2026

Northwest Inland Area Contingency Plan

Environmental Protection Agency

5/26/2026

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District Commander Approval

Letter of Promulgation by Federal On-Scene Coordinator

RECORD OF CHANGES			
Change Number	**ACP Section # Changes**	**Date Entered**	**Entered By**

1000 GENERAL & ADMINISTRATIVE

1100 Introduction

The Northwest Inland Area Contingency Plan (NWIACP) provides the framework for a coordinated federal, state, Tribal, local, and Potentially Responsible Party (RP) response to a discharge or substantial threat of discharge of oil, or a release or substantial threat of release of a hazardous substance(s), within the boundaries of the Inland Zone (defined as the inland areas of Idaho, Oregon, and Washington) in the Northwest Region.

Area Contingency Plans (ACPs) are required by Title IV, Section 4202 of the Oil Pollution Act (OPA) of 1990, which amends Subsection (j) of Section 311 of the Federal Water Pollution Control Act (FWPCA) (33 United States [U.S] Code [USC} 1321 (j) as amended by the Clean Water Act (CWA) of 1977 (33 USC 1251 et seq.) to complete the development of a national planning and response system. The ACPs are also written in accordance with the National Contingency Plan (NCP) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 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, Tribal, and local agencies comprise the Area Committee. Each Area Committee, under the direction of the Federal On-Scene Coordinator (FOSC) for the area, is responsible for developing its local ACP.

In the Inland Zone and throughout the Northwest Region, the Area Committees are committed to:

- Timely notifications;
- A bias toward a rapid, aggressive, and well-coordinated response when discharges or incidents occur;

- Making decisions through an inclusive Unified Command (UC);
- Engaging in collaborative decision-making within the Regional Response Team 10 (RRT10);
- Ensuring coordinated planning processes across the region;
- Maintaining regionwide expertise regarding the Regional Contingency Plans (RCPs) and ACPs and serving as full participants in the planning process; and
- Ensuring organized transitions occur when key personnel turnover happens within the RRT10 and any of the Area Committee agencies.

This plan is intended as a guide for coordinating response actions and ensuring consistent response to discharges or releases. Federal and state rules require that RPs manage spills with a pre-designated response management organization that accommodates a UC structure in recognition of federal, state, Tribal, or local jurisdiction.

If an oil discharge or hazardous material release occurs during a presidentially declared disaster, the response may be conducted under the National Response Framework (NRF).

1110 Authority

The FWPCA (33 USC 1321 et seq.) and CERCLA (or Superfund) address the development of a National Planning and Response System. As part of this system, in conjunction with the NCP, ACPs address responses to worst-case discharges (WCDs) of oil or releases of hazardous substances, and mitigation or prevention of a substantial threat of discharge from a vessel, offshore facility, or onshore facility. The Area Committee is responsible for working with the response community to plan for joint response efforts, including spill containment; mechanical recovery; use of dispersants; *in situ* burning; shoreline cleanup; protection of sensitive areas; and protection, rescue, and rehabilitation of fish and wildlife.

The Northwest Inland Area Committee is established in accordance with 40 Code of Federal Regulations [CFR] §300.105 and the CWA Sections 311(a)(18) and (j)(4). The Area Committee is appointed by the president and is composed of qualified personnel from federal, state, Tribal, and local agencies. The Area Committee is responsible for preparing the NWIACP,

developed in conjunction with the NCP and the Northwest Regional Contingency Plan (NWRCP). The ACP addresses the removal of a WCD of oil or hazardous substance and takes action to mitigate or prevent a substantial threat of such discharges from vessels, offshore facilities, or onshore facilities. In accordance with 40 CFR §300.120(b), the U.S. Environmental Protection Agency (EPA) is the designated FOSC for Inland Zones.

1110.1 Federal Authority

Executive Order 12777 (22 October 1991) delegates authority to designate Areas, appoint Area Committee members, specify ACP content, and review ACPs to the Commandant of the U.S. Coast Guard (USCG) (through the Department of Homeland Security) for the Coastal Zone and to the Administrator of EPA for the Inland Zone. The Coastal Zone and Inland Zone are defined in the NCP (40 CFR 300.5). EPA has NCP response authority for incidents in all areas inland of the Coastal Zone. This is the ACP for the Inland Zone (defined as the inland areas of Idaho, Oregon, and Washington) in the Northwest Region.1110.2 State Authority.

Washington State

The Washington State Department of Ecology (Ecology) is required by law (Revised Code of Washington [RCW] 90.56.060) to prepare a statewide master oil and hazardous substance spill prevention and contingency plan. Ecology has adopted four contingency plans to meet this requirement; the NWRCP, the Sector Puget Sound (SPS) ACP, the Sector Columbia River (SCR) ACP, and the NWIACP. These plans guide the activities of all state and local agencies when responding to discharges or potential discharges of oil or releases or potential releases of hazardous substances.

By statute (90.56.020), Ecology is the lead state agency for spill prevention, response, and cleanup. The Ecology Director serves as the head of the state's Incident Command System (ICS) in response to a discharge of oil or a release of hazardous substances and they coordinate the response efforts of all state agencies and local emergency response personnel. The Ecology State On-Scene Coordinator (SOSC) also serves as the state's principal spokesperson in the Incident Command (IC) as an advocate for all state interests.

If an RP fails to respond in a manner deemed reasonably consistent with the NWRCP or applicable ACP, the FOSC or Ecology may assume full or partial control of the response in consultation with UC.

Oregon State

The Oregon State Department of Environmental Quality (ODEQ) is established as the "Lead Agency" for the State of Oregon for oil and hazardous materials releases under Oregon Administrative Rule 340-142-0005.

Under Oregon Revised Statute (ORS) 468B.300, ODEQ appoints an SOSC to represent the State of Oregon in response to an oil or hazardous material spill or release or threatened spill or release and to coordinate cleanup response with state and local agencies.

The NWRCP has been adopted as the state's Oil and Hazardous Materials Response Plan in the State of Oregon Emergency Management Plan (Emergency Support Function 10 – Oil and Hazardous Materials Response). The Northwest Area Contingency Plan replaced the Oil and Hazardous Materials Spill Contingency Plan for the Oregon Coast, Columbia River, and Willamette River to Willamette Falls (Volume II), which is required under ORS 468B.495-500 and 466.620. This plan also satisfies ORS 401, 453.347 (Hazardous Material Emergency Response System), and ORS 466.605 to 466.680 (Spill Response and Cleanup of Hazardous Materials). ODEQ is the lead state agency on the Area Committee and provides the lead for oil and hazardous substance spill prevention efforts, contingency planning, and cleanup oversight for spills affecting state air, water, or land resources.

If an RP fails to respond in a manner deemed reasonably consistent with the NWRCP or applicable ACP, ODEQ may assume full or partial control of the response in consultation with UC.

Idaho State

The Idaho Hazardous Materials/Weapons of Mass Destruction (WMD) IC and Response Support Plan, in conjunction with this plan and the NWRCP, supports the Idaho Emergency

Operations Plan (IDEOP). These plans may be activated independently of the IDEOP. The primary purpose of these plans is to provide effective, coordinated emergency response support to local government by federal, state, and private agencies for incidents involving the release or potential release of oil and hazardous substances in Idaho. The Idaho Hazardous Materials/WMD IC and Response Support Plan defines the support role of specific state agencies. The NWRCP focuses specifically on how federal and state agencies will work together during cleanup operations. These plans can be initiated at the request of local governments when their capabilities have been exceeded. Authority for implementation of the IDEOP and The Idaho Hazardous Materials/WMD IC and Response Support Plan is derived from Executive Order 96-01; the Idaho Environmental Protection and Health Act (Idaho Code §39-101 et seq.); the Hazardous Waste Management Act (Idaho Title 39 Chapter 44); the Idaho Hazardous Substance Emergency Response Act (Idaho Title 39, Chapter 71); and the Disaster Preparedness Act (Idaho Title 46, Chapter 10).

1200 Purpose of the Area Contingency Plan

The NWIACP serves as the primary guidance document for coordinated response efforts to oil discharges and hazardous substance releases within the designated Inland Zone. The ACP is intended to:

- Serve as the primary operational manual for responders during oil discharges and hazardous substance releases;
- Provide a structured and orderly approach to implementing response actions aimed at protecting public health, natural resources, and property from the impacts of actual or threatened discharges of oil or releases of hazardous substances, including WMD;
- Promote a unified and coordinated response by federal, state, Tribal, and local agencies, as well as RPs, response contractors, and affected communities;
- Offer guidance for Facility Response Plan (FRP) and Vessel Response Plan (VRP) reviewers and plan holders to ensure alignment and consistency with the NWIACP; and

- Align with the NCP and the NWRCP to ensure a cohesive regional and national response framework.

The ACP is designed to support effective initial actions during a release or discharge, whether oil, hazardous substance, radiological, or biological, that occurs within or threatens the Inland Zone, and to incorporate procedures and protocols from other agency plans as those agencies arrive on scene and integrate into the response.

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1300 Area Committee Management and Administration

The primary objective of an Area Committee is to provide effective response planning and preparedness. Area Committees develop, maintain, and exercise ACPs. The NWIAC is a spill preparedness and planning body composed of federal, state, Tribal, and local agency

members, with industry and nongovernmental organization (NGO) representation. The NWIAC, under the direction of EPA, is responsible for developing an ACP. The NWIAC is also responsible for working with state, Tribal, and local officials to plan for joint response efforts, including appropriate procedures for mechanical recovery; dispersant use; shoreline cleanup; protection of sensitive environmental areas; and protection, rescue, and rehabilitation of fisheries and wildlife.

1310 Area Committee Organization

There are three Area Committees in the Northwest Region: SPS, SCR, and Northwest Inland. Area Committee membership is reserved for representatives with environmental, scientific, and technical expertise from federal, state, federally recognized Tribal governments, and local government agencies with definitive responsibilities for the area's environmental integrity. The EPA On-Scene Coordinator (OSC) will serve as Chair for the Area Committee. Vice-Chairs are lead representatives or delegates of a Key Member agency. A list of current Vice-Chairs can be found on the RRT/NWAC website.

The Area Committee is encouraged to solicit advice, guidance, or expertise from all appropriate sources and establish subcommittees as necessary to accomplish preparedness and planning tasks. Subcommittee participants may include facility owners/operators, shipping company representatives, cleanup contractors, emergency response officials, academia, environmental groups, consultants, response organizations, or concerned citizens. The Subcommittee Chair must be an appointed member of the Area Committee.

The Federal Advisory Committee Act prohibits industry representatives from holding Area Committee memberships; however, industry participation in Area Committee meetings is invaluable. Key industry representatives can fulfill a participant function.

The Area Committee members shall ensure that appropriate representatives from federal agencies, state agencies, federally recognized Tribal governments, and interested

stakeholders are members of the Area Committee. The members provide direction and guidance to the Area

Committee. Refer to the Northwest Inland Area Committee Charter on the RRT/NWAC website. for a list of member organizations.

The Area Committee is composed of Area Committee Leadership (Chair and Vice-Chairs), Area Committee Members (Key Members, Supporting Members, and Observers), and Non-Member Participants, as defined below.

Area Committee Leadership is composed of the following:

Chair: The EPA OSC will serve as the Chair of the Area Committee. The Chair is responsible for overseeing the development of the ACP in the area of the OSC's responsibility.

Vice-Chair(s): Lead representative (or delegate) of a Key Member agency. Duties include:

- Support the Chair in planning and conducting Area Committee business. Participate in the Northwest Inland Area Steering Committee.
- Develop, maintain, and evaluate the effectiveness of a comprehensive ACP.
- Serve as agency decision-maker for changes and updates to the ACP.
- Coordinate agency resources for subcommittees, workgroups, and task forces.
- Provide guidance and mentorship to Area Committee members.

The Chair and Vice-Chairs act as representatives of their agencies and represent the Area Committee as a whole. They ensure that the subcommittees, workgroups, and task forces are enhancing response capabilities and that feedback from responses is incorporated into the ACP. They also ensure the ACP meets regulatory and policy requirements for their respective agencies as well as other agencies as appropriate.

Membership consists of federal, state, Tribal, and local agencies with response and preparedness responsibilities. Membership shall be designated in writing and approved by the Chair.

A roster of active Area Committee Members and Non-Member Participants is available on the RRT/NWAC website.

Area Committee Members will fall into three groups:

Key Members: Those with an active interest and with sufficient resources to play an active continuing role in the Area Committee. Key Members are eligible to provide a Vice Chair to serve on the Northwest Inland Area Steering Committee. Duties of Key Members include:

- Develop cooperative working relationships with Area Committee members and non-member participants to facilitate successful responses within the scope of the Inland Area.
- Lead or participate in Area Committee subcommittees, workgroups, and task forces, as appropriate, that support the preparation and maintenance of the ACP.
- Stay informed on ACP updates and, as appropriate, identify issues and challenges and work to develop solutions in advance of a response.

Supporting Members: Those with active, but limited interest or resources who may participate in specific issues. Supporting Members may serve in roles and positions tailored to their expertise and time/resource limitations. They may lead or participate in Area Committee subcommittees, workgroups, and task forces, as appropriate, that support the preparation and maintenance of the ACP.

Observers: Those who want to know about Area Committee activities but have no active role. Observers are subject matter experts (SMEs) in various aspects of planning and response and may serve on workgroups, task forces, or subcommittees. Observers may provide input regarding elements of the ACP as they are developed.

Non-Member Participants: NGOs and private sector entities, including regulated facilities that are not members of the Area Committee, but wish to attend specific Area Committee activities open to the public. Non-Member Participants may participate in workgroups, task forces, or subcommittees by invitation. Examples of Non-Member Participants include (but are not limited to):

- Oil Spill Response Organizations (OSROs)/corporations;
- Bulk liquid terminal and storage facilities;
- Qualified Individual companies; and
- Transporters of bulk oil and hazardous substances.

1320 Charter

The mission of the NWIAC is to ensure the highest state of readiness of the spill response community. The NWIAC will strive to accomplish this by developing a comprehensive and useful ACP, preparing the response community through training and exercises, developing coordination mechanisms to facilitate effective responses, and educating stakeholders and the public. The NWIAC will function as an efficient organization for ensuring effective response to environmental threats in the area. The NWIAC will collaborate, sharing information and resources, to produce the best possible plans and creative solutions to problems. NWIAC will employ best available research and technology in both problem-solving and decision-making. The NWIAC will learn from responses and activities, improve processes, and develop as individuals and as an organization.

The latest copy of the NWIAC Charter can be found on the RRT/NWAC website.

The mission of the Area Committee is to:

- Ensure the highest level of readiness for oil and hazardous substance response within the inland area of responsibility (AOR);
- Develop, maintain, and evaluate the effectiveness of a comprehensive ACP;
- Prepare the response community through training and exercises;
- Strengthen coordination mechanisms to support effective multi-agency response; and
- Engage and educate stakeholders and the public on spill prevention, preparedness, and response.

1330 Area Committee Meetings

Area Committee meetings provide a forum for bringing together federal, state, Tribal, local, community-interested partners, NGOs, and the private sector for the purpose of planning and preparing for responses to major incidents that affect multiple jurisdictions. The Area Committee will meet at least two times a year.

Area Committee meetings are open meetings. It is the FOSC's responsibility to encourage appropriate agency participation. While the FOSC may delegate attendance to a designated individual, the FOSC is ultimately accountable for ensuring appropriate federal representation on the Area Committee.

The Chair shall establish the Area Committee meeting schedule based on the Area Committee's current needs and activities. The date, time, and location of future meetings shall be posted on the RRT/NWAC website.

The Chair may convene special sessions of the Area Committee as needed. The Area Committee shall meet for the purpose of assisting the FOSC in the development, review, and maintenance of the ACP and other related matters of oil and hazardous substance response. The meetings of the Area Committee shall be open to the public. If sensitive or proprietary information is planned for discussion, those meetings, at the Chair's discretion, may be closed to the public to safeguard that material. The Area Committee shall keep a record of meeting minutes, which are publicly posted on the RRT/NWAC website. All meeting minutes and other records or documents of the Area Committee are the property of EPA and are protected by U.S. law.

1340 Area Committee Annual Report

EPA does not require an annual report to be submitted detailing Area Committee activities. The FOSC shall submit a report to the NRT or RRT, as requested.

1400 Area Contingency Plan Validation and Testing

ACPs are living documents and must be regularly reviewed and updated to ensure accuracy and utility for oil and hazardous substance response.

1410 Area Contingency Plan Annual Update, Review, and Approval Process

The NWIACP will be reviewed annually. The annual review process aims to address:

- Validation of contact information;
- Incorporation of lessons learned from exercises or incidents;
- Validation of Geographic Response Strategies (GRS) data, as needed;
- Validation of worst-case discharge (WCD) scenarios;
- Validation of threatened and endangered species lists; and
- Identification of any gaps.

The Area Committee will receive recommendations for revisions to the NWIACP from workgroups, exercises/drills, training, FOSC guidance, and other interested parties. The Chair of the Area Committee will:

- Consider the proposed change;
- Make edits and minor changes;
- Submit major changes to the Area Committee for review and concurrence; and
- Provide feedback to the submitter on the action taken.

Any interested party may submit comments on the ACP at any time on the RRT/NWAC website.

Upon completion of an update, the FOSC must document changes via the Record of Changes log and post the most recent ACP update on the RRT/NWAC website. As this ACP serves as a key portion of Washington State's Master Oil and Hazardous Substance

Response Plan, the ACP will be put up for a public comment period, as required by state laws, and any comments will be adjudicated.

1420 Geographic Response Strategies/Geographic Response Plans Validation (i.e., Booming and Collection Strategies)

Geographic Response Plans (GRPs) contain a set of planned site-specific GRSs that are designed to give responders information to minimize impact to sensitive resources in the first few hours following a spill. Each GRP has two priorities: 1) Identify natural, cultural, and significant economic resources in a specific geographic region, and 2) Describe and prioritize response strategies to minimize damages to these resources during an oil discharge. GRPs are provided on the RRT/NWAC website.

Each GRP has several chapters that contain:

- An introduction to the plan;
- Site descriptions, including physical features, hydrology, climate, risk assessment, and literature references;
- Reference maps and prioritized tactical strategies;
- Resources at risk (RARs), including endangered species, and shoreline information; and
- Logistical information for the area.

1420.1 Process to Develop Geographic Response Plans

Development of GRPs in the Northwest Inland planning area is a collaborative process coordinated through the regional GRP Subcommittee. GRPs are developed through workshops and field work involving federal, state, Tribal, and local oil discharge emergency response experts, as well as representatives from Tribes, local governments, industry, ports, environmental organizations, pilots, and response contractors. Within RRT Region 10, GRP and GRS development is through a partnership between federal, state, and local agencies; natural/cultural/socioeconomic resource trustees; industry; OSROs; and Tribes. Staff of Tribal organizations should be engaged throughout GRP development and

testing, as Tribal knowledge holders and technical staff can provide critical, unique input regarding sensitive-area identification and response prioritization. The form and content of GRPs and GRSs, as well as availability, are coordinated through the GRP subcommittee to the RRT.

1420.2 Agencies Responsible for Developing and Maintaining Geographic Response Plans and Strategies

Key agencies have committed resources to manage the development and maintenance of GRPs. Northwest Inland GRPs are co-managed by Ecology, ODEQ, Idaho Department of Environmental Quality (IDEQ), and EPA.

For additional evaluation criteria for GRPs and GRSs, see the Geographic Response Plans Guidance tool.

1420.3 Testing Geographic Response Strategies

GRSs are tested during drills and spills or during the plan development process. Testing of the strategies is an important priority for the northwest response community. Deployment provides an opportunity for response contractors, plan holders, and agencies to verify the effectiveness of the strategy, deploy equipment, and train personnel to ensure that they are prepared for a real oil discharge. GRP strategies are updated based on the results of the drills.

It is critical to evaluate the functionality and accuracy of the data. It should be noted that the large quantity of GRS data and booming strategies may prohibit comprehensive field validation. Therefore, it is important to employ a risk-based decision-making methodology. Use the following tiered process to assist with GRS validation management.

Validation Level	Name	Description	Requirements
I	Desktop	Evaluation of GRS data by SMEs (i.e., natural resource	All data should attain Level I validation. Level 1 validation

Validation Level	Name	Description	Requirements
		trustees) in an office or workshop setting. Can be supplemented with computer simulations.	must be revised as the response environment dictates.
II	Visual Confirmation	Deployment of SMEs to specified geographic area. Visual inspection of operational environment and verification of tactical strategies. No equipment deployment. Can be supplemented with computer simulations.	Targeted for moderate to high-risk areas where a degree of uncertainty exists.
III	Equipment Deployment	Deployment of identified equipment to verify its performance in the specified operating environment.	Targeted for inconclusive Level II validation strategies. Performed in high-risk areas where rapid and efficient response is critical.
IV	Full Scale Exercise (FSE)	Deployment of all appropriate response personnel and equipment under an area full-scale exercise.	As dictated by the area exercise design/objectives.
V	Incident	Deployment of all appropriate response personnel and equipment for an actual incident.	Real world event.

1430 Area Exercises

Opportunities to exercise this ACP, including its components and annexes, are provided through the National Preparedness for Response Exercise Program (PREP). PREP was established to meet the intent of OPA by creating a practical, cost-effective exercise framework that supports both government and industry preparedness efforts.

PREP is a unified federal initiative that satisfies the exercise requirements of multiple agencies, including the USCG, EPA, Pipeline and Hazardous Materials Safety Administration (PHMSA), and Bureau of Safety and Environmental Enforcement.

In alignment with national guidance, federal and state agencies participating in the NWIAC have adopted exercise policies consistent with PREP. More information on PREP can be found at:

1430.1 Exercise Types

PREP exercises are classified into three primary categories:

1. Equipment Deployment Drills;
2. Incident Management Team (IMT) Discussion-Based Exercises; and
3. Operations-Based Exercises (including Functional and Full-Scale Exercises).

Each type serves a specific training and evaluation function, and all contribute to a comprehensive preparedness strategy. The scope and objectives for these exercises are defined in the PREP guidelines. Participation by Area Committee members and the broader response community will vary by exercise, from verifying contact information to contributing to scenario design, or serving as controllers and evaluators.

By engaging in PREP exercises and adhering to its guidance, federal exercise requirements under OPA are effectively met.

1430.2 Scheduling and Coordination

Effective exercise scheduling is critical to the success of national and regional preparedness efforts. While larger exercises require significant resources and coordination, advance planning ensures participant availability and allows for budget alignment.

Exercise scheduling is handled in several ways:

- Annual PREP drills are implemented through industry-led WCD exercises. All drills should be submitted to the Northwest Area Committee Exercise Schedule (NACES) for coordination amongst area partners. The regional drill schedule is available at: https://fortress.wa.gov/ecy/naces/

- The FOSC may conduct Government-Initiated Unannounced Exercises (GIUEs) to independently assess industry response capabilities. The states also have authority to conduct GIUEs. These unannounced events provide an important measure of preparedness and plan effectiveness.
- ODEQ and Ecology require regulated plan holders to coordinate with an agency planning representative when designing and scheduling required drills.

1430.3 After Action Report and Continuous Improvement

Following each exercise, state evaluations capture lessons learned from the drill and, as appropriate, identify recommended updates to the ACP.

1440 Plan Implementation

Key members of the NWIAC are responsible for reviewing this document regularly. They are encouraged to use this plan in all response training and establish an annual training program to ensure that all parties:

- Understand and are fully aware of their respective roles and responsibilities;
- Understand their role in the UC System;
- Understand how they coordinate and communicate with other parties and agencies;
- Understand what and where their assignments will be at a spill scene;
- Understand the overall level of commitment they are to devote to spill response operations; and
- Understand how they will be notified and when to respond to such notification.

1500 Area Contingency Plan's Relationship/Alignment with Other Plans Under National Response System

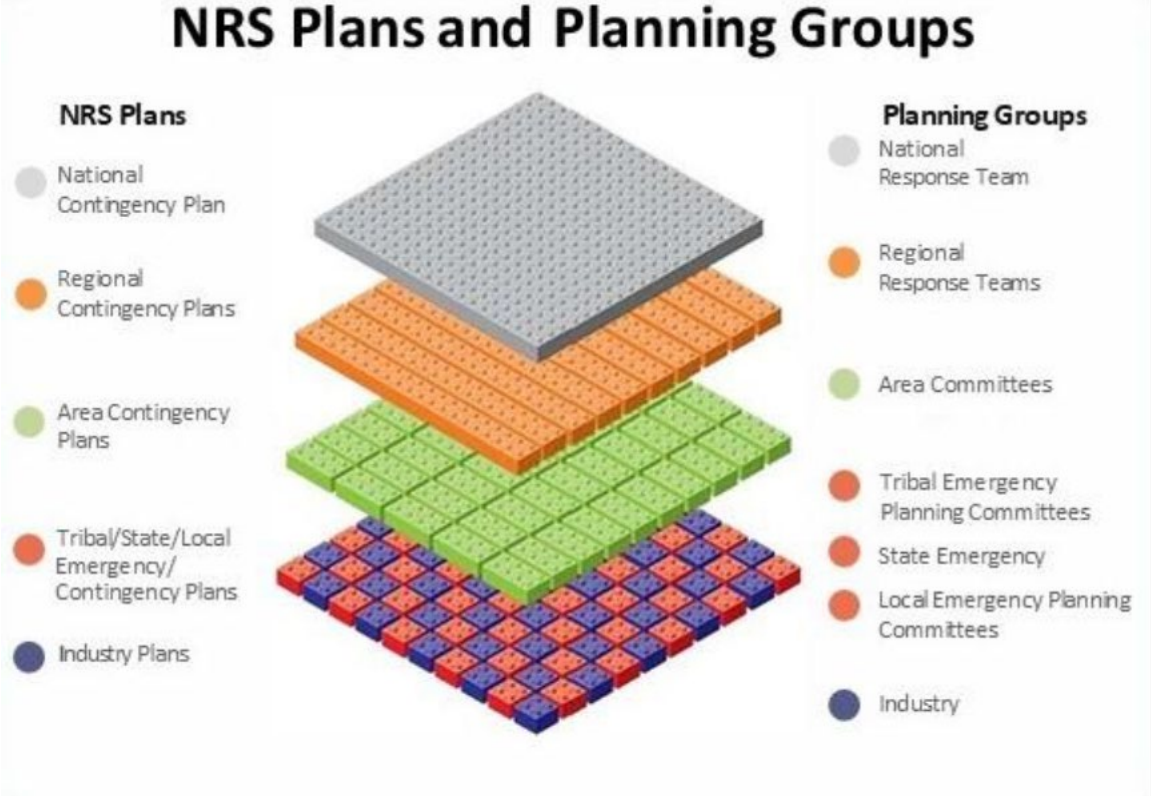
The National Response System (NRS) is a mechanism routinely and effectively used to respond to a wide range of oil and hazardous substance releases. It is a multi-layered system involving individuals and teams from Tribal, local, state, and federal agencies, as well as industry and other organizations. These groups share expertise and resources to ensure that response and cleanup activities are timely, efficient and minimize threats to human health and the environment.

At the heart of the system is the NCP. The NCP outlines the process to ensure that the federal government's resources and expertise are available immediately for response actions that are beyond the capabilities of local and state responders. The NCP provides the framework for the NRS and establishes how it works.

Each ACP is aligned with the NWRCP, which in turn aligns with the NCP, ensuring consistency in preparedness and response from the local to the national level. In cases of conflicting guidance, the higher-level plan is followed until differences are reconciled. These plans provide guidance for responders but do not alter statutory or regulatory authorities.

The coordinated planning model in the Northwest Region supports alignment of policies, facilitates interagency collaboration, and ensures effective communication across a large and diverse geographic area. This structure promotes consistent preparedness and response strategies while providing a forum for sharing expertise and lessons learned.

Figure 1500-1: Relationship between plans and planning groups within the National Response System (NRS)



1510 Vessel Response Plans

Section 4202 of OPA, requires the preparation and submission of response plans for all applicable tank and non-tank vessels. These types of vessels, through their tank vessel VRP and non-tank vessel VRP, establish preparedness measures and response protocols to mitigate the impact or substantial threat of oil discharges and hazardous substance releases within their areas of operation. Due to the transitory nature of vessel operations, all VRPs are reviewed at the national level. VRPs are based upon national planning and response scenarios that articulate how a vessel will carry out a response.

UC/ICs can utilize these plans to assist with a response to a tank or non-tank vessel. The following information should be available in a VRP.

- Tank Diagrams;
- Emergency Contacts;
- Contracted Response Resources;

- Salvage and Marine Firefighting Plan; and
- Emergency Lightering Procedures.

VRPs are required for all tank vessels that are constructed or adapted to carry oil in bulk as cargo or cargo residue, except vessels exempted under 33 CFR Part 155.1015 and fishing and fish tender vessels of not more than 750 gross tons when engaged only in the fishing industry. The requirements for these plans can be found in 33 CFR Part 155 Subpart D.

VRPs are required for non-tank vessels under 33 CFR 155.5015 if they are self-propelled, 400 gross tons or more, use oil as fuel for main propulsion, and operate on navigable Waters of the United States (WOTUS). This also includes vessels carrying oil as secondary cargo and Integrated Tug Barge units, based on their combined tonnage and oil capacity. The requirement does not apply to public vessels, foreign-flag vessels in innocent or transit passage, vessels already covered under tank vessel VRP requirements, vessels incapable of carrying oil, permanently moored craft, or inactive vessels.

A plan must be activated when a vessel representative determines that on-board resources and personnel may not be sufficient to meet the needs of an actual or potential incident. VRP activation occurs when the vessel representative contacts the qualified individual identified in the VRP. VRP activation serves as the initial risk-based discussion critical in initiating an effective response. The FOSC may direct a vessel to activate their VRP pursuant to his/her federal removal authority under the CWA Section 311(c).

When a decision is made to mobilize resources, the resources identified in the plan must be used unless the FOSC approves a deviation. Deviations from the resource provider listed in the approved VRP should be authorized only in exceptional circumstances and only when it is determined that the deviation would provide a more expeditious or effective spill response or mitigation of environmental effects. The FOSC must document the reasons for approving the deviation for internal recordkeeping purposes.

Ecology and ODEQ also review and approve response plans in accordance with state legislation, per RCW 90.56.210 and The Oregon Administrative Rules (OAR) 340-141-0140(7) and (9), respectively.

1520 Facility Response Plans

33 CFR Part 154 requires that the owner or operator of a "substantial harm" or "significant and substantial harm" facility must submit an FRP. Section 4202(b)(4)(B), as implemented at 33 CFR 154.1025(b), prohibits a facility from handling, storing, or transporting oil unless it has an approved (or interim waiver) FRP. FRPs are based upon national planning standards and response scenarios that articulate how a facility will carry out a response. FRPs must be activated by the facility owner/operator if a discharge or substantial threat of a discharge is evident.

Ecology and ODEQ also review and approve response plans in accordance with state legislation, per RCW 90.56.210 and OAR 340-141-0140(7) and (9), respectively.

1521 Response Plans for Onshore Oil Pipelines

Owners and/or operators of onshore oil pipelines that, because of their location, could reasonably be expected to cause substantial harm to the environment by discharging oil to WOTUS or adjoining shoreline must possess a response plan for onshore oil pipelines. The requirements for this response plan are found in 49 CFR Part 194.

Ecology also reviews and approves response plans in accordance with state legislation. In Oregon, contingency plans are required to be developed by companies whose pipelines transfer petroleum products over state waters. ODEQ reviews and approves pipeline contingency plans any time substantial changes require submittal of updates.

1522 Rail Response Plans

PHMSA, in consultation with the Federal Railroad Administration, required a Comprehensive Oil Spill Response Plan for trains containing petroleum oils. Railroads are required to share information about high-hazard flammable train operations with state and Tribal emergency response commissions to improve community preparedness.

Both Oregon and Washington State also review and approve rail response plans in accordance with state legislation.

For additional information, see the Responding to Rail Incidents tool.

1530 Local Plans

Local Emergency Planning Committees (LEPCs) are responsible for the development and maintenance of local emergency response plans in accordance with the Emergency Planning and Community Right-to-Know Act (EPCRA), Sections 301 to 303. LEPC membership includes representatives from local government agencies, emergency responders, environmental groups, and local industry.

These emergency plans include:

- Identification and location of hazardous substances;
- Procedures for immediate response to chemical accidents;
- Public notification strategies for discharges or releases;
- Identification of facility coordinators; and
- Schedules for plan testing.

The local emergency response plan is reviewed by the State Emergency Response Commission (SERC). RRTs may provide additional review and assistance if requested by the SERC or LEPC. In addition, Ecology may receive requests to review new or updated LEPC plans. Ecology, on behalf of the state, reviews local plans to ensure alignment with the RCP and applicable ACP(s).

