Virginia Area Contingency Plan (VACP)

Places of Refuge Annex

Annex JJ

March 2025

VIRGINIA AREA CONTINGENCY PLAN
PLACES OF REFUGE ANNEX

Contents

References:

a.) Guidelines for Places of Refuge Decision-Making, 26 July 2007
b.) Ports and Waterways Safety Act, 33 USC 1221 et seq.
c.) Notice of Arrivals Regulations, 33 Code of Federal Regulations (CFR) Part 160. Per 33 CFR 160.214
d.) U.S. Coast Guard Addendum to the United States National Search and Rescue Supplement to the International Aeronautical and Maritime Search and Rescue Manual, January 2013, COMDTINST M16130.2F
e.) U.S. Coast Guard Maritime Law Enforcement Manual (MLEM), CIM 16247.1F
f.) Incident Management and Crisis Response, Nov 2013, Coast Guard Publication 3-28

Background

In November 2003, the International Maritime Organization (IMO) assembly adopted two resolutions regarding places of refuge, Resolutions A.949 (23) and A.950 (23). Resolution A.949 (23) *Guidelines on Places of Refuge for Ships in Need of Assistance* was developed for use when a ship is in need of assistance, but the safety of life is not involved. When safety of life is involved, the Search and Rescue Convention should be followed. Resolution A.950 (23) *Maritime Assistance Services* (MAS) recommended that all coastal states should establish a maritime assistance service (MAS) to receive information and monitor a ship's status in the event that an incident may create a need for assistance.

The IMO recognized the need for places of refuge in response to three significant maritime incidents that occurred between 1999-2002: the M/T ERIKA, M/T CASTOR and M/T PRESTIGE. The M/T ERIKA was a Maltese-registered tanker that broke in two and sank in heavy seas in the Bay of Biscay, 70 kilometers off the French coast, pouring 20,000 tons of oil into the sea in December 1999. The M/T CASTOR in December 2000 developed a structural problem in the Mediterranean Sea and was towed out to sea for over a month before a location for lightering operations could take place, while the M/T PRESTIGE broke apart and sank off the coast of Spain in November 2002 releasing over 20 million gallons of oil that oiled thousands of kilometers of coastline in Spain, Portugal and France.

In September 2013 the United States issued a final rule for Nontank Vessel Response Plans and other Response Plan Requirements, codified in 33 CFR Part 151, 155 and 160 requiring vessels over 400 gross tons to create and submit response plans. Tank vessels were previously required to have vessel response plans. These requirements reinforced the importance of shipboard marine firefighting and salvage planning, required vessels to have a readily available qualified individual and salvage expertise and equipment to response to pollution and casualty cases. Early activation of the Vessel Response Plan and linking the responsible parties qualified individual and salvage experts to the unified command is deemed essential for port of refuge considerations.

Purpose

This Annex was developed to dove-tail the Coast Guard's standard policy, guidelines, and manuals for using risk management tools supported in the Places of Refuge (POR) policies, checklists, and a risk assessment job aid that is included in COMDTINST 16451.9 U.S. Coast Guard Places of Refuge Policy. It is intended to assist the Captain of the Port (COTP) and/or a Unified Command (UC) to establish a process to support risk based planning and decision-making since the Coast Guard cannot pre-designate any location as a POR. Notification of proper Coast Guard offices and personnel in addition to state, local and other federal stakeholders is the highest priority. After notifications are complete, an objective, repeatable, transparent process, was developed to build stakeholder and public confidence in the final decision.

When it is deemed acceptable to bring a vessel into port via a POR request, establishing an Incident Command System (ICS) structure with a UC is highly recommended, however the COTP makes the final decision. When a Unified Command is established, the eligible personnel considered should include the Area Committee Executive Committee Members in addition to a terminal representative if that will be the final destination for repair for a vessel and the Responsible Party (RP), or their representative, such as a Quality Inspector and/or salvage master. The UC selection should facilitate communication across all levels of government, ensure close communication with the Regional Response Team (RRT) III and open access to necessary response resources.

