Virginia Area Contingency Plan (VACP) Eastern Shore Annex Annex DD March 2025



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BARRIER ISLAND SUBCOMMITTEE

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General Terms

Community - Unified groups that share goals, values, or purposes; they may exist within geographic boundaries or unite geographically dispersed individuals. Communities bring people together in different ways for different reasons, but each provides opportunities for sharing information and promoting collective action.

- **Core Capabilities** Distinct critical elements necessary to achieve the National Preparedness Goal.
- **Cultural Resources** Aspects of a cultural system that are valued by or significantly representative of a culture or that contain significant information about a culture.
- **Disaster** A sudden, calamitous event that seriously disrupts the functioning of a community or society and causes human, material, and economic or environmental losses that exceed the community's or society's ability to cope using its own resources. Though often caused by nature, disasters can have human origins, including accidental oil spills.
- **Hazmat** Any hazardous substance (biological, chemical, radiological, and/or physical), which has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors.
- **Mission Areas** Groups of core capabilities, including Prevention, Protection, Mitigation, Response, and Recovery.
- **Mitigation** The capabilities necessary to reduce loss of life and property by lessening the impact of disasters and actions taken to reduce the risks of an oil spill on sensitive ecological and socio-economic resources.
 - 1. **National Preparedness** The actions taken to plan, organize, equip, train, and exercise to build and sustain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the Nation.
 - 2. **Resilienc**e The ability to adapt to changing conditions, to withstand and rapidly recover from disruption due to natural or human-caused incidents.
 - 3. Unified Command (UC) A structure that brings together the designated leaders of the major organizations that have jurisdictional authority for the incident to coordinate an effective response while carrying out their own organization's jurisdictional responsibilities. For marine oil spills, UC typically includes the USCG Federal On-scene Coordinator, the State On-scene Coordinator, and the Incident Commander of the party responsible for the oil spill.

- **Volunteer Affiliated** For oil spills, 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).
- **Volunteer Unaffiliated** For oil spills, 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.
- **Whole Community** A focus on enabling the participation in national preparedness activities of a wider range of players from the private and nonprofit sectors. This includes nongovernmental organizations and the public, in conjunction with the participation of all levels of government to foster better coordination and working relationships. Used interchangeably with "all-of-Nation."

* Terms gathered from National Preparedness Goal 2nd edition, 2015

List of Acronyms

AC	Area Committee
ACP	Area Contingency Plan
BMP	Best Management Practice
ERMA	NOAA's Environmental Response Management Application
ESA	Endangered Species Act
GRS	Geographic Response Strategies
HPA	Habitat Protection Act
IAP	Incident Action Plan
ICP	Incident Command Post
IMT	Incident Management Team
LOFR	Liaison Officer
NPFC	National Pollution Funds Center
NRC	National Response Center
NRDA	Natural Resource Damage Assessment
NWR	National Wildlife Reserve
OEM	Office of Emergency Management
OPA-90	Oil Pollution Act of 1990
OSHA	Occupational Safety and Health Administration
OSLTF	Oil Spill Liability Trust Fund
OSRO	Oil Spill Removal Organization
P&I Club	Protection and Indemnity Club (insurers)
POC	Point(s) of Contact
PRFA	Pollution Removal Funding Authorization
RCP	Regional Contingent Plan
RP	responsible party
RRT	Regional Response Team
SAV	Submerged Aquatic Vegetation
SCAT	Shoreline Cleanup Assessment Technique
SHPO	State Historic Preservation Officer
SSC	NOAA Scientific Support Coordinator
T&E	Threatened and Endangered Species
UC	Unified Command
VAC	Virginia Area Committee
VOO	Vessel(s) of Opportunity

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100 – Introduction

This annex of the coastal Virginia Area Contingency Plan (ACP), developed by the Barrier Island Subcommittee of the Virginia Area Committee. The Virginia Area Committee is led by the Sector Commander of U.S. Coast Guard (USCG) Sector Virginia. This Annex is specific to Virginia's Eastern Shore and the current draft focuses on the seaside (east of Rt. 13). Future work will expand the annex to include the bayside of the Eastern Shore (west of Rt. 13). For detailed information about spill preparedness and response activities in Virginia, please refer to the Virginia ACP. A PDF version of the plan is accessible online <u>Documents List - NRT</u>

The Eastern Shore seaside stretches from Assateague Island at the Maryland border to Fisherman's Island at the foot of the Chesapeake Bay Bridge Tunnel. It is composed of 23 dynamic islands made of up of sand, marshland, and lagoons and is one of the longest undeveloped stretches of shoreline on the East Coast.

Virginia's barrier islands are remote, ecologically valuable, and highly sensitive to oil spills and other pollutants. Given its critical importance in the western hemisphere, the United Nations designated the Virginia barrier islands as a Biosphere Reserve. Virginia's barrier island system supports extremely important and diverse habitats and species, in addition to fishing and eco-tourism communities that depend upon the Eastern Shore's natural resources. Mechanical oil spill containment, protection/diversion, and recovery tactics will be difficult to implement on the seaside under the best conditions due to the isolation of the area, vessel-only access to the barrier islands, dynamic channels and shallow-water access, and strong tidal currents. Access by water to the barrier islands is essentially limited to those with local knowledge and permission from the landowners. Therefore, the Unified Command (UC) needs to proactively consider and identify environmental tradeoffs and harmonize those tradeoffs with landowners and other stakeholders. To this end, input of Eastern Shore stakeholders is sought and will be incorporated to strengthen the annex. Consultation of the VA ACP and this annex should provide responders with the necessary information to make time-critical, preparednessinformed decisions in a spill emergency.

Historically, the accidental spills that have threatened or impacted the seaside of the Eastern Shore or nearby Atlantic coasts include fuel oil spills from stranded or sunken fishing vessels; fuel or crude oil spills from ships in transit past the seaside; spills from tankers in the lightering areas for the Delaware Bay; historical wrecks; and spills from coastal facilities and vessels that have been damaged by storms.

