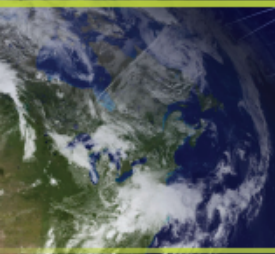
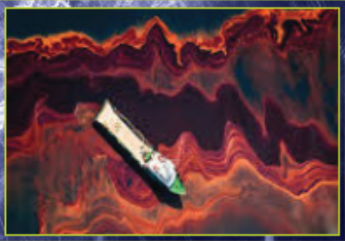
Spill of National Significance
Public Affairs Reference





SONS Communications
Coordination Workgroup

2017 Edition

Acknowledgements:

The information found in this reference is mainly a compilation of existing policy, regulation, open source webpage information, job aids, & user guides.

The U.S. Coast Guard Chair of the Spill of National Significance (SONS) Executive Steering Committee would like to thank the members of the SONS Communications Coordination Workgroup, the Public Affairs Officers, and Response professionals who contributed to the development and content of this reference, representing the following agencies:

U.S. Coast Guard

U.S. Department of Commerce

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of the Interior

U.S. Department of Labor

U.S. Department of Transportation

U.S. Environmental Protection Agency

Photo: 4/30/2010. Administration officials went to the Gulf Coast at President Obama's request to inspect ongoing operations and ensure oversight and interagency cooperation [during the Deepwater Horizon oil spill]. Left to right are NOAA Administrator Dr. Jane Lubchenco, Commander 8th Coast Guard District Rear Admiral Mary Landry, Louisiana Governor Bobby Jindal, DOI Secretary Ken Salazar, EPA Administrator Lisa Jackson, Congressman Charlie Melancon, DHS Secretary Janet Napolitano, Congressman Joseph Cao, and DOI Deputy Secretary David Hayes. Tami A. Heilemann – DOI.

Source: https://www.doi.gov/news/photos/Secretary-Salazar-Visits-Oil-Spill-Command-Center-Launches-Full-Review-of-Offshore-Drilling-Safety

Purpose

The Spill of National Significance (SONS) Public Affairs Reference is based on discussions and lessons learned from the Arctic SONS exercise series conducted between 2012 and 2014. Working as part of the SONS Executive Steering Committee's Communications Coordination Workgroup, experienced interagency public affairs experts and Public Information Officers (PIOs) met via conference calls and in-person meetings to develop this document. The document is primarily intended for use by federal agency PIOs and other public affairs specialists who may be called to support a spill response, particularly as part of a Joint Information Center or other collaborative information sharing unit.

The purpose of the SONS Public Affairs Reference is to provide PIOs with a compilation of background material, considerations, references, and agencies with the applicable subject matter experts (SMEs) on a set of topics that are frequently asked about during oil spill responses. These topics have been grouped into eight sections, as listed below.

Section 1.0 – Authorities

Section 2.0 - Roles and Responsibilities

Section 3.0 - Source Characteristics

Section 4.0 - Response Operations

Section 5.0 - Human Health Impacts

Section 6.0 - Environmental Impacts

Section 7.0 - Economic Impacts

Section 8.0 - Remediation and Restoration

The SONS Public Affairs Reference is intended to serve as a starting point for developing fact-based, robust responses to major media topics of interest, as well as an impetus for information sharing between federal agencies. This document can serve as part of a PIO response toolkit or to help educate those new to answering questions regarding oil spill responses. The PIO from the SME agency may be able to assist with additional information on the topics listed below to aid in transmission of an accurate and consistent message (see Appendix A of this document for PIO contact information). The information should neither substitute incident-specific details provided during the response, nor usurp the framework for communication established during an incident response.

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Background

Effective external communication is essential for a successful response to an oil spill or hazardous substance release. Public Affairs Specialists and Public Information Officers (PIOs) play a key role during high profile responses and are expected to offer timely, accurate, and consistent information to the community on any threats to public health and the environment, as well as on the status of ongoing response efforts. Oftentimes, members filling these roles are highly trained in developing messages and speaking to various audiences, but may not have training or experience specific to spill response. In order to improve messaging during these types of incidents, it is helpful to have a basic understanding of the "when, what, why, who, where, and how" behind spill response principles and terminology.

