

USE OF VOLUNTEERS GUIDELINES FOR OIL SPILLS

September 27, 2012



Chair



Vice Chair



Member Agencies

Acknowledgements

The National Response Team (NRT) acknowledges the NRT member agencies, the state and federal agencies participating on the Regional Response Teams (RRTs), and the Corporation for National and Community Service (CNCS) for their contributions in preparing this document. We invite comments or concerns on the usefulness of this document in planning for oil spill responses. Please send comments to:

U.S. National Response Team
NRT Preparedness Committee
U.S. Environmental Protection Agency
(Mail Code 5104A)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

U.S. National Response Team Member Agencies:

Chair: U.S. Environmental Protection Agency

Vice Chair: U.S. Coast Guard

U.S. Department of Agriculture

U.S. Department of Commerce

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of the Interior

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Homeland Security

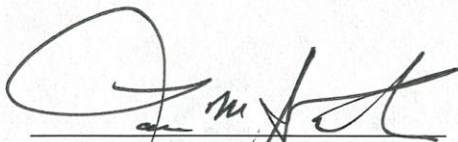
U.S. Federal Emergency Management Agency

U.S. General Services Administration

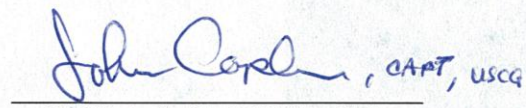
U.S. Nuclear Regulatory Commission

U.S. Department of Transportation

For more information on the NRT, please visit www.nrt.org.



Larry Stanton, NRT Chair



CAPT John Caplis, NRT Vice Chair

TABLE OF CONTENTS

Acknowledgements	2
Executive Summary.....	4
1.0 Definitions	4
2.0 Purpose and Scope	7
3.0 Policy Statement.....	8
4.0 NRT Member Agency Authorities.....	9
5.0 Area Contingency Plans and Other Plans for Use of Volunteers	10
6.0 Incident Command System Structure.....	11
6.1 Public Affairs Guidance	17
6.2 Public Information.....	17
7.0 Uses of Volunteers	18
8.0 Volunteer Safety and Health Training.....	20
8.1 Background	21
8.2 Training Guidance.....	24
8.3 Site Health and Safety Plan.....	27
8.4 Recordkeeping	27
9.0 Volunteer Registration	28
10.0 Liability	29
10.1 Affiliated Volunteers	29
10.2 Unaffiliated Volunteers	30
10.3 Third Party Claims.....	30
10.4 OSC Liability	31
11.0 Funding.....	31
11.1 RP and Use of Volunteers	31
11.2 Oil Spill Liability Trust Fund (OSLTF or Fund).....	31
11.3 Other Federal, State, and Local Funding Sources	32
12.0 Volunteer Planning and Management Resources	32
Appendix A: Volunteers Authority Matrix	34
Appendix B: Resource Flow Charts.....	42
Appendix C: Case Studies	46
<i>Use of Volunteers During the T/V PRESTIGE Oil Spill, Spain, November 2002.</i>	46
<i>Use of Volunteers During the M/V COSCO BUSAN Oil Spill, San Francisco Bay, November 2007</i>	48
<i>Use of Volunteers During the M/T HEBEI SPIRIT Oil Spill, South Korea, December 2007</i>	51
<i>Use of Volunteers During the Deepwater Horizon Oil Spill, Gulf of Mexico, April 2010</i>	53
<i>Use of Volunteers During the Enbridge Line 6B Pipeline Release, Michigan, July 2010</i>	60
Appendix D: Acronym and Abbreviation List	64
Appendix E: Bibliography	66
Appendix F: USCG-EPA-CNCS Use of Volunteers MOU.....	67

Executive Summary

This National Response Team (NRT) document provides guidance for federal On Scene Coordinators (OSCs) and Area Committees (ACs) using or considering using volunteers during an oil spill incident. It was developed in response to incident lessons learned and contains information, examples, and tools to help with everything from coordination and outreach, to organization and oversight, and also includes tips on avoiding some of the potential issues associated with utilizing a volunteer workforce. Though this document is comprehensive in nature, it is a guidance document and was not designed to preclude any existing laws or agency-specific policies. This document will be evaluated and updated periodically by the NRT in an effort to incorporate future lessons learned and maintain relevance in the field.

1.0 Definitions

The following are several key terms related to volunteer management. Response personnel should have a clear understanding of their implications prior to an incident:

Volunteer – Defined in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) § 300.5, a volunteer is “any individual accepted to perform services by the lead agency, which has authority to accept volunteer services.” A volunteer is subject to the provisions of the authorizing statute and the NCP.

Please note that the definition of a “volunteer” in 40 CFR § 300.5 applies only to the implementation and interpretation of NCP provisions related to volunteers. This definition does not, for example, apply to the implementation and interpretation of the liability laws discussed in Section 10.0 of this guidance.

The Volunteer Protection Act (42 U.S.C. § 14505) defines “volunteer” as “an individual performing services for a nonprofit organization or a governmental entity who does not receive – (A) compensation (other than reasonable reimbursement or allowance for expenses actually incurred); or (B) any other thing of value in lieu of compensation, in excess of \$500 per year, and such term includes a volunteer serving as a director, officer, trustee, or direct service volunteer.”

Section 4.0 describes the authorities of the U.S. Environmental Protection Agency (EPA), U.S. Coast Guard (USCG), and other NRT member agencies to accept volunteer services.

Affiliated volunteer – For the purposes of this guidance, an affiliated volunteer is an individual who comes forward following an incident or disaster to assist with response activities during the response or recovery phase without pay or other consideration and has a pre-existing formal or informal arrangement with either a governmental agency or non-governmental organization (NGO) or Community Based Organization (CBO) and who has been trained for a specific role or function in incident response or disaster relief during the preparedness phase. Affiliated volunteers may also have benefited from pre-deployment rostering, credentialing, and health screening. An affiliated volunteer’s organization may have established ties to the local response structure (e.g., Volunteer Organizations Active in Disasters (VOADs)).

Examples of affiliated volunteer groups include Tri-State Bird Rescue and Research, Inc. and the UC Davis, Oiled Wildlife Care Network (see Section 12.0 for additional information).

Unaffiliated volunteer – For the purpose of this guidance, an unaffiliated volunteer is an individual who comes forward following an incident or disaster to assist a governmental agency, NGO, or CBO with response activities without pay or other compensatory consideration. By definition, unaffiliated volunteers are not initially affiliated with a response or relief agency or pre-registered with an accredited disaster council. Unaffiliated volunteers may not have benefited from pre-deployment training, credentialing, and health screening.

Note: Unaffiliated volunteers are also sometimes referred to as “convergent,” “emergent,” or “spontaneous” volunteers within the emergency management community. For standardization purposes in this document, these volunteers will be referred to as “unaffiliated.”

Employee - The definition of “employee” is relevant to several sections of this guidance and varies depending on which specific legal requirements are being addressed. The definition of “employee” is described for each agency in specific laws and regulations and can vary across agencies. These requirements may also specify to what extent an agency may accept volunteer services and to what extent volunteers may be considered “employees” of that agency for specific purposes, such as work hours and compensation for injuries. They may also define the types of incidental expenses that an agency may pay for when using volunteers. As noted in Section 4.0, for any specific incident, OSCs should work with their counsel’s office to understand how these requirements affect a given agency’s authority to accept volunteer services, as well as how they may affect the application of the liability laws discussed in Section 10.0 and payment of incidental expenses for volunteer use.

Under the Federal Tort Claims Act (FTCA) an “employee of the government” includes (1) officers or employees of any federal agency, members of the military or naval forces of the United States, members of the National Guard while engaged in training or duty under section 115, 316, 502, 503, 504, or 505 of title 32, and persons acting on behalf of a federal agency in an official capacity, temporarily or permanently in the service of the United States, whether with or without compensation, and (2) any officer or employee of a Federal public defender organization, except when such officer or employee performs professional services in the course of providing representation under section 3006A of title 18 (28 U.S.C. § 2671).

For purposes of the liability laws, the determination of whether a given individual is an “employee” of a federal agency is generally determined by the facts of a specific case, looking closely at the degree of day-to-day government supervision over individuals, among other factors.

Section 8.0 describes the health and safety requirements and guidance that apply to volunteers. For this section, the definition of “employee” under the Occupational Safety and Health Act (OSH Act) would apply, as a matter of law, to a determination of whether the OSH Act safety and health requirements apply to volunteers (to determine whether a volunteer falls under the definition of “employee” or not). The OSH Act states that “employee” means “an employee of an employer who is employed in a business of his employer which affects commerce.” (29 U.S.C. 652) (The OSH Act does not have a definition of “volunteer.”) The definition of “employee” under the NCP, 40 CFR § 311, is the one that would apply, as a matter of law, to a

determination of whether the EPA hazardous waste operations and emergency response (HAZWOPER) requirements apply to volunteers (again, to determine whether a volunteer falls under the definition of “employee” or not). Section 311.2 of these EPA regulations states that “employee” means “a compensated or non-compensated worker who is controlled directly by State or local government, as contrasted to an independent contractor.”

This guidance does not specifically address individuals who were initially volunteers and later become employees.

The following table is intended to summarize the definitions provided above by identifying how the definitions apply to different sections of, and the authorities discussed in, this guidance:

		Statutes and Authorities				
		NRT Use of Volunteers Guidelines	40 CFR § 300 and 40 CFR § 311	OSH Act	Liability Laws	Agency Authorities to Use Volunteers
Definition	Volunteer	Applies to discussions about NCP requirements	40 CFR § 300.5	N/A	42 U.S.C. § 14505 (Volunteer Protection Act)	Definition in this Guidance does not apply to agencies’ authorities; however, individual agencies’ statutes may contain a definition of “volunteer”
	Affiliated Volunteer	Defined by this guidance for use in this guidance	No definition	No definition	No definition	No definition
	Unaffiliated Volunteer (A.K.A., convergent, emergent, or spontaneous)	Defined by this guidance for use in this guidance	No definition	No definition	No definition	No definition
	Employee	Different definitions apply to different sections of this guidance	40 CFR § 311.2 (worker protection)	29 U.S.C. § 652 (OSH Act)	28 U.S.C.A. § 2671 (Federal Tort Claims Act)	Agency specific

2.0 Purpose and Scope

This document is a product of the NRT, which is the organization of 15 federal agencies responsible for national planning and coordination of oil and hazardous substance emergency preparedness and response under the NCP (40 CFR Part 300). It was developed by a Volunteer Workgroup established under the NRT Preparedness Committee. For additional information on the National Response System (NRS) and federal response authorities, visit www.nrt.org.

This document is intended solely as guidance and to provide technical assistance to the federal OSCs on the use of unaffiliated and affiliated volunteers during responses to oil spills. This document was prepared by the NRT in part, based on the outcome of the USCG Incident Specific Preparedness Review (ISPR) of the M/V *Cosco Busan* incident of 2007. The ISPR analyzed the preparedness planning requirements and the actual response operations conducted in response to the M/V *Cosco Busan* collision with the San Francisco-Oakland Bay Bridge and subsequent spill of approximately 53,000 gallons of heavy fuel oil into San Francisco Bay. The ISPR recommended that the NRT develop generic guidance for ACs to assist them in the utilization of unaffiliated volunteers and to update sections in their Area Contingency Plans (ACPs). The ISPR also noted that “a lack of planning for unaffiliated volunteer program, and a general lack of attention to unaffiliated volunteers (specific to non-wildlife), resulted in long and frustrating delays that impacted the response overall...”

The use of volunteers, including the need for planning for volunteer use in ACPs, is addressed in the NCP at 40 CFR § 300.185 and § 300.210:

§ 300.185(c): “ACPs shall establish procedures to allow for well organized, worthwhile, and safe use of volunteers, including compliance with § 300.150 regarding worker health and safety. ACPs should provide for the direction of volunteers by the OSC/RPM [On-Scene Coordinator/Remedial Project Manager] or by other federal, state, or local officials knowledgeable in contingency operations and capable of providing leadership. ACPs also should identify specific areas in which volunteers can be used, such as non-oiled beach surveillance, logistical support, and bird and wildlife treatment. Unless specifically requested by the OSC/RPM, volunteers generally should not be used for physical removal or remedial activities. If, in the judgment of the OSC/ RPM, dangerous conditions exist, volunteers shall be restricted from on-scene operations.”

§ 300.210(c)(4)(ii)(H): [Each ACP shall incorporate an annex that shall] “Identify and secure the means for providing, if needed, the minimum required OSHA and EPA training for volunteers, including those who assist with injured wildlife.”

This document is designed to primarily address oil spill responses conducted under the NCP in which the federal OSC is the Incident Commander or part of the Unified Command. It is also possible that some oil spill responses involving volunteers may occur as part of a broader federal response coordinated by the U.S. Department of Homeland Security (DHS) under the National Response Framework (NRF) (e.g., oil spill occurs as a result of a major earthquake or

hurricane). In such a case, volunteers for the overall federal response, including the oil spill, may be managed by Federal Emergency Management Agency (FEMA) in accordance with the NRF Volunteer and Donations Management Support Annex procedures, and the authorities underlying the federal response to that particular incident (e.g., Robert T. Stafford Disaster Relief and Emergency Assistance Act). In addition, the NRF provides that the Secretary of Homeland Security may activate specific NRF mechanisms to provide support to federal agencies that are leading responses under their own authorities. It is possible, therefore, that EPA or USCG may request that DHS activate the NRF Volunteer and Donations Management Support Annex to assist with volunteer management during an oil spill conducted under the NCP, although this may only occur in exceptional circumstances.

In addition to their NCP authorities, NRT member agencies have differing authorities for the use of volunteers and volunteer management. As a reference for the Incident Command or Unified Command, each of the pertinent authorities will be outlined in this document. (See Section 4.0 and Appendix A.)

3.0 Policy Statement

EPA and USCG federal OSCs may use the services of volunteers in oil spill responses in accordance with their statutory authorities and other applicable laws. The Incident Command/Unified Command should make that decision on a case-by-case basis, weighing the interests of the local volunteer community and benefits of volunteer efforts against health and safety concerns, resources needed for volunteer supervision and training, liability concerns, and other relevant issues.

As noted in the NCP, volunteers generally should not be used for physical removal of oil contaminated materials. Typically, volunteers should be used for minimal risk activities; however, in certain circumstances, volunteers may be used for higher risk activities such as certain oiled wildlife cleaning activities if they have received appropriate training and Personal Protective Equipment (PPE), as contemplated by the NCP volunteer requirements. A list of potential volunteer activities is provided later in this document, but each AC should evaluate the specific needs and resources of its area to develop a list that is relevant to the local area. This Guidance should serve as a catalyst for Area Contingency Plan (ACP) revitalization, to include stakeholder outreach and increased volunteer management planning efforts at the local, state, and regional levels.

Affiliated vs. Unaffiliated Volunteers

When volunteer use is determined to be appropriate, the use of affiliated volunteers is preferred over the use of unaffiliated volunteers. Interested unaffiliated volunteers may be encouraged to join affiliated volunteer organizations, although as discussed in Section 6.2, the federal government may not endorse one organization over another. Federal OSCs should plan for the potential use of experienced volunteer management organizations should they be needed to manage unaffiliated volunteers. ACPs should address state and local government, non-government and community based volunteer management capabilities, as well as key federal resources, such as the Corporation for National and Community Service (CNCS). The Incident Command/Unified Command should also be aware of the potential federal volunteer management assets that can provide assistance. Section 11.0 describes potential resources

available to assist ACs in planning for the use of volunteers and to assist federal OSCs with managing volunteers during an actual incident.

This document is intended solely as guidance and was designed to provide technical assistance from the NRT on the use of volunteers during oil spill responses. This document does not impose any legal obligations or duties on any party. This document does not supersede the NCP (40 CFR § 300) or any regulations issued by federal agencies.

4.0 NRT Member Agency Authorities

Federal agencies are generally prohibited from accepting voluntary services pursuant to 31 U.S.C § 1342, which states in relevant part that:

An officer or employee of the United States Government or of the District of Columbia government may not accept voluntary services for either government or employ personal services exceeding that authorized by law except for emergencies involving the safety of human life or the protection of property.

The principal purposes of this prohibition are to preclude claims for payment for such services against the Government and thereby create a coercive deficiency and prevent agencies from coercing employees into “volunteering” additional services (e.g. unpaid overtime) to avoid deficiency when appropriated funds were used up prior to receiving more appropriated funds

There is a distinction between “voluntary services” and “gratuitous services”. Voluntary services are defined as services furnished on the initiative of the party rendering the same without request from, or agreement with, the United States. Voluntary services are generally prohibited by 31 U.S.C § 1342 unless Congress has otherwise authorized acceptance of voluntary services.

Gratuitous services, on the other hand, are defined as “uncompensated services rendered by an individual through an advance agreement or contract in which the individual agrees to serve without compensation. There is no provision of law that purports to prevent the acceptance of gratuitous services, if otherwise lawful.

Upon this backdrop of prohibition, subsequent legislation permits the use of volunteers, but only for specific, enumerated purposes. Appendix A includes detailed agency-specific information describing the authorities of select NRT member agencies to use volunteers. It is important to note that EPA and USCG have different authorities to use volunteers. Therefore, depending on whether EPA or USCG is providing the federal OSC for a specific incident, the relevant agency’s authorities to use volunteers would apply and should be considered by the Incident Command/Unified Command. The roles and authorities of supporting agencies may also need to be considered if they are involved in providing or managing volunteers. Federal

OSCs should consult with their agency's counsel when considering use of volunteers in a response.

5.0 Area Contingency Plans and Other Plans for Use of Volunteers

Each AC should review its ACP and ensure incorporation of information pertinent to the use of volunteers. This information should address local and regional resources and concerns. ACs and federal OSCs should thoroughly research all available affiliated volunteer capabilities and resources within their areas that may support oil spill responses. ACPs should, at a minimum, include a contact list of local government and other affiliated volunteer organizations in their area.¹ This should be a proactive, not a reactive process. When local, state, and regional government, as well as NGO or CBO capabilities to manage volunteers have been exhausted, federal OSCs should consider enlisting the aid of the CNCS, or, if available, other federal agencies. CNCS, and other potential resources to support planning for volunteer use, are described in more detail in Section 12.0.

ACPs should also describe how the Incident Command/Unified Command should integrate or coordinate with volunteer organizations, including identification and description of potential volunteer duties. Section 6.0 discusses volunteer management within an Incident Command System (ICS) structure in more detail. When identifying potential affiliated volunteer organizations, ACs should determine whether those organizations are familiar with and trained in the National Incident Management System (NIMS) ICS. If they are not trained in NIMS ICS, consideration should be given to how best to prepare for the potential involvement of these organizations in an oil spill response.

ACPs should address the training and coordination of both affiliated and unaffiliated volunteers, including health and safety training. Federal OSCs should coordinate with local and regional affiliated volunteer organizations to determine their capability to absorb and train unaffiliated volunteers. Once this resource capability is addressed, the federal OSC should incorporate affiliated volunteer organizations into the regular exercise and training cycles when possible. The NCP requires that the annex to the ACP "Identify and secure the means for providing, if needed, the minimum required OSHA and EPA training for volunteers, including those who assist with injured wildlife" (40 C.F.R. 300.210(c)(4)(ii)(H)).

Regional Contingency Plans (RCPs) may also contain information on planning for volunteer use; however, more detailed planning generally occurs at the ACP level.

¹ An example of an affiliated volunteer organization is the Oiled Wildlife Care Network (OWCN), which is a statewide collective of trained wildlife care providers, regulatory agencies, academic institutions and wildlife organizations working to rescue and rehabilitate oiled wildlife in California. Established in 1994 by the Department of Fish and Game's Office of Spill Prevention and Response (OSPR) as a result of the *Exxon Valdez* in Alaska and the *American Trader* in Huntington Beach, the OWCN is administered by the UC Davis Wildlife Health Center in the School of Veterinary Medicine. Additional information can be found at www.owcn.org.

Area Committees and Volunteer Organizations

ACs should determine if members of affiliated NGOs and CBOs should be incorporated into their memberships or supporting workgroups. For example, if a port area is likely to have a large influx of volunteers during a response, those affiliated NGOs and CBOs likely to be involved during a response should be included in AC membership. If an AC decides not to include these organizations in its membership, they should still be invited to participate in exercises. Exercising with these organizations provides federal OSCs an opportunity to better understand their capabilities and allows federal OSCs and organizations to test their mechanisms for coordination during incidents. Exercise experience should also help federal OSCs determine the appropriate use of volunteers during actual incidents.

Volunteer Health and Safety Training

Federal OSCs should be aware of the federal and state Occupational Safety and Health Administration (OSHA) requirements for HAZWOPER and emergency HAZWOPER training. The federal OSC should develop a relationship with the local OSHA representative and maintain an awareness of training requirements and events that may be available to volunteers and volunteer organizations. While the NRT is not recommending active recruitment of volunteers, a comprehensive Just-In-Time training program should be developed for use in the event that a large number of volunteers must be trained in a short amount of time. It is important to identify the applicable safety and health training requirements that apply to volunteers on a state-by-state basis. The Volunteer Safety and Health Training section (Section 8.0) discusses training requirements in greater depth.