^{*}See Section 1400 of the Virginia Area Contingency Plan for an overview of the US National Response System for pollution preparedness and response.

101 – Purpose

This annex provides information on oil/hazardous substance (hazmat) responses in the marine environment. Additionally, this annex provides information to the UC and Incident Management Teams in on how best to respond to accidental oil spills or hazmat incidents that could impact the Barrier Islands of Virginia, regardless of source or size. Each incident will vary with regard to specific location(s), responder and civilian safety, as well as response strategies. This annex identifies key Points of Contact, locations to establish command posts, response resources, seasonality concerns, and information key to mitigate environmental, wildlife, and community impacts. This annex is a preparedness guide only and therefore may lack critical incident-specific information. Responders should always develop incident specific strategies with caution until more information can be obtained about specific field conditions.

Response to oil and hazmat incidents can vary greatly depending upon incidentspecific conditions, such the oil or hazmat type, volume, location, and time of year. Under U. S. regulations, the UC consists of the Federal on-scene Coordinator (USCG) for the coastal zone, the State on-scene Coordinator (DEQ), and the spiller (known as the responsible party). In some incidents, additional parties with jurisdiction and authority may also be part of UC. UC and an Incident Management Team must effectively manage and quickly identify potential environmental impacts, threats to the local economy, and challenges in the field. UC will immediately consider pre-spill contingency plans (including this annex) should an incident occur on the Eastern Shore.

110 – Community Stakeholders

Once an oil spill or hazmat release has occurred, the response will include actions to protect human health, property, and the environment from the spill/release, and meet community needs. The response is focused on ensuring that the community can effectively respond to an oil spill or hazmat release affecting Virginia's Eastern Shore and barrier islands. Response priorities include saving and sustaining lives, stabilizing the incident, restoring community functionality, providing universal accessibility, establishing a safe and secure environment, and supporting the transition to recovery. UC will endeavor to achieve a "best response" which means that the response organization will effectively, efficiently, and safely respond to all incidents, minimize the consequences to life, protect public and responder health, and protect our infrastructure, environment, and economy.

111 – Mitigation and Pre-spill Planning

Under the National Preparedness Goal there are five mission areas: prevention, protection, mitigation, response, and recovery. Typically, mitigation refers to how emergency managers and others take actions before a disaster to reduce the loss of life and property. For the purpose of this annex, mitigation is focused on the premise that individuals, the public, private and nonprofit sectors, communities, critical infrastructure, and the Nation as a whole are made more resilient when the consequences, impacts, duration, and financial and human costs to respond to and recover from an oil spill or hazardous substance release are considered and planned for before an incident occurs. Mitigation is the responsibility of the whole community.

Given potential threats to the barrier island system from offshore oil spills or hazmat releases, pre-spill activities will identify mitigation measures that could reduce or eliminate the long-term risks to human health, the environment, and vital economic and community interests. Pre-spill identification of mitigation measures to be implemented during an incident should include input from both response professionals as well as local stakeholders and communities. Individual and community preparedness is fundamental to success, since such activities build a resilience capacity, which in turn will help affected communities and the environment adapt and recover from an oil spill. Pre-spill mitigation can serve to:

- Enable the recognition, understanding, communication of, and planning for risk, and empowering individuals and communities to make informed risk management decisions necessary to adapt to, withstand, and quickly recover from oil spill incidents.
- Maximize the connectivity with the population to ensure a localized, riskinformed mitigation plan is developed through partnerships across the entire community.
- Enable stakeholders, including affected communities, to learn about spills, make informed judgments, and take appropriate actions necessary to adapt to, withstand, and recover from future incidents.
- Establish and maintain partnerships among stakeholder organizations to support networking, planning, and coordination.

Seasonality:

Of utmost importance in pre-spill planning is understanding how seasonality impacts the barrier islands and what could be potentially affected during different seasons. The list below is intended to provide a general guide of species at risk on the barrier islands and coastal lagoon system that require special consideration during each season. Refer to appropriate Environmentally Sensitivity Index (ESI) Map and Seasonality when developing operation strategies. Winter: migratory waterfowl, marine mammals, migratory raptors and owls, sea birds

<u>Spring</u>: shore and colonial nesting birds, wading birds, Submerged Aquatic Vegetation [SAV], spawning diadromous and other fish species, shellfish and crab spawning, sea and terrapin turtle nesting

<u>Summer</u>: shore and colonial nesting birds [immature and adults], wading birds [immature and adults], Northeastern beach tiger beetle (adults), Submerged Aquatic Vegetation [SAV] seedlings, diadromous and other fish species, shellfish and crab maturity, sea and terrapin turtle hatchlings

<u>Fall</u>: migratory waterfowl, migratory raptors and owls, sea birds, migratory song and other neo-tropical songbirds, marine mammals, diadromous fish migrations

112 – Response Strategy Implementation

Pre-spill planning enables the rapid, effective implementation of response strategies. This planning includes identification of a variety of resources including those of ecological and human-use that have the potential to be impacted by a marine pollution incident. Pollutants can move through the marine environment quickly, so it is imperative that the identified resources at risk be prioritized to provide UC with a starting point for response. Factors taken into consideration during pre-spill planning to identify priority resources at risk include: susceptibility and vulnerability to the spilled substance; relative ecological, human use, and economic value; degree of possible natural attenuation (i.e., feasibility of response clean-up without these strategies); increased harm compared to if the pollutant is allowed to remain in the environment. During a response, UC's Environmental Unit will continually re-evaluate the priority of response strategies as information and conditions change in collaboration with subject matter experts and stakeholders.