When. When discharges of oil or hazardous substance releases occur within the United States,[1] there is a complex system in place to ensure effective management and mitigation of any threats to the public and the environment. On rare occasions, a Spill of National Significance (SONS) may occur. A SONS is an oil spill that due to its severity, size, location, actual or potential impact on the public health and welfare or the environment, or the necessary response effort, is so complex that it requires extraordinary coordination of federal, state, local, and responsible party (RP) resources to contain and clean up the discharge.

What/Why. The National Response System (NRS) is a multi-layered system comprised of federal, state, and local agencies as well as industry and other organizations that share experience and resources to ensure timely and efficient incident response (EPA, 2016). Key components of the NRS include the National Response Center (NRC), the National Response Team (NRT), (13) Regional Response Teams (RRTs), and Federal On-Scene Coordinators (FOSCs). This system is described in regulation within the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).[2] The NCP is commonly referred to as "the Federal Government's blueprint for responding to both oil spills and hazardous substance releases" (EPA, 2016).[3] Under the NCP's response management structure, the Federal Government, state government(s), and the Responsible Party (RP)[4] work together to achieve an effective response, where the designated FOSC (Federal Government) maintains

[1] For the purposes of this document, discharges of oil or hazardous substances releases within the U.S. refer to those that occur into or on the navigable waters of the United States, on the adjoining shorelines, the waters of the contiguous zone, into waters of the exclusive economic zone, or that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (Title 40, Code of Federal Regulations (CFR) § 300.3).

[2] The NCP was first published in 1968 and revised several times due to the passage of additional legislation, such as the Clean Water Act of 1972 and the Oil Pollution Act of 1990, which broadened its scope. The Environmental Protection Agency is responsible for maintaining the NCP (40 CFR § 300).

[3] While the NCP and NRS address both oil spills and hazardous substances releases, the primary focus of this document is on oil spills.

[4] Under the NCP, the FOSC may allow the RP to voluntarily perform removal actions with adequate oversight. Response by responsible parties is encouraged, however, may not always be possible or practicable. More information can be found in 40 CFR § 300.305.

authority and the polluter (i.e., RP) pays. The Federal Government also has enforcement authorities over parties responsible for the spill or release.

In addition to the NCP's direction on oil spills and hazardous materials releases, the National Response Framework (NRF)[5] delineates how the nation, including governments, the private sector, and communities, work together to respond to "all-hazard" emergencies, including natural disasters, terrorist acts, public health emergencies, oil or hazardous materials spills, and other emergencies (Department of Homeland Security (DHS), 2013). The NRF is considered always active and provides structures, roles, and responsibilities that can be partially or fully implemented in the context of a threat or hazard; selective implementation of the NRF structures allows for a scaled response. The NRF's structures and procedures address incidents where federal support to local, state, tribal, territorial, and insular area governments is coordinated under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as well as incidents where federal departments and agencies exercise other authorities and responsibilities (DHS, 2013). The NRF recognizes that federal responses to emergencies of different types may be led by various federal agencies under assorted federal authorities and regulations, including the NCP. The NCP serves as an operational supplement to the NRF and may be used in conjunction with, or independent from, the Stafford Act. In the event of a Stafford Act declaration, NRF Emergency Support Function (ESF) #10 – Oil and Hazardous Materials Response Annex may be activated to provide a coordinated federal response to actual or potential oil and hazardous materials incidents.[6] ESF #10 responses are generally carried out in accordance with the NCP. It is important to understand that most federal responses to oil pollution incidents, including a SONS, are carried out in accordance with the NCP. In rare cases, ESFs may also be activated for non-Stafford Act incidents at the Secretary of Homeland Security's discretion, and/or to support NCP responses that require an extraordinary level of federal resources.[7]

The NRF is based on the use of the National Incident Management System (NIMS). All federal agencies are required to adopt NIMS in order to provide a consistent, nationwide approach to incident management (National Response Team, 2013). A key component of NIMS is the Incident Command System (ICS). NCP emergency responses are conducted in accordance with NIMS and the ICS.