To ensure that workers can meet the challenges of spill responses, every effort must be made to protect them from the safety and health risks inherent in their work. Additional preparedness and response guidance to assist the Incident Command and voluntary organizations active in disaster response activities is contained in the NRT Technical Assistance Document (TAD) referred to as the "Emergency Responder Health Monitoring and Surveillance (ERHMS) system." The ERHMS TAD includes specific recommendations and tools for all phases of a response, including the pre-deployment, during-deployment, and post-deployment phases. This document can be found at www.erhms.nrt.org.

Federal OSCs should also plan ahead for activities that may be appropriate for unaffiliated volunteers in case they cannot be referred to affiliated organizations. These planned activities should take into account that most unaffiliated volunteers will lack the appropriate training to safely participate in oil removal operations. Examples of minimal risk activities for unaffiliated volunteers include pre-impact beach cleanup, temporary movement of natural debris, administrative duties and messenger tasks (with additional examples in Section 7.0).

6.0 Incident Command System Structure

As explained in Section 3.0, the decision to accept volunteer services—affiliated or unaffiliated—is made by the Incident Command/Unified Command. The incidents addressed here are those in which the federal OSC is the Incident Commander or part of the Unified Command.

If the incident includes a responsible party (RP), the input of the RP regarding the use of volunteers should be given strong consideration, but ultimately, the federal OSC (along with any state or local commanders in the Incident Command/Unified Command) may make the decision to accept volunteers even if the RP objects. However, the federal OSC should consult his/her agency counsel if considering using volunteers on the RP's property in order to determine the applicability of federal liability coverage to those volunteers (see Section 10.0).

Volunteers and volunteer organizations may not always have an interest in participating in a given incident. In fact, volunteers do not participate in the majority of oil spill responses. In these cases, and during an initial response when there has been no volunteer interest expressed yet, the ICS structure may not contain any positions specifically dedicated to volunteer management. As the Incident Command/Unified Command becomes aware of individuals or organizations that are interested in providing volunteer services, or anticipates a need for the expertise that can be provided by existing affiliated volunteer organizations (e.g., wildlife rescue), the Incident Command/Unified Command should make assignments for volunteer coordination within the ICS.

Concept of Operations Summary

Based on lessons learned from recent incidents and exercises involving the use of volunteers, the following incident management approaches are recommended for the coordination and management of volunteer services in the ICS. These approaches address incidents where volunteer services require minimal support and management within the overall response, and also provide an option for scaling up if volunteer management will represent a larger effort or if substantial coordination is required with and among several affiliated volunteer organizations or volunteer management (e.g., state and local governments) entities. Appendix B depicts the recommended ICS structures for small-scale and large-scale volunteer efforts, including wide-area incidents that use an Area Command structure. While these approaches are recommended, other approaches may be used depending on the specific incident.

Small scale volunteer efforts

When it becomes apparent to the Incident Command/Unified Command that volunteer services may be involved in the response, the Liaison Officer (LNO) should be assigned responsibility for needs assessment and initial volunteer coordination.² In order to help the Incident Command/Unified Command decide whether or not to use volunteers, the LNO should provide information to the Incident Command/Unified Command on the interest, availability, and capabilities of existing affiliated volunteer organizations and unaffiliated volunteers to contribute to the response. Another important factor for the Incident Command/Unified Command should consider is the availability of liability insurance and workman's compensation for potential volunteers. (See Section 10.0 for further information on liability.) The LNO may obtain that information from Agency Representatives whose agencies can provide or coordinate volunteer services or from other venues (e.g., local government Emergency Operations Center [EOC], local emergency volunteer management operations, or

²The LNO should contact the ACP coordinator for assistance, such as identifying any affiliated volunteer organizations that may have already been identified in the ACP. The ACP coordinator or other member of the AC with expertise in volunteer management may also be an appropriate person to deploy to the command to conduct volunteer assessment and coordination functions if credentialed for the position under NIMS.

Volunteer Reception Centers [VRCs]³). If unaffiliated volunteers are expressing interest directly to the Incident Command/Unified Command in volunteering for the incident, it is recommended that the LNO assign an Assistant LNO the initial responsibility of conducting the unaffiliated volunteer assessment and/or coordinating with state/local government volunteer management agencies.

When the potential exists for using affiliated or unaffiliated volunteers, the LNO (or Volunteer Coordinator, if assigned) should prepare a decision memorandum for signature by the Incident Command/Unified Command to document the decision on use of volunteers. If volunteers will be used, the decision memo should include instructions on how volunteer support resources, such as equipment, will be provided. To determine which volunteer support resources may be paid for by the Oil Spill Liability Trust Fund (OSLTF), the LNO/Assistant LNO should consult the National Pollution Funds Center (NPFC) (www.uscg.mil/npfc), and agency counsel. If the RP agrees to pay during the response for volunteer support costs, that agreement should be documented separately and attached to the memorandum. Once signed, the decision memorandum should be filed with the Documentation Unit.

If the Incident Command/Unified Command decides to use *affiliated* volunteer organizations, such organizations may be assigned directly to an appropriate unit in the Operations Section (e.g., Wildlife Unit), Planning Section (e.g., Situation Unit Field Observer), or other appropriate section of the ICS depending on the type of support needed and/or being provided.

If a decision is made to accept the services of *unaffiliated* volunteers, the Incident Command/Unified Command should obtain the assistance of local government volunteer management mechanisms and/or other experienced volunteer management organizations to provide coordination and management services for the unaffiliated volunteers if possible. In general, state/local government organizations should be contacted first for such assistance. If state/local assistance is not available, CNCS, other federal agencies, NGO or CBOs may be contacted. (Section 12.0 provides more information on CNCS, as well as information on other volunteer coordination resources.)

The LNO/Assistant LNO should work with the Finance Section to make arrangements to enlist the services of CNCS or other organization to provide a Volunteer Coordinator to help coordinate and manage unaffiliated volunteers, as discussed further below.⁴ The Finance Section should prepare the Pollution Removal Funding Authorization (PRFA) for obtaining CNCS or potentially another federal agency's services, which should be signed by the federal OSC/Incident Commander. In addition, the PRFA Statement of Work should initially be developed by the LNO/Assistant LNO. The LNO/Assistant LNO should also obtain the necessary ICS 213 RR (Resource Request Message) Form signatures from Section Chiefs. If a local or state organization provides volunteer management services, the federal OSC/Incident Commander should determine if it is appropriate to issue a PRFA.

Once the Incident Command/Unified Command has approved the decision to accept and manage unaffiliated volunteers under the Incident Command/Unified Command structure, in

³Note: VRCs are also sometimes referred to as "Emergency Volunteer Centers (EVCs)"; however, for standardization purposes in this document, EVCs will be referred to as "VRCs."

⁴ Alternatively, funding may be provided by the RP, or alternative sources. See Section 11 for more information.

accordance with ICS principles, the planning for the actual management of these resources should occur under the Planning Section. The LNO should be responsible for the initial assessment of volunteer interest and capabilities and should maintain responsibility for affiliated volunteer organization outreach functions, including any coordination regarding a volunteer organization's advocacy of certain interests (such as protection of environmental resources), but the planning for management of volunteers should shift to the Planning Section.

For smaller-scale volunteer efforts, the Incident Command/Unified Command should establish a Volunteer Coordinator position under the Resource Unit of the Planning Section. The Volunteer Coordinator reports to the Resource Unit Leader. (However, if unaffiliated volunteer efforts become more significant, a separate Volunteer Unit should be established under the Planning Section, as discussed in the next subsection. If the Incident Command/Unified Command expects the volunteer efforts to be significant, the separate unit should be established from the start.) The Volunteer Coordinator may be a representative of an agency or organization providing affiliated volunteers or unaffiliated volunteer management services (e.g., state or local representative or CNCS) or the ACP coordinator.

The Volunteer Coordinator should work with the Resource Unit Leader, Planning Section Chief, and Operations Section Chief, as appropriate, to ensure volunteers are assigned to appropriate tasks (e.g., commensurate with capabilities, within volunteer authorities being used, and not inherently governmental in nature) in appropriate locations; have the appropriate training and PPE for their assignments; and are tracked within the ICS. Volunteers should only be deployed through direct written tasking from the Incident Command/Unified Command through the Incident Action Plan (IAP) process.

The Planning and Operations Section Chiefs should consult to determine if the Volunteer Coordinator should attend tactics meetings. If so, the Volunteer Coordinator should help complete ICS 204 (Assignment List) Forms for the volunteer resource assignments. If not, the Volunteer Coordinator should work with the Resource Unit Leader to determine appropriate volunteer resource assignments for ICS 204 Form gaps identified at the tactics meetings.

Specific responsibilities of the Volunteer Coordinator may include:

- Review common responsibilities.
- Coordinate with the Resource Unit (and directly with Section Chiefs, as appropriate) to determine where volunteers are needed.
- Coordinate with the Planning and Operations Section Chiefs to identify specific volunteer positions, and any necessary skills and training needs. The Volunteer Coordinator should be knowledgeable of any limitations on volunteer use associated with the specific authorities being used to provide volunteer services (see Section 4.0 and Appendix A for more on agency authorities).
- As requested by the Operations Section Chief or Resource Unit Leader, assist in completing ICS 204 Forms for volunteer resource assignments.
- Coordinate with the Joint Information Center (JIC) to advise the public of the incident particulars, such as: scheduled volunteer information sessions; where/how to register volunteer interest; whether volunteers are needed; and the specific roles for volunteers (what they can and cannot do during that specific response).

- Ensure volunteers receive necessary training through: a local emergency volunteer center (if established) and/or the Incident Command/Unified Command by activating training contractors or having other appropriately qualified Incident Command Post (ICP) staff provide training.
- Coordinate with the local emergency volunteer operations or reception center, if state/local agencies have established one for the incident.
- Coordinate with the Logistics Section on the logistical needs for volunteers and their management, as appropriate for the scope of the authorities being used to accept volunteers (see Sections 4 and 11).
- Maintain Unit/Activity Log (ICS 214 Form).
- Provide volunteer debriefings, as appropriate, and recognition of services at the conclusion of the response.
- Facilitate meetings among other federal, state, and local agencies providing volunteer leadership.
- Support development of the ICS 209 (Incident Status Summary) Form and/or the situation report (SITREP) regarding the use of volunteers. Per reporting period, define the total number of contributing organizations, total number of volunteers per organization, total number of volunteers among all contributing organizations, and total number of unaffiliated volunteers, as applicable. Summarize volunteer accomplishments per reporting period and list volunteer roles filled. A more detailed breakdown may involve the number of people who registered via a hotline or website and how many were trained.
- Assign subordinates to maintain proper span of control.
- Ensure volunteer injuries and illnesses are tracked by the Safety Officer. Ensure volunteer reception centers (VRC), or appropriate elements of the command structure, are developing health and safety messaging for volunteers.

The Volunteer Coordinator should also coordinate and communicate with the LNO on volunteer activities. The LNO should be responsible for initial interactions regarding the potential interest, and potential use, of unaffiliated volunteers and continue as the focal point for coordination with affiliated volunteer agencies and for any interactions regarding volunteer organization advocacy. It is expected that the workload for the LNO would decrease, however, as the Volunteer Coordinator takes responsibility for ensuring that unaffiliated volunteers are appropriately trained, assigned, and incorporated into the response and affiliated organizations are folded into appropriate ICS locations.

Large scale and wide area incident volunteer efforts

For incidents when it becomes apparent to the Incident Command/Unified Command that significant volunteer services may be involved in the response, the LNO should be assigned responsibility for a needs assessment and initial volunteer coordination, and the LNO may assign this responsibility to an Assistant LNO. The LNO should prepare a decision memo for the Incident Command/Unified Command to sign documenting their decision regarding the use of volunteers, as described above. If a decision is made to accept the services of unaffiliated volunteers and the number of such volunteers is large and requires substantial ICS support to manage them, or if multiple organizations are involved in providing volunteer services, requiring significant coordination efforts, the Incident Command/Unified Command should establish a separate Volunteer Unit in the Planning Section. More resources may be needed to manage and track the volunteers within the ICS, warranting establishment of a separate

Volunteer Unit to maintain appropriate span of control over the volunteers. The Volunteer Unit Leader reports to the Planning Section Chief. If needed, the Planning Section Chief may establish a Deputy Planning Chief position to establish divisions under the Planning Section and to maintain appropriate span of control over Planning Section Units.

If the Incident Command/Unified Command establishes a Volunteer Unit, the LNO and Volunteer Unit Leader should communicate with each other to ensure their efforts are coordinated. As with small-scale efforts, the LNO should focus on external outreach to affiliated volunteer organizations and initial interactions regarding the potential interest and potential use of unaffiliated volunteers, as well as any interactions regarding volunteer organization advocacy. The Volunteer Unit should focus on internal assignment and management of unaffiliated volunteers. It is expected that the LNO role would decrease over time.

If a Unified Area Command (UAC) is established to coordinate the response to a wide-area incident, and volunteers are involved in multiple ICPs, the UAC may assign the UAC LNO to coordinate volunteer needs assessment activities across the ICPs and establish a Volunteer Coordinator position in the UAC Planning Section Resource Unit to coordinate volunteer management activities among the command posts. Volunteer interest, availability, and potential volunteer tasks may vary across the impacted areas of a wide-area incident. Therefore, while the Unified Area Commanders should make the decision on volunteer use for the incident, respective Incident Command/Unified Commands may make different recommendations to the UAC regarding the use of volunteers for their particular ICP operations. The UAC also may wish to develop overarching supplemental strategic guidance for the ICPs to address volunteer issues that warrant consistency among the ICPs. The UAC LNO may also serve as the primary liaison with national-level affiliated volunteer organizations and/or other volunteer organizations that are supporting multiple ICPs.

Establishment of VRCs

In some incidents, state and local governments or NGOs or CBOs may be prepared to establish a VRC to be the focal point for unaffiliated and/or affiliated volunteer recruitment, registration, orientation, and training. The Volunteer Coordinator/Volunteer Unit should be responsible for coordinating with a VRC established by another organization. If the response includes significant numbers of unaffiliated volunteers but state and/or local government agencies do not have this capability, it may be advisable for the Incident Command/Unified Command to have the Volunteer Coordinator/Volunteer Unit work with Logistics to establish a temporary federal VRC for these purposes. This center would provide a location separate from the ICP for volunteers to converge and prepare to deploy. If a center is established by the Incident Command/Unified Command, the Volunteer Coordinator/ Volunteer Unit should work with the Resource Unit to have appropriate personnel and resources assigned to manage and staff the VRC. The Incident Command/Unified Command should assign a Volunteer Manager to manage the VRC.

Note: Appendix B includes an example of a volunteer management structure and process, developed by the San Francisco Bay and Delta AC, which incorporates an emergency VRC managed by a local government.

6.1 Public Affairs Guidance

Effective public outreach and communications will be an important component of a response that draws significant volunteer interest, particularly from unaffiliated volunteers. Federal OSCs should be aware that additional Public Information Officer (PIO) staffing may be needed in the ICS for such incidents. USCG's National Strike Force Public Information Assist Team (PIAT), for example, is one resource that federal OSCs can draw upon for public affairs surge capability.

Federal OSCs should also ensure that PIOs receive adequate training and information on volunteer issues, particularly issues related to the use of unaffiliated volunteers. In addition to other required PIO training, PIOs should be encouraged to review this guidance, particularly Appendix C and ACP provisions related to volunteer use.

While it is expected that the use of volunteers will be relatively infrequent, federal OSCs and PIOs can work together to pre-plan activities to identify appropriate tools for educating and updating the public during an incident with significant volunteer interest. For example, social media tools such as blogs, web pages, social networks, and podcasts may provide effective public outreach mechanisms. The National Oceanic and Atmospheric Administration's (NOAA) www.incidentnews.gov website is one option for posting information for the public, while the JIC's incident-specific response website (if one is established) is another. A hotline/call center may also be established for potentially interested unaffiliated volunteers to call for information on current volunteer opportunities, location of VRC, etc. Affiliated volunteer organizations can also play a pivotal role in this effort, as they often have websites where public information can be posted. Information packets or templates can also be prepared ahead of time.

PIOs should be encouraged to engage with their local, regional, and federal counterparts, in addition to the USCG PIAT, on approaches for public outreach for incidents involving volunteers and on lessons learned from PIOs who have had that experience.

Another critical lesson learned from *M/V Cosco Busan* is that timely overall public outreach regarding the response effort in general, particularly in areas with an actively engaged community, can have an impact on volunteerism (e.g., whether the community believes the response is being adequately managed without the need for members of the public to volunteer).

6.2 Public Information

Federal OSCs' public affairs posture should be proactive in areas where volunteerism, affiliated or unaffiliated, is expected to become an issue. Federal OSCs, working with ACs, can often identify areas that are likely to have significant volunteer interest. Community outreach to volunteer organizations in such areas should begin before an incident occurs. ACP efforts should include identifying potential affiliated volunteer organizations that can assist during a spill. The state network of affiliated volunteer organizations can assist in these pre-incident public outreach efforts.

In the event of a spill, federal OSCs should distribute citizen education packets for media and community stakeholders as soon as possible. Much of this information can be prepared ahead of time and could include frequently asked questions addressing oiled wildlife issues, the purpose of the Incident Command/Unified Command, the Oil Pollution Act of 1990, OSLTF, purpose of Oil Spill Response Organizations (OSROs), health and safety information, and basic hazardous waste operations training requirements. Examples of these documents are posted on www.homeport.uscg.mil in the outreach programs section under the environmental tab and should be adapted to address local concerns.

Press releases including general information—who, what, when, where, actions being taken—should be released in a timely manner. It is important that the public be made aware of the status of cleanup activities and expected next steps. Unconfirmed information should not be distributed via press releases. If the Incident Command/Unified Command decides to accept volunteer services, volunteer information and health and safety notices should also be passed to the public via press releases to educate potentially interested volunteers and direct them to appropriate points of contact for additional information about volunteering and how to register. Press releases also provide a good opportunity to direct unaffiliated volunteers to affiliated volunteer organizations identified in the ACP and can also be used to minimize volunteer direct action, such as oil removal and oiled wildlife capture.

However, when directing the public or unaffiliated volunteers to affiliated volunteer organizations, it is important that federal employees not endorse one particular organization over another. Therefore, during both planning and response, if the federal government is providing the public or unaffiliated volunteers with a list of potential affiliated organizations they can join, this list should include the following disclaimer:

This list is provided for informational purposes only. [EPA or USCG] and the United States Government do not endorse any of the organizations on this list. Inclusion on this list is voluntary. Any organization that wishes to be included should contact [provide name of contact].

7.0 Uses of Volunteers

Section 300.185(c) of the NCP outlines the general policy regarding use of volunteers:

“ACPs should identify specific areas in which volunteers can be used, such as beach cleanup surveillance, non-oiled logistical support, and bird and wildlife treatment. Unless specifically requested by the federal OSC/RPM, volunteers generally should not be used for physical removal or remedial activities. If, in the judgment of the federal OSC/RPM, dangerous conditions exist, volunteers shall be restricted from on-scene operations.”

Human health and safety is the first priority in decisions regarding how to use volunteers. Volunteers should normally only be used in very low risk activities and only after receiving appropriate safety training. For example, assistance in the command post, logistics, staging areas and check-in require relatively little training and are minimal risk activities. In certain

circumstances, volunteers may be used for higher risk activities such as oiled wildlife cleaning. These activities, however, require specialized training and, in some cases, licensing. It is preferable to use affiliated volunteer organizations that already have trained volunteers or established volunteer training programs for such activities. Volunteers with documented specialized training should be given higher priority for use.

The following is a list of potential roles for volunteers during an oil spill response:

Oiled Wildlife Rehabilitation

- Wildlife Reconnaissance*
- Wildlife Recovery and Transport*
- Wildlife Care and Processing - tasks include:
 - Animal washing/drying*
 - Food preparation*
 - Light construction (cage building)*
 - Facility cleaning*
 - Laundry*
 - In-take station processing for recovered wildlife (both alive and deceased)*

Shoreline Cleanup Support

- Volunteer field observers and data recorders*
- Pre-impact beach cleanup, including temporary movement of natural debris above the water line*
- Local guides for beach access*
- Displaced boom surveys*
- Data entry

Public Relations and Community Liaison

- Guide visitors and media
- Identify lodging for responders
- VRC support
- Phone answering, dispatching, messaging
- Information center staffing
- Beach closure information point of contact (POC)

Community Liaison Social Services

- Job placement (for unemployed)
- Public health information distribution
- Evacuation support*
- Shelters*
- Peer Counseling* (similar to Critical Incident Stress Management (CISM)) (only professionally certified counselors)

Logistics

- Inventory Control
- Procurement

- Distribution of PPE
- Cleaning of PPE*
- Construction of temporary structures*
- Medical Unit assistant* (appropriately qualified/certified medical professional)

Transportation

- Scheduling
- Dispatching
- Road building

Medical

- Dispatching
- First aid attendants*

Personnel Support Services

- Lodging attendants
- Message center
- Laundry service*
- Food preparation and distribution* (certain minimum food handling criteria may need to be met as required by state and local regulations)

Natural Resource Damage Assessment Support

- Field observers*
- Rapid assessment for marine and estuarine habitats*

Boat Operations (boat owners who volunteer)

- Area safety (informing and directing other vessels away from contaminated areas while allowing work vessels in)
- Transporting assessment teams or cleanup crews*
- Conducting on-water and near-shore field observations*

*Indicates person may be exposed to oil and may require specific training in addition to hazard training. Additionally, these tasks may require unique Health and Safety Plans (HASPs), per other federal regulations (such as HAZWOPER), and dedicated health monitoring and surveillance.