Response strategies and tactics to protect and/or prevent contamination of groups of resources at risk will be implemented during response in the following order and as determined by the Barrier Islands Subcommittee:

 A – Most urgent to protect: those areas where protection prevents contaminants from reaching other highly sensitive resources at risk and resources vulnerable to floating contaminants; sites of high ecological significance; **B** – Less urgent than A Group: those areas geographically/physically protected from contamination by Group A resources; those less vulnerable to floating contaminants;

C – Less urgent than B Group: those areas geographically/physically protected from contamination by Group A or B resources but are still valuable and vulnerable to floating contaminants.

GROUP A

- Primary Inlets between barrier islands;
- Secondary inlets inside bays;
- Breaches, washovers, and other low areas where contaminants can enter sensitive habitats;
- Exceptional/Highly sensitive wetlands with high biodiversity site (e.g. National and State Wildlife Refuges);
- Federal or State listed threatened or endangered (T&E) species;
- Important Bird Areas;
 - Bird nesting islands;
 - Other bird nesting concentrations;
 - Seasonal bird concentration areas onshore and adjacent to barrier islands;
- Water intakes (including those at shellfish hatcheries);
- Aquaculture and shellfish leases, both hard clam and oyster, near the barrier islands particularly during spawning season in late spring and summer and those used as nursery areas for aquaculture.

GROUP B

- Productive oyster beds in the intertidal; natural and restored;
- Submerged Aquatic Vegetation beds in less than 1m water;
- High use recreational beaches;

• Exposed tidal flats;

- Commercial harbors and marinas;
- Cultural/Historical sites of concern (e.g. contact State Historic Preservation Office).

GROUP C

- Small tidal channels and canal openings;
- Sheltered tidal flats;
- Seagrass beds in greater than 1m water;
- Aquaculture and shellfish lease areas; near the mainland;
- Wetland restoration areas;
- Areas identified by local authorities not previously noted in Priority A or B.

The following areas were not included due to the initial protection difficulty:

- Exposed wetland shorelines (exposed to waves and currents) (as described in Appendix G);
- Exposed rip-rap and bulkheads;

113 – Overview of Response Operations

Forming, managing, and completing the strategies and tactics directly in support of the primary mission and objectives are considered the operations of the event. Incident objectives are set by UC; they are specific, measurable, attainable, realistic, time-sensitive, and flexible enough to allow for strategic and tactical alternatives. Developing the actual tactics that would be implemented during a response depends on the type of oil discharge event and incident-specific conditions. Figure 1 illustrates the factors which influence the "windows of opportunity" for categories of response strategies that are operationally feasible.



(Figure 1: Relationship among factors which influence windows of opportunity of categories of response strategies. Source: Al Allen, Spiltec.)

Specific geographic strategies for implementing mechanical strategies (including equipment using booms and skimmers) for the primary inlets on the Barrier Islands to protect the sensitive areas that lie behind the islands have been developed. These geographic strategies can be viewed in the Atlantic module of NOAA's Environmental Response Management Application (ERMA), which is an online geographic information system (GIS) database.

Environmental Response Management Application (ERMA) | response.restoration.noaa.gov

Once an oil or hazmat spill has occurred, response includes actions to protect human health, property, and the environment from the spill, and meet community needs. It is focused on ensuring that the community can effectively respond to a spill affecting Virginia's Eastern Shore and barrier islands. Response emphasizes saving and sustaining lives, stabilizing the incident, restoring community functionality, providing universal accessibility, establishing a safe and secure environment, and supporting the transition to recovery. UC will endeavor to achieve a "best response" which means that the response organization will effectively, efficiently, and safely respond to all incidents, minimize the consequences to save lives, protect public and responder health, and protect our infrastructure, environment, and economy. The goal of response, as shown in Figure 2, in the emergency phase when pollutants are still floating/mobile is to implement actions to reduce cumulative impacts and speed recovery over what could occur if no intervention was taken. This means that response actions should do less harm than leaving the pollutant in the environment to attenuate naturally. Natural attenuation relies on natural processes to clean up or attenuate pollution in soil and groundwater.



(Figure 2. Goal of response actions. Source: A.H. Walker, GOMOSES 2018)

General strategies are selected to accomplish incident objectives to manage the spilled substance such as:

- Stabilize and secure the source of pollution (immediate);
- Surveillance and monitoring (ongoing);
- Contain and recover pollutant from the environment with mechanical equipment (on water, on shore; ongoing);
- Implement other alternatives (e.g., offshore application of dispersants or controlled burning of oil at sea or onshore), as appropriate, when mechanical equipment is insufficient to achieve objectives, which is generally the case since mechanical containment and recovery seldom removes more than 25% of the volume of spilled oil.

For significant marine oil spills that affect miles of coastal areas, depending upon how large of a coastal area is affected, the response can occur over days to weeks to months. Volume is one factor that can characterize a significant marine oil spill, but not the only factor. The general phases of a significant marine oil response when these and other response strategies are implemented are depicted in Table 1.

Incident start (window of opportunity)	hours (very early)	hours/days/weeks (early)	(later)
PHASE STRATEGY	STABILIZE/SECURE SOURCE	ON-WATER CONTAIN/ RECOVER/PROTECT	SHORELINE TREATMENT/CLEANUP
MECHANICAL	Close valves Patch Pump/offload	Manual oil removal Boom, skimmers Sorbents Mechanical oil removal Vacuum Barriers	Sorbents Manual oil removal Mechanical oil removal
CHEMICAL		Shoreline cleaning agents Dispersants Emulsion treating agents Solidifiers Herding agents Elasticity modifiers	Shoreline cleaning agents Solidifiers
OTHER COUNTERMEASURES		In-situ Burning	Bioremediation
WASTE MANAGEMENT		On-site Storage Recycle Incineration	Stabilization Recycle Landfill Incineration Bioremediation

Table 1. (Source: Adapted from Ott et. Al., 1993)

No single response strategy is a single solution for all oil spills. Every response strategy offers some benefits but also has limitations. Therefore, an optimal response is one that uses all available response strategies, which can be considered "tools in a toolbox," appropriately for the specific spill situation. Table 2 presents the potential benefits and limitations of the types of response strategies.