A UC should follow the below Risk-Based Decision Making Guidelines which are based on reference (a) and adapted to the Virginia Area Contingency Plan concerns. This Annex shall be used in conjunction with the Base Plan and other applicable Annexes of the Area Contingency Plan depending on the basis of the POR Request. Decisions shall be in compliance with the National Response Team Guidelines for *Places of Refuge Decision-Making;* however, this Annex was designed to facilitate that compliance. The NRT guidance is located at:

https://www.nrt.org/sites/2/files/NRT%20POR%20Guidelines%20WRKGRP%20FINAL%207-26-07.pdf

Some computer system firewalls block accessing this pdf. Coast Guard standard workstation users must open the document in adobe acrobat. Click on start, click adobe acrobat XI pro (or subsequent) click file, click open, and cut and paste the above link into the "file name" block. Open PDF.

Definitions

Force Majeure – An overwhelming force or condition of such severity that it threatens loss of the vessel, cargo, or crew unless immediate action is taken. In general, force majeure is a doctrine of international law which confers limited legal immunity upon vessels that are forced to seek refuge or repairs within the jurisdiction of another nation due to uncontrollable external forces or conditions.
A Force Majeure event fulfills the following standards:

1. Externality – the event / circumstance must be beyond the control of the contracting parties.
2. Unpredictability – the event / circumstance cannot be anticipated / foreseeable / expected.

3. Irresistibility – the event / circumstance is unavoidable.

The burden of proof rests on the party relying upon force majeure, should a request be made for a force majeure declaration; or for a request for an exemption from International, Federal, State or local convention, law or regulation be made in the situation.

Maritime Assistance Service (MAS) – As defined in the International Maritime Organization's resolution. PLEASE NOTE: In the United States, Rescue Coordination Centers (RCCs) meet the intent of this resolution.

Place of Refuge (POR) – A place where a ship in need of assistance can take action to stabilize its condition and reduce the hazards to navigation, human life, and the environment. Places of refuge can be man-made harbors, ports, natural embayment, or offshore waters.

Ship in need of assistance – A ship in a situation which could lead to loss of the vessel or an environmental or navigational hazard. Force Majeure events and conditions requiring rescue of persons on board are excluded from this term.

Discussion

Risk Informed Decision Making – The Ports and Waterways Safety Act (Ref. d) is a cornerstone of the Coast Guard's responsibility and authority to manage risk in coastal areas. As described in Chapter 1, Vol. IX, of Ref. (d), the purpose of this Act is to increase navigation and vessel safety, to protect the marine environment, and to protect life, property, and structures in, on, or immediately adjacent to the navigable waters to the United States. In some circumstances, the lowest risk option may require the COTP to deny entry to a vessel. A vessel should only be denied entry when the Operational Commander can, having considered all options, identify a practical and lower risk alternative to granting a POR. Such alternatives might include continuing the voyage (independently or with assistance), directing the vessel to a specific POR in another locale, or scuttling the vessel in a location where the expected consequences will be relatively low. Any decision to deny a vessel a POR should be accompanied with a plan to render assistance and/or impose restrictions until the situation is ultimately resolved. An arbitrary decision to force the vessel to another locale, particularly one which may involve higher risk and/or with less capability to address the situation is unacceptable.

Notice of Arrival (NOA) – As per NOA regulations (Ref. c), COTPs are granted the authority to waive any requirements of the NOA regulation for any vessel if the NOA requirements are "unnecessary or impractical for purposes of safety, environmental protection, or national security." An Operational Commander's decision to grant a waiver, such as for the 96-hour NOA time requirement, should be based on an examination of the facts and circumstances of each particular POR request. Vessels arriving under **Force Majeure** may be considered exempt from NOA requirements under 33 CFR 160.203 if they are not carrying certain dangerous cargo or controlling another vessel carrying certain dangerous cargo. Any vessel requesting a POR will almost certainly meet the standard of a hazardous condition as defined in 33 CFR 160.202, and therefore must meet the reporting requirements of 33 CFR 160.215.

Transit Oversight – Operational commanders are expected to impose appropriate restrictions on the vessel before and during its transit to a POR, and during any repair operations and subsequent departure. Furthermore, it may be appropriate to plan the transit in stages with appropriate requirements at each stage to allow responders to gain control and reduce risk.

Search and Rescue (SAR) – Vessels requesting a POR may also be in need of SAR assistance, either at the time the incident first occurs or at a later time as the situation develops. SAR operations will take place in accordance with reference (e). SAR authorities will closely monitor all Places of Refuge situations and be prepared to respond as necessary. In the United States, RCCs function as MASs, although decisions on POR will generally be made at the Sector Commander/COTP/Federal On-Scene Coordinator (FOSC) level.

