum of 40 hours of HAZWOPER training. These 40 hours of training would be difficult and expensive to set up for volunteers. Instead, volunteers can fall under a "De Minimis" exception. Under OSHA Directive CPL 2-2.51 and OSHA Standards Interpretation and Compliance Letters (dated 02/13/1992), "a minimum of four hours [of training] would be appropriate in most situations." The criteria for De Minimis are:

- The job site is in an area where a qualified person has decided that the exposure potential is expected to remain under Permissible Exposure Limits (PEL),
- Health risks from skin absorption are minimal;
- Workers have been trained on procedures in the event of an emergency and hazards associated with the hazardous substance in the workplace;
- Workers have completed training including topics such as decontamination procedures, heat stress, hypothermia, water safety, and operating procedures; and,
- Supervisors have received a minimum of 24 hours of training.

It is the intent of the UC to keep volunteers away from the hazardous substances: however, there may be a time when certain volunteers possess unique skill sets that warrant potential contact with the hazardous substance. The minimum training required for volunteers involved in removal operations should be consistent with the hazardous waste operations standards set forth in 29 CFR 1910.120(e) and (q). If select volunteers are deemed appropriate by the UC to further their services and wish to take a more direct role in spill response operations, they will have to meet the requirements listed below:

- **29 CFR 1910.120(e)(1)(i)** states that all employees working on site (such as but not limited to equipment operators, general laborers and others) exposed to hazardous substances, health hazards, or safety hazards and their supervisors and management responsible for the site shall receive training meeting the requirements of this paragraph before they are permitted to engage in hazardous waste operations that could expose them to hazardous substances, safety, or health hazards. They shall receive review training as specified in this paragraph.
- **Management and supervisor training, 29 CFR 1910.120(e)(4):** On-site management and supervisors directly responsible for, or who supervise employees engaged in hazardous waste operations shall receive 40 hours initial training, three days of supervised field experience (the training may be reduced to 24 hours and one day if the only area of their responsibility is employees covered by paragraphs (e)(3)(ii) and (e)(3)(iii)), and at least eight additional hours of specialized training at the time of job assignment. Specialized training will include topics such as, but not limited to, the employer's safety and health program and the associated employee training program, personal protective equipment program, spill containment program, and health hazard monitoring procedure and techniques.

- **General site workers, 29 CFR 1910.120(e)(3)(i):** General site workers require 40 hours of instruction off the site and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor. Volunteers should not be put in situations where they would be considered a general site worker.
- **Occasional site workers, 29 CFR 1910.120(e)(3)(ii):** Occasional site workers require 24 hours of instruction off the site, and a minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor. An example of this category worker is a field observer.

Some states have federally approved state plans outlining health, safety, and training requirements based on HAZWOPER standards. These states are called State-Plan states. State Plans and their volunteer safety training standards shall have precedence since these plans are approved by OSHA. If volunteer tasks do not require HAZWOPER training, such training should not be conducted or mandated. A list of State-Plan states and POCs can be found at: http://www.osha.gov/dcsp/osp/index.html. Pennsylvania and Delaware are not State Plan states. New Jersey is a State Plan state but its Plan covers public sector employment only.

4400 – Documentation

The role of the Documentation Unit Leader in an Incident Command System organization provides the Incident Command (IC)/Unified Command (UC) the ability to create a documentation package from its inception to the point where litigation may occur.

Responsibilities of the Documentation Unit Leader (DUL) include:

- Provide incident documentation.
- Implement a system to ensure that critical documents pertaining to the response are sent to the Documentation Unit.
- Assess the effectiveness of the Documentation Unit's ongoing activities and modify the system, as necessary to ensure proper documentation.
- Provide duplication services for the command team.
- Establish a comprehensive filing system.
- Ensure that any discrepancies and/or missing documents are recorded.
- Ensure that any documentation that is submitted to the Documentation Unit is accurate and complete.
- Establish a comprehensive archive of files for the response.
- Store files for post-incident use.
- Document Unit activities on the ICS-214CG, Unit Log.

4410 – Services Provided

- Collect, file, and segregate all activity records for future archival reference. Relay any challenges and difficulties to the Planning Section Chief.
- Reproduce copies of originals in response to official requests approved by Planning Section Chief.
- Collect copies of supplementary plans from support agencies involved
- Provide research support to Liaison Officer and Information Officer.

4420 – Administrative File Organization

Establishing an administrative filing system depends on the complexity of the incident, as well as the potential for future litigation. Typically, the person assigned to the Documentation Unit Leader position will be experienced in the management of such a task. Assistants should review the Job Aid.

4500 – Demobilization

The orderly release of incident resources is the entire command team's responsibility. However, it is the Demobilization Unit's job to set an orderly plan in motion and to ensure that the plan is followed. Effective management of demobilization is critical to the incremental downsizing of incident resources.

Responsibilities Include:

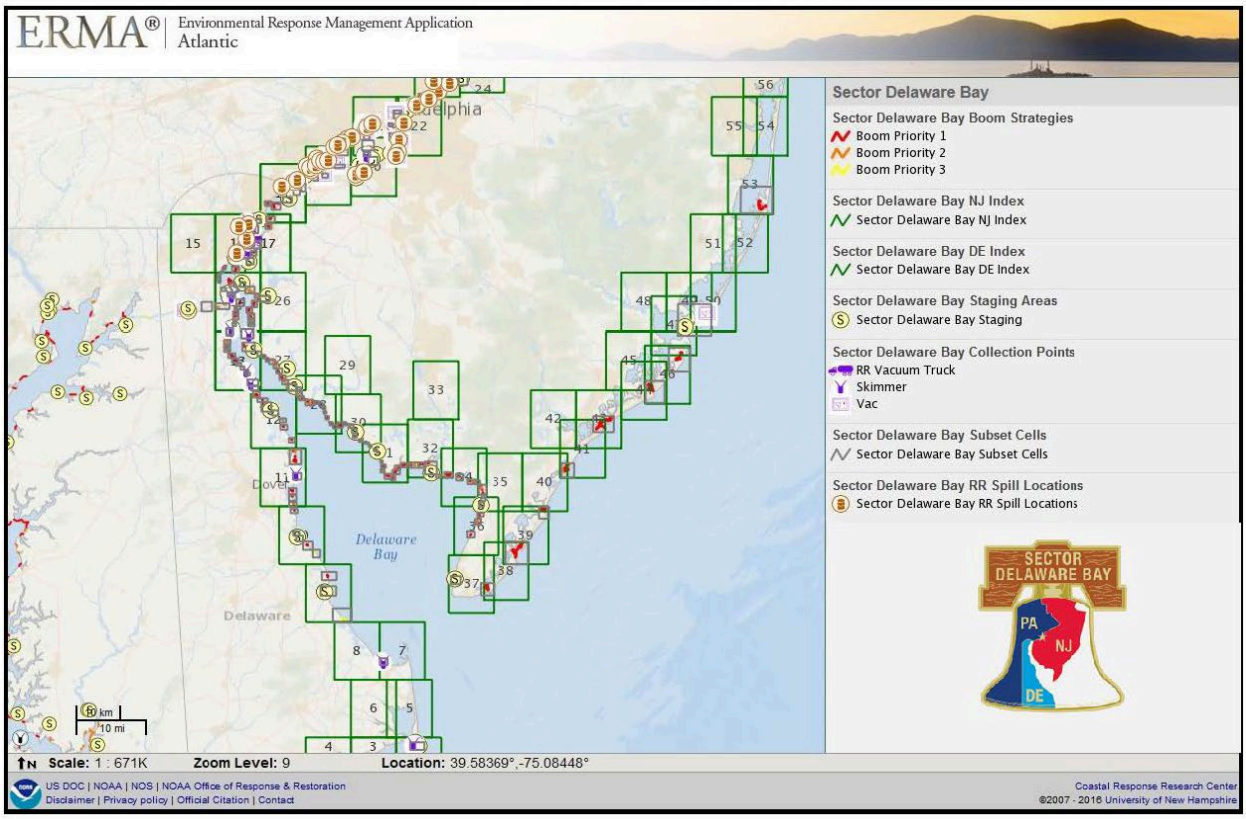
- The orderly release of all resources (equipment and personnel)
- Establishing a Demobilization Plan
- Coordinating and supporting the implementation of the Demobilization Plan
- Prepare ICS–221, Demobilization Check out Forms
- Advise the Planning Chief of demobilization progress
- As requested by the Planning Section Chief, attended planning meetings and briefs to provide information on the Plan.
- Documenting activities on an ICS 214, Unit Log

4510 – Sample Demobilization Plan (Sample provided by HQ)

Demobilization Plans generally all follow the same form, but you will see variances based on who is generating the plan, the type of incident the plan is supporting and other nuances unique to the particular agencies involved.

Refer to appendices 9785 and 9786 at Area Contingency Base Plan, Appendices and References

4600 – Environmental



Refer to ERMA for Environmental Sensitivity Indexes and Geographic Response Strategies.

The Environmental Unit is responsible for environmental matters associated with response including strategic assessment, modeling, surveillance, and environmental monitoring and permitting. The Environmental Unit also prepares environmental data for the situation unit.

Environmental Unit Leader: Role and Responsibility

- Obtain briefing and instructions from Planning Section Chief
- Participate in Incident Command System Meetings as required
- Identify sensitive areas and recommend response priorities
- Determine the extent, fate and effects of contamination
- Acquire, distribute, and provide analysis of weather forecasts
- Monitor the environmental consequences of cleanup actions
- Develop shoreline cleanup and assessment plans
- Identify the need for, and prepare any special advisories or orders
- Identify the need for, and obtain permits, consultations, and other authorizations
- Identify and develop plans for protection of affected historical/cultural resources
- Evaluate the opportunities to use various Response Technologies

- Develop disposal plans
- Develop plan for collecting, transporting, and analyzing samples
- Coordinate plans with natural resource trustee agencies
- Ensure compliance with all applicable environmental requirements, approvals and permits
- Determine need for any specialized resources required to support the incident response
- Coordinate with the Air Operations branch Director for the establishment of flight restrictions, if necessary, for sensitive wildlife areas
- Maintain Unit Log (ICS 214) and provide it along with other incident related documentation to the Documentation Unit

4700 – Technical Support

Technical specialists are advisors within the Planning Section with special skills needed to support an incident. Technical specialists may be assigned anywhere in the ICS structure, however, and often advise the FOSC/SOSC/RPIC directly on certain issues.

4710 – Hazardous Materials

4710.1 – Toxicologist

The Chaffey Amendments to the Oil Pollution Act of 1990 mandates that the Area Committee compile a list of local scientists, both inside and outside Federal Government Service, with expertise in the effects of spills of the types of oil typically transported in the area, who may be contacted to provide information or, where appropriate, participate in meetings of the scientific support team convened in response to a spill.

4710.2 – Product Specialist

Trained professional that is knowledgeable about the specific hazardous substance product that is released, and in particular the chemical changes that may occur when it is released into the environment.

4710.3 – Certified Marine Chemist

The Marine Chemist Association is an independent professional organization composed of chemists certified by the National Fire Protection Association in accordance with published rules. The Association originated in May 1938, as the Marine Chemists' Subsection of the NFPA, Marine Section. Upon termination of the Marine Section in 1948, the present Association was organized for the following purposes:

- To promote the science of, and improve the method of evaluation and eliminating health, fire, and explosion hazards in marine and associated industries.
- To obtain and circulate information relative to these hazards and other information regarding the professional and ethical activities of its members.
- To enhance the general welfare of its members by promoting a closer relationship with all concerned industry and regulatory bodies.