Response Action	Advantages	Limitations
Mechanical containment and recovery (on water)	 Accepted, no special approvals needed Potential recovery over a wide range of environmental conditions & spilled products Large window of opportunity Minimal side effects Greatest availability of equipment & expertise Recovered product may be reprocessed if not contaminated with debris 	 Very high logistics and equipment requirements Very low oil encounter/recovery rates for wide-spread slicks (large spills) Long window of opportunity (all forms of fresh and weathered oil) Significant operational constraints for use in remote areas and in ice- affected areas Multiple systems and calm-to- moderate wind & wave conditions are required to achieve high oil removal rates Requires temporary and backup storage; high bottleneck potential High manpower requirements Moderate risk for personnel safety Significant disposal issues for recovered oil/emulsion/debris
In-situ burning	 High oil elimination rate possible of accessed surface slicks Excellent for use in cold climates, including ice-affected areas Risk reduction (hazardous/flammable vapors) Moderate logistics and equipment requirements Effective over wide range of oil types & conditions Temporary storage not required (except when burn residue is recovered) Specialized equipment (igniters, fire boom) is normally air transportable Low disposal issues Low environmental impact 	 Varying window of opportunity depending upon situation, from couple of days to much longer in extreme cold, extremely flat waters, on land, and when a blowout provides a continuing source of fresh oil. Authorization is required. Approval guidelines and burn plans should be in place prior to the spill Oil collection rate is subject to encounter rate limitations (as with mechanical recovery) Dark black smoke will cause a short- term, localized reduction of air quality Burns will often be restricted to 3+ miles from populated areas Limited availability of fire boom, igniters & expertise Some potential risk of secondary fires (vessels, barges, and offshore facilities) Small amounts of heavy oil residue which will sink if not recovered

Dispersants	 Multiple application methods: boat, air, subsea High encounter rate for aerial and subsea applications; small encounter rate via boat spray High elimination rate of oil from the water surface, and 	 Authorization is required. Approval guidelines and plans should be in place prior to the spill Limited window of opportunity due to oil weathering Need some mixing energy Short-term, localized reduction in
	environment via increased rates of biodegradation, for effective subsea and surface applications	water quality depending uponeffectivenessPotential impact on response

 No recovered oil storage requirements Low logistical and manpower 	 personnel (vessel) Water depth constraint (typically 10 meters) for reducing exposure to
requirements compared to mechanical • Useful in remote areas	 dispersed oil concentrations Distance offshore constraint (typically 3 miles in the US)
 The quickest response countermeasure to execute offshore if aircraft and dispersants are readily available Useful in moderate to strong wind/sea conditions 	 Limited availability of equipment & expertise Controversy about ecological effects Since 2010, controversy about human health effects

(Table 2. General Advantages and Limitations of On-water Response Strategies. Source: Walker 2016)

Challenges

A response impacting the Eastern Shore will present numerous challenges; these include but are not limited to logistical, incident command post (ICP), communications, housing, deep-water access, debris, and hazardous substance disposal. The actual and perceived environmental and economic consequences cannot be overstated.

The largely undeveloped barrier islands stretching from Assateague south to Fisherman's Island makes up the longest, most remote, and environmentally sensitive barrier island chain on the east coast. Economically the coastal bay lagoon system westward of the islands is a primary grow out area for the region's aquaculture business and critically important for the local economy. While not as prominent now as it was historically, the "wild caught" shellfish harvest is none-the-less important for some watermen as is the blue crab fishery, especially early in the harvest season.

The southern area of the lagoon system supports the world's largest sea grass (SAV) restoration project and a nascent Bay Scallop restoration program. The grass beds also support a myriad of species of both commercial and environmental importance. The barrier islands themselves support many rare, and T&E species including red knot, piping plover, American oyster catcher, royal tern, northeastern beach tiger beetle, nesting sea turtles, and others.

Another Challenge associated with a response on the Eastern Shore is that response plans, including this annex have not yet been reviewed by local stakeholders. Such a review, which is a planned next step, will facilitate a shared understanding of the realistic limitations and constraints for future spill response operations. Below is a list of some of the concerns and constraints that the UC will need to discuss and include in the planning process:

- The barrier islands are isolated from spill control resources, i.e., equipment and trained personnel;
- Depending upon the type and volume of oil, spill location, and weather conditions:
 - 1. Equipment to stabilize and secure the source of a spill may take too long to arrive and/or not be effective in preventing additional spillage;
 - 2. Shallow-water locations with strong currents create unique problems: Booms with a draft greater than 1/4 the water depth will lose significant amounts of oil from entrainment;
 - Sufficient mechanical equipment on barrier island beaches or in the channels to prevent oil from reaching sensitive lagoon environments and aquaculture may be very difficult to implement quickly and effectively in part due to very limited stockpile of mechanical response equipment on the Eastern Shore and boat operators with local knowledge of the waterways;
 - 4. Mechanical strategies and tactics may cause more damage to nesting areas, marshes, and critical habitats than other spill control alternatives.
- The vulnerability and sensitivity of ecological resources at risk from a spill varies by seasons;
- Socio-economic resources at risk from spills, including communities dependent upon natural resources also vary by season;
- Vessel squat (settling of the stern as speed increases) may limit operating areas or parameters.

114 – Socio-economic and Community Recovery

Recovery includes those capabilities necessary to assist communities affected by an incident to effectively make progress towards pre-spill conditions. Support for recovery ensures a continuum of care for individuals to maintain and restore health, safety, independence, and livelihoods, especially for those who experience financial, emotional, and physical hardships as a result of the spill. Successful recovery ensures that we emerge from any threat or hazard stronger and positioned to meet the needs of the future. Recovery capabilities support well-coordinated, transparent, and timely restoration; strengthening and revitalization of infrastructure and housing; an economic base; health and social systems; and a revitalized cultural, historic, and environmental fabric.