Safety Concerns – Operational Commanders shall exercise extreme caution before placing personnel aboard a stricken vessel. Personnel safety concerns remain paramount and Coast Guard boarding operations shall be conducted in accordance with Ref. (f) and with due regard for unusual safety hazards. Survey and response operations on-board a stricken vessel shall only be conducted in accordance with an approved site safety plan. This applies equally to Coast Guard and non-Coast Guard personnel.

Suspected Communicable Disease – Although Sector Virginia Operations Plan (OPLAN) contains an annex specific to communicable diseases, due to the wide variety of communicable diseases and the specific characteristics and challenges they present (severity of symptoms, method of transmission, incubation period, etc.), a cohesive Unified Command will be critical to best respond to a situation of this nature. In cases of communicable disease, the Virginia Department of Health will be the lead agency, with close coordination with local municipality health officials, Coast Guard, and the Port of Virginia. These vessels will be berthed while officials consider the need for coordinating medical care, quarantine, and vessel cleaning protocols.

Security Concerns – Operational Commanders shall evaluate security risks as part of the decision-making process, including the standard procedures conducted for any vessel and crew bound for the United States, such as the International Ship and Port Facility Security (ISPS) and High Interest Vessel (HIV) targeting matrices. Operational Commanders will incorporate security risks into the final decision, and may, where the risks so warrant, determine that security concerns override all other risks. In some circumstances it may be necessary to conduct security related operations, such as an escort or boarding, while simultaneously evaluating a POR consideration, staging salvage and spill response equipment, and taking other actions. Operational Commanders are reminded of their responsibility to protect classified and sensitive security information.

National Defense Concerns – Operational Commanders shall evaluate the risks a vessel seeking a POR may pose to national defense, including limiting freedom of action (such as by blocking a channel), or compromising Operational Security (OPSEC) by exposing Department of Defense (DOD) or Coast Guard personnel, installations, or equipment to unacceptable surveillance. Operational Commanders shall include appropriate DOD personnel in POR planning activities, and incorporate DOD stakeholder concerns into any final POR decision. As in the case

regarding security concerns, Operational Commanders are reminded of their responsibility to protect classified information.

Financial Responsibility Concerns – In general, most financial responsibility concerns confronting the Operational Commanders will be satisfied provided the vessel holds a valid Certificate of Financial Responsibility (COFR). If a vessel requesting a POR does not hold a valid COFR, Operational Commanders shall contact the National Pollution Funds Center (NPFC) to discuss other options before allowing the vessel to enter.

Jurisdiction

This table is designed to list possible events within a POR incident and what agencies could possibly assist the Coast Guard. All agencies, Commands, authorities and personnel are expected to act with a *Unity of Effort* to resolve the situation with due regard to safety, security and stewardship.

Medical Note: Human Health and Welfare is the primary response objective of all agencies that fall under the authority of this guideline. For the Commonwealth of Virginia, the Virginia Department of Emergency Management is the lead agency. Based upon their initial findings in conjunction with other federal, state and local responders, dictate the follow-on response posture of all agencies involved.

Authorities, Responsibilities, Roles and Possible Assisting Agencies During a Place of Refuge Incident

Shaded areas indicate "lead" at the given stage of the operation.
All agencies, Commands, authorities, and personnel are expected to act with a *Unity of Effort* to resolve the situation with due regard to safety, security and stewardship.
*: Lead jointly

Event	SMC/SAR	COTP/Force Majeure	FOSC/Places of Refuge	FMSC/ Security Concerns
Stage 1: SAR		Monitor & assist.	Monitor & assist. Notify trustees, stakeholders & RRT of potential for POR concern.	Monitor & assist. Identify any security issues.
Possible Assisting Agency	Local Marine Authorities, (cities/counties)VDEM, VPA-MIRT, VMRC, DGIF, (NWS), HHS, CDC, VDH, ACOE, DOD, VA Pilots, VSP			
Stage 2: Force Majeure	Monitor & assist.		Monitor & assist. Notify trustees, stakeholders & RRT of potential for POR concern.	Monitor & assist. Impose any necessary security restrictions.
Possible Assisting Agency	Local Marine Authorities, (cities/counties)VDEM, VPA-MIRT, VMRC			
Stage 3: POR Request Assessment	Monitor & assist.	*	*	Monitor & assist. Impose any security restrictions required to allow transit to proceed as planned.
Possible Assisting Agency				
Stage 4: Vessel Transit	Monitor & assist.	*	*	Monitor & assist. Conduct positive control boarding or other ops necessary for secure transit.
Possible Assisting Agency				
Stage 5: Response	Monitor & assist.	*	*	Monitor & assist.
Possible Assisting Agency				
Stage 6: Follow-Up	Monitor & assist.		Focus on Natural Resource Damage Assessment (NRDA) claims, restoration & other long term	Monitor & assist.