8.0 Volunteer Safety and Health Training

When the services of volunteers are used during an oil spill response, a primary objective is to conduct all activities in a safe and healthy manner. This section addresses safety and health training for volunteers. This guidance applies to volunteers only—private or public sector employees on the scene must be apprised of and conform to applicable safety and health requirements as deemed necessary by the federal OSC. The applicability of OSHA regulations to state and local employees will vary depending on the state (see discussion below).

In order to determine the applicability and requirements of various laws and regulations pertaining to the safety and health of personnel, it is important for the federal OSC and response agencies/organizations to appropriately categorize individual response and cleanup workers as “employees” or “volunteers”.

The NCP (40 CFR § 300.5) defines a “volunteer” as “any individual accepted to perform services by the lead agency which has authority to accept volunteer services (examples: See 16 U.S.C. 742f(c)). A volunteer is subject to the provisions of the authorizing statute and the NCP.”

The OSH Act applies to workplaces in a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Northern Mariana Islands, Wake Island, Outer Continental Shelf Lands defined in the Outer Continental Shelf Lands Act, and Johnston Island. The OSH Act defines an “employer” as “a person engaged in a business affecting commerce who has employees, but does not include the United States (not including the United States Postal Service) or any State or political subdivision of a State.” Under the OSH Act, an “employee” means “an employee of an employer who is employed in a business of employment which affects commerce.” The OSH Act does not cover workers who are not compensated in any way (e.g., volunteers), the self-employed, or employees of state or local governments. However, some states have their own occupational safety and health plans that cover local and state employees and, in some cases, volunteers. The OSH Act does not apply to working conditions over which other federal agencies have exercised statutory authority.

Helpful criteria for determining the existence of an employer-employee relationship have been discussed in court cases. The cases held that the following criteria are to be considered in determining whether there is an employer-employee relationship:

- The nature and degree of control over the manner and means by which work is accomplished
- The level of skill required to perform effectively
- Source of required instruments and tools
- Location of work
- Duration of relationship between parties
- The right of the employer to assign new projects to the individual
- The extent of the individual's control over when and how long to work
- Method of payment
- The individual's role in hiring and paying assistants
- Whether work is the regular business of the employer
- Whether the employer is in business
- The provision of employee benefits
- The tax treatment of the individual

8.1 Background

OSHA Requirements

Congress passed the OSH Act to assure so far as possible that every working man and woman

in the Nation has safe and healthful working conditions. OSHA conducts a wide range of programs and activities to promote workplace safety and health. OSHA issues and enforces standards and regulations (e.g., 29 CFR § 1910, § 1915, and § 1926) for a variety of workplace hazards including toxic substances, harmful physical agents, electrical hazards, fall hazards, confined spaces, and hazardous waste operations and emergency response.

Federal OSHA requirements do not apply to state and local governments. Neither do they apply where there is no employer-employee relationship. However, OSHA does encourage the application of federal OSHA requirements if they are relevant to state, local, and volunteer workers. States with OSHA-approved plans, or “State Plan States,” are required to promulgate safety and health regulations that are at least as effective as federal OSHA regulations. Some of these State Plan States apply federal requirements, including those of the HAZWOPER standard, and offer assistance to most private sector and all state and local government employers and employees, including firefighters and other emergency responders. Federal OSCs with operations in the following State Plan States should coordinate with state authorities to determine if safety and health regulations apply to some or all volunteers who have responsibilities under Incident Command/Unified Command and assist in emergency response operations (e.g., volunteer firefighters).

State Plan States:

Alaska	Indiana	Nevada	South Carolina	Wyoming
Arizona	Iowa	New Jersey	Tennessee	
California	Kentucky	New Mexico	Utah	Commonwealth
Connecticut	Maryland	New York	Vermont	Territories
Hawaii	Michigan	North Carolina	Virginia	Puerto Rico
Illinois	Minnesota	Oregon	Washington	Virgin Islands

The HAZWOPER Standard and NCP Response Requirements

Hazardous waste operations and emergency responses to hazardous substances pose serious safety and health hazards to workers.⁵ Under the OSH Act, OSHA issued its HAZWOPER standard, 29 CFR § 1910.120, to protect employees engaged in these operations and to help them handle hazardous substances safely and effectively. In addition to hazardous waste site cleanup operations, the provisions of the HAZWOPER standard protect employees conducting emergency response and cleanup operations for hazardous substance releases, which can include oil spills.

Under the HAZWOPER standard, employers must develop and implement comprehensive safety and health programs that include the following components:

- Organizational structure
- Comprehensive work plan
- Site-specific health and safety plan
- Emergency response plan
- Safety and health training program

⁵Per 29 CFR §1910.120(a)(3) of HAZWOPER, emergency response is “a response effort...to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance.”

- Medical surveillance program
- Standard operating procedures
- Site characterization and analysis
- Exposure monitoring
- Engineering controls
- Safe work practices
- PPE if needed
- Handling/labeling of drums and containers
- Decontamination procedures
- And other regulated required programs

The NCP (40 CFR § 300.185(c)) specifically states that when volunteers will participate in NCP responses, procedures shall be established to allow for safe use of volunteers, including compliance with 40 CFR § 300.150 regarding worker health and safety. These plans shall be designed to ensure that response actions comply with OSHA and EPA HAZWOPER standards. Volunteers participate in oil spill responses, but uncompensated workers are not directly covered by federal OSHA standards, including the OSHA HAZWOPER standard, under the OSH Act.

Volunteers may be covered under state plan HAZWOPER requirements. State Plan States are encouraged by OSHA and EPA to cover volunteer workers engaged in hazardous waste operations, including emergency response. The state safety and health enforcement agency should be contacted to determine the applicability of state HAZWOPER requirements to volunteers at NCP sites in these states. Even where State Plan States do not cover volunteers, at a minimum, the NCP requires the safe use of volunteers during NCP operations. Additionally, the NRT recommends that any volunteer who takes part in NCP operations involving oil or hazardous substances be trained and demonstrate competence in accordance with the applicable sections of 29 CFR § 1910.120.

In states administered by federal OSHA, certain volunteers engaged in hazardous waste operations are covered by the EPA HAZWOPER standard (40 CFR § 311). The EPA HAZWOPER standard covers local and state government employees, “employee” being defined as a compensated or non-compensated worker who is controlled directly by a state or local government, such as volunteer firefighters (40 CFR § 311.2). Therefore, volunteers who fit that definition of “employee” would be covered by EPA’s standard. Other volunteers would not be covered by the EPA standard, but as explained above, the NCP minimally requires the safe use of volunteers during NCP operations. Furthermore, the NRT recommends that any volunteers who take part in NCP operations involving oil or hazardous substances be trained in accordance with the applicable sections of 29 CFR § 1910.120.

Note that activities by volunteers who are not controlled directly by a state or local government entity may need to be limited due to the extensive medical surveillance, training, and equipment necessary to participate in activities that pose increased safety and health challenges.

8.2 Training Guidance

Per 40 CFR § 300.150, response actions conducted under the NCP must comply with the provisions of the HAZWOPER standard (29 CFR § 1910.120). The minimum amount of training required under HAZWOPER depends on the worker's role and responsibilities during the response and cleanup. Before they begin working, all workers must be trained and demonstrate competence in the tasks they will conduct, the hazards associated with the tasks, and the precautions and protections needed to safely complete the tasks (e.g., use of engineering and work practice controls and PPE). After the training is completed, the employer must provide adequate supervision to ensure that safety protocols are followed.

OSHA's Compliance Instruction, CPL 02-02-051, provides policy guidance on training requirements under HAZWOPER for workers involved in post-emergency response operations.⁶ For job duties and responsibilities with a low magnitude of risk, fewer than 24 hours of training may be appropriate for these post-emergency cleanup workers. For oil spill cleanup operations where, 1) the site has been fully characterized, 2) respirators are not required, and 3) minimal exposure is likely, a minimum of four hours of training should be appropriate in most situations.⁷ Moreover, oil spills are unique in that many people who assist in the cleanup operations may not engage in this activity on a recurring basis. Supervisors and workers involved in high-hazard operations need 40 hours of training and appropriate supervised field experience. OSHA publication 3114, Hazardous Waste Operations and Emergency Response, and OSHA publication 3172, Training Marine Oil Spill Response Workers Under OSHA's Hazardous Waste Operations and Emergency Response Standard, provide guidance on HAZWOPER training requirements for various categories of workers.

When volunteers are accepted by and are being managed under the Incident Command/Unified Command during NCP responses, they should work under the direction of the federal OSC and Incident Command/Unified Command (when not being managed directly by state or local government agencies and/or volunteer organizations) and a site-specific safety and health plan. Volunteers should be provided at least the minimum number of training hours specified and training that prepares them for their job functions and responsibilities, as stated in the HAZWOPER standard and OSHA publications 3114 and 3172. When site characterization demonstrates that the area to be serviced by volunteers is free of potential exposures, or the proposed work assignments would not expose any of the work crew to hazardous substances, the activity may be carried out as a normal maintenance or construction operation with typical PPE (e.g., gloves and eye protection) and the associated training should be provided.

⁶ Per 29 CFR § 1910.120(a)(3) of HAZWOPER, post-emergency response is performed after the immediate threat of a release has been stabilized or eliminated and cleanup of the site has begun.

⁷ Per OSHA's Compliance Instruction CPL 02-02-051, criteria for when fewer than 24 hours of training may be appropriate for post-emergency clean-up workers include, but are not limited to, the following: the cleanup is performed in an area that has been monitored and fully characterized by a qualified person indicating that exposures are presently and can be expected to remain under permissible exposure limits and other published exposure limits, and health risks from skin absorption are minimal. For further details, see OSHA's Compliance Instruction CPL 02-02-051 at:

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=DIRECTIVES&p_id=1565

HAZWOPER Training Requirements for Emergency Response Operations

Per 29 CFR §1910.120(a)(3) of HAZWOPER, emergency response is “a response effort...to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance.” For oil spills, an uncontrolled release is a situation in which the oil and its associated airborne and surface contamination hazards are releasing into the environment or are in danger of releasing into the environment and posing a worker exposure hazard. On-water containment, skimming operations, and underwater oil recovery operations are considered to be emergency response activities because the oil is still in danger of being released into the environment.

The HAZWOPER standard lists seven emergency responder categories, which include the following five principal training levels: First Responder Awareness Level, First Responder Operations Level, Hazardous Materials Technician, Hazardous Materials Specialist, and On Scene Incident Commander. The remaining two categories include Skilled Support Personnel and Specialist Employees. Employees responding to emergencies at different levels in the command structure are required to have specific training that is intended to ensure that emergency responders are properly trained and equipped to perform their assigned tasks. Volunteers’ activities should be limited to those that would need training at the “skilled support personnel” or “first responder awareness” level.

Skilled Support Personnel Level

The undertakings of these volunteers should be limited to low-risk activities, such as beach surveillance, logistics, transportation, personnel medical, or community liaison support. Since many of these volunteers may not have expected to help in emergency response incidents and may not have even minimal awareness training, it may only be feasible to provide safety and health training and any required protection at the scene before they participate in the incident. This can be accomplished by an on-site briefing that includes a discussion of the hazards present, any personal protective clothing and equipment to be used, how the equipment is used, the exact tasks they are expected to perform, and any other safety and health precautions. PPE provided to these volunteers should be selected in accordance with 29 CFR Part 1910 Subpart I and be sufficient for the anticipated type and level of exposure. Consult with a safety professional for the correct PPE selection during the development of the health and safety plan. The selection of PPE should be based on the volunteer’s worst-anticipated exposure to hazards.

Minimum information and training for these volunteers, and all volunteers at the site, should include:

- A description of the physical and chemical hazards present and any potential health effects and signs and symptoms of exposure.
- Adequate explanation and demonstration of the proper donning/doffing, use, care, and limitations of any personal protective clothing and equipment to be used.
- The exact tasks they are expected to perform, including safe work practices to minimize employee exposure.
- Prohibited activities and restricted areas.
- A description of the Incident Command structure/operation and emergency notification procedures.
- The procedures for follow-up medical surveillance in the event that injury or illness occurs.

- Any other safety and health precautions.

First Responder Awareness Level

Volunteers who are routinely expected to perform emergency procedures as part of their responsibilities should be considered part of a hazardous materials or oil spill response team and should be trained, at a minimum, to the first responder awareness level prior to the incident. These volunteers are discouraged from activities such as physical removal or remediation, and they are restricted from on-scene operations when dangerous conditions exist. They are generally prohibited from participating in protective actions of the response, such as source control or defensive booming operations, for the purpose of protecting nearby persons, property, or the environment. Their activities must be performed from a safe distance and may include activities such as assistance with post-released birds and wildlife, beach patrol, removal of non-oiled debris and trash, and cleaning non-contaminated PPE.

In addition to the minimum training described above for all volunteers, volunteers operating at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

- An understanding of what hazardous substances are, and the risks associated with them in an incident.
- An understanding of the potential outcomes associated with an emergency created when hazardous substances are present.
- The ability to recognize the presence of hazardous substances in an emergency.
- The ability to identify the hazardous substances, if possible.
- An understanding of the role of the first responder awareness individual in the employer's emergency response plan, including site security and control and an understanding of the U.S. Department of Transportation's Emergency Response Guidebook.
- The ability to realize the need for additional resources, and to make appropriate notifications to the incident command structure.

Other Levels

While not recommended, if volunteers respond to releases for the purpose of protecting nearby persons, property, or the environment by responding in a defensive fashion, they should be considered to be at the first responder operations level and should meet the appropriate level of HAZWOPER training and competencies. Moreover, personnel who respond aggressively to stop or control the release of hazardous substances or the discharge of oil should be considered Hazardous Materials Technicians or Hazardous Materials Specialists and should meet higher levels of training and competencies.

HAZWOPER Training Requirements for Post-Emergency Response Operations

Per 29 CFR § 1910.120(a)(3) of HAZWOPER, post-emergency response is performed after the immediate threat of a release has been stabilized or eliminated and cleanup of the site has begun. Shoreline cleanup is normally considered to be a post-emergency response unless the oil is below the high tide mark or storm surge boundary can reasonably be expected to be re-released into the environment. Depending on the size of the oil spill, the emergency and post-emergency response phases may be managed differently. However, particularly for large oil spills, the emergency response and post-emergency response cleanup activities may occur at

the same time. In these cases, the boundaries between the emergency response area and the post-emergency response area should be well defined and explained to responders and cleanup workers. Under HAZWOPER, workers who participate only in post-emergency response require different levels of training than emergency response workers.

If volunteers conduct only post-emergency response operations during an oil spill, they should be considered to be under the category of general site workers, managers/supervisors, or other workers unlikely to be exposed above limits. Based on their job functions, duties, and potential exposures/hazards, they should provide proof of HAZWOPER training at the appropriate levels. These volunteers would likely be associated with a governmental agency or an NGO or CBO and their training is beyond the scope of this document. OSHA's publication 3172 entitled "Training Marine Oil Spill Response Workers Under OSHA's Hazardous Waste Operations and Emergency Response Standard" provides further guidance on training requirements for various categories of oil spill response workers.

8.3 Site Health and Safety Plan

For cleanup operations, the HAZWOPER standard requires a written safety and health program with a requirement for a site specific Health and Safety Plan (HASP), which identifies site hazards and appropriate controls to protect responders' health and safety. If volunteers are used, a section should be included in the HASP specific to the use of volunteers, the scope of the work activities to be performed, the hazards, training, precautions and protections, and medical surveillance.

8.4 Recordkeeping

After ensuring Privacy Act and Paperwork Reduction Act compliance,⁸ the following recordkeeping recommendations include:

- All volunteer training should be documented. Training records should include the content of the training, the name and address of the volunteer, affiliation (if applicable), and signed acknowledgment of receipt of training.
- All unaffiliated volunteers who indicate they possess a certain level of training or competencies should provide documentation proving such training or competence before engaging in any NCP activities.
- Affiliated volunteers who are working with their assigned organization should have documented training with their appropriate training department.

⁸ Steps that may need to be taken to comply with the Privacy Act (5 U.S.C. 552a) include (1) establishing a System of Records for the collection of information from volunteers, which must be approved by the Office of Management and Budget (OMB) and described in a System of Records Notice published in the Federal Register for public comment; (2) providing the volunteer with a written "privacy act statement" at the time the information is collected; and (3) following safeguarding and handling instructions once the information is collected. Steps that may need to be taken to comply with the Paperwork Reduction Act (44 U.S.C. 3501) include (1) preparing an Information Collection Request that must be approved by OMB and published in the Federal Register for public comment; and (2) once approved, displaying the OMB control number on the information collection form.

- Training obtained on site should be documented and provided to the unaffiliated volunteer or to the respective training department for the affiliated volunteer.
- Volunteer responders have responsibility to follow the requirements of the site specific HASP. Acknowledgement of training regarding the HASP and agreement to comply should be received in writing.
- Injury, illness, and exposure, as well as safety and health recordkeeping and reporting in accordance with Incident Command/Unified Command plans and procedures.

9.0 Volunteer Registration

During an incident, a volunteer application and registration process may be used to screen volunteers and help determine appropriate assignments. The preferred method of collecting volunteer registration data is through established affiliated volunteer organizations or the state agencies involved in the response. In some cases, a responsible party may also decide to assume the responsibility for volunteer registration. At this time, federal OSCs should not attempt to collect or store this volunteer information. In the event that unaffiliated volunteers must be registered through the federal OSC, additional steps should be taken prior to registration to ensure compliance with Privacy Act and Paperwork Reduction Act requirements. Federal OSCs should consult with their respective agency counsels regarding the appropriate steps to take.⁹

After a federal OSC ensures compliance with Privacy Act and Paperwork Reduction Act requirements, the following information may be collected from each volunteer during the application or check-in process: name, contact information, age, identification of any current medical conditions that could impact their volunteer service, health insurance status, certified trainings completed related to their volunteer service, and a brief description of experience with oil spill response. Any medical or physical conditions that could potentially influence a volunteer's ability to safely complete their volunteer service should be documented and thoroughly considered when assigning work. These conditions may include, but are not limited to: allergies, chronic diseases, respiratory or heart problems, and/or a pregnancy. Any unaffiliated volunteers that are not U.S. citizens should be advised to ensure they have the appropriate visa classification to allow them to volunteer. The information collected during the registration process should help to determine the appropriate volunteer work assignments and, if appropriate, to identify particular skills that may be useful in the response.

Any volunteers identified during the registration process not currently covered by a health insurance policy, should be given careful consideration as there may be additional legal concerns associated with their service. Volunteers under the age of 18 should be limited to those being managed under supervision of affiliated organizations (e.g., Boy and Girl Scouts of America, American Red Cross, faith-based groups) and should not perform emergency or post-emergency response operations that could expose them to oil or other hazardous substances. Information regarding Child Labor Laws is available at <http://www.youthrules.dol.gov/> and should also be consulted prior to any use of volunteers under the age of 18.

⁹See footnote 8.

To ensure that individuals who claim to be volunteers do not perform work at a response site, and later seek monetary compensation for their labor from the federal government, all volunteers should be asked to sign a waiver of compensation. Federal OSCs may obtain the following statement covering all affiliated volunteers managed under a single volunteer organization:

[Name of organization] agrees to cooperate with the [U.S. Environmental Protection Agency][U.S. Coast Guard] in responding to the discharge or release of oil or hazardous substances at [site name] and understands that it and any individuals that [name of organization] sponsors, organizes, transports, registers or otherwise is affiliated with as volunteers at the site (volunteer affiliates), will not receive, and hereby waives, any claims for compensation for services rendered to the U.S. Government. [Name of organization] agrees to communicate this restriction to its volunteer affiliates.

During a volunteer demobilization process, volunteers should complete check-out procedures, consistent with Privacy Act and Paperwork Reduction Act compliance, similar to all other responders. This includes the completion of a demobilization check-out form with the appropriate volunteer organization, the involved state/local agency or with the Incident Command. The information collected during the check-out may include: name, contact information, comments for improving volunteer services or response efforts at the incident, and a brief summary of the volunteer's current medical condition. Along with the check-out form, volunteers should receive a medical debrief as appropriate for the tasks assigned to them. This process should help to determine if any volunteers have been adversely affected by their work and to assess trends within the population of workers for the purpose of identifying potential risks to others.

10.0 Liability

As noted in Section 3.0, federal OSCs should make the determination on whether to use volunteers on a case-by-case basis. Among the factors that should be considered are liability issues.

10.1 Affiliated Volunteers

Affiliated volunteers are the preferred method of volunteer manpower, and best efforts should be made to direct unaffiliated individuals towards affiliated organizations. When affiliated volunteers are used, they may be covered under the umbrella of the affiliated organization's liability coverage. Beyond insurance coverage, affiliated organizations provide supervision, training, and support of their members. Unaffiliated volunteers may lack these resources. If affiliated organizations do not provide liability coverage, their volunteers may fall under the legal regime described in Section 10.2 below.