Who. Under ICS, the Incident Commander (IC), designated by explicit legal, agency, or delegated authority, sets objectives for the response and has the overall decision-making responsibility. During NCP responses to oil and

[5] The NRF is one of five National Planning Frameworks that support the National Preparedness System. The National Preparedness System is further explained in Presidential Policy Directive 8: National Preparedness, signed on March 30, 2011. The Department of Homeland Security maintains the NRF.

[6] See Section 1.3 of this guide for further information on the Stafford Act.

[7] During *Deepwater Horizon*, components of the ESF #15 – External Affairs Annex of the NRF were used to support the response. Additional information on coordination between the JIC and ESF #15 is described in Appendix A of the *NRT Joint Information Center Model* (National Response Team, 2013). Additionally, the *Federal Interagency Operational Plan – Response and Recovery: Oil/Chemical Incident Annex* (June 2016) provides additional information on an NCP response with ESF support.

hazardous substance releases, the role of the IC is typically filled by the pre-designated FOSC. In most cases, the U.S. Environmental Protection Agency (EPA) is the pre-designated FOSC for the inland zone and the U.S. Coast Guard (USCG) is the FOSC for the coastal zone. When there is more than one agency with incident jurisdiction, or when incidents cross political jurisdiction, a Unified Command (UC) is established. A UC for an oil or hazardous substance response typically consists of the federal (FOSC), state (State On-Scene Coordinator) and local emergency response ICs, and the RP. Under a UC, these members work together to develop objectives and strategies, share information, maximize the use of resources, and enhance the efficiency of the individual response organizations (National Response Team, 2007). However, the FOSC maintains ultimate decision-making authority for the NCP response.

Additionally, the PIO is a key member of the Incident Command Staff, and represents and advises either the IC or UC on all public information matters relating to the incident (National Response Team, 2013).[8] There is only one PIO assigned for each incident, including multi-jurisdictional incidents; however, the PIO may appoint assistants as needed. These assistants may represent assisting agencies, jurisdictions or other response partners. During the *Deepwater Horizon* response, the FOSC relied heavily on Public Affairs Officers (PAOs) from other agencies to serve in various capacities; more than 300 interagency PAOs supported the response (United States Coast Guard, 2011).

As a response grows, the UC may draw upon the applicable RRT to aid in planning, coordination, and communication at the regional level. If an NCP response exceeds the capacity of a region, transects regional boundaries, or involves a substantial threat that reaches national-level interest, the NRT may help to provide technical assistance, resources, and coordination across the headquarters or federal level. The NRT and RRTs include representatives from 15 federal departments and agencies (listed below), which may be asked to provide assistance in their respective areas of expertise, or have specific responsibilities for natural resource protection during a response (further explained in Appendix B of this guide):

U.S. Environmental Protection Agency (EPA) *NRT Chair (RRT Co-Chair)*

U.S. Coast Guard (USCG) *NRT Vice-Chair (RRT Co-Chair)*

U.S. Department of Agriculture (USDA)

U.S. Department of Commerce (DOC)

U.S. Department of Defense (DOD)

U.S. Department of Energy (DOE)

U.S. Department of Health and Human Services (HHS)

[8] More information on the roles and responsibilities of a PIO within the ICS structure can be found in the *U.S. Coast Guard Incident Management Handbook* (IMH), May 2014 and the *USCG Incident Command System Public Information Officer Job Aid*, May 2014. Both of these references can be found at https://homeport.uscg.mil (under Library, Incident Command System ICS).

U.S. Department of the Interior (DOI)

U.S. Department of Justice (DOJ)

U.S. Department of Labor (DOL)

U.S. Department of State (DOS)

U.S. Department of Transportation (DOT)

U.S. Federal Emergency Management Agency (FEMA)

U.S. General Services Administration (GSA)

U.S. Nuclear Regulatory Commission (USNRC)

Where. The location at which the primary tactical level and on-scene incident command operations take place, also known as the Incident Command Post (ICP), depends on the size, duration, and location of the spill or release. In the event of a SONS, multiple locations and command posts may be established across a large geographic area in order to best execute response activities. When there are multiple command posts, a Unified Area Command may be established to help manage the incident.

