



National Pollution Funds Center

Funding Today for a Cleaner Tomorrow

CRRT



What does the NPFC do?

- **Administer the Oil Spill Liability Trust Fund (OSLTF)**
 - **Provide Funding for Oil Removal Activities and the Initiation of Natural Resource Damage Assessments (NRDA) Related to Oil Discharges**
 - **Pay Claims for Loss and Damage from Oil Discharges**
 - **Recover Costs from Responsible Parties**
- **Administer the Certificate of Financial Responsibility (COFR) Program**
- **CERCLA Funding Manager for the Coast Guard**
- **Stafford Act ESF-10 Funding Manager for the Coast Guard**

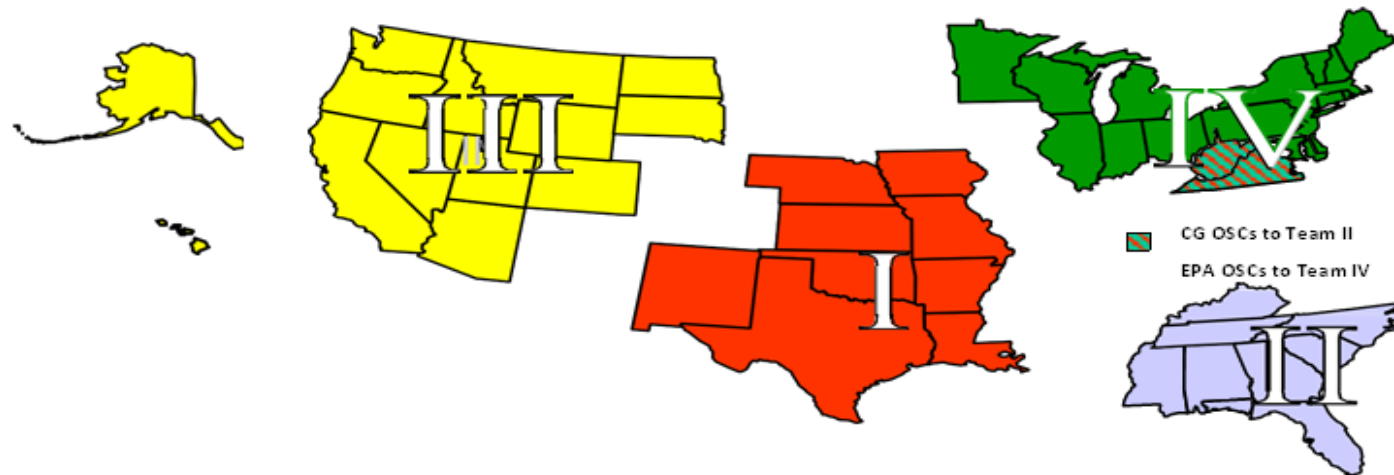


NPFC Case Management Division Regional Boundaries

Chief	William Carter	202-795-6070	202-384-8226
Deputy	Thomas McCrossen	571-607-6739	202-746-0510

TEAM 3	NAME	OFFICE	CELL
Regional Manager	Greg Buie	202-795-6073	202-494-9091
Case Officer	Steve Natale	202-795-6087	
Case Officer	Freddie Bizzell	202-795-6067	
Case Officer	MSSR2 Jon Alexander	202-795-6081	
Case Officer	Vacant	202-795-6084	

TEAM 4	NAME	OFFICE	CELL
Regional Manager	Richard Boes	571-607-5646	202-841-5929
Case Officer	Tyler Krulla	571-608-2141	
Case Officer	CWO Hugo Gaytan	202-795-6082	
Case Officer	Vacant	202-795-6080	
DMS Case Officer	John Hahn	202-795-6089	



TEAM 1	NAME	OFFICE	CELL
Regional Manager	Chris Marcy	202-795-6092	202-494-9120
Case Officer	Mickey Lalor	202-795-6083	
Case Officer	Sean Devine	202-795-6077	
Case Officer	Matt Fischer	571-867-5309	
Case Officer	MSTC Geoffrey Goforth	571-608-7478	