10.2 Unaffiliated Volunteers

The use of unaffiliated volunteers creates the potential for additional liability to the federal government; therefore, federal responders should give their use considerable scrutiny during the decision-making process. For the purpose of determining liability coverage, if the government provides tasking, day-to-day supervision, and supplies to unaffiliated volunteers, then these individuals, if injured, may be considered employees of the government and are afforded coverage under the Federal Employee Compensation Act (FECA) (5 U.S.C. § 8101(1)(B) and FTCA (28 U.S.C. §§ 1346(b) and 2671-80). Determined on a case-by-case basis, the federal government may recover from RPs the volunteer costs it incurred under FECA.

The volunteer registration process should include an opportunity for volunteers to provide personal health care insurance information to the volunteer coordinator to be used in the case of an emergency (maintaining Privacy Act accountability). In the event a volunteer is injured in the performance of his or her Unified Command-assigned duties, the federal OSC should provide the same care that would be provided to any other Unified Command responder in need of emergency care. Care beyond immediate emergency care should be administered by an appropriate health care facility. If necessary, the volunteer should be transported to a local hospital of their choosing or one that is outlined in the IAP. Once the volunteer has been transported to the hospital, continuing care should fall under the volunteer's personal medical insurance. It is the volunteer's responsibility to contact the U.S. Department of Labor (DOL) State Workers' Compensation Board (SWCB) for an assessment of employment status and FECA benefits eligibility. Under FECA, federal employees injured in the performance of duty can receive workers' compensation benefits, including wage-loss benefits, monetary benefits, medical benefits, and vocational rehabilitation.

Information on individual SWCBs can be found at:
<http://www.dol.gov/esa/owcp/dfec/regs/compliance/we.htm>.

If a FECA claim is approved by DOL, the Department will send payment to either the covered volunteer or the medical provider at the government agreed upon rate. If the claim is denied due to a negative finding regarding a volunteer's employee status, the volunteer is then liable for all his healthcare costs with possible reimbursement occurring later through the administrative claim process and the FTCA. Considerable forethought should be given when assigning tasks to uninsured volunteers.

10.3 Third Party Claims

In the event that a volunteer injures a third party (for example, causing harm or injury to an onlooker) the Volunteer Protection Act of 1997 (VPA) (42 U.S.C. 14501-505) applies a limitation on liability only for the volunteer (insofar as he did not act willfully, criminally, recklessly or grossly negligent). The VPA offers no protection for the nonprofit organization, government entity or their employees. A resulting claim against the agency would be conducted pursuant to the FTCA or other appropriate waiver of sovereign immunity, in any.

Third party cases will be processed using the affected agency's administrative claims procedures and then potentially adjudicated by the courts under the FTCA. The crucial issue for purposes of liability is who directed and controlled the work of the volunteer. The agency will only be liable for injuries by the volunteer if the volunteer is determined to be under the direction and control of a federal employee. If the volunteer is determined to be under the direction and control of an RP, an affiliated organization, or is acting independently, the agency will not be liable for injuries caused by the volunteer. If the response is being conducted under a Unified Command that includes an RP, the determination would be made on a case-by-case basis.

10.4 OSC Liability

The FTCA provides coverage for damage to property, or personal injury or death, caused by the negligent or wrongful act or omission of an employee of a federal agency, such as an OSC, while they are acting within the scope of their employment. Therefore, under the FTCA, 28 U.S.C. 2679(d), an OSC would not be subject to personal liability for claims, including claims made by volunteers (e.g., for harm or injury sustained while conducting volunteer activities), unless the OSC was acting outside the scope of employment. If a claim is made based on the actions of an OSC who was acting within the scope of employment, the United States will be substituted for the OSC as the party to the claim, and the OSC's agency will administer the claim without liability to the OSC. The scope of employment determination resides primarily with the OSC's agency and the Department of Justice. The definition of "scope of employment" may vary by judicial circuit, but is generally determined by reference to the law of the state where the event occurred.

11.0 Funding

11.1 RP and Use of Volunteers

An RP may provide up-front funding for volunteer management activities prior to any cost recovery litigation that may occur following the incident.

11.2 Oil Spill Liability Trust Fund (OSLTF or Fund)

The National Pollution Funds Center (NPFC) provides access to the OSLTF to federal OSCs when responding to a discharge, or substantial threat of discharge, of oil under Clean Water Act Section 311(c). Amounts available from the OSLTF for this purpose, the so-called "Emergency Fund," are generally available to federal OSCs for oil removal actions, including:

- Containing and removing discharged oil from water and shorelines;
- Preventing or mitigating a substantial threat of discharge of oil to water and shorelines; and
- Other actions as may be necessary to prevent, minimize or mitigate damage to the public health and welfare.

The Emergency Fund may pay the costs of such removal actions, including the costs of:

- Contract services (e.g., cleanup contractors and administrative support to document removal actions);

- Salaries for government personnel not normally available for oil spill responses and for temporary government employees hired for the duration of the spill response;
- Materials and equipment used for removal;
- Chemical testing required to identify the type and source of oil; and
- Proper disposal of recovered oil and oily debris.

If a federal OSC uses volunteers to support removal actions, certain costs, such as training and supplies, may be paid from the Emergency Fund. If a federal OSC is using the services of other federal, state, local, and tribal government agencies, generally via a Pollution Removal Funding Authorization (PRFA), similar volunteer costs incurred by the performing agency within the scope of the PRFA may be reimbursed to the agency.

It is important for federal OSCs to contact the NPFC for case-by-case determinations as to which volunteer-related costs may be paid from the Emergency Fund.

11.3 Other Federal, State, and Local Funding Sources

Other local, state, and federal funding sources may also be available, depending on the specific incident. Examples of external funding sources could include foundations, grants, and donations. Availability of these sources may vary depending on the characteristics of the incident and factors such as size, and level of media and public interest. For large spills, federal OSCs and command structure personnel are encouraged, to the extent permitted by law, to consider using external, non-traditional funding sources when managing an oil spill response volunteer workforce. Agencies must have statutory authority to accept donations of funds and equipment from non-federal entities. Federal grants and cooperative agreements may not be used to obtain services for the direct use or benefit of the federal government in the absence of specific statutory authorization. (A list of authorities for the acceptance of volunteer services is described in Appendix A.)

12.0 Volunteer Planning and Management Resources

There are a number of resources that can assist ACs in planning for volunteer use, as well as assist federal OSCs in managing unaffiliated volunteers during an actual incident.

As noted in Section 6.0, if a decision is made to accept the services of unaffiliated volunteers during an incident and the federal OSC needs assistance in managing those volunteers, state and/or local government agencies and organizations with such expertise should be contacted first. (Such organizations should be identified in the ACP.) If state/local assistance is not available, the federal OSC may contact CNCS at (202) 606-6817 or on the after-hours line: (202) 355-2014. In addition, the Department of the Interior (DOI), the United States Department of Agriculture (USDA), and NOAA may be able to provide assistance in managing unaffiliated volunteers for some incidents, depending on the incident location, availability of staff, number of volunteers, and other factors. The federal OSC can contact their DOI, USDA, or NOAA RRT representative for assistance in making this determination.

- CNCS is a federal cooperating agency under the NRF Volunteer and Donations Management Support Annex and coordinates with other federal agencies and voluntary

organizations in support of state, tribal, and local government efforts in the coordination and management of unaffiliated volunteers. CNCS can also assist ACs in planning for volunteer use and provide unaffiliated volunteer management services to federal OSCs during an oil spill response under the NCP in accordance with an MOU signed by EPA, USCG, and CNCS (a copy of this MOU is in Appendix F). ACs and federal OSCs, especially in areas where unaffiliated volunteers may be more likely to want to assist in oil spill responses, are encouraged to begin developing a working relationship with CNCS ahead of time to determine how its capabilities can be put to use in that area. For planning purposes, CNCS can be contacted at the phone number above or via email at dsu@cns.gov during business hours. There are a number of other resources available to support volunteer coordination and management planning and preparation, such as those described in the bullets below. The importance of prior relationship-building related to volunteer issues cannot be stressed enough. Because it works so closely with these entities, CNCS is willing to assist ACs in connecting with these resources to support planning efforts.

- State Service Commissions are Governor-appointed organizations, supported in part by grants from CNCS, with important responsibilities related to volunteer service in their respective states. Many of these Commissions are designated within their states to serve as the designated Spontaneous (Unaffiliated) Volunteer Coordinator for disaster response operations. CNCS expects to coordinate closely with these agencies both in preparedness efforts as well as in any incident response to a specific state. CNCS works closely with the Commissions' national body, the Association of State Service Commissions, which can help assure effective communication and coordination. Below is the link to the roster of State Service Commissions (contact information is available by clicking on the state name). www.nationalservice.org/about/contact/statecommission.asp
- State Citizen Corps comprises five volunteer programs: Volunteers in Police Service (VIPS), Medical Reserve Corps, Neighborhood Watch, Community Emergency Response Teams (CERT), and Fire Corps. It is possible that volunteer organizations who work in oil spill response may reach out to these groups and train them in order to participate in a response, or at least identify them as a source of coordinated groups of volunteers, should they be needed. In at least 10 states, the State Service Commission (referred to above) also serves as the State Citizen Corps Coordinator. To locate both state and local Citizen Corps Councils, visit: www.citizencorps.gov/councils/
- State Voluntary Organizations Active in Disaster (VOADs) are coalitions of faith-based and other volunteer organizations that have designated roles in disaster preparedness and response in the respective states. Organizations such as the American Red Cross, Salvation Army, and Southern Baptists have prominent roles in most states' emergency response plans, which may include oil spill response. In most disaster response operations, unaffiliated volunteers are channeled to these organizations to the extent possible, and the same could be true in oil spill response if they are incorporated into contingency planning. For a roster of state and local VOADs and member organizations, visit: <http://www.nvoad.org/>
- Volunteer Centers work with the placement of community volunteers at the local level on a regular basis. Partnering with these Centers where they are available can be critical to successful unaffiliated volunteer coordination. Volunteer Centers already have a network of volunteer organizations in place ready to accept volunteers, and have procedures established to place them. Pre-response planning with these organizations can help identify and resolve issues regarding the use of unaffiliated volunteers post-incident. To locate Volunteer Centers, visit: www.pointsoflight.org/centers/find_center.cfm.

Appendix A: Volunteers Authority Matrix

Agency Jurisdiction	Authority/Legal Cite	Scope of that authority*	Capability/Capacity/Policy Statement	Geographic limitations
USCG	31 U.S.C. § 1342	Overall authority to accept voluntary service.	<p>31 U.S.C. § 1342 prohibits USCG personnel from accepting any offer of a voluntary service (term of art) unless acceptance of that type of voluntary service is expressly permitted by statute – EXCEPT for emergencies involving the safety of human life or the protection of property. As used in this section, the term “emergencies involving the safety of human life or the protection of property” does not include ongoing, regular functions of government, the suspension of which would not imminently threaten the safety of human life or the protection of property.</p> <p>A large oil spill that threatens the U.S. coast line probably qualifies as an “emergency” that would permit USCG personnel to accept offers of voluntary services.</p>	n/a
	10 U.S.C. § 1044	Authority to accept legal assistance voluntary services.	Secretarial authority to accept legal assistance voluntary services. Authority to accept is delegated to the USCG in Section II.15 of DHS Delegation Number 0170.1.	n/a
	10 U.S.C. § 1588	Authority to accept other types of voluntary services.	Secretarial authority to accept many types of voluntary services. Authority to accept is delegated to the USCG in Section II.19 of DHS Delegation Number 0170.1.	n/a
	14 U.S.C. § 141(b)	Authority to accept government voluntary services.	USCG can directly accept voluntary services offered by federal, state, and local government entities.	n/a

Agency Jurisdiction	Authority/Legal Cite	Scope of that authority*	Capability/Capacity/Policy Statement	Geographic limitations
DOI	43 U.S.C. § 1475b	Volunteer Authority	In general, the Secretary of the Interior may recruit, train, and accept, without regard to the civil service classification laws, rules, or regulations, the services of individuals, contributed without compensation as volunteers, for aiding in or facilitating the activities administered by the Secretary through the Bureau of Indian Affairs, the United States Geological Survey, the Bureau of Reclamation, and the Office of the Secretary.	DOI lands, resources, and responsibilities
DOI	301 DM 6 (DRAFT)	Volunteer Policy	It is the policy of the Department of the Interior to encourage, use, and recognize volunteers, where appropriate within the terms of applicable legal authorities and commensurate with program needs to enhance the ability of its bureaus and offices to carry out mission-related activities. DOI volunteers may not be used to displace any DOI employee.	DOI lands, resources, and responsibilities
DOI/Bureau of Indian Affairs (BIA)	25 U.S.C. § 2801 et seq.	Law Enforcement	The Indian Law Enforcement Reform Act allows the Secretary to enter into agreements for the use of personnel or facilities of a federal, tribal, state, or other governmental agency to aid in the enforcement in Indian country of federal or tribal laws.	BIA responsibilities to federally recognized Indian lands and resources
DOI/Bureau of Land Management (BLM)	Federal Land Management Policy Act (FLPMA) of 1976; part 307 (d) (Public Law 94-579)	Volunteer Authority	Reiterates the general DOI Volunteer Policy stated in 43 U.S.C. § 1475b.	BLM lands, resources and responsibilities
DOI/Bureau of Reclamation (BOR)	Energy and Water Development Appropriations Act of 1990 (Public Law 101-101-Volunteer Program)	Acceptance of Volunteer Services	The 1990 Energy and Water Development Appropriations Act provides authority for Reclamation to accept the services of volunteers and to provide for their incidental expenses to carry out any activity of the Bureau of Reclamation.	BOR lands, resources and responsibilities

Agency Jurisdiction	Authority/Legal Cite	Scope of that authority*	Capability/Capacity/Policy Statement	Geographic limitations
DOI/Fish and Wildlife Service (FWS)	Fish and Wildlife Act of 1976 (16 U.S.C. 742a. et seq.)	Partnerships to Benefit Fish and Wildlife Resources	The Fish and Wildlife Act of 1956 grants the Secretary broad authority to, “take such steps as may be required for the development, advancement, management, conservation, and protection of fish and wildlife resources. ...” The statute specifically authorizes the acceptance of gifts and the services of volunteers for programs and projects that benefit the mission of the FWS. Further, the Act specifically authorizes the Secretary to enter into cooperative agreements for programs and projects to benefit specific units of the National Wildlife Refuge System.	FWS lands, resources and responsibilities
DOI/US Geological Survey (USGS)	43 U.S.C. §50c	Payment of Costs Incidental to Services Contributed by Volunteers	Appropriations made after December 22, 1987 shall be made available for paying costs incidental to the utilization of services contributed by individuals who serve without compensation as volunteers to aid in the work of USGS. USGS may authorize either direct procurement of or reimbursement of the expenses incidental to the effective use of the volunteers such as, but not limited to, training, transportation, lodging, subsistence, equipment, and supplies. However, the provision for services or expenses must be in accord with volunteer or cooperative agreements made with such individuals.	n/a
DOI/Bureau of Ocean Energy Management Regulation and Enforcement (BOEMRE)	Annual Appropriations; see also 43 U.S.C. § 1475b	Acceptance of Volunteer Services	A yearly line item in the DOI appropriations acts has authorized the former Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE)/Minerals Management Service (MMS) to expend funds for the promotion of volunteer beach and marine clean-up activities. The inclusion of such a provision should be checked in the BOEMRE appropriations act for the particular year in question before relying upon this law for partnership purposes. The provision for volunteer beach and marine cleanup activities have been removed from Bureau of Safety and Environmental Enforcement (BSEE) appropriations language, as it pertains to BOEMRE. See also DOI Volunteer Authority.	n/a

Agency Jurisdiction	Authority/Legal Cite	Scope of that authority*	Capability/Capacity/Policy Statement	Geographic limitations
DOI/Bureau of Safety and Environmental Enforcement	see 43 U.S.C. § 1475b	see DOI Volunteer Authority	see DOI Volunteer Authority	n/a
DOI/National Park Service (NPS)	16 U.S.C. § 18g-j	Acceptance of Volunteer Services	The Secretary is authorized to recruit, train, and accept the services of individuals without compensation as volunteers for or in the aid of interpretive functions, or other visitor services or activities in and related to areas of the National Park System. Such volunteers may not be used for hazardous duty or law enforcement work or in policymaking processes, or to displace any employee. A special exception allows the acceptance of the services of individuals that the Secretary determines “are skilled in performing hazardous activities.”	n/a
NOAA/Office of National Marine Sanctuaries	16 U.S.C. 1442 et seq, as amended. (Sec 3.11)	Acceptance of Volunteer Services.	States that NOAA (delegated down to the Office of National Marine Sanctuaries) _ “may accept donations of funds, property, and services for use in designating and administering national marine sanctuaries.”	In or adjacent to national marine sanctuaries
NOAA	Fish and Wildlife Act of 1976 (16 U.S.C. 742f. et seq.)	Acceptance of Volunteer Services	The Fish and Wildlife Coordination Act, 16 U.S.C. 742f, authorizes Secretaries of the Interior and Commerce to each recruit, train, and accept, without regard to the provisions of Title 5, the services of individuals without compensation as volunteers for, or in aid of programs conducted by either Secretary through the FWS or the NOAA. 16 U.S.C. 742f also authorizes provision of incidental expenses, such as transportation, lodging, awards, and subsistence to volunteers without regard to their place of residence.	n/a
NOAA	US Department of Commerce Administrative Order DAO 203-11	Acceptance of Volunteer Services	The U.S. Department of Commerce (DOC) Department Administrative Order (DAO) 202-311 sets forth laws, policies, guidelines, and procedures regarding voluntary and uncompensated services.	n/a

Agency Jurisdiction	Authority/Legal Cite	Scope of that authority*	Capability/Capacity/Policy Statement	Geographic limitations
U.S. Department of Agriculture (USDA)	7 U.S.C. §§ 2272 - 2272a	<p>Authorizes Secretary of Agriculture to establish program to use volunteers in carrying out programs of the Department.</p> <p>Voluntary service may be accepted if it is without compensation and will not be used to displace Department employees.</p> <p>Volunteers not considered federal employees except for purposes of FECA and FTCA.</p> <p>Authorizes Secretary to provide for incidental expenses, such as transportation, uniforms, lodging, and assistance.</p>	<p>Departmental Regulation 4230-1 establishes guidelines for acceptance of volunteer services. <i>See</i> http://www.ocio.usda.gov/directives/doc/DR4230-001.html. Directs agencies and Mission Areas to develop their own guidelines for use of volunteers.</p> <p>Contains other requirements, including minimum age of 14 and prohibition on using volunteers to perform inherently governmental functions.</p>	On lands under the jurisdiction/custody/control of the USDA

Agency Jurisdiction	Authority/Legal Cite	Scope of that authority*	Capability/Capacity/Policy Statement	Geographic limitations
USDA	16 U.S.C. §§ 558a - 558d	<p>Authorizes Secretary of USDA to use uncompensated volunteers for certain activities in and related to areas administered by the Forest Service.</p> <p>Volunteers are not considered federal employees except for purposes of FECA, FTCA, and claims relating to damage to personal property pursuant to 31 U.S.C. § 3721. Authorizes Secretary to provide for incidental expenses, such as transportation, uniforms, lodging, and subsistence.</p>	<p>Forest Service Manual 1800, Chapter 1830, establishes general policies for Forest Service volunteer programs. See http://www.fs.fed.us/im/directives/fsm/1800/1830.doc. Volunteers not to be used to displace current employees, reduce current contracts, cause cancellation of existing or future contracts, or reduce duty hours of current employees or diminish or reduce current contracts. Contains other restrictions on types of duties, as well as child labor restrictions.</p>	n/a

Agency Jurisdiction	Authority/Legal Cite	Scope of that authority*	Capability/Capacity/Policy Statement	Geographic limitations
CNCS	42 U.S.C. § 12651g (a)(1)(A) and (B)	CNCS is authorized to solicit and accept the voluntary services of individuals to assist CNCS in carrying out its duties under the national service laws. These volunteers may be provided travel expenses and are covered under FTCA and FECA.	This authority has been limited to situations where volunteers are actually volunteering their services to the CNCS and are under the direct supervision and authority of CNCS. Therefore, this authority would not include coverage for unaffiliated volunteers.	n/a
*For scope of the authority, each agency should cite their applicable liability statutes (FTCA, FICA, etc.).				