Recovery involves implementing actions to improve the speed with which the

community is restored after the incident. When a major spill occurs, nearby areas may be

significantly impacted in many ways, such as environmental damage, disruption of industry, closing of shops, community stress, and others. When the active response phase is over, local authorities and community may be left to deal with many of these problems themselves. To better address such situations, community leaders and stakeholders should plan to find ways to restore the area to an acceptable condition and socio-economic status (Walker et al. 2014).

The claims process for socio-economic damages caused by an oil spill is governed by the Oil Spill Liability Trust Fund (OSLTF), as established in the Oil Pollution Act of 1990. Details about OSLTF claims can be found on their website: <u>https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/About_NPFC/OSLTF/</u>. Compensation for damages caused by ship-source marine oil spills is addressed by international convention. Information about this process can be found on these websites: <u>http://www.itopf.com/knowledge-resources/documents-</u> <u>guides/compensation/</u> and <u>http://www.itopf.com/knowledge-resources/documents-</u> <u>guides/document/tip-15-preparation-and-submission-of-claims-from-oil-pollution/</u>.

Potential Strategies to Support Recovery

Below are recommendations for the UC on how to best assist and work with local emergency managers and communities with the recovery process:

- Complete an initial Recovery Plan that provides an overall strategy and timeline, addresses all core capabilities, and integrates socio-economic, demographic, accessibility, technology, and risk assessment considerations (including projected climate change impacts) which will be implemented in accordance with the timeline contained in the plan;
- Support affected populations and stakeholders with a system that provides appropriate, current information about possible continued assistance;
- Establish tiered, integrated leadership and inclusive coordinating organizations that operate with a unity of effort and are supported by sufficient assessment and analysis to provide defined structure and decision-making processes for recovery activities;
- Define the path and timeline for recovery leadership to achieve the jurisdiction's objectives that effectively coordinates and uses appropriate local, state, tribal, territorial, insular area, and Federal assistance, as well as nongovernmental and private sector resources. The Recovery Plan is to be implemented within the established timeline;
- Preserve natural and cultural resources as part of an overall community recovery that is achieved through the coordinated efforts of natural and cultural resource experts and the recovery team in accordance with the specified timeline in the recovery plan.

115 – Training and Exercises

Training helps assure that personnel involved in spill response are prepared to carry out their duties during a spill response in a safe and efficient manner. Drills and exercises (scenario-based practice of oil spill skills and response protocols and processes) are good ways to apply oil spill training.

A reference which provides an overview of oil spill response training, developed following the Oil Pollution Act of 1990 (OPA 90), can be accessed through the National Response Team (NRT): <u>https://www.nrt.org/sites/2/files/trosr%201994.pdf</u>. Additional NRT training guidance documents can be accessed on their website: <u>https://www.nrt.org/Main/Resources.aspx?ResourceType=Training%20and%20Educatio nal%20Materials&ResourceSection=3</u>

Guidelines for meeting OPA 90's exercise requirements are described in the federal government's Preparedness for Response Exercise Program (PREP). The most recent PREP guidelines can be accessed here: <u>National PREP guidelines</u>. OPA 90 requires exercises for oil-related facilities and vessels, some of which involve stakeholders in an area, to perform their responsibilities safely and appropriately in accordance with laws and regulations. Field-testing of protection strategies, e.g., diversion booming, for the barrier island primary inlets is one kind of exercise that could be conducted with responders and potential vessels of opportunity. Some of these strategies, known as geographic response strategies (GRS) have already been identified for the barrier islands and are viewable in NOAA's Environmental Response Management Application (ERMA) at

https://erma.noaa.gov/atlantic/erma.html#/layers=3+10717+15927+15925+15924+1592 3&x=-76.18716&y=37.69714&z=8&view=1806&panel=layer

Anyone who will be a part of oil spill response in the field will need to have the right level of safety training. More information about oil spill response safety training can be found on the Occupational Health and Safety Administration (OSHA) website at: <u>Emergency Preparedness and Response – Oil Spills - Overview | Occupational Safety and Health Administration</u>

Participation in the Virginia Area Committee and Region III Regional Response Team is the optimal way of learning about oil spill training and exercise opportunities in the mid-Atlantic. Ideally, the Area Committee will define training and exercise opportunities specifically for the Eastern Shore once this Annex has been completed.

^{*(}See Section 3000 of the Virginia ACP for additional details)

116 – Volunteers

Members of UC understand and appreciate the desires of community organizations and individuals to help with responding to an oil spill. For all guidance on the use of volunteers during a response operation, reference the Virginia Volunteer Management Plan Annex of the ACP. This plan establishes the procedures for incorporating volunteers into the response as well as outlining job positions, liability issues, training required for a response, etc. The National Response Team has developed guidance documentation and drafted the Memorandum of Understanding for working with affiliated and unaffiliated volunteers. This information can be accessed on the NRT website:

<u>https://www.nrt.org/Main/Resources.aspx?ResourceType=Use%20of%20Volunteers%20</u> <u>for%20Oil%20Spill%20Guidelines%20and%20MOU&ResourceSection=2</u>.

117 – Finance and Administration Overview

The UC has specific, well-defined responsibilities for incurring response costs and payment of expenses. Reimbursement of oil spill response costs are overseen by the USCG National Pollution Funds Center (NPFC) <u>https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/</u>. Oil spill response costs must be managed effectively by UC to enable rapid acquisition of, and payment for, response equipment, operators, and related services *in accordance with the requirements of the Oil Spill Liability Trust Fund* (OSLTF) <u>https://www.uscg.mil/Mariners/National-Pollution-Funds-Center/</u>.

Note: Compensation for both ecological and economic damages caused by an oil spill is handled separately with different procedures under the natural resource damage assessment (NRDA) from the costs of a response.