Federal contingency plans are designed to coordinate with local governments. FOSCs must engage with LEPCs and ensure that ACP content aligns with Local Emergency Response Plans to the maximum extent possible.

1540 State Plans

The NCP requires the governor of each state to designate a lead state agency that will direct state-led response operations.

Washington State

Washington State has adopted the SPS ACP, SCR ACP, NWIACP, and NWRCP to serve collectively as the state's Oil and Hazardous Substance Spill Prevention and Response Plan, as required by RCW 90.56.060.

Ecology is designated as the lead agency for managing oil discharges or hazardous substance releases to state waters, with responsibility for overseeing prevention, response, containment, and cleanup. Ecology also leads the state's ICS for such spills and coordinates response efforts among state and local agencies.

Oregon State

ORS 468.B establishes the primary authority of an ODEQ-appointed SOSC to compel cleanup of oil or hazardous substance releases.

The NWRCP has been adopted as Oregon's statewide oil and hazardous substances response plan by reference within the Oregon Comprehensive Emergency Management Plan (CEMP). The RCP outlines the responsibilities of all who may be involved in response to or coordination of an incident.

The Oregon CEMP includes numerous incident type-specific annexes, several of which relate to hazardous substance responses. However, for incidents within the Inland Zone, the

NWRCP, this ACP, and the associated GRPs constitute the primary plans relevant to response.

Idaho State

The Idaho Hazardous Materials/WMD IC and Response Support Plan, in conjunction with this plan and the NWRCP, supports the IDEOP. These plans may be activated independent of the IDEOP. The primary purpose of these plans is to provide effective, coordinated emergency response support to local government by federal, state, and private agencies for incidents involving the discharge or potential discharge of oil and the release or potential release of hazardous substances in Idaho. The Idaho Hazardous Materials/WMD IC and Response Support Plan defines the support role of specific state agencies. The NWRCP focuses specifically on how federal and state agencies will work together during cleanup operations. These plans can be initiated at the request of local governments when their capabilities have been exceeded. Authority for implementation of the IDEOP and The Idaho Hazardous Materials/WMD IC and Response Support Plan is derived from Executive Order 96-01; the Idaho Environmental Protection and Health Act (Idaho Code §39-101 et seq.); the Hazardous Waste Management Act (Idaho Title 39 Chapter 44); the Idaho Hazardous Substance Emergency Response Act (Idaho Title 39, Chapter 71); and the Disaster Preparedness Act (Idaho Title 46, Chapter 10).

1550 Tribal Plans

EPA and the states recognize the sovereignty, rich cultural heritage, and traditional ecological knowledge of Tribal Nations with territories, rights, and interests in the Inland Zone. In alignment with the principles and framework of the NRS, Tribal Nations play a vital role in regional preparedness, planning, and response activities.

Tribal Nations may develop and maintain Tribal response plans to address potential chemical releases and hazardous substance emergencies. These plans complement and integrate with the ACP and other federal, state, and local plans within the NRS structure.

FOSCs maintain situational awareness of all relevant Tribal response plans and ensure that Tribal interests, resources, and authorities are appropriately addressed, as required by the NCP at 40 CFR § 300.210(c) and consistent with federal trust responsibility to Tribal governments. FOSCs must also coordinate planning and response efforts with the EPA RRT Co-Chair and ensure the inclusion of Tribal perspectives during preparedness and response activities.

Additionally, in accordance with Section 106 of the National Historic Preservation Act and the 1997 Programmatic Agreement on Protection of Historic Properties during Emergency Response under the NCP, the FOSC must consult with affected Tribal Nations to protect culturally significant sites and historic properties during response operations.

By fostering strong partnerships with Tribal Nations and recognizing their sovereign status, this plan supports the unified, coordinated response approach envisioned by the NRF and the NRS.

For additional information on regional Tribal Nations policy, see the NWRCP, Section 1515.

1560 Regional Contingency Plans

The NCP is the rule book for implementing CERCLA. All response actions by the federal agencies must be consistent with the NCP. Since inception, the NCP has required federal agencies to develop and maintain RCPs. In accordance with the NCP, RCPs function as a higher-level coordination plan for each federal region. RCPs provide the organizational structure and procedures for preparing for and responding to discharges of oil and releases of hazardous substances, pollutants, or contaminants by the RRT. Vital RCP content includes but is not limited to:

a. Regional response resources and capabilities;
b. Line of demarcation between coast and Inland Zones (initially determines if the USCG or EPA is the lead FOSC); and

c. Pre-authorization policy and plans for use of chemical and biological agents on the NCP Product Schedule, or use of burning agents.

1570 International Plans

The Inland Zone shares an international border to the north with Canada along the northern terrestrial boundaries of Washington and Idaho.

For oil discharges and other hazardous material releases, or potential releases that occur at or in the adjacent transboundary area, it is required that federal and state/provincial response leadership in both United States and Canada will coordinate their respective responses on their sides of the border.

The Canada-United States Joint Inland Pollution Contingency Plan (CANUSWEST) outlines how UC members from each side of the border will coordinate response activities within the inland transboundary region.

The CANUSWEST was developed to facilitate quick response to incidents involving both the United States and Canada. The plan supports the movement of resources to support incident response activities. In case of a pollution incident-related emergency or exercise that may occur in the United States or Canada, which would require emergency assistance from EPA/Environment Canada or agencies/contractors working in conjunction with EPA/Environment Canada, a call from the appropriate agency will be made. These notifications are designed to facilitate the expeditious movement of personnel and/or equipment across the U.S./Canada border when responding to emergencies and drills that assist agencies in preparing for emergencies.

Any pollution incident in one country that poses a substantial threat to the other country shall be reported immediately to the Canadian National Environmental Emergencies Center (1-819-997-3742) or the U.S. National Response Center (1-800-424-8802), depending on the incident location.

The FOSC and staff are encouraged to review and become familiar with the CANUSWEST Plan contents. The plan can be activated through the OSC or RRT Chair.

1600 Area Contingency Plan's Relationship to National Response Framework

The NRF is a guide to how the nation responds to all types of disasters and emergencies. It is built on scalable, flexible, and adaptable concepts identified in the National Incident Management System (NIMS) to align key roles and responsibilities across the nation. The NRF describes authorities and best practices for managing incidents that range from the serious but purely local to large-scale terrorist attacks or catastrophic natural disasters. The NRF sets the doctrine for how the United States builds, sustains, and delivers the National Preparedness Goal's response core capabilities: Prevention, Protection, Mitigation, Response, and Recovery.

The NRF supports the responsibilities of the FOSC, under the direction of both the FWPCA and CERCLA removal authorities.

1610 Nuclear/Radiological Incident Annex

The Nuclear/Radiological Incident Annex (NRIA) to the NRF describes the policies, situations, concepts of operations, and responsibilities of the federal departments and agencies governing immediate response and short-term recovery activities for releases of radioactive materials. These incidents may occur on federally owned or licensed facilities, privately owned property, urban centers, or other areas and may vary in severity from the small to the catastrophic. The incidents may result from inadvertent or deliberate acts. The NRIA applies to incidents where the nature and scope of the incident require federal response to supplement the state, Tribal, and/or local response efforts.

1620 Federal Radiological Emergency 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.

The responsibilities for response to a WMD incident lie with multiple agencies, and the Area

Committee should be prepared to provide resources under the NRF during a response to a terrorist incident. It is possible that a major public health and environmental incident could be the result, perhaps the intent, of this type of incident. The ACP may be needed to address critical short-term issues while a larger response infrastructure is developed under the full NRF. Parallel response actions by the Area Committee member agencies may be ongoing under the NRS prior to and during NRF activation.

1700 Area Contingency Plan Relationship to the National Incident Management System

NIMS guides all levels of government, NGOs, and the private sector to work together to prevent, protect against, mitigate, respond to, and recover from incidents.

NIMS provides stakeholders and partners across the whole community with shared vocabulary, systems, and processes to successfully deliver the capabilities described in the National Preparedness System. NIMS defines operational systems that guide how

personnel work together during incidents. More specifics on using NIMS ICS for command and coordination in an oil discharge or hazardous substance release is discussed in Section 5400, “National Incident Management System.”

The FOSC must use NIMS to support the development of a UC when the incident size or complexity determines the need. The UC structure can vary from incident to incident; however, the FOSC must attempt to include at least a state, Tribal, and local OSC and an RP representative.

1800 Area Contingency Plan Relationship to Other Marine Transportation System Recovery Focused Response Plans Managed by the Coast Guard

The Marine Transportation System (MTS) Recovery Plan for the SCR and SPS Captain of the Port (COTP) Zones provides procedures to facilitate a safe, efficient, and timely restoration of the MTS to pre-disruption condition. Potential cascading effects extending beyond a local MTS disruption are addressed. Regional or national impacts may be felt when a major port is interrupted or closed with restrictions. Establishing an effective and efficient MTS recovery framework to facilitate short-term recovery of the MTS and support restorative efforts beyond the initial response/recovery phase is vital to local, regional, economic, and security interests.

The MTS Recovery Plan is held and maintained by SPS and SCR. This information is publicly available. If there are MTS-related issues related to an oil or hazardous material response, this information can be accessed by contacting the corresponding sector.

2000 GEOGRAPHIC SCOPE & JURISDICTIONAL BOUNDARIES

2100 Description of Coast Guard Coastal Zone/U.S. Environmental Protection Agency Inland Zone Boundary (Line of Demarcation)

The boundaries between the U.S. Coast Guard (USCG) and the U.S. Environmental Protection Agency (EPA) areas of responsibility (AORs) within the Inland Zone for Federal On-Scene Coordinators (FOSCs) are outlined in Table 2100-1. For an interactive tool showing jurisdictional boundaries, see the EPA Region 10 Pacific Northwest Jurisdiction Mapper.

The Coastal and Inland Zone boundary is displayed in detail at the following website: https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=609375dea9ef4013a3cc5b35e6a9ecac

Table 2100-1: Area of Responsibility Boundaries between EPA and USCG for Major Oregon and Washington Waters

River Name/Body of Water	Boundary
Oregon	
Alsea River	Line North from Mouth of Eckman Slough
Chetco River	Route 101 Bridge Brookings to Harbor
Clatskanie River	Spokane, Portland, and Seattle Railroad Bridge One Mile North of Clatskanie
Columbia River	Bonneville Dam
Columbia River: Columbia Slough	North Lombard Street Bridge
Columbia River: Lewis & Clark River	Highway 101 Business Bridge
Columbia River: Scappoose Bay	Line East of Milton Creek
Columbia River: Skipanon River	Warrenton - Astoria Highway (East Harbor Drive Bridge in Warrenton)
Columbia River: Youngs River	Highway 101 Business Bridge
Coos Bay: Catching Slough	Permanent bridge on Coos River Road (junction of Coos River and Catching Slough)
Coos Bay: Coalbank Slough	Highway 101 Bridge
Coos Bay: Coos River	First Bridge on Coos River, upriver from Catching Slough
Coos Bay: Haynes Inlet	Mean High Water Mark of Haynes Inlet
Coos Bay: Isthmus Slough	Bascule Bridge at Bunker Hill
Coos Bay: Kentucky Slough	East Bay Drive Bridge
Coos Bay: North Slough	Mean High Water Mark of North Slough
Coos Bay: South Slough	South Slough - Mean High Water Mark on South Slough
Coos Bay: Joe Ney Slough	South Slough - Bridge at Crown Point Road
Coos Bay: Willach Slough	East Bay Drive Bridge
Coquille River	Route 101 Bridge in Bandon
Elk River	Route 101 Bridge
Little Nestucca River	Route 101 Bridge
Multnomah Channel	The entire channel is in USCG jurisdiction

River Name/Body of Water	Boundary
Nehalem River	Highway 101 Bridge
Nestucca River	Pacific Avenue in Pacific City – Bridge
Rogue River	Route 101 Bridge Wedderburn to Gold Beach
Sandy River	Interstate 84 Bridge at Troutdale
Scappoose Bay	McCoy Estates Road, east of Columbia River Highway
Siletz River	Route 101 Bridge Kernville to Gleneden Beach
Siuslaw River	Line South from Cushman
Tillamook Bay	Mean High Water Mark
Tillamook River	Netarts Highway Bridge
Umpqua River	Line North of Scholfield Road/Umpqua Highway intersection
Umpqua River: Smith River	First Bridge Upstream of Confluence with the Umpqua River
Willamette River	Oregon City Falls
Yachats River	Route 101 Bridge
Yaquina Bay	Mean High Water Mark
Yaquina River	Butler Bridge at Toledo
Yaquina River: Depot Slough	Bridge on Old Toledo - Yaquina Road
Yaquina River: King Slough	Mean High Water Mark
Washington	
Big Quilcene River	North Quilcene Avenue Bridge
Chuckanut Creek	Highway 11 Bridge
Chehalis River	Route 107 Bridge South of Montesano
Clallam River	State Highway 112 Bridge
Columbia River	Bonneville Dam
Columbia River: Elochoman Slough (Cathlamet)	USCG Jurisdiction Throughout
Columbia River: Lake River	Bridge at Ridgefield, WA
Columbia River: Vancouver Lake Flushing Channel	Flood control gate at NW Lower River Road, Vancouver, WA

River Name/Body of Water	Boundary
Columbia River: Washougal River	Railroad Bridge at Washougal
Cowlitz River	Route 4 Bridge at Kelso
Deep Creek	State Highway 112 Bridge
Deep River	State Highway 4 Bridge
Deschutes River	4th Avenue Bridge at Olympia
Dosewallips River	Route 101 Bridge
Duckabush River	Route 101 Bridge
Dungeness River	Dungeness Bridge in Sequim
Duwamish River	Pacific Highway South Bridge
East Twin River	State Highway 112 Bridge
Ebey Slough	I-5 Bridge in Everett
Elwha River	State Highway 112
Grays River	Route 4 Bridge at Roseburg
Hama Hama River	Route 101 Bridge
Hoko River	State Highway 112 Bridge
Hoquiam River	Route 101 Bridge
Humptulips River	Route 109 Bridge
Kalama River	Interstate 5 Bridge
Lake Washington Ship Canal (Lake Washington/Lake Union)	Montlake Bridge in Seattle
Lewis River	Interstate 5 Bridge at Woodland
Little Quilcene River	Rogers Street Bridge
Naselle River	Route 101 Bridge
Nisqually River	I-5 Bridge
Nooksack River	Slater Road North of Marietta
North River	Route 105 Bridge
North Nemah River	Route 101 Bridge at Nemah
Palix River	Route 101 Bridge
Puyallup River	I-5 Bridge
Pysht River	Bridge Northwest of Pysht, North of Highway 112

River Name/Body of Water	Boundary
Queets River	Route 101 Bridge at Queets
Quillayute River	Entrance of Dickey River
Quinault River	Quinault River Bridge East of Taholah
Sail River	State Highway 112 Bridge
Salt Creek	Bridge on Camp Hayden Road
Sekiu River	State Highway 112 Bridge
Skagit River, North Fork	Route 511 Bridge Five Miles Southwest of Mount Vernon
Skagit River, South Fork	Bridge at Conway
Skokomish River, South Fork	Route 106 Bridge
Snohomish River	Interstate 5 Bridge
Sooes River	Bridge Approximately 1 Mile South of Mukkaw Bay entrance
Steamboat Slough	I-5 Bridge Near Everett
Stillaguamish River	Great Northern Railroad Bridge at Silvana
Union River	State Highway 300 Bridge
Waatch River	Bridge East of Makah Air Force Station
Whatcom Creek	Holly Avenue Bridge in Bellingham
West Twin River	State Highway 112 Bridge
Willapa Bay: South Fork Willapa River	Highway 101 Bridge
Willapa Bay: Willapa River	Highway 101 Bridge
Wishkah River	Route 12 Bridge at Aberdeen

2200 Copy of Current United States Coast Guard/United States Environmental Protection Agency Memorandum of Understanding

While MOUs may exist for other regions, there is no existing memorandum of understanding (MOU) between the USCG and EPA specific to the Inland Zone.

In cases involving the release of oil or hazardous substances from borderline facilities, as well as those releases that threaten or have caused contamination of sediment, soil, or other borderline areas, the duty officers from EPA and USCG will consult with each other to determine the appropriate lead agency.

2300 Geographic Boundaries/Coordinates

The Inland Zone encompasses all land areas and inland waters within Washington, Oregon, and Idaho. Several major interstate and shared water bodies occur within the Inland Zone. These shared resources require close coordination among federal, state, Tribal, and local agencies for response activities. In areas where precise boundaries are not defined, the boundary will generally default to the high-water mark, as described below.

2400 Graphic(s) Depicting Geographic Area Covered by Area Contingency Plan

As outlined in the National Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) 300.5, the "Coastal Zone" is defined as "all United States (U.S.) waters subject to the tide, specified ports and harbors on inland rivers, waters of the contiguous zone, other waters of the high seas subject to the NCP, and the land surfaces or land substrate, and ground waters, and ambient air proximal to those waters."

The "Inland Zone" is defined as "the environment inland of the Coastal Zone excluding specified ports and harbors on inland rivers."

In areas where precise boundaries are not defined, the boundary will generally default to the high-water mark. In locations where navigable waterways feed into the ocean, the boundary will generally default to the high-tide mark. This policy will help to ensure that response is not delayed because EPA and the USCG each believe a spill is located within the boundaries of the other's jurisdiction. For discharges of oil and releases of hazardous substance, pollutants, or contaminants from shoreline facilities, and for those releases that threaten or

have resulted in sediment, soil, or other shoreline contamination, EPA and USCG phone duty officers will need to consult to determine the appropriate lead agency.

2500 Sub-Geographic Areas

For the purposes of the Inland Zone, the Northwest Inland Area Contingency Plan (NWIACP) is not further broken into sub-geographic areas.

3000 ROLES & RESPONSIBILITIES

3100 General Roles and Responsibilities

This section will provide a detailed description of the responsibilities of an owner or operator and of federal, state, Tribal, and local agencies in removing a discharge, and in mitigating or preventing a substantial threat of a discharge, as required by 40 Code of Federal Regulations (CFR) § 300.210(c)(ii). Roles and responsibilities for specific positions, as well as entities in general, will be laid out to guide a smooth collaboration during a response. Responsibilities may change depending on the nature of the emergency; however, they may not change outside the bounds of applicable statutes and regulations.

3110 Responsible Party/Industry Plan Holder

The responsible party (RP), or a designated representative, will fill the role of RP Incident Command (IC) within the Unified Command (UC). In addition, the RP's personnel will staff part of the UC's response organization within the Operations, Planning, Logistics, and Admin/Finance sections. As defined in the Oil Pollution Act of 1990 (OPA), each RP for a vessel or a facility that discharges oil, or poses a substantial threat of a discharge, into or upon navigable waters, adjoining shorelines, or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA. Any removal activity undertaken by an RP must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the Area Contingency Plan (ACP)/Geographic Response Plan (GRP)/Geographic Response Strategy (GRS), and the applicable vessel/facility response plan (FRP) required by OPA. If directed by the FOSC at any time during removal activities, the RP must act accordingly.

Each RP for a vessel or facility, from which a hazardous substance is released, or which poses a substantial threat of a discharge of oil, is liable for removal costs as specified in the

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S. Code 9601 et seq.).

The following is a list of the primary duties of the RP:

- Notify appropriate agencies and other responders of the incident in accordance with applicable laws and response plans.
- Initiate UC with public safety agencies as soon as possible.
- Cooperate with local public safety agencies. This includes providing full access to properties, information, and expertise of the company. The RP conducts whatever response actions are necessary and for which its personnel are trained and equipped. This can include turning valves off, plugging leaking containers, and evacuating employees. It may include firefighting by industrial fire brigades. All of these response activities are done under the direction and authority of a public safety IC.
- Provide a Qualified Individual (QI) as applicable and required by Title 33, CFR Part 155.
- Activate the FRP or VRP if applicable.
- Arrange for spill response countermeasures and clean up as appropriate. This may include contracts with specialized Oil Spill Removal Organizations (OSROs) or Hazardous Materials contractors to clean up and mitigate a discharge or release under the direction of the IC, UC or FOSC.
- Responsible for Natural Resource Damage Assessment (NRDA) in conjunction with natural and cultural resource trustees.
- Responsible for response costs and other damages caused by the discharge or release.

The RP should conduct inquiries into the cause of the incident. This is often done with the participation or oversight of state or federal agencies. The NCP requires that response plan

holders "prepare and submit a plan for responding, to the maximum extent practicable, to a worst-case discharge (WCD), and to a substantial threat of such discharge, of oil or a hazardous substance." These response plans are required to be consistent with the ACP.

The requirement for vessel, onshore facility, railroad, and pipeline response plans to be consistent with the ACP applies to:

- Contingency Plan: content, review, and approval;
- The execution and evaluation of spill drills and exercises; and
- The management of spill response actions

Failure to adequately conform to the ACP may result in federal and/or state agencies assuming direct control of a spill response action. However, it is also the policy of the Area Committee that the UC will encourage the RP for a spill incident, to maintain the primary responsibility for managing the response action as long as they:

- Actively and cooperatively participate in the UC structure;
- Provide an organization that is compatible with National Incident Management System (NIMS) Incident Command System (ICS);
- Provide regular communication and documentation that assure adequate response resources are being rapidly mobilized in proportion to the size of the incident; and
- Follow their approved spill contingency/response plan (if applicable), unless otherwise directed, or a deviation is agreed to, by the UC.

3120 Local Government

State, local, or Tribal public safety agencies are ordinarily 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, and that are consistent with containment and cleanup requirements as stated in the NCP.

The focus of local responders is usually directed toward abating immediate public safety threats. The degree of local response will depend upon the training and capabilities of local responders relative to the needs of the specific emergency.

In some cases, first responders will identify the nature and scope of an incident. This information is then passed on to Tribal, state, and federal responders who are activated to address the situation with specific expertise and/or capabilities.

Often, local agencies take mitigating actions of a defensive nature to contain the incident and protect the public. In many instances, RPs or local agencies are capable of an aggressive response and quick abatement of immediate hazards. In these cases, local authorities usually rely on state, federal, and Tribal responders to ensure that cleanup is complete, and remediation is sufficient.

A major role of local organizations during all emergency incidents is to provide security for all on-scene forces and equipment. For large incidents, help is often requested through the state emergency management agencies. Activities include establishing local liaison with hospitals, emergency services, and police personnel, as well as restricting entrance to hazardous areas to all but essential personnel.

Coordination with the local governmental organizations of counties, cities, or towns is especially important for traffic control, land access, and disposal of oil or hazardous substances removed during response operations. Additional coordination with impacted Tribal organizations is also crucial depending on the location and anticipated impact of the spill.

Landowners/facility managers are also encouraged to participate in planning and response. Landowners are a valuable resource due to their local knowledge. The landowner, to the extent practicable and based on the FOSC's/UC's judgment, may be included in the planning and response activities, under the direction of the FOSC through the Liaison Officer.

Landowners who provide access to or are affected by a discharge or release have jurisdiction over their lands and warrant special consideration by the responding agency or UC. In the event an incident poses, or has the potential to pose, an imminent threat to human health or the environment, it is in the best interest of the landowner to facilitate access to an On-Scene Coordinator (OSC).

Local Government Responsibilities in Washington

Under Revised Code of Washington (RCW) 38.52, local governments in Washington bear the legal responsibility to prepare for and respond to emergencies, including oil discharges and hazardous substance releases. Their roles include:

- Establishing emergency management organizations: Each political jurisdiction (county, city, town) must create a local emergency management organization, with a director appointed by the jurisdiction's executive officer (RCW 38.52.070 [1]).
- Exercising authority to act in disasters: Local governments may enter into contracts and incur obligations necessary to respond to disasters without being bound by time-consuming legal formalities (except mandatory constitutional requirements) (RCW 38.52.070 [2]);
- Developing mutual aid arrangements: Local emergency directors can develop mutual aid agreements with public and private agencies. These agreements must align with the state emergency management plan and are activated when local capabilities are exceeded (RCW 38.52.091);
- Coordinating and using public agencies: The governor and executive heads of political subdivisions are authorized to utilize and direct all public agency services. In a proclaimed disaster, they may command citizens and their resources as needed (RCW 38.52.110); and
- Defining emergency management: Emergency management includes all non-military emergency functions related to mitigation, preparedness, response,

recovery, and support for search and rescue in the face of natural, technological, or human-caused hazards (RCW 38.52.010 [1]).

Operational Responsibilities During an Incident

Local responders are the first line of defense during hazardous substance releases. Fire, law enforcement, and emergency medical services personnel are typically first on scene, initiating actions to protect life, property, and the environment, consistent with the containment and cleanup requirements under the National Contingency Plan (NCP).

Response priorities include immediate threat mitigation—securing the area, evacuating as needed, and containing the spread. The response scale depends on local capabilities and the nature of the hazard. When needed, local teams coordinate with state and federal agencies for specialized support.

In addition to direct response actions, local governments are responsible for:

- Maintaining site security and protecting personnel and equipment during operations;
- Coordinating with local hospitals and emergency medical services to manage casualties or exposures;
- Engaging with law enforcement to restrict access to hazardous areas and control traffic;
- Supporting logistics and public communications related to evacuation, sheltering, and protective actions; and
- Assisting with waste management and disposal of hazardous substances removed during cleanup.

In complex incidents, mutual aid and state-level assistance may be required. Continued coordination with city, county, and town-level organizations is essential to ensure effective land access, public safety, and operational efficiency throughout the response.

Local Government Responsibilities in Idaho

In Idaho, local government responsibilities for responding to hazardous material releases are primarily governed by the Idaho Hazardous Substance Response Act (Idaho Code §39-7101 et seq.) and the federal Emergency Planning and Community Right-to-Know Act (EPCRA).

Local entities bear the primary responsibility for the initial response, command, and containment of an incident within their boundaries.

Every city and the board of county commissioners of every county must designate by ordinance or resolution a Local Emergency Response Authority (LERA) to act as the first responder for hazardous substance incidents within their respective jurisdictions.

The LERA is legally mandated to respond to a hazardous substance incident in a manner consistent with the Idaho Hazardous Materials Emergency Incident Command and Response Plan. The Incident Commander (IC): The designated LERA provides the Incident Commander who manages all responders on-site. Scope of Duty: Local responsibilities focus entirely on emergency mitigation and containment (monitoring, assessing, and stabilizing the release to prevent immediate harm to public health or the environment). By law, emergency duties do not include long-term site cleanup or remediation after the IC declares the emergency phase has ended.

When a chemical release exceeds local capabilities, the LERA IC has the authority to request assistance from the state. This is coordinated through the Idaho Office of Emergency Management (IOEM) under the Idaho Military Division.

Regional HAZMAT Teams: Local governments can call upon Idaho's Regional Hazardous Materials Response Teams. These specialized regional teams are actually hosted by local fire departments that volunteer to respond outside their normal jurisdictions, supported by state funding (such as the State Emergency Relief Fund).

Mutual Aid: Local governments are explicitly encouraged to enter into mutual aid agreements and contracts with neighboring cities, counties, private entities, and even cross-border jurisdictions (other states or Canada) to guarantee a robust response framework.

3130 State Government

A designated State On-Scene Coordinator (SOSC) of the impacted state(s) will fill the SOSC role in the UC. In addition, their staff will be part of the UC response organization and will perform the following duties:

- Represent the state in response to an oil discharge or hazardous substance release or a threatened discharge or release, and to coordinate cleanup response with state and local agencies.
- Determine and implement appropriate response strategies in consultation with other members of the UC.
- Provide and coordinate state resources to the response effort as needed to accomplish combined cleanup objectives.
- Identify and maximize the protection of environmentally, culturally, and economically sensitive areas. Determine Resources at Risk (RARs).

For state-led incident responses, SOSCs, consistent with applicable Oregon and Washington State statutes and regulations (ORS 182, ORS 97.740, ORS 358.905, ODEQ Tribal Relations Policy 060.002.2010, and RCW 90.56), are responsible for coordinating state response actions and for engaging with affected Tribal governments. SOSCs will coordinate with Tribal governments in a manner consistent with state-to-Tribal government relationships, state law, and UC principles. When state agencies serve as natural resource trustees, they will coordinate trustee activities with Tribal governments acting in their trustee capacity.

3130.1 Washington State

The Washington State Response System is designed to provide a coordinated state agency response, in cooperation with federal agencies, for effective cleanup of oil discharges or hazardous substance releases.

Washington State Department of Ecology

Washington State Department of Ecology (Ecology) acts as the state IC for oil discharges or hazardous substance releases or threatened releases to waters of the state. Ecology provides 24-hour response to oil and hazardous substance spills when any amount of regulated waste or hazardous substance is released to the air, land, or water, or whenever oil is discharged on land or to state waters. As needed, Ecology deploys SOSCs to an incident. The agency maintains spill response teams in Olympia, Seattle, Bellingham, Vancouver, Spokane, and Yakima that provide round-the-clock response service to emergencies that pose an immediate threat to human health and the environment. In addition, Ecology:

- Confirms emergency notifications;
- Determines the source and cause of an incident;
- Identifies the RP for an oil discharge or hazardous substance release;
- Assumes responsibility for incident management and cleanup if the RP is unavailable, unresponsive, or unidentified;
- Sets state cleanup standards and ensures that source control, containment, cleanup, and disposal are accomplished;
- Assists in monitoring and ensuring the safety of first responders and other personnel;
- Determines the need for and initiates appropriate enforcement actions;

- Coordinates spill response with other Tribal, state, and federal agencies and local jurisdictions using NIMS/ICS;
- Establishes a Joint Information Center (JIC) with involved agencies and the RP to provide current and accurate information to the community;
- Conducts on-site inspections of commercial vessels and oil-handling facilities;
- Provides maritime expertise, such as advice on salvage operations;
- Leads, activates, and coordinates the Natural Resource Damage Assessment (NRDA) team, which also includes the state departments of Fish and Wildlife, Health, Natural Resources, Community, Archaeology and Historic Preservation, and Parks and Recreation Commission;
- Leads/supports activities of the Environmental Unit (EU) of the ICS;
- Participates in the activities of the Wildlife Branch of the Operations Section of the ICS; and
- Notifies the appropriate resource trustee agency of injury to fish, shellfish, habitat, and other wildlife.

Washington State Patrol

The Washington State Patrol (WSP) assumes responsibility as IC and acts as the lead state agency responsible for cleanup activities when oil discharges and hazardous substance releases occur on state highways. The WSP also:

- Assists local jurisdictions with law enforcement and evacuations;
- Represents local jurisdictions as designated IC;
- Coordinates and maintains liaison with other state agencies involved with an incident;
- Assists in receiving and disseminating warning information;

- Provides communications and technical support to the incident;
- Provides radiological monitoring;
- Provides aerial reconnaissance of the impacted area;
- Coordinates fire resources when an emergency mobilization is authorized for a hazardous substance incident; and
- Provides 24-hour, statewide communications support.

Washington Emergency Management Division

The Washington Emergency Management Division (WEMD) maintains a 24-hour capability to receive notification of oil discharge and hazardous substance release incidents, and requests for assistance and initial notification to local, state, and federal response agencies. WEMD should be contacted via the WEMD's number, (800)-258-5990.

Washington Department of Fish and Wildlife

The Washington Department of Fish and Wildlife (WDFW) is a trustee of fish, shellfish, wildlife, and associated habitats. WDFW is also a trustee of wildlife management lands and public access sites. WDFW should be engaged in responses where a potential exists for impacts to trustee resources. WDFW's areas of expertise include environmental sampling, identifying natural resource protection needs, oiled wildlife rescue, and NRDA.

Washington Department of Natural Resources

The Washington Department of Natural Resources (WA DNR) is a trustee of state-owned aquatic lands and associated habitat, including kelp, eelgrass, sediment, and other elements of the nearshore and bedland environments. WA DNR should be engaged in a response where a potential exists for impacts to trustee resources. WA DNR's areas of expertise include Natural Resource Damage Assessment and identification of aquatic habitat/state lands protection needs. This agency should be activated by phone through the Ecology representative on the RRT.

State Parks Commission

The State Parks Commission is a trustee of state park lands, including public recreation sites and associated natural resources. The State Parks Commission's areas of expertise include maintaining the biological, cultural, natural, and structural resources of underwater parks, beach properties, mooring buoys, boat launches, and related recreational facilities; conducting NRDA; and identifying state parks lands and property protection needs. This agency should be activated by phone through the Ecology representative on the RRT.