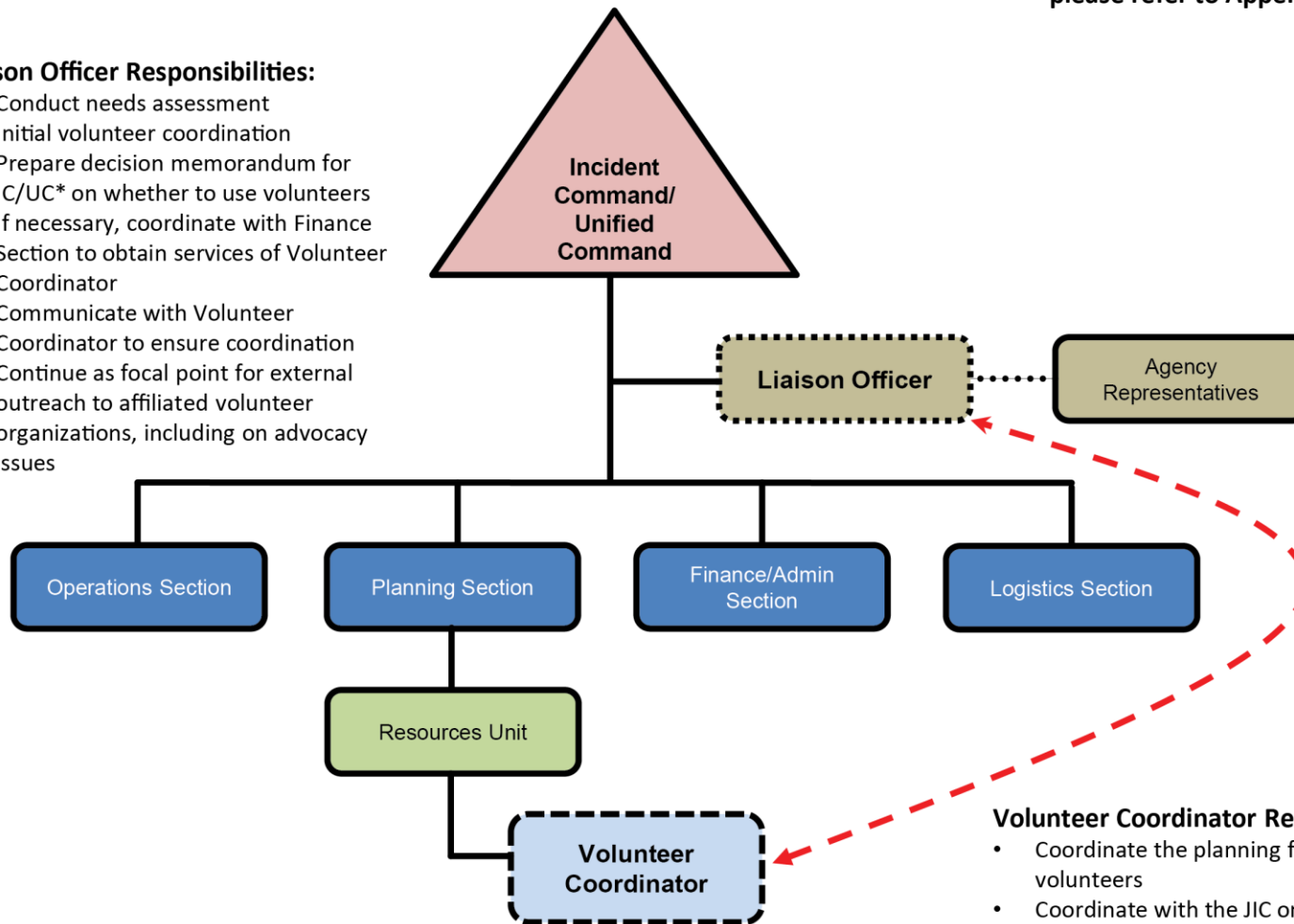
Appendix B: Resource Flow Charts

Small Scale ICS Response Structure

*please refer to Appendix E for acronyms

Liaison Officer Responsibilities:

- Conduct needs assessment
- Initial volunteer coordination
- Prepare decision memorandum for IC/UC* on whether to use volunteers
- If necessary, coordinate with Finance Section to obtain services of Volunteer Coordinator
- Communicate with Volunteer Coordinator to ensure coordination
- Continue as focal point for external outreach to affiliated volunteer organizations, including on advocacy issues



Volunteer Coordinator Responsibilities:

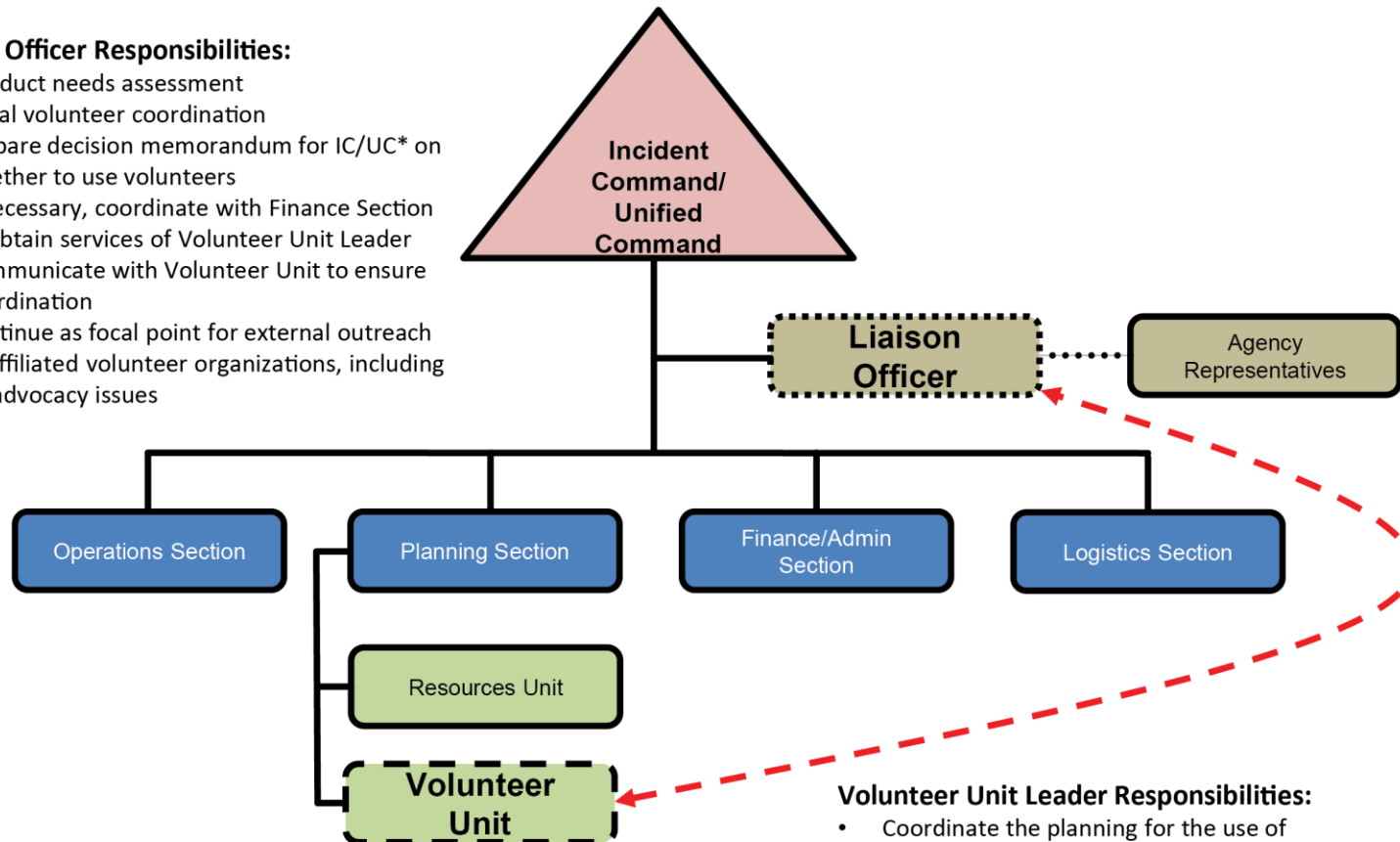
- Coordinate the planning for the use of volunteers
- Coordinate with the JIC on disseminating public information regarding volunteering for the incident
- Ensure volunteers receive necessary training
- Coordinate with VRC, if one is established

Large Scale ICS Response Structure

*please refer to Appendix E for acronyms

Liaison Officer Responsibilities:

- Conduct needs assessment
- Initial volunteer coordination
- Prepare decision memorandum for IC/UC* on whether to use volunteers
- If necessary, coordinate with Finance Section to obtain services of Volunteer Unit Leader
- Communicate with Volunteer Unit to ensure coordination
- Continue as focal point for external outreach to affiliated volunteer organizations, including on advocacy issues



Volunteer Unit Leader Responsibilities:

- Coordinate the planning for the use of volunteers
- Coordinate with the JIC on disseminating public information regarding volunteering for the incident
- Ensure volunteers receive necessary training
- Coordinate with VRC, if one is established

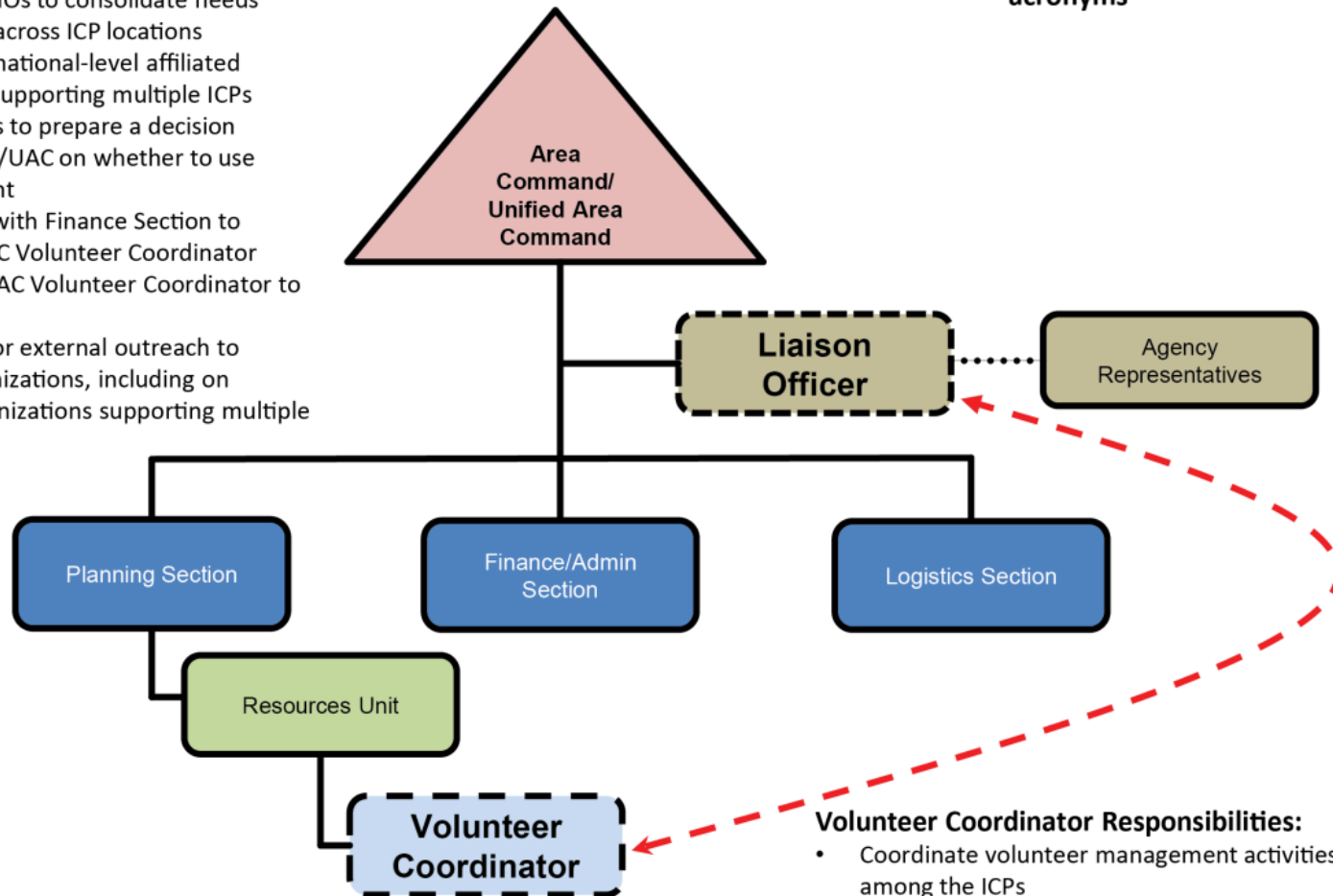
Wide-Area ICS Response Structure

Liaison Officer Responsibilities:

- Coordinate with ICP** LNOs to consolidate needs assessment information across ICP locations
- Initial coordination with national-level affiliated volunteer organizations supporting multiple ICPs
- Coordinate with ICP LNOs to prepare a decision memorandum for the AC/UAC on whether to use volunteers for the incident
- If necessary, coordinate with Finance Section to obtain services of AC/UAC Volunteer Coordinator
- Communicate with AC/UAC Volunteer Coordinator to ensure coordination
- Continue as focal point for external outreach to affiliated volunteer organizations, including on advocacy issues, for organizations supporting multiple ICPs

*this scenario assumes there would be multiple ICPs under the AC/UAC

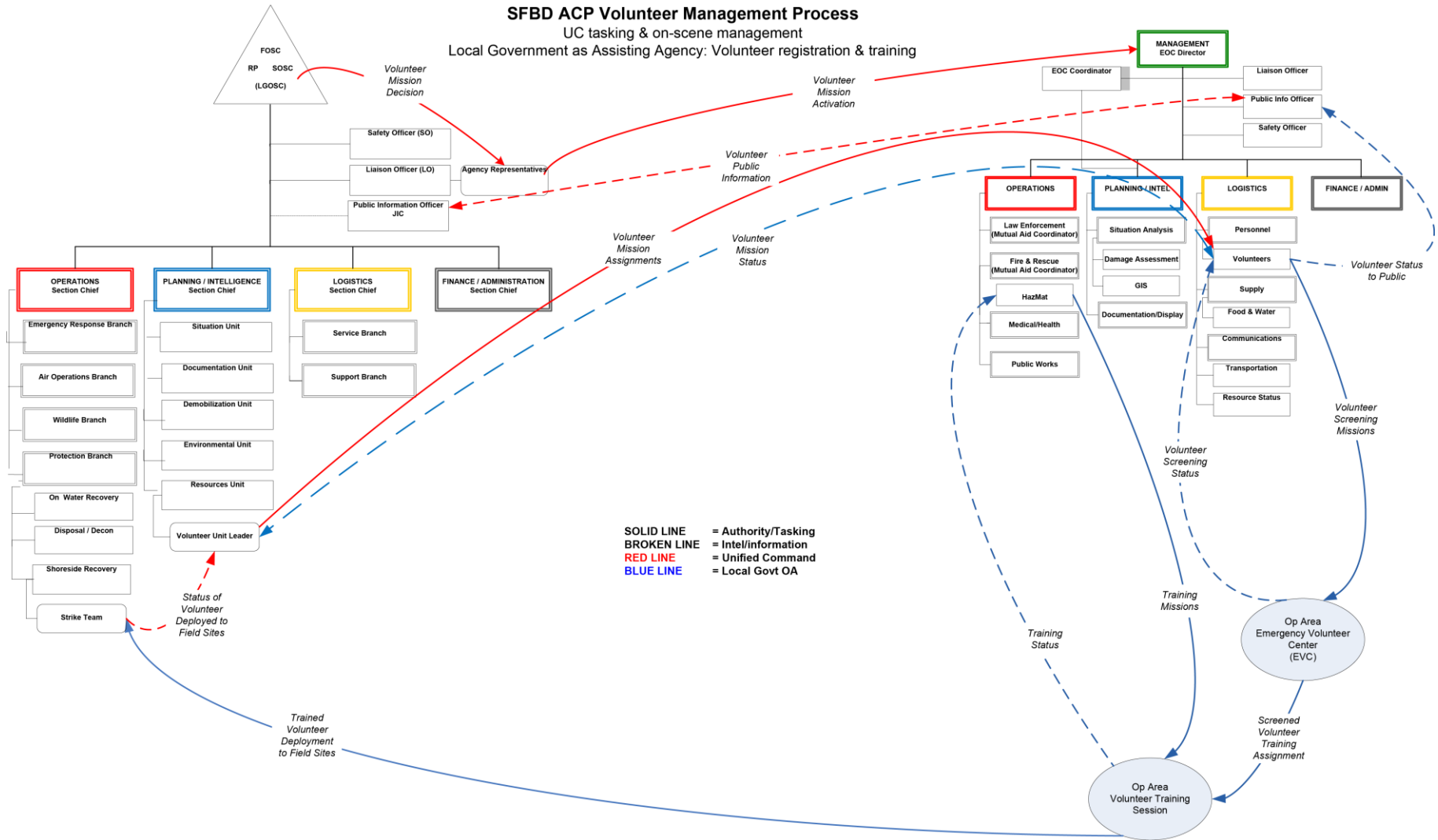
**please refer to Appendix E for acronyms



Volunteer Coordinator Responsibilities:

- Coordinate volunteer management activities among the ICPs

EXAMPLE: San Francisco Bay and Delta Area Committee Volunteer Management Diagram



Appendix C: Case Studies

The subsequent case studies help illustrate the following points:

- The Incident Command/Unified Command should be proactive with communications to the public and use multiple media outlets. The Internet can be useful to manage information and provide direction to potential volunteers.
- Significant logistics and coordination are required to manage large numbers of volunteers.
- Federal OSCs can use affiliated regional and local volunteer organizations to assist in these efforts.
- Effective volunteer coordination is best accomplished through the Incident Command/Unified Command, as opposed to independent area efforts.
- The potential for injuries can be minimized by ensuring volunteers are properly trained and have appropriate PPE and equipment for their assigned tasks.

Use of Volunteers During the T/V PRESTIGE Oil Spill, Spain, November 2002

As of October, 2008

While transiting off the northwest coast of Spain on November 13, 2002, the tanker/vessel (T/V) *Prestige* encountered a storm and had one of its twelve tanks burst, spilling heavy fuel oil directly into the ocean. At the time, T/V *Prestige* was carrying a 77,000 ton cargo of two different grades of heavy fuel oil. Fearing that the ship would sink, the captain called for help from Spanish rescue workers. Expecting that his vessel would be brought into harbor, the captain steered for the coast. However, pressure from local authorities forced the captain to turn the floundering ship back out to sea; first to the northwest, then to the southwest. In the end, the Spanish, French, and Portuguese governments all refused to allow the T/V *Prestige* into their countries for 'safe harbor'. With the governments refusing to allow the ship to dock in their ports, the integrity of the single hulled oil tanker deteriorated quickly. The storm took its toll on the ship and a 40-foot section of the starboard hull broke off, releasing a substantial amount of oil into the sea.

Around 8:00 a.m. on November 19 (six days after the initial incident), the ship split in half and eventually sank that afternoon about 250 kilometers from the Spanish coast. After the sinking, the wreck continued leaking oil at approximately 125 tons (30,500 gallons) of oil a day. Eventually, the holes in the tanks were sealed to prevent further leakage and some of the remaining product was removed. In total, more than 80 percent of the tanker's 77,000 tons of fuel oil (greater than 18.7 million gallons) spilled off the northwest coast of Spain.

By the time of the sinking, the first wave of oil released on day one had reached the Spanish coast. By January, the coast of Galicia had received at least four major waves of oil. The affected coastline was not only a very important ecologically diverse region, but also supported a significant fishing industry. The heavy coastal pollution forced the region's government to suspend offshore fishing for at least six months. The spill contaminated thousands of kilometers of coastline and more than 1,000 beaches on the Spanish, Portuguese, and French coasts.

Following the oil spill, Spain and Portugal called for resources to assist in the response. Over the next month, a fleet of 16 clean-up vessels was assembled from eight nations. Operational headquarters for the T/V *Prestige* response was set up immediately at La Coruña. The shoreline cleanup operations were performed by SASEMAR, Tragsa (a Spanish company employed under contract to the Ministry of the Environment), volunteers, and the Spanish army. The technical framework was provided by SASEMAR and Tragsa, with the support of Oil Spill Response Limited (OSRL); French specialists from Cedre who were mobilized through a bilateral agreement; and subsequently German and Belgian emergency services within the context of the European cooperation. Technical advisers from the International Tanker Owners Pollution Federation, Limited (ITOPF) also were on-site from the beginning of the response.

The number of volunteers, contract workers, and soldiers used to clean up oiled shorelines progressively increased to a maximum workforce of 10,000 people every day in December. This workforce fell back to 5,800 people per day in January. The individual numbers of volunteers, soldiers, and contract workers is not known, however, volunteers comprised the majority of the initial shoreline cleanup effort. It was not until December 9th that a significant number of Spanish troops were sent to the region to replace some of the volunteers. Volunteers were mainly used to manually clean up the shoreline and to recover and care for oiled wildlife. Some made improvised oil booms from onion bags, polystyrene and cushion filling to try to keep oil off the shoreline.

The Internet played a significant role in coordinating the volunteer effort and provided information from the scene that was often in contrast to government provided information. This was the first major spill where the Internet was used so heavily to both spread information and to coordinate volunteers from Galicia, the rest of Spain, and Europe. Iberian Air even offered free flights for volunteers coming into the region.

The estimated amount of oiled materials recovered on the shore increased from 1,300 tons (320,000+ gallons) at the end of November 2002, to 69,400 tons (16.9 million gallons) by the end of June 2003.

There was strong public criticism regarding how the Spanish government handled the response. A regional socio-political movement *NuncaMais* (Never Again) led a number of street protests against both the regional and federal government. A prominent regional politician was forced to resign and the prime minister was severely criticized for his government's handling of the events prior to the spill and the lack of focus in the early hours of the spill. Many of the complaints focused on poor organization and communication, and volunteers not being provided with adequate protection and tools. Some cited that local fishermen were using makeshift objects, and even bare hands, to help remove the oil from the water because proper resources and equipment were lacking. Additional issues derived from poor logistical support for the waste streams generated by the cleanup in general, and limited support for the volunteers, with some camping on soccer fields.