			concerns.	
Stage 7: Conclusion	Monitor and assist.	*	*	Monitor and assist.
Stage 8: Lessons Learned	Work with Assisting Agencies to collect lessons learned and refine POR Annex			

POR Process Matrix

This matrix is based on the CG's POR and Risk-Based Decision Making (RBDM) three step process. Amplifying information, for each step is listed in the remainder of this document. The RBDM Guidelines table below can be used as an index for the remainder of the Annex and step COTP's and/or Unified Command through an objective, repeatable, transparent process to lead to a credible decision.

Place of Refuge (POR) Risk-Based Decision Making (RBDM) Process			
Place of Refuge COMDTINST 16451.9	CG Manual, Toolbox, Policies See references	Range of Measures	Decision Points
Step 1: Define the Scope & Scale	What bad things can happen? What can go wrong? How bad?	refuse entry or allow entry to POR	Offshore • Deny Entry • Abandon at Sea • Repair in Place Near-Shore • Intentional Ground Within the Port • Anchorage • Terminal / Facility
Framework to complete Step 1: A. Required Notifications: Federal, State, Local and Commercial notifications required. B. Gather basic information: vessel, weather, chemical, oil, or communicable disease threat? C. Places of Refuge Options: offshore, near shore, at anchorage, or at a terminal / facility. D. Factor in Local Stakeholder concerns.			
Step 2: Evaluate the Probability	How likely will adverse things happen?	Adverse is Probable (multiply by 0.9) to Good is Probable (multiply by .05)	Conditions based on: • Weather • Location • Resources available Commitment of Support • Owner, Agency, QI
Framework to complete Step 2: A. Using attached tables, consider scenario probability based on conditions B. Evaluate the commitment of the vessel's owners, agents, or QI to provide assurances to the Port's Stakeholder's that resources will be available to mitigate the emergency.			

Step 3: Document the Potential	How severe? What are the impacts? What are	Many deaths, serious injuries, or severe economic losses	Consequences to: • Human Health • Natural Resources

Consequences	consequences?	to No credible losses	• Economic

Framework to complete Step 3:

- **A.** Evaluate human health, natural resources, and economic consequences.
- **B.** Determine combined risks.
- **C.** Formalize decision through Decision Memo signed by the Captain of the Port or Unified Command.
- **D.** Develop objectives, strategies and tactics to carry out the decision the COPT/Unified Command has agreed upon.

STEP 1. DEFINE THE SCOPE AND SCALE: COAST GUARD RISK ASSESSMENT GUIDELINES FOR THE COTP OR UNIFIED COMMAND

A risk based decision making process must be implemented and based on the reference (c), to ensure all factors contributing to the safety and security of the marine environment and the adjacent public. When a POR request is received, Subject Matter Experts in coordination with jurisdictional agencies shall first conduct a safety analysis and complete a Site Safety Plan. The Site Safety Plan information and understanding will assist with completing the checklists and framework below. Also, ensure Coast Guard Legal is briefed, and if necessary, incorporated into the decision making process. A servicing judge advocate consultation is required for *force majeure* requests.

Framework to Complete Step 1:

A. Required Notifications:

Any person or organization that is responsible for or caused a release or spill is required to notify the federal government when the amount reaches a federally-determined limit. Separate reporting requirements exist for oil or hazardous substances. States also may have separate reporting requirements as dictated by a permit or when releases threaten state waters. Also, state Emergency Response Centers, EOCs normally receive notices that are reported to the NRC that fall within that states statute of authority or responsibility within the federal response framework. These state EOCs have a pre-established reporting protocol given the specific incident type, material involved and potential risk to human health or the environment. Any person who discovers a hazardous substance release or oil spill is encouraged to contact the federal government, regardless of whether they are the responsible party. The National Response Center can be reached at (800) 424-8802.