^{*(}See Section 6000 of the Virginia ACP for additional details)

200 – Response Operations

This section provides critical information for responders when an oil or hazmat incident occurs in the Eastern Shore barrier islands. The initial response will be carried out using the information contained in the pre-scripted Incident Briefing forms* (ICS 201s) developed for Accomack and Northampton Counties, respectively. The ICS-201 includes: key information to enable a rapid, coordinated response by pre-spill identifying initial incident objectives, locations of incident command posts (ICPs), water access points, staging areas, and cleanup contractors (known as oil spill removal organizations OSROs).

201 – Logistics

The Eastern Shore is rural; the isolated location of the barrier islands is a challenge for rapid assessment by road or water and likely will prove difficult to respond to logistically. The time necessary to deliver enough suitable response resources (e.g., trained personnel and equipment) will be longer than along the bayside of the Eastern Shore of Virginia. For example, the USCG Sector is in Portsmouth, which is at least a 1.5-hour drive from the southern end of the Eastern Shore. The route is prone to traffic delays and includes the Chesapeake Bay Bridge Tunnel, which has wind limitations for both trucks and cars.

*(See Section 5000 of the Virginia ACP for additional details)

202 – Liaison/Agency Rep

UC recognizes the need for a designated point of contact in the response organization to engage with other agencies and affected local communities. A Liaison Officer (LOFR) is often established to work with assisting and cooperating agency representatives, and to ensure public confidence and trust. It is the policy of the Virginia Area Contingency Plan for the LOFR position to be filled by a qualified representative of a federal, state, tribal, or local agency, if available. If no such agency representative is initially available, qualified, or willing to be the LOFR, a responsible party representative may fill the role, with the UC's concurrence. An Assistant Liaison Officer may also be appointed to serve as a primary coordinator for the liaison network, including developing a stakeholder coordination plan, determining the need for a volunteer coordinator, and coordinating with other parts of the response organization to address stakeholder questions and concerns about the incident.

^{*(}See Enclosures 1 and 2 for the pre-scripted ICS-201)

203 – Required Notifications/ Consultations

When an oil spill occurs near the seaside, the notification table shall be used to track notifications in addition to the required notifications and resource trustee consultations contained in the ACP: (*See Enclosure 3)*.

A form has been developed to assist agencies and reporting parties in gathering, reporting, and documenting the information most commonly needed in emergency reports. The use of this form is highly recommended, however, all entities are free to use whatever report/data capture form they find most useful. (See Enclosure 4)

204 – Best Response Concept

The term "Best Response" means that a response organization will effectively, efficiently, and safely respond to all incidents, minimizing the consequences to save lives, protect public and responder health, safeguard the security of the homeland, and protect infrastructure, environment and economy.

"Best Response" considerations represent a set of general goals for UC to achieve if they are conducting a comprehensive and effective response.

"Best Response" equals a successful response based on achievement of certain key success factors (i.e., the things that a response must accomplish to be considered successful). Provided is a list of various "Best Response" goals.

Human Health and Safety No public injuries, illness, or deaths No responder injuries, illness, or deaths

- Aggressive responder stress management
- Highly effective family outreach program

Environment

- Sensitive areas protected
- Resource damage minimized

Property

• Infrastructure damage minimized

Economy

• Economic impact minimized

Security

• Highly coordinated law enforcement and emergency management operation

Public Communication

- Conduct Risk Communications
- Accurate and timely information
- Positive media coverage of response
- Positive public perception

Stakeholders Support

- Minimize stakeholder impact
- Stakeholders well informed
- Positive meetings with stakeholders
- Prompt Handling of damage claims

Organization

- Implementation of an effective and efficient Incident Command System organization
 - Mobilize and effectively use response resources

When conducting an incident response, Incident Commanders/UC and their Command and General Staff should always consider the "Best Response" concept while managing operational and support/coordination functions.

300 – References

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http://www.arcopol.eu/?/=/section/resources/sub/r_successful_outputs/pag/1/r esource/147
(Enclosures 1-4)

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Enclosure 1- Accomack County ICS-201



1. Incident Name		2. Prepared by: (name)	INCIDENT					
Accomack County Spill – Draft for	initial response	Date: Time:	BRIEFING ICS 201-CG					
Incident Facilities: An ICP has been established at XX. A Staging Area has been established at XX. All agencies with a role in the response are requested to send a representative to the ICP to serve as a liaison or to fill an ICS position. A JIC has been established at The Nature Conservancy. The closest hospital is Riverside Shore Memorial Hospital at 20480 Market St, Onancock, VA, phone 757-302-2100. The closest airport is the Accomack County Airport (identifier MFV) located in Melfa, VA, phone 757-787-4600 or Norfolk International Airport (identifier ORF) located in Norfolk, VA, phone 757-3351. NASA Wallops; Main Base: Runway Facilities for Government Aircraft only								
Weather conditions: On-scene v Advisories) Contact NOAA NWS F	vx (temp, precipitation, visibility, thunderstorm Forecast Office, Wakefield, VA for assistance	a activity) Marine forecast (wind, sea state, tides, small- obtaining weather report and forecasts at 757-899-42	-craft .00.					
	ves, Current Actions, Planned Actions	5						
		l control resources (i.e. equipment and trained personn	el)					
	Limited stockpile of mechanical respon	se equipment (i.e. oil boom, skimmers)						
	Limited facilities (i.e. adequate boat rar response	nps, lodging) and support services (i.e. fuel, debris dis	posal) for the					
	Poorly marked or unmarked waterways	and shortage of boat operators with knowledge of loca	al waterways					
	Seasonal variation in vulnerability and a	sensitivity of ecological and socio-economic resources	impacted					
	Mechanical response tactics could dam	nage nesting areas, marshes and critical habitat						
	Shallow-water locations with strong cur	rrent may experience boom failure due to entrainment						
	Access of response boats limited in sha	allow areas by vessel draft						
	Lack of familiarity by impacted stakehol	lders with oil spill compensation and claims processes						
Pric	prities: Safety, Environment, Property, Econol	my, Public Confidence/Media Relations, Information Ma	anagement					
<u>Obj</u>	ectives:							
	Ensure safety to responders and public	;						
	Confirm/execute all notifications to con-	cerned local, county, state, and federal agencies.						
	Assemble an initial Unified Command a	and manage the incident using NIMS ICS						
	• Secure the source of the incident							
	• Evaluate the extent of the incident and	determine spill trajectories						
	0 11 1	tion and the VRP is being followed (if applicable)						
	 Establish communications channels wi mariners) 	th stakeholders (i.e. natural resource managers, local g	government,					
	Initiate an aggressive media strategy to	b keep the public informed						
	Assess the need to mobilize additional NOAA NWS, National Pollution Fund C	contract response resources & special teams (i.e. USC Center)	CG Strike Team,					
Crit	tical Information Requirements: (Information	n to be collected, tracked & reported)						
	First land impact of oil							
	First wildlife impact of oil							
	Injury to a responder							
	Stakeholder interests/concerns (includi	ng public or political)						
	Media and Social Media trends/concern	าร						
	Interagency coordination issues							
	Anytime operations differ significantly fit	rom what was planned						
Fut	ure Actions:							
<u></u>								