The United States Coast Guard and the Occupational Safety and Health Administration require that a certificate issued by a Marine Chemist must be obtained before hot work or fire producing operations can be carried out in certain spaces aboard a marine vessel. The appropriate U.S. Coast Guard Regulations are contained in 46 CFR

35.01-1(c)(1), 71.60-1(c)(1), 91.50-1(c)(1), 167.30-10(c)(1), and 189.50-1(c)(1). The appropriate OSHA regulations are contained in 29 CFR 1915.14.

In complying with both the U.S. Coast Guard and OSHA regulations, the Marine Chemist applies the requirements contained in National Fire Protection Association Standard 306. NFPA 306, Control of Gas Hazards on Vessels, describes conditions that must exist aboard a marine vessel. A survey by the Marine Chemist ensures that these conditions are satisfied.

In addition, a Marine Chemist is able to perform similar evaluations on other than marine vessels where an unsafe environment exists for workers, or hot work is contemplated on a system that might contain residues of a flammable or combustible product or materials.

Web Site: http://marinechemist.org/

4710.4 – Certified Industrial Hygienist

An Industrial Hygienist (IH) is a professional who is dedicated to the health and well-being of the worker. Typically, this would have an IH evaluating the health effects of chemicals or noise in a work place. The IH professional traditionally has gained knowledge though a combination of education, training, and experience. Ideally, this knowledge is used to anticipate when a hazardous condition could occur to cause an adverse health effect on workers or the environment. Failing that, the IH must be able to recognize conditions that could lead to adverse health effects to workers or a community population.

4710.5 – Chemist or Chemical Engineer

Trained and licensed professional that is knowledgeable in the development and application of manufacturing processes in which materials undergo changes in properties and that deals especially with the design and operation of plants and equipment to perform such work.

4710.6 – Sampling

The SSC is responsible for providing a sampling plan for the coordinated collection, documentation, storage, transportation and submittal to appropriate laboratories for analysis or storage.

Sampling Specialist Role and Responsibilities:

- Obtain briefing and special instructions from the Environmental Unit Leader
- Participate in Incident Command System (ICS) meetings as required
- Identify and alert appropriate laboratories
- Meet with team to develop initial sampling plan and strategy and review sampling and labeling procedures
- Coordinate with GIS Specialists to develop appropriate base maps and finished sample location maps to document locations where samples were collected
- Coordinate sampling activities with NRDA Representative(s), Incident Investigators, and Legal Specialists
- Provide status reports to appropriate requesters
- Maintain Individual Log (ICS 214a) and provide it along with other incident related documentation to the Documentation Unit

4720 – Oil

4720.1 – Scientific Support Coordinator

The National Oceanic Atmospheric Administration (NOAA) provides Scientific Support Coordinators (SSC) to support Federal On-scene Coordinators. The SSCs can provide a variety of technical support before and during an emergency response operation.

Normally, the NOAA Scientific Support Coordinator (SSC) should be included in any response if only as notification to ensure all response issues are addressed. The SSC will be located within the Command Staff or an Assistant within the Environmental Unit if not assigned as the Unit Leader.

Roles and Responsibilities:

- Obtain briefing and special instructions from the Environmental Unit Leader
- Participate in Incident Command System meetings as required
- Provide overflight maps and trajectory analysis to the Situation Unit
- Provide weather, tidal, and current information
- Obtain consensus on scientific issues affecting the response
- Develop a prioritized list of the resources at risk
- Provide information on chemical hazards
- Evaluate environmental trade off of countermeasures and cleanup methods, and response endpoints

Maintain Individual Log (ICS 214a) and provide it together with other incident related documentation to the Documentation Unit

The National Oceanic and Atmospheric Administration (NOAA) provides SSCs in coastal and marine areas. The SSC provides scientific support for response and contingency planning in coastal and marine areas. The SSC assists in:

- assessing the hazards that may be involved;
- build a diverse support team to provide expertise in environmental chemistry, oil slick tracking, pollutant transport modeling, environmental tradeoffs of countermeasures and cleanup, information management, contingency planning;
- provides information on the sensitivity of coastal environments to oil and hazardous
- substances, natural resources at risk, and associated cleanup and mitigation methods;
- provides expertise on living marine resources and their habitats, including endangered species, marine mammals and National Marine Sanctuary ecosystems;
- provides information on actual and predicted meteorological, hydrological, ice, and oceanographic conditions for marine, coastal, and inland waters, and tide and circulation data for coastal and territorial waters;
- Liaison to the scientific community and the natural resource trustees.

NOAA's Office of Response and Restoration's Emergency Response Division (ERD), consists of an multi-disciplinary scientific team that includes oceanographers, modelers, biologists, chemists, and geologists to respond to oil and chemical spills in U.S. waters and helps the FOSC to make timely operational decisions. The team is headquartered at NOAA's campus in Seattle; however SSCs lead the team at spills, drawing on the

team's spill trajectory estimates, chemical hazards analyses, and assessments of the sensitivity of biological and human-use resources. In addition, ERD natural resource scientists assess the extent of environmental injury and assist the Assessment and Restoration Division with initiation of natural resource damage assessment (NRDA).

FOSC's Guide to NOAA Scientific Support (February 2007)

4720.2 – Lightering

One of the most effective ways to mitigate or prevent an oil spill or hazardous material release is to remove all remaining cargo and unnecessary bunker fuel from the vessel. This is particularly useful when the risk of a hull breach is increasing due to changing environmental or physical conditions on the vessel. Vessels may be lightered to another vessel, or lightered to mobile facilities ashore. Choosing which is most appropriate will depend on the location of the vessel and availability of each. Whichever is chosen, it is important to ensure the receiving vessel or facility is qualified to handle the lightered material and that any cargo/residue in hoses and holding tanks are compatible with lightered material. Furthermore, the effects on the stability of the vessel should be taken into account when lightering a vessel. While lightering may present benefits when attempting to re-float a vessel, it may also present additional structural stresses upon the vessel. It is important to work with naval architects as well as the person in charge of loading/offloading the vessel, who is frequently the Chief Officer or First Mate of the vessel.

4720.3 – Salvage

A plan is essential to any successful salvage operation. Depending on the urgency and complexity of the operation, the quality of the plan may vary from a bound document approved by engineers to a sketch on a cocktail napkin. All involved parties must ensure that the plan provided is appropriate given the constraints of the operation.

When evaluating a salvage plan, it is essential to rely upon the resources available to an IC or UC for these particular incidents. The two major public resources are the Coast Guard's SERT and the Navy's SUPSALV.

Refer to Sector Delaware Bay's MTS Recovery Plan and Salvage Response Plan

4720.4 – Shoreline Cleanup Assessment

Refer to section 3230 of this document

4720.5 – Natural Resource Damage Assessment

A major goal of the Oil Pollution Act of 1990 (OPA) is to make the environment and public whole for injury to or loss of natural resources and services as a result of a discharge or substantial threat of a discharge of oil (referred to as an "incident").

The Natural Resource Damage Assessment (NRDA) is the legal process that federal agencies like NOAA, together with the states and Indian tribes, use to evaluate the impacts of oil spills, hazardous waste sites, and ship groundings on natural resources both along the nation's coast and throughout its interior. NOAA and these partners, referred to collectively as natural resource trustees, work together to identify the extent of natural resource injuries, the best methods for restoring them, and the type and amount of restoration required. In

addition to studying impacts to the environment, the NRDA process includes assessing and restoring the public's lost use of injured natural resources (e.g., closed recreational fishing or swimming).

NOAA's responsibilities in a NRDA include:

A preliminary assessment to determine whether any impacts have occurred. Scientists may collect data, review scientific literature, and use mathematical models to help predict the effects of the incident on trust resources.

Injury assessment and restoration planning, during which the trustees quantify the injuries through scientific and economic studies and then identify potential restoration projects to offset the loss(e.g., beach and shoreline enhancements, creation of oyster reefs or other shellfish habitats, and programs to monitor the recovery of species and habitats). A restoration plan is then released for public feedback.

Restoration aims to return the injured resources to their original condition and compensate the public for interim losses, i.e., the time it takes the resources to recover, as well as humans' lost use of the resources. Throughout the NRDA process, the co-trustees often work with the Responsible Party (the entity whose property or actions caused the injury). The Responsible Party pays for the assessment and restoration and may participate in restoration activities.

4720.6 – Special Monitoring of Applied Response Technologies (SMART)

Refer to section 3260.5 of this document

4720.7 – Response Technologies (Dispersant, ISB, Bioremediation, Mechanical)

Refer to section 3200 of this document

4720.8 – Decontamination

Ensure that decontamination processes are in compliance with the safety plan. This may incorporate air monitoring and developing PPE protocols for a hazardous materials decontamination sites, or may entail confined space entry procedures being implemented for the decontamination of a holding tank on an oil skimming and recovery vessel.

Refer to 9736 Vessel Decontamination Plan and 9748 Facility and vessel Decontamination Priority Model at Area Contingency Base Plan, Appendices and References

4720.9 – Disposal

Refer to 9781 General Waste Containment and Disposal Checklist and 9782 Waste Management and Disposal Plan

4720.10 – Dredging

See 40 CFR 230 – Guidelines for Specification of Disposal Sites for Dredged or Fill Material.

4720.11 – Deepwater Removal

This section is reserved for future Area Committee Development.

4720.12 – Heavy Lift

This section is reserved for future Area Committee Development.

4730 – General

The following provides guidance on the various consultation processes and respective agencies. Always liaise with the NOAA Scientific Coordinator to convene formal and informal discussions.

4730.1 – Cultural & Historic Properties

The National Historic Preservation Act requires Federal agencies to take into account the effects of response actions on historic properties when responding to spills. As the Federal official designated to coordinate and direct response actions, the Federal On- Scene Coordinator (FOSC) is responsible for ensuring historic properties are appropriately considered while planning and during a spill response. Historic properties include any prehistoric or historic district, site, building, structure, or object listed in, or eligible for inclusion in, the National Register of Historic Places (36 CFR Part 60).

The National Register of Historic Places is the Nation's official list of cultural resources worthy of preservation. Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archeological resources. Properties listed in the register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The National Register is administered by the National Park Service, which is part of the U.S. Department of the Interior.

U.S. Department of the Interior maintains a current list for the AOR.

U.S. Department Housing and Urban Development maintain the "Tribal Directory Assessment Tool (TDAT)" https://egis.hud.gov/tdat/

4730.2 – Legal

On October 15th, 1966, Congress passed 16 USC 470, the National Historic Preservation Act (NHPA), to preserve the historical and cultural foundations of our Nation. Under Section 106 of NHPA, Federal agencies are required to consider the effects of their actions on historic properties and take steps to reduce or eliminate adverse effects.

For the purpose of this plan, the FOSC, as the Federal official designated to coordinated direct response actions, is responsible for ensuring that historic properties are appropriately considered in planning and during emergency response.