A Joint Information Center (JIC) may be established[9] to conduct public information operations during emergency responses involving multiple organizations that need to collaborate to get information to stakeholders and the public (National Response Team, 2013). The JIC is the central location that facilitates coordination of information; it may be a physical location or internet-based virtual location where personnel with public information responsibilities perform media and community relations during an incident.

How. During a spill or hazardous substance response, FOSCs may conduct and lead federal response actions using federal and contractor resources, or they may provide oversight of the response. There are many different techniques and tools used during spill response that depend on the type and quantity of material spilled or released, the time and location of the incident, and the capability and availability of resources near the response location.

In support of the response, PIOs may be asked to gather information, write news releases or other informational products, answer media questions and calls, set up websites, town halls, or social media sites, etc.

The remainder of this document provides background material, considerations, references, and agencies with the applicable subject matter experts (SMEs) on a set of topics that are frequently asked about during oil spill responses.

[9] More information on how to establish a JIC can be found in the *NRT Joint Information Center Model* (National Response Team, 2013).

Spill Response Interest Topics

1.0 AUTHORITIES

1.1 Oil Pollution Act of 1990 (OPA 90)

OPA 90 is responsible for many of the nation's improvements in oil spill prevention and response. OPA 90 provides guidance for government and industry on oil spill prevention, mitigation, cleanup, and liability. Since its passage in August 1990, OPA 90 has resulted in new rules that govern pollution prevention and response preparedness by amending and consolidating the liability and compensation requirements of certain prior federal oil pollution laws and their supporting funds including the Federal Water Pollution Control Act (FWPCA) (amended in 1972 and became known as the Clean Water Act (CWA)), the Deepwater Port Act (DPA), the Trans-Alaska Pipeline System (TAPS) Authorization Act, and the Outer Continental Shelf Lands Act (OCSLA).

OPA 90 streamlined and strengthened the USCG's and EPA's ability to prevent and respond to catastrophic oil spills through the Oil Spill Liability Trust Fund (OSLTF). The National Pollution Funds Center (NPFC) administers the multi-billion dollar OSLTF so that the FOSC can immediately respond to a discharge or substantial threat of a discharge and to monitor cleanup activities by the RP. The OSLTF is also used for certain uncompensated removal costs or damages resulting from the discharge, or substantial threat of discharge, of oil from a vessel or facility into or upon the navigable waters, adjoining shorelines, or the exclusive economic zone.

OPA 90 also requires the development of Area Contingency Plans (ACPs) to prepare and plan for an oil spill response on a regional scale, and training and exercising to further enhance the government's and industry's response capabilities.

Additional Considerations for PIOs:

- OPA 90 is found in 33 United States Code (U.S.C.) §§ 2701 – 2720.
- For more information on the OSLTF see:
    - 33 Code of Federal Regulations (CFR) § 136.1
    - https://www.uscg.mil/npfc/About_NPFC/osltf.asp

SME:

- USCG, NPFC
- EPA

1.2 National Oil and Hazardous Substances Pollution Contingency Plan (National Contingency Plan) (NCP)

The NCP's purpose is to facilitate the Federal Government's response to both oil discharges and hazardous substance releases in the United States and its territories, and to ensure overall coordination in the event of such spills among the hierarchy of responders and contingency plans.

The NCP describes the basic mechanisms and structures by which the Federal Government will plan for, prepare for, and respond to oil discharges or hazardous substance releases. The NCP establishes:

- ***National Response Team (NRT)***—Plans and coordinates responses to major discharges of oil or hazardous substances, coordinates a national program of preparedness planning and response, and facilitates research to improve response activities.
- ***Regional Response Teams (RRTs)***—Coordinate preparedness, planning, and response at the regional level.

Some important operational aspects of the NCP are:

- Requires that oil discharges or hazardous substance releases be reported to the NRC, the central clearinghouse for all pollution incident reporting.
- Authorizes the FOSC to direct all federal, state, and private response activities at the site of a discharge.
- Establishes the UC structure for managing responses.
- Designates the lead agency to be either EPA or the USCG, depending on the location of the spill.

The NCP requires ACPs to be integrated and compatible with all appropriate response plans of the state, local, and non-federal entities including, but not limited to, Vessel Response Plans (VRPs), Facility Response Plans (FRPs), Local Emergency Response Plans, and Regional Contingency Plans (RCPs).