TEAM 2	NAME	OFFICE	CELL
Regional Manager	Dwayne Adkins	202-795-6079	202-360-6061
Case Officer	Mike Steele	571-607-8181	
Case Officer	Jason White	202-795-6088	
Case Officer	MSSR2 Josh Galloway	202-795-6075	
Case Officer	MSTCS Kassie Delaney	571-608-0908	

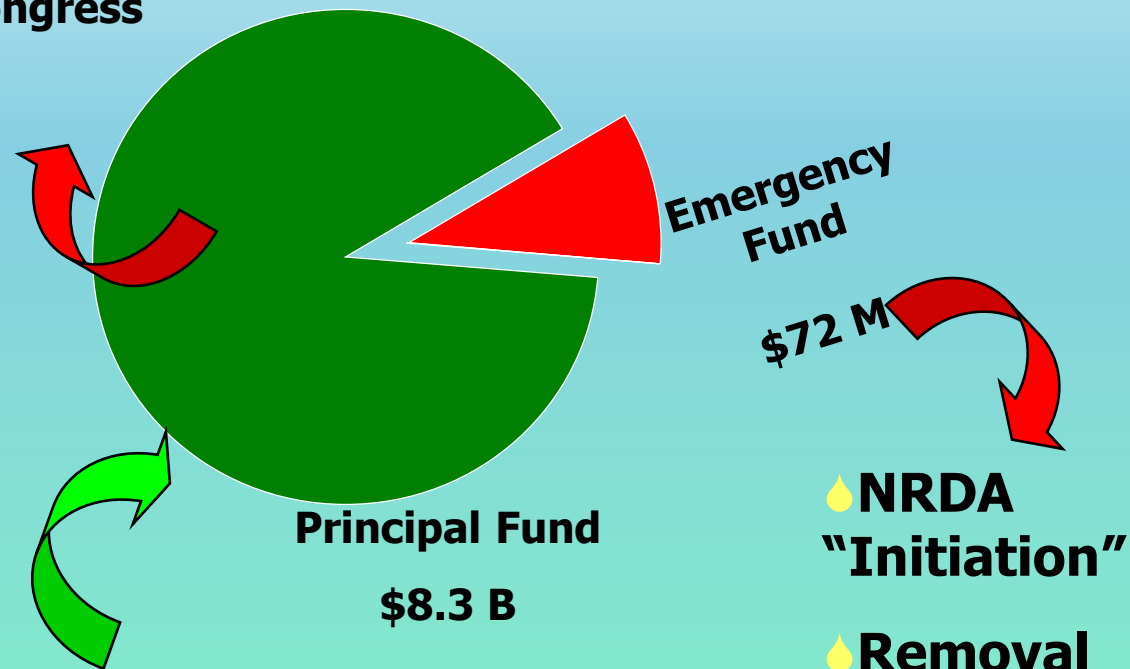
Tech Resources	YN1 Drew Steele	202-795-6016	YN2 Pablo Diaz Hidalgo	202-795-6016	YN2 Colin McEwen	202-795-6958
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July 2023

“8 Billion Dollar Fund”

(Oil Spill Liability Trust Fund)

- 🔥 Appropriations by Congress
- 🔥 Claims



- 🔥 Tax collections, recoveries,
fines, penalties, interest



Primary Fund Sources

- **The OSLTF is Replenished From:**
 - **Nine Cents per Barrel Tax –expires 12/31/2025**
 - **Investment Interest on the Fund's Principal**
 - **Costs Recovered from Responsible Parties**
 - **CWA Penalties Paid By Responsible Parties**



SERVICES NPFC **CAN** PROVIDE DURING A SPILL

- **Help FOSC succeed**
- **Spokesperson for all OSLTF access, documentation, and claims issues**
- **Assure ceiling is adequate**
- **Assist with financial reporting**
- **Assist in RP identification**
- **Help Finance Section succeed**