B. Gather basic vessel information:

Through the command Center or other form of communication with the vessel, utilize the Vessel Master to gain as much information as possible. Utilize the table below to gain understanding about the situation.

C. Places of Refuge Options:

The table below shall be used to evaluate a potential POR. An ICS-234 Work Analysis Matrix is recommended to be used as a basis to evaluate and compare options, develop contingency plans, and assist the vessel with safety and security in mind.

Use the table below to guide conversation and complete an ICS-234 Work Analysis Matrix and decide.

Evaluation Process by Location Table		
Decision Points	**Options**	**Discussion**
Offshore		
Deny entry	Denying a vessel entry to the Port of Hampton Roads could require the vessel additional transit to adjacent ports.	Ensure that denying entry to the Port is not based on perceived risks to the Port. Time and effort must be spent collecting data justifies final decisions.
Abandoned at-sea	Conditions on-board a vessel could deteriorate to the point where the Vessel's Master might ask for assistance of the Port State (USCG) to "abandon-ship."	International Marine Assistance Services, Rescue Coordination Centers, USCG Search and Rescue responsibilities, and international salvage practices would apply.
Repairs made at current location	Repair of hull, mechanical, or tank integrity failures would be difficult to repair offshore.	Logistics and support services would have to be established.
Near-shore		
Vessel intentionally grounded	There are no locations along the Mid-Atlantic shoreline that would be considered a "best" grounding choice.	Selection of grounding locations, based on an analysis to improve logistical access to the wreck, has not been developed.
Within the Port		
Vessel brought to anchorage	**Possible Anchorages for POR** • Tail of the Horseshoe (Off of Cape Henry) • Foxtrot 3 and 4 (Inside harbor near City of Hampton) • Golf 3 and 4 (Inside harbor near City of Hampton) • India 1 and 2 (Between MMBT and James River Bridge) • Cape Charles	The choice to bring a vessel that has made a POR request into port should be based on proximity to population centers, vessel traffic lanes, terminals, and critical infrastructure. When the choice is made to place a vessel at anchorage versus bringing it to a pier, there is an increased human health and safety risk to workers because of the increased complexity of reaching and accessing the vessel.

	VA Port Authority Facilities: (container and general cargo) • Norfolk International Terminal • Virginia International Gateway Terminal • Portsmouth Marine Terminal Newport News Marine • Port of Richmond	Refer to NOAA Chart 12221 for the exact location of container terminals, break-bulk terminals, and ship repair facilities. Many are located along the shoreline of the Cities of Norfolk and

Vessel brought to Facility	**Private Sector Facilities:** **(Not an inclusive list)** • Lambert's Point (break-bulk and general cargo) • Dominion Terminal Associates (Coal) • Kinder Morgan Bulk Terminals Pier 9 (Coal) • Norfolk Southern, Lambert's Point (Coal) • Kinder Morgan Money Point and Elizabeth River (Dry bulk and Grain) • Perdue (Dry bulk and Grain) **Ship Building and Repair Facilities:** **(Not an inclusive list)** • BAE Systems • Colonna's Shipyard • Davis Boat Works • NASSCO-Earl Industries • Lyon Shipyard • MHI Repair and Services • Newport News Shipyard **Federal Facilities:** **(Not an inclusive list)** • Naval Station Norfolk • Norfolk Naval Shipyard (Portsmouth) • Yorktown Naval Weapons Station • Little Creek • MARAD/MSC terminals	Portsmouth and along the Southern Branch of the Elizabeth River. Taking a distressed vessel to these facilities for repair or response to incidents involving the vessel's cargo will require passage of the vessel past critical port infrastructure. Here the proximity of the population centers or critical bridges and tunnels result in a "high" human health and safety score using the POR protocols. ***For the most up to date list of facilities and their capacity, utilize the Prevention Department of Sector Virginia.***

Making Decisions with Limited Information

No emergency response is based on complete information and with enough time to seek advice from all stakeholders.