Additional Considerations for PIOs:

- See 40 CFR § 300 for additional details.
- Typically, the NCP is the primary construct for oil spill response.
- Some NCP responses may require extraordinary federal support, beyond normal NRT/RRT support (expected to be rare).
- ACPs and RCPs are managed by local Area Committees and RRTs, respectively. Contents of these plans may be available to local authorities as needed. If available, list the website for the plans in public affairs publications.

SME:

- EPA
- USCG

1.3 Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act)

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law (PL) 93-288, provides the authority for the Federal Government to respond to major disasters and emergencies in order to provide assistance to save lives and protect public health, safety, and property. Under the Stafford Act, the President is authorized to establish a program of disaster preparedness that utilizes services of all appropriate agencies. The President may also make grants to states, upon their request, for the development of plans and programs for disaster preparedness and prevention. The Stafford Act is one of the federal authorities recognized in the NRF.

Once the President declares a "major disaster" or "emergency" under the Stafford Act, states and local governments are able to access disaster relief assistance and funds. FEMA coordinates administration of disaster relief resources and assistance to the states. FEMA is supported by numerous federal agencies, which provide support via FEMA activation of 14 different ESFs, each of which provides a different type of federal support.

ESF #10 - Oil and Hazardous Materials Response – provides for a coordinated federal response to actual or potential oil and hazardous materials incidents when activated. EPA coordinates ESF #10 and serves as the primary agency for ESF #10 actions in the inland zone. The USCG serves as the primary agency for ESF #10 actions in the coastal zone. ESF #10 responses are generally carried out in accordance with the NCP. NCP response structures and coordination mechanisms remain in place but coordinate with NRF mechanisms. During Stafford Act responses, EPA and the USCG FOSCs retain their authority to take action under the NCP if necessary.

Additional Considerations for PIOs:

- Typically, the Stafford Act is the primary federal response construct for natural disasters. ESF #10 is sometimes activated by FEMA to provide response to oil and hazardous materials spills that occur during natural disasters.

SME:

- FEMA

Table 1: Differences between Stafford Act Responses and NCP Responses

STAFFORD ACT	NCP
• Lead agency: FEMA	• Lead agency: EPA or USCG
• Request for federal support must be made by state (governor) or tribe (chief executive), except for certain emergencies involving primary federal responsibility	• Federal Government makes independent evaluation of need for federal response • State/tribal requests for help do not have to come from governor/chief executive level
• Federal role is to support states/tribes	• Federal Government may, and in some cases must, lead the response • Federal Government has on-scene, tactical command authority
• Does not directly address liability protections or immunities for responsible parties	• Federal government has enforcement authorities over responsible parties
• State cost share may be required	• No state cost share for emergency responses

1.4 Jones Act

The Jones Act controls coastwise trade within the United States and determines which ships may lawfully engage in that trade and the rules under which they must operate. In general, the Act prohibits any foreign-built or foreign-flagged vessel from engaging in coastwise trade within the United States.

The Jones Act generally applies to points in the territorial sea (defined as the belt, three nautical miles wide, seaward of the territorial sea baseline) and to points located in internal waters (landward of the territorial sea baseline, in cases where the baseline and the coastline differ).

FOSCs and UCs must comply with the Jones Act when sourcing suitable vessels or barges to support response activities.

Additional Considerations for PIOs:

- DOT's Maritime Administration's (MARAD) Office of Cargo and Commercial Sealift provides assistance regarding Jones Act waivers.

SME:

- DOT/MARAD

1.5 Incident Investigations

Incident investigations are undertaken by the appropriate federal agency to determine the root causes of the incident and provide recommendations to prevent this type of incident in the future. The full investigation may take several years. Based on the results of the investigation, civil and/or criminal penalties may be imposed.

Additional Considerations for PIOs:

- The PIO should coordinate with the UC to identify the appropriate federal agency.

SME:

- Lead federal agency with authorization

2.0 ROLES AND RESPONSIBILITIES

2.1 Federal Government Agencies

There are 15 federal agencies listed in the NCP that may be called upon to provide assistance during a response based on their areas of expertise and legal authorities. Representatives from these agencies participate on the NRT, RRTs, and Area Committees to help develop planning and preparedness measures as well as help coordinate appropriate technical experts and assets during an emergency response.