Section 106 regulations 36 CFR Part 800 Protection of Historic Properties (Amendments effective August 2004). The Advisory Council on Historic Places published a brochure Using Section 106 to Protect Properties

How the Programmatic Agreement (PA) applies to the USCG FOSC

The Programmatic Agreement on Protection of Historic Properties during Emergency Response under the National Oil and Hazardous Substances Pollution Contingency Plan (PA) requires consideration of historic properties in planning for and conduct of emergency response under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The PA was developed to help Federal agencies sufficiently comply with the requirements of the statute. This document is intended to assist Federal On-Scene Coordinators (FOSCs) in areas where the pre-spill planning called for in the PA has not yet been completed. However, it should not be used to replace existing regional PAs developed pursuant to the national PA or existing Area Contingency Plan (ACP)

provisions developed pursuant to a regional or the national PA. It should also not be used as a substitute for completing the pre-spill planning called for in the PA.

The PA, signed by the Assistant Commandant for Marine Safety, Security and Environmental Protection on May 13, 1997, provides an alternative to the process in Section 106 of the NHPA to ensure appropriate consideration of historic properties within the context of the NHPA during emergency response to a discharge or a release under the NCP (40 CFR 300). The alternative to following the process in the PA, including the pre-spill planning part of the process, is to follow the complete consultation process in Section 106 of the NHPA.

The PA states that the FOSC is responsible for ensuring that historic properties are appropriately considered in planning and during emergency response. During pre-spill planning activities, the PA calls for identifying:

- Historic properties listed in, or determined to be eligible for listing in, the National Register of Historic Properties (NRHP) that might be affected by response to a release or spill;
- Un-surveyed areas where there is a high potential for the presence of historic properties; geographic areas or types of areas where historic properties are unlikely to be affected;
- Parties that are to be notified in the event of a spill in a non-excluded area; who will be responsible for providing expertise on historic properties to the FOSCs during emergency response (i.e., the FOSC's Historic Properties; and
- Developing emergency response strategies to help protect historic properties.

Effective consideration of historic properties during emergency response in the absence of this advance planning is extremely difficult and may not be possible, so to take advantages of the benefits of the PA, FOSCs are to make every effort to conduct this planning effort and incorporate it into the ACP in advance. During emergency response, FOSCs are responsible for initiating the agreed upon mechanism for addressing historic properties, namely activating the FOSC's Historic Properties Specialist. In turn, the FOSC's Historic Properties Specialist will: notify and consult with parties identified in pre-incident planning and those applicable entities that are listed in the ACP; assess potential effects of emergency response strategies on historic properties; and recommend to the FOSC response actions to help minimize or eliminate potential impacts to historic properties.

Obtaining Expertise on Historic Property Matters during Emergency Response

One of the essential pre-spill planning elements is the identification of those who will be responsible for providing reliable and timely expertise on historic properties to the FOSC during emergency response, i.e., the FOSC's Historic Properties Specialist. The PA provides that historic properties expertise and support may be obtained by the FOSC in any one of several ways:

- Implementing an agreement with State or Federal agencies that have historic properties specialists on staff;
- Executing a contract with experts identified in ACPs; or
- Privately hiring historic properties specialists.

The PA specifies the professional qualifications and standards that a Historic Properties Specialist must meet. It should be noted that only the FOSC, and not the Responsible Party, may contract with experts to serve as the FOSC's Historic Properties Specialist. An FOSC may utilize a Pollution Removal Funding Authorization (PRFA) for funding the activation of a Historic Property Specialist only during emergency responses to oil pollution

incidents. Oil Spill Liability Trust Fund resources are not available for hiring of a specialist to assist with pre-spill planning activities.

4730.3 – Chaplain

Chaplain Emergency Response Technical Specialist

4730.4 – Public Health

[Reserved for future Area Committee Development].

4730.5 – Human Resources

The Human Resources Unit is primarily responsible for providing direct human resource services to the response organization, including compliance with all labor-related laws and regulations. In the performance of this last responsibility, the Human Resources Unit may serve as the implementing arm of the Safety Officer in assuring compliance with OSHA and other safety related training/qualifications outlined in the Safety Plan. The Human Resources Unit is responsible for the following functions:

- Serve as the single point of contact for incident personnel to discuss human resources issues and /or concerns;
- Issue Standing Orders to all military and Coast Guard Auxiliary personnel including decisions regarding uniform of the day, etc.;
- Serve as the single point of contact for receiving reports of inappropriate behavior, acts, or conditions parallel to the operational, logistics, and planning chains of command;
- Oversee and process all employee review and performance evaluations as completed by the operational, logistics, and planning supervisors;
- Oversee and process all employee incentive and meritorious action awards, including the processing of military awards, for operational, logistics, planning, and finance/administration supervisors, including a peer review of any proposed incentives/awards to assure consistency and factual accuracy; and
- Oversee and process all employee personnel records to assure required entries and notations are made in accordance with the various standards of Unified Command agencies/organizations.

4730.6 – Critical Incident Stress Management

Critical Incident Stress Management (CISM) services to responders. COMDTINST 1754.3 - Critical Incident Stress Management and Critical Incident Stress Management Specialist Job Aid

4740 – Law Enforcement

The Law Enforcement Group is responsible for coordinating with federal/state/local law enforcement activities related to the incident, which include, but are not limited to isolating the incident, crowd control, traffic control, evacuations, beach closures, and/or perimeter security.

4750 – SAR

Search and Rescue (SAR) efforts primarily focus finding and assisting persons in actual or apparent distress and are carried out within a well-defined SAR response system. The Search and Rescue (SAR) Group is responsible for prioritization and coordination of all SAR resources directly related to the specific incident.

4760 – Marine Fire

Refer to section 3300 of this document and the Shipboard Marine Fire Fighting Plan

4800 – Required Correspondence, Permits & Consultation

4810 – Administrative Orders

An "Administrative Order" is a specific directive from the FOSC requiring detailed actions or corrective measures to be taken by the responsible party to clean up a pollutant or threatened discharge/release of a pollutant. An Administrative Order may be issued to the responsible party to direct certain response actions when cooperative efforts between the FOSC and the responsible party fail to garner the required response. The Administrative Order may also direct compliance with a request to enter or inspect any vessel, facility, establishment, place, property, or location where there is a reasonable basis to believe that there has been or may be a release, or, for any space necessary to enter in responding to that release. Administrative Orders may be either oral or written. However, if the OSC or their representative issues an oral order, it should be immediately followed by a written document that contains the dialogue of the order.

1. Authority to Issue Orders
    - The Clean Water Act of 1977(CWA), as amended by the Oil Pollution Act of 1990 (OPA). [See Title 33 USC 1321(e)(1)(B)].
2. Direct the Administrative Order to the person identified as the Responsible Party
    - The OSC must be reasonably certain that the person to whom the order is issued is in fact the person responsible for the spill or release. (The order should be directed to a company or corporation as opposed to an individual when possible).
3. The OSC may issue an Administrative Order for Oil Spills and Hazardous Substance releases under provisions of CWA/OPA for the following:
    - When there is a discharge of oil and hazardous substances from a facility/vessel in harmful quantities into the navigable waterways of the United States. Note: The CWA defined "harmful quantity" of oil in 40 CFR 109.2 and "reportable quantity" for designated hazardous substances in 40 CFR 117.3.
    - When there may be an imminent and substantial threat to the public health or welfare of the United States, including fish, shellfish, and wildlife, public and private property, shorelines, beaches, habitat, and other living and nonliving natural resources under the jurisdiction or control of the United States. [See 33 CFR 1.01-80(d)(4), 40 CFR 300.322(b), or 33 USC 1321(e)(1)(B)].
    - When the OSC feels that the spiller is reluctant or not performing a satisfactory clean up.

4. Prior to issuing an Administrative Order, the affected State or States must be notified. (See 33 USC 1321(e)(1)(B) or Section 4306 of OPA).

5. Penalties for Non-compliance
    - If the responsible party fails to respond to an oil spill that is his/her responsibility, he/she is liable for a civil penalty of $27,500 per day of violation or an amount up to 3 times the removal cost incurred by the Oil Spill Liability Trust Fund (OSLTF). [See 33 USC 1321(b)(7)(B)(ii)].

6. Appeals
    - A responsible party issued an administrative order for an oil pollution incident must direct the request for an appeal to the district courts of the United States. [See 33 USC 1321(e)(2)].
7. Additional References
    - Environmental Law Handbook (This book explains the Laws in the Environmental Statutes), Published by Government Institutes.
    - Executive Order 12580 (52 FR 2923), Sec.4(c)(1), (The President's authority to grant the Coast Guard response actions).

4820 – Notice of Federal Interest

Reference COMDTINST M16000.11, Coast Guard Marine Safety Manual, Volume VI, Chapter 7.B.3.a.

- The OSC shall present a Notice of Federal Interest for an Oil Pollution Incident Form (CG 5549 08 - 05) to every suspected discharger. [NOTE: This requirement is for internal direction only. The failure of an OSC to present this Notice in a given case does not affect any liability of any person which may arise in that case.] This informs the suspected discharger of a potential violation of the FWPCA, as amended, and of his or her possible liability to a civil penalty. Notice should also be made in potential pollution incidents when the actions of the potential discharger to abate the threat are considered insufficient, and Federal action is contemplated. If possible, any witness(es) should accompany the OSC's representative when the Notice is served. The OSC's representative shall retain the OSC's copy of the Notice that is signed and dated by the suspected discharger, or the suspected discharger's representative. If the discharger refuses to sign, the Notice will still be served. The investigator will note the circumstances on the copy, Sign and date it, and have the witness(es) sign and date it. Should the owner/operator be unavailable, the Notice shall be sent via Certified mail, return receipt requested.

4830 – Notice of Federal Assumption

Reference COMDTINST M16000.11, Coast Guard Marine Safety Manual, Volume VI, Chapter 7.B.3.d.

Under FWPCA Section (311)(c)(l), whenever a polluter is unknown or not acting responsibly, or when its removal effort is insufficient, or to present the substantial threat of a discharge, the OSC may assume total or partial control of response activities. The OSC must inform the suspected polluter, if known, of this action by issuing a Notice of Federal Assumption of Response Activities, even if the suspected polluter has not initiated any action. This Notice references the Notice of Federal Interest for an Oil Pollution Incident and indicates the date and time the Federal response is initiated. The same procedures used for issuing and obtaining signatures for the Notice of Federal Interest for an Oil Pollution Incident apply. In some instances, the OSC may determine that the polluter's response efforts should continue, but that some Federal assistance is necessary to augment the cleanup (e.g., cleanup resources that the polluter cannot or will not provide). Whenever it is necessary for the federal government to expend funds in support of a cleanup operation, for purposes other than monitoring, the OSC should declare a Federal spill for the area(s) for which he or she is assuming control, activate the OSLTF to cover expenses and take whatever actions are necessary to ensure a proper cleanup. In these cases, the Notice of Federal Assumption shall clearly delineate those actions or areas for which the OSC is assuming control or providing other resources.

See https://cg.portal.uscg.mil/search/Pages/results.aspx?k=Notice%20of%20Federal%20Assumption for a sample, editable copy of a NOFA.

4840 – Letter of Designation

Reference COMDTINST M16000.11, Coast Guard Marine Safety Manual, Volume VI, Chapter 7.