- Vessel in immediate danger: The COTP may be required to make decisions utilizing the immediate assistance of critical port resources. Outreach to the entire Port's stakeholder community may be impossible because of time constraints. To the extent possible, past practices and information obtained from POR Workshops (via Contingency Preparedness System and RRT III), Coast Guard policy (via Coast Guard legal and Instructions), and as documented in this annex will be used.
- Vessels not in immediate danger: The COTP would seek council of the Ports stakeholders through the implementation of the Incident Command System.

D. Factor in Local Stakeholder concerns:

Public messaging and community outreach is essential to the response. Significant efforts must be made to work with state and local public affairs personnel to provide an accurate and unified message regarding the situation and imminent response. The intent is to use the public

information flow as is standard for other oil spills or hazardous material releases and laid out in the 2310 Protocol for Access/Timing of Media Briefing Section of the Virginia Area Contingency Plan and reference (g).

STEP 2. EVALUATE THE PROBABILITY: DETERMINING SCENARIO LIKELIHOOD OF A PLACE OF REFUGE FOR THE COTP AND/OR UNIFIED COMMAND

Framework to Complete Step 2:

A. Consider scenario probability

After determining viable POR options, they must be compared factoring in environmental conditions and complexity. Consider the following factors and how probability affects the proposed scenario occurring using the following scale:

1	Ideally suited to addressing situation, equipment readily staged and deployed
2	Acceptable under prevailing and expected conditions
3	Poorly suited, additional measures or procedures will be needed
4	Poorly suited to addressing situation even with additional measures; equipment staged/deployed only with great difficulty
5	Completely unsuitable or unavailable to address situation

*Evaluators should assign a higher score only where the factor would actually increase the likelihood of an incident, independent of cost or convenience.

Use numbers from table above to complete the table below. Total each column to numerically determine the probability of each scenario, where lower scores indicate options less likely to result in a significant worsening of the vessel's condition.

Physical Attributes and Port Services	**Selected POR A**	**Selected POR B**	**Continue Voyage**	**Repair in Place**	**Abandon**	**Ground**	**Take to Anchorage**
Transit Difficulty							
Holding Ground							
Expected Winds							
Tides and Currents							
Cargo Offload							
Cargo Storage							
Docking Facilities							
Salvage Concerns							
Spill Equipment							
Security Concerns							

Total							

*Line out any scenario that is not a viable option.

^Add any physical attributes or port services unique to the Hampton Roads or a scenario.

B. Evaluate the economic consequences

1	Ideally suited to addressing situation, equipment readily staged and deployed
2	Acceptable under prevailing and expected conditions
3	Poorly suited, additional measures or procedures will be needed
4	Poorly suited to addressing situation even with additional measures; equipment staged/deployed only with great difficulty
5	Completely unsuitable or unavailable to address situation

Use numbers from table above to complete the table below. Total each column to numerically determine the probability of each scenario, where lower scores indicate options less likely to result in a significant impact to the Port's economy.

Physical Attributes and Port Services	**Selected POR A**	**Selected POR B**	**Continue Voyage**	**Repair in Place**	**Abandon**	**Ground**	**Take to Anchorage**
Transit Difficulty							
Holding Ground							
Expected Winds							
Tides and Currents							
Cargo Offload							
Cargo Storage							
Docking Facilities							
Salvage Concerns							
Spill Equipment							
Security Concerns							
Total							

C. Evaluate potential consequences to human health and safety

After completing a site safety plan and conferring with appropriate subject matter experts.

2	No credible threat to human health and safety
4	Minor injuries to a few individuals, exposure to hazmat **below** PEL/STEL
8	Poorly suited, additional measures or procedures will be needed
16	Poorly suited to addressing situation even with additional measures; equipment staged/deployed only with great difficulty
32	Many deaths, serious injuries or life threatening health concerns

Use numbers from table above to complete the table below. Total each column to numerically determine the probability of each scenario, where lower scores indicate options less likely to result in a significant impact to health and human safety.

Raw score	Selected POR A	Selected POR B	Continue Voyage	Repair in Place	Abandon	Ground	Take to Anchorage	Weight
General population								10
Response personnel								9
Vessel crew								9

Raw score	Selected POR A	Selected POR B	Continue Voyage	Repair in Place	Abandon	Ground	Take to Anchorage
General population							
Response personnel							
Vessel crew							
Total							

D. Evaluate consequences to natural resources

Utilize technical specialist from the Federal and State levels of government

2	No expected exposure
4	Minor – minimal exposure (no impact to breeding population)
8	Moderate – moderate exposure, measurable impact over a larger area or longer time (one season of impact to breeding population)
16	Major – significant exposure, regional impact and/or multi-year recovery period (impact to adult and juvenile population)
32	Severe – high exposure, impact could cause the long term collapse over a large area

Use numbers from table above to complete the table below. Total each column to numerically determine the probability of each scenario, where lower scores indicate options less likely to result in a significant impact to natural resource.