A health study conducted on some of the T/V *Prestige* response volunteers was published in the *American Respiratory and Critical Care Medicine Journal* (07 June 2007). Chronic coughing, difficulties in breathing at night and nasal obstruction were just some of the health problems suffered by volunteers who aided in the cleanup operation. This study found that

almost 7,000 fishermen all developed respiratory damage within two years of helping with cleanup activities.

In total, thousands of volunteers were organized by the Galician and Spanish Governments, as well as various NGOs, to help clean the contaminated Spanish coastline. The massive cleaning campaign was deemed a success, recovering most portions of coastline not only from the effects of the oil spill but also from the usual accumulated debris. A year after the spill, Galicia had more beaches with awards for cleanliness than it had prior to the spill, although volunteers were still cleaning beaches in a number of areas.

Summary and Observations – T/V *PRESTIGE*

- In total, more than 80 percent of the tanker's 77,000 tons of fuel oil (greater than 18.7 million gallons) spilled off the northwest coast of Spain. The extensive coastal pollution forced the region's government to suspend offshore fishing for at least six months. The spill contaminated thousands of kilometers of coastline and more than 1,000 beaches on the Spanish, Portuguese, and French coasts.
- The Internet played a significant role in coordinating the volunteer effort and provided information from the scene that was often in contrast to "official" news.
- Although the exact numbers are not known, some 5,000 to 10,000 volunteers were working every day during the first two months of the spill. Incredible logistics and coordination were required to manage thousands of volunteers working daily.
- Volunteers were mainly used to manually clean up the shoreline and to recover and care for oiled wildlife. There were claims that volunteers were not provided with adequate protection. A follow up health study of some volunteers found that many developed respiratory problems within two years of their service.
- The occurrence of respiratory problems is highly significant; illustrating the need for volunteers to receive adequate training and appropriate PPE to limit their exposure.

Use of Volunteers During the M/V COSCO BUSAN Oil Spill, San Francisco Bay, November 2007

As of December, 2011

The container ship M/V *Cosco Busan* allided with the Bay Bridge in San Francisco Bay, CA at 08:27 PST November 7, 2007. A 140' x12' gash in the hull of the vessel resulted, and approximately 58,000 gallons of fuel oil (IFO 380) was released into the water. The allision occurred during heavy fog, which hampered response efforts for the first 8 hours. The flood tide quickly dispersed oil over a large portion of San Francisco Bay (the Bay) and out to the outer coast within hours.

Initial planning for use of unaffiliated non-wildlife volunteers started two days later on November 9th, was approved four days later on November 11th, and implementation began on day five, November 12th. Seventeen training sessions were held, 2275 unaffiliated volunteers

were trained and about 1007 deployed over the course of the response. By comparison, 1500 professional contractors responded.

According to the 2005 San Francisco Bay and Delta Area Contingency Plan (SFBD ACP), “the determination to use volunteers at an incident is the responsibility of the Unified Command (UC).” The SFBD ACP also stated “Volunteers will not be utilized to work directly in the recovery of oil.” Coast Guard’s policy regarding volunteers was in the Marine Safety Manual. It stated that volunteers were not used to clean oiled beaches. As a result, there were no initial plans to train volunteers for such work or for any work in the field. The volunteer management plan for this incident was initially declined by UC, but was later approved on the evening of November 11th. Prior to the UC’s approval to use volunteers, high numbers of potential non-wildlife volunteers overwhelmed the UC’s ability to register and train unaffiliated volunteers as quickly as the general public desired. The UC had significant concerns about liability and the health and safety of potential volunteers. Identification of training facilities, volunteer management systems, and appropriate volunteer tasks had to be developed and incorporated into the Incident Action Plan (IAP) daily. These types of basic logistics and how to functionally incorporate non-wildlife volunteers into the ICS structure had to be developed quickly as the process was not reflected in the SFBD ACP at that time.

The M/V *Cosco Busan* incident-specific non-wildlife Volunteer Plan (Plan) detailed that non-wildlife volunteers would be given four-hour HAZWOPER training. Local governments credentialed volunteers as Disaster Service Workers (DSWs) under California State law prior to conducting UC approved volunteer tasks such as oiled beach cleanup. This status entitled them to Workman’s Compensation in case of injury. Immediately following the Plan’s approval the evening of the 11th, the first training session was organized for the next morning. Initially, the general public attempted to help with no coordination with the UC, nor any understanding of what was needed or what safety considerations applied (e.g., appropriate PPE). The public responded to “calls to action” that came out via numerous sources over social media. The tech-savvy community characterized the initial response as a disaster with little to no proactive or reactive use by the UC of electronic social media tools, such as Twitter, Digg, Facebook, etc., although the UC did put up a website that could take queries. This inability of the UC to respond in a timely way via social media lent strength to many of the negative perceptions of the response and increased the energy and criticism from potential unaffiliated volunteers and the public. Social media sites in the Bay area were very active in spreading information in ways that both helped and hindered the response with stories about auditoriums full of volunteers being asked for a loyalty oath (as required by all state employees for the purpose of workers compensation) and then being told to stay home, and stories about being handcuffed and even arrested if individuals went to the beaches and initiated cleanup activities on their own. Various jurisdictions provided conflicting information on whether training would be provided and whether they were willing to support training due to liability concerns.

As is the case in large-scale responses, the UC was confronted with several challenges that consumed time and distracted them from their primary response operations. Some of those challenges came from a general lack of attention to unaffiliated volunteers, intense political interest, and pressures from local government to prioritize economic verses environmental interests in terms of which sites were protected (e.g., with protective boom) against incoming oil. Local government staff requested oil spill information, which was not provided early in the response or for volunteer deployment. Rather than adjust the Incident Command Structure to

plan for the use of unaffiliated volunteers, the UC elected to absorb the added work within Liaison, where stakeholder concerns are typically addressed. The end result was increased tension between the UC and local government representatives, which transcended the actual response and continued to result in political repercussions.

The USCG ISPR noted a series of issues associated with the intense use of the Internet and social media by the public during this response. The State of California (a member of the UC) maintained a website specific to the M/V *Cosco Busan* incident that in many instances, paralleled the official UC website put up by USCG. One example of its use included a press release posted on the website at 4:00 pm announcing an 8:00 am meeting the next day to provide information on the Department of Fish and Game, Office of Spill Prevention and Response's (OSPR) role in the oil spill response and how to volunteer, if volunteers were requested by the UC. Unfortunately, information about volunteer training was inaccurate. The following morning, approximately 500 people responded in person to be trained, when no training had been scheduled. A large number of these individuals found out about the meeting by receiving email communications from San Francisco Baykeeper, a local NGO.

During the M/V *Cosco Busan* spill, many individuals and groups hosted blogs. Some, such as Kill the Spill (<http://sfoilspill.blogspot.com>), organized and solicited volunteers for unauthorized cleanup efforts. Others such as Tree Hugger (www.treehugger.com), even though not specifically focused on the spill, reached a wide audience, with 13,000 posts and 2,628 unique visitors per day. Multiple individuals posted videos on YouTube of unauthorized volunteers demonstrating improper cleanup techniques, cleaning up oil spills and encouraging others to continue the unproductive practice. Other videos showed authorities removing these "volunteers" from closed beaches. Many of the comments posted about the video supported the volunteers' efforts and chastised attempts by authorities to get people off the beaches. As a standard practice during an oil spill, the UC does not allow unauthorized/untrained people to enter oiled and/or closed beaches. Contributors posted information on the M/V *Cosco Busan* spill on Wikipedia.org. The page discussed criticisms (both attributed and non-attributed) of the response efforts, environmental and economic effects, volunteer training and affected areas. Internet communication continued to allow the spread of information, both accurate and inaccurate.

Summary and Observations – M/V COSCO BUSAN

- Bay Area residents did not receive the continuous, real-time information through web-based services that they expected. In frustration, they used social media to negatively discuss the response. Trying to track and respond to all social media is problematic, but a UC can establish its own website and ensure that it is kept up to date. This should help provide public credibility to the response effort. The UC M/V *Cosco Busan* website was visited over a million times while it was on-line. The public was still interested in visiting this site even after it went off line three months after the incident happened.
- A lack of planning for unaffiliated volunteer programs and a general lack of attention to unaffiliated volunteers resulted in long and frustrating delays that impacted the response overall. The SFBD ACP did address the use of two volunteer organizations: UC Davis Oiled Wildlife Care Network (per California statute) and their member organization, Gulf of the Farallones National Marine Sanctuary. Both organizations were mobilized in the

first hours of the response to provide oiled wildlife care and provide pre-SCAT data for beaches. Volunteers in both organizations undergo a significant amount of subject matter specific and health and safety training (including 24hr HAZWOPER) on a regular basis to maintain their readiness for spill response.

- Establishing a training program for volunteers during an incident is challenging and can impact the ability of the Unified Command to adequately assess available resources and conduct normal operations.
- A regional volunteer management plan can help identify and address issues regarding liability and training requirements ahead of time. Since *M/V Cosco Busan*, a regional ‘use of volunteers’ plan has been discussed but the various ACs could not agree on one policy. One cause for differences is that some counties have a robust volunteer coordination office while others do not. Where such an office does not exist, coordinating volunteers especially for an oil spill may be impractical unless it can be done through a larger entity like the state or the National Corporation for National and Community Service as outlined in the MOU in Appendix F.
- Area contingency planners should develop a uniform approach to the use of both affiliated (e.g., OWCN) and unaffiliated volunteers for oil spill response, consistent with local needs and reflective of existing programs. Integrate trained, experienced organizations into the ACP and conduct drills to assist with volunteer coordination.
- An objective in area exercises should address the use of web-based communication. Encourage response organizations to train and practice using these web tools so staff will be able to better respond to public concerns for the next incident. Include potential Internet tool options, such as the Public Information Emergency Response (PIER) system, in ACPs.
- As a result of this response, the RRT IX has supported the SFBD AC Volunteer Sub Committee in developing the Non-Wildlife Volunteer Plan (NWVP) (as found in www.nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=16179). The SFBD ACP NWVP (adopted in 2011) incorporates strong use of social media and outlines coordination with local government volunteer management systems and non-government organizations to assist with volunteer messaging for immediate public outreach and addressing public concerns.

Use of Volunteers During the M/T HEBEI SPIRIT Oil Spill, South Korea, December 2007

As of September, 2008

At about 7:30 am local time on December 7, 2007, a crane barge owned by Samsung Heavy Industries being towed by a tug collided with the anchored Hong Kong registered crude carrier *M/T Hebei Spirit*, which was carrying 286,000 tons (82 million gallons) of crude oil. The incident occurred near the Port of Daesan on the Yellow Sea coast of Taean County. The barge was floating free after the cable linking it to the tug snapped in the rough seas. Government officials have called it South Korea's worst oil spill ever, surpassing a spill that took place in 1995. This oil spill was about one-third of the size of the Exxon Valdez oil spill.

Although no casualties were reported, the collision punctured three of the five tanks aboard the *M/T Hebei Spirit* and resulted in the leaking of some 11,900 tons (3.4 million gallons) of oil. The remaining oil from the damaged tanks was pumped into the undamaged tanks and the holes were sealed.

The spill impacted over 100 miles of coastline, including Mallipo Beach (in Taean County), considered one of South Korea's most beautiful and popular beaches. The region affected by the spill is home to one of Asia's largest wetland areas, consisting of huge tidal flats used by migratory birds, and also contains a national maritime park and 445 sea farms used for aquaculture.

The South Korean government declared a state of disaster in the region. The cost of cleanup has been estimated at 300 billion South Korean won (about \$330 million). The cleanup involved 13 helicopters, 17 airplanes, and 327 vessels. Hundreds of thousands of volunteers helped to clean up the beaches. As of January 4, 2008, the South Korean Navy had deployed 229 vessels and some 22,000 military personnel to help clean up the spill, in addition to civilian aid.

On January 10, 2008, 33 days after the accident occurred, the number of volunteers reached 1,037,000 people, according to the South Chungcheong provincial government. The Taean office for emergency operations reported that ordinary civilians made up the largest portion of volunteers with 580,000, followed by 127,000 soldiers and policemen, and 57,143 public officials. The emergency office reported an average of 20,000 volunteers took part in the operation during weekdays and 30,000 over the weekends.

The volunteer effort was coordinated at the federal Korean level. A website was set up for people to pre-register so the authorities could have a general idea how many people would be available to work on a given day. From the website, volunteers were directed to mustering locations near the coast. At the mustering locations, the local and county governments would partition the workforce. Once they were sent to cleanup locations, the volunteers were under the direction and jurisdiction of the local municipalities. The federal agency (Korea Coast Guard) was mainly responsible for the website and mustering location. The actual cleanup operations came under municipal jurisdiction. Protective clothing, food, and tools were obtained and distributed by the municipalities. Volunteers were responsible for their own transportation and lodging. Most volunteers arrived early and departed late, but were generally day workers, because lodging was not provided.

There were no deaths or serious injuries reported during shoreline cleanup operations. However, several months later there were reports of adverse health effects – shortness of breath, coughing, etc. – possibly from inhalation of vapors from the oil. The government did not establish a medical monitoring program for volunteers.

In addition to the individuals that volunteered to physically clean the beaches, there were corporate sponsors and individual philanthropists that contributed time, money, corporate personnel, equipment, managers, and political support towards the cleanup efforts. Supplies, such as rags and other sorbent material (old clothing, etc.), were also donated by the general public in tremendous quantities.

By January 2008, utilizing some 592,400 pounds of oil absorbents and other cleanup devices, approximately 1.1 million gallons of spilled crude oil were collected. Donations included 27.76 billion South Korean won (about \$24.5 million), as well as food and clothing. The Taean emergency center said more than seven billion won in donations came from about 4,200 organizations and individuals.

By mid-June 2008, Mallipo Beach, as well as other area beaches, was open to the public.

Summary and Observations – M/T HEBEI SPIRIT

- The spill (3.4 million gallons of crude oil) impacted more than 100 miles of coastline, including one of Asia's largest wetland areas, consisting of huge tidal flats used by migratory birds, a national maritime park, and nearly 450 aquaculture farms.
- The occurrence of respiratory problems is highly significant. Exposure should have been prevented and reveals that volunteers were not managed properly.
- The cost of cleanup has been estimated at 300 billion South Korean won (US\$330 million).
- All levels of the Korean government (federal, county, local municipality) took some level of responsibility for managing the huge numbers of volunteers (greater than one million over the duration of the cleanup) and donations from corporate sponsors and individual philanthropists.
- PPE, food, and tools were supplied to volunteers; however, transportation and lodging were not provided.
- An Internet webpage was successfully used to inform and direct volunteers to muster locations for work and location assignments.
- Volunteers were used for cleanup operations and were in direct contact with the oil. The respiratory problems that developed later with many workers illustrates the need for adequate training, proper PPE, and possible medical monitoring.
- Incredible logistics and coordination were required to manage 20,000 to 30,000 volunteers working daily.

Use of Volunteers During the Deepwater Horizon Oil Spill, Gulf of Mexico, April 2010

As of October, 2011

On 20 April 2010, over four million barrels of oil began discharging into the Gulf of Mexico impacting a five state region and closing more than 80,000 square miles of federal fishery waters (ISPR, 2011). The response involved over 47,000 federal, state, and local responders who contributed to the recovery of 35 million gallons of oily water, the deployment of more than 11 million feet of boom, and the cleaning of over 900 miles of shoreline (ISPR, 2011). As the whole-of-government initiated response, a total force multiplier of approximately 25,000 volunteers mobilized to serve within numerous field-level and support functions along the Gulf

Coast from Florida to Texas. A 28-person intergovernmental and cross-sector Volunteer Coordination Team aligned disparate federal and state volunteer management policies with incident-specific policy to engage meaningfully and support the 25,000 volunteers.

This summary describes the use of volunteers during the Deepwater Horizon oil spill with particular focus surrounding efforts from ICP Mobile, Alabama. The summary will first explore the initial volunteer management structure and explain how command and control centralized. The summary will then outline how volunteer management integrated with ICP processes. Once the structural and process-based features are addressed, the summary will highlight volunteer outcomes and effects.

Strategic measures designed to address public involvement—specifically the use of volunteers—originated at the UAC. In early May, the UAC published “Mississippi Canyon 252 Volunteer Plan” informing ICPs of incident-specific policy on the use of volunteers. Prior to UAC publishing guidance and responding to early public demand for volunteer opportunities, ICP Mobile designated an initial RP-led volunteer management capability. The RP assigned its employees to build a volunteer management capability at select locations along the Gulf Coast during early stages of volunteer management. Teams of approximately two employees were assigned to ICP Mobile and State EOC in Mississippi and Florida to work as part of the Community Outreach Branch under the Liaison Officer’s staff.

Once the UAC volunteer plan was published, ICP Mobile designated a USCG Volunteer Coordinator to implement UAC’s strategic guidance. The initial volunteer management structure between ICP Mobile and State EOCs existed over a large geographic area without centralized coordination or command and control. The Volunteer Coordinator based from ICP Mobile contacted each EOC and discussed the need to consolidate volunteer efforts and centralize the structure until viable remote organizations could be established. The Volunteer Coordinator designed a leadership and management team comprising state-appointed volunteer coordinators from Florida, Alabama, and Mississippi. The newly formed team also included the original RP employees, as well as contractors and NGOs. While respecting USCG Sector jurisdictions and with aims to standardize the manner in which volunteers were engaged on an operational level, Louisiana’s appointed volunteer coordinator joined the ICP Mobile based team. Volunteer management at ICP Mobile covered the entire coastline of the Gulf of Mexico with the exception of the Texas coast.

Despite UAC’s strategic volunteer management guidance, there lacked operational-level detail on how ICP Mobile would implement UAC’s guidance. In concert with the State commissions, the Volunteer Coordinator designed a Volunteer Plan Implementation Procedure informing ICP Mobile’s Unified Command on how volunteers would be engaged, registered, tracked, trained, deployed, monitored, supported, and demobilized. The implementation procedure essentially filled an operational-level gap that did not transgress or replace existing state-level tactical volunteer plans.

Structurally, the Volunteer Management Team co-existed with the LNO’s staff as part of the Community Outreach Branch. Early into its organizational development, the Volunteer Coordination Team sought placement as part of the Planning Section, though, in light of the magnitude and complexity of Planning Section functions, the Volunteer Coordination Team elected to co-exist as part of Liaison as many volunteer coordination efforts involved coalition

building, public communications, and external support and facility development, all of which relied heavily upon community and stakeholder outreach.

Several active NGOs with large volunteer contingents and environmental protection missions integrated with the Volunteer Coordination Team. Though the NGOs added tremendous capacity and diversity of thought, advocacy roles often caused frictions within the group regarding environmental protection strategies, which the Volunteer Coordination Team had no control over. This circumstance resulted in the establishment of an Environmental Stakeholder's Outreach Group, which convened and involved nearly 50 people representing close to 20 environmental groups from the Gulf Coast to Alaska. Though the Volunteer Coordination Team established the Environmental Stakeholder's Outreach Group, the Liaison Officer took long-term management of it. The NGOs continued to serve alongside the Volunteer Coordination Team, though much of their advocacy occurred within the Environmental Stakeholder's Outreach Group.

The Volunteer Coordination Team designed a meeting schedule to coincide with the ICP's operational planning process. Formal and scheduled team meetings occurred daily and followed a set agenda. The team also participated in informal meetings and conference calls with members of the ICP throughout the course of the planning cycle. The meetings achieved crucial decision points, for example, involving team composition, internal and external reporting, information flow streams, separate management of gratuitous and compensated volunteers, health and safety training standards and requirements, public communication through web-based and traditional venues, resource requesting process, and establishment of traditional state disaster response infrastructures used specifically to manage volunteers—namely, VRCs. The latter was a strategic decision in anticipation of decentralizing some management and coordination functions required to address long-term volunteer actions and support occurring within each state.

The Volunteer Management Team developed close coordinating relationships with the Operation and Planning Section staffs and would routinely discuss opportunities and roles for volunteers. Because the ICP was relatively young in its development, Section staffs were focused on traditional objectives and unable to devote significant attention to volunteer opportunities. Despite limited field-scale volunteer needs according to the Sections, the Volunteer Coordination Team developed volunteer functions to address known field-scale limitations. For example, maintaining situational awareness along the Gulf Coast from Florida to Louisiana presented significant knowledge gaps, so the Volunteer Coordination Team operationalized the Volunteer Field Observer Program (VFOB). The VFOB program (i.e., Beach Watch or Coast Watch) bolstered the Incident Management Team's exposure to real-time and verifiable on-scene information.

The VFOB program was formalized in consultation with Operations and Planning Section staffs. The Volunteer Coordination Team developed VFOB training programs and guides, reporting formats, and schedules, and also issued field safety and communications equipment to each state. Each state created a localized version of the VFOB program without transgressing fundamental rules of safety. The VFOB program enhanced situational awareness along the Gulf Coast from Florida to Louisiana informing the Planning Section staff of field observations to include reports of new oiling, presence of tar balls, oiled wildlife, broken or malfunctioning boom, and lastly by confirming the absence of oiling, tar balls, or oiled

wildlife. The VFOB's strength was resident in the fact that volunteers with local knowledge were spread along the coast from Florida to Louisiana and most VFOB participants were residents of coastal communities or within proximity to the coast.