Notice of Designation of Source Policy. Designation of a source under section 1014 of OPA 90 is done to fulfill the requirements relating to the dissemination of information about an incident, through advertisements, so that potential claimants will be aware of the opportunity and procedures for submitting claims for uncompensated removal costs or damages. Exact specification and types of advertisement required are provided in the letter issued by the NPFC. OPA provides that designation of source is done where "possible and appropriate." “Technical Operating Procedures for Designation of Source” can be obtained at: https://www.uscg.mil/Portals/0/NPFC/docs/PDFs/urg/Ch3/NPFCTOPs.pdf?ver=2017--11-14-095628-987

4850 – Fish and Wildlife Permits

A Federal Migratory Bird Rehabilitation Permit will authorize you to take, transport and temporarily possess sick, injured, and orphaned migratory birds for rehabilitation purposes. You should review 50 CFR parts 10, 13 & 21.31 of the Code of Federal Regulations.

Best Practices for Migratory Bird Care During Oil Spill Response

4860 – ESA Consultations

Section 7(a)(1) of the Endangered Species Act (ESA) requires all federal agencies, in consultation with the with the Service, to ensure that their response actions do not jeopardize listed species or destroy or adversely modify critical habitat. As a result of this consultation, recommended procedures are developed that will achieve better conservation of listed species and critical habitat during implementation of oil spill response activities.

For consultations to the NOAA National Marine Fisheries Service, utilize the RRT Endangered Species Consultation document.

See also NOAA NMFS Protected Resources Division - (http://sero.nmfs.noaa.gov/pr/pr.htm) provides internal guidance and establishes national policy for conducting consultation and conferences pursuant to section 7 of the Endangered Species Act of 1973, as amended. The website addresses the major consultation processes, including informal, formal, emergency, and special consultations, and conferences.

4870 – Disposal

Refer to section 3240 of this document

4880 – Dredging

Refer to section 4720.10 of this document

4890 – Decanting

Refer to section 3240.2 of this document

4900 – Reserved for Area/District

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5000 – Logistics

The primary responsibilities of all positions identified in this section are outlined in the Incident Management Handbook and all ICS Position Specific Job Aids can are located on CGPortal, HomePort, or FEMAs Resource Site.

This section coordinates logistics support that includes control and accountability for Federal supplies and equipment; resource ordering; delivery of equipment, supplies, and services to the Incident Command Post and other field locations; facility location, setup, space management, building services, and general facility operations; transportation coordination and fleet management services; information and technology systems services; administrative services such as mail management, and reproduction; and other customer assistance. In addition, communication to the Joint Field Office (JFO) may be also required during large federally led, National Response Framework (NRF) responses to maintain overall management of critical resources to all regional command(s) involved.

5100 – Logistics Section Organization

The Logistics Section is responsible for providing facilities, all services and materials needed for the incident. The Incident Commander will determine the need to establish a Logistics Section on the incident. This is usually determined by the size of the incident, complexity of support, and how long the incident may last. Once the IC determines that there is a need to establish a separate Logistics function, an individual will be assigned as the Logistics Section Chief.

5200 – Support

SDB Portal Logistics Section for further details.

Responsible for development and implementation of logistics plan in support of the IAP, including providing personnel, equipment, facilities, and supplies to support incident operations.

Support Branch Director Responsibility:

- Responsible for the development and implementation of logistics plans in support of the IAP
- Provide personnel, equipment, facilities, and supplies to support incident operations
- Supervise the operation of the Supply, Facilities, Ground Support, and Vessel Support Units
- Determine initial support operations in coordination with Logistics Section Chief and Service Branch Director
- Prepare initial organization and assignments for support operations
- Determine resource needs
- Inform Logistics Section Chief of progress and activities
- Resolve problems associated with requests from the Operations Section
- Maintain Individual Log (ICS 214a)

5210 – Supply

Responsible for requesting additional personnel based on Operations and Planning needs. The Supply Unit also orders equipment and supplies; receives and stores all supplies for the incident; maintains an inventory of supplies; and services all equipment. Additionally, the Supply unit is responsible for layout and activation of incident facilities. They provide sleeping and sanitation facilities for incident personnel and manage the various bases, staging areas, and camps.

5210.1 – Oil Response Equipment

Refer to SILC BOA in effect list for most current edition of equipment.

5210.2 – Hazardous Substance Response Equipment

Refer to SILC BOA in effect list for most current edition of equipment.

5220 – Facilities

Refer to Area Contingency Base Plan, Appendices and References and the COOP Plan for up-to-date information.

- Responsible for the layout and activation of incident facilities (e.g., Bases, Camps, and the Incident Command Post)
- Determine the requirements for each facility to be established
- Notify Unit Leaders of facility layouts
- Provide sleeping and sanitation facilities for incident personnel
- Manage Base and Camp operations
- Obtain personnel to operate facilities
- Provide security services
- Provide facility maintenance services – sanitation, lighting, clean-up
- Demobilize Base and Camp facilities
- Maintain Facilities Unit records
- Maintain Unit/Activity Log (ICS 214)

5220.1 – Incident Command Post (ICP) Options

For any spill encountered in the region, the needs and features required for an Incident Command Post will be dictated by the specific scenario details and response organization make-up. For initial planning purposes, the following hierarchy will be utilized:

- Until the actual potential size of the spill/response organization is known, initial contact and ICS-201 briefing to Command Cadre will be conducted at the Sector utilizing appropriate field locations for survey (SCAT) teams to provide updates.
- If knowledge is known about a spill indicating immediate ramp-up of an expanded response organization, the county Emergency Operations Center (EOC) located within the affected county will be utilized as the initial command post until more permanent accommodations can be contracted.

5220.2 – ICP Needs (rooms, phones, fax, copiers, tables/chairs, security, radios, etc.)

Sector Delaware Bay Local Contingency Plans and reference documents

5220.3 – Berthing

Sector Delaware Bay Local Contingency Plans and reference documents

5220.4 – Port/Dock Facilities/Capacities

Refer to ERMA for marine information

5220.5 – Staging Areas

Refer to ERMA for staging areas

5220.6 – Security Providers

Area Maritime Security Plan, Appendices and References

5220.7 – Airports/Heliports

Area Contingency Base Plan, Appendices and References

5220.8 – Temporary Storage and Disposal Facilities (TSDs)

Area Contingency Base Plan, Appendices and References

5220.9 – Maintenance and Fueling Facilities (land/water)

Area Contingency Base Plan, Appendices and References

5220.10 – Fish and Wildlife Response Facilities and Resources

Area Contingency Base Plan, Appendices and References

5230 – Vessel Support

Responsible for implementing the vessel routing plan for the incident and coordinating transportation on the water and between shore resources. This may include arranging fueling, maintenance and repair of vessels on a case-by-case basis.

Area Contingency Base Plan, Appendices and References

5230.1 – Boat Ramps/Launching Areas

Refer to ERMA for these locations

5230.2 – Vessel/Boat Sources

[Reserved for future Area Committee Development].

5230.3 – Maintenance

[Reserved for future Area Committee Development].

5240 – Ground Support

Primarily responsible to support “out of service" resources, the coordination and transportation of personnel, supplies, food and equipment. In addition to the maintenance and repair of vehicles and other ground support equipment, this division would implement the traffic plan for the incident.

5240.1 – Vehicle Sources

Refer to Sector Delaware Bay CGPortal Page for most up to date information

5240.2 – Maintenance

Refer to Sector Delaware Bay CGPortal Page for most up to date information

5300 – Services

Service Branch Director Responsibilities:

- Responsible for the management of all service activities at the incident
- Supervise and coordinate the operations of the Communications, Medical, and Food Units
- Determine level of service required to support operations
- Participate in planning meetings of Logistics Section Personnel
- Review the IAP
- Inform the Logistics Section Chief of activities
- Maintain Individual Log (ICS 214)

5310 – Food

Responsible for determining feeding requirements at all incident facilities; menu planning; determining cooking facilities required; food preparation; serving; providing potable water; and the general maintenance of food service areas. To obtain information on food distributors, contact the State EOCs.

5310.1 – Catering/Messing Options

[Reserved for future Area Committee Development].

5320 – Medical

Responsible for the development of the Medical Emergency Plan, obtaining medical aid and transportation for injuries and all incident personnel, and preparations of reports and records.

- Provide and coordinate emergency and routine medical services to response personnel.
- Manage dedicated Medical Unit resources and coordinate additional medical services.
- Identify resources and logistics support needs.
- Report the status of Medical Unit Services.

5320.1 – Medical Facilities

Refer to Sector Delaware Bay CGPortal Page or Command Center QRC for most up to date information

5320.2 – Ambulance/EMS Services

Refer to Sector Delaware Bay CGPortal Page or Command Center QRC for most up to date information

5400 – Communications

Responsible for developing plans for the effective use of incident communication equipment and facilities; installing and testing of communications equipment; supervision of the Incident Communication Center; distribution of communication equipment to incident personnel; and the maintenance and repair of communication equipment.

5410 – Communications Plan

Sector Delaware Bay Local Contingency Plans and reference documents

5410.1 – Incident Communications

Sector Delaware Bay Local Contingency Plans and reference documents

5410.2 – Communications Support

https://cg.portal.uscg.mil/units/lantarea/lant-6/lant-63/Contingency%20Comms/Forms/AllItems.aspx for planning and coordination of events requiring the use or assistance from the LANTAREA Deployable C4IT Asset equipment inventory.

The primary purpose of the Deployable C4IT equipment inventory is to support real world contingency operations, emergencies, natural disasters, training exercises, NSSE and other events such as military out-loads, oil spills, long term SAR operations, law enforcement, terrorist incidents, and temporary replacements for communications facilities that are disabled during natural disasters, renovations, or other surge/pulse operations.

C3 equipment assets cover the HF, VHF, and UHF frequency spectrum and satellite communications (SATCOM) in both secure and non-secure modes. All equipment is transportable and includes hand-held radios, base stations, cryptographic accessories, and all supporting peripherals. Units requesting cryptographic accessories must provide the address and EKMS account number of the receiving command/unit.

Requesting unit is responsible for shipping and funding costs of DCCS air time if applicable, and shipping for portable equipment. Shipping methods (for portable cache equipment) include FedEx, contractor delivery/pick up, or local customer pick-up at COMMCOM in Chesapeake, VA. Other than NSSE's, COMMCOM will usually fund support and/or deployment of assets.

5410.3 – Communication Facilities

Sector Delaware Bay Local Contingency Plans and reference documents

5500 – Reserved

5600 – Reserved

5700 – Reserved

5800 – Reserved

5900 – Reserved for Area/District

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6000 – Finance/Administration (reference the new Finance and Resource Management Field Guide)

The primary responsibilities of all positions identified in this section are outlined in the Incident Management Handbook and all ICS Position Specific Job Aids can are located on CGPortal, HomePort, or FEMAs Resource Site.

The Finance/Administration Section is responsible for all incident costs and financial considerations. This includes the Time Unit, Procurement Unit, Compensation/Claims Unit and Cost Unit. The IC will determine the need for a Finance/Administration Section, and designate an individual to perform that role. The Finance/Administration Section is generally set up for any incident that may require on-site financial management. In general, the decision to establish a finance / administration section will depend on two factors:

- The financial complexity of the response; and
- The number of tactical assets deployed (usually measured by the number of tactical divisions/groups established or likely to be established).

As discussed in Section 1000 of this plan, the National Response System places responsibilities for conducting clean up on the responsible party as a matter of policy. In practices, however, the involvement of the state, local, and federal agencies in various phases of the response are significantly more involved. The National Pollution Fund Center (NPFC) refers to the National Contingency Plan's four phases of a response:

Phase I: Discovery and Notification;
Phase II: Preliminary Assessment and Initiation of Action;
Phase III: Containment, Countermeasures, Cleanup and Disposal; and Phase IV: Documentation and Cost Recovery.