Additional Considerations for PIOs:

- The NRT may consult with or work with other agencies as needed.
- See additional information in Appendix B and 40 CFR § 300.175.

SME:

- EPA
- USCG

2.2 Tribes, Native Alaskans, Hawaiians, and Other Indigenous Peoples

Tribes,[10] Native Alaskans, Hawaiians, and other indigenous peoples are invited to participate in spill response planning and preparedness activities through the applicable RRTs and Area Committees. During a response, a tribal leader may join or assign a Tribal On-Scene Coordinator to participate as part of the UC. Tribal members may also provide local knowledge to assist planning or logistics functions of the response. Additionally, tribal representatives may serve as Natural and Cultural Resource Trustees.

If tribal land or resources are impacted during a response, responders may need to consult with tribal representatives to ensure resource injuries are minimized. During consultation, the dialogue is considered to be government-to-government. The Secretary of the Interior recognizes more than 550 American Indian tribes in the United States as having this special government-to-government relationship with the United States.

Additional Considerations for PIOs:

- May need to seek additional ways to engage with tribes, such as conducting face-to-face meetings in addition to phone calls and emails.
- Enlist the help of the tribal liaison assigned to the response (or recommend one be assigned).

[10] For the purposes of this document, the term "tribe" refers to tribes, Native Alaskans, Hawaiians and other indigenous peoples.

SME:

- DOI, Bureau of Indian Affairs (BIA)
- Advisory Council on Historic Preservation (ACHP)
- State Historic Preservation Officers (SHPOs)
- USCG and EPA (RRT Coordinators)

2.3 State

State agencies are key players (e.g., members of the UC) in oil spill and hazardous substance responses and planning. States have a position similar to the FOSC—the State On-Scene Coordinator (SOSC)—that serves to coordinate or direct their spill response efforts. State regulations pertaining to response activities may give the states additional response authorities beyond those identified by OPA 90.

State representatives also serve on Area Commands (ACs) and RRTs, and state approval is required for the use of dispersants and other chemicals during responses within or affecting state waters.

Additional Considerations for PIOs:

- Consult the RCP/ACP(s) for the affected area to gain more information about the lead state agency and the extent of its role, etc.

SME:

- State representatives/SOSC; the lead federal agency (EPA or USCG) can help point to appropriate state contacts.

2.4 Responsible Party (RP)

The RP is the person, business, or entity that has been identified as owning or operating the vessel or facility that was the source of the spill. The term does not imply criminal negligence. OPA 90 defines who will be an RP differently depending on the source of the spill. If the spill source is abandoned, the RP is the entity or entities that would have been the RP prior to the abandonment.

The RP may be a member of the UC. Within the UC structure for managing responses to discharges, the RP works cooperatively with the Federal Government and state government to achieve an effective and efficient response, where the FOSC maintains ultimate oversight authority. Furthermore, the RP is liable for federal removal costs and damages in accordance with section 311(f) of the CWA, section 1002 of OPA 90, and other federal laws.

The RP is also held accountable to provide relevant response personnel with information regarding the spilled product through provision of a Safety Data Sheet (SDS) or similar. Information that the RP provides includes details on the product characteristics which influence the type of response equipment and procedures used, as well as potential health effects of exposure to the spilled product and safe working procedures when handling it.

Additional Considerations for PIOs:

- Information regarding types of potential sources and their characteristics is contained in this guide in Section 3.0 - Source Characteristics.
- 33 U.S.C. § 2701(32) and 40 CFR § 300.5 define who will be a RP.
- RP liability can be found in 33 U.S.C. § 2702(a).
- 40 CFR § 300.135(d) notes the inclusion of the RP in the UC.

SME:

- Federal lead agency (USCG or EPA)
- NPFC Claims Manager

2.5 International

An oil spill may impact the waters of other nations, requiring the need for international coordination of resources and personnel. In the event that a pollution incident threatens the waters of another nation, Joint Contingency Plans (JCPs) or international agreements may be used to prescribe communication and coordination procedures. These JCPs and agreements may also provide procedures for the release of information to the public.