The Houma ICP and the UAC also worked on the development of a smart phone application (apps) that would record geo-referenced observations from members of the public or affiliated volunteer organizations. These observations included a photo, an estimation of the amount of oil, whether wildlife was present in distress or dead, impact to wetlands, status of boom etc. The elements of the tool were based on the National Marine Sanctuary Beach Watch program in San Francisco, CA. The intent was to utilize the public and VFOB area wide to pull information into the UC in a manner that would facilitate the ability of the UAC to cull and respond to reports across the region quickly and effectively. Ultimately, the UAC was unable to stand up its own app in a timely way. However, several non-UAC affiliated apps were developed, but the information collected did not flow into the UAC because there was no suitable mechanism to transfer the data from the non-affiliated public.

UAC guidance restricted volunteers from handling oil or oil-contaminated materials. Realities of the constraint led the Volunteer Coordination Team to think long-term, strategic use of volunteers serving in roles that would not present oil contamination hazards. For the states, managing volunteers during an oil spill is outside the traditional scope of volunteer management during natural disasters. This circumstance presented unique challenges and to meet each challenge, the states adapted existing volunteer management infrastructures to address an oil spill¹⁰. As the centralized coordination structure at ICP Mobile matured and volunteer management expectations, limitations, constraints, and operating procedures were formalized, the Volunteer Coordination Team shifted some command, control, and coordination activities to the state-level. This was crucial for long-term oversight and support of volunteers, especially as the ICP footprint contracted once the source of the spill was secured. Though ICP Mobile retained a Volunteer Coordinator under the Liaison Officer's staff, the function served to support the States' efforts to manage volunteers.

Florida

Florida relied upon their Division of Emergency Management's Emergency Support Function (ESF) #15 "Volunteers and Donations" to serve within a variety of roles during the oil spill. ESF #15 staffed the State EOC, delivered volunteer management training to impacted communities, integrated the National Civilian Community Corps (NCCC) to address spill-related needs, and helped to develop new volunteer roles. Over 3.2 million people visited the Volunteer Florida website between 01 May and 26 August 2010. The website described valuable information on opportunities to volunteer in non-oil-related roles, addressed the economic impacts of the oil spill on Florida's economy, advertised the volunteer needs of Florida's nonprofit agencies, and explained reasons why volunteers were not directly involved in oil cleanup. Florida recorded 19,899 volunteers who registered to respond and those volunteers who served in volunteer capacities contributed 40,551 volunteer hours. To help

¹⁰ Wildlife cleaning and rehabilitation workers and volunteers had several types of occupational health concerns. Some were unique to wildlife cleaning and rehabilitation work and some were common to other types of on-shore response work. For further details, see NIOSH Health Hazard Evaluation from Deepwater Horizon event: <http://www.cdc.gov/niosh/topics/oilspillresponse/gulfspillhhe.html>

manage in-state volunteer demands, ESF #15 was aided by a grant from the RP and received support from CNCS, NCCC, and AmeriCorps NCCC.

Florida's volunteer management network established numerous diverse functions through which volunteers were utilized. To bolster state-wide volunteer management personnel power, the network hosted 14 volunteer management training sessions for 201 people representing 103 agencies. Training sessions included Volunteer Management Training (basic and advanced), VOC Training, grant writing, and customized volunteer management training. Of the 201 people trained, 105 were designated Volunteer Resource Managers for local agencies. AmeriCorps NCCC members and volunteers delivered public education info-sessions to 3,500 volunteers who later photographed coastal areas for a tourism promotion showcasing Florida's pristine beaches.

ESF #15 also supported numerous mental health and financial-stress awareness sessions. The Lutheran Disaster Services hosted "Camp Beyond the Horizon" for 128 children and addressed behavioral and stress-related issues stemming from the oil spill. Other faith-based organizations became involved and continue to monitor and provide behavioral health services for families impacted by the oil spill. Financial literacy workshops were organized and delivered by AmeriCorps VISTA and United Way volunteers to help families cope with spill-related financial issues.

Field-scale volunteer opportunities included pre and post oil impact activities. Volunteers pre-cleaned over 250 miles of shoreline. Florida Fish and Wildlife Commission Wildlife Paraprofessionals supported 68 volunteers who contributed 16,320 volunteer hours from May through August. The Civil Air Patrol supported 69 volunteer pilots who flew 118 sorties and contributed 4,760 volunteer hours. Volunteer Florida partnered with Visit Florida, the Florida Restaurant and Lodging Association, and the Florida Lottery to conduct the "Great VISIT FLORIDA Beach Walk", a statewide event in which every mile of Florida's 825 miles of beaches will be walked and photographed by volunteers in early November.

Mississippi

Mississippi relied upon the Mississippi Commission for Volunteer Services (MCVS) to administer the volunteer response during Deepwater Horizon event. MCVS received volunteer management support from South Mississippi Volunteer Organizations Active in Disaster (SMVOAD), Hands-On South Mississippi, AmeriCorps NCCC, and United Way of South Mississippi. MCVS and their assisting organizations provided long-term support for the volunteer management program, administered the Coast Watchers program, and staffed the three Volunteer Response Centers located along the Mississippi coast. Each center was funded by a grant from the RP and managed by a staff of between 10-12 members.

The Volunteer Response Centers served as a modified VRC and vital node within the network of volunteer organizations. The modified design acknowledged the unique training requirements and limited roles within which volunteers could serve and accommodated the unique challenges and limitations of engaging and managing volunteers during an oil spill. The Volunteer Response Center served as both a physical location for affiliated and unaffiliated volunteers to be "received" as well as a virtual hub to proactively engage volunteer organizations, register volunteers, and inform them of the opportunities and limitations of

volunteering during an oil spill response. The Volunteer Response Centers were tasked to: administer a database of Mississippi volunteers; administer a web-based application for effective screening and placement of volunteers; coordinate the identification of community needs and associated volunteer activity; coordinate effective communications to keep volunteers informed of community needs and opportunities; provide staffing and technical resources to communicate volunteer needs and opportunities; provide documentation of volunteer resources; and create activity reports based on collected data.

Mississippi capitalized on the opportunities presented by the VFOB program and adapted it to meet state needs. The “Coast Watcher” volunteer program served as a volunteer-based first-alert and long term monitoring system that informed ICP Mobile of spill-related impacts. The program used locally-based volunteers to patrol coastal areas. Non-local volunteers were utilized provided they were in proximity and could commit to a minimum of one-week of patrols. Following patrol, volunteers would submit their reports by 0700 each day to ICP Mobile via a hotline. The reports were delivered to Operation and Planning Section staffs that coordinated the deployment of Shoreline Clean-up and Assessment Teams if actionable information was reported.

Mississippi organized the program around the model’s three pillars: Orientation/Training, Patrol, and Reporting. NCCC teams were trained to perform all volunteer orientation and training on policies and protocol, and perform data management and reporting to ICP Mobile, MCVS staff, and local emergency management agencies. The program was advertised on MCVS’s volunteer registration website where volunteers would contact via phone or email their respective county’s Volunteer Response Center to schedule orientation and training. Sessions were delivered twice a week where volunteers were provided health and safety training, response policy, and protocol training (i.e., what to look for and what not to do), work assignments (how to operate field equipment, take reports, and submit reports). Volunteers were also provided an MCVS identification badge, and a backpack containing field support equipment to include oil identification sheets, patrol reporting sheet, safety messages and plan, a GPS unit, digital camera, and a safety kit including sunscreen, bug spray, water bottle, hat, and sunglasses.

Coast Watcher volunteers checked-in each day to the Volunteer Response Center located within their county either in person or through virtual media. Upon check-in, volunteers received Google maps and satellite images of the stretch of coastline they intended to survey. NCCC staff compiled survey information into a common database to track areas patrolled and areas needing patrol. NCCC staff remained available to assist volunteers with logistical issues and questions and to conduct debriefings once a volunteer completed a patrol.

Louisiana

Louisiana relied on the Louisiana Serve Commission (Volunteer Louisiana) and Louisiana Volunteer Organizations Active in Disaster (LAVOAD) to manage volunteers during Deepwater Horizon. The majority of volunteers contributed through conservation groups, Louisiana Serve, and LAVOAD. These coalitions of nonprofits and faith-based organizations stepped forward and adapted traditional communications models to fit the demand of communicating to and through conservation groups. Consistent communications among all involved organizations was crucial to manage expectations among a diverse spread of

volunteers. To minimize or prevent self-deployment, Louisiana Serve created a message distributed to all interested groups numbering approximately 16,692 individuals. The message, which was revised and distributed weekly, informed volunteers of volunteer limitations, opportunities, and procedures to become an oil spill volunteer. By permission, an example of Louisiana Serve's message is included below.

Thank you for your continued patience as we continue to identify areas where volunteers can be deployed. We appreciate deeply the nation's outpouring of support and the many offers of assistance as many people's lives have been impacted by this event. Because oil is a toxic substance and dangerous if handled improperly, only specially trained responders may clean it up or dispose of it. BP is paying contractors to do this work. Volunteers at this time will not be assigned to oil-touching activities.

If you have not already done so, please register at www.volunteerlouisiana.gov to receive updates and information on any volunteer opportunities as they are identified. The registration form is found in the red boxed area on the homepage of our website. Please make sure you add laserve@crt.state.la.us and jpace@crt.state.la.us to your mailbox addresses so our updates are not returned. We do not have the staff capacity to individually respond to notices asking us to qualify ourselves.

While there are still limited environmental response activities today, we are working with conservation groups who are developing a strategy for what will be a long recovery effort. At the same time, the human services volunteer opportunities continue to grow. Visit HandsOn New Orleans to see these opportunities: <http://tinyurl.com/25b5tm6> and Catholic Charities of New Orleans: <http://www.ccano.org/?p=662>.

We continue to receive an increasing number of calls and emails from individuals and businesses wanting to donate goods or financial support to assist nonprofits responding to this event. While we are not asking you to donate, unsolicited donations may be offered in the following manner: for donations with an estimated cash value up to \$10,000, submit the offer through the National Donations Management Network at www.aidmatrixnetwork.org by clicking on LA on the map. For offers that exceed an estimated cash value of \$10,000, please go to <http://labeoc.org/offer>. This public/private partnership manages large donations during all-hazards emergencies.

Depending on your locations and availability, you may also want to reach out to www.volunteermississippi.org, www.servealabama.gov or www.volunteerflorida.org to see what volunteer opportunities they may have. While you await news of opportunities on the Gulf Coast, we encourage you to look within your own communities to work with organizations that could use your willing heart and passion to benefit local citizens.

Summary and Observations – Deepwater Horizon

- During the Deepwater Horizon spill, over four million barrels (168 million gallons) of crude oil was discharged impacting five states and closing more than 80,000 square miles of federal fishery waters.
- This response involved over 72,000 responders including 25,000 volunteers who were mobilized to serve in various field and support positions.
- Volunteer management during Deepwater Horizon was an unparalleled domestic response initiative.
- Though volunteer management occurred within the ICS structure it did not integrate with the Planning Section, but instead remained as part of the LNO's staff.
- Even though the five States managed volunteers differently, each State already had volunteer management policies, experienced personnel, and tested infrastructures in place.
- One of the initial goals for volunteer management during this incident was to inform and align each state with DWH incident-specific policy, so each State could take control of managing volunteers consistent with UAC's strategic volunteer management guidance as well as ICP Mobile's operational-level implementation procedure.
- Although the ICP maintained oversight of volunteer coordination, transitioning volunteer management to the state level proved useful as incident management team personnel sustained periodic rotations and as the ICP transitioned to a smaller size.

Use of Volunteers During the Enbridge Line 6B Pipeline Release, Michigan, July 2010

As of November, 2011

On or about July 26, 2010, a 30-inch diameter pipeline owned by Enbridge Energy ruptured and discharged crude oil into a wetland adjacent to Talmadge Creek near Marshall, Michigan in Calhoun County. Enbridge estimated that the initial discharge from their Line 6B was 20,082 barrels (843,444 gallons) before the leak was detected and the valves closed on either side of the rupture. From the wetland, the oil filled Talmadge Creek, flowed approximately 2 miles through the creek and its floodplain, and then entered the Kalamazoo River, a Lake Michigan tributary. The Kalamazoo River was in flood stage at the time of the discharge. The oil covered the river and its floodplain from bank to bank for many miles. Submerged oil and sheen from the spill were eventually found as far downstream as Morrow Lake, an impoundment on the Kalamazoo River approximately 35 miles downstream from where Talmadge Creek enters the river. This stretch of the Kalamazoo River is bordered by wetlands, floodplain forest, residential properties, farm lands, and commercial properties.

The initial response efforts by Enbridge and the U.S. EPA focused on controlling the source and stopping the downstream flow of oil. Because of inhalation hazards associated with

volatile components of the tar sand crude oil that were released, spill workers wore respirators, approximately 60 homes were evacuated, and the public was advised to stay away from Talmadge Creek and the Kalamazoo River. As the response progressed, the response efforts shifted to collecting oil from the river, cleaning shoreline and floodplain areas as floodwaters receded, and addressing submerged oil. The inhalation hazards decreased in the weeks following the initial release, but as of November 2011, the river still remained closed to the public because of ongoing response activities.

Because the response was still continuing as this case study was being written, exact figures on the magnitude of the response were not available. At peak periods in the response, approximately 2,000 people were working on the spill at once, including Enbridge employees and contractors, state and federal agency employees and contractors, and volunteers. In September of 2011, Enbridge estimated that the entire cost of the spill would be approximately \$700 million. More details on the spill response are available at <http://www.epa.gov/enbridgespill/>.

The Wildlife Branch in Operations was the only place within the ICS where volunteers were used. The Wildlife Branch included staff from FWS, Michigan Department of Natural Resource and the Environment (MDNRE), USDA – Wildlife Services, Enbridge and their contractors (including Focus Wildlife and others), Binder Park Zoo and other zoos, local rehabilitators and volunteers. The Wildlife Branch peaked at approximately 120 people on site at one time organized in approximately 30 groups or teams.

By the evening of July 26, 2010, the public and MDNRE biologists had observed oiled waterfowl along the river. Immediately, FWS began working with Enbridge to prepare for wildlife recovery and rehabilitation and Enbridge mobilized Focus Wildlife, a contractor with international experience in wildlife response at oil spills. A public hotline to report oiled wildlife was established that night. By the morning of July 27, USFWS was organizing a Wildlife Branch within the Operations Section to perform wildlife reconnaissance, recovery, rehabilitation and release, and Enbridge and their contractors were creating a Wildlife Response Center in a vacant building in Marshall, Michigan. Using the hotline, press conferences, public meetings, and other outreach efforts, FWS and MDNRE urged the public to report oiled wildlife, but to not pick up oiled wildlife themselves both for their own safety and to minimize handling stress on the wildlife. Nonetheless, some members of the public did pick up wildlife and attempt to clean them in the first few days of the spill.

All members of the Wildlife Branch, including volunteers, were trained in working with hazardous materials and with wildlife. Enbridge hired a contractor to serve as an on-site Safety Officer for the branch and provided PPE for all branch members, including volunteers. The Branch Safety Officer developed a Health and Safety Plan specifically for the branch, did daily safety briefings, and monitored working conditions, use of PPE, and waste handling for the Wildlife Response Center. Important safety concerns were exposure to oil, the potential for zoonotic diseases, injuries from wildlife, slip/trip/fall hazards, overheating, dehydration, and electrical hazards (especially around water in tanks, conditioning ponds, and washing areas). No serious incidents were recorded for the Wildlife Branch.

Thousands of people volunteered to help the animals impacted by the spill. Calhoun County provided staff to take calls from volunteers and compile data on potential volunteers. In

addition to the spill information and wildlife reporting hotlines, people in the Calhoun County area were also directed to dial 211 or visit www.handsonbc.org to volunteer. The Wildlife Branch then used that information, as well as personal contacts with known individuals, to bring volunteers in for training and work. Within the Wildlife Branch, a Volunteer Manager position was established to screen, schedule, organize, and track volunteers. Enbridge staffed the Volunteer Manager position with a contractor. Overall, approximately 150 individual volunteers contributed over 7,000 hours of work.

FWS served as the Wildlife Branch Director through the first several months of the spill and then Enbridge assumed the duties of that position. Throughout the response, the volunteers were managed by Enbridge and their contractors. The volunteers were all adults, and were mostly women. Some volunteered as parts of groups or organizations and others were unaffiliated. A few had previous experience with oiled wildlife spill response, but most were trained on-site by Focus Wildlife. Some volunteers became contract employees. The volunteers were primarily used in supporting the rehabilitation efforts being managed by Enbridge and their contractors, and the task for which the largest number of volunteer hours was used was washing oiled turtles. A few volunteers participated in reconnaissance and capture crews for several days, but those volunteers did not return on subsequent days and this practice was discontinued.

Local wildlife rehabilitators who attempted to set up their own wildlife washing stations were encouraged by the FWS and MDNRE to turn over any wildlife already in their care to the Wildlife Response Center and were invited to sign in and be trained as volunteers within the Wildlife Branch. This was eventually successful in providing efficient, state-of-the-art wildlife care, control of animal and waste handling and tracking, and ensuring the safety of everyone working with oiled wildlife.

In addition to volunteering, members of the public and local businesses donated generous amounts of supplies like towels, cleaning supplies, boxes and crates, bottled water, and snacks. The donations threatened to overwhelm staff and space at the Wildlife Response Center, and fortunately a local church set up a donation center near the Wildlife Response Center. The church and their volunteers set up a large tent and organized supplies. The donation center operated independently of the Incident Command structure, but the volunteers there implemented suggestions from the Wildlife Branch and made it possible for Wildlife Branch personnel to very easily obtain donated materials as needed.

Summary and Observations – Enbridge Line 6B Pipeline Release

- Enbridge Energy estimated that before the leak was detected and the valves closed their pipeline discharged 20,082 barrels (843,444 gallons) of a tar sand crude oil.
- The inhalation hazards associated with the volatile components of the spill required spill response workers to wear respirators, the evacuation of approximately 60 homes, and an advisory to the public advised them to stay away from Talmadge Creek and the Kalamazoo River.

- At its peak, this response included roughly 2,000 people, including Enbridge employees, contractors, state and federal agency employees, and volunteers (both affiliated and unaffiliated).
- The Wildlife Branch in Operations was the only place within the Incident Command System where volunteers were used. The Wildlife Branch also contained a Volunteer Manager position that was established to screen, schedule, organize, and track volunteers.
- The local county provided staff to manage calls from volunteers and compile data on potential volunteers. Volunteers were also directed to dial 211 or visit www.handsonbc.org to volunteer. Some of these volunteers ultimately became contracted employees during the response.
- A local church and their volunteers helped manage an overwhelming amount of donated supplies (towels, cleaning materials, bottled water, etc.) that threatened to cause storage and management issues within the Wildlife Response Center. This church-organized donation center operated independently of the Incident Command structure but implemented suggestions from the Wildlife Branch. This made it possible for Wildlife Branch personnel to very easily obtain donated materials as needed.