Washington Department of Health

Washington Department of Health (WA DOH) is responsible for public health associated with shellfish beds. The agency also has responsibility for beach closures for human health and safety purposes, utilization of contaminated food organisms, and general health-related matters for the safety of the public. During a radiological incident, WA DOH assumes responsibility as IC and acts as the lead agency. WA DOH should be engaged for any incident where the potential exists for seafood contamination or any incident where there are radiological concerns. WA DOH's areas of expertise include conducting NRDA, and rendering appropriate laboratory support and services to the SOSC. This agency should be activated by phone by calling the Duty Officer at (360) 888-0838.

Department of Archaeology and Historic Preservation

The Department of Archaeology and Historic Preservation is responsible for the protection of historic and archaeological sites. This agency also provides state historic preservation consultation to the UC during an incident response. This agency's areas of expertise include assisting with NRDA and identifying historic and archaeological resource protection needs. This agency should be activated by phone through the Ecology representative on the RRT.

Washington Department of Agriculture

The Washington Department of Agriculture has several areas of expertise, including laboratory testing and sampling for spills involving pesticides, as well as; food product

testing (milk, seaweed, etc.). This agency should be activated by phone through the Ecology representative on the RRT.

Labor and Industries: Division of Occupational Safety and Health

The Division of Occupational Safety and Health is primarily responsible for assuring that employers, including oil spill cleanup contractors, Ecology, and other state agencies are providing safe and healthful workplaces for its employees. This agency has several areas of expertise. Labor and Industries (L&I) will evaluate the following safety and health programs:

- Site characterization and control;
- Medical surveillance;
- Decontamination procedures; and
- Personal protective equipment requirements.

L&I establishes and enforces safety requirements for emergency spill response, including for the use of volunteers. This agency can be engaged by phone through the Ecology representative on the RRT.

Washington State Department of Transportation

The Washington State Department of Transportation (WSDOT) may provide traffic control, equipment, and personnel for non-hazardous cleanup activities on state and interstate highways. This agency can be engaged by phone through the Ecology representative on the RRT.

Utilities and Transportation Commission

Utilities and Transportation Commission (UTC) is responsible for developing and enforcing safety standards for natural gas and hazardous liquid pipelines located within the state. This agency can be engaged by phone through the Ecology representative on the RRT.

3130.2 Oregon State

This section describes Oregon's statewide oil and hazardous materials response system and outlines the responsibilities of departments and agencies that may be involved in response to, or coordination of, an incident.

ODEQ oversees and coordinates the conduct of emergency response cleanup operations with appropriate federal, Tribal, state, and local emergency responders as appropriate to the incident. ODEQ determines when the cleanup of released hazardous materials meets state standards and when the state's oversight is complete. ODEQ has developed expertise in areas of EU Leader and staffing, Geographic Information System/Situation Unit support, liaison, and public information/ communications to support the SOSC in conducting effective cleanup operations. ODEQ partners with Oregon Department of Fish and Wildlife (ODFW) to incorporate their authority and expertise into spill responses.

The Northwest Regional Contingency Plan (NWRCP) has been incorporated by reference into the Oregon Comprehensive Emergency Management Plan under the Emergency Support Function 10 (Hazardous Materials) Annex. Accordingly, the NWRCP has been adopted as the Hazardous Materials Response Plan for Oregon. The NWRCP and previous sections of this ACP describe the planning relationships between the RCP and the ACPs of the Northwest. The remainder of this section provides a high-level overview of the system for response to hazardous substances by Oregon departments, agencies, and authorities, with subsequent sections and the NWRCP providing more detailed information on the structure, responsibilities, and conduct of the hazardous substances response.

Per the Oregon Comprehensive Emergency Management Plan, ODEQ and the Oregon Department of the State Fire Marshal (OSFM) share the primary responsibility for response to hazardous substance releases in Oregon. Descriptions of the authorities, areas of responsibility and how each fulfill their missions are described below. Each agency has separate and additional duties and authorities under Oregon law to conduct investigations

and take action to control hazardous substance incidents for the protection of human health, the environment, and property.

The Oregon Department of Emergency Management is responsible for general disaster and emergency management coordination, including staffing and maintaining the Oregon Emergency Response System (OERS, described below): a notification system to initiate coordination of local city/county emergency management agencies with the state agencies and departments.

Oregon Emergency Response System

Oregon law requires those responsible for releases of hazardous materials releases to notify the state through the OERS.

OERS is operated by the Oregon Department of Emergency Management. OERS is involved in all emergency response notifications after first response (911 for police, fire, medical), in emergency notification for incidents involving hazardous materials, and is a pass-through notification for NRC reports. OERS maintains a 24-hour notification asset for all state, county, and city agencies throughout Oregon. In an emergency, OERS can be reached 24/7 at (800)-452-0311. During a non-emergency, a representative from OERS can be reached by calling (503)-378-6377. All notifications will result in pages to the appropriate Oregon agency or department.

Oregon Department of Environmental Quality

Oregon Department of Environmental Quality (ODEQ) has authority and responsibility under Oregon law to protect human health and the environment during hazardous materials response incidents. ODEQ acts as the On-Scene Coordinator (OSC) for the State of Oregon for hazardous materials incidents that pose a risk to Oregon's land, air, waters, and its inhabitants.

ODEQ is the co-lead agency with OSFM for all oil or hazardous material spills in Oregon, except for spills or releases from chemical weapons at the Umatilla Chemical Depot, and

radiological incidents handled by the Oregon Health Authority's Radiation Protection Services (see below).

ODEQ has a team of SOSCs that supports personnel who provide field, Command Post, and office support to incidents, as needed. ODEQ has prepared field support and information management tools to provide information needed to identify people, as well as natural and economic RAR during spill incidents, and to document field investigations and consolidate information for situational awareness and incident decision-making.

ODEQ provides guidance on the disposal of wastes generated during incident responses, and can help identify needed state environmental permits for discharges to the land, air, and water.

- Identify and prioritize the protection of vulnerable resources using local geographic habitat and environmental information.
- Counsel on cleanup and restoration standards.
- Provide toxicological information and identification of unknown pollutants.
- Provide funding for emergency removals of abandoned chemicals or materials that present a public health and environmental risk, when the owner, property owner, or RP is unable to act through the Oregon Hazardous Substance Remedial Action Fund.
- Facilitate use of ODEQ's Drug Lab Cleanup Fund for requests that come through law enforcement agencies.

ODEQ is available 24/7 through ODEQ's On-Call Duty Officer, and can be reached via OERS at (800) 452-0311.

Oregon Department of the State Fire Marshal

OSFM shares responsibility for response to hazardous substance releases with ODEQ. However, OSFM is responsible for the administration of the Hazardous Materials Response

Teams (HAZMAT Teams). OSFM has developed a computerized system that provides data on the location and type of hazardous substances stored in Oregon directly to fire departments and HAZMAT Teams. It also provides technical information on various hazardous substances and guidance on emergency response procedures.

To ensure a reasonable emergency response time to all parts of the state, a system of state-funded regional HAZMAT Teams has been developed. The teams are equipped and trained by the state and staffed by individuals from local fire departments and other emergency providers.

OSFM's HAZMAT Teams are regional and have expertise in HAZMAT response and emergency response procedures. They have personnel who can augment an Incident Command System (ICS) response, as they have up to Type II Incident Management Teams available. These HAZMAT Teams also maintain and use the statewide Fire Net/hazardous substances microwave relay radio system. In an emergency, the UC should request this resource via the SOSC.

Oregon Department of Emergency Management

The Oregon Department of Emergency Management is an agency that falls under the Oregon Military Department. This agency's areas of expertise include emergency management and coordination during disaster responses. This agency is also able to provide a Public Information Officer in support of JICs or Incident Command Posts (ICPs) for incidents. The Oregon Department of Emergency Management should be involved when a state emergency has been declared, or when there is an activation of the Emergency Coordination Center. In an emergency, this agency can be reached 24/7 via the OERS at (800) 452-0311 and via email at oers.staff@state.or.us. For a non-emergency, Oregon Department of Emergency Management can be contacted by calling (503)-378-2911.

Oregon Department of Fish and Wildlife

ODFW should be engaged in oil, hazardous substances incidents, and all other incidents that could degrade land or water to the point that fish or wildlife would be adversely affected, or its habitat degraded or destroyed. ODFW provides expertise when assessing damage to natural resources and when there is a need for rescue and rehabilitation of injured wildlife. Additionally, this agency has expertise and should assist in identification of fish and wildlife protection needs during an incident within its jurisdiction. In an emergency, this agency can be reached 24/7 via OERS at (800)-452-0311. The IC/UC can request the agency's involvement through the Oregon SOSC.

Oregon Health Authority

The Oregon Health Authority (Public Health Division) is the lead state agency for all incidents involving hazards to human beings, communicable disease agents, or radiation emergencies other than transportation accidents. This agency's capabilities include:

- Monitoring hazards such as lead, toxic materials, and household molds; and
- The Radiation Protection Services section can provide radiation monitoring expertise and training to local government emergency response agencies.

The IC/UC should request the agency's support via the Oregon SOSC.

Oregon Department of Energy

The Oregon Department of Energy is the lead state agency for radioactive materials transportation incidents. The lead state agency will provide an SOSC to direct state response and to assist the FOSC. Assistance that may be requested from the state includes guidelines for the disposal of oily waste, identification and prioritization of vulnerable resources and local geographic and environmental information, counsel on cleanup and restoration standards, medical/toxicological information through state health officials, and identification of unknown pollutants.

Occupational Safety and Health Division

The Oregon Occupational Safety and Health Division operates an occupational health laboratory in Portland, Oregon, and can support an incident if there are worker health issues. The IC/UC can request the agency's involvement through the Oregon SOSC.

Oregon Department of Agriculture

The Oregon Department of Agriculture should be considered for involvement in incidents that impact agricultural resources, including commercial shellfish, as well as incidents involving agricultural production, including pesticide application. This agency has personnel with expertise on pollutant impacts to aquaculture and a pesticide analytical Response Center. In an emergency, this agency can be reached 24/7 via OERS at (800)-452-0311. During a non-emergency, a representative for this agency can be reached at (503)-986-4726 (Shellfish Program) and (503)-986-6470 (Pesticide Analytical Response Center). The IC/UC should request this agency's involvement in an incident response via the Oregon SOSC.

Oregon Department of State Lands

The Oregon Department of State Lands (DSL) has interest in Incidents involving or potentially impacting agricultural, grazing, forest, estuary, tidal, offshore, and submerged and submersible lands of the state's navigable waterways, including the territorial sea.

Oregon Department of Forestry

The Oregon Department of Forestry has interest in Incidents that could impact Oregon's timber and other forest resources requiring a need to implement the Oregon Forest Practices Act as a resource to direct forest operators and parties responsible for an oil or hazardous substances incident.

Oregon Department of Transportation

The Oregon Department of Transportation (ODOT) has response authority and capability to respond along Oregon's Highway System. ODOT has a regional network of emergency

responders and equipment to provide first response to hazardous substances incidents, as well as authority and equipment to provide traffic control during emergency incidents.

Oregon State Police

The Oregon State Police (OSP) are active in the regular patrol of Oregon's highways and can provide initial IC during early phases of response. OSP can provide incident site security and access control, and the investigation of environmental crimes. OSP can also provide for the protection of life and property, traffic control, crowd control, communications, emergency first aid, and site security.

Oregon Parks and Recreation Department

The Oregon Parks and Recreation Department (OPRD) manages state-owned parks and the entirety of Oregon's open coastal beaches. OPRD has staff knowledgeable in the resources of the Oregon Coastal Zone and in the vicinity of inland state parks. OPRD is also responsible for managing Oregon's Recreation Trails, the Ocean Shores Recreation Area, and the Willamette River Greenway.

OPRD is an active participant in the investigation of and response to pollution incidents in the Coastal Zone, having the expertise to understand the risks posed to habitat and recreational users, and the authority to close beaches if warranted.

Some Oregon beaches are protected nesting grounds for a small shorebird called the western snowy plover. OPRD Beach Patrols monitor nesting habitat during nesting season (March 15 – Sept. 15), and some recreation activities may be restricted or prohibited in designated plover management areas.

Oregon State Historic Preservation Office

The Oregon State Historic Preservation Office (SHPO) is an office within the OPRD that is responsible for protecting and preserving historic and cultural heritage sites and materials in Oregon. The SHPO must be notified in the event that oil or hazardous substance incidents

threaten known or potential cultural resources, especially before digging or accessing areas known to have the cultural resources. The Inadvertent Discovery Plans referenced in this ACP were developed from the SHPO-provided template. SHPO can be notified through OERS or through ODEQ who will ensure the notification is completed.

3130.3 Idaho State

The Idaho state agency responsibilities for oil and hazardous materials response are primarily governed by the Idaho Hazardous Materials / Weapons of Mass Destruction Incident Command and Response Support Plan and the IOEM.

State agency roles are structured to support local responders and manage large-scale environmental or health threats.

Core State Agency Responsibilities

IOEM: acts as the state repository for regulatory reporting (Tier II, TRI, RMP). Coordinates state and federal response, assists Local Emergency Planning Committees (LEPCs), and manages the State Emergency Response Teams.

Idaho Department of Environmental Quality (IDEQ): Assesses human health and environmental risks, provides radiological expertise through a Radiation Control Officer, and oversees cleanup and disposal of hazardous substances.

Idaho State Police (ISP): Provides law enforcement support, including traffic and crowd control. Can assume IC on state highways if requested by local authorities and conducts investigations for transportation-related incidents.

Idaho Transportation Department (ITD): Manages traffic detours, provides equipment for containment, and assists with debris removal from roads and emergency repairs.

Idaho Military Division (IMD): Responsible for the overall implementation of the Idaho Hazardous Substance Emergency Response Act and establishing regional response teams.

Idaho Department of Fish and Game (IDFG): Provides personnel with peace officer powers to act as auxiliary police in the event of a major disaster. Evaluates and quantifies fish and wildlife resource losses and assists in evaluating other environmental impacts of hazardous materials incidents.

Idaho Public Utilities Commission (PUC): Assists in investigations of accidents involving railroad cars carrying hazardous material or involving public ROW railroad crossings. Assists in investigating incidents involving intrastate transmission and distribution pipeline emergencies.

Idaho State Department of Agriculture (ISDA): Provides technical information on pesticides, herbicides, fertilizers, and other agricultural chemicals used in the state. Provides technical support when hazardous materials, including radiation or radioactive materials, threaten or contaminate crops or livestock. Provides technical support and assists in evacuation of threatened livestock.

Idaho Department of Health and Welfare -Division of Health (IDHW): Provides technical assistance and laboratory support for assessment of health risks associated with hazardous materials incidents, including: providing local medical personnel with appropriate information for diagnosis and treatment of persons exposed to hazardous materials, providing toxicological and radiological information on hazardous and radioactive materials, and performing laboratory analyses for public safety and incident assessment and monitoring.

The Idaho Military Division maintains StateComm, which serves as the dispatch center for state response. Coordinates with District Health Departments in providing emergency health services in the event of a major disaster. Coordinates with nearest hospital cache site for the release of CHEMPACK assets, in the event of nerve agent chemical exposure, or organophosphate pesticide exposure. Requests, receives, allocates, and distributes assets from the Strategic National Stockpile during a public health emergency.

Idaho Department of Water Resources (IDWR): Forewarns non-domestic water users of impending problems if surface or ground waters are affected. Assists in the development of emergency or alternate drinking water sources.

3140 Tribal Government

Tribal governments are sovereign governments recognized under federal law and possess inherent governmental authority, subject to congressional limitations and applicable federal statutes. Tribal governments may exercise authority to protect the health, safety, welfare, natural resources, cultural resources, and trust and treaty-reserved rights of its members consistent with federal law.

Pursuant to 33 United States Code (USC) § 2706 and 42 USC § 9607(f), federally-recognized Tribes may act as natural resource trustees for natural resources belonging to, managed by, controlled by, or appertaining to the Tribe, or held in trust for the Tribe by the United States. Tribal trustee authority is exercised in accordance with applicable federal law, including the NCP and relevant NRDA regulations.

In furtherance of these authorities, Tribal governments are responsible for identifying and communicating Tribal jurisdictional interests, trust and treaty-reserved rights, natural resource trustee interests, and culturally-sensitive areas that may be affected by a discharge or release. Tribes may develop and maintain their own emergency response or contingency plans consistent with the NCP and the NIMS, designate Tribal representatives for preparedness and response coordination, and participate in Area Committee planning, training, and exercises. Where provided by the Tribe, relevant planning information may be incorporated into this ACP to support coordinated preparedness and response.

During an incident, Tribal governments may designate a Tribal On-Scene Coordinator (TOSC) or other authorized representative to participate in the response consistent with the ICS and the NCP. When an incident affects Tribal lands, trust lands, usual and accustomed fishing or hunting areas, trust and treaty-reserved rights areas, or other areas where a Tribe asserts

jurisdiction or trustee interests, Tribes may participate in UC or provide agency representatives, technical specialists, or subject matter experts (SMEs) to the command and general staff. Tribal representatives may provide Tribal ecological knowledge, cultural knowledge, and information regarding current and historical Tribal uses of affected areas to inform response strategies and operational decision-making. Where multiple Tribes have interests in an affected area, each Tribe may designate its own representative consistent with ICS structure and incident needs.

As natural resource trustees under OPA and CERCLA, Tribal governments are responsible for assessing potential injury to Tribal trust resources and may participate in NRDA activities consistent with 15 CFR Part 990 and 43 CFR Part 11. NRDA is distinct from response operations but may occur concurrently. Tribal trustee coordination during response will occur in accordance with the NCP, NWRCP, and applicable ACP(s).

For incidents occurring on Tribal lands, the Tribal government has authority regarding access, coordination, and the use of volunteers on those lands, consistent with applicable federal and state worker safety, liability, and emergency response requirements. All response and volunteer activities must comply with Occupational Safety and Health Administration (OSHA) hazardous waste operations and emergency response (HAZWOPER) standards (29 CFR §1910.120), NCP worker safety provisions, and ICS-established safety protocols.

Throughout preparedness and response activities, Tribal governments, the FOSC, and SOSCs share responsibility for maintaining effective communication; respecting jurisdictional authorities; protecting sensitive cultural information consistent with applicable law; and supporting a coordinated, efficient, and legally compliant response under the NCP; the NWRCP, and ACPs.

3150 Regional Response Team

The functional role of RRTs in each federal region has two principal components. One component is the standing team whose duties involve communication systems and procedures, planning, coordination, training, evaluation, preparedness, and related matters within each RRT's respective region. The second component of the RRT is an incident-specific team that may be assembled, as determined by the operational requirements of a response, to a specific discharge or release.

The RRT has responsibility for developing an RCP and for assisting the FOSC when guidance, coordination, or resources are needed to provide an adequate response to an incident. The RRT
includes designated representatives from each state within the federal region, representatives from multiple federal agencies, and designated representatives of federally recognized Tribes within the region, consistent with the NCP; Tribal participation is based on sovereign government representation and coordination, not on the availability of response resources. During an incident, additional federally-recognized Tribes whose lands, resources, or treaty-protected interests may be affected, are consulted and coordinated with through the FOSC and UC, as appropriate. EPA and the USCG co-chair the RRT, which does not respond directly to the scene, but instead responds to developments and requests from the FOSC in accordance with the NWIACP.

For a complete description of the responsibilities of the RRT, see *40 CFR § 300.115 - Regional Response Teams*.

Refer to the RRT10 RCP and the NRT website for a list of federal agencies and their roles and responsibilities related to ACP planning, preparedness, and response.

3160 Federal Government

In accordance with 40 CFR § 300.120, the FOSC directs federal response efforts and coordinates all other efforts at the scene of a discharge or release within the Inland Zone. An EPA OSC shall

chair the NWIAC and oversee the development, maintenance, and implementation of the ACP for their zone.

The EPA FOSC shall receive all notices of discharges or releases located within Idaho, Oregon, and Washington. Most of these notices will be routed via the NRC, but the EPA FOSC can receive notification of discharges or releases via other means as well. After receipt of the notification, the EPA FOSC shall conduct preliminary assessments using available information to determine the severity and scale of the release (40 CFR 300.305). Based on these findings, the FOSC will take appropriate response actions. In many cases, the FOSC will require the RP to take prompt and voluntary action to contain and remove the discharge while monitoring response efforts. If the RP fails to respond adequately, the FOSC will take necessary action.

During a discharge or release, the FOSC must promptly notify natural resource trustees and coordinate assessments, evaluations, investigations, and planning for removal actions. The FOSC will promptly notify and consult with federal, state, local, and Tribal natural resource trustees at the earliest practicable time during a response. The FOSC and the trustees shall coordinate assessments, evaluations, investigations, and planning with respect to appropriate removal actions. The FOSC shall consult with the affected trustees on the appropriate removal action to be taken.

The FOSC, consistent with the Clean Water Act (CWA) §311, CERCLA §104, and the NCP, is responsible for directing and coordinating federal response actions and for ensuring that affected Tribal governments are notified as soon as practicable when a discharge or release may impact Tribal lands, resources, or interests. The FOSC will, as soon as practicable, notify and offer emergency coordination to all affected Tribes, through appropriate designated Tribal coordinator, regarding oil discharges and chemical releases that could potentially affect Tribal interests and provide opportunities for meaningful coordination during response operations. The FOSC is responsible for integrating Tribal concerns into response objectives and strategies consistent with federal law, ICS structure, and the UC process. Where a Tribe elects not to participate directly in UC, the FOSC remains

responsible under the NCP for ensuring that Tribal trust resources and interests are appropriately considered in response decision-making.

In accordance with 40 CFR § 300.310, defensive actions shall be taken as soon as possible to prevent, minimize, or mitigate threats to public health or welfare of the United States or the environment. These actions will be consistent with the NCP and in accordance with the RCP. The disposal of oil or contaminated materials recovered during cleanup operations shall be disposed of in accordance with applicable laws, regulations, and requirements established in the RCP (Section 5580).

When an incident spans both Coastal and Inland Zones, a UC structure is activated under the ICS. The USCG and EPA will determine who will take the FOSC role as described in the NWRCP. A full and rapid response must be carried out by the appropriate agencies, including the RP, local, state, and Tribal governments.

As outlined in the RCP, a swift "ramp-up" of resources is essential for effective source control, containment, and cleanup. Experience in the Northwest Region has shown that containment is more cost-effective and less damaging than removal. Therefore, response efforts must escalate quickly, with the necessary resources and trained personnel for the worst-case release scenario. Excessive resources can be demobilized as needed to control costs for the RP and responding agencies.

3200 Natural Resource Trustees

CERCLA and OPA authorize the United States, individual states, and federally-recognized Tribes to serve as natural resource trustees for natural resources under their respective trusteeships (CERCLA § 107(f)(1); OPA § 1006(c)). OPA also authorizes foreign governments to act as trustees (OPA §1006(b)(5)). Following a hazardous substance release or oil discharge, natural resource trustees have responsibilities for assessing resulting injury to the environment. NRDA is the process by which trustees collect, compile, and evaluate data to determine the extent of injury to natural resources. The information gathered is used to

assess damages, determine the restoration required to compensate for the injured natural resources and lost use of resources, and seek recovery of those damages from the RP. NRDAs are typically initiated concurrently with response activities.

Initiation of an NRDA usually involves acquiring data both during and after a spill to document:

1) oil or hazardous substances in water, sediments, soil, and organisms;
2) effects on fish, wildlife, and/or their habitat;
3) exposure pathways; and
4) measures taken to prevent or reduce immediate migration of oil or hazardous substances onto or into a trust resource. To avoid duplication of response activities specified in an NRDA with other response activities, all sampling and field work by natural resource trustees should be coordinated with the lead response agency.

If natural resources are injured by a discharge or release of a mixture of oil and hazardous substances, U.S. Department of the Interior (DOI) regulations apply. National Oceanic and Atmospheric Administration (NOAA) regulations apply only in assessing damages that may result from discharges of oil.

Trustees often have information and technical expertise about the biological effects of hazardous substances, as well as locations of sensitive species and habitats, that can assist in characterizing the nature and extent of site-related contamination and impacts. Coordination at the investigation and planning stages provides the trustees with early access to information they need to assess injury to natural resources.

For a list of agency contacts and stakeholders (to include environmental, economic, and political), see the Response Partner Roles and Contacts tool. The following list outlines the trustees for natural resources designated in Subpart G of the NCP and provides a brief description of the resources that may be potentially impacted as a result of an oil discharge or hazardous substances release. Natural resources include land, fish, wildlife, biota, water,

groundwater, drinking water supplies, and other such resources. This list is provided for informational purposes and is not intended to be all-inclusive.

3210 Local

The NRDA functions are the responsibility of state and federal trustee agencies. Trustee agencies seek to work cooperatively with local government, local organizations, and the RP to assess ecological injuries and human use losses caused by an oil discharge or hazardous substance release.

3220 State

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. Depending on the response, the appointed agency or agencies should designate a representative to serve as the point of contact with the FOSC/UC. This individual should have ready access to appropriate state officials with environmental protection, emergency response, and natural resource responsibilities.

Upon notification of a discharge or release threatening natural resources, trustees are responsible for assessing potential damage, coordinating with the OSC/ Remedial Project Manager (RPM), and developing plans for resource restoration, rehabilitation, or replacement, in accordance with applicable statutes, including CERCLA, CWA, and OPA. Trustees may also conduct damage assessments, share relevant data with the OSC, and, when necessary, request federal resources to support response efforts. Their authority includes seeking compensation for damages and engaging in negotiations with RPs for remediation and restoration. For more detailed procedures on damage assessments, trustees may see 40 CFR 300.615.

Washington State

Under state law (RCW 90.56.370), individuals or companies responsible for spilling oil into state waters are liable for damages resulting from injuries to public resources. In cases where the federal damage assessment procedures are not used, the state damage assessment procedures may be used. This process in Washington State is defined in the Oil Spill Natural Resource Damage Assessment Rule (Washington Administrative Code [WAC] 173-183).

In 1989, state lawmakers created the Resource Damage Assessment Committee to oversee the protection and restoration of natural resources that are injured by oil discharges. The committee is made up of representatives from:

- Washington State Department of Ecology;
- Washington State Department of Fish and Wildlife;
- Washington State Department of Natural Resources;
- Washington State Department of Health;
- Washington State Parks and Recreation Commission; and
- Washington State Department of Archaeology and Historic Preservation.

Oregon

Oregon Department of Fish and Wildlife:

Under ORS 468B.060 and ORS 468N.400, the ODFW is the lead agency and has the authority to investigate incidents that result in the injury, death, contamination, or destruction of fish, wildlife, or their habitats. ODFW's responsibilities include investigating the cause and extent of damages, seeking compensation for the value of affected fish and wildlife, and recovering the costs associated with restoring damaged habitats. The Oregon Administrative Rules

635-410 further define ODFW's role in response efforts, which include working with other agencies to eliminate pollution sources, prevent further losses, and pursue violations.

Oregon State Department of Environmental Quality (ODEQ):

ODEQ is the lead state agency on the Area Committee and plays a critical role in oil spill and hazardous substance response efforts within the state. ODEQ is responsible for spill prevention, contingency planning, and oversight of cleanup activities for spills that affect Oregon's air, water, and land resources. ODEQ coordinates with other stakeholders to ensure effective prevention measures and response strategies are in place to protect Oregon's environment and public health.

ODEQ has enforcement authority for environmental laws and can compel emergency response and cleanup under Oregon law, but for NRDA, ODEQ is a support agency to the ODFW.

Idaho

Idaho does not maintain a single standalone NRDA policy document; rather, NRDA authority and procedures are implemented through a combination of federal law, Idaho statutes, and interagency trustee responsibilities. In Idaho, state participation in NRDA is supported by the Idaho Hazardous Substance Emergency Response Act (Idaho Code Title 39, Chapter 71), which authorizes state agencies to respond to releases, coordinate environmental assessment activities, and pursue cost recovery and remediation from RPs.

Within Idaho’s trustee structure, the IDEQ serves as the primary state environmental trustee and lead agency for coordination of environmental response and assessment activities. Additional trustee involvement may include the Idaho Department of Fish and Game for wildlife resources, the Idaho Department of Lands for state-owned lands and water resources, and the Idaho Department of Parks and Recreation for recreational and public trust resources, depending on the nature and location of the injury. These agencies

coordinate with federal trustees such as the U.S. Environmental Protection Agency (EPA), U.S. Department of the Interior (DOI), and NOAA, as applicable, as well as Tribal governments when resources under Tribal trust authority are affected.

Following the initial determination, trustees proceed to the NRDA assessment phase if sufficient evidence indicates actual or potential injury to natural resources, during which they evaluate baseline conditions, determine the nature and extent of injury, establish causation, and quantify ecological and economic losses using methods such as environmental sampling, field investigations, ecological surveys, and modeling. Upon completion of the assessment, trustees develop a restoration plan identifying and evaluating alternatives to restore, replace, or acquire the equivalent of injured resources based on ecological benefit, technical feasibility, cost, and public value. They then seek recovery of damages from RPs through settlement under CERCLA or OPA, or through litigation, when necessary, with recovered funds dedicated to implementing approved restoration projects that return resources to baseline conditions or provide equivalent environmental benefits. Throughout the process, Idaho coordinates trustee activities within the broader hazardous substance response framework under Idaho Code Title 39, Chapter 71, in alignment with federal CERCLA and OPA requirements to ensure integration between emergency response, environmental assessment, and long-term restoration.

3230 Tribal

Tribal Nations are Trustees for Tribal Natural and Cultural Resources. The Tribal chairman (or heads of the governing bodies) of Tribes, or a person designated by the Tribal officials, shall act on behalf of the Tribes as trustees for the natural resources, including their supporting ecosystems, belonging to, managed by, controlled by, or appertaining to such Tribe, or held in trust for the benefit of such Tribe, or belonging to a member of such Tribe, if such resources are subject to a trust restriction or alienation.

Tribal representatives may choose to support the response as a subject matter expert in the Logistics, Planning, or Operations sections or the EU; or an agency representative under the

Liaison Officer. If NRDA is conducted, Tribes may also participate in that effort to help define the injury done by the release. NRDA is separate and distinct from the response effort. The level of Tribal participation will depend on a number of factors, including the individual circumstances of the incident and the level of training and/or experience the representative(s) bring to the response. As with the TOSC role, the FOSC may facilitate the engagement of a Tribal Coordination Specialist (specialized Assistant Liaison Officer) who will assist Tribal representatives in navigating NIMS and ICS.

The Secretary of the Interior may act as trustee for a Tribal Nation if requested by the Tribal Nation.

3240 Federal

Pursuant to the NCP 40 CFR §300, Subpart G), federal trustees are federal officials who are to act on behalf of the public as trustees for natural resources. The RRT is responsible for assisting the FOSC, who shall ensure that trustees for natural resources are promptly notified of discharges or releases. The FOSC shall coordinate all response activities with affected natural resource trustees and shall consult with affected trustees on an appropriate removal action to be taken. In accordance with the NCP, FOSCs are required to contact DOI when a discharge may impact any natural resource, including endangered species or their habitat. These federal trustees are authorized to initiate damage assessments as authorized by Section 6002 of OPA and 107(f) of CERCLA.

U.S. Department of the Interior (through the Bureau of Indian Affairs, Bureau of Land Management, Bureau of Reclamation, Fish and Wildlife Service, National Park Service, Bureau of Safety, and Environmental Enforcement). This department is responsible for:

- Migratory birds and certain anadromous fish, endangered species, and marine
- mammals and their supporting ecosystems;
- Federally-owned minerals;
- Federally-managed water resources;

- Natural and cultural resources located on, over or under land administered by DOI through its component bureaus;
- National Parks, National Wildlife Refuges (NWRs), National Landscape Conservation
- Areas, etc.; and
- Natural resources for which a Tribe would otherwise act as a trustee in
- cases where the United States acts on behalf of the Tribe.

U.S. Department of Commerce (DOC) (through NOAA). This department is responsible for:

- Marine fishery resources and certain anadromous fish, endangered species, and marine mammals and their supporting ecosystems;
- National Marine Sanctuaries; and
- National Estuarine Reserves.

U.S. Department of Agriculture (DOA) (through the Forest Service). This department is responsible for:

- Natural and cultural resources located on, over, or under land administered by the U.S. Forest Service.

U.S. Department of Defense (DOD) This department is responsible for:

- Natural and cultural resources located on, over, or under land administered by the U.S. Department of Defense (DOD).

U.S. Department of Energy (DOE) This department is responsible for:

- Natural and cultural resources located on, over, or under land administered by the U.S. Department of Energy (DOE).

3300 Support Available to the Federal On-Scene Coordinator/Unified Command

Technical Specialists are advisors with special skills needed to support the incident. Technical Specialists may be assigned anywhere in the ICS organization. If necessary, Technical Specialists may be assigned to a separate unit. The Planning Section will maintain a list of available Technical Specialists and will assign them where needed. A full list of Technical Specialists can be found in Tools and Resources.