	Review "Unified Command Initial Action Considerations" (section 2140 of the VA ACP)
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1. Incident Name Accomack County Spill – Draft for initial response		2. Prepared by: (nam Date:	ie) Time:	INCIDENT BRIEFING ICS 201-CG
	entify any "group A areas" that may b otection first: Primary Inlets between barrier isla Secondary inlets inside bays Breaches, washovers, and other le Exceptional/Highly sensitive wetla Important Bird Areas Bird nesting islands Other bird nesting concentrations Seasonal bird concentration areas Water intakes (including those at s Aquaculture and shellfish leases, spawning season in late spring ar	inds; ow areas where contami inds with high biodiversit including T&E species s onshore and adjacent t shellfish hatcheries) both hard clam and oyst	inants can enter sensitive habi ty site (e.g. National and State to barrier islands ter, near the barrier islands pa	tats Wildlife Refuges) rticularly during
	an response strategies/tactics for oile A ACP) and the area classifications (1			e Strategies (in the
cc	response tactics could impact Endan onsultation with USFWS and NOAA F ssistance.			
	tilize a stakeholder outreach process berations	and specifically discuss	the limitations and constraints	s of response

1. Incident Name	2. Prepared by: (name)	INCIDENT
Accomack County Spill – Draft for initial response	Date: Time:	BRIEFING ICS 201-CG
6. Current Organization (fill in additional appropriate organization)		
Safety Officer		
Lisison Officer		
Public Information Officer		
Operations Section Planning Section Log	gistics Section Finance Section	

1. Incident Name		2. Prepar	2. Prepared by: (name) INCIDEN			INCIDENT
Accomack County Spill – Draft for initial response		Date:		Time	2	BRIEFING ICS 201-CG
7. Resources Summary						
	Resource	Date Time	;	On- Scene		
Resource	Identifier	Ordered	ETA	(X)	NOTES: (Location/	Assignment/Status)
Potential OSRO's:						
Нерасо					Norfolk, VA based	
Нерасо					Baltimore, MD based	
ТРН					Salisbury, MD based	
Clean Venture					Delaware based	
Miller Environmental					Delaware	

[Eastern Shore Annex – 2019]



coordinated through the JIC and approved by the UC.

[Eastern Shore Annex – 2019]

1. Incident Name		2. Prepared by: (name)	INCIDENT				
Northampton County – Draft t	for initial response	Date: Time:	BRIEFING ICS 201-CG				
Incident Facilities: An ICP has been established at XX. A Staging Area has been established at XX. All agencies with a role in the response are requested to send a representative to the ICP to serve as a liaison or to fill an ICS position. A JIC has been established at The Nature Conservancy (addy, phone). The closest hospitals are Sentara Leigh Hospital at 830 Kempsville Rd, Norfolk, VA, phone 757-261-6800 or Riverside Shore Memorial Hospital at 20480 Market St, Onancock, VA, phone 757-302-2100. The closest airport is the Accomack County Airport (identifier MFV) located in Melfa, VA, phone 757-787-4600.							
Weather conditions: On-scene wx (temp, precipitation, visibility, thunderstorm activity) Marine forecast (wind, sea state, tides, small-craft Advisories) Contact NOAA NWS Forecast Office, Wakefield, VA for assistance obtaining weather report and forecasts at 757-899-4200.							
5. Initial Response Obje	ectives, Current Actions, Planned Actio	ns					
	Limitations and Constraints						
	 Isolation of the barrier islands from sp 	bill control resources (i.e. equipment and trained personn	el)				
	Limited stockpile of mechanical response	onse equipment (i.e. oil boom, skimmers)					
	Limited facilities (i.e. adequate boat r	amps, lodging) and support services (i.e. fuel, debris dis	oosal) for the response				
	Poorly marked or unmarked waterwa	ys and shortage of boat operators with knowledge of loc	al waterways				
	Seasonal variation in vulnerability and	d sensitivity of ecological and socio-economic resources	impacted				
	Mechanical response tactics could damage nesting areas, marshes and critical habitat						
	Shallow-water locations with strong current may experience boom failure due to entrainment						
	Access of response boats limited in shallow areas by vessel draft						
	Lack of familiarity by impacted stakeholders with oil spill compensation and claims processes						
	Priorities: Safety, Environment, Property, Econ	omy, Public Confidence/Media Relations, Information M	anagement				
	Objectives:						
	Ensure safety to responders and pub	lic					
	Confirm/execute all notifications to co	oncerned local, county, state, and federal agencies.					
	Assemble an initial Unified Command	and manage the incident using NIMS ICS					
	• Secure the source of the incident						
	• Evaluate the extent of the incident an	d determine spill trajectories					
	• Ensure the RP is taking appropriate a	action and the VRP is being followed (if applicable)					
	Establish communications channels	with stakeholders (i.e. natural resource managers, local g	jovernment, mariners)				
	Initiate an aggressive media strategy	to keep the public informed					
	 Assess the need to mobilize addition NOAA NWS, National Pollution Fund 	al contract response resources & special teams (i.e. US l Center)	CG Strike Team,				
	Critical Information Requirements: (Informat	ion to be collected, tracked & reported)					
	First land impact of oil						
	First wildlife impact of oil						
	Injury to a responder						
	Stakeholder interests/concerns (inclu	ding public or political)					
	Media and Social Media trends/conce	erns					
	Interagency coordination issues						
	Anytime operations differ significantly	r from what was planned					
	Future Actions:						
	Review "Unified Command Initial Act	on Considerations" (section 2140 of the VA ACP)					