Raw Score	Selected POR A	Selected POR B	Continue Voyage	Repair in Place	Abandon	Ground	Take to Anchorage	Weight
Threatened and endanger species (TAES)								8
Critical habitat for TAES								10
Sensitive (non protected species)								6
Critical habitat for sensitive (non protected species)								5
Historic or cultural resources								10
Subsistence use species*								8
Subsistence use critical habitat*								10
Commercial species								6
Essential fish habitat								3
Recreational use/activities								3
Other natural resources								3

*Subsistence – Wild resources that exist alongside other important game and fisheries. Harvesting natural resources for food, raw materials, and other traditional uses as part of customs and traditions.

Raw Score	Selected POR A	Selected POR B	Continue Voyage	Repair in Place	Abandon	Ground	Take to Anchorage
Threatened and endanger species (TAES)							
Critical habitat for TAES							
Sensitive (non protected species)							
Critical habitat for sensitive (non protected species)							
Historic or cultural resources							
Subsistence use species*							
Subsistence use critical habitat*							
Commercial species							
Essential fish habitat							
Recreational use/activities							
Other natural resources							
Total							

Evaluation considerations for offshore
The ability of a Master to characterize the scope and scale of the crisis of their vessel and its crew may be restricted due to the vessel's current limitations. Critical tasks such as a reasonable identification of the source, scale, and scope of damages/release may be outside of the capabilities of the crew. Limitations range from their capacity to investigate structural failures of the hull, machinery, or tanks and their capacity to describe potential health impacts on the crew from leaking cargo.

Evaluation considerations for near-shore
Critical tasks such as a reasonable identification of the source, scale, and scope of damages/release may be outside of the capabilities of the Master and crew. A complete and thorough site safety plan will guide the COTP and/or Unified Command in deciding whether or not to put an inter-agency boarding team on-board to further assess information and the evolving situation. If bringing the vessel into anchorage is deemed necessary, a salvage plan must be completed with worst case scenario contingencies generated. On-board in addition to onshore air monitoring might be considered to assess the potential for threats to public safety, vessel crews, and responders.

Evaluation considerations for vessels at anchorage
If the offshore or near-shore evaluation suggests the vessel may be brought into the Port of Hampton Roads, anchorage should be considered. A salvage plan must be completed with worst case scenario contingencies generated. Ensure that technical specialist (NOAA SSC, Industrial Hygienist, etc.) are utilized appropriately.

Evaluation considerations for vessels moored
Once the vessel is moored, an assessment of the vessel shall be conducted in accordance with policy (including Occupational Safety and Heath Administration requirements) to determine the extent of the release and if counter measures may be employed to lessen or secure the leak. This assessment should be done utilizing local, state and federal hazardous materials response resources and developing a disposal plan prior to removing any material. Ensure that technical specialist (NOAA SSC, Industrial Hygienist, etc.) are utilized appropriately.

STEP 3. DOCUMENT THE POTENTIAL CONSEQUENCES: FORMALIZE FINAL DECISION FOR THE COTP OR UNIFIED COMMAND

A. Determine combined risk score

Utilize the tables in Step 2 to complete the table below. Where the tables in Step 2.A. provide numbers for the Probability column and the Consequence column information is from Step 2.B, Step 2.C and Step 2.D.

Probability (P) * Consequence (C) = Risk (R)

B. Formalize decision through a Decision Memo signed by the Captain of the Port or Unified Command

	Economic Activity			Health and Safety			Natural Resources		
	P	C	R	P	C	R	P	C	R
Selected POR A									
Selected POR B									
Continue Voyage									
Repair in Place									
Abandon									
Ground									
Take to Anchorage									

Utilize the ICS 234 to develop strategies and tactics to meet the COTP/Unified Command's objectives.

Document final decision in COTP and/or Unified Command Decision memo to lay out justification and thought process for decision.