In order to access these specialists during a response, contact the agency representative on RRT10 to request assistance. Most of the specialists work for federal agencies. While it may not always be required, these agencies may sometimes need a request from another federal agency, such as an EPA FOSC, in order to assist on a response.

The Tools and Resources: Technical Specialists document has contact information for some support agencies, in case the RRT10 representative is unavailable.

3310 Federal Agency Scientific/Technical Support

3311 United States Coast Guard

The U.S. Coast Guard National Strike Force

The National Strike Force Coordination Center (NSFCC) manages the National Strike Force (NSF), which is authorized as the National Response Unit required under OPA, with responsibility for administering the USCG Strike Teams, and maintaining response equipment inventories and logistical networks. The NSFCC offers technical assistance and equipment for spill response, assistance in coordinating resources during oil discharge response, ACP or RCP review; coordination of spill response resources information; and inspection of OSRO response equipment. Strike Teams provide trained personnel and specialized equipment to assist the FOSC in training for spill response, stabilizing and

containing the spill, and monitoring or directing response actions of the RPs and/or contractors.

The National Strike Force Coordination Center

The NSF's mission is to provide highly trained, experienced personnel and specialized equipment to the USCG and other federal agencies to facilitate preparedness and response to oil and hazardous substance pollution incidents in order to protect public health and the environment. The NSF's AOR covers all USCG Districts and Federal Regions.

U.S. Coast Guard Strike Teams (Atlantic, Gulf, and Pacific)

The three USCG Strike Teams are available 24 hours a day. If the Strike Team contacted is already committed, another Strike Team will be deployed. Each Strike Team maintains trained personnel and specialized equipment to assist with training in responding to spills, stabilizing and containing spills, and monitoring and/or directing response actions of the RPs and/or contractors. The Pacific Strike Team, based out of Novato, California, provides response coverage for the Northwest Region.

Public Information Assist Team (PIAT)

The PIAT is an element of the NSFCC staff available to assist the FOSC to meet the demands for public information during a response or exercise. PIAT provides interagency crisis communication team(s) and technical expertise to assist ICs and FOSCs in meeting their objectives of truth and transparency of operations for the public. PIAT provides emergency risk communication support to ICs and FOSCs during incidents such as oil spills, hazardous substance releases, hurricanes, floods, or other disasters. Its use is encouraged any time the FOSC requires outside public affairs support. Requests for PIAT assistance may be made through the NSFCC or NRC.

Incident Management Assistance Team

The Incident Management Assistance Team (IMAT) was developed by the USCG to supply a ready-made team of highly trained individuals to assist the local IC in dealing with a major incident. The IMAT is located in Norfolk, Virginia. The team is trained for initial quick response to a regionally or nationally significant event. The team consists of ICS process experts who can quickly set-up and assist in transitioning from the initial emergency phase to a more sustained planning process. The IMAT deploys with a limited amount of equipment to ensure ICS functionality within an ICP.

National Pollution Funds Center

The National Pollution Funds Center (NPFC) is responsible for implementing those portions of OPA Title I delegated to the Secretary of the Department in which the USCG is operating. NPFC is responsible for addressing funding issues arising from actual and potential discharges of oil. Responsibilities of the NPFC include:

1) Issuing Certificates of Financial Responsibility to owners and operators of vessels to pay for costs and damages incurred by their vessels as a result of oil discharges;
2) Providing funding to various response organizations for timely abatement and removal actions related to oil discharges;
3) Providing equitable compensation to claimants who sustain costs and damages from oil discharges when the RP fails to do so;
4) Recovering monies from persons liable for costs and damages resulting from oil discharges to the full extent of liability under the law; and
5) Providing funds to initiate NRDA activities.

U.S Coast Guard Marine Safety Center / Salvage Engineering Response Team (SERT)

The U.S. Coast Guard Marine Safety Center, Salvage Engineering Response Team (SERT) provides immediate 24/7 naval architecture and salvage engineering support to USCG units in response to vessel casualties, including grounding, sinking, capsizing, collision/allision, fire, and structural damage. SERT also helps with Preparedness for Response Exercise

Program exercises, and assistance with casualty investigations, including technical review and independent analysis of vessel stability and structural integrity.

SERT should be contacted by USCG units as soon as practicable following a vessel casualty, so that pertinent technical information can be gathered and SERT can be integrated quickly into the early phases of the response. Initial contact with the SERT Duty Officer should be made by phone at (202) 327-3985. The Duty Officer will provide initial assessment of the casualty and guide requests for additional information. For many casualties, the SERT Duty Officer will request additional technical information be provided on the Rapid Salvage Survey Form.

This document serves as a basic "checklist" for many vessel casualties.

- Contact Information (24/7):
  - SERT Duty Officer Mobile Phone: (202) 327-3985
  - SERT Duty Officer Email: SERT.Duty@uscg.mil

District Response Advisory Team

District Response Advisory Teams (DRATs) assist the FOSC by providing technical assistance and personnel. Specifically, the USCG's Northwest DRAT and the Incident Management and Preparedness Advisor provide pollution planning, preparedness, and response policy guidance and assistance to an FOSC and staff on a regular basis.

3312 United States Environmental Protection Agency

Environmental Response Team

In the event of a continuing release or discharge, the FOSC has access to EPA's Environmental Response Team (ERT), stationed in Edison, New Jersey; Erlanger, Kentucky; Las Vegas, Nevada; and Research Triangle Park, North Carolina. The ERT provides Scientific Support Coordinators (SSCs) with expertise in treatment technology, biology, chemistry, hydrology, geology, and engineering. The ERT also has access to special decontamination

equipment and can provide advice on a wide range of issues such as a multimedia sampling and analysis program, on-site safety (including development and implementation plans), cleanup techniques and priorities, water supply decontamination and protection, application of dispersants, environmental assessment, degree of cleanup required, and disposal of contaminated material. The FOSC may designate an SSC as principal advisor on scientific issues who also communicates with the scientific community and assists in requests to state and federal agencies.

ERT Chemical, Biological, Radiological, and Nuclear

The ERT Chemical, Biological, Radiological, and Nuclear (CBRN), present at five geographic locations, provides 24/7 scientific and technical expertise to the FOSC or response customer for all phases of consequence management for CBRN incidents. With a focus on operational preparedness, ERT CBRN facilitates the transition of the latest science and technology to the field response community in order to provide tactical options for screening, sampling, monitoring, decontamination, clearance, waste management, and toxicological/exposure assessment during decontamination of buildings or other structures following an incident involving releases of radiological, biological, or chemical contaminants. ERT CBRN maintains critical partnerships with:

1) EPA's National Homeland Security Research Center and EPA's special teams;
2) Other federal partners including the U.S. Department of Homeland Security (DHS), Federal Bureau of Investigation (FBI), DoD, and Centers for Disease Control and Prevention (CDC)/ Department of Health and Human Services (HHS); and
3) International partners.

Radiological Emergency Response Team

Radiological Emergency Response Teams (RERTs) have been established by EPA's Office of Radiation Programs (ORP) to provide response and support during incidents or at sites containing radiological hazards. Expertise is available in radiation monitoring, radionuclide analysis, radiation health physics, and risk assessment. RERTs can provide on-site support

including mobile monitoring laboratories for field analysis of samples, as well as fixed laboratories for radiochemical sampling and analyses. Request for support may be made 24 hours a day via the NRC or directly to the EPA Radiological Response Coordinator in the ORP.

3313 National Oceanic and Atmospheric Administration

National Oceanic and Atmospheric Administration (NOAA) 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. The Secretary of DOC, through NOAA, also acts as trustee for natural resources managed or controlled by DOC, including their supporting ecosystems. NOAA is responsible for National Estuarine Research Reserves (NERR). Padilla Bay is the one NERR located within the planning area.

Scientific Support Coordinators

NOAA Scientific Support Coordinators (SSCs) are the principal advisors to the EPA FOSC for scientific issues, communication with the scientific community, and coordination of requests for assistance from state and federal agencies regarding scientific studies. The SSC leads a scientific team and strives for a consensus on scientific issues affecting the response but ensures opinions within the community are communicated to the FOSC. The SSC can also assist the FOSC with information relating to discharge movements and trajectories. The NOAA SSC serves as the FOSC's liaison between damage assessment data collection efforts and data collected in support of response operations. The SSC leads the synthesis and integration of environmental information required for spill response decisions in support of the FOSC, coordinating with federal agency and state representatives, appropriate trustees, and other knowledgeable local representatives.

The SSC, in accordance with the NCP, will provide the FOSC scientific advice regarding the best course of action during a discharge response. The SSC will help facilitate consensus from the federal natural resource management agencies and provide spill trajectory analysis data, information on the RAR, weather information, tidal and current information, etc. The SSC will be the point of contact for the Scientific Support Team from NOAA's Hazardous Material Response and Assessment Division. The FOSC's Guide to NOAA Scientific Support outlines all of the products and services the NOAA SSC can provide for planning and response activities.

The NOAA SSC can provide training and technical expertise with Shoreline Cleanup Assessment Technique. The Shoreline Assessment Manual, updated August 2013 by NOAA/HAZMAT, outlines methods for conducting shoreline assessment after an oil discharge.

The NOAA Scientific Support Coordinator may be reached at (206) 526-6322 or cell (206) 348-2429. The NOAA HAZMAT Duty Officer can be reached at (206) 526-4911.

National Weather Service

The National Weather Service (NWS), a federal organization within NOAA, can provide various types of support to an IC/UC operating in the Inland Zone through the Seattle Weather Forecast Office. These requests should be made to, and facilitated by, the NOAA SSC.

Office of Response and Restoration

The NOAA's Office of Response and Restoration Chemist provides support and guidance for oil and chemicals that enter the environment. They provide specialized information about where the spilled pollutant will travel in the air or water; how it will behave; whether it could react with other chemicals it is transported with or in the environment; and how it might affect people in the area or the environment. They also support the FOSC with the CAMEO and GNOME suite products.

- NOAA Chemist: (206) 526-4559

3314 United States Department of the Interior

DOI has jurisdiction over the National Park System, National Wildlife Refuges (NWRs), fish hatcheries, and public lands. The Regional Environmental Officer (REO) manages the department's response programs for oil and hazardous substance spills and oversees the department's responsibilities as a trustee for natural resources. DOI may become involved in a spill response once contacted through the REO, who is a designated member of RRT10. The REO for RRT10 is located in Portland, Oregon.

United States Fish and Wildlife Service

The Secretary of the Interior acts as trustee for resources managed or protected by DOI Bureaus, including U.S. Fish and Wildlife Service (USFWS) and Bureau of Reclamation. USFWS, an office within DOI, is responsible for the management of migratory birds, federally- listed threatened and endangered (T&E) species, and inter-jurisdictional fishes within the NWIACP planning area. NWR lands established in/near the ACP planning area include:

Washington State

- Billy Frank Jr. Nisqually National Wildlife Refuge;
- Washington Maritime National Wildlife Refuge Complex;
    - Flattery Rocks National Wildlife Refuge
    - Quillayute Needles National Wildlife Refuge
    - Copalis National Wildlife Refuge
    - Dungeness National Wildlife Refuge
    - Protection Island National Wildlife Refuge
    - San Juan Islands National Wildlife Refuge
- Grays Harbor National Wildlife Refuge;

- Pierce National Wildlife Refuge;
- Franz Lake National Wildlife Refuge;
- Little Pend Oreille National Wildlife Refuge;
- Willapa National Wildlife Refuge;
- Julia Butler Hansen Refuge for the Columbian White-Tailed Deer;
- Lewis and Clark National Wildlife Refuge;
- Toppenish National Wildlife Refuge;
- McNary National Wildlife Refuge;
- Steigerwald Lake National Wildlife Refuge;
- Conboy Lake National Wildlife Refuge;
- Turnbull National Wildlife Refuge;
- Columbia National Wildlife Refuge; and
- Ridgefield National Wildlife Refuge.

Oregon

- Cold Springs National Wildlife Refuge;
- Umatilla National Wildlife Refuge;
- Klamath Marsh National Wildlife Refuge;
- Lower Klamath National Wildlife Refuge;
- McKay Creek National Wildlife Refuge;
- Three Arch Rocks National Wildlife Refuge;
- Ankeny National Wildlife Refuge;
- Oregon Islands National Wildlife Refuge;
- Brandon Marsh National Wildlife Refuge;
- Baskett National Wildlife Refuge;
- Siletz Bay National Wildlife Refuge;
- William J. Finley National Wildlife Refuge;
- Cape Meares National Wildlife Refuge;

- Wapato Lake National Wildlife Refuge;
- Hart Mountain National Wildlife Refuge;
- Malheur National Wildlife Refuge;
- Tualatin National Wildlife Refuge; and
- Nestucca Bay National Wildlife Refuge.

Idaho

- Deer Flat National Wildlife Refuge;
- Grays Lake National Wildlife Refuge;
- Minidoka National Wildlife Refuge;
- Bear Lake National Wildlife Refuge;
- Oxford Slough National Wildlife Refuge;
- Camas National Wildlife Refuge; and
- Kootenai National Wildlife Refuge.

When a spill occurs, the appropriate USFWS office(s) will provide timely advice on measures necessary to protect wildlife from exposure, including the priority and timing of those measures. Protective measures may include preventing the oil from reaching areas where migratory birds and other wildlife are located or deterring birds or other wildlife from entering areas by using wildlife hazing devices or other methods.

If exposure of birds and other wildlife to oil or hazardous substances cannot be prevented, an immediate decision will be made regarding rescue and rehabilitation of "oiled" birds and other

wildlife. Decisions to rescue and rehabilitate "oiled" wildlife must be made in conjunction with other federal and state natural resource management agencies. Wildlife rehabilitators will need federal and state permits to collect, possess, and band migratory birds and T&E species.

For more information, see the Northwest Wildlife Response Plan (NWRCP Annex D).

United States Geological Survey

The U.S. Geological Survey (USGS) maintains expertise in water quality characterization, oil fingerprinting, submerged oil and oil-particle formation, transport and resuspension of oil in fresh waters, riverine two-dimensional particle transport/hydrodynamic simulations, ecotoxicology, time-of-travel studies for freshwater systems, and geospatial data collection of visible spill plumes applicable to spill response events in freshwater environments. In addition, USGS can provide biological survey assistance for natural resources and contaminants and contribute distribution information about sensitive species (e.g., birds, invertebrates). USGS also provides extensive expertise and information for NRDAs (e.g., aerial surveys, abundance estimation, remote sensing).

3315 United States Department of Health and Human Services

The U.S. Department of Health and Human Services (DHHS), through the Agency for Toxic Substances and Disease Registry (ATSDR), serves the public by using the best science, taking responsive public health actions, and providing trusted health information to prevent harmful exposures and disease related to toxic substances. The ATSDR is directed by congressional mandate to perform specific functions concerning the effects on public

health of hazardous substances in the environment. These functions include public health assessments of waste sites, health consultations concerning specific hazardous substances, health surveillance and registries, response to emergency release of hazardous substances, applied research in support of public health assessments, information development and dissemination, and education and training concerning hazardous substances.

Public Health Technical Specialists from the DHHS CDC and ATSDR can assist with environmental health support.

3316 United States Department of Agriculture

The U.S. Department of Agriculture (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 and other natural or manmade emergencies. The USDA may be contacted through the USFS emergency staff officers who are the designated members of the RRT.

USDA maintains trusteeship of national forest, wilderness areas, and wildlife within USDA-controlled forests, archaeological sites, range and farmlands, fisheries, and lands enrolled in the Wetlands Reserve Program. Additionally, the USDA plays a key role in the closing and re-opening fisheries before, during, and after cleanup operations.

3317 United States Department of Energy

The Secretary of Energy has trusteeship over natural resources under its jurisdiction, custody, or control. DOE's landholdings include national research and development laboratories, facilities, and offices.

The DOE Office of Petroleum Reserves oversees the Strategic Petroleum Reserve (SPR), the world's largest supply of emergency crude oil, which was established primarily to reduce the impact of disruptions in supplies of petroleum products and to carry out obligations of the United States under the international energy program.

3318 United States Department of Transportation

DOT provides response expertise pertaining to transportation of oil or hazardous substances by all modes of transportation. Through the Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT-PHMSA offers expertise in the requirements for packaging, handling, and transporting regulated hazardous substances.

3319 United States Department of Defense

United States Army Corps of Engineers

The Secretary of the DoD has trusteeship over the natural resources on all lands owned by DoD or the Army (including lands and facilities managed by the U.S. Army Corps of Engineers (USACE), Navy, Air Force, and Defense Logistics Agency). These lands include military bases and training facilities, research and development facilities, and munitions plants. USACE has trusteeship over natural resources under its jurisdiction, custody, or control. USACE landholdings include national research and development laboratories, facilities, and offices.

U.S. Navy Supervisor of Salvage

The U.S. Supervisor of Salvage (SUPSALV) has an extensive salvage/search and recovery equipment inventory, and the requisite knowledge and expertise to support these operations including specialized salvage; firefighting; and petroleum, oil, and lubricants offloading capability, even in open sea response incidents. SUPSALV can also provide equipment for training exercises in support of national and regional contingency planning objectives. The FOSC may request assistance directly from SUPSALV. Formal requests are routed through the Chief of Naval Operations.

Example message template:
https://www.navsea.navy.mil/Portals/103/Documents/SUPSALV/ESSM/Sample%20CG%20ReqMsg.pdf

National Guard Civil Support Teams

National Guard Civil Support Teams (CSTs) were created in 1999 to respond to terrorist incidents involving weapons of mass destruction (WMD), as well as other disasters and catastrophic events, both natural and man-made. There are 57 CSTs located throughout the United States, with at least one in each state and territory. The mission of a CST is to support

civil authorities at a domestic CBRN, and high-yield Explosives incident site with responsibilities such as identifying and assessing of hazards, advising civil authorities, and facilitating the arrival of follow-on military forces during emergencies and incidents.

CSTs normally operate as a state asset, under the command and control of the state governor, but upon deployment, the unit provides direct support to the IC. CSTs support local emergency responders (fire, police, and EMS), as well as state and federal agencies such as DOE, FBI,

EPA and Federal Emergency Management Agency (FEMA). The Washington 10th CST is located in Tacoma, Washington. The Oregon 102nd CST is located in Salem, Oregon. The Idaho 101st CST is located in Boise, Idaho.

3320 United States Department of Homeland Security

Interagency Modeling and Atmospheric Assessment Center

The Interagency Modeling and Atmospheric Assessment Center, or IMAAC, provides no-cost, expert support for incidents involving hazardous materials or chemical, biological, radiological, nuclear, or explosive (CBRNE) agents. IMAAC supports federal, state, local, Tribal, and territorial first responders, emergency managers, public and environmental health practitioners, and other public safety officials by coordinating, developing, and disseminating plume models and other resources intended to support decision-making during HAZMAT/CBRNE emergencies.

Led by FEMA, IMAAC is a partnership between several federal agencies whose missions and capabilities complement one another's, providing multidisciplinary perspective to CBRNE preparedness and response efforts. These agencies come together and coordinate under IMAAC to provide the singular federal position on HAZMAT/CBRNE incidents.

Science and Technology Advisors

Science and Technology Advisors (S&T Advisors) are typically drawn from academia and provide specialized scientific and technical expertise, to supplement and strengthen the Incident Management Team.

The advisory capability may consist of individuals or institutions and may be identified during the preparedness phase or by incident-specific needs. The relationship may be as informal as a list of names and contact information in a directory, or as formal as a pre-spill relationship defined through letter of agreement. These resources will be activated as necessary on an ad hoc basis.

The following entities represent establish S&T Advisory resources available to support the Incident Management Team:

- Pacific Shellfish Growers Association: (360)-774-4853;
- Focus Wildlife: (800)-578-3048; and
- International Bird Rescue: (707) 207-0380.

Volunteers

In times of crisis or trouble, many citizens feel compelled to help or lend their assistance and expertise to the response effort. This help can be welcome if the demands of an incident exceed the available resources or if a particular set of skills are in short supply. Volunteers can support response efforts in any number of ways such as conducting beach surveillance, providing logistical support, or assisting in the treatment of impacted wildlife. The decision to employ volunteers must carefully weigh the potential benefits against considerations of safety, liability, and operational effectiveness. In the early stages of the event and as the incident evolves, UC will decide whether volunteers will be employed and in which capacities they can serve.

For more information about the use of volunteers, see NWRCP "Use of Volunteers to Assist in Oil Spill Responses," the Volunteer Guidance Tool in the RRT10 Tools and Resources page, Annex G (Voluntary Organizations Active in Disaster) of this plan, and the National Response Team's Use of Volunteers Guidelines for Oil Spills.

Product Specialist

A Product Specialist is an individual who works for a private enterprise and who is knowledgeable of the operating characteristics of specific materials spilled or released that may harm the environment. Specialists that can provide technical expertise on Hazardous Materials are as follows:

- CHEMTREC: (800)-262-8200 (within the U.S.); (703)-741-5500 (Worldwide);
- USCG-Pacific Strike Team: (415)-883-3311; and
- NOAA HAZMAT Duty Officer: (206)-526-491.

Certified Marine Chemist

The USCG and OSHA require that a certificate issued by a Marine Chemist be obtained before hot work or fire-producing operations can be carried out in certain spaces aboard a marine vessel. A Certified Marine Chemist (CMC) promotes the science, and improves the methods of evaluating and eliminating health, fire, and explosion hazards in marine and associated industries.

In complying with both the USCG and OSHA regulations, the CMC applies the requirements contained in National Fire Protection Association Standard (NFPA) 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 CMC 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 material.

CMCs are paid consultants who have the equipment and expertise to obtain temperature readings, check for the presence and concentrations of gases, and provide advice to the firefighting teams concerning the nature of chemical-related hazards encountered.

Sources of CMCs:

- https://marinechemistassociation.com/find-a-chemist/

Certified Industrial Hygienist

An Industrial Hygienist (IH) is a professional who evaluates the health effects of chemicals or noise in a workplace. The IHs use their knowledge to anticipate when hazardous conditions could occur and cause an adverse health effect on a worker or the environment.

Sources of IHs:

- • https://marinechemistassociation.com/find-a-chemist/
- American Industrial Hygiene Association Directory (AIHA.org/consultants-directory)

Sampling

Technical Support for hazardous substances sampling can be obtained from OSROs. Additionally, the states of Oregon and Washington have technical support for sampling activities that may be obtained through the SOSC or Environmental Unit Leader. From a federal resource perspective, the Pacific Strike Team and EPA's Environmental Response Team can also provide sampling resources.

Toxicology Resources

Toxicologists study the safety and biological effects of chemicals, agents, and other substances on living organisms. They develop methods to determine harmful effects, the dosages that cause those effects, and safe exposure limits.

Sources of Toxicology Specialists:

- Agency for Toxic Substances and Disease Registry (ATSDR) – Western Branch – Region 10; https://www.atsdr.cdc.gov/dro/r10.html;
- Washington State Patrol Toxicology Laboratory Division; http://www.wsp.wa.gov/forensics/toxicology.htm;
- NOAA SSC/NOAA NMPH;
- Washington State Department of Health; https://www.doh.wa.gov/AboutUs/ContactUs; and
- Oregon Health Authority

https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/Pages/Program-Information.aspx;

4000 PRE-SPILL RISK ANALYSES, CONSULTATIONS & RESPONSE STRATEGIES

This part of the Area Contingency Plan (ACP) outlines emergency preparedness efforts within the Northwest Inland Area Contingency Plan (NWIACP) planning area including identification of Worst-Case Discharge (WCD) planning scenarios for all transportation modes, pre-spill consultations, the establishment of priority protection areas, and the development of response strategies for consideration in the initial stages of an incident.

4100 Worst Case Planning Scenarios

As required by the Federal Water Pollution Control Act (FWPCA) Section 311(j), ACPs, when implemented with the NCP, shall be adequate to remove a WCD and to mitigate or prevent a substantial threat of such a discharge from a vessel, offshore facility, or onshore facility.

4200 Pre-Spill Endangered Species Act Consultations

A memorandum of agreement (MOA) was established between the U.S. Coast Guard (USCG), U.S. Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (USFWS), NOAA's National Marine Fisheries Service (NMFS) to address required consultations under Section 7 of the Endangered Species Act (ESA). The MOA Regarding Oil Spill Planning and Response Activities under the FWPCA's National Oil and Hazardous Substances Pollution Contingency Plan and the ESA outline the actions to take for completing these consultations prior to and during an incident. Within the inland area, EPA is the Action Agency, and as such, it is the EPA Federal On-Scene Coordinators (FOSC's) responsibility to address any ESA Section 7 Consultation requirements by engaging the Services on the potential effects for all potential response actions that may be implemented during the emergency response.

The Biological Assessment for the Northwest Area Contingency Plan for the Response to Spills of Oil and Hazardous Substances was prepared on behalf of the USCG and EPA to evaluate the potential for adverse effects on species and habitats protected under the ESA from oil discharge or hazardous substance release response actions. USFWS and NOAA/NMFS issued responding Biological Opinions on the implementation of future emergency response actions. The Biological Assessment and Biological Opinions can be accessed on the RRT10/NWAC website.

Further guidance on initiating an ESA consultation, see the RRT10 Endangered Species Act Compliance Guide.

4210 Pre-Authorizations and Best Management Practices

During the Biological Assessment and subsequently received Biological Opinions from USFWS and the NOAA NMFS, review of the Pre-Authorization Zones, decision-making procedures, and best management practices (BMPs) for *in situ* burning (ISB), use of dispersants, and surface washing agents was completed. The opinions supported the use-case zones, and associated procedures and BMPs for these tactics in protecting ESA species during the initial phases of oil discharge response.

- In Situ Burning of Oil Products in Remote Areas;
- Dispersant Use Zones; and
- Surface Washing Agents on the Subpart J Product Schedule.

For BMPs, see the Oil Spill Best Management Practices tool. The *ISB* Pre-Authorization Zone is described as follows:

- Any area more than 3 miles from a population center (defined as 100 people per square mile).
- EPA does not intend to utilize preauthorization to apply burning agents without incident specific RRT approval in the Inland Zone.

The FOSC has the authority and responsibility for managing oil discharges in the Pre-Authorized Zone as part of a Unified Command (UC) structure. This ISB Policy and Plan authorizes the FOSC/UC to do the following without Regional Response Team (RRT) approval:

1) Under proper conditions, ignite the discharged oil without using burning agents.
2) Utilize burning agents, as appropriate, if the burning conditions are suitable. EPA does not intend to utilize preauthorization to apply burning agents without incident specific RRT approval in the Inland Zone.

No dispersant Pre-Authorization Zones exist in RRT Region 10. No surface -washing agent pre-authorization zones exist in RRT Region 10.

Any application of surface washing agents that would result in their release into the environment requires that the FOSC obtain RRT authorization prior to initiating any such applications. RRT authorization is not required for use of surface washing agents when all effluents are recovered and properly disposed of (e.g., cleaning of boom in containment areas on land). All applications of surface washing agents will be conducted in accordance with applicable state and federal regulations.

4220 Threatened and Endangered Species within the Area of Responsibility

A list of all threatened and endangered (T&E) species and designated critical habitat for the Northwest Region is available on the RRT/NWAC website, and on the Information for Planning and Consultation website maintained by the USFWS.

As a best practice, the Incident Command (IC)/UC should include a statement in the Incident Objectives (ICS-202) regarding the protection of T&E species and habitat resources. Additionally, staff knowledgeable about the T&E species and habitat of the local area should be assigned to the Environmental Unit (EU) as the Resources at Risk (RAR) specialist, even before consultation with the Services is initiated to minimize impacts or the potential for

"take" of T&E species. Ideally, the RAR specialist will also be able to identify measures needed to protect T&E species until formal consultation can be initiated. This is usually done via an ICS-232 (RAR) document.

See the RRT10 Endangered Species Act Compliance Guide.

4300 National Historic Preservation Act

As outlined in the NWRCP, this section describes the obligations of state and federal responders to protect cultural and historic properties during an emergency response and the procedures for meeting those obligations. For the FOSC, this section and Section 5220, "Section 106 (NHPA)", adopt the national Programmatic Agreement on Protection of Historic Properties During Emergency Response (PA) under the NCP. This section also fulfills the FOSC's responsibility to ensure that historic properties are appropriately considered in planning for an emergency response (Section IV. A. of the PA).

See the NHPA Compliance Guide and Section 5220, "Section 106 (National Historic Preservation Act)" for emergency consultations.

The National Conference of State Historic Preservation Officers provides a directory of State Historic Preservation Officers (SHPOs).

The Tribal Resources page provides a directory of Tribal Historic Preservation Officers (THPOs) and instructions on how to access the Tribal Liaison Contact Database are available on the RRT10/NWAC webpage.

Responses Conducted Under National Contingency Plan Authority

The NHPA of 1966 (Public Law 89-665) requires agencies using federal funds to identify, evaluate, and, where significant, protect historic, archaeological, and traditional cultural properties. This act also established the National Register of Historic Places, expanding federal recognition to historic properties of local and state significance. The National Park

Service in the U.S. Department of the Interior administers both programs. Regulations for these programs are contained in 36 Code of Federal Regulations (CFR) Part 60, National Register of Historic Places, and 36 CFR Part 65, National Historic Landmarks Program.

NOAA manages maritime heritage resources within national marine sanctuary boundaries (National Marine Sanctuaries Act, 16 U.S. Code § 1431 et seq.) and complies with Sections 106 and 110 under the NHPA.

Oil can contaminate archaeological, historic, and culturally sensitive resources. Such contamination can prevent carbon dating, can damage fragile artifacts, and make restoration and preservation extremely difficult or impossible. In addition, oil discharge response activities (e.g., mechanical cleanup and staging area construction) can physically disturb or destroy artifacts and sites.

Archaeological research and inventory in the Northwest Region are incomplete, and the data that do exist are not disclosed in order to prevent looting and vandalism. The primary contact for responders seeking information and expertise on local culturally sensitive areas is the State Archaeologist in the SHPO for the state and the THPO for the affected Tribal lands. It is important that responders be aware of the types of archaeological, cultural, or historic materials that they are likely to encounter while responding to an oil discharge or hazardous substance release and that they immediately notify the FOSC/UC if these types of materials are discovered.

During Geographic Response Plan (GRP) development or revision, resource trustees and Tribes are consulted to identify strategies that may adversely impact archaeological, cultural, or historic resources. These resources are protected under federal, Tribal, and state laws. To avoid any inadvertent impacts on cultural and historic resources, responders are required to utilize existing hardened access paths and paved areas when approaching shorelines, and cleanup teams are to remain on beaches.

An FOSC, as an agency representative, is required to follow the NHPA. Thus, during a response, the FOSC will need to identify, evaluate, and, where significant, protect historic,

archaeological, and traditional cultural properties. Under the NHPA, the FOSC is to protect property from 1) oil, hazardous substance, pollutant, or contaminant that has been discharged or released and 2) damage due to the response itself.

The NHPA was written for planned actions and does not adequately address federal actions under an emergency response. To fill that gap for environmental emergencies, the Advisory Council on Historic Preservation, the National Conference of State Historic Preservation Officers, and eight federal agencies, including the USCG and EPA, developed and signed the PA.

Note that circumstances of a response may involve a THPO. Not all Tribes have a formally designated THPO, and the FOSC may need to consult with a Tribal representative on cultural issues instead. Wherever this document refers to a THPO, this also implies a Tribal representative for Tribes with no THPO.

Before the PA can be used, an RRT needs to adopt the NHPA into its RCP or ACP (Section VII. C. of the NHPA). As such, RRT10 incorporates by reference the NHPA into the NWACP. Subsequently, the adoption of the NHPA into the NWRCP will satisfy the USCG and EPA FOSC Section 106 responsibilities for all individual undertakings carried out in accordance with the NHPA and this plan as allowed under 36 CFR § 800.14(b), the implementing regulations for the NHPA.

It is necessary to define the term “emergency response” because, as stated in the title, the NHPA is an agreement regarding protection of historic properties during an “emergency response” under the NCP. The NHPA states that “an ‘emergency’ shall be deemed to exist whenever circumstances dictate that a response action to a release or discharge must be taken so expeditiously that normal consideration of the Section 106 process is not reasonably practicable.” Note that “emergency

response” is not defined in the NCP; instead all cleanups of a discharge or a release are regarded as a “removal,” whether an emergency or planned. A planned removal will follow the requirements under 36 CFR §800.