SERVICES NPFC **CAN** PROVIDE DURING A SPILL

- **Provide COFR & Guarantor information**
- **Provide info on RPs' Limits of Liability**
- **Prepare Notice of Designation**
- **Ensure OPA claims are addressed by RP or NPFC**
- **Negotiate & execute PRFAs**
- **Negotiate, execute, & coordinate INRDA IAG w/FLAT**

SERVICES NPFC **CAN** PROVIDE DURING A SPILL



- Provide guidance on consolidating daily cost data
- Troubleshoot cost doc problems
- Provide legal advice in coordination w/ FOSC's lawyers




SERVICES NPFC **CANNOT** PROVIDE DURING A SPILL

- NPFC case officers are not contracting officers;
- NPFC case officers will not serve as your FSC or LSC
- NPFC case officers will not serve as your Time Unit Leader or Cost Unit Leader
- NPFC case officers will not validate utilization of resources
- Unit WQSB should identify logistics & finance staff
- Request NSF & IMAT to augment Sector/MSU staff



When should you open a Federal Project?

- If you need to conduct Phase II, III or IV activities;
- If you need to monitor RP efforts;
- If you need to bring in support elements (NSF, IMAT, DOL-92, NPFC, PIAT etc.);
- If the FOSC invests more than \$3,500 in Indirect costs (CG people, boats, cutters, aircraft, NOAA SSC);
- *A responsible party's actions, in itself, should not be considered when contemplating whether or not to open a Federal Project;*
- *NPFC's ability to administer OPA is adversely impacted if the FOSC doesn't create a Federal Project!*



Operational Response Phases for Oil Removal (The National Contingency Plan)

- **Phase I - Discovery or Notification.
(Not funded by OSLTF)**
- **Phase II - Preliminary Assessment & Initiation of Action.**
- **Phase III - Containment, Countermeasures, Cleanup & Disposal.**
- **Phase IV - Documentation & Cost Recovery.**



Threshold for OSLTF usage

(Resolve during Phase I or II)

- 1. Is the incident within your (FOOSC) jurisdiction**
 - (Coastal Zone vs Inland Zone)
 - Your ACP lists jurisdictional boundaries
- 2. Waters of the United States (WOTUS)?**
 - 40 CFR 120.2
- 3. Discharge or Substantial Threat of discharge?**
- 4. Is the substance oil?**
 - List of Petroleum and Non-petroleum Oils (last update 2019)
 - Location: CG Portal > MER page > MER Manual > Misc References



Substantial Threat

- **FOSC's assessment of the incident**
- **The FOSC has sole authority to make a substantial threat determination**
- **OSLTF is available as a funding source**
- **The FOSC determines when threat has been mitigated**



Determination of Substantial Threat

(Subjective Judgement)

- **If possible, the decision maker must be reasonably close to threat**
- **The decision maker must have the expertise to evaluate both the source conditions and the discharge probabilities.**
- **Experience will be a key requisite since decisions must often be made with poor initial information in emergent circumstances.**



Substantial Threat Determination Factors

(6 factors)

- **1. The likelihood of a discharge under the circumstances; that the situation presents an unacceptable probability that a discharge will occur without FOSC intervention.**
- **2. The proximity to WOTUS, the quantity of oil which may be discharged, and the lack of barriers to stop the oil from flowing to the water indicate that a spill will impact navigable waters.**
- **3. The flow path to surface waters (for land based discharges) as indicated by slope, soil permeability, water table, storm drains, curtain drains, natural or manufactured conduits, or the like.**



Factors to Consider (continued)

- **4. The condition of or damage to the source, and the environmental factors or weather which may change the conditions, indicate that a spill will occur.**
- **5. The potential impact of a discharge on the particular environment, including proximity to environmentally sensitive areas, populous areas, etc.**
- **6. That action must be taken quickly to prevent a spill.**

Examples: No Threat



A tank barge loaded with fuel oil, being in full compliance with the terms and conditions of its certificate of inspection, is underway in a navigable waterway being pushed ahead by a well maintained towboat operated by the appropriately qualified and licensed personnel.