Certain federal, state, and local government costs incurred during Phase II Assessment may be chargeable against the OSLTF, but may not all be billed against the Responsible Party during cost recovery Phase IV.

Further, Unified Command members come to the response with objectives that overlap on the subject of pollution removal but often extend beyond this matter. The Responsible Party Incident Commander (RPIC) for instance will normally have key objectives of the response directed toward repairing damage and returning a vessel or facility to operation. In the case of an abandoned vessel, the marina or dry-dock owner will normally have objectives of having the derelict vessel removed/eliminated after the pollutant is removed. While these may at first appear to be post-response objectives, these decisions and matters deeply influence the response itself. For example, non-response derelict- vessel disposal strategies will influence the response decision on how clean the derelict hull must be rendered in order to assure it poses no additional threat to the environment.

Various financial mechanisms available to the members of the Unified Command each come with stringent limitations and intended employment. For this reason, one of the most important decisions the Unified Command must come to during the first Unified Command meeting is an agreement about how financial responsibilities will be shared.

6100 – Finance/Administrative Section Organization

The primary responsibilities of all positions identified in sections 2000 through 6000 are outlined in the Incident Management Handbook and all ICS Position Specific Job Aids can are located on CGPortal, HomePort, or FEMAs Resource Site.

6200 – Fund Access

The National Pollution Funds Center User Reference Guide is designed to be a Federal on-scene coordinator reference tool during an oil or hazardous materials spill incident.

The Technical Operating Procedures (TOPS) serve as Coast Guard Guidance for various fund users. They provide formatting, forms and instructions for compiling and submitting documentation efficiently and effectively.

The TOPS below can be found in the NPFC User Reference Guide.

Technical Operating Procedures for Determining Removal Costs Under the Oil Pollution Act of 1990 (June 1999)

Removal Cost Policy and Operating Procedures (CERCLA) (May 1996)

Technical Operating Procedures for Resource Documentation Under the Oil Pollution Act of 1990 (June 1999)

Technical Operating Procedures for Designation of Source Under the Oil Pollution Act of 1990

6210 – Federal On-Scene Coordinator (FOSC) Access

Should it become necessary, the FOSC may access the OSLTF or CERCLA funds by obtaining a Federal Project Number (FPN) or CERCLA Project Number (CPN) and ceiling from the Coast Guard's CANAPS funding system. CANAPs will automatically confirm the issuance of the FPN or CPN by message.

6220 – State Access

State access to OSLTF and CERCLA funds provides an avenue for states to receive Federal funds for immediate removal costs resulting from their response to actual or threatened discharges of oil. State access does not supersede or preclude the use of other existing Federal payment regimes. The State should not seek and will not receive payments for the same costs from more than one payment regime.

States may access funds via one of three methods:

1. File a claim with the NPFC within 6 years of the cleanup.
2. Ask the FOSC to obtain a FPN/CPN and a ceiling amount for the State. The State will work directly with the NPFC to document costs.

3. Have the FOSC obtain a FPN/CPN and then issue a Pollution Removal Funding Authorization (PFRA) to the State with a ceiling and time limit. The FOSC will then review all documentation prior to submission to the NPFC.

The Technical Operating Procedures (TOPS) serve as Coast Guard Guidance for various fund users. They provide formatting, forms and instructions for compiling and submitting documentation efficiently and effectively. A copy of the "Technical Operating Procedures for State Access to the Fund" can be obtained at: https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/e-tools/

State Access under the Oil Pollution Act of 1990: See Chapter 5 of the NPFC User Reference Guide.

6230 – Trustee Access

Administrative Trustees are organizations with responsibilities for specific areas or natural resources such as the Department of the Interior. OPA 90 authorizes these organizations access to the fund through one administrative trustee known as the Lead Administrative Trustee (which must be a federal agency.) The designation of Lead Administrative Trustee is made for each spill based on the involvement of each organization. Administrative trustee access to the emergency fund would most likely be limited to beginning the damage assessment process.

The Lead Administrative Trustee may request funding directly from the NPFC case officer for the purpose of initiating damage assessments. The NPFC case officer will inform the FOSC that funds have been requested by the Lead Administrative Trustee.

6300 – Cost

The Cost Unit is responsible for collecting all cost data, performing cost effectiveness analyses, and providing cost estimates and cost saving recommendations for the incident. To be successful, the Cost Unit must work closely with the Procurement Unit, and the Time Unit.

Cost Unit Leader (COST) responsibilities:

- Responsible for collecting all cost data, performing cost effectiveness analysis, and providing cost estimates and cost savings recommendations
- Coordinate with agency Headquarters on cost reporting procedures
- Ensure that personnel and equipment that will receive payment are properly identified
- Work with the Time and Procurement Units to obtain all cost data
- Conduct an analysis of costs and prepare estimates of incident costs
- Prepare incident cost summaries
- Maintain accurate information on the actual cost of all assigned resources for Planning
- Make recommendations for cost savings to the Finance Section Chief
- Maintain cumulative incident cost records
- Identify and distribute the appropriate cost documentation forms
- Ensure that all cost documents are accurately prepared
- Monitor direct costs and anticipated costs and track the obligations against various ceilings on a daily basis

- Add obligations from all sources (contractor, government, etc.) against each fund ceiling
- Complete all records prior to demobilization
- Provide Reports to the Finance Section Chief
- Maintain a Unit Log ICS 214-CG

6310 – Cost Documentation Procedures, Forms & Completion Report

There are three primary aspects to successful cost recovery and documentation of significant pollution events: rapid start; dedicated personnel; and correct forms and submission procedures.

The requirement for a rapid start to documentation will be apparent upon examining the necessary forms and procedures. Whenever this plan is activated (i.e., the response exceeds the vessel or facility response plan, the state or federal government take an interest, or when there is no responsible party taking action), the following procedures must be executed by the Cost Unit:

1. Determine whether OSLTF funding applies. Based upon Unified Command decisions on response action funding, determine whether other sources of funding apply.
2. Estimate the OSLTF and other funding ceilings required. In many responses, both an OSLTF and CERCLA ceiling will be established, with various response costs charged against one fund or the other depending on the decisions of the Unified Command and the limitations of the two funds. Similarly, other funds (such as for Search and Rescue, vessel salvage, and so on) may also be established, each with its own independent ceiling.
3. Obtain a Federal Project Number (FPN) for the OSLTF fund, a CERCLA Project Number (CPN) for the CERCLA Fund, and authorized ceilings for each all identified funds. The Ceiling And Number Assignment Processing System (CANAPS) issues Federal and CERCLA project numbers and authorized ceiling limits for funding certain removal actions associated with oil and hazardous waste spills. For specific guidance on the obtaining of FPNs and CPNs, see CANAPS website at https://www.uscg.mil/Mariners/National-Pollution-Funds- Center/Response/CANAPS/.
4. If any fund advice is needed, contact the National Pollution Fund Center Regional Case Manager at (202) 795-6069. If the regional manager is not available, the NPFC duty officer can be paged by calling (202) 494-9118, or by calling the National Response Center at 800-424-8802.
5. Obtain copies of PRFAs and Authorizations to proceed from the Procurement Unit.
6. Identify and distribute the appropriate cost documentation forms.
7. Monitor contractors for all agencies on a daily basis. Collect both receipts and Daily Resource Reports (form CG-5136 series) from the Time Unit.
8. Monitor U.S. Coast Guard and other Unified Command operational forces on a daily basis. Collect copies of aircraft use logs and vessel operating/navigation logs in addition to Daily Resource Reports (form CG-5136 series) from the Time Unit.
9. Monitor OGA operational forces on a daily basis. Collect SF-1080 or SF-1081 vouchers and supporting OGA documentation. Normally, the type of required documentation will be detailed in the PRFA for the OGA response contribution from the Time Unit.

10. Add up obligations from all three venues (contractor, unified command, and OGAs) against each fund ceiling (for this reason, it will be imperative to understand fully Unified Command decisions about which actions/contracts are directed to be made against which funding source). Include direct costs (Type I costs) and Anticipated Costs (estimates or Type II costs) and track the obligations against the various ceilings on a daily basis.
11. Well before a ceiling is actually reached, project the "burn rate" and advise the Unified Command when a ceiling must be increased.
12. With Unified Command approval, increase various fund ceilings.
13. Compile and maintain daily an inventory of all equipment purchases by purchasing agency and charged fund.
14. Maintain daily reports of costs against a ceiling as required by the NPFC (for the OSLTF ceiling) and each other fund /ceiling. Develop a daily display and post copies at each Situation Unit Display under the direction of the Situation Unit Leader and Display Processor.
15. After the response, certify contractor invoices within the required timeframe. For NPFC/OSLTF contracts, the required timeframe is ten days. Be certain to obtain and clearly identify the required timeframe for all other funds and track unit performance against these required cycle times. In general, certification will require acknowledgement from the Operations Section that the invoiced goods or services were received, and acknowledgement from the appropriate contracting official (depending on agency/organization) that the cost for the good or service are as per the agreement.
16. Forward all approved contractor invoices to the appropriate agency processing center for payment, keeping copies for the Unified Command's records.
17. Within 120 days of the end of the cleanup, complete Financial Summary reports for each and every fund/ceiling managed by the Section.

There are two principle sources of assistance in documenting costs that are available to all organizations. These are the assigned Case Officer at the National Pollution Fund Center and the District Response Advisory Team. Although these sources are available to all organizations, it may be more efficient to coordinate their assistance through Sector.

There are two alternatives for non-federal organizations concerning forms on which reimbursable costs are documented. The first alternative is the organization's documentation form that has been pre-approved by the National Pollution Fund Center. If an organization lacks a pre-approved documentation form it may use the federal.

Personnel rates will be determined to the maximum extent in advance. Contractor rates for contractors with Basic Ordering Agreements are fixed by the BOA. Standard rates for Coast Guard personnel are contained in Commandant Instruction 7310.1 (series). Other agencies are encouraged to have established personnel rates that can be furnished to the OSC. For organizations and contractors not having standard rates, this fact should be made known to the OSC early in the spill so that it may be addressed.

In spills where total expenditures are expected to be less than $50K, cost documentation may be collected by the FOSC and forwarded to the National Pollution Funds Center at the conclusion of the spill response. In larger spill responses this information must be compiled and forwarded daily to the OSC and then the NPFC.

6400 – Time

The Time Unit is responsible for recording personnel and equipment time expenditures on the response, and in larger responses for managing the response commissary. Typical duties include:

- Determine agency/organization time reporting requirements for personnel and equipment, and assure the right time-documentation is made by operational personnel according to the governing time requirements. Where the situation is unclear, federal time collection data forms shall be used.
- Maintain separate logs for overtime expenditures.
- Track personnel and equipment hours against fatigue limits and resource burn-rate targets;
- Submit daily summarized personnel and equipment time reports to the Cost Unit in a format agreed upon as satisfying the Cost Unit's cost recovery procedures.
- Establish a commissary on larger and long-term responses;
- Assure records are updated and provided continuously to agency representatives for their personnel and equipment time expenditures. Provide complete time records to the agency upon demobilization of resources.
- Identify, track, and raise safety-related fatigue/burn-rate overtime issues to the Finance/Administration Unit Leader.