Nevertheless, the term “emergency response” is widely used to distinguish a planned response from an unplanned response for administrative purposes, particularly within EPA. With few exceptions, most oil responses under Oil Pollution Act of 1990 are unplanned and thus considered emergencies. The USCG deals almost exclusively with oil discharges, and so almost all responses performed by the USCG are emergencies. However, with hazardous substances responses under Comprehensive Environmental Response, Compensation, and Liability Act, many are planned and indeed require an action memorandum (approval and funding mechanism) before a removal can begin.

For consistency with FOSC practices, an emergency response will be considered a response performed in the context of all oil discharges and any hazardous substance release that does not require an action memorandum before initiating a removal. In these types of responses, normal consideration of the Section 106 process is deemed not reasonably practicable. However, this does not preclude following the Section 106 process, if the FOSC determines in consultation with the SHPO that conditions of the response allow for it.

In the context of this section, an emergency response shall be deemed complete using the same determination process as for a removal in the NCP under 40 CFR 300.320(b) – “Removal shall be considered complete when so determined by the On-Scene Coordinator (OSC) in consultation with the governor or governors of the affected states.”

4310 Pre-Authorizations and Best Management Practices

Pre-authorizations and/or BMPs provided during consultation for the federal actions during actual response activities will not be incorporated into the individual GRPs. This information is confidential and should not be recorded in public documents.

As a best practice, the IC/UC should include a statement within the Incident Objectives (ICS-202) regarding the protection of historic properties or cultural resources. Additionally, the Historic Properties Specialist should be assigned to the Planning Section or EU as the Historic/Cultural Resources Technical Specialist. In the Northwest Region, it is best practice

to develop an Inadvertent Discovery Plan and/or a Cultural Resources Protection Plan for significant responses.

It is recommended to engage early with any questions regarding response activities involving NHPA requirements. Additionally, for guidance on consultations with THPOs see the NHPA Compliance Guide.

4400 Environmentally Sensitive Areas

The Inland Zone includes numerous environmentally sensitive areas important to fish, wildlife, and habitat. During a response, responders will determine which areas are affected, may be affected, or not threatened.

When T&E species, designated critical habitats, or historic/cultural properties may be affected by response actions, consultations with the appropriate agencies must be initiated.

Geographic Information System data on sensitive areas, and the GRPs and Geographic Response Strategies (GRSs) offer essential narrative information and maps highlighting key habitats and species of concern. GRPs have been developed for many inland waterways.

Interactive maps and detailed descriptions in the NOAA ESI identify these sensitive areas across portions of the Inland Zone. ESI data, including GIS layers, NOAA resources, USFWS information, and habitat datasets, can be accessed and downloaded from the NOAA website.

For a complete list of GRPs, with links to those available in electronic format, visit the List of Geographic Response Plans on the RRT/NWAC website.

4500 Economically Sensitive Areas

As required by 40 CFR §300.210(c)(3)(i), areas of special economic or environmental importance shall be identified for protection from the impacts of a spill. Considerations

include each location's significance, sensitivity to oil, anticipated impacts, and the extent to which potential losses can be recovered, restored, or compensated. Economically-sensitive areas include water intakes, high-tourism areas, significant port/industrial facilities, marinas, agricultural sites, and fishing grounds.

Washington, Oregon, and Idaho have GIS databases that capture the water intakes in the Inland Zone, which can be accessed by the State On-Scene Coordinator (SOSC). Additionally, most of the economically-sensitive area types have specific GRSs created for their protection. The information on potentially impacted economically-sensitive areas, and the measures to be taken for their protection, are fully described in the GRP for the incident area. Note that water intakes from the ocean (including bays) are not required to obtain a state water right and, therefore, not all saltwater/brackish water intakes are known. Finally, Tribal water systems are, likewise, not subject to state water right permitting. Information on these systems (if available) is available through EPA, which administers federal drinking water program requirements.

4600 Geographic Response Strategies

GRPs describe geographic areas where significant oil discharges could occur. They identify RAR in those areas and provide detailed instructions for GRSs that have been designed and pre-vetted by resource trustees to protect those sensitive resources. GRPs and GRSs have two main functions:

- Planning: GRPs document sensitive biological, cultural, and socioeconomic resources to support compliance with 40 CFR §300.210(3)(i), which requires ACPs to identify areas of special economic or environmental importance that may be affected by an oil discharge. They also support compliance with the NHPA by addressing the protection of historic and prehistoric resources.
- Operations: During the initial stages of a spill response—typically before UC is established—GRPs guide responders by providing prioritized lists of GRSs with detailed instructions to deploy those strategies.

Once UC is established, additional operational strategies and tactics can be designed and communicated through ICS-204 work assignment sheets. Because GRPs are designed for early response stages, and are broad in scope, they are not intended to address every sensitive area that could be affected, nor do they serve as an exhaustive list of all possible response strategies.

GRPs and GRSs for this planning area can be accessed on the RRT/NWAC website.

The GRSs are also available via the Pacific Northwest Environmental Response Management Application platform which can be accessed at https://response.restoration.noaa.gov/pacific-northwest-erma.

5000 RESPONSE

This Part of the Area Contingency Plan (ACP) provides information outlined in the National Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) §300.300 Subpart D. Response protocols are guidelines for the response community to ensure success in meeting all legal and statutory requirements before, during, and upon completion of an oil discharge or hazardous substance release incident. The NCP (40 CFR 300.317) lists three broad national response priorities:

- Safety of human life;
- Stabilizing the situation; and
- Using all necessary containment and removal tactics in a coordinated manner.

Note: These national priorities do not preclude the consideration of other priorities that may arise on an incident-specific basis. Although removal actions will primarily consist of mechanical means, (boom, skimmers, etc.), Subpart J of the NCP (Use of dispersants and other chemicals) provides additional techniques for consideration to mitigate oil discharges. See Part 7000 of this ACP for information on specific techniques and processes pre-authorized within this ACP planning area.

5100 Initial Reporting, Notification, and Preliminary Assessment Procedures

If oil is discharged, a hazardous substance is released, or there is a threat of a discharge or release the responsible party (RP) must immediately notify:

- **National Response Center (NRC):** (800)-424-8802
- **State Notifications:**
    - **Idaho State EMS Communications Center:** (800)-632-800 or (208)-846-7610

- **Oregon Emergency Response System (OERS):** (800)-OILS 911 or (800)-452-0311
- **Washington Emergency Management Division (WEMD):** (800)-OILS 911 or (800)-258-5990

- **Vessel Response Plan Holder** (for vessels enrolled in an umbrella plan)

The National Response Center (NRC) is the national communications center for handling activities related to response actions. It serves as the main federal contact point for reporting oil discharges and hazardous substance releases. Notification must be made immediately if the amount released meets or exceeds the reportable quantity defined under federal law (Clean Water Act [CWA]– 33 CFR Part 153, Subpart B; Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA] – 40 CFR Part 302). Discharges or releases on Tribal lands should be reported to the NRC. Once the NRC receives a report, it will quickly forward the information to the appropriate Federal On-Scene Coordinator (FOSC).

Important: Reporting to the NRC does not replace the requirement to notify the state. Reporting to state agencies does not replace the requirement to notify the NRC.

The NRC functions as the federal government's central reporting and notification point for oil discharges and hazardous substance releases under the NCP. Upon receipt of a report, the NRC disseminates incident information to appropriate federal, state, Tribal, and local agencies in accordance with established geographic notification protocols for the affected area.

Important: Agencies and organizations seeking inclusion in NRC distribution lists must coordinate directly with the NRC to ensure proper routing of notifications.

In addition to federal dissemination through the NRC, the Washington Emergency Management Division (WEMD) maintain state-level emergency coordination centers that may further distribute discharge and release information to applicable entities within their respective jurisdictions.

Companies whose vessels transit Washington or Oregon state waters for arrival in Washington or Oregon ports must be enrolled in a state-approved contingency plan. Each company may have its own plan, or it may enroll its vessels in a Washington- or Oregon-approved multi-vessel contingency plan (depending on where the vessel is transiting). Vessels enrolled in a multi-vessel/umbrella plan must use the notification placard provided by the state-approved vessel contingency plan holder for notifications.

5110 Preliminary Assessments

Upon notification of a discharge or release, the Federal On-Scene Coordinator (FOSC) is responsible for conducting a preliminary assessment to evaluate the threat to human health and the environment, determine the feasibility of removal or mitigation actions, and assess the RP's capacity to conduct the cleanup.

The FOSC shall, to the extent practicable, collect pertinent facts about the discharge or release, such as its source and cause; the identification of PRPs; the nature, amount, and location of discharged or released materials; the probable direction and time of travel of the discharged or released materials; the pathways to human and environmental exposure; the potential impact on human health, welfare, and safety and the environment; the potential impact on natural resources and property that may be affected; priorities for protecting human health and welfare and the environment; and appropriate cost documentation. These efforts shall be coordinated with other appropriate federal, state, local, and Tribal agencies. The FOSC also shall promptly notify the appropriate trustees for natural resources of discharges or releases that are injuring or may injure natural resources under their jurisdiction

When the FOSC determines any of the following, contact the National Oceanic and Atmospheric Administration (NOAA) Scientific Support Coordinator (SSC):

1) For petroleum product discharges, or hazardous substance releases, greater than 500 gallons.
2) When the release or discharge impacts known marine sensitive resources, such as:

a) Marine threatened and endangered (T&E) species; and

b) Areas that have been identified as a sensitive site.

3) For incidents that have the potential to release more than 500 gallons or the FOSC deems it appropriate to alert the NOAA SSC, such as vessel groundings.

4) For any discharge or release, or threat of a discharge or release, that could potentially impact the Olympic Coast National Marine Sanctuary (OCNMS) and Padilla Bay National Estuarine Research Reserve.

5) When scientific support or expertise of the U.S. Department of Commerce (DOC) natural resource trustee (or any other natural resource trustee) is needed, regardless of the reason

When the FOSC determines any of the following, contact the U.S. Department of the Interior (DOI) Regional Environment Officer (REO) who will notify the appropriate DOI bureaus. No further action to contact DOI for notification purposes is required.

1) For all oil discharges greater than 500 gallons; and

2) For all major potential incidents such as vessel groundings.

For oil discharges less than 500 gallons and all chemical releases, the FOSC should exercise best
professional judgment in determining whether the incident has the potential to impact trust resources. When in doubt, err on the side of over-notification.

5120 Cleanup Assessment Protocol

When discharged oil contaminates shoreline habitats, responders survey the affected areas to determine the appropriate response. Although general approvals or decision tools for using shoreline cleanup methods can be developed during planning stages, responders' specific cleanup recommendations utilize field data on shoreline habitats, type and degree of shoreline contamination, and spill-specific physical processes. Cleanup endpoints should be established early so that appropriate cleanup methods can be selected to meet the cleanup objectives.

For area-specific Geographic Response Plans (GRPs), see the RRT10/NWAC website.

Additionally, the following tools provide guidance on the applicability of various cleanup methods for typical shoreline habitats found in the Pacific Northwest.

- Characteristics of Coastal Habitats: Choosing Spill Response Alternatives;
- Characteristics of Response Strategies: A Guide for Spill Response Planning in Marine Environments; and
- American Petroleum Institute (API) report on Tidal Inlet Protection Strategies (TIPS) (Note: File is too large to load on USCG network).

When conducted, shoreline surveys should be done systematically because they are crucial components of effective decision-making. Also, repeated surveys may be needed to monitor the effectiveness and effects of ongoing treatment methods (changes in shoreline oiling conditions, as well as natural recovery), so that the need for changes in methodology, additional treatment, or constraints can be evaluated.

NOAA's Shoreline Assessment Manual outlines methods that can be used to plan and conduct shoreline assessments after an oil discharge. It also provides considerations that should be incorporated into assessing the effectiveness of the Unified Command's (UC) shoreline cleanup decisions.

Assessment Job Aid is a supplement to NOAA's Shoreline Assessment Manual. It contains visual examples of many of the terms you would use during shoreline assessments. In addition to these tools, the NOAA SSC is a valuable resource to help coordinate shoreline cleanup assessments and establish shoreline cleanup protocols.

For additional guidance on establishing a shoreline assessment program, conducting a net environmental benefit analysis, and selecting cleanup endpoints appropriate for the incident, as well as plan templates (i.e., Shoreline Cleanup Assessment Technique [SCAT] work plan), see the SCAT Tools.

In some instances, the FOSC might conclude that the response cleanup is adequate in accordance with 40 CFR 300.320(b); however, the state could impose more stringent requirements and may continue with the cleanup activities. The RP remains obligated to stay involved in the cleanup efforts and will be liable for costs associated with the continued response efforts.

5200 Emergency Consultations

Endangered Species Act (ESA) Section 7 Consultation directs all federal agencies to work to conserve T&E species and to use their authorities to further the purposes of the Act. Section 7 of the Act, called "Interagency Cooperation," is the mechanism by which federal agencies ensure the actions they take, including those they fund or authorize, do not jeopardize the existence of any listed species. Additionally, the National Historic Preservation Act (NHPA) of 1996 (Section 106) (Public Law 89-885) requires agencies using federal funds to identify, evaluate, and, where significant, protect historic, archaeological, and traditional properties.

For more specific information, see the Northwest Regional Contingency Plan (NWRCP) and the RRT10 Endangered Species Act Compliance Guide.

5210 Endangered Species Act

Response activities during oil discharges or hazardous substance releases may impact animals and their habitats, separate from the impacts of the pollutant itself. The Endangered Species Act (ESA) and its implementing regulations (50 CFR §402) require federal agencies to consult with the Natioal Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS), collectively referred to as the Services, regarding any federal actions that may affect listed species. In the Northwest Region, the Services have developed a procedure to initiate the Emergency ESA Consultation and to incorporate measures into the response to minimize or avoid impacts to T&E species and their habitats that may be caused by response activities.

For significant incidents (e.g., federal responses lasting more than 96 hours, or when the RRT is activated to approve the use of chemical countermeasures in navigable waters under NCP Subpart J), or for incidents that may affect listed species or critical habitats outside the action area of the Service's programmatic Biological Opinions, the FOSC is responsible for initiating an Emergency ESA Consultation with the Services. NWRCP Form 9404 has been developed to document this process. NOAA's SSC and DOI's REO should facilitate the consultation process and coordinate subject matter expertise on listed species as appropriate. Ultimately, the FOSC is responsible for ensuring the consultation is initiated, and that mitigation measures provided through the consultation process are incorporated into the response.

Resources

RRT10 Endangered Species Action Compliance Guide

Programmatic Biological Opinion Addressing Oil and Hazardous Substance Spill/Release Response Activities in Selected Areas of Idaho, Washington, and Oregon (01E00000-2015-F-0001)

Endangered Species Act Section 7(a)(2) Biological Opinion, and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the Northwest Area Contingency Plan for the Response to Spills of Oil and Hazardous Substances (WCRO-2018-00065)

The national inter-agency memorandum of agreement (MOA) between the U.S. Coast Guard (USCG), U.S. Environmental Protection Agency (EPA), and the Services. This MOA provides guidance on how the USCG, EPA, USFWS, and NMFS work collaboratively before, during, and after an emergency and provides templates for required documentation and processes.

5220 Section 106 (National Historic Preservation Act)

Determining Presence of Historic Properties/Cultural Resources

The FOSC must first determine if there are any historic properties or cultural resources to consider during an emergency response. The FOSC may not be trained to recognize such properties or resources, or the resources may be buried and not visible. Therefore, the FOSC should assume that the emergency response location contains historic properties and cultural resources and should notify the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) at the beginning of the response to ascertain the status of the response location. Even if the FOSC is given the "all clear" from the SHPO or THPO, they should proceed cautiously, especially if the response involves excavations.

To reduce the burden of notifying the SHPO or THPO of all emergency responses, the FOSC can consult the list of types of locations and discharges/releases that are categorically excluded, provided in National Historic Preservation Act (NHPA) Compliance Guide. However, there are four overriding factors noted in this list that would still require consultation with the SHPO or THPO. Therefore, the most prudent path is to notify the SHPO or THPO of all emergency responses.

SHPO or THPOs can help the FOSC by monitoring National Response Center (NRC) emails for any potential concerns. SHPOs should note that EPA and USCG do not respond to all NRC notifications and can verify if an FOSC was dispatched by calling the phone duty officer.

Federal On-Scene Coordinator Obligations

The FOSC will consider historic properties and cultural resources as defined by the NHPA during an emergency response.

Once the FOSC has determined that a response location involves historic properties or cultural resources, he or she consults with the SHPO or THPO to make informed decisions. By means identified in this plan, the FOSC will inform the SHPO or THPO of the location and nature of the emergency response and actions to take for all emergencies to which the FOSC responds. The SHPO or THPO can respond to the FOSC's notification by telephone or in person.

The FOSC may make emergency response decisions that adversely affect historic properties, but those decisions must take historic property information into account prior to authorizing actions that might affect such property.

An informed decision is one in which the FOSC has:

- Notified, consulted, and taken into account comments of the SHPO, federal ocean land-managing agencies (e.g., OCNMS, Olympic National Park, Wildlife Refuge), and Tribes;
- Consulted with a Historic Properties Specialist;
- Reviewed cultural information contained in the GRP for the area; and
- Determined whether a categorical exclusion applies.

The FOSC will notify the SHPO or THPO when an emergency response has been completed. Where an emergency response decision has adversely affected historic properties, the FOSC will consult and discuss restoration and mitigation options with the SHPO or THPO.

Cultural and Historic Property Specialist

Activating a historic property specialist is an important decision that should be made in consultation with the SHPO or THPO. The size and complexity of the response and the degree to which a historic property is involved may warrant one or more specialists. Note that any action that adversely affects historic property without having activated a historic property specialist against the recommendation of the SHPO or THPO during the consultation process may be considered an uninformed decision and inconsistent with the NWRCP.

Under ICS, the Historic/Cultural Resource Specialist will be placed in the Environmental Unit (EU) within the Planning Section. This position is referred to as the "Historical/Cultural Resources Technical Specialist" in the USCG Incident Management Handbook (IMH) and the "Historical/Cultural Resources Specialist" in the EPA IMH. This position coordinates on technical matters with the SHPO or THPO on behalf of the FOSC. However, the FOSC makes all governmental decisions.

If the SHPO or THPO responds to an incident in person or visits the Incident Command Post (ICP), the visit would typically be a short one, meant to assess the situation and provide any needed advice to the FOSC. The SHPO or THPO should not serve in the UC as a Historic/Cultural Resource Specialist since that person reports to the FOSC and the FOSC consults with the SHPO or THPO.

Even if the response is led by the PRP the obligation to meet the Section 106 requirements of NHPA remains with the FOSC in UC.

The NHPA of 1966 (Public Law 89-665) requires agencies using federal funds to identify, evaluate, and, where significant, protect historic archaeological and traditional cultural properties. Section 106 of the NHPA requires federal agencies to consider the effects of their actions on historic and archaeological sites that are listed or eligible for listing on the National Register (NR).

The EU contacts the appropriate state historic resources entity to request a finding of presence/absence determination of cultural and historic resources in the spill vicinity or impacted area. If resources are present, the EU will recommend that the FOSC contract with an historic properties specialist from one of the federal or state agencies, or if they are not available, through a contractor that is designated to advise the FOSC. It is important that responders be aware of the types of archaeological, cultural, or historic materials that they are likely to encounter while responding to an incident and that they will immediately notify the FOSC/UC if these types of materials are discovered.

Tribal Contacts

Oil discharges that occur on or near Tribal land and may have the potential to impact cultural resources on traditional ancestral lands. When it is determined that an oil discharge has the potential to impact cultural and natural resources, Tribal leaders and/or representatives will be contacted and invited to participate in the response for the purpose of cultural and natural resource protection. Section 106 of the NHPA requires Tribal consultation in all steps of the process when a federal agency project or effort may affect historic properties that are

either located on Tribal lands, or when any Tribal Nation attaches religious or cultural significance to the historic property, regardless, of the property's location. When an oil discharge response occurs on Tribal land, the federal agency must notify appropriate Tribal Nations of the undertaking and give those Tribal leaders and/or representatives the opportunity to consult. In the event of an oil discharge that may impact Tribal resources, the federal agency is responsible for notifying and consulting Tribal representatives. In the absence of an FOSC, the State On-Scene Coordinator (SOSC) will ensure appropriate notification of and coordination with Tribal Nations. Contact information for local or regional Tribal leaders/representatives may be obtained from the Tribal Liaison Contact Database.

5300 General Hierarchy of Response Priorities

The NCP establishes three priorities for the dedication of emergency oil discharge response resources:

- Protection of human health and safety;
- Protection of environmental resources; and
- Protection of economic resources.

More specifically for the Northwest, the general hierarchies of response priorities are:

- Ensure the safety of citizens and response personnel.
- Control the source of the spill.
- Maximize protection of environmentally sensitive areas.
- Contain and recover spilled product.
- Recover and rehabilitate injured wildlife.
- Manage a coordinated response effort.
- Remove oil from impacted areas.
- Minimize damage to economically sensitive areas.
- Keep the trustees, stakeholders, and public informed.

Response protocols are also set in place to ensure the established priorities and objectives are met during an incident.

Best Response Concept – the term "Best Response" means that a response organization will effectively, efficiently, and safely respond to oil discharges, minimizing the consequences of pollution incidents and protecting national, environmental, and economic interests.

"Best Response" equals a successful response based on achievement of certain key success factors as follows: human health, natural environment, public communication, and interested party support.

5310 Safety

As noted in the priorities outlined in the NCP, the health and safety of the responders and the general public are of primary importance. To ensure that this priority is successfully met every time, personnel involved in oil discharge response activities must comply with all applicable worker health and safety laws and regulations. The primary federal safety regulations for responders are established by Occupational Safety and Health Administration (OSHA) and can be found in 29 CFR §1910.120; these set the safety standard for hazardous waste operations and emergency response (HAZWOPER). Incidents also may pose threats to those communities where the incident occurred, creating significant health and safety threats that must be addressed as part of the response. For more details about the establishment of safety protocols for responders and how to safeguard public health during a response, see the Health and Safety Job Aid and Emergency Response Community Air Monitoring tools.

Site Safety and Health Plans must meet both federal and state requirements. Idaho, Oregon, and Washington may have additional health and safety requirements for responders.

5320 Priority Identification and Protection Strategies

UCs are responsible for providing direction and guidance to the Incident Management Team (IMT). The UC must analyze the overall requirements of the incident and determine the most appropriate direction for the management team to follow during the response. This is accomplished by making key decisions, setting management team priorities, developing response objectives, and assigning work tasks to primary staff within the IMT. To aid the IC/UC, the IMH has pre-approved initial generic UC objectives under the categories of Safety, Oil Spill, Environmental, and Management.

The priorities of response objectives must be carefully considered since they vary from case to case, but the typical incident objectives for a response are:

- E Ensure the safety of citizens and response personnel.
- Control the source of the discharge.
- Manage response effort in a coordinated manner.
- Protect environmentally, culturally, and historical sensitive areas.
- Contain and recover spilled material.
- Recover and rehabilitate injured wildlife.
- Clean Up product from impacted areas.
- Keep the public and stakeholders informed of response activities.
- Minimize economic impacts.
- Terminate the response (demobilization).

Additional information regarding this section can be found in the EPA IMH. The Initial Incident Objectives for Oil Spills tool may also be referenced for response objectives.

5330 Risk Assessment for Sensitive Area Prioritization

In an oil pollution event, sensitive area protection prioritization should be determined by three considerations:

1) Which sites are at risk (how soon the oil product will get to each sensitive site);
2) The predefined hierarchy of protection priorities (GRPs); and
3) The time and response resources available to implement a specified protection strategy.

If operating in an archaeologically-and/or culturally-sensitive area, take measures to protect cultural resources. The EU should develop an Inadvertent Discovery Plan (using templates found in the Tools and Resources) for any response that could encounter or threaten historical or cultural resources. Notably, this includes any responses that require digging, or in-water work that takes place in areas with known subsurface resources. In areas with known cultural/historic resources, or where early response actions identify such resources, a Cultural Resources Protection Plan should be prepared to provide adequate oversight and best work practices before work begins. When in doubt, assume any suspect material is a cultural resource. Promptly notify the EU of any discoveries. EU should consult with the SHPO and THPO from local affected Tribes when planning response activities.

See the Inadvertent Discovery Plan tool.

Risk assessments and priority tables for specific locations are discussed in individual GRPs. A general site risk assessment is to be documented via ICS-232 resources at risk (RAR).

GRPs utilize priority tables to identify which strategies should be implemented for a given release scenario/location. Although there are not priority tables designed for every possible release scenario, all the potential locations of defined Worst-Case Discharges have priority tables designed for efficiency and expediency for time-critical responses. Priority tables can be found in Response Strategies and Priorities section of the GRPs at https://www.rrt10nwac.com/LinkPage?site=nwac&page=plans

5340 Environmentally Sensitive Areas

During a response, all of the appropriate environmentally-sensitive areas will be referenced, and a determination will be made as to which areas will be directly affected, which areas

could potentially be affected, and which areas have no threat of being affected. GRPs and Geographic Response Strategies (GRSs) can be used for guidance, considering any special response considerations that will need to be addressed (such as seasonality or river stage/flow conditions). Additionally, when T&E species, designated critical habitats, or historic/cultural properties may be affected by response actions, consultations with the appropriate agencies and Tribes must be initiated. Specific guidelines and requirements for environmentally-and economically sensitive resources, to include wildlife rescue and recovery, can be found in Annex C (Fish and Wildlife: Inland Zone) of this ACP.

5350 Wildlife Rescue & Recovery

Oil discharges present significant risks to wildlife and their habitats. Federal and state laws require the protection, rescue, and rehabilitation of wildlife impacted by oil discharges. The Oil Pollution Act (OPA) of 1990 requires ACPs to include a Fish and Wildlife and Sensitive Environments Protection Plan to ensure timely, coordinated, and effective protection and recovery actions for wildlife and sensitive habitats.

Wildlife rescue and recovery operations require early and sustained coordination among agencies and organizations with the appropriate statutory authority, technical expertise, and operational resources. These activities are conducted under a UC structure and must be fully integrated with overall incident objectives, strategies, and tactics. Wildlife response operations are complex, highly visible, and require close coordination with other response functions.

Wildlife rescue, rehabilitation, and recovery activities are managed by the Wildlife Branch within the Operations Section. The Wildlife Response Plan provides the operational framework for Wildlife Branch activities, including mission, roles and responsibilities, organizational structure, policies and procedures, activation criteria, and key planning and operational considerations. Reporting live, oiled wildlife and the collection of impacted carcasses is a specialized process that field staff should familiarize themselves with before

entering the field. Additional operational guidance is provided in the Northwest Wildlife Response Plan, located in Annex D of the NWRCP.

The primary objectives of the Wildlife Branch during an incident are to prevent or minimize wildlife and habitat contamination where feasible; reduce injuries associated with oil exposure and response operations; provide the best achievable capture, stabilization, treatment, and care for affected wildlife; and document impacts to wildlife resulting from both the spill and response actions.

5360 Aligning of Natural Resource Damage Assessment with Response

Under OPA, CERCLA, and various state statutes, RPs are liable for damages or injury to, destruction of, loss of, or loss of use of, natural resources from a hazardous substance release or oil discharge, as well as damages from the response to the release or discharge (or substantial threat of discharge/release). The measure of damages includes the cost to restore, rehabilitate, replace, or acquire the equivalent of the injured natural resource; the decline in value of resources pending restoration; and the reasonable cost of assessing the damages. Natural Resource Damage Assessment (NRDA) may involve a range of field surveys and studies used to develop a monetary damage claim, or may involve immediately developing a restoration plan with the RP.

Designated federal, state, and Tribal natural resource trustees are responsible for assessing damages through the NRDA process.

Section 6002 (b) of OPA provides that the Oil Spill Liability Trust Fund (OSLTF) Emergency Fund is available "to initiate the assessment of natural resource damages" (Initiate/Initiation). Initiate/Initiation activities are defined as the pre-assessment activities as outlined in 15 CFR §990, Subpart D.

Executive Order 12777 limits funding for Initiation to the federal trustees, who are as follows:

- U.S. Department of the Interior;
- U.S. Department of Commerce;
- U.S. Department of Agriculture;
- U.S. Department of Defense; and
- U.S. Department of Energy.

Executive Order 12777 introduced the Federal Lead Administrative Trustee (FLAT) concept to provide a focal point for addressing natural resource issues associated with a specific incident. The NPFC accepts requests for Initiation only from, and normally works directly with, the FLAT. State and Tribal trustees must work through a FLAT. State and Tribal trustees acting in the event of a discharge may join with the designated federal trustees to name a FLAT.NRDA activities generally do not occur within the structure, processes, and control of the ICS, however, many NRDA activities overlap with the environmental assessment performed for the spill response. The NRDA team coordinates and communicates their actions through the NRDA representative via the Liaison Officer. Therefore, NRDA representatives should remain coordinated with the spill response organization via the Liaison Officer and may need to work directly with the Incident Command (IC)/UC, Planning and Operations Sections, and SSC to resolve any issues and prevent duplicative efforts. While NRDA resource requirements and costs may fall outside the responsibility of the Logistics and Finance/Administrative Sections, coordination is important.

Criteria for Initiation

Initiation of an NRDA must be performed in response to an OPA incident, (i.e., a discharge or substantial threat of a discharge of oil into or upon the navigable waters or the adjoining shorelines or the Exclusive Economic Zone [EEZ] of the United States).

Washington State Damage Assessment Procedures:

Under state law (Revised Code of Washington [RCW] 90.56.370), individuals or companies responsible for discharging oil into state waters are liable for damages resulting from injuries to public resources. In cases where the federal damage assessment procedures are not used, the state damage assessment procedures may be used. This process in Washington state is defined in the Oil Spill Natural Resource Damage Assessment Rule (Washington Administrative Code 173-183).

In 1989, state lawmakers created the Resource Damage Assessment Committee to oversee the protection and restoration of natural resources that are injured by oil discharges. Under the state's process, the spiller may be able to reduce the damages by acting quickly to contain and recover the spilled oil from the water.

Following an oil discharge, the committee will decide to proceed with a formal damage assessment, work with the spiller to develop an acceptable restoration or enhancement project or study, or use the state's oil spill compensation schedule from the Oil Spill Natural Resource Damage Assessment Rule. The compensation schedule allows the Washington State Department of Ecology (Ecology) to collect damages based on a mathematically adjusted dollar-per-gallon charge. For spills of less than 1,000 gallons, the calculated damage range is $1 to $100 per gallon. For spills of 1,000 gallons or more, this calculated range is $3 to $300 per gallon.

Ecology deposits damages collected through the compensation schedule into the state Coastal Protection Fund. The Resource Damage Assessment Committee authorizes expenditures from this fund after consulting with impacted local agencies and Tribal governments. The monies are usually used for restoration projects or studies related to resources damaged and spent in the area where the damages occurred.

Oregon State Damage Assessment Procedures:

For spills where the federal NRDA process is not used, the assessment of damages to wildlife is conducted by the Oregon Department of Fish and Wildlife, with support of other Oregon

state agencies. Compensation for damages to individual wildlife are collected for certain species under Oregon Revised Statute (ORS) 506-720 and ORS 496-705.

Idaho State Damage Assessment Procedures:

Idaho follows NRDA federal processes, and has no state-specific procedures.

5400 National Incident Management System

The National Incident Management System (NIMS) is the recognized standard with which spill management teams must demonstrate compatibility and is the measure by which regulatory agency plan reviewers, exercise evaluators, and spill responders will gauge the adequacy of response actions. The NWIAC will manage spill incidents in accordance with the NIMS version of the ICS. This system allows for considerable operational flexibility and includes a collaborative planning process that delineates key management position responsibilities, common use of forms, essential Incident Action Plan elements and response personnel and equipment resource tracking methods.

Emergency Responders at all levels of government use ICS structures to manage response operations. ICS integrates facilities, equipment, personnel, procedures, and communications into a common organizational structure. The EPA IMH is designed to assist personnel in the use of the NIMS ICS during response operations and planned events.

5410 Unified Command

ICs for oil discharges and hazardous substance releases will, whenever possible and practical, be organized under the UC structure, which includes, but is not limited to:

- The pre-designated FOSC;
- The State On-Scene Coordinator (SOSC);
- The representative of the RP;

- The Tribal On-Scene Coordinators(s) (TOSC, as appropriate; and
- The Local On-Scene Coordinators(s), as appropriate.

The UC can be established "virtually" as deemed necessary. To be considered for a UC position, the involved organization:

- Must have jurisdictional authority or functional responsibility under a law or ordinance for the incident.
- Must have incident or response operations impact on the organization's Area of Responsibility.
- Must be specifically charged by law or ordinance with commanding, coordinating, or managing a major aspect of the incident response.
- Should have full organization authority to make decisions and execute all of the tasks assigned to the IC on behalf of their organization.
- Should have the resources to support participation in the response organization.