Examples: Threat



A double-hulled tank barge has leaked cargo from a tank into a wing void. There is no evidence that any of the cargo is communicating to other wing tanks or that it is leaking from the wing tank into the water. The barge is stable. The threat may be eliminated in the near term by pumping out the tank and the wing void, cleaning and gas freeing the affected and adjacent tanks and making repairs.

Examples: Substantial Threat



A double-hulled tank barge loaded with diesel oil has been holed in the rake three feet below the headlog and is flooding. The water depth is greater than the length of the barge. The barge has been grounded on the rocky bank of the channel and may have been further holed in the process. Some pumping effort is underway. There is no evidence of any oil in the water around the barge. Unless the downflooding can be stopped it is probable that the barge will become, at least partially, submerged. Whether the pumping capacity available will hold the barge against the flooding rate is unknown. Divers will be needed to control the damage and make temporary repairs.

Example: Substantial Threat



A loaded dry bulk carrier has experienced a steering failure and grounded on the soft bottom near the edge of a channel. Depth soundings indicate the ship is afloat at the bow and stern but the water depth amidships is three feet less than the draft on the port side and one foot less than the draft on the starboard side. The actual draft at the bow and the stern is 1.5 feet greater than the calculated draft amidships port and 1.0 feet greater than the calculated draft amidships starboard. The ship carries fuel oil in both wing and inner-bottom tanks. At this time there is no evidence of an oil discharge around the ship. During the past hour the ship has worked its way visibly down the channel and further out, becoming more firmly stuck.

Substantial Threat Incidents: Who Pays?



- FOSC not privy to behind the scenes conversations
- Sometimes problematic
- CG & underwriters disagree over whether or not activities are “removal actions consistent with the NCP” and even if there was a “Substantial Threat”



Substantial Threat Determinations Have Endpoints

- **FOSC determines response actions appropriate under the NCP**
- **Substantial threat determinations have chronological endpoints**
- **OPA/OSLTF costs (and OPA claims potential) accrue until the threat has been mitigated**



Substantial Threat Documentation

- NOFI
- CANAPS FPN Notification Message
- SITREP-POL(s)
- Decision Memo
- ADMIN Order
- COTP Order
- NOFA
- ICS Forms 201/202/202A/209/IAP



CANAPS POLICY CHANGE

Ceiling and Number Assignment Processing System (CANAPS)

Acting on behalf of: **National Pollution Funds Center** [\[Logout\]](#)

- i** Due to the critical shortage of CERCLA response funds available for Coast Guard FOSCs responding to CERCLA incidents, effective immediately CANAPS will only authorize a maximum of \$25K per case. Any additional funding levels needed above that threshold needs to be processed through the NPFC Duty Officer. The NPFC Duty Officer may be reached at 202-494-9118.
- i** Please contact the Case Officer or NPFC CDO at (202) 494-9118 prior to cancelling an FPN or CPN.

The CANAPS wizard will guide you through the steps to request a new project number and ceiling or to amend a previously opened project. Use of this system is restricted to authorized Coast Guard and Environmental Protection Agency (EPA) users only. Unauthorized use is prohibited.