6500 – Compensation/Claims

The Claims and Compensation Unit is responsible for the following functions:

- Receive, coordinate, document, and process claims against the OSLTF, NRDA, or State funding sources.
- Coordinate evaluation of personal property damage claims.
- Identify additional resources and logistics support needed to process claims.
- Report on the status of claims processing.
- Overall management and direction of all compensation for Injury Specialists and Claims Specialist assigned to the incident

6600 – Procurement

The Procurement Unit is responsible for the following functions:

- Negotiate, coordinate, document, and manage all contracts needed to support response operations.
- Manage, coordinate, document, and account for all procurement orders needed to support response operations.
- Manage, coordinate, document, and account for all payments made to support response operations.
- Identify additional resources and logistics support needed to accomplish contracting and procurement services.
- Report on the status of contracting, procurement, and payment services.
- Administer all financial matters pertaining to vendor contracts.

6610 – Contracting Officer Authority

[Reserved for future Area Committee Development].

6700 – Reserved

6800 – Reserved

6900 – Reserved for Area/District

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7000 – Hazardous Substances

Contingency planning is essential to the successful implementation of any system designed to manage and contain a hazardous substance release. Contingency plans require a coordinated community response that may also involve state and federal agencies. Planning and coordination of services are equally critical at the national and regional level. The federal government established a National Contingency Plan (NCP) to promote coordination of resources and services of federal and state response systems. To oversee this plan, a National Response Team (NRT) and a National Response Center, a network of Regional Response Teams (RRTs), and a group of On-Scene Coordinators (OSCs) have been established.

Refer to Area Contingency Base Plan, Appendices and References for the Hazardous Substance Incident Annex.

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8000 – Salvage & Marine Fire Fighting

Refer to Area Contingency Base Plan, Appendices and References for the Salvage and Marine Fire Fighting standalone plans.

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9000 – Appendices

9100 – Emergency Notification

9110 – Initial Awareness, Assessment & Notification Sequence

Refer to Quick Response Cards for most current information Sector Delaware Bay Local Contingency Plans and reference documents

9110.1 – Initial Assessment Check-off List

Refer to Quick Response Cards for most current information Sector Delaware Bay Local Contingency Plans and reference documents

9110.2 – Initial Action Check-off List

Refer to Quick Response Cards for most current information Sector Delaware Bay Local Contingency Plans and reference documents

9110.3 – Notification Check-off List

Refer to Quick Response Cards for most current information Sector Delaware Bay Local Contingency Plans and reference documents

9200 – Personnel and Services Directory

ACP Phonebook located at Sector Delaware Bay Local Contingency Plans and reference documents contains the most current data for section 9200

9210 – Federal Resources/Agencies

9220 – Trustees for Natural Resources

9220.1 – USCG

9220.1a – USCG National Strike Force (NSF)

9220.1b – USCG District Response Assist Team (DRAT)

9220.1c – Public Information Assist Team (PIAT)

9220.1d – USCG Reserve

9220.1e – USCG Auxiliary

9220.2 – National Oceanic and Atmospheric Administration (NOAA)

9220.2a – Scientific Support Coordinator (SSC)

9220.2b – Discharge & Release Trajectory Modeling

9220.2c – Oceanic & Atmospheric Modeling

9220.3 – U.S. Navy Supervisor of Diving and Salvage (SUPSALV)

9220.4 – Environmental Protection Agency (EPA) Emergency Response Teams

9220.5 – Agency for Toxic Substance and Diseases (ATSDR)

9230 – State Resources/Agencies

9230.1 – Government Official Liaisons (Governor's Aide, County Executive)

9230.2 – Trustees for Natural Resources

9230.3 – State Emergency Response Committees (SERC)

9230.4 – State Environmental Agencies

9230.5 – State Historic Preservation Office (SHPO)

9230.6 – Law Enforcement Agencies

9230.7 – Hazardous Substances Response Teams

9240 – Local Resources/Agencies

9240.1 – Trustees for Natural Resources

9240.2 – Local Emergency Planning Committees (LEPC)

9240.3 – Local Environmental Agencies

9240.4 – Law Enforcement Agencies

9240.5 – Port Authority/Harbormaster

9240.6 – Fire Departments

9240.7 – Hazardous Substances Response Teams

9240.8 – Explosive Ordinance Detachments (EOD)

9240.9 – Site Safety Personnel/Health Departments

9250 – Private Resources

9250.1 – Clean-up Companies (Basic Ordering Agreement (BOA) and Non-BOA)

9250.2 – Media (Television, Radio, Newspaper)

9250.3 – Fire Fighting/Salvage Companies/Divers

9250.4 – Fishing Cooperatives and Fleets

9250.5 –Wildlife Rescue Organizations

9250.6 – Volunteer Organizations

9250.7 – Maritime Associations/Organizations/Cooperatives

9250.8 – Academic Institutions

9250.9 – Laboratories

9250.10 – Emergency Medical Services

9260 – Stakeholders

9300 – Draft Incident Action Plan (IAP) for Worst Case Discharge (WCD)

Sector Delaware Bay Local Contingency Plans and reference documents. Reference ATHOS I full IAP for real-world WCD in 2004.

9400 – Area Planning Documentation

9410 – Discharge and Release History

Area Contingency Base Plan, Appendices and References Reference ATHOS I full IAP and report for real-world WCD in 2004.

9420 – Risk Assessment SECDELBAY Ecological Risk Assessment

Area Contingency Base Plan, Appendices and References for Ecological Risk Assessment.

9430 – Planning Assumptions - Background Information

[Reserved for future Area Committee Development].

9440 – Planning Scenarios

An essential part of contingency planning is anticipating the effects of a spill and preparing in advance the response actions to spills that are likely to occur in the area. These assessments are most accurately achieved by conducting table-top drills and exercises. This section outlines a response to four oil spill scenarios:

- an average most probable discharge (AMPD);
- a maximum most probable discharge (MMPD); and
- a worst case discharge (WCD)

The environmental sensitivity of natural resources within the Sector Delaware Bay AOR makes rapid and effective spill response essential. In developing the Worst Case Discharge Scenario, it became clear that where it is practical, the Coast Guard response options should include in-situ burning and use of dispersants. In addition, it may be necessary for the FOSC to direct destruction of the vessel and cargo under the Intervention on the High Seas Act, as amended (33 USC 1471-1487).

Each of these three response options may involve RRT concurrence and in the case of intervention, further review by Commandant. Any delay in approval will adversely impact the response action. To minimize potential delays, the FOSC shall retain the option of ordering the staging of fire boom, dispersants, dispersant application equipment and any other assets deemed necessary while awaiting RRT and Commandant Authorization for use.

The discharge scenarios described in this section include the following quantities of oil:

- AVERAGE PROBABLE DISCHARGE: estimated to be 50-250 GAL of diesel
- MAXIMUM MOST PROBABLE DISCHARGE: estimated to be 5,000-10,000 GAL of Diesel fuel or No 6 fuel oil
- WORST CASE DISCHARGE: projected to be 500,000 GAL of No. 6 oil

9440.1 – Average Most Probable Discharge

The average most probable discharge of oil in the Sector Delaware Bay AOR is a reported spill or mystery sheen based on their location. They may be fuel directly entering the water or fuel entering the bilges and then being pumped overboard. By the time these spills are reported, the spill/sheen is generally too thin to be collected or sampled. Clean up of these spills is almost never possible.

The average most probable discharge of oil in the AOR for which a cleanup occurs is a diesel fuel spill of 50-250 gallons at a marina. Due to the immediate availability of some response equipment most of the spill is contained. When this size spill occurs from a commercial or recreational vessel the response often requires the marina operator, RP, or Sector to initiate cleanup.

Average Most Probable Discharge Scenario: At 0800 a 50 ft FV overfills it fuel tank discharging diesel fuel into the water into a waterway. At 0830 a report is received of approximately 60 gallons of diesel fuel oil trapped around the yacht and the dock; some of which is contained using marina boom. Upon notification, the Sector

MER Supervisor sends out the duty pollution responder. The local DEP representative are also notified of the incident. Pollution responders determine that the responsibility party/marina has hired a response contractor.

The cleanup contractor's crew arrives at 0930 with additional boom and sorbent materials. 50 feet of containment boom is deployed to contain the remaining fuel and sorbent pads are used to absorb the contained fuel. The pads are collected into plastic trash bags and double bagged for disposal when they become oil soaked. By 1400, pollution investigators determine that the area has been sufficiently clean-up and response efforts are terminated.

9440.2 – Maximum Most Probable Discharge

Maximum Most Probable Discharge Scenario: At 0500 on a Sunday morning the M/V SLICK WILLY, a 700-foot dry cargo vessel carrying 100,000 gallons of fuel runs aground in the Big Stone Anchorage. One of the vessel's fuel tanks is damaged releasing 10,000 gallons of Bunker C fuel oil. The vessel Master contacts Sector and/or the National Response Center immediately after the grounding.

The Sector Command Center (SCC) Command Duty Officer (CDO) is notified of the event at 0515. The initial information passed by the Master is that the cargo ship has grounded in the anchorage and that oil is in the water. The SCC CDO notifies the Command Cadre, recalls the Incident Management Division and ensures all emergency notifications are made per the QRC. The SCC CDO should consider the following initial actions:

- Request that CG Station dispatch a small boat to provide timely evaluation of the situation;
- Inform the District CC of the casualty. Secure a Federal Project Number from the National Pollution Funds Center (NPFC). Request an over-flight be arranged via the District Command Center.
- Determine if the ship Person-in-Charge (PIC) is contracting for response services. If not, then inform the Sector Incident Management Division Supervisor to contact an oil spill response contractor and alert them of the need for response.
- Contact ships agent.

The initial report received at 0530 from the CG Station small boat, is that the vessel is hard aground and that a large quantity of oil is in the water and appears to be moving toward shore. Reports to Sector from the vessel master state that a damage survey is being conducted by the crew but is not complete. Two tugs are on the way to assist the vessel.

The following decisions will have to be made at this time:

- Can the leak be stopped by pumping oil from the damaged tank into other onboard tanks?
- Notify NOAA Scientific Support Coordinator to request support to the Unified Command. USCG and other federal trustee's, along with state personnel will be integral partners in the response efforts to assess environmental damages and approve the salvage plan/vessel removal operations to prevent further damage to the shoreline.
- Obtaining an oil spill trajectory from NOAA to determine when and where the spill is expected to hit the shoreline. Determine where to deploy the initial containment booms to reduce the spreading of the oil and protect sensitive shorelines in the path of the oil.

- Request NOAA SSC consult with the RRT to utilize dispersants. NOAA SSC should be prepared to develop a dispersant plan. If approved/accepted, make preparations to deploy dispersants in accordance with dispersant plan as soon as possible. **(Location Dependent)**
- Where to set up the command post for the response. Ensure State and vessel representative are notified of the location.
- How many additional oil spill cleanup contractors will be needed to handle the clean- up? Will additional resources be necessary, Strike Team, cleanup monitors, boat crews, etc.?

An Incident Command Post is established at the Emergency Operations Center by 0800. The Command Post is fully staffed by 0930. Using a trajectory model, NOAA estimates that the oil will begin coming onshore around 1200 today.

The ship reports that the two assist tugs are available immediately today and their primary OSRO, MSRC will be on-scene by 0900. The ship also reports that one fuel tank has been holed and there are no further damages found to the vessel, its cargo or its fuel tanks.

Sector's Geographic Response Strategies will outline all necessary response information needed.