Actual UC makeup for a specific incident will be determined on a case-by-case basis, considering:

- The specifics of the incident;
- Determinations outlined in the five criteria listed above; and
- Decisions reached during the initial meeting of the UC.

Federally-recognized Tribes may elect to send a TOSC for any incident over which they have governing interests. Governing interests are defined within each treaty or Executive Order. The FOSC(s) should defer to a Tribe's interpretation of their governing interests if there is doubt.

Unified Commanders must be able to:

- Agree on incident objectives and priorities;

- Have the capability to sustain a 24/7 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;
- Agree on an incident response organization;
- Agree on the appropriate Command and General Staff position assignments to ensure clear direction for on-scene tactical resources;
- 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.

The makeup of UC may change as the incident progresses, to account for changes in the situation.

The UC is responsible for the overall management of the incident. The UC directs incident activities, including the development and implementation of strategic decisions, approval of the IAP, and approval of ordering and releasing of resources. It is expected that each UC member will have the authority to make decisions and commit resources on behalf of their organization.

When a UC is formed, UC officials negotiate and concur on key decisions, which may include the name of the incident.

5420 Federal On-Scene Coordinator Decision Authority

The FOSC works in coordination with UC members to ensure a unified and effective response strategy. However, when UC members are not present, timely consensus cannot be reached, or the RP is unable to effect appropriate pollution mitigation actions, the FOSC holds authority to direct all response activities. Though the emergency response phase

under 40 CFR §300.320, and federal involvement and OSLTF support concludes, the RP remains obligated to satisfy any ongoing cleanup or restoration requirements imposed by state and/or Tribal law.

5430 Responsible Party

Each RP 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, adjoining shorelines, or the EEZ of the United States, is liable for the removal costs and damages specified in OPA. Any removal activity undertaken by a RP must be consistent with the provisions of the NCP, the NWRCP, this ACP, and the applicable vessel or facility response plan required by OPA. If directed by the UC at any time during removal activities, the RP must act accordingly. Specific responsibilities and requirements for the RP during a pollution incident can be found in the NCP, 40 CFR § 300.305 and 40 CFR § 300.415.

Under CERCLA, an RP is potentially liable for government cleanup costs, damages to natural resources, the costs of certain health assessments, and injunctive relief where a site may present an imminent and substantial endangerment.

At the state level, liability frameworks vary:

- **Washington:** The Model Toxics Control Act establishes a strict liability framework, holding RPs responsible for the release or threatened release of hazardous substances accountable for cleanup costs and damages.
- **Oregon:** RPs are required to report releases, investigate site conditions, and perform or fund removal and remedial actions in accordance with Oregon Department of Environmental Quality (ODEQ) requirements, as outlined in Oregon Revised Statutes (ORS) Chapter 466. Oregon's laws designate liability for the costs associated with hazardous materials cleanup. RPs may be held financially accountable for remediation efforts.
- **Idaho:** RPs are liable for the costs arising out of a hazardous substance incident, identified in Section 39-7112, Idaho Code.

The RP, or a designated representative, will fill the role in the UC. In addition, their staff will be expected to fill part of the UC's response organization within the Operations, Planning, Logistics, and Admin/Finance sections.

Specific responsibilities of the RP include but are not limited to:

- Assess discharge or release.
- Robustly staff the response with a discharge management team.
- Establish a Command Post, in concurrence with the other On-Scene

Coordinators (OSCs).

- Document/identify the type and quantity of oil discharged or hazardous substance released.
- Contain the oil discharged or hazardous substance released and protect the

environment, with a particular emphasis on sensitive areas.

- Provide input relative to cleanup priorities (i.e., waste minimization).
- Perform timely and effective cleanup.
- Dispose of oil, oily waste, and hazardous substances.
- Restore damaged environment/natural resources.
- Communicate with local, state, Tribal, and national response agencies and organizations;
- Communicate with media in conjunction with UC.
- Pay for damages.
- Take steps to prevent reoccurrence of spills or releases.
- Collect and care for wildlife, in conjunction with responsible state, Tribal, local, and federal agencies.

The RP may be provided the opportunity to participate in damage assessment activities, as appropriate and subject to the direction and oversight of federal, state, and federally recognized Tribal natural resource trustees, and consistent with applicable laws and regulations.

5440 Common Operating Picture

A Common Operating Picture (COP) is a continuously updated, single, and shared visual display of data from multiple sources, providing real-time situational awareness to all decision-makers involved in an incident. When the UC is established, the best tool available will be agreed upon. The UC will prioritize ensuring the COP is available to or can be accessed by all parties in a response.

EPA and partnering states (Idaho, Oregon, and Washington) have demonstrated the capacity to collect field data through mobile surveying tools (geo-referenced surveys on mobile phones) that fed live data to an incident-specific COP stood up to support the response. These geographic information system-based tools are effective for incidents covering large geographic areas with numerous partnering agencies and staffing. The system can be stood up within the first several hours of a response to feed the COP and gain early situational awareness for all responders.

5450 Incident Command Post

During responses to oil discharges and hazardous substance releases, many different local, state, and Tribal agencies may be involved as part of the UC. When a UC is used, an ICP and JIC shall be established. The ICP shall be as near as practicable to the spill site unless a "virtual" ICP is established to facilitate a distributed response structure. All responders (federal, state, Tribal, local, and private) should be incorporated into the response organization at the appropriate levels through a physical or virtual ICP.

A virtual ICP has several advantages and should be considered early in a response, before a physical ICP can be established. However, the UC will determine the appropriate ICP type on a case-by-case basis, particularly for incidents in areas with limited communications or data connectivity and for large or geographically dispersed responses where a single ICP would not be advantageous.

5460 Public Information

Public Information Officer

The RRT and NWACs prefer that the RP not fill the PIO position. This applies to both government agency and private industry RPs. However, the RRT and NWACs recognize that UC holds the discretion to fill the position with whomever they choose. UC should consider credibility with the media and public, as well as previous experience in drills or spills, familiarity with the NWRCP tools and policies and with Emergency Support Function #15 (ESF-15). Upon the concurrence of UC, the RP may fill the PIO position.

The RRT10 and NWACs encourage RPs to designate an Assistant PIO to participate in meetings attended by the PIO and to be present during briefings by the PIO or delegate. The PIO is appointed by and reports to the IC/UC. The PIO should be trained in ICS, familiar with the NWRCP, and experienced in public affairs, public speaking, crisis communication, media relations, and principles of JIC management.

Further regional guidance is in the NWRCP Annex A Joint Information Center Manual. Additional information regarding this position under ICS can be found in Chapter 7 of the EPA IMH.

Media access to spill sites may become an issue during emergencies. In general, the UC should allow media access when public resources are involved, subject to reasonable guidelines that protect personal safety and prevent interference with response activities.

The PIO must work through and seek permission from the UC before allowing media access to the emergency scene or ICP. The PIO should obtain permission and legal counsel before releasing photographs or video footage on private property, both for purposes of conserving legal evidence and potential violation of owners' rights.

The general public's opinion of response efforts is not always based upon what action has been taken, but upon what information they receive. Supplying information to the media is a

critical component of spill response and is a primary function of the FOSC. Early and accurate news releases serve to minimize public apprehension and to enhance their faith in the response community. The first release should be issued within 30 minutes of the initial notification and not longer than two hours after notification is received. The National Response Team (NRT) provides risk communication guidance for oil spill response and additional information regarding risk communications.

The following general guidelines are provided:

- Timely and accurate information should be provided to protect public health and obtain public cooperation, and to assist in guarding against further environmental damage.
- Clear communication by spill response authorities is essential for the delivery of accurate information to avert misinformation or rumors sometimes engendered by an emergency.
- It is the role of the UC—through the designated PIOs—to deliver public statements regarding the effects of a spill. Public statements regarding spill size, extent, risks to public health or resources, response actions, and anticipated impacts shall be coordinated and released through the Unified Command. This role does not rest with the RP or other non-UC entities.
- When a spill occurs, the FOSC must immediately open communications with local government officials of affected communities, conveying facts needed by residents for their own response activities and protection of public health and resources. Initial phone calls to establish communication channels with local governments and appropriate organizations, such as fishermen, should be followed by regular updates through spill bulletins, press releases, and briefings.
- When a spill occurs, the FOSC must immediately open communications with Tribal government officials of potentially affected Tribes, conveying facts needed for their own response activities and protection of natural and cultural resources. Initial

phone calls to establish communication channels should be followed by regular updates through spill bulletins, press releases, and briefings.

Joint Information Center

A Joint Information Center (JIC) is a location where public information staff from incident-response organizations co-locate to coordinate on critical emergency information, crisis communications, and public-affairs functions. Typically, an incident-specific JIC is established at a single, on-scene location, in coordination with federal, state, federally recognized Tribal governments, and local agencies, depending on requirements of the incident. An incident-specific JIC develops, coordinates, and disseminates unified news releases. News releases are cleared through IC/UC, to ensure consistent messages, avoid release of conflicting information, and prevent negative impact on operations. A JIC may be established within or near the ICP where the PIO and staff can coordinate and provide information on the incident to the public, media, and other agencies.

Liaison Officer

One of the primary incident objectives is to keep government officials, agencies, the public and other interested parties informed during a spill incident. Liaison staff are responsible for meeting this objective by ensuring that elected officials and other key stakeholders are well informed of the status of the incident, the decisions made, and the actions planned and taken by the UC.

The Liaison Officer identifies agency, elected official and stakeholder perceptions and concerns regarding the response. This is important feedback that might alter the Liaison Plan to better meet the needs for communication. To do this, the Liaison Officer must continually evaluate the effectiveness of the dialogue and communication with stakeholders.

It is the policy of the RRT10 for the Liaison Officer position be filled by a qualified representative from a federal, state, Tribal, or local agency. If no such agency representative is initially available, qualified, or willing to serve, the UC may, at its discretion, authorize an

RP representative to fill the position. The RRT10 and NWACs also encourage RPs to designate an Assistant Liaison Officer to fully participate in the meetings and briefings alongside the Liaison Officer. Further responsibilities are outlined in the Liaison Manual Annex B of the NWRCP.

The Liaison Officer should combine efforts with the PIO and their staff through the use of targeted press releases generated by the PIO. The Liaison Officer should also consider community outreach through public information meetings, open houses, and door-to-door contact in the immediate areas affected. Local elected officials may be a valuable resource to help organize these outreaches to stakeholders.

5470 Environmental Unit

Other than protecting human life and safety, reducing impacts on natural, cultural, and socioeconomic resources is the key motive in responding to oil discharges or hazardous substance releases. The EU is the central point within the Planning Section for determining how to best protect those resources.

Environmental Unit Leader

The EU, led by the Environmental Unit Leader (EUL), works closely with the Operations Section to plan activities that achieve UC's objectives while minimizing their impacts on the environment. EU and EUL responsibilities are described in the EPA IMH and the Environmental Unit Job Aid.

It is regional policy that the EUL be a representative of a government natural resource trustee or environmental agency, if available. If no such agency representative is initially available or willing to be the EUL, an RP representative may fill that role. At the discretion of the UC, the RP may be asked to lead the EU as the incident evolves.

The RP is encouraged to designate a Deputy EUL or a co-EUL, who will participate in all the meetings and briefings attended by the EUL. As the response matures, a transition to an RP-designated EUL may occur with the concurrence of the UC.

It is regional policy that the EUL be invited to all relevant meetings and briefings, including, but not limited, to the initial ICS 201 briefing, Command and General Staff meetings, Tactics meetings, Planning meetings, Operations meetings, UC briefings, and press conferences.

All trustee resource agency staff with environmental information or expertise should initially report to the EU. This includes technical specialists, such as the SSC, who may be identified elsewhere within the ICS organization. It is recognized, however, that the SSC serves as an independent advisor to the FOSC. Other technical specialists may include sampling specialists, response technology specialists, trajectory analysis specialists, weather forecast specialists, resources-at-risk specialists, and shoreline cleanup assessment specialists.

5500 Oil Spill Containment and Cleanup

The goal of most oil spill response activities is to contain and recover the discharged oil and to minimize the impacts to natural, cultural, and socioeconomic resources.

All containment and cleanup operations should be conducted in accordance with the Best Management Practices (BMPs) found in (reference BMP annex wherever it lands) to minimize additional damage to the environment, maximize operational efficiency, and protect worker safety.

In emergency response, GRP, GRS, and GRP priority tables are pre-approved for rapid deployment. These tools are further described in Section 4600, Geographic Response Strategies. Because GRPs and GRSs are designed for early response stages and are broad in scope, they are not intended to address every sensitive area that could be affected, nor do they serve as an exhaustive list of all possible response strategies. Additional

strategies must be approved by the OSC. Once UC is established, additional operational strategies and tactics can be designed and communicated through ICS-204 work assignment sheets.

5510 Containment

Before discharged oil can be effectively recovered, its spread must be controlled using containment boom. Booms create a floating barrier on the water surface while extending a skirt below to prevent further spread. The appropriate boom size depends on local conditions.

However, booming has limitations. Oil can escape due to splash-over from breaking waves or be carried under the boom (entrainment) when currents exceed 0.7 knots and impact the boom perpendicularly. Since tides and currents shift over time, boom positioning must be adjusted as needed, requiring personnel to monitor and reposition the boom for maximum effectiveness of the on-water containment.

Various booming strategies can help prevent oil from spreading and facilitate recovery by skimming or vacuuming. When deploying boom, several factors must be considered, including weather conditions, winds, tides, currents, vessel requirements, containment capacity, and skimming capabilities.

Sorbent booming is useful for smaller spills, areas with minimal tidal movement, or when shorelines require protection. Heavier oils can be recovered using adsorbent snare booms, while lighter fuels are typically recovered with absorbents like sausage boom, sweep, or pads. Additionally, sorbent booming can serve as an interior barrier to recover oil within the containment boom.

As oil escapes containment, recovery becomes increasingly difficult, particularly in high-wind, wave, or strong-current conditions. To mitigate this, response efforts should include preplanning for potential boom failure points and implementing measures to prevent oil from escaping.

See the GRPs for detailed containment and protection options. GRPs/GRSs present pre-identified containment, exclusion, deflection, or collection strategies for oil discharges in the Northwest.

Gasoline and other flammable liquids should generally not be boomed due to the risk of concentrating flammable vapors, which could create a fire or explosion hazard. In most cases, allowing the gasoline to naturally evaporate is the safer approach. If booming is necessary for protection, it must be done with full awareness of the risks and proper vapor monitoring. For more details, see Section 5595, Non-Standard/Unconventional Emergency Removal Action Scenarios.

5520 Shoreline Protection Options

Pre-Impact Shoreline Cleanup

Pre-impact cleanup should be evaluated and conducted if deemed necessary under the guidance of the EU. Pre-impact shoreline cleanup will likely include removal of debris, trash, and the like, prior to impact, to limit the amount of contamination requiring proper disposal. Pre-impact cleanup can be a very effective way to lessen disposal volume. Removal of debris may be more harmful under some circumstances. Pre-impact cleanup will necessitate the development of a

Pre-impact Cleaning Plan or its incorporation into an existing response plan.

Shoreline Protection

Under certain conditions, it will be appropriate to take actions to remediate the effects of oil on shorelines. Other conditions may dictate that no actions should be taken. The primary goal of any shoreline countermeasure is the removal of oil from the environment with no further injury or destruction to that environment, ideally to help enhance the treated area's ability to recover. To best assess and determine the appropriate treatment options for affected shoreline, the SCAT provides a comprehensive program of assessment, monitoring,

and treatment recommendations for affected shorelines. SCAT is typically run from the EU within the Planning Section. Once a spill occurs, typically the EU will begin to develop a SCAT plan within the first day of a response, and the Operations Section will need to coordinate with the SCAT Coordinator to ensure appropriate interaction of the shoreline assessments and treatment recommendations with the shoreline cleanup tactics being used. The SCAT program and process typically leads the development of the Treatment Endpoints for shorelines, which will guide the Operations Section when their work on shorelines is complete.

5530 On-Water Recovery

5531 Open Water

Oil removal and recovery in open water is accomplished through the use of skimming devices once the oil has been contained. Skimmers can be freestanding, in which the skimmer is a separate piece of equipment which pumps the oil-water mixture from the contained surface into tanks on a vessel. These skimmers are usually driven by hydraulic units on board a vessel. Self-propelled skimmers have a skimmer as an integral part of the vessel. The skimming vessel positions itself at the head of a concentrated or contained pool of oil and recovers the oil into tanks on board the vessel. There is also a type of skimmer in which the weir or collection zone of the skimmer is an integral part of the boom, which is close to the skimmer.

Vessels of Opportunity (VOO), such as fishing vessels, may be used to deploy or tow boom and, depending on the size of the vessel, may be equipped with skimming equipment. VOOs need to have adequate deck space and lifting cranes to carry the necessary equipment. The USCG's Vessel of Opportunity Skimming System (VOSS) can be deployed on a variety of vessels.

5532 Nearshore

Shallow Water

Oil recovery techniques and equipment are different in near-shore/shallow water locations than in open water locations. Shallow draft vessels and smaller boom and skimmers are used in these situations. These vessels can maneuver into tight places behind and under wharfs or in sloughs and can actually skim next to shore in many near-shore locations.

Strategies for nearshore cleanup or coastal shallow water can differ depending on the depth of the water and the location. Nearshore operations will also require shallow draft vessels, workboats, and skimmers. However, the vessels may only be operable at high tide. At or near low tide, the operation may evolve into a shoreline cleanup operation. Any boom-towing boats or skimmers must be able to withstand going aground without sustaining major damage.

Fast Water Spill Response

Oil discharges in fast-moving water above 1 knot require special tactics and can be difficult to control and recover due to the ease with which oil mixes with water and entrains under booms and skimmers. Fast currents also make deploying equipment and maneuvering on the water very difficult and dangerous due to the high forces exerted on boats and recovery equipment. Fast water accelerates many spill processes, necessitating quicker and more efficient responses compared to stagnant water or slow-moving current conditions. More experience and skill are needed to successfully complete responses.

In RRT Region 10, “fast water” is defined as any current above 1 knot. Oil may begin to entrain under a boom at 0.7 knots; however, it is unrealistic and unnecessary to be that exact when responding to an oil discharge, so the more generalized measure of 1 knot is used. Areas of fast water exist throughout the Northwest.

In general, fast water spill response uses the same equipment as slow water spill response, but it is deployed in ways that account for the current. Examples include setting the boom on angles such that the oil flows along the boom rather than under it. The faster the current, the steeper the angle the boom must have to prevent boom failure. By setting up cascading booms, oil can be diverted away from sensitive areas or to containment or recovery devices near shorelines where currents are slower due to bottom frictional effects.

Rigging the angled booms can be time consuming. Additionally, the pressure put on the booms by the currents is substantial and creates safety hazards. To conduct these operations safely and efficiently, it is critical that experienced responders lead the deployment.

There are known "best practices" for responding in fast water, especially in challenging currents exceeding 2 knots. For example, a 10-inch boom with a 4-inch skirt and 6-inch freeboard works best in fast water, and anchoring boom in fast water requires anchors and lines that can withstand 3,000 pounds of force. Additional fast water techniques and practices are applied as well. There are some specialized pieces of equipment that are intended to improve fast water response, as described in Oil Spill Response in Fast Currents Field Guide and Oil Spill Response in Fast Water Currents.

5533 On-Water Recovery Equipment

Skimmers

Weir skimmers recover oil by aligning a barrier just below the surface of the water and having oil floating on the water surface pass over the weir into a recovery box or pump. Weir skimmers are not the most efficient recovery systems because a large amount of water is usually collected along with the recovered oil. They do not function well in uneven seas or whenever currents exceed 0.7 knots.

Vortex skimmers use a turbine-like fan, mounted below the surface, to create a current that draws in oil floating on the water. It is then pumped to a collection tank. The device is mounted on a vessel or floats at the water surface.

Oleophilic skimmers use materials that will retain a high percentage of oil, minimizing the amount of water collected with the oil. Skimming devices can be belts, ropes, brushes, or discs that contact the oil. The device will either wring or scrape the oil from the material into a collection point for removal to a storage tank. Some belt or brush skimmers are very effective in currents exceeding 2 knots and more aggressive sea conditions.

Suction skimmers operate in conjunction with a pump that draws liquid into the skimming device. The skimmer head generally floats on the water with an oil/water mixture being drawn into the skimmer. A typical application would include a skim head used with a truck-mounted vacuum system.

Vacuum Trucks

Vacuum trucks are frequently essential equipment for cleanup of oil discharges. A hose is extended from the truck to the oil collection or containment site to pick up the oil. If the oil is floating on water, the suction hose can be connected to a “duck bill” nozzle that has a long horizontal slot to allow the oil to be picked up while minimizing the amount of water collected. A weir-type skimmer can also be connected to the suction hose to suck the thin layer of oil from the surface and minimize the amount of water collected at the same time. Both methods require a full-time attendant to adjust the equipment and clear debris.

Vacuum trucks work best when the oil layer is thick. If there is only a thin layer of oil on the water, much more water will be collected than oil. Recovery of a large quantity of water can make a vacuum truck operation very inefficient because the tank will quickly fill with water and little oil.

Dredges

Suction dredges are rarely used to recover oil or oiled sediments from the bottom of a water body. If dredging is considered as a recovery technique, there must be provisions for containment and storage of large quantities of recovered water along with the oil or oiled sediment. A large quantity of oil-contaminated water can present significant storage, transport, and disposal problems, which must be resolved before the activity has begun. These problems can be diminished if oil/water separation is provided, and decanting of water back to the containment area is allowed by state and federal agencies.

For additional information, see NOAA's Characteristics of Response Strategies.

5534 Storage

To expedite removal of discharged oil, refined products, and contaminated materials from marine waters during an emergency response, containment activities (to include temporary waste storage) may be conducted at appropriate on-shore locations.

Storage of recovered oil during on-water recovery operations will likely consist of tankage on board recovery vessels, barges, oil bladders (dracones, sea slugs, etc.), and 55-gallon barrels to small portable tanks. Oil-contaminated debris collected on water can be placed in containers which should be lined to prevent further contamination. The Oil Spill Removal Organization (OSRO) will likely be tasked with ensuring proper temporary storage is available for and during recovery operations. Storage of recovered oil is often challenging on responses and requires active oversight by UC. Response equipment in the Northwest Region is listed in the Worldwide Response Resource List (WRRL).

5535 Decanting Policy

The decanting policy is described in the NWRCP Section 4621 "Decanting Policy" with additional details in the Decanting Response Tool. Review the tool for required decanting plans and the approval process.

When oil is discharged on the water, mechanical recovery of the oil is the principal approved method of responding. However, the mechanical recovery process requires placing vessels and machinery in a floating oil environment, which can lead to incidental returns of oil and excess water into the response area. The process of decanting, or separating excess returned oil from water, can play a vital role in the efficient mechanical recovery of discharged oil because it allows maximum use of limited storage capacity, thereby increasing recovery operations.

Decanting is currently recognized as a necessary and routine part of response operations that is appropriately addressed in ACPs. In addition, some activities, such as those associated with oil recovery vessels, small boats, and equipment cleaning operations may result in incidental discharges. These activities may be necessary to facilitate response operations on a continuing basis, and all of these activities are considered to be "incidental discharges."

The Decanting Response Tool addresses "incidental discharges" associated with spill response activities. "Incidental discharge" means the release of oil and/or oily water within the response area or near the area where oil recovery activities are taking place. Incidental discharges include, but are not limited to, the decanting of oily water an oil and oily water returns associated with runoff from vessels and equipment operating in an oiled environment, as well as and the washdown of vessels, facilities, and equipment used in the response. "Incidental discharges," as addressed by this policy, do not require additional permits and do not constitute a prohibited discharge.

Oils Pre-Approved for Decanting and Associated Conditions:

Pre-approval for on-water decanting is authorized when storage capacity is exceeded and pumping recovered oil and water ashore is not practical during the first 24 hours after the initial spill discovery. On-water decanting authorization is granted for the oil products listed below:

- All crude oils;

- Vacuum gas oils;
- Atmospheric gas oils;
- Recycled oils not containing distillates;
- Bunker fuels;
- No. 6 fuel oils'
- Cutter stocks; and
- Coker gas oils.
- Coker gas oils.

Decanting of the listed oils is pre-approved if the following conditions are met:

- Pre-approval applies to the first 24 hours after spill discovery. Decanting requests for all remaining operational periods will need to be completed and submitted to UC. The RP must fill out the Decanting Approval Plan and Memo and seek UC approval prior to any additional decanting approvals from the second operational period on.
- The Incident Commander must be notified within one hour of decanting being initiated and must then immediately notify the UC.
- The RP assures the UC that they are quickly obtaining adequate oil storage and skimming capacity within the first 24 hours and that the responders are expeditiously getting sufficient storage and skimming capacity on-site to alleviate the need for prolonged decanting.

Shore-side container decanting (i.e., vacuum truck, portable tanks) is not authorized for pre-approval under this policy. Decanting in areas where vacuum trucks, portable tanks, or other collection systems are used for shore cleanup will be subject to filling out the Decanting Approval Plan and Memo in the Decanting Response Tool prior to authorization and must comply with the same rules as vessels.

Oils Requiring Approval by Unified Command Prior to Decanting

During a response, when decanting has not been pre-approved for lighter oils, which are not listed above, it will be necessary for response contractors or the RP to request from the UC

written authority to decant while recovering oil so that response operations do not cease or become impaired. The UC will consider each request for decanting of lighter oils on a case-by-case basis. Prior to approving decanting, the UC should evaluate the potential effects of weather, including the wind and wave conditions, the quantity of oil discharged, and the type of oil, as well as available storage. The UC should also take into account that recovery operations as enhanced by decanting will actually reduce the overall quantity of pollutants in a more timely and effective manner to facilitate cleanup operations.

The following criteria should be considered by the FOSC and/or SOSC in determining whether to approve decanting unless circumstances dictate otherwise:

- vessel collection well, recovery belt, weir area, or directly in front of a recovery system.
- Vessels employing sweep booms with recovery pumps in the apex of the boom should decant forward of the recovery pump.
- All vessels, motor vehicles, and other equipment not equipped with an oil/water separator should allow retention time for oil held in internal or portable tanks before decanting commences.
- When deemed necessary by the FOSC, SOSC, or the response contractor, a containment boom will be deployed around the collection area to minimize loss of decanted oil or entrainment.
- When using decanting tank systems, tanks with baffles should be used as a best practice to speed up oil/water separation and prevent remixing.
- Visual monitoring of the decanting area shall be maintained so that discharge of oil in the decanted water is detected promptly.

Approval Process

The response contractor or RP will present the UC with a brief description of the area for which decanting approval is sought prior to decanting; the decanting process proposed; the prevailing conditions (wind, weather, etc.); and protective measures proposed to be implemented. The FOSC and/or SOSC will review such requests promptly and render a decision as quickly as possible. FOSC authorization is required in all cases; SOSC

authorization is also required for decanting in state waters, and TOSC authorization is also required for decanting activities in waters under Tribal jurisdiction.

The FOSC and/or SOSC will review and provide directions and authorization as appropriate to requests to wash down vessels, facilities, and equipment to facilitate response activities.

This policy does not cover other activities related to possible oil discharges associated with an oil spill event, such as actions to save a vessel or protect human life, which may include such actions as pumping bilges on a sinking vessel.

5540 Non-Floating Oil Recovery and Protection

In the Northwest Region, non-floating oils and Group V oils are moved over the water, over highways and rail corridors, in pipelines and stored in aboveground storage tanks. Non-floating oils refer to heavy oils and Group V oils that exhibit qualities which could, due to the oil characteristics, weathering, environmental factors or how they are discharged, potentially cause the oils to submerge or sink. Examples of these types of oils include, but are not limited to, Diluted Bitumen (dilbit), Group V Residual Fuel Oils, Low American Petroleum Institute Oil, Asphalt and Asphalt Products.

Non-floating oil that is discharged and transported in the subsurface usually remains suspended in the water column or is deposited on the seabed, usually after interaction with suspended sediments or sand. Different strategies for containing these oils can depend on the location of the oil.

The expectation of the NWIAC is that non-floating oil will be identified in the initial report of an oil discharge to the National Response Center. With knowledge that oil discharged is a non-floating oil, professional oil spill responders will identify specialized submerged oil equipment and personnel and bring it to the scene. Unified Commanders must concern themselves with writing response objectives aimed at underwater detection, containment, and recovery. See the Non-Floating Oil Spill Response Tool for details on response techniques, equipment capabilities, and considerations for non-floating oil spill response.

Non-floating oil response options and considerations are further covered in detail in the GRPs.

Discharges of non-floating oil pose a substantial threat to water-column and benthic aquatic resources, particularly where significant amounts of oil have accumulated on the substrate. When oils sink or become suspended in the water column, traditional oil recovery methods (booms, skimmers, etc.) are no longer effective. Specialized equipment and techniques can be used to detect and recover non-floating oil. Because some of these techniques have the potential to cause more damage than the original oiling, it is important to consider the benefits and trade-offs associated with a particular method when selecting a response option.

Prior to recovery operations, consider conducting a Net Environmental Benefit Analysis (NEBA).

The Non-Floating Oils Spill Response Tool provides more information on NEBA and

specific impacts to resources at risk during a non-floating oil response.

See the Best Management Practices Tool for additional information on Non-Floating Oil Detection and Recovery.

The recovery of sunken oil has proven to be very difficult and expensive because the oil is usually widely dispersed. Several of the most widely used recovery methods are manual removal, pump and vacuum systems, nets and trawls, dredging, and onshore recovery.

5550 Shore-Side Recovery and Natural Collection Points

Sound cleanup decisions depend on accurate information about the types of habitats that the oil affects, the degree of oiling, and the location of oiling. While consultation with the NOAA SSC is essential, the OSC should, whenever practicable, also draw on the valuable knowledge of local responders and resources. These individuals often possess firsthand insight into natural oil collection points and site-specific conditions that may not be

captured in broader planning efforts. Leveraging both scientific expertise and local experience can help validate response strategies and significantly improve oil recovery operations. GRPs incorporate these natural collection points into their strategic frameworks. There are predictable shoreline areas where oil recovery can be optimized. Oil collection efforts should be prioritized in two key situations:

- Where oil naturally accumulates along the shoreline due to prevailing winds and currents; and
- Where oil can be diverted and captured as it moves along or past the shoreline, particularly in areas with lower environmental sensitivity.

5560 Shoreline Cleanup

Shoreline Cleanup Assessment

SCAT teams include people trained in the techniques, procedures, and terminology of shoreline assessment. Teams should include people with knowledge and experience in oil and oil cleanup techniques, geomorphology, ecology, and in some cases, archaeology. Members of a SCAT team may include representatives from the federal (usually from the NOAA Scientific Support Team or EPA), state, Tribal, the RP, and possibly the landowner or other stakeholders. A SCAT coordinator directs the activities of the SCAT teams from the command post and coordinates with people working on other aspects of the response.

SCAT teams use a collaborative, consensus-building approach to collect data. SCAT team members also prepare field maps and forms detailing the area surveyed and make specific cleanup recommendations designed to meet cleanup goals and objectives. Later, SCAT teams verify cleanup effectiveness, modifying guidelines as needed if conditions change. Although they coordinate with division supervisors in the area, they do not direct cleanup workers. The SCAT team works in the EU.

In addition, the states of Oregon and Washington have SCAT teams that may be utilized through arrangements by the SOSC or Environmental Unit Leader.

For more information, contact the NOAA SSC or see the SCAT Tools for additional information.

5561 Shoreline Cleanup Options

Under certain conditions, it will be appropriate to take actions to remediate the effects of oil on shorelines. Other conditions may dictate that no actions should be taken. The primary goal of any shoreline countermeasure is the removal of oil from the environment with no further injury or destruction to that environment, ideally to help enhance the treated area's ability to recover.

The SCAT program and process typically leads the development of shoreline cleanup recommendations and cleanup endpoints, which will guide the Operations Section when their work on shorelines is complete. Below are some commonly used shoreline cleanup options.

1) Shoreline Flushing/Washing: Water hoses can rinse oil from the shoreline into the water, where it can be more easily collected.

2) Booms: Long, floating interconnected barriers are used to minimize the spread of spilled oil.

3) Vacuums: Industrial-sized vacuum trucks can suction oil from the shoreline or on the water surface.

4) Sorbents: Specialized absorbent materials act like a sponge to pick up oil but not water.

5) Manual Removal: Cleanup crews using shovels or other hand tools can pick up oil from the shoreline. This method is used especially when heavy machinery cannot reach an oiled shore.