[Eastern Shore Annex – 2019]

1. Incident Name Northampton County – Draft for initial response	2. Prepared Date:	by: (name) Time:	INCIDENT BRIEFING ICS 201-CG
protection first: Primary Inlets be Secondary inlets Breaches, washed Exceptional/High Important Bird Au Bird nesting islan Other bird nestin Seasonal bird co Water intakes (in Aquaculture and	etween barrier islands; s inside bays overs, and other low areas w nly sensitive wetlands with hi reas nds ig concentrations including T oncentration areas onshore a ncluding those at shellfish ha shellfish leases, both hard of	and adjacent to barrier islands	nould be prioritized for habitats State Wildlife Refuges)
	tactics for oiled or threatene ngency Plan (viewed in ERM	d areas using the Geographic Respon IA).	se Strategies (GRS)
		Act listed species or critical habitat, an uired. Consult with the NOAA SSC (73)	
Utilize a stakeholder outre operations	each process and specificall	y discuss the limitations and constraint	s of response

1. Incident Name		2. Prepared by: (nar	ne)	INCIDENT
Northampton County – Draft for initia	al response	Date:	Time:	BRIEFING ICS 201-CG
6. Current Organization (fill in addit	ional appropriate organization)			
Safe	ety Officer			
	on Officer			
	lic Information Officer			
			1	
Operations Section	Planning Section	Logistics Section	Finance Section	

1. Incident Name		2. Prepared by: (name) INCIDEN			INCIDENT	
Northampton County – Draft for initial response		Date:		Time	:	BRIEFING ICS 201-CG
7. Resources Summary		Data		0		
	Resource	Date Time		On- Scene		
Resource	Identifier	Ordered	ETA	(X)	NOTES: (Location	/Assignment/Status)

Completed	Date/Time	Initials	Entity Notified	Point of Contact	Last Time contact information was verified
t			National Response Center	Toll Free: (800) 424-8802 Toll Call: (202) 267-2675	Verified 08/12/20
1			USCG Sector Virginia Command Center	(757) 638-6641	Verified 08/12/20
t			Virginia Emergency Operations Center (for incidents occurring in VA's jurisdiction)	(800) 468-8892	Verified 08/12/20
ţ			Municipal Fire Department Hazardous Substance Response (above the RQ)	(866) 633-4686	Verified 08/12/20
			The Nature Conservancy	Mr. Joseph Fehrer Office: (757) 414-9225 Cell: (410) 430-1743	Verified 08/12/20

Enclosure 3 - Required Notifications/ Consultations

Completed	Date/Time	Initials	Entity Notified	Point of Contact	Last Time contact information was verified
			Alternate: The Nature Conservancy	Ms. Alex Wilke Office: 757- 442-5417 Cell: 757-635- 3113	Verified 08/12/20
			Endangered Species Act (ESA) Consultation (NOAA)	Mr. Mark Murray-Brown Cell: (978) 281-9306	Verified 08/12/20
			The Virginia Department of Conservation and Recreation	Office: (804) 786-6124	Verified 08/12/20
			Virginia Department of Game and Inland Fisheries	Office: (804) 367-1000	Verified 08/12/20
			U.S Fish and Wildlife Service	Dr. Susan Lingenfelser Office: (804) 693-6694 Cell: (804) 854-6969	Verified 08/12/20
			The Virginia Marine Resources Commission	Mr. Randy Owen Office: (757) 247-2200 Cell: (757) 504-6993	Verified 08/12/20

Completed	Date/Time	Initials	Entity Notified	Point of Contact	Last Time contact information was verified
				Ms. Emily Hein	Verified 9/2/2020
			The Virginia Institute of Marine Science	Office: (804) 684-7482 Cell: (860) 227-4906	

[Eastern Shore Annex – 2019]

Initial Assessment Questions	Information
Date and Time of Call	
Caller Name	
Caller Address	
Caller Phone Number	
Name of Person taking the Report	
Name of Potentially Responsible Party	
Name of vessel/facility, railcar/truck number or other identifying information.	
Type and size of vessel/facility	
Total quantity of fuel/chemical onboard or in tank	
Nationality (vessel only)	
Location of incident (i.e., street address, lat/long, mile post)	
Date and time of incident (or when discovered)	
Description of spill (i.e., size, color, smell, etc.)	
Type of incident (i.e., explosion, collision, tank failure, grounding, etc.)	
Substance spilled	
Source of substance spilled	
Estimated amount spilled	
Total potential quantity that could be spilled (i.e., total quantity in tank or on board)	
Environmental media impacted or potentially impacted by spill (i.e., air, water, ground/soil)	
Weather/sea conditions	

Initial Assessment Questions	Information
Point of contact (i.e., Responsible Party name, phone number, and	
address)	
Vessel/facility agent(s) (i.e., name and phone number)	
Name and contact information of insurance carrier	
Number and type of injuries or fatalities	
Description of who is on-scene and what response activities are being conducted or have been completed	
Have evacuations occurred?	
Agencies notified	