9440.3 – Worst Case Discharge

Refer to Sector Delaware Bay Local Contingency Plans and reference documents ATHOS 1 Oil Spill for full IAP for real world knowledge of WCD in AOR.

On November 26, 2004, the single-hulled tanker Athos I unknowingly struck a large anchor submerged in the Delaware River while preparing to dock at a refinery just outside Philadelphia, Pennsylvania. The impact punctured the tanker's hull, and it began leaking more than 263,000 gallons of heavy oil into the tidal waters of this busy East Coast shipping route. NOAA's Office of Response and Restoration, along with other federal, state, and local agencies, provided scientific support during the oil spill cleanup and response. They also assessed the environmental and recreational impacts of the spill and, in 2010, received $27.5 million for restoration. This money is funding 10 restoration projects to benefit coastal communities and natural resources which the oil spill affected.

Worst Case Discharge Scenario(s): At 0600 on a Sunday morning the worst case discharge scenario involves a T/V transiting up river and is involved in an allision with a submerged object.

The damaged tank ship sustains heavy damage along its port or stbd side but it is still seaworthy and under its own power. At least two cargo tanks are ruptured with the adjacent longitudinal and transverse bulkheads fractured. The Master is able to contact Sector and its PIC for further direction. The second vessel may or may not be heavily damaged depending on the angle of impact.

The Sector Command Center (SCC) Command Duty Officer (CDO) is notified at 0615 that a tank ship carrying various fuels has been struck as described above. The tank ship is heavily damaged along a section of the port/stbd side hull but still seaworthy and under power. Initially, two port/stbd wing cargo tanks have been penetrated with the adjacent longitudinal and transverse bulkheads fractured. The oil from the damaged tanks

is in the water and spreading rapidly. The tank vessel remains in its location and immediately attempts to transfer cargo to available tanks.

By 0630, SCC CDO notifies the Command Cadre, recalls the Incident Management Division, and ensures all emergency notifications are made. The CDO further instructs the Command Center watch standers to immediately call in all available Sector personnel. The FOSC also requests immediate assistance from the Atlantic Strike Team and CG Salvage Engineering Response Team (SERT).

CG Station Philadelphia is in close proximity of the incident site, as applicable, thus can be mobilized immediately. It will take the Sector personnel about one hour to arrive on-scene or to the Incident Command Post. The SCC CDO should consider the following initial actions.

- Immediately dispatch the applicable CG Station small boat to provide timely evaluation of the situation.
- Inform the District duty officer and operations center of the casualty. Secure a Federal Project Number from the National Pollution Funds Center (NPFC). Request an over-flight be arranged via the District Command Center.
- Determine if the ship Person-in-Charge (PIC) is contracting for response services. If not, then inform the Sector MER Supervisor to contact available OSRO's and alert them of the need for response.
- Contact ships agent.

Due to heavy free floating oil, the CG small boat may not be able to approach the ship or may stall due to oil drawn into the engine cooling inlets. The initial report received at 0700 from the CG Helo On-scene, is that the port/stbd side of the tank ship above the water line is damaged, intact and appears stable but severe leakage is observed in area of damaged tanks. No injuries have been reported. The allision has resulted in the sudden release of 50,000 gallons of No. 6 oil. Release would be instantaneous, occurring within one hour of the collision. The total potential discharge is 20,000 barrels or 840,000 gallons.

The following decisions will have to be made at this time:

- Can the tank ship internally transfer cargo from the damaged tanks to available tanks and voids or be boomed off for immediate lightering?
- Notify NOAA Scientific Support Coordinator to request support to the Unified Command. Federal Trustee and State personnel will be integral partners in the response efforts to assess environmental damages and approve the salvage plan/vessel removal operations to prevent further damage to the water column, environmentally sensitive areas, and shoreline.
- Obtaining an oil spill trajectory from NOAA to determine when and where the spill is expected to hit the shoreline. Determine where to deploy the initial containment booms to reduce the spreading of the oil and protect sensitive shorelines in the path of the oil. Refer to ERMA for GRS's.
- Notify all maritime assets via QRC of the incident and consider rerouting of inbound shipping.
- What additional resources are needed (OSRO's, DBRC, Atlantic Strike Team etc.) and how many additional cleanup monitors, boat crews, etc. will be needed to handle the clean-up?
- Where to stage response equipment.
- Where to set up the Incident Command Post for the response. Ensure State and vessel representatives are notified of the location.

- What sensitive areas are at risk? The greatest risk is the potential for damage to the coral reefs, sea grass ecosystems, mangroves and coastal vegetation found in the area. The sensitive areas are mapped out in detail in the ESI maps and GRS's.

The FOSC decides to initially establish the Incident Command Post at Sector due to the need to have communications with Coast Guard assets and aircraft. However, due to the size of the incident, the FOSC should consider moving the Unified Command Post to the applicable State/County Emergency Operations Center as the response organization expands to address the size of the incident. The Responsible Party may desire to contract another location due to cost which should be acceptable as long as the Unified Command organization can be accommodated as well as connectivity, public affairs and security issues can be met.

The Response & Prevention Departments report to the Sector and begin activating contractors, updating all involved agencies, determine surge staffing to the SCC and requesting the NOAA SSC to obtain a trajectory of the spill.

Response Strategy and Equipment:
The initial response strategy is:

- Secure source of discharge by transferring cargo to other tanks to a level below the damage/fractures as practicable;
- Boom off the vessel;
- Evaluate the stability of the vessel;
- Conduct over-flights to map the location of the spill;
- Obtain a spill trajectory model to determine when and where the oil will impact shorelines. Move protection/recovery resources into the area as quickly as possible and deploy resources ahead of the spill;
- Request CG Strike Team support;
- Establish a marine safety zone around the vessel;
- Locate staging areas and deploy equipment.

Follow-up actions include:

- Determine the sensitivity of the shorelines and develop a protection/recovery strategy using the sensitivity/protection maps in the GRS's.
- Conduct a detailed damage assessment of the vessels and determine if additional products may be at risk of being released.
- Develop vessel salvage plan working with Salvage Master, CG Salvage Engineering Response Team (SERT) and possibly NAVY SUPLSALV. The salvage plan should include taking appropriated actions to secure/lighter products as necessary to safely remove the vessel to limit further damages to natural resources.
- The Incident Command Post should be moved to the applicable Emergency Operations Center as the response escalates in size and scope.
- Procedures for acquiring additional resource assistance: the Logistics Section is tasked with locating and obtaining equipment as the needs are identified. Locating sources include using the corporate knowledge of the CG National Strike Force and the Contractors involved.

Response operations will be determined on a case by case basis. NOAA SSC models, SCAT, over-flights and on-water assessment teams will determine clean-up procedures and priorities. A determination will have to be made as to when the cleanup is considered complete. The FOSC will solicit guidance from the SSC and the SOSC representative before making this decision. The decision will be based on over-flight information, the feasibility of continuing oil removal operations offshore, the daily recovery rate of operating skimmers, and the amount of oil remaining on the impacted shorelines. At some point in the operation, the removal actions will cause more damage to the environment than the oil presents.

9500 – List of Agreements (MOUs/MOAs) and Guidance

Area Contingency Base Plan, Appendices and References for a list of Memorandums of Agreement and Understanding.

1. ***US Fish & Wildlife Interagency Agreement_ Pollution***
2. ***2018-2020 DBRC-SDB - Boom vane***
3. ***Interagency Agreement Army Corps-SDB***
4. ***USCG-EPA MOA signed 2010***
5. ***Region_2 Boundary_Jan_08***
6. ***DISPERSANT_MOU_between_USCG_D5_EPA_DOC-NOAA_DOI_DNREC_MDE_VASNR_1-97[1]***
7. ***MOU (SDB) Expedited Procedures - Use of Chemical Countermeasures***
8. ***RRT2 Dispersant MOU_incl 1996 Amendment adding South Jersey***
   8A. RRT II NY NJ Disp MOU Bndry Ext 1996
9. ***Interagency ESA MOA***
10. ***SupSalv MOA-Signed-New in 2018***
11. ***Signed USCG_USACE_MOU_Obstructions-New in 2018***
12. ***USCG NOAA ERMA MOA-2017-128-10500 Fully Executed-New in 2018***
13. ***MOU for Preapproved Use of In-Situ Burning (Appendix6-B_RRT III)***
14. ***In-situ Burn Guidance - Appendix 7***
15. ***CI Agent Product Preauthorization***
16. ***Appendix6-B_RRT III MOU for Preapproved Use of In-Situ Burning (ISB)***
17. ***Appendix7-E_In-situ Burn Guidance***
18. ***Appendix7-F_RRT-III Guidelines for In-Situ Burning of Wetlands_2010***
19. ***Appendix7-L1_RRT III Guidance for Limited Jones Act Waivers***
20. ***Appendix8-A_SMART***
21. ***Appendix8-B_2013 - NRT. Atypical_Dispersant_Guidance_Final_5-30-2013***
22. ***Appendix8-C1_Selection Guide for Oil Spill Response Countermeasures (Pap...***
23. ***Endangered Species Act MOA***
24. ***RRT III MOU Dispersants***
25. ***RRT_III_Product_Preauthorization***
26. ***RRT3_CIAgentPreauthorization_01-2007***
27. ***MOA Delaware National Guard***

9510 Annexes, Appendices and Attachments

9600 – Conversions

[Reserved for future Area Committee Development].

9700 – List of Response References

9768 ESC Charter 2019_Signed

9769 Marine Firefighting Sub Committee Charter_2019_signed AND Marine Fireboat Task Force_status_background_justification

9770 Multi-Purpose Room Incident Command Post Layout

9771 Memorandum of Agreement with Delaware National Guard

9772 QRC Oil & HAZMAT

9773 QRC ICP

9774 IAP WCD_ATHOS I_Period 35

9775 Athos I Site Safety Plan_Rev 1_120704

9776 USCG Athos Report

9777 ICS206_Sample Medical Plan

9778 2018 SecDelBay-Area Committee Annual Report memo_signed

9779 2018 Sector Del Bay Hurricane Playbook

9780 Determining if the Coast Guard is the Coordinating Agency

9781 GENERAL WASTE CONTAINMENT AND DISPOSAL CHECKLIST

9782 Waste Management and Disposal Plan

9783 Evacuation Procedures

9784 Programmatic_Agreement_on_Protection_of_Historic_Properties

9785 Generic Demobilization Plan

9786 Sample Demobilization Plan

9787 First96Plan_October 2017_v1_finala

9788 In-Situ Burning Decision Flow Chart and Evaluation Checklist

9790 SAMPLE MESSAGE FOR CAMSLANT C3 EQUIPMENT REQUEST

9791 FOSC Guide

9792 Facility Needs Assessment Worksheet (example)

9793 Delaware Elected Officials

9794 New Jersey Elected Officials

9795 Pennsylvania Elected Officials

9796 Sample Command Post Move Plan

9797 Shoreline Signoff Example

9798 Lightering Request Form

9799 Federally Managed Spill Responses

9800 – Reserved

9900 – Reserved for Area/District

Glossary of Term and Acronyms

The definitions and acronyms utilized throughout this plan are taken from the National Contingency Plan (40 CFR Part 300.5), CERCLA, OPA 90, or the CWA, as amended by OPA 90.

ACTIVATION - Means notification by telephone or other expeditious means to the appropriate state and local officials, or to the regional or district office of participating agencies.