New Project Wizard This wizard allows you to request a new project number and ceiling from the NPFC	Change Ceiling Increase or decrease the ceiling for an existing project
Cancel Project Cancel a previously opened project - use only when no funds have been expended	Check Project Ceiling Check the ceiling for a previously opened project
CANAPS FAQs Check for the answers to many common questions in CANAPS FAQ	CANAPS POCs Points of Contact for CANAPS questions and issues
Change Account Settings Change your CANAPS account settings (i.e. Unit ID)	
User Administration Manage CANAPS Administrators	Ballston Utilities Access CANAPS Ballston Utilities



Units may no longer cancel a project without contacting NFPC

Where to update your attach unit in CANAPS



Ceiling and Number Assignment Processing System (CANAPS)

[CANAPS Menu](#) > Change Unit ID [\[Logout\]](#)

Unit ID:



COMMON CANAPS ERRORS

CANAPS Transaction Type:	NEW PROJECT (BELOW THRESHOLD)
Project Number:	UCGF [REDACTED]
Project Date:	01 AUG 2023.
Incident Date:	01 AUG 2023.
Incident Name:	[REDACTED]
CG Cost Amount Requested:	No Data Entered
OSLTF/CERCLA Amount Requested:	\$30,000.00
Total Amount Requested:	\$30,000.00
Approved CG Cost Ceiling:	No Data Entered
Approved OSLTF/CERCLA Ceiling:	\$30,000.00
Approved Total Ceiling:	\$30,000.00
Action Commence Date:	01 AUG 2023.
Incident Location:	[REDACTED]
Incident State:	AK
Body of Water:	[REDACTED] CHANNEL
Source of Spill:	Vessel_NON_COFR
Vessel/Facility Name:	[REDACTED]
Vessel Type:	FISHING VESSEL
Vessel Identification Number (VIN):	No Data Entered
Responsible Party:	[REDACTED]
Type of Product Spilled:	Oil
Amount Spilled:	1
Unit of Measure:	Gallons
Substantial Threat:	Yes
Potential Amount Spilled:	300
Potential Amount Unit of Measure:	Gallons
Description of Substantial Threat:	300-500 GALLONS OF DIESEL ON BOARD.
Project Long Name:	No Data Entered
Incident Description:	No Data Entered
FOSC Unit:	[REDACTED] AK
POC/FOSC Name:	[REDACTED]
POC/FOSC Email:	No Data Entered
POC/FOSC Phone:	(925)338-6422
POC/FOSC FAX:	No Data Entered
Requesting Unit:	Sector Juneau AK
Requestor Name:	[REDACTED]
Requestor Phone:	[REDACTED]
Requestor Email Address(es):	[REDACTED]@SCG.MIL
FSMS POET:	UCGF [REDACTED] 880LOGSX/XXXXXX/FOSCRES23
Related CERCLA Project:	No
NRC Incident Number:	No Data Entered
MISLE Case/Activity Number:	No Data Entered
CGMS Message Reference:	
Comments:	No Data Entered

1. Phone numbers missing
2. Requestor and FOSCR emails missing
3. CO listed as the POC
4. Cases with an RP and vessel marked as mystery.
5. Substantial Threat case with a Discharge amount.
6. No vessel information entered (VIN, State Number, Official #)

CG-5136

CG-5136 Workbooks					
COMDTINST	Date	Effective date	Small Workbook	Large Workbook	Comments
7310.1V	Nov 03, 2021	Dec 03, 2021	Small Workbooks have been discontinued	5136V-Large	Includes FY22 GSA Vehicle Rates (October 2021)
7310.1U	Feb 27, 2020	Oct 1, 2020	5136U-Small - Vehicle Update	5136U-Large - Vehicle Update	Includes FY21 GSA Vehicle Rates (October 2020)
7310.1U	Feb 27, 2020	Mar 28, 2020	5136U-Small	5136U-Large	Includes FY20 GSA Vehicle Rates (October 2019)
7310.1T	Nov 29, 2019	Oct 1, 2019	5136T Small- Vehicle Update	5136T Large- Vehicle Update	FY20 GSA Vehicle Rates (OCT 2019)
7310.1T	Nov 29, 2018	Dec 28, 2018	5136T-Small	5136T-Large	Includes FY19 GSA Vehicle Rates (October 2018)
7310.1S	Apr 25, 2018	Oct 1, 2018	5136 Small Vehicle Update	5136S Large-VehicleUpdate	FY19 GSA Vehicle Rates (OCT 2018)