Appendix D: Acronym and Abbreviation List

AC – Area Committee	HAZWOPER – Hazardous Waste Operations and Emergency Response
ACP – Area Contingency Plan	IAP – Incident Action Plan
BIA – Bureau of Indian Affairs (DOI)	ICP – Incident Command Post
BLM – Bureau of Land Management (DOI)	ICS – Incident Command System
BOEMRE – Bureau of Ocean Energy Management, Regulation and Enforcement	IMH – Incident Management Handbook
BOR – Bureau of Reclamation (DOI)	IST – Incident Support Team
BSEE – Bureau of Safety and Environmental Enforcement	ISPR – Incident Specific Preparedness Review
CBO – Community Based Organization	ITOPF – International Tanker Owners Pollution Federation, Limited
CERT – Community Emergency Response Teams	JIC – Joint Information Center
CFR – Code of Federal Regulations	LAVOAD – Louisiana Volunteer Organizations Active in Disaster
CISM – Critical Incident Stress Management	LNO – Liaison Officer
CNCS – Corporation for National and Community Service	MCVS – Mississippi Commission for Volunteer Services
DHS – U.S. Department of Homeland Security	MDNRE – Michigan Department of Natural Resource and the Environment
DOC – U.S. Department of Commerce	MMS – Minerals Management Service
DOD – U.S. Department of Defense	MOU – Memorandum of Understanding
DOE – U.S. Department of Energy	M/T – Motor Tanker
DOI – U.S. Department of the Interior	M/V – Motor Vessel
DOJ – U.S. Department of Justice	NCCC – AmeriCorps National Civilian Community Corps
DOL – U.S. Department of Labor	NCP – National Oil and Hazardous Substances Pollution Contingency Plan
DOS – U.S. Department of State (State Department)	NGO – Non-Governmental Organization
DOT – U.S. Department of Transportation	NIMS – National Incident Management System
DSW – Disaster Service Workers	NIOSH – National Institute for Occupational Safety and Health
EOC – Emergency Operations Center	NOAA – National Oceanic and Atmospheric Administration
EPA – U.S. Environmental Protection Agency	NPFC – National Pollution Funds Center
ESF – Emergency Support Function (#1-15)	NRF – National Response Framework
EVC – Emergency Volunteer Center	NRS – National Response System
FECA – Federal Employee Compensation Act	NRT – National Response Team
FLPMA – Federal Land Management Policy Act	NSF – National Strike Force
FTCA – Federal Tort Claims Act	NWVP – Non-Wildlife Volunteer Plan
FOSC – Federal On Scene Coordinator (in this document referred to as “federal OSC”)	OSC – On Scene Coordinator
FWS – Fish and Wildlife Service (DOI)	OSH Act 1970 – Occupational Safety and Health Act 1970
HASP – Health and Safety Plan	OSHA – Occupational Safety and Health Administration
	OSLTF – Oil Spill Liability Trust Fund

OSRL – Oil Spill Response Limited
OSRO – Oil Spill Removal Organization
OWCN – Oiled Wildlife Care Network
PIAT – Public Information Assist Team
PIER – Public Information Emergency Response
PIO – Public Information Officer
POC – Point of Contact
PPE – Personal Protective Equipment
PRFA – Pollution Removal Funding Authorization
RP – Responsible Party
RPM – Remedial Project Manager
RRT – Regional Response Team
SFBD ACP – San Francisco Bay and Delta Area Contingency Plan
SCAT – Shoreline Cleanup Assessment Technique
SITREP – Situation Report

SMVOAD – South Mississippi Volunteer Organizations Active in Disaster
SWCB – State Workers’ Compensation Board
TAD- Technical Assistance Document
T/V – Tank Vessel
UAC – Unified Area Command
U.S.C. – United States Code
USCG – U.S. Coast Guard
USDA – U.S. Department of Agriculture
USGS – U.S. Geological Survey
VFOB – Volunteer Field Observer Program
VISTA – Volunteers in Service to America
VIPS – Volunteers in Police Service
VOAD – Voluntary Organizations Active in Disaster
VPA – Volunteer Protection Act
VRC – Volunteer Reception Center

Appendix E: Bibliography

- California Volunteers. “Spontaneous Volunteer Management Plan,” Guidance for Local Government and Operational Areas, November 15, 2004:
<http://www.csc.ca.gov/cc/files/VPguidance.doc>.
- “Funding Guidance for Oil Spills and Hazardous Materials Releases,” March 2003:
http://www.uscg.mil/ccs/npfc/docs/PDFs/urg/App/NPFC_FOSC_FUNDING_AppB.pdf.
- Gass, Michael R and Henry R. Przelomski. International Oil Spill Conference: Volunteers: Benefit or Distraction? An International Protocol for Managing Volunteers During An Oil Spill Response. 2005.
- USCG. Internal guidance message. Use of Volunteers During Oil Spills; Interim Policy. June 8, 2009.
- USCG. Incident Specific Preparedness Review M/V *Cosco Busan* Oil Spill in San Francisco Bay: Report on Initial Response Phase. January 11, 2008:
<http://www.uscg.mil/foia/CoscoBuscan/CoscoBusanISPRFinalx.pdf>
- USCG. Incident Specific Preparedness Review M/V *Cosco Busan* Oil Spill in San Francisco Bay: Part II and Final Report. May 8, 2008:
<http://www.uscg.mil/foia/CoscoBuscan/part2.pdf>
- USCG. “NPFC Users Reference Guide (eURG).” September 2011:
<http://www.uscg.mil/ccs/npfc/URG/default.asp>.
- USCG NFPFC PUB 16465.2 “Oil Spill Liability Trust Fund Funding for Oil Spills.” January 2006:
http://www.uscg.mil/ccs/npfc/docs/PDFs/OSLTF_Funding_for_Oil_Spills.pdf.

Appendix F: USCG-EPA-CNCS Use of Volunteers MOU

CNCS, through its network of AmeriCorps and Senior Corp Programs, State Service Commissions, and non-profit partners, can assist, when requested, in providing support for managing unaffiliated volunteers. For example, when requested, CNCS resources plan to work with the state and local volunteer network to establish a VRC. CNCS plans to staff the VRC with an AmeriCorps or Senior Corps team who will be able to:

- establish an intake of volunteers and determine initial posture (need/role for volunteers);
- identify volunteer roles (either directly associated with the event or indirectly, e.g., food bank, or shelters);
- develop and promote the proper messaging around volunteer engagement; and
- manage and deploy volunteers to meet response needs within the parameters of the response operation.

ORIGINAL

**MEMORANDUM OF UNDERSTANDING
BETWEEN
U.S. COAST GUARD, U.S. ENVIRONMENTAL PROTECTION
AGENCY,
AND
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

1. PARTIES

The Parties to this Memorandum of Understanding (MOU) are the United States Coast Guard (USCG), the United States Environmental Protection Agency (EPA) and the Corporation for National and Community Service (CNCS).

CNCS, a wholly-owned United States Government Corporation and executive federal agency of the United States, supports service and volunteering at the national, state and local levels, overseeing three major initiatives: AmeriCorps (including State/National, Volunteers in Service to America (VISTA), and National Civilian Community Corps (NCCC)), Learn and Serve America, and Senior Corps. CNCS programs provide vital support, especially human capital, to the national, state, and local voluntary organizations and public agencies that lead response, relief, and recovery efforts when an incident occurs. In addition, CNCS has specific responsibilities as a support agency within the National Response Framework (NRF). Pursuant to the Stafford Act and other legal authorities cited below, CNCS and its grantees have a record of collaborating with state and local agencies and organizations to support response and recovery efforts.

USCG and EPA provide federal On-Scene Coordinators (OSCs) to respond to discharges of oil and releases of hazardous substances, pollutants and contaminants under Section 311 of the Clean Water Act (CWA) as amended by the Oil Pollution Act of 1990 (OPA), and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The EPA provides OSCs for responses in the inland zone, and the USCG provides OSCs for responses in the coastal zone. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) found in 40 CFR Part 300, contains some of the regulations that implement Section 311 of the CWA and CERCLA, and describes OSC authorities and responsibilities in detail.

2. AUTHORITY

The USCG, EPA, and CNCS, enter into this MOU pursuant to 14 U.S.C. § 141; 10 U.S.C. § 1588; 14 U.S.C. § 93(a)(20); 31 U.S.C. § 1342; NCP, 40 CFR Part 300.110; CWA, 33 U.S.C. § 1321; CERCLA, 42 U.S.C. § 9601; Homeland Security Act of 2002, Public Law 107-296; Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5206; the Department of Homeland Security Appropriations Act, 2007, Public Law 109-295; the National and Community Service Act of 1990, 42 U.S.C. § 12651g(b); Executive Order 12148, as amended; and 44 CFR Part 206. Any transfer of funds necessary to carry out this agreement will be under the Economy Act or other appropriate authority.

ORIGINAL

1

3. PURPOSE

This MOU between the USCG, EPA, and CNCS describes the major responsibilities of each Party in developing and supporting an unaffiliated volunteer management program to be implemented following an oil or hazardous substance pollution incident as requested by the USCG/EPA OSC.

4. RESPONSIBILITIES

- A. USCG and EPA, in fulfilling their mission of coordinating emergency preparedness and response to oil and hazardous substance pollution incidents plan to, as appropriate, include CNCS in ongoing efforts to improve and implement the NCP and NRF procedures related to the use of volunteers, and to assist in educating and training CNCS personnel at the local, state and national levels to provide needed unaffiliated volunteer management assistance for response operations. Specifically, USCG and EPA resolve to:
- 1) Identify appropriate and necessary training and exercises for CNCS staff, program staff, and national service participants to assist CNCS in providing volunteer management assistance for response operations;
 - 2) Notify CNCS as soon as possible of requested assistance following an incident. Notification information should include:
 - a. A thorough description of the anticipated volunteer management capabilities necessary to support incident response, and,
 - b. The minimum incident-specific training requirements for responding CNCS assets;
 - 3) Subject to Section 7 below, pay the costs, as may be legally appropriate and necessary, through the OSLTF or Interagency Agreements, of transportation, lodging, and meals incurred by CNCS staff, CNCS program staff, and national service participants, salary costs for program staff, and living allowances for national service participants explicitly supporting USCG and EPA response volunteer management operations;
 - 4) Pay the costs, as may be appropriate and necessary, through the OSLTF or Interagency Agreements, of necessary tools, equipment, and other supplies for CNCS to perform assigned volunteer management functions during the response; and
 - 5) Provide work space and appropriate support for CNCS staff, CNCS program staff, and national service participants temporarily assigned to response volunteer management operations.
- B. CNCS, to carry out its role in support of USCG/EPA, plans to engage in planning, coordinating, supporting, and/or assisting in the following preparedness and response activities:
- 1) Provide for coordination and management of unaffiliated volunteers as requested by the USCG/EPA OSC;
 - 2) Provide outreach to established voluntary organizations to provide coordination and support services as requested by the USCG/EPA OSC;
 - 3) Disseminate information to affected populations in coordination with the Unified Command Joint Information Center;
 - 4) Assign appropriate CNCS staff, program staff, and national service participants to support USCG/EPA OSC operations;
 - 5) Ensure that all personnel assigned by CNCS to provide services under this MOU are covered by either the Federal Tort Claims Act and the Federal Employees

ORIGINAL

2

Compensation Act, or when CNCS grantees are responding on behalf of CNCS in accordance with the terms and conditions of a CNCS grant or cooperative agreement, that they are covered by liability insurance and occupational accident insurance.

- 6) Develop and provide to the USCG/EPA OSC a specific response plan and budget, including proposed human resources, upon being provided the incident needs by the USCG/EPA OSC [Sect 4.A.2];
- 7) Ensure participation by CNCS staff and national service participants in appropriate Hazardous Waste Operations and Emergency Response (HAZWOPER) training identified by USCG and EPA as necessary to support the volunteer management mission;
- 8) Participate, as available, in preparedness and planning activities such as planning document development; and
- 9) Develop CNCS standard operating procedures (SOP) for response to incidents at the request of the USCG/EPA.

5. COMPLIANCE, REPORTING AND DOCUMENTATION

CNCS will comply with fiscal management and performance requirements and provide USCG/EPA with appropriate supporting expenditure and program management documentation related to fiscal compliance and program performance management in a format and on a schedule mutually established:

- A. For Pollution Removal Funding Authorization (PRFA) supported oil spill incident deployments, CNCS will:
 1. Provide good faith estimates of the total anticipated costs, as needed, with a line item breakdown of the principal expense categories. This need not be more than a single page, and can be provided as an attachment to the PRFA;
 2. Secure advance approval from the USCG/EPA OSC for proposed response costs to be incurred by CNCS when deploying to incident areas. CNCS shall identify individuals who will respond on its behalf; however, the federal OSC maintains the right to refuse services;
 3. Maintain appropriate financial records and supporting documentation to support expenses, and submit final reimbursement claims to USCG or EPA in accordance with the Technical Operating Procedures (TOPs) for resource documentation under OPA 90;
 4. Provide regular reports to the USCG and EPA on activities and accomplishments of deployed national service participants, including a final report on activities and accomplishments at the conclusion of each such deployment; and
 5. Maintain any applicable training, medical surveillance, and/or exposure records pursuant to this MOU and any associated response activities.
- B. CNCS will provide regular reports to USCG and EPA on outcomes of preparedness operations, including training and exercises. Reports will identify specific accomplishments, number of people trained per activity, and outcomes of exercises.
- C. CNCS will ensure that all activities performed under this MOU are in compliance with U.S. Government statutes and regulations, in particular, but not limited to, the Privacy Act, 5 U.S.C. 552a.

ORIGINAL

3

6. POINTS OF CONTACT:

1. USCG:

Commandant (CG-5332)
Office of Incident Management & Preparedness
U.S. Coast Guard
2100 Second Street SW, Stop 7363
Washington, DC 20593-7363
202-372-2251

2. EPA:

Director, Office of Emergency Management
Office of Solid Waste and Emergency Response
1200 Pennsylvania Ave., NW
Washington, DC 20460
202-564-8600

3. CNCS:

NCCC Deputy Director for Projects & Partnerships
1201 New York Ave, NW
Washington, DC 20525
cdavenport@cns.gov
202-606-7516

7. OTHER PROVISIONS

Nothing in this memorandum is intended to conflict with current law or regulation or the directives under which USCG, EPA, and CNCS operate. If a term of this memorandum is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this memorandum shall remain in full force and effect.

- 1) This MOU does not mandate USCG, EPA or CNCS to undertake any specific level of activity.
- 2) The USCG or the EPA intend to initiate and approve all volunteer management and coordination requests issued to CNCS. When deployed to support a response, participants will operate under the ultimate direction of the USCG's or EPA's federal OSC.
- 3) It is understood that Parties may need to make operational changes quickly during a response and notice to the other Party of such changes may be delayed; however, such notice shall be provided at the earliest possible time and in the most time efficient manner.
- 4) This MOU is not intended to, and does not, create any right, benefit or trust responsibility, substantive or procedural, enforceable at law or equity, by a Party against the United States, its agencies, its officers or any person.
- 5) Nothing in this MOU is intended to restrict the authority of any Party to act as provided by law, statute or regulation.
- 6) Nothing in this MOU requires or implies that USCG, EPA, or CNCS will provide liability or workers' compensation coverage or other accident insurance for volunteers who may engage in response operations.
- 7) Each Party plans to participate in an open exchange of relevant information, as permitted by law (including funding opportunities) which furthers the mission of each organization.

ORIGINAL

4

- 8) This MOU is not a fiscal or funds obligation document, nor is it an agreement to pay any expenses or costs of CNCS. All commitments made by the parties to this MOU are subject to the availability of appropriated funds. Volunteer management support carried out by CNCS that may be eligible for reimbursement from USCG or EPA will require the execution of a separate financial instrument in order to pay any such expenses.
- 9) Each Party to this MOU is separate and independent from one another. As such, each organization will retain its own identity in providing services, and each organization is responsible for establishing its own policies.
- 10) While it is the intent of the Parties to cooperate in accordance with this understanding, no Party shall be liable to the other for failure to comply in any way with the provisions and agreements contained in this document.
- 11) Annually, or more often at the request of any Party, representatives of CNCS, USCG, and EPA intend to meet to assess progress in the implementation of the MOU and to make revisions as deemed necessary.
- 12) In the event the EPA or USCG wants to request CNCS volunteer management support for an oil or hazardous substance pollution incident which has occurred as part of a declared major disaster or emergency under the Stafford Act, the EPA or USCG may request CNCS support through FEMA via the following: (1) a Mission Assignment from FEMA to CNCS under the National Response Framework Volunteer and Donations Management Support Annex, developed in consultation with EPA and/or USCG; (2) a Mission Assignment from FEMA to CNCS under Emergency Support Function (ESF) #10, developed in consultation with EPA and/or USCG; or (3) a Mission Assignment subtask from EPA or USCG to CNCS under ESF #10.


8. EFFECTIVE DATE

This MOU shall be effective from the date it has been signed by representatives of all organizations and shall remain in effect until modified or terminated as below.

9. MODIFICATION/TERMINATION

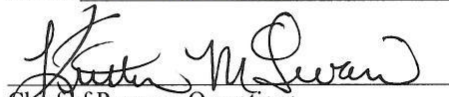
This MOU may be modified upon the mutual written consent of the parties. Any Party may terminate its participation in this agreement upon 60 days written notice to the other parties.

10. SIGNATURES



 Director for Response Policy
 USCG

Dated: 13 November 2010



 Chief of Program Operations
 Corporation for National and Community Service

Dated: 7/15/2010



 EPA Assistant Administrator
 Office of Solid Waste and Emergency
 Management Response

Dated: 1/25/11

ORIGINAL

GLOSSARY

Administrative support

Administrative support is cost associated with processing the deployment and reimbursement of assigned incident response activities.

AmeriCorps member

An AmeriCorps member is an individual serving on a full-time or part-time basis in an approved AmeriCorps program and who is eligible to receive an education award or alternative post "Member" service benefit.

AmeriCorps*NCCC (National Civilian Community Corps)

AmeriCorps*NCCC is a 10-month, full-time residential AmeriCorps program which combines the best practices of civilian service with the best practices of military service, including leadership development and team-building. NCCC is team-based program for young women and men between the ages of 18 - 24.

AmeriCorps*State and National

An AmeriCorps program operated by local and national non-profits, local and state government entities, Indian tribes, territories, and institutions of higher education supported by grant funds and providing local service opportunities for AmeriCorps Members.

AmeriCorps*VISTA (Volunteers in Service to America)

An AmeriCorps program focused on eradicating poverty. Members serve full-time at community-based organizations. Members of AmeriCorps*VISTA serve full-time with community-based organizations, work and live in the communities they serve, and create or expand programs that can continue after they complete their service.

Clean Water Act (CWA)

The Clean Water Act is the principal federal statute protecting navigable waters and adjoining shorelines from pollution. Section 311 of the CWA addresses pollution from oil and hazardous substance releases, providing EPA and the U.S. Coast Guard with the authority to establish a program for preventing, preparing for, and responding to oil spills that occur in navigable waters of the United States.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

CERCLA is one of the statutes that provides the federal government with authorities to respond to the release or threat of release of hazardous substances, pollutants, or contaminants into the environment.

Corporation for National and Community Service (CNCS)

CNCS is a federal agency established under section 191 of the National and Community Service Act (42 U.S.C. 12651).

CNCS program staff

Employees of CNCS grantees and CNCS supported programs that provide direct oversight and support to national service participants deployed to an incident.

CNCS staff

The permanent, and temporary staff of CNCS, not to include State Commissions, grantees, sub-grantees or their staff.

Hazardous Waste Operations in Emergency Response (HAZWOPER)

HAZWOPER is an occupational safety and health standard regarding waste operations planning and training per 29 CFR 1910.120.

Incident

A natural or manmade occurrence or event that requires a response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist

ORIGINAL

6

threats, civil unrest, wild land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, tsunamis, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response.

Learn and Serve America

Learn and Serve America supports and encourages service-learning throughout the United States, and enables over one million students to make meaningful contributions to their community while building their academic and civic skills by providing direct and indirect support to community groups and higher education institutions. Adult volunteers from Colleges and Universities have participated in incident response and long-term recovery projects across the country.

Living allowance

A living allowance is a regular payment, not characterized as “wage” or “salary”, which may be provided to AmeriCorps members enrolled and active in an AmeriCorps program.

National service participant

An individual who is enrolled in a program funded by CNCS. This includes AmeriCorps members, Senior Corps and Learn and Serve participants.

Oil Pollution Act (OPA) of 1990

This legislation addresses a wide range of issues associated with preventing, responding to, and paying for oil pollution. Title 1 of OPA established oil spill liability and compensation requirements, including the Oil Spill Liability Trust Fund to help facilitate cleanup activities and compensate for damages from oil spills. In 1991, the United States Coast Guard created the National Pollution Funds Center (NPFC) to implement Title 1 of OPA, administer the OSLTF, and ensure effective response and recovery.

Oil Spill Liability Trust Fund (OSLTF)

OSLTF was created by Congress in 1986 and allows the federal government to collect industry revenue (via a tax) and place it in a fund available to OSCs and federal trustees to ensure rapid, effective response to oil spills. Specific uses of the fund include: removal costs & activities, natural resource damage assessments & restorations, claims for uncompensated removal costs & damages, and research & development. The Energy Policy Act of 2005 increased the maximum size of the Fund from \$1 billion to \$2.7 billion.

On-scene Coordinator (OSC)

For purposes of this MOU, the OSC is the federal official designated by the USCG or EPA to coordinate and direct response under Subpart D or E of the NCP.

Pollution Removal Funding Authorization (PFRA)

This is a tool available to FOSCs to quickly obtain needed services and assistance from federal, state, local, and tribal government agencies in oil spill and hazardous materials response actions. There are two types of forms (one for federal and one for non-federal agencies). The PRFA commits the OSLTF to payment by reimbursement of costs incurred in pollution response activities undertaken by another government agency working for the FOSC.

Senior Corps

Senior Corps taps the skills, talents, and experience of nearly 500,000 Americans age 55 and older to meet a wide range of community challenges through three main programs: RSVP, the Foster Grandparent Program, and the Senior Companion Program.

Technical Operating Procedures (TOPs)

TOPs serve as Coast Guard guidance for various Fund users. They provide formatting, forms, and instructions for compiling and submitting documentation efficiently and effectively.

ORIGINAL

7

Examples include Response Guidance, State Access Guidance, and Claims Guidance. Each topic has individual PDF available online in the NPFC User Reference Guide.

Unaffiliated volunteer

An individual who comes forward following an incident or disaster to assist a governmental agency or non-Governmental Organization (NGO) with response activities during the response or recovery phase without pay or other consideration. By definition, unaffiliated volunteers are not yet associated with a response or relief agency involved in the incident. (Also known as “convergent” or “spontaneous” volunteers.)

Volunteer

An individual who offers to support communities affected by an incident without receiving financial reward or remuneration. Volunteers can either be affiliated with other organizations involved in supporting communities affected by an incident or be unaffiliated volunteers. Volunteers are distinct from national service participants in that national service participants receive financial support and direct coordination from CNCS.

ORIGINAL

Addendum 2

The following information was updated January 10, 2012.

Below are points of contact for CNCS for requests for presentations, planning, or response assistance. Please note also that the CNCS "Point of Contact" information in Section 6.0 of the MOU is out of date because CNCS reorganized after signing it. Please substitute the name of Kelly DeGraff as the MOU Section 6.0 point of contact for CNCS.

CNCS points of contact during regular business hours:

Primary:

Kelly DeGraff, Senior Advisor and Director of Disaster Services
202-606-6697 (work)
202-535-2014 (cell)
kdegraff@cns.gov

Backup:

Katrina French, Disaster Service Specialist
202-606-3612 (work)
202-200-0646 (cell)
kfrench.guest@cns.gov