6) Mechanical Removal: Where there is access, heavy machinery such as backhoes or front-end loaders, may be used.

7) Shoreline Cleaners and Biodegradation Agents: These may be used to break down or remove oil, but can only be used with permission from the RRT.

8) Burning: Referred to as *in situ* burning, freshly spilled oil can be set on fire, usually while it's floating on the water surface and sometimes on oiled vegetation in order to effectively remove it.

There are nuances in cleanup strategies at every oil spill that reflect the specific oil type, local environmental conditions, shoreline habitats, shore access, and a host of safety and logistical considerations. These variables will influence the particular cleanup strategy responders use at any one spill.

5562 Access to Shorelines for Cleanup

Access to shoreline areas may be accomplished from the water, land, or air. Deployment from the water usually involves using shallow water platforms such as landing craft and skiffs. Access from a land-based response utilizes trucks, all-terrain vehicles, or other four-wheel drive vehicles, while access from the air may be possible by helicopter. For spills in the Northwest Region, access by air to some remote regions may be the only option. Permission for entry onto property must be obtained first.

For spills on Tribal lands, Tribes must be notified and engaged when responders need to access shorelines. Tribal representatives can help ensure access, protect the safety of responders, and prevent damage to natural/cultural resources associated with response as most if not all culturally sensitive sites are only shared in a prioritized manner.

5563 Passive Oil Recovery

Shoreline cleanup is usually carried out in stages, starting with the removal of the heaviest accumulations of oil, which reduces the risk of recontamination by floating oil. Passive recovery can be applied to shorelines that have already been oiled to help keep the re-mobilizing oil from refloating and migrating to other non-impacted shorelines. Passive recovery can be deployed along shorelines prior to shoreline assessment occurring. Passive recovery can also be used to line the inside of a containment, diversion, or exclusion boom as an effective collection technique.

Shoreline cleanup operations can produce a significant solid waste stream; all wastes generated must be measured, stored, and disposed of according to the approved Waste Management and Disposal Plan. See the Disposal and Waste Management Guidance tool.

5570 Decontamination

Decontamination is the process of removing or neutralizing contaminants that have accumulated on personnel and equipment during an oil discharge response. Effective decontamination procedures protect responders from having unnecessary contact with oil that contaminates and permeates the protective clothing, respiratory equipment, tools, vehicles, and other equipment used during the response. It also protects people and the environment by minimizing the transfer of oil into clean areas of the response site and prevents the uncontrolled transportation of contaminants from the site into a community.

Personnel, vehicles, vessels, etc. responding to oil and hazardous substance incidents may become contaminated in several ways. This includes contact with oil products, vapors, gases, or particulates in the air; being splashed by materials while sampling; walking through puddles of liquid or contaminated soil; or using/handling contaminated equipment. Decontamination consists of physically removing contaminants or changing their chemical nature to innocuous substances. How extensive decontamination must be depends on

several factors, the most important being the type of contaminant impacting personnel and equipment.

A Decontamination Plan should be developed (as part of the Site Safety Plan) and set up before any personnel or equipment may enter areas where the oil recovery or cleanup is taking place. The decontamination plan should at a minimum:

- Determine the number and layout of decontamination stations.
- Determine the decontamination equipment needed;
- Determine appropriate decontamination methods;
- Establish procedures to prevent contamination of clean areas;
- Establish methods and procedures to minimize responder contact with oil during the
- Removal of personal protective clothing and equipment (PPE), and;
- Establish methods for disposing of clothing and equipment that are not completely decontaminated.

The plan should be revised whenever the type of personal protective clothing or equipment changes, the site conditions change, or the site hazards are reassessed based on new information.

For more information about recommended decontamination procedures and practices, see the Occupational Safety and Health Administration (OSHA) Decontamination Site.

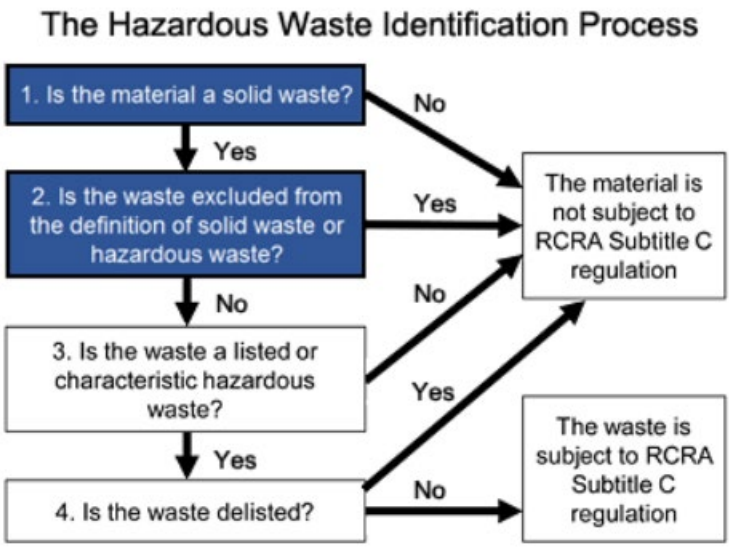
5580 Waste Management and Disposal

During the course of most oil discharge responses, it becomes necessary to address the proper management and disposal of oil and materials contaminated by oil. The Resource Conservation and Recovery Act (RCRA), under the Solid Waste Disposal Act, applies to the management and disposal of waste generated under most cleanup operations. RCRA directs that the generation of hazardous waste is to be reduced or eliminated as expeditiously as possible and that when wastes are generated, they are treated, stored,

and/or disposed of to minimize the threat to human health and the environment in accordance with all applicable regulations, including local, state, federal, and Tribal requirements.

A waste is any solid, liquid, or contained gaseous material that is not of any further use, and either is recycled or thrown away. Under RCRA, a hazardous waste is a solid waste that because of its quantity, concentration, or physical, chemical, or infectious characteristic, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or pose a substantial hazard or potential hazard to human health and the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. A hazardous waste also must be a "solid waste" as defined in RCRA such as "garbage, refuse, or sludge or any other water material." A solid waste under RCRA can be a solid, semisolid, a liquid, or a contained gas. Presently there are two ways a material may be classified as a "hazardous waste." If the waste is "Listed" under RCRA regulations (40 CFR §261.20 – 261.24) or if it has one of the following four characteristics: ignitability, corrosivity, reactivity, and toxicity, as listed in 40 CFR §261. The figure below presents how to identify if a solid waste is also a hazardous waste under federal/state regulations and whether the material may additionally be subject to RCRA landfill disposal regulations. Further explanation of the hazardous waste identification process can be found at EPA's web page "Criteria for the Definition of Solid Waste and Solid and Hazardous Waste Exclusions."

Figure 5580-1. Hazardous Waste Identification Process



Most recovered petroleum oils and oily wastes do not exhibit characteristics necessary for classification as hazardous wastes, but a hazardous waste determination based on a waste profile must be made for each waste stream that originates from an incident. It is generally beneficial to keep waste streams segregated to facilitate waste determination, waste management, and proper disposal. Keeping wastes separated typically reduces waste management and disposal costs and simplifies regulatory review and approval by applicable local, state, federal, and Tribal authorities.

Determining whether a solid waste (including oil wastes and liquids) is regulated as hazardous waste under RCRA depends largely on “knowledge of process”—information about how the waste was generated. That information helps identify what analytical data may be needed to determine whether the waste exhibits a hazardous characteristic or is subject to RCRA land-disposal restrictions. When knowledge of process is available at the time of the incident, it can streamline waste-management decision-making. When the waste source is unknown, additional sampling and analysis will be required to determine whether the waste is classified as hazardous under state and/or federal law.

Management and Disposal of Incident-Generated Wastes

It is critical for the lead agency in an immediate removal operation to recognize that contaminated soils, dredge spoils, drums, tanks, refuse, water, or other associated materials during a response to an oil discharge are to be considered potential hazardous wastes and must be disposed of as such in accordance with RCRA, as well as all applicable local, state, and Tribal regulations governing the management and disposal of hazardous wastes. Many of the removal actions employed by the lead agency will create a situation in which the lead agency has assumed the responsibility as a generator of hazardous wastes.. These wastes then become subject to the "cradle to grave" manifesting procedures currently in effect under the governing RCRA regulations. The lead agency must ensure that the hazardous waste generated from his or her removal actions is transported by an approved hazardous waste hauler to an approved hazardous waste facility. The lead agency should consider the possibility of employing on-site treatment (e.g., incineration, biological treatments, chemical treatments, waste stream treatment methods, etc.). Approved and effective on-site treatment often resolves the problem of simply transporting the waste to another location.

It is imperative that the planning and setup for the management of wastes be initiated before oil recovery or cleanup operations (and especially the generation of wastes) begin. Establishing waste staging areas, staging area management, a waste tracking system, and staffing of waste management positions needs to be pre-planned to safely and properly manage incident-generated wastes prior to the transfer to recycling or waste disposal facilities, in coordination with applicable local, state, federal, and Tribal governments, as appropriate. A template for developing an incident-specific Waste Management and Disposal Plan (and waste tracking system) is provided, along with the Permit Summary Table on the RRT webpage under the Tools and Resources tab. If wastes generated by the response are determined through their waste profiles to be classified as hazardous wastes under state or federal RCRA law, then a Hazardous Waste Generator ID (HWG ID) Number will be required for the response. The HWG ID Number can be issued by the states or EPA or, where

applicable, by a federally-recognized Tribe with authorized hazardous waste program authority.

Disposal facility information is available in the Oregon and Washington Disposal Facilities tabs of the Waste Management and Disposal Plan template available from the Tools and Resources section of the RRT10 website.

Washington Disposal Guidelines

Disposal practices in the State of Washington shall be performed in accordance with state disposal guidelines. Guidelines are available from Ecology and can be found in the RRT Region 10 Disposal and Waste Management Guidance tool.

Oregon Disposal Guidelines

ODEQ's general policy is that recovered oil and oily debris is to be recycled and reused whenever possible, thereby reducing the amount of oily debris to be burned on-site or disposed of at a solid waste landfill. Discharged oils and oil-contaminated materials resulting from control, treatment, and cleanup shall be handled and disposed of in a manner approved by ODEQ. General guidelines for the handling, storage, and recycling/reuse or disposal of wastes can be seen in RRT Region 10 Disposal and Waste Management Guidance tool.

Decanting Policy

For information on decanting, see Section 5535 Decanting Policy.

5590 Terminating Cleanup Operations

Cleanup endpoints are the agreed-upon level of cleanliness or condition that must be reached before UC considers the cleanup complete. Endpoints are site-specific and describe the point in a response when further cleanup would cause more harm than good, or when no significant oil remains. Cleanup endpoints can be qualitative or quantitative but should be selected to meet the response objectives. See NOAA's Shoreline Assessment

Manual for a comprehensive discussion on developing spill-specific cleanup endpoints. Additional resources can be found in the SCAT Tools.

In accordance with 40 CFR §300.320, "Removal shall be considered complete when so determined by the FOSC in consultation with the governor(s) of the affected state(s). When the FOSC considers removal complete, the OSLTF removal funding shall end." State and local governments, however, are not authorized to take actions under Subparts D and E of the NCP that involve expenditures of the OSLTF or CERCLA funds unless an appropriate contract or cooperative agreement has been established in accordance with Section 5600.

While federal response may conclude at this point, the RP may have additional long-term cleanup responsibilities to meet state requirements, such as clean up and restoration requirements. The FOSC will support a coordinated transition to ensure these obligations are clearly communicated and enforced.

5595 Non-Standard/Unconventional Emergency Removal Action Scenarios

5595.1 Flammable Liquids Response Considerations

Spills of gasoline and other flammable liquids, including many crude oils, present significant challenges for both response operations and public safety. Gasoline-range products, including straight-run naphtha, alkylate, reformate, and other volatile hydrocarbon fractions, possess flashpoints below 100 degrees Fahrenheit (°F) (37.8 degrees Celsius [°C]) and can create substantial fire and vapor hazards when spilled into the environment. Immediate actions are necessary to control the source of the release (where safe), eliminate ignition sources, establish isolation distances, notify regulatory agencies, and initiate a preliminary safety plan.

In response to gasoline and similar volatile liquids, booming is generally not recommended due to the risk of concentrating flammable vapors, potentially creating a fire or explosion hazard. However, under specific circumstances, booming may be employed as a deflection

or exclusionary measure, particularly in areas where vulnerable infrastructure (e.g., piers) may be at risk. Any booming activity must be done with full awareness of the vapor hazard and under strict safety conditions, ensuring that vapor monitoring is in place to monitor for flammable, toxic, and reduced oxygen levels.

While containment may seem like an effective response option, it is important to consider the broader environmental and safety implications. In most cases, the more prudent course of action is to allow gasoline to evaporate naturally, especially if the spill is dispersed over a large area. If booming is deemed necessary by the FOSC or UC, it should be limited to deflection booming to guide the liquid away from sensitive areas, or protection booming to shield critical infrastructure, but only before the gasoline reaches these areas.

Non- per- and polyfluoroalkyl substances foam application may be considered in cases where gasoline is threatening public safety or causing an imminent fire risk, but it should be applied only after assessing vapor concentrations. Foam can effectively suppress vapors but should be used carefully to avoid unnecessary disruption of the local environment and waterways. All response actions must prioritize safety, ensuring that responders are not exposed to unsafe conditions and that the risks associated with gasoline and other flammable liquids are minimized.

5600 Oil Spill Response Funding and Cost Recovery

The FOSC is authorized to access the OSTLF for oil discharges to fund federal response actions. The FOSC will establish a federal project number (FPN) utilizing National Pollution Fund Center's (NPFCs) current guidance and management systems.

RPs are liable for damage claims and removal costs resulting from discharges or substantial threats of discharges of oil into or upon the navigable waters of the United States. If the RP is unknown, OSLTF will fund immediate actions to initiate recovery actions. When the RP is known but is either unable or unwilling to act, the OSLTF can be used to fund recovery operations. NPFC may seek cost recovery from all responsible parties.

5610 Federal On-Scene Coordinator Access to Oil Spill Liability Trust Fund

The OSLTF is available to the FOSC for the payment of removal costs determined by the FOSC to be consistent with the NCP as a result of, and damages resulting from a discharge or substantial threat of a discharge of oil impacting the navigable waters of the United States. The OSLTF was established by Section 311(k) of the FWPCA and is administered by the USCG's NPFC. In the event of an oil discharge, an FOSC, state, claimant, or trustee can obtain access to these federal funds through the processes outlined in the following sections.

The FOSC has been delegated the authority to ensure effective and immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge of oil into waters of the United States.

The prerequisites that must be met before a removal cost incurred by a FOSC can be paid from the OSLTF are:

a. The removal costs must result from an OPA incident. OPA defines an "incident" to mean "any occurrence or series of occurrences having the same origin, involving one or more vessels, facilities, or any combination thereof, resulting in the discharge or substantial threat of discharge of oil."

b. The removal costs must result from removal of an oil discharge or the mitigation of a substantial threat of an oil discharge: (1) into or on the navigable waters of the United States; (2) on the adjoining shorelines to navigable waters of the United States; (3) into or on the waters of the EEZ; or (4) that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States.

c. The action giving rise to the removal costs must be consistent with the NCP.

For RP-led responses, the OSLTF is available for FOSCs to monitor response actions to ensure proper removal actions are taking place in accordance with the NCP, RCP, and ACP. For cases where the source or RP is either unknown, or is unable or unwilling to meet this obligation, the OSLTF is available to pay for removal costs and claims.

The following funding limitations exist in accessing the OSLTF:

- The maximum, per incident, is $1.5 billion, or the balance in the OSLTF, whichever is less.
- Removal funding (including response to a substantial threat of discharge) and initiate request funding are limited to the funds available in the OSLTF Emergency Fund.
- There is a maximum of $750 million per case to satisfy Natural Resource Damage claims and assessments.
- Initiation of NRDA costs may be paid out of the Emergency Fund, subject to its availability and the process through which funding was requested.
- The discharge (or substantial threat of discharge) must impact navigable waters of the United States (including the 200-mile EEZ).

5620 Funding Authorizations for Other Agencies

Access to the OSLTF for reimbursement of removal costs incurred by state, local (political subdivisions of a state), and Tribal entities is now primarily governed by Cost-Reimbursable Agreements (CRAs).

State, local, and Tribal entities seeking reimbursement for removal actions consistent with the NCP should coordinate with the FOSC and follow established procedures for entering a CRA with the USCG. Specific requirements and application processes for these agreements will be outlined in forthcoming guidance and regulations. While the details are still being developed, entities should be prepared to demonstrate:

That proposed actions are consistent with the NCP, including 40 CFR §300.305(c) (requiring a reasonable effort by the RP to perform removal actions):

- That the proposed level of response, actions, and amounts requested are appropriate for the circumstances;
- That the entity has the means to complete the proposed removal actions; and
- The FOSC will provide initial coordination of CRA requests and subsequent coordination and oversight.

Pollution Removal Funding Authorizations:

Federal, state, local, and Tribal governments assisting the FOSC during a response may receive reimbursable funding through a Pollution Removal Funding Authorization (PRFA). The NPFC can be consulted regarding PRFAs, but authorization to establish and use this funding source is provided by the FOSC. The decision to utilize another agency for assistance in the response must be documented (including Statement of Work) and signed by the FOSC. After the PRFA has been approved, the assisting agency must follow the documentation requirements outlined in the PRFA. Requests for additional or increased funding must be submitted to the FOSC.

Military Interdepartmental Purchase Request

When an FOSC makes the determination that a Department of Defense (DoD) asset or DoD resources are necessary to conduct a response (i.e., U.S. Navy Supervisor of Salvage and Diving [SUPSALV]), a Military Interdepartmental Purchase Request, vice a PRFA, must be established.

5630 Trustee Agency Access to the Oil Spill Liability Trust Fund

Section 6002 (b) of OPA provides that the OSLTF Emergency Fund is available "to initiate the assessment of natural resource damages" (Initiate/Initiation). For the purpose of this agreement, initiate activities have been defined as the pre-assessment activities, as outlined in 15 CFR §990, Subpart D.

Executive Order 12777 limits funding for Initiation to the federal trustees, who are as follows:

- United States Department of the Interior;
- United States Department of Commerce;
- United States Department of Agriculture;
- United States Department of Defense; and
- United States Department of Energy.

Executive Order 12777 introduced the Federal Lead Administrative Trustee (FLAT) concept to provide a focal point for addressing natural resource issues associated with a specific incident. The NPFC accepts requests for Initiation only from, and normally works directly with, the FLAT. State and Tribal trustees must work through a FLAT. State and Tribal trustees acting in the event of a discharge may join with the designated federal trustees to name a FLAT.

Together, the NPFC Natural Resource Damage Claims Manager and the FLAT will execute a request and authorization for obligation of funds through an Interagency Agreement (IAA). For more information about the process of initiating an NRDA and for the regulations and procedures for making a Natural Resource Damage (NRD claim, see NPFC Natural Resource Damage Claims.

Criteria for Initiation

Initiation of a NRDA must be performed in response to an OPA incident, (i.e., a discharge or substantial threat of a discharge of oil into or upon the navigable waters or the adjoining shorelines or the EEZ of the United States).

5700 Hazardous Substance Spill Response

5710 Introduction

This section of the ACP provides guidelines for initial actions to control, contain, and remove released hazardous substances and addresses unique issues associated with their release. Hazardous substance response is outlined in Subpart E of the NCP (40 CFR Part 300 Subpart

E), which sets methods and criteria for determining the appropriate response authorized by CERCLA and CWA Section 311(c). This includes:

- Releases of hazardous substances into the environment; or
- Releases of pollutants or contaminants that pose an imminent and substantial danger to public health.

Hazardous substance releases can present immediate threats to human health, even in small quantities. A Hazardous Substance is any substance designated as such by EPA under CERCLA, CWA Section 311(c).

Other potential environmental regulations may constrain the response to, and management of, certain hazardous materials encountered in active incident responses. The Substance Registry Services hosted by EPA can be searched for information on the regulatory applicability of specific chemicals under environmental laws such as the Toxic Substances Control Act (TSCA) or the Federal Insecticide, Fungicide and Rodenticide Act.

For many hazardous substances, EPA's Consolidated List of Lists provides the threshold quantities that require reporting of releases to the environment under the applicable federal hazardous substance laws. The states typically rely on these same threshold reporting quantities for their reporting requirements. These threshold quantities do not constitute cleanup levels, but may provide information relative to the potential that releases constitute de minimis releases.

Pollutants or contaminants are substances that are not defined as hazardous substances, but present an imminent and substantial danger to the public health or welfare of the United States (40 CFR 300.400(a)(2)). Pollutant or contaminant responses are also guided by 40 CFR Part 300 Subpart E. Once a substance has been determined to be a pollutant or contaminant, the response proceeds similarly to responses to releases of hazardous substances. There are significant differences in cost recovery procedures for pollutants or contaminants. See Section 5800 for more information.

Many RRT10 and Northwest Inland Area Committee member agencies have specific roles during a hazardous substance release, including chemical, biological, or radiological incidents. This document serves as a general guide for interagency coordination and resources. If the incident triggers the National Response Framework (NRF), hazardous substance response may follow ESF-10 and may reference this plan. For an inclusive list of Federal and State Agencies, see the Response Partners and Contacts tool.

5720 Environmental Support to the Federal On-Scene Coordinator

The FOSC and UC can expect environmental support from the agencies listed in Section 3300 Support Available to the FOSC/UC. Support may also be provided by state, local, and Tribal governments.

The NOAA Scientific Coordinator is staffed 24/7 and can be reached at (206)-526-4911 or via email: ssc.northwest@noaa.gov.

5730 State Policy (State Hazardous Substances Response Systems)

State and local public safety organizations are anticipated to initiate emergency public safety measures that are necessary to protect public health and welfare. These safety measures are consistent with containment and cleanup requirements in the NCP and are responsible for directing evacuations pursuant to existing state and local procedures.

Oregon

The NWRCP has been established as the State of Oregon's Hazardous Materials Incident Response Plan through adoption by the Oregon Emergency Response System Council and has been incorporated into the state's Emergency Operations Plan as an annex. The NWRCP and associated plans, the NWIACP, SCR ACP, and the applicable GRPs. Together, these plans constitute Oregon's statewide oil and hazardous materials response system and

outline the responsibilities of all who may be involved in the response or coordination of an incident.

The first emergency responder to arrive at the scene becomes the IC until relieved, or when the incident is over. ODEQ and the Oregon State Fire Marshal's Office (OSFM) are the lead agencies for oil or hazardous material releases and represent the State of Oregon as ESF-10 co-leads. ODEQ and OSFM provide 24-hour response to oil and hazardous substance releases when any amount of regulated waste or hazardous substance is released to the air, land, or water, or whenever oil is spilled on land or to state waters.

To ensure a reasonable emergency response time to all parts of the state, a system of state-funded regional Hazardous Materials Response Teams (HAZMAT Teams) has been developed. The teams are equipped and trained by the state and staffed for the most part by individuals from local fire departments and other emergency providers.

ODEQ is the lead agency of the State of Oregon during the cleanup phase of oil and hazardous material incidents, and relieves the IC (typically police, fire, or State HAZMAT Team) when the life safety portion of the emergency response is complete and the focus of the effort is on containment and cleanup of oil or hazardous materials.

The SOSC is the state official appointed by ODEQ when serving as the lead agency to represent the interests of the Department and the State of Oregon in response to an oil or hazardous material spill or release or threatened spill or release. The SOSC coordinates the interests of other state and local agencies within a UC. Before assuming an IC role under NIMS ICS, the SOSC may provide technical advice to police, fire, and other first responders, and coordinate a cleanup response with state and local agencies. As needed, ODEQ deploys SOSCs and Incident Management Teams to an incident.

The Oregon Health Authority (Public Health Division) is the lead state agency for all incidents involving hazards to public health, communicable disease agents, or radiation emergencies other than transportation accidents. The Oregon Department of Energy is the lead state agency for radioactive materials transportation incidents. The lead state agency (depending

on response type) will provide an SOSC to direct state response and to assist the FOSC. Assistance that may be requested from the state includes guidelines for the disposal of oily waste, identification, and prioritization of vulnerable resources, local geographic and environmental information, counsel on cleanup and restoration standards, medical/toxicological information through state health officials, and identification of unknown pollutants.

For a list of Oregon state response agencies and their roles during an oil/hazardous materials incident, see the Response Partner Roles and Contacts tool (Oregon Agency Response Partners: Roles and Contacts).

Washington State

The Washington State Response System is designed to provide coordinated state agency response, in cooperation with federal agencies, for effective cleanup of oil discharges or hazardous substance releases. In Washington State, Ecology acts as the state IC for oil or hazardous substance spills or threatened spills to waters of the state. Ecology provides 24-hour response to oil discharges and hazardous substance releases when any amount of regulated waste or hazardous substance is released to the air, land, or water, or whenever oil is discharged on land or to state waters. As needed, Ecology deploys SOSCs to an incident. The agency maintains spill response teams in Olympia, Seattle, Bellingham, Vancouver, Spokane, and Yakima that provide round-the-clock response service to emergencies that pose an immediate threat to human health and the environment.

The Washington ESF-10 Hazardous Materials Plan is available here:
https://mil.wa.gov/asset/6826077633712/ESF-10-Hazardous-Material.pdf

For Washington State phone numbers, see the Response Partner Roles and Contacts tool. Notification requirements for spills in Washington State are as follows:

- For discharges of oil or releases of hazardous substances to surface or groundwater, any person who is responsible for a spill or non-permitted discharge must immediately notify WEMD and the NRC. (RCW 90.56.280)
- Releases of dangerous waste or hazardous substances to water, ground, or air that threaten human health or the environment must be immediately reported to the Ecology regional office. (Washington Administrative Code [WAC] 173-303-145)
- Discharges of oil or releases of hazardous substances to the ground that create a human health or environmental threat must also be reported to Ecology, in writing, within 90 days of discovery. (WAC 173-340-300)
- Leaking underground storage tanks must be reported to Ecology within 24 hours of discovery. (WAC 173-340-450)

Additionally, for discharges of oil or releases of hazardous substances and dangerous waste that threaten human health and the environment, immediate notification is required to all local authorities in accordance with the local emergency plan.

For releases or discharges that result in emissions to the air, notify all local authorities in accordance with the local emergency plan. Notification is also required to the local Clean Air Agency, where one exists, and the Ecology Regional Office.

Performing federal notifications does not satisfy Washington State notification requirements. Notification of federal and state agencies does not guarantee notification of local responders. Notify local authorities in accordance with the local emergency plan.

If radioactive materials are involved in any type of release, the Washington State Department of Health, Office of Radiation Protection should be notified at 206-NUCLEAR - (206) 682-5327.

Idaho

The State of Idaho shall maintain a coordinated hazardous substance response system to protect life, property, public health, critical infrastructure, and the environment from actual or threatened releases of hazardous materials. The system integrates local, Tribal, state, federal, and private-sector capabilities to support preparedness, response, recovery, and

mitigation activities in accordance with the Idaho Hazardous Substance Emergency Response Act, the Idaho Disaster Preparedness Act, applicable federal regulations, and the National Incident Management System (NIMS). The primary objectives are to protect public safety, stabilize incidents, minimize environmental impacts, and support community recovery.

The Idaho Hazardous Materials/Weapons of Mass Destruction (WMD) Incident Command and Response Support Plan shall be activated when Idaho State Communications (StateComm) is notified of an incident involving hazardous chemicals, biological agents, explosive devices, or radioactive materials. IC should determine when state assistance is needed. StateComm will notify appropriate response and support agencies and coordinate required notifications. All hazardous materials and WMD incidents shall be reported to StateComm, regardless of whether outside assistance is requested, to satisfy state reporting requirements and enable state and federal agencies to fulfill regulatory, investigative, and support responsibilities. For incidents exceeding the capabilities addressed in Idaho's Hazardous Materials Plan, applicable portions of regional and federal contingency plans may be implemented.

Hazardous substance incidents shall be managed using the ICS. The IC shall be the senior official from the jurisdiction with primary authority over the incident, typically the local fire department or other Local Emergency Response Authority (LERA). The IC is responsible for tactical operations, responder safety, protective actions, and overall incident management. When multiple jurisdictions or agencies have authority, a UC structure shall be established.

When state assistance is requested or required, the Idaho Office of Emergency Management (IOEM) shall coordinate state resources and designate a State On-Scene Coordinator (SOSC). The SOSC may be assigned from IOEM, the IDEQ, or another state agency with subject matter expertise appropriate to the incident. The SOSC serves as the primary state representative, coordinates state agency support, facilitates resource requests, and serves as the liaison between local, state, and federal partners. State agencies, including IOEM, IDEQ, public health agencies, the Idaho State Police, and other supporting organizations,

shall provide technical expertise, environmental assessment, public health guidance, regulatory oversight, and specialized resources as needed. Response priorities shall include life safety, incident stabilization, environmental protection, and property conservation. Protective actions may include evacuation, shelter-in-place, containment, decontamination, environmental monitoring, and public information activities as directed by IC.

The State of Idaho shall maintain resource management, mutual aid, training, exercise, and preparedness programs to support hazardous substance response operations. Participating agencies shall maintain NIMS compliance and ensure personnel receive appropriate training. Following incident stabilization, recovery activities may include environmental remediation, damage assessment, health monitoring, site restoration, and cost recovery from RPs as authorized by law. This policy shall be reviewed and updated periodically to reflect changes in laws, regulations, operational requirements, and lessons learned from incidents and exercises.

5800 Hazardous Substance Spill Response Funding and Cost Recovery

CERCLA, commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions, that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous

substances that are serious, but not immediately life threatening. These actions can be conducted only at sites listed on EPA's National Priorities List.

5810 Federal On-Scene Coordinator Access to Comprehensive Environmental Response, Compensation, and Liability Act Funding

Federal

An FOSC is authorized to access the Hazardous Substance Trust Fund (Superfund) when it undertakes response activities pursuant to CERCLA and consistent with the NCP Subpart E – Hazardous Substance Response.

Comprehensive Environmental Response, Compensation & Liability Act Fund

Other federal agencies have authority to expend Trust Fund money in accordance with Interagency Agreements and memorandums of understanding (MOUs) with EPA. Agency expenditures will be reimbursed in accordance with the procedures specified in these Interagency Agreementss and MOUs. The CERCLA statute allows states and federally-recognized Tribes access to Superfund monies only through a Cooperative Agreement between EPA and the state or Tribe.

In accordance with 40 CFR §300.415(b)(2), the Trust Funds may be used to undertake immediate removal actions when the agency providing the FOSC determines that such action will prevent or mitigate immediate and significant risk of harm to human life or health or to the environment from such situations as:

- Human, animal, or food chain exposure to acutely toxic substances
- Contamination of a drinking water supply
- Fire and/or explosion
- Similar acute situations

In the event of a hazardous substance release or imminent threat of a release, the FOSC can obtain access to federal funds through CERCLA.

- The FOSC determines if federal funds are required and requests a spending ceiling and CERCLA Project Number from the NPFC Case Officer/Regional Manager. The FOSC can fund USCG resources contracts, other government agencies, and contractor costs through the CERCLA Project Number (NPFC User Reference Guide, Chapter 3).

CERCLA Access Criteria and Limitations:

The release or substantial threat of a release of a hazardous substance, pollutant, or contaminant must impact the environment. “Environment” is defined in CERCLA as waters of the United States, other surface waters, ground water, drinking water supply, land surface or subsurface, or ambient air.

- There is no provision for state access.
- There is no provision for funding pre-assessment phase activities of NRDA.
- Compensation to claimants damaged by hazardous substances is not available.
- The substance must not be oil as defined by 33 USC Section 2701(23) (NPFC User Reference Guide, Chapter 3)

Releases of CERCLA-regulated hazardous substances in quantities equal to or greater than their reportable quantity are subject to reporting to the NRC at (800)-424-8802 under CERCLA (40 CFR Part 300.125(c). Such releases are also subject to state and local reporting under Section 304 of the Superfund Amendments and Reauthorization Act, Title III (Emergency Planning and Community Right to Know Act (EPCRA)). CERCLA-regulated hazardous substances, and their reportable quantities, are listed in 40 CFR Part 302, Table 302.4.

CERCLA and EPCRA-reportable quantities may also be found in EPA’s “List of Lists”.

5820 Funding Authorizations for Other Agencies

Interagency Agreements

Funding authorizations to the CERCLA trust fund are available for other federal agencies. When it occurs, it is conducted through an Interagency Agreement (IA). IA's require negotiations between each agency, and are not likely tools to use on emergency responses, though may be more likely on longer term cleanup of hazardous substances.