ADVERSE WEATHER - Means the weather conditions that will be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include significant wave height, ice, temperature, weather-related visibility, and currents within the Captain of the Port (COTP) zone in which the systems or equipment are intended to function.

AVERAGE MOST PROBABLE DISCHARGE (facilities) - Means a discharge of the lesser of 50 barrels or l percent of the volume of the worst case discharge.

AVERAGE MOST PROBABLE DISCHARGE (vessels) - Means a discharge of 50 barrels of oil from the vessel

COASTAL WATERS - Generally means U.S. waters which are navigable by deep-draft vessels, including the contiguous zone and parts of the high seas to which this plan is applicable, and other waters subject to tidal influence.

CONTIGUOUS ZONE - Means the zone of the high seas, established by the United States under Article 24 of the Convention on the Territorial Sea and Contiguous Zone, which is contiguous to the territorial sea and which extends nine miles seaward from the outer limit of the territorial sea.

EXCLUSIVE ECONOMIC ZONE - Means the zone contiguous to the territorial sea of the United States extending to a distance up to 200 nautical miles from the baseline from which the breadth of the territorial sea is measured.

INLAND WATER - For the purposes of classifying the size of discharges, means those waters of the United States in the inland zone, waters of the Great Lakes, and specified ports and harbors on inland rivers.

MAJOR DISCHARGE - Means a discharge of more than 10,000 gallons of oil to the inland waters; or a discharge to the coastal waters of more than 100,000 gallons of oil; or a discharge of a hazardous substance that poses a substantial threat to the public health or welfare, or results in critical public concern (40 CFR 117).

MARINE TRANSPORTATION-RELATED FACILITY (MTR facility) - Means an onshore facility, including piping and any structure used to transfer oil to or from a vessel, subject to regulation under 33 CFR Part 154 and any deep-water port subject to regulation under 33 CFR Part 150.

MAXIMUM EXTENT PRACTICABLE (facility) - Means the planning values derived from the planning criteria used to evaluate the response resources described in the response plan to provide the on-water recovery capability

and the shoreline protection and cleanup capability to conduct response activities for a worst case discharge from a facility in adverse weather.

MAXIMUM EXTENT PRACTICABLE (vessel) - Means the planning values derived from the planning criteria used to evaluate the response resources described in the response plan to provide the on-water recovery capability and the shoreline protection and cleanup capability to conduct response activities for a worst case discharge from a facility in adverse weather.

MAXIMUM MOST PROBABLE DISCHARGE facility) - Means a discharge of the lesser of 1,200 barrels or 10 percent of the volume of a worst-case discharge.

MAXIMUM MOST PROBABLE DISCHARGE (vessel) - Means a discharge of up to 2,500 barrels of oil for vessels with an oil cargo capacity equal to or greater than 25,000 barrels; or 10% of the vessels oil cargo capacity for vessels with a capacity of less than 25,000 barrels.

MEDIUM DISCHARGE - Means a discharge of 1,000 to 10,000 gallons of oil to the inland waters 10,000 to 100,000 gallons of oil to the coastal waters A discharge of a hazardous substance equal to or greater than a reportable quantity as defined by regulation (40 CFR 117).

MINOR DISCHARGE - Means a discharge to the inland waters of less than 1,000 gallons of oil; or a discharge to the coastal waters of less than 10,000 gallons of oil; or a discharge of a hazardous substance in a quantity less than that defined as reportable by regulation (40 CFR 117).

NON-PERSISTENT OR GROUP I OIL - Means a petroleum-based oil that, at the time of shipment, consists of hydrocarbon fractions - At least 50% of which by volume, distill at a temperature of 340 degrees C (645 degrees F); and At least 95% of which by volume, distill at a temperature of 370 degrees C (700 degrees F).

NON-PETROLEUM OIL - Means oil of any kind that is not petroleum based. It includes, but is not limited to, animal and vegetable oils.

PERSISTENT OIL - Means a petroleum-based oil that does not meet the distillation criteria for non-persistent oils. For the purposes of this document, persistent oils are further classified based on specific gravity as follows:

- Group II - Specific gravity less than .85 (e.g. gasoline, kerosene, Nigerian Light Crude).
- Group III - Specific gravity between .85 and less than .95 (e.g. Arabian and Kuwait Crude).
- Group IV - Specific gravity between .95 to and including 1.0 (e.g. Bunker C, #6 Fuel Oil).
- Group V - Specific gravity greater than 1.0 (e.g. Carbon Black).

QUALIFIED INDIVIDUAL (S) - Means an English-speaking representative(s) of the facility identified in the plan, located in the United States, available on a 24-hour basis, familiar with implementation of the facility response plan, and trained in his or her responsibilities under the plan.

RESPONSE RESOURCES - Means the personnel, equipment, supplies, and other capability necessary to perform the response activities identified in a response plan.

SPILL OF NATIONAL SIGNIFICANCE (SONS) - is defined as a spill which greatly exceeds the response capability at the local and regional levels and which, due to its size, location, and actual or potential for adverse impact on the environment is so complex, it requires extraordinary coordination of Federal, State, local and private resources to contain and clean up. Only the Commandant of the Coast Guard or the Administrator of the EPA can declare a SONS.

SUBSTANTIAL THREAT OF A DISCHARGE (facility) - Means any incident or condition involving a facility that may create a risk of discharge of fuel or cargo oil. Such incidents include, but are not limited to storage tank or piping failures, above ground or underground leaks, fires, explosions, flooding, spills contained within the facility, or other similar occurrences.

SUBSTANTIAL THREAT OF SUCH A DISCHARGE (vessel) - Means any incident involving vessel that may create a significant risk of discharge of fuel or cargo oil. Such incidents include, but are not limited to groundings, standings, collisions, hull damage, fire, explosion, flooding, on-deck spills, loss of propulsion, or other similar occurrences.

VESSELS CARRYING OIL AS A PRIMARY CARGO - Means all vessels carrying bulk oil cargo that have a Certificate of Inspection issued under 46 CFR Subchapter D (except for dedicated response vessels), Certificate of Compliance, or Tank Vessel Examination Letter.

VESSELS CARRYING OIL AS A SECONDARY CARGO - Means vessels carrying oil pursuant to a permit issued under 46 CFR Subchapter D (30.01-5), 46 CFR Subchapter H (70.05-30), or 46 CFR Subchapter I (90.05-35), an International Oil Pollution Prevention (IOPP) or Noxious Liquid Substance (NLS) certificate required by 33 CFR 151.33 or 151.35, a dedicated response vessel operating outside a response area, or any uninspected vessel that carries bulk oil cargo.

WORST CASE DISCHARGE (facilities) - Means:

For facilities with above ground storage, not less than - Loss of the entire capacity of all tank(s) at the facility not having secondary containment; plus Loss of the entire capacity of any single tank within a second containment system or The combined capacity of the largest group of tanks within the same secondary containment system, whichever is greater; and For facilities with below-ground storage supplying oil to or receiving oil from the MTR portion means The cumulative volume of all piping carrying oil between the marine transfer manifold and the non-transportation-related portion of the facility. The discharge of each pipe is calculated as follows:

- The maximum time to discover the release from the pipe in hours, plus the maximum time to shut down flow from the pipe in hours (based on historic discharge data or the best estimate in the absence of historic discharge data for the facility) multiplied by the maximum flow rate expressed in barrels per hour (based on the maximum daily capacity of the pipe) plus the total line marine manifold and the non-transportation-related portion of the facility.

WORST CASE DISCHARGE (vessel) - Means a discharge in adverse weather conditions of a vessel's entire oil cargo.

ACRONYMS

ACP Area Contingency Plan

AMSP Area Maritime Security Plan

AOC Area Operations Coordinator

AOR Area of Responsibility

AST Atlantic Area Strike Team

ATSDR Agency for Toxic Substance Disease Registry

BOA Basic Ordering Agreement

BBL Barrel (42 U. S. gallons)

CAC Crisis Action Center

CBRNE Chemical Biological Radiological Nuclear Emergency

CCGF Commander Coast Guard Forces

CEQ Council on Environmental Quality

CERCLA Comprehensive Environmental Response, Compensation & Liabilities Act

CHRIS Chemical Hazardous Information Response System

CGHQ Coast Guard Headquarters

CG-094 Coast Guard's Office of Chief Counsel

CG-05 Coast Guard's Office of Marine Safety, Security & Environmental Protection

CG-5413 Coast Guard's Office of Navigation Safety and Waterway Services

CO Commanding Officer

COMMCEN Communications Center

COS Chief of Staff

COTP Captain of the Port (USCG)

CFR Code of Federal Regulations

CWA Clean Water Act

DEP State Department of Environmental Protection

DOC U. S. Department of Commerce

DOD U. S. Department of Defense

DOE U. S. Department of Energy

DOL U. S. Department of Labor

DOT U. S. Department of Transportation

DRAT District Response Advisory Team

DRG District Response Group

EEZ Exclusive Economic Zone

EOC Emergency Operations Center

EPA Environmental Protection Agency

EPD Emergency Preparedness Division

ERT Environmental Response Team (EPA)

FAA Federal Aviation Administration

FOSC Federal On-Scene Coordinator

FINCEN Coast Guard Finance Center

FWPCA Federal Water Pollution Control Act

33 USC 1321 - U. S. Code Title 33, Part 1321 (Codified version of the FWPCA)

GAL Gallon

GSA General Services Administration

ICS Incident Command Structure

IMAT Incident Management Action Team

IRT Initial Response Team

JIB Joint Information Bureau

JOC Joint Operations Center

JTC Joint Transportation Center

MIRT Marine Incident Response Team

MLC Maintenance and Logistics Command

MSDS Material Safety Data Sheet

MSM Marine Safety Manual (USCG)

MSO Marine Safety Office

MTR Marine Transportation Related

NCP National Contingency Plan

NIC National Incident Commander

NIC National Incident Commander

NIOSH National Institute for Occupational Safety and Health

NITF National Incident Task Force

NOAA National Oceanographic and Atmospheric Administration

NPFC National Pollution Fund Center

NRC National Response Center

POLREP Pollution Report in Message Format

PREP National Preparedness for Response Exercise Program

PRP Potentially Responsible Party (CERCLA)

RAR Resources at Risk

RCP Regional Contingency Plan

RCRA Resource Conservation and Recovery Act of 1976

RP Responsible Party

RRC Regional Response Center

RRI Response Resource Inventory

RRT Regional Response Team

SONS Spill of National Significance

SRRI Spill Response Resource Inventory

NRS National Response System

NRSPEP National Response System Pollution Exercise Program

NRT National Response Team

NSF National Strike Force

NSFCC National Strike Force Coordination Center (USCG)

OPA 90 Oil Pollution Act of 1990 OSC On Scene Coordinator (USCG)

OSHA Occupational Safety and Health Administration

OSLFT Oil Spill Liability Trust Fund

OSRO Oil Spill Response Organization

PAO Public Affairs Officer

PIAT Public Information Assist Team (USCG)

SSC Scientific Support Coordinator (NOAA)

SUPSALV Supervisor of Salvage (USN)

T Trustee

TMSA Tristate Maritime Safety Association

UCS Unified Command System

USACOE U. S. Army Corps of Engineers

USC U. S. Code

USFWS U. S. Fish and Wildlife Service USCG U. S. Coast Guard

USGS U. S. Geological Survey

USN U. S. Navy

Index