“Best Response”





“Best Response”

Key Business Drivers

Human Health and Safety
injuries, illness, death

The Natural Environment

The Economy
Public Communication

Stakeholder Support and Services

Critical Success Factors

No spill related public injuries, illness, death. No response worker

Source Discharge Minimized
Spill Effectively Contained/Controlled
Sensitive Areas Protected
Resource Damage Minimized

Economic Impact Minimized
Accurate Timely Information

Positive Media Coverage of Response
Positive Public Perception

Minimize Impact to Stakeholders
Stakeholders Well Informed
Positive Meetings with Stakeholders
Prompt Handling of Damage Claims

Best Practices for Large Responses



- Use LSC and FSC Job Aids
- Locate Logs and Finance near each other
- Nail down resource ordering process early
- **Recognize that the RP can't "buy" everything even if they are willing**
- Nail down cost doc processes early in the response
 - Tracking people
 - Use of CG assets
 - Management of travel orders

Best Practices for Large Responses



- **Establish battle rhythm for financial reporting**
 - One-day look back
 - Field team leaders use 214s to report time at end of shift
 - Reconcile direct costs to FSMS daily if possible
- **Use 213RR for all resources including PRFAs**
- **Make sure NPFC THSP signs off on every 213RR that requires FPN/CPN/DPN Funding**



RP Identification

- Level of proof should be equivalent to what's required for a Civil Penalty.
- Documentation- State Registration
le.communications@tpwd.texas.gov
- NVDC Docs, Witness Statement, paperwork marina has on vessel.
- If you don't have it don't put someone down on the IRAT/Cost Doc
- Discuss Potential RP with your Case Officer before IRAT submission



Upcoming Changes

- Updating User Reference Guide (eURG)
- Updated IRAT
- Updated IRAT Checklist
- Updated CG-5136 with Cost Reporting Tool

DAILY BURN RATE CALCULATOR		Ceiling Management Tool	
Total Coast Guard Direct Costs (Obligations):	\$3,750.00	Incident Start Day	1-Jan-21
Total Days (Obligation(s) are based on):	1	Total Days Involved	21
Total Coast Guard Indirect Costs:	\$5,317.40	Funding Remaining (Days)	1
Total Days Coast Guard Has Been Involved:	214	Funding Remaining (Months)	1
Expected Duration of Spill:	30	Total Ceiling Remaining	89.29%
Calculated Daily Direct Burn Rate:	\$3,750.00	Request Increase on (Based off %)	09-Aug-21
Calculated Daily Indirect Burn Rate:	\$24.85	FPN Ceiling Exhausted	11-Aug-21
TOTAL Combined Daily Burn Rate:	\$3,774.85		
ESTIMATED TOTAL PROJECT		Ceiling Protection (Percentage)	80%
\$113,245.43		Protected Max Ceiling Usage	\$28,000.00
<i>(Daily Burn All Costs)/(Expected Duration of Spill)+(Previous Cost)</i>			

Remaining Funds Chart		F/V StillaFloat UCGPXXXXXX	
		TOTAL PROJECT CEILING	\$35,000.00
		Incident Start Day	1-Jan-21
		Total Days Involved	21
		Funding Remaining (Days)	1
		Funding Remaining (Months)	1
		Request Increase NLT	9-Aug-21
		FPN Ceiling Exhausted	11-Aug-21
Key Points:			
Upcoming Direct Expenditures :			



Questions or Concerns?

- **If you or your unit have any questions or concerns, please contact any case officer at the NFPC.**
- **If you find any errors or have suggestions on our documents, please let us know.**
- **Reach out at any time to coordinate a unit training, either virtually or in person. Can be customizable to your needs.**
- **Never hesitate to call your case officer or if afterhours the CDO at 202-494-9118.**