5830 Trustee Agency Access to Comprehensive Environmental Response, Compensation, and Liability Act

States are not eligible for reimbursement from the Superfund and no state may request reimbursement on behalf of political subdivisions within the state.

EPA will make all decisions regarding the recovery of expenditures from the Superfund. If a federal agency is performing work during a CERCLA emergency response, that work can be funded through an Emergency Funding Authorization (EFA). EFAs require a scope of work and estimates on expenditures and must be submitted to the EPA OSC in advance of costs being incurred.

All agencies expending Superfund money must submit an itemized account of all funds expended in accordance with provisions of contracts, Interagency Agreements, or Cooperative Agreements with EPA. All EFAs will eventually need to have an IAA established, even after the work is completed. These agreements must be in place prior to the expenditure of funds. For more information on the Local Government Reimbursement program, see EPA Local Government Reimbursement Program.

5840 State Funding for Hazardous Substances Response

Oregon

Under ORS 465.255 through 465.260, the owners or RPs in possession of oils and/or hazardous substances that have been spilled are responsible to conduct and pay for all costs associated with cleanup.

Costs from several sources, including natural resources damages penalties, tipping fees at hazardous waste landfills, remedial action costs, and environmental enforcement penalties contribute to the HSRAF administered by ODEQ under ORS 465.381. The Oregon Hazardous Substance Remedial Action Fund (HSRAF) may be used for ODEQ's remedial action costs at contaminated sites that may affect human health or the environment.

The Orphan Site Account is a subaccount within HSRAF and is additionally funded through fees associated with the possession of hazardous substances and by the sale of general obligation bonds as allowed under ORS 453.398 to 453.402. This account is used to fund expenses of the department related to activities associated with removal or remedial action at properties that have been identified as orphan sites.

Under ORS 465.104 to 465.127, the Oregon Department of Revenue collects fees associated with the withdrawal of petroleum products from bulk facilities. These funds support agencies in carrying out the state's oil, hazardous material, and hazardous substance emergency response program as it relates to the maintenance, operation, and use of public highways, roads, streets, and roadside rest areas. This fund is used primarily by the ODOT and DEQ.

Under ORS 475.405 to 475.495, funds (including forfeiture of property) are recovered or received from RPs and from federal, state, and local government and are placed in the Oregon Illegal Drug Cleanup Fund. These funds are used by ODEQ to clean up illegal drug manufacturing sites as needed. Cleanup and disposal of chemicals located at an alleged

illegal drug manufacturing site may be performed by law enforcement agencies and is coordinated through an ODEQ SOSC.

5900 Response Documentation Requirements

The NCP outlines broad documentation and cost recovery requirements and can be found in 40 CFR §300.315. During significant and complex pollution responses, it is encouraged to establish Documentation Unit Leaders to oversee all facets of incident-related documentation.

5910 Incident Action Plans and Incident Documentation

The Incident Action Plan (IAP) is a foundational tool used in managing spill responses under the ICS. The IAP outlines incident objectives, operational period goals, and the tactical strategies necessary to manage the incident effectively. IAPs are a tool to coordinate all parties towards accomplishing the incident objectives, and plan for future operational periods.

The IAP is developed for each operational period by the UC using the standard ICS planning process. It provides clear direction and ensures that response activities across federal, state, Tribal, local, and private entities are coordinated and aligned with established priorities.

An IAP typically includes the following components:

- Incident objectives;
- Organization assignments;
- Operational resources;
- Communications plan; and
- Site map and other relevant documentation.

The UC will develop and approve the IAP during incidents requiring a multi-agency response. The UC ensures integration of federal, state, Tribal, local, and RP interests. When consensus cannot be reached, the FOSC retains final decision-making authority.

The IAP ensures:

- All responding agencies work toward shared objectives.
- Tactical resources are deployed efficiently.
- Public messaging is coordinated (e.g., through the JIC when established).
- Logistical and safety considerations are integrated into the response.

All IAPs developed during an incident must remain consistent with the overall objectives established by the UC and any applicable contingency or response plans. Documents and operational records generated by third-party contractors or response organizations in support of incident operations shall be shared with federal, state, and Tribal governments, as appropriate. This ensures transparency, supports unified situational awareness, and facilitates accountability across all participating agencies throughout the response.

Under responses part of Federal Emergency Management Agency (FEMA) mission assignment, FEMA will establish expectations and guidance for incidents.

5911 Northwest Region Naming Conventions

When UC is formed, UC officials negotiate and concur on key decisions, which may include the name of the incident. See NWRCP the Northwest Region Naming Conventions for Oil Spills.

5920 Consultation Documentation and other Decision Memos

Decision memos should document significant actions, decisions, or non-concurrence during response operations to ensure accountability and informed decision-making. Key decision points to record may include, but are not limited to, decanting, *in situ* burning, compliance with the Endangered Species Act (ESA) and no effect memos from the

Services, health and human safety measures, the use of alternative technologies, high-risk operational decisions, cleanup endpoint decisions, and places of refuge.

Ideally, all members of the UC should sign all decision memos.

5930 Cost Recovery Documentation and Claims

Through Executive Orders, certain functions of the FWPCA and CERCLA were delegated to EPA and USCG. CERCLA established the Hazardous Substance Response Trust Fund for hazardous substance responses (excluding petroleum). Section 311 of the CWA, amended by OPA, created the OSLTF to support petroleum discharge responses, NRDAs, and damage/removal cost claims. Access to both funds is granted via EPA–USCG MOUs.

FOSCs must notify NPFC of the discharge source (or unknown source) and any potential RPs as required under 40 CFR §300.315.

Examples of documentation include:

- Notice of Federal Interest (CG-5549);
- Notice of Federal Assumption;
- Notice of Designation;
- Administrative Order; and
- Cost Documentation Package or Incident Report and Transmittal.

Reports

- Information about common reports used to document response operations are provided below; however, this is not an exhaustive list, and additional reporting requirements may apply depending on the incident. FOSC Reports: As required by the NCP, the FOSC report shall record the situation as it developed, the actions taken, the resources committed, and the problems encountered.
- Situation Report: NIMS ICS Form 209, a standardized NIMS/ICS report used by emergency responders to communicate essential intelligence, incident status, and resource needs to strategic leadership and stakeholders. Pollution Reports: As

required by the NCP, this report provides stakeholders with ongoing incident status and resource requirements.

Timekeeping

To be eligible for reimbursement, timekeeping logs must clearly denote regular time, overtime, premium pay, and dates/times of activation.

Cost Documentation

Parties making claims against the trust fund may need to submit detailed records of hours worked and duties performed, logs of equipment used, and other expenses incurred during a response in order for the claims to be settled.

Claims Against the OSLTF

Except as noted below, all claims for removal costs or damages must be presented first to the RP or guarantor of the source.

If a claim is presented and each person to whom the claim is presented denies all liability for the claim; or the claim is not settled by any person by payment within 90 days after the date upon which (A) the claim was presented, or (B) advertising was begun pursuant to 33 CFR §139.309(d), whichever is later, the claimant may elect to commence an action in court against the RP or guarantor or to present the claim to the Fund.

Claims for removal costs or damages may be presented first to the Fund only -

- By any claimant, if the Director, NPFC, has advertised or otherwise notified claimants in writing;
- By an RP who may assert a claim under Section 1008 of the Act (33 USC 2708);
- By the governor of a state for removal costs incurred by that state; or
- By a U.S claimant in a case where a foreign offshore unit has discharged oil causing damage for which the Fund is liable under Section 1012(a) of the Act (33 USC 2712 (a)).

Covered categories (as defined in 33 CFR Part 136):

- Removal costs;
- Property damage (real/personal);
- Loss of profits/earning capacity;
- Loss of subsistence use;
- Loss of government revenue;
- Increased public service costs; and
- Damages to natural resources.

More guidance is available in the NPFC Claimant's Guide.

5950 Post Spill Consultation

For actions not covered by a pre-spill consultation that are used, or considered for use, during an emergency response, the FOSC must follow ESA and/or Essential Fish Habitat (EFH) emergency response procedures and complete ESA and/or EFH consultations in collaboration with the Services once the emergency phase of the response has ended. To the extent applicable, post-spill NHPA Section 106 consultations with the SHPO (and possibly others) would also need to be completed if not initiated or completed during the emergency phase.

The following annexes and tools contain more information regarding post-spill consultations:

- Annex C: Fish and Wildlife;
- Response Partner Roles and Contacts tool;
- Northwest Wildlife Response Plan;
- NHPA Compliance Guide; and
- Resources at Risk Response Tools.

6000 RESPONSE RESOURCES

The Oil Pollution Act (OPA) of 1990 amended the Federal Water Pollution Control Act (FWPCA) to require the preparation and submission of response plans by the owners or operators of certain oil-handling facilities and for certain oil-carrying tank and non-tank vessels (referred to here as plan holders). These plan holders are required to submit response plans that identify and ensure, through contracts or other approved means (e.g., letters of intent), the availability of response resources (i.e., personnel and equipment) necessary to remove a worst-case discharge (WCD), including a discharge resulting from fire or explosion, and to mitigate or prevent a substantial threat of such a discharge. Additional response resources for marine firefighting and salvage are identified in Annex E, Salvage and Marine Firefighting.

6100 Oil Spill Removal Organizations and Equipment

OPA reaffirmed the principle that the primary oil discharge preparedness and response capability in the United States (U.S.) should be implemented and maintained by the private sector. Neither the U.S. Environmental Protection Agency (EPA), nor any state, Tribal, or local agency has the capability of responding to an oil discharge on their own, but relies upon industry to supply the necessary equipment and personnel needed to complete a response. Various agencies have some capabilities and resources to use on a response, but the primary responding equipment and labor will be provided by the responsible party in the vast majority of incidents.

6110 Oil Spill Removal Organization Classification Program and State-Approved Primary Response Contractors

Federal Requirements: OSRO Classification

Facilities that are required to have Facility Response Plans (FRPs) (40 Code of Federal Regulations [CFR] §112.20) are required to have an Oil Spill Removal Organization (OSRO)

with trained personnel and equipment to remove a WCD and other discharges of oil. The OSRO can be either personnel onsite or a contracted organization. OSROs can choose to obtain a voluntary OSRO classification, provided by the U. S. Coast Guard (USCG), but it is not required.

State Requirements: Primary Response Contractors Approval

Washington State approves Primary Response Contractors (PRCs) for inclusion in state-required oil spill contingency plans. PRCs are companies or cooperatives with trained personnel and equipment that respond to oil discharges. They maintain pre-staged equipment caches strategically located throughout the region to meet state-specific planning standards, which may exceed federal requirements in some cases. Visit Ecology's website for a list of state-approved PRCs.

Oregon does not review or approve PRCs listed in facility or vessel contingency plans but does inspect and verify equipment listed in all contingency plans.

Idaho does not review or approve PRCs listed in facility contingency plans.

6120 Response Resource Inventory Database

Washington Administrative Code (WAC) 173-182-800 requires PRCs to maintain a current inventory of response equipment by listing resources on the Worldwide Response Resource List (WRRL), or by providing an equivalent electronic equipment list. The WRRL is a centralized, web-based system that catalogs oil spill response equipment available throughout the Northwest Region, supporting rapid, aggressive, and well-coordinated response operations. Responders can access this database to identify, evaluate, and mobilize response resources. The WRRL outlines types of response equipment maintained by participating private and public response organizations.

State agencies within the Northwest Region, as well as industry representatives, use the WRRL database to support response and preparedness activities to:

- Locate and order response equipment during a drill or spill;
- Provide an overall picture of the region's response resources;
- Develop and review oil spill contingency plans; and
- Evaluate contingency plan adequacy through planning standards.

To access a map of response equipment in the Northwest Region, see this link: Response Resource Map. To access the WRRL database, see this link: WRRL

6130 Classified Oil Spill Response Organization Listings for the Area/Captain of the Port Zone

Responders and plan holders seeking information on classified OSRO providers may consult both federal and state resources.

At the federal level, the USCG National Strike Force Coordination Center (NSFCC) maintains a portion of the RRI database that provides open, public access to OSRO classification reports.

Separately, Washington State maintains a list of PRCs – companies or cooperatives with trained personnel and equipment that respond to oil spills. The State of Washington requires PRCs to be approved by Ecology for inclusion in state oil spill contingency plans. This state-level designation includes additional regulatory compliance, equipment standards, and response time requirements specific to Washington's spill prevention and response framework.

Washington State's site to view approved PRCs: https://ecology.wa.gov/regulations-permits/plans-policies/contingency-planning-for-oil-industry/primary-response-contractors

6140 Oil Spill Response Cooperatives and Consortiums

There are numerous industry-funded major oil spill response cooperatives and consortiums in the United States. Unlike a classified OSRO, which is hired by a single plan holder to ensure compliance with statutory requirements, these organizations are formed to provide pollution response services to companies from the oil and gas industry that elect to become members and pay for the coverage or service. Each consortium or cooperative makes the decision about the type and quantity of equipment they offer to their member clients. This equipment is often highly specialized and tailored to allow them to internally meet WCD planning standards. Some local examples include the following:

- Clean Rivers Cooperative;
- Marine Spill Response Corporation; and
- Maritime Fire & Safety Association.

6200 Hazardous Substances Response Resources

For more information on area specific Hazardous Substance response, see Section 5700. Hazardous Substances Response Resources can be found in Annex D.

6300 Salvage and Marine Firefighting Resources

Contacts for Salvage References and Support:

The Supervisor of Salvage and Diving (SUPSALV) can provide the services of naval architects, may provide the services of naval salvage vessels, and has access to contracts that will provide the services of commercial salvors and equipment. SUPSALV has developed and has available software for rapid analysis of longitudinal strength and intact/damaged stability; the software is known as Program of Ship Salvage Engineering (POSSE).

- Navy Supervisor of Salvage:
    - Supervisor of Salvage Operations (202) 781-2736

- After hours and on weekends (NAVSEA Duty Officer) (202) 781-3889
- Switchboard (202) 781-1731
- Office of the Director of Ocean Engineering SUPSALV http://www.supsalv.org

The USCG Marine Safety Center Salvage Emergency Response Team can evaluate vessel stability, hull strength, and salvage plans and may be available to go on scene. The Marine Safety Center may be able to provide vessel plans, if the ship is U.S. flagged.

- USCG Marine Safety Center Salvage Team:
  - During business hours: (202) 327-3985 Duty email: SERT.Duty@uscg.mil
  - After hours, contact the USCG Headquarters Command Center: (202) 327-3985

The U.S Army Corps of Engineers (USACE) can respond to floating logs, debris, and navigational hazards, including derelict vessels up to 30 feet in length.

For additional information, see Annex E, Salvage and Marine Firefighting.

7000 RESPONSE TECHNOLOGIES

An effective response to environmental emergencies - particularly oil discharges and hazardous substance releases - relies heavily on the rapid deployment of appropriate response technologies. This chapter of the Area Contingency Plan (ACP) provides a comprehensive overview of the methods and strategies available for mitigating the environmental and public health impacts of such incidents, as well as region-specific information regarding the use of these technologies. By outlining the capabilities, limitations, and operational considerations for various response technologies, this chapter serves as a key resource for responders and planners working to protect sensitive resources and restore affected areas.

7100 Response Technologies for Oil Spill Response

While mechanical methods - like booms and skimmers - are the primary tools for oil spill cleanup, other technologies such as chemical dispersants, surface washing agents, bioremediation products, and *in situ* burning (ISB) may also be used when appropriate.

The National Contingency Plan (NCP) requires Regional Response Teams (RRTs) and Area Committees to consider whether and how these alternative tools should be used as part of their planning efforts. Regional Response Team 10 (RRT10) has developed policies to guide their approval and use. Many of these technologies may require RRT notification and/or approval prior to use.

Under the NCP:

- Pre-Authorization Plans can be developed during planning, which outline when and how certain agents may be used. These plans must be reviewed and approved (or modified) by the United States (U.S.) Environmental Protection Agency (EPA) and appropriate state, Tribal, and federal natural resource trustees.

- During a response, the Federal On-Scene Coordinator (FOSC) can approve the use of certain agents - such as dispersants or bioremediation products - with the agreement of EPA and the appropriate state agency, and in consultation with natural resource trustees from the U.S Department of Commerce (DOC) through NOAA and the Department of the Interior (DOI).
- The FOSC must also consult with Tribal governments that have treaty rights in the affected waters, when practicable.
- In life-threatening emergencies, the FOSC can use these agents without prior approval if it's necessary to protect human life.

The use of these agents must follow federal rules:

- Products like dispersants and bioremediation agents must be listed on EPA's NCP Product Schedule. Burning agents are an exception and are not listed.
- The Product Schedule is not an automatic approval - authorization to use these products must still go through the appropriate decision-making process unless urgent human safety is at risk.

In areas near the U.S.-Canada border, decisions must also involve the Joint Coastal Pollution Response Team through the involvement of the RRT.

7110 Dispersant Use

The No Dispersant Use Zones within the Northwest Region are as follows:

- Marine waters that are both less than 3 nautical miles from the coastline and less than or equal to 10 fathoms (60 feet) in depth;
- Marine waters south of a line drawn between Point Wilson (48º 08' 41" N, 122º45' 19" W) and Admiralty Head (48º 09' 20" N, 122º 40' 42" W); and
- Freshwater environments.

Because dispersants are not applicable in freshwater, no dispersant pre-authorization zones exist within the Region 10 Inland Zone. In these areas, dispersants may be used only if, in the judgment of the FOSC, they are required to prevent or substantially reduce a hazard to human life. If a FOSC determines that dispersant use is necessary, the FOSC will document this decision, notify the RRT co-chairs as soon as practicable following a decision to use dispersants, and provide an Incident After-Action Report (AAR) to all interested RRT member agencies. The RRT will be notified by the FOSC as soon as practicable following a dispersant use decision. For an outline of suggested information to include in an Incident AAR, see the Dispersant Authorization Process and Decision Support Tools.

7120 National Contingency Plan Product Schedule

EPA prepares and maintains the NCP Product Schedule, which lists dispersants and other chemical and biological agents that may be authorized for use on oil discharges.

Sinking agents are not listed on the Product Schedule as they are prohibited under the NCP 40 Code of Federal Regulations (CFR) 300.910(e). Burning agents are addressed within the NCP but are not listed on the Product Schedule.

The Product Schedule includes the following categories of chemical agents or additives:

- *Bioremediation agents* are biological agents and/or nutrient additives deliberately introduced into a contaminated environment to increase the rate of biodegradation and mitigate any deleterious effects caused by the contaminant constituents. Bioremediation agents include microorganisms, enzymes, and nutrient additives, such as fertilizers, containing bioavailable forms of nitrogen, phosphorus, and potassium.
- *Dispersants* are substances that emulsify, disperse, or solubilize oil by promoting the formation of small droplets or particles of oil in the water column.
- *Herding agents* are substances that form a film on the water surface to control the spreading of the oil to allow for oil removal.

- *Surface washing agents* are substances that separate oil from solid surfaces, such as beaches, rocks, metals, or concrete, through a detergency mechanism that lifts and floats oil. Product and oil are generally to be collected and recovered from the environment with minimal dissolution, dispersion, or transfer into the water column.
- *Solidifiers* are substances that, through a chemical reaction, cause oil to become a cohesive mass, preventing oil from dissolving or dispersing into the water column. Solidifiers are generally collected and recovered from the environment.

Any of these chemical response measures may warrant consideration during a response, depending on conditions. All require approval in accordance with the NCP.

Per 40 CFR §300.920(e), the listing of a product on the Product Schedule does not mean that EPA approves, recommends, licenses, certifies, or authorizes the use of the product on an oil discharge. The listing means only that data has been submitted to EPA as required by 40 CFR §300.915.

Before any chemical countermeasure may be used, the FOSC must first seek RRT10 approval through the consultation and concurrence process or have its use preauthorized. The only exception to this is when the FOSC determines use is necessary to prevent or substantially reduce a hazard to human life (40 CFR §300.910(d)).

7130 Special Monitoring of Dispersants (Special Monitoring of Applied Response Technologies Protocols)

Special Monitoring of Applied Response Technologies (SMART) is a cooperatively designed monitoring program for ISB and dispersants. SMART relies on small, highly mobile teams that collect real-time data using portable, rugged, and easy-to-use instruments during dispersant operations. Data are channeled to the Unified Command (UC)to address critical questions:

- Are dispersants effective in dispersing the oil?

Are dispersant operations reducing environmental impacts and should their use be continued, modified, or discontinued?

It is the policy of the Northwest Region that the SMART protocols will be used, to the extent possible, for monitoring after the application of dispersants; however, application in the Inland Zone is unlikely.

7140 In Situ Burning

ISB removes oil from the water surface by burning it in place. This response technique converts floating oil into combustion gases and particulate matter (PM) that are dispersed into the atmosphere. Under specific conditions, ISB may provide a rapid, logistically simple, and effective means of reducing shoreline impacts and environmental damage from discharged oil, particularly when mechanical recovery or other response options are infeasible or would result in greater environmental harm. Because a significant portion of the oil is converted to gaseous combustion products, the need for collection, storage, transportation, and disposal of recovered material may be substantially reduced. While ISB reduces the threat posed by on-water oil, it introduces potential impacts associated with airborne emissions; therefore, public health, safety, and environmental considerations must be evaluated prior to use.

For ISB operations, oil floating on the water surface must typically be contained into slicks of sufficient thickness (generally two to three millimeters) to sustain combustion. Containment may be achieved using specialized fire-resistant boom ("fire boom") or natural barriers such as shoreline features. On land, oil may be burned on combustible substrates (e.g., vegetation, logs, debris); oil on non-combustible substrates may require the use of a burn promoter. Emulsified oils or oils with high water content may not ignite or sustain a burn. In certain circumstances, such as spills occurring in ice conditions, ISB may be the only viable response option.

In Situ Burning Authorization and Decision Framework

Subpart J of the NCP provides that the FOSC, with the concurrence of the EPA representative to the RRT10 and the RRT representatives of the state(s) with jurisdiction overwaters threatened by the release or discharge, and in consultation with Department of Commerce (DOC) and Department of the Interior (DOI) trustee representatives to RRT10, may authorize the use of burning agents on oil spills on a preauthorized or case-by-case basis (40 CFR §300.910(c)).

Federally-recognized Tribes will be afforded substantially the same treatment as states (40 CFR §300.5 *State*). Accordingly, Tribal representation will be required for pre-authorization concurrence, or for concurrence on a case-by-case basis for the application of burning agents in waters under Tribal jurisdiction.

When ISB is being considered, the FOSC/UC shall follow the RRT10 *In Situ* Burning Decision Tree, NWRCP Protocols for *In Situ* Burning, and the guidance provided in the *In Situ* Burning Operational Planning Tool.

In Situ Burning Zones

In-Situ Burning Pre-Authorization Zone

The ISB Pre-Authorization Zone is defined as areas located more than three miles from human population centers. Human population is defined as 100 people per square mile. Within the Preauthorization Zone, the FOSC/UC is authorized by RRT10 to:

- Ignite discharged oil without the use of burning agents under appropriate conditions.
- Utilize burning agents, when conditions are suitable, in accordance with the RRT10 ISB Pre-Authorization Plan.

In Situ Burning Case-by-Case Zone

The ISB Case-by-Case Zone includes areas within 3 miles of human population centers, defined as 100 people per square mile. In this zone, the following applies:

Without RRT10 approval:

- Ignite discharged oil without the use of burning agents under appropriate conditions.
- Use burning agents when, in the judgment of the FOSC, their use is necessary to prevent or substantially reduce a hazard to human life.

With RRT10 approval:

- Use burning agents to initiate or sustain ISB operations, subject to any constraints established by RRT10.

In Situ Burning Application and Documentation

Once the FOSC/UC determines that ISB should be considered, the *In Situ* Burn Preliminary Feasibility Analysis Worksheet shall be completed to assess operational and environmental suitability. If conditions are appropriate:

- For spills in the Pre-Authorization Zone, the ISB Application (short form; Section 9407, Tool 3) shall be completed after or concurrent with burn operations and submitted to RRT10 members for documentation and informational purposes.
- For spills in the Case-by-Case Zone, the ISB Application shall be completed and submitted to RRT10 for authorization prior to initiating burning operations, unless no burning agents will be used and ignition only is proposed.

Equipment Requirements

Typical equipment required for ISB operations includes, but is not limited to:

- Fire-resistant boom (minimum 500 feet);
- Ignition source;
- Two vessels capable of deploying and towing fire boom;
- Tow lines (minimum 300 feet for crew safety); and
- Air monitoring equipment.

7150 Special Monitoring of In Situ Burning (Special Monitoring of Applied Response Technologies Protocols)

SMART is a cooperatively designed monitoring program for ISB and dispersants. SMART relies on small, highly mobile teams that collect real-time data using portable, rugged, and easy-to-use instruments during operations. Data are channeled to the UC to address effectiveness or if airborne particulate concentrations at sensitive locations exceed the level of concern. Having monitoring data can assist the UC with decision-making for operations. EPA Region 10 and the USCG National Strike Force maintain qualified personnel and equipment to perform SMART.

SMART should not be construed as a regulatory requirement, but has been well-established as a best practice available for the FOSC or UC to assist in decision-making. While every effort should be made to implement SMART, or parts of SMART, in a timely manner, ISB operations should not be delayed solely to allow for the deployment of the SMART teams. This is particularly the case where ISB operations are authorized or approved by the FOSC in accordance with applicable regulations in the NCP; or regional contingency plans; or where other incident- or location-specific monitoring protocols have been established for ISB operations.

General Considerations

In general, SMART is conducted when there is a concern that the general public may be exposed to smoke from the burning oil. Accordingly, monitoring should be conducted when

the predicted trajectory of the smoke plume trajectories indicate that smoke may reach population centers, and when ground-level particulate concentrations of smoke particulates at ground level may exceed safe levels. Monitoring is not required when such impacts are not anticipated.

Execution of ISB has a narrow window of opportunity. It is imperative that the monitoring teams are alerted of possible ISB and SMART operations as soon as burning is being considered, even if implementation is not certain. This increases the likelihood of timely and orderly SMART operations.

Team Deployment

The UC–led monitoring teams will collect air monitoring/sampling data using the RRT10–Modified SMART Protocol. These data will be shared with the state, local, and/or Tribal air agencies responsible for the areas with regulatory monitors/samplers potentially impacted by smoke plumes resulting from ISB operations.

Monitoring locations are dictated by the potential for smoke exposure to human and environmentally sensitive areas. Taking into account the prevailing winds and atmospheric conditions, the location and magnitude of the burn, modeling output (if available), the location of population centers, and input from state and local health officials, the monitoring teams are deployed where the potential exposure to the smoke may be most substantial (sensitive locations). Precise monitoring locations should be flexible and determined on a case-by-case basis. In general, one team is deployed at the upwind edge of a sensitive location. A second team is deployed at the downwind end of this location. Both teams remain at their designated locations, moving only to improve sampling capabilities. Each team uses a real-time particulate monitor capable of detecting the small particulates emitted by the burn (EPA Region 10 will monitor both particulate matter (PM) 2.5 or smaller and PM 10 or smaller), a global positioning system, and other equipment required for collecting and documenting the data.

ICS Operations

SMART activities are directed by the Operations Section Chief in the Incident Command System (ICS). It is recommended that a "group" be formed in the Operations Section that directs the monitoring effort. The head of this group is the Monitoring Group Supervisor. Under each group there are monitoring teams. At a minimum, each monitoring team consists of two trained members: a monitor and assistant monitor. The monitor serves as the team leader. The teams report to the Monitoring Group Supervisor who directs and coordinates team operations, under the control of the Operations Section Chief.

The observation and monitoring data will flow from the Monitoring Teams to the Monitoring Group Supervisor who then forwards data to the ISB Technical Specialist (within the Planning Section). The ISB Technical Specialist, or his/her representative, reviews the data and, most importantly, formulates recommendations based on the data. The Technical Specialist communicates these recommendations to the UC.

Levels of Concern

In the Inland Zone, a conservative upper limit of 35 micrograms of PM 2.5 per cubic meter of air, averaged over one hour, will be used. The monitoring teams should utilize the time-weighted average readings to determine the approach or exceeding of the levels of concern, due to the inherently less variability of the measurement. The UC must determine early on in the response what conditions, in addition to the levels of concern, justify termination of a burn or other action to protect public health. The UC should work closely with local Public Health organizations in determining burn termination thresholds.

For additional information, see the In-Situ Burning Operations Planning Tool.

7160 Surface Washing Agents

Surface-washing agents are chemicals that are used to enhance oil removal from exposed substrates and hard surfaces. They generally contain a mixture of a non-polar solvent and a surfactant. The solvent dissolves into the highly viscous or weathered oil to create a less viscous and somewhat uniform liquid oil or oily mixture. The surfactant reduces the

interfacial tension between the liquid oil and the surface to which the oil has adhered. Depending on environmental conditions and the selection and combination of solvents and surfactants, the removed oil will either float or disperse, giving rise to “lift and float” and “lift and disperse” descriptors of surface washing agents. The latter has a negative environmental impact for most shallow water coastal environments; therefore, products that “lift and float” are preferable.

When selecting a surface washing agent for use during a particular response, special consideration should be given to:

1. Its effectiveness on a particular oil and substrate;
2. The comparative toxicity among different surface washing agents; and
3. The availability of the surface-washing agent to be acquired in a useful time period.

Only surface washing agents that are included in the current NCP Product Schedule may be approved by the FOSC for use during oil discharges.

FOSC Authorization Recommendation

No surface washing agent Pre-Authorization Zones exist in the Northwest Inland Area.

To receive authorization to approve the use of surface-washing agents, the FOSC will prepare a recommendation memorandum (by completing the tools in the Surface Washing Agent Authorization Process and Decision Support Tools) and request an activation of RRT10 for a decision on the proposed action.

The purpose of the RRT activation is for the FOSC to outline the basis for the request to authorize surface washing agent use and, pursuant to 300.910(b) of the NCP, seek concurrence from the EPA representative to the RRT and, as appropriate, the RRT representatives from the states with jurisdiction over the navigable waters threatened by the release or discharge. This activation will also serve as consultation with DOC and DOI natural resource trustees. It is the policy of RRT10 to also consult with appropriate Tribal governments with off-reservation treaty rights in navigable waters threatened by a release or

discharge of oil, when practicable. Oil trajectory, potential impact areas, and the respective sensitivities of the resources at risk in those areas should be considered.

The RRT members will sign the recommendation memo and return it, along with any specific details, conditions, constraints, or other pertinent information, to the FOSC. If surface washing agents are subsequently used, the FOSC will provide an Incident AAR to all interested RRT member agencies after the emergency response is over.

7161 Bioremediation

Bioremediation is a technical process wherein nutrients such as nitrogen and phosphorus are seeded in the affected water, encouraging the growth of hydrocarbon-degrading bacteria. Hydrocarbon-degrading bacteria occur naturally in soil and water worldwide. The use of bioremediation in open water is an unproven technology that currently shows little or no promise of removing significant quantities of oil from the surface of the water prior to shoreline impact or natural dispersion. Bioremediation by nutrient enhancement or seeding of biodegrading organisms is, therefore, not allowed on the surface of open water. This policy can be reviewed by the RRT if there is new and significant evidence that bioremediation can be a significant factor in oil removal on open water.

Bioremediation of soil/shorelines should generally be used as the primary treatment only when oil concentrations are low (less than 15 grams of oil for every kilogram of sediment) and conventional forms of cleanup (heavy equipment use or manual cleaning) are likely to do more damage than good. Bioremediation should be viewed as a polishing agent for the final stages of cleanup rather than as a primary response tool, especially considering the slow rates of reaction to degrade the oil, and therefore, cleanup via this method will be allowed only on a case-by-case basis with RRT10 concurrence. Bioremediation agents with additives (for example, perfumes and nutrients) should not be used in shoreline settings or where sensitive aquifers could be impacted.

For additional bioremediation policy, see the NWRCP and the Oil Spill Best Management Practices tool.

7170 Special Considerations for Non-Standard Emergency Removal Action Scenarios

To be developed.

7180 Alternative Response Tool Evaluation System

Alternative Response Tool Evaluation System (ARTES) provides a structured process for evaluating proposed response tools, particularly non-conventional countermeasures, based on technical merit. An Alternative Response Tool Team reviews proposals and provides recommendations to the UC to support decision-making.

ARTES supports both incident-specific evaluations and pre-incident screening to identify appropriate use conditions. The process may be initiated by authorized personnel during a response or by an On-Scene Coordinator (state or federal) or RRT members prior to an incident. Proposals undergo initial screening, followed by detailed evaluation based on information submitted by the proponent, with results documented and archived for future reference.

7200 Response Technologies for Hazardous Substance Spill Control

To be developed.