Additionally, there are recommended guidelines for requesting and receiving emergency assistance from other countries and organizations during a large, complex oil spill incident. These guidelines are found in the International Maritime Organization's *Guidelines on International Offers of Assistance in Response to a Marine Oil Pollution Incident* (IOA Guidelines).

Additional Considerations for PIOs:

- Consult the affected area's relevant JCP or international agreement (if applicable) for information on communication and coordination procedures.
- Information regarding International Offers of Assistance for Coast Guard-led spill responses should be obtained from USCG Headquarters, Office of Marine Environmental Response Policy (CG-MER-2).

SME:

- DOS
- USCG
- EPA

2.6 Natural Resource Trustees

The President designates certain federal officials as trustees for natural resources. In most cases, the Secretaries of Commerce and the Interior act as trustees of those resources subject to their respective management or control:

(1) The Secretary of Commerce acts as trustee for natural resources managed or controlled by DOC and for natural resources managed or controlled by other federal agencies and that are found in, under, or using most offshore federal

waters. Examples include: marine fishery resources; anadromous fish; endangered species and marine mammals; and the resources of National Marine Sanctuaries and National Estuarine Research Reserves. The Secretary of Commerce delegated the Administrator of NOAA to act as the DOC natural resource trustee.

(2) The Secretary of the Interior acts as trustee for natural resources managed or controlled by DOI. Examples of the Secretary's trusteeship include the following natural resources and their supporting ecosystems: migratory birds; anadromous fish; endangered species and marine mammals; federally owned minerals; and certain federally managed water resources. The Secretary of the Interior shall also be trustee for those natural resources for which a tribe would otherwise act as trustee in those cases where the United States acts on behalf of the tribe. DOI has delegated Regional Environmental Officers from the Office of the Secretary as the principal trustee contacts for their agency. The Regional Environmental Officer coordinates with the DOI bureaus on trustee concerns, such as the National Park Service, U.S. Fish and Wildlife Service (USFWS), and BIA.

(3) The NCP also designates the Secretaries of Departments that manage federally owned or administered lands as trustees. The trusteeship applies to all "natural resources located on, over, or under" these lands. These land-managing trustees are co-trustees with DOI, DOC, and/or possibly the State or Indian tribe, and include the Secretaries of Agriculture, Defense, and Energy.

Additional Considerations for PIOs:

- Questions for the Natural Resource Trustees would be directed to the Scientific Support Coordinator (SSC).

SME:

- DOC/NOAA
- DOI

2.7 Non-Governmental Organizations (NGOs)

Industry groups, academic organizations, and others may provide resources for response operations. Examples are the American Red Cross and Center for Marine Conservation.

The technical and scientific information generated by the local community, along with information from federal, state, and local governments, should be used to assist the FOSC as appropriate. The NOAA SSC may act as liaison between the FOSC and such interested organizations.

Additional Considerations for PIOs:

- Consult the ACP/RCP for a list of equipment provided by NGOs.
- See Section 2.9 – Volunteers in this guide.

SME:

- EPA
- USCG
- DOC/NOAA
- DOL/Occupational Safety and Health Administration (OSHA)

2.8 Oil Spill Removal Organizations (OSRO)

An OSRO is an organization contracted to provide spill-response equipment and personnel in the event of an oil spill or hazardous substance release. Under OPA 90, the owners or operators of certain oil-handling facilities and all vessels defined as "tank and non-tank vessels" are required to develop and maintain response plans to help prevent spills as well as contain and respond to spills that may occur. The plans must identify and ensure (by contract) the availability of personnel and equipment necessary to remove, to the maximum extent practicable, a Worst Case Discharge (WCD), and to mitigate or prevent a substantial threat of such a discharge. OSROs commonly provide the response capabilities noted in these plans.

Furthermore, the USCG developed an OSRO classification program, which outlines a process by which the USCG and plan holders can evaluate an OSRO's capacity to respond to and recover oil spills of various sizes. This is a voluntary program that is administered by the USCG's National Strike Force Coordination Center (NSFCC). Classified OSROs submit detailed lists of response resources, which are uploaded into the Response Resource Inventory (RRI). The RRI provides FOSCs and contingency planners the ability to query available spill response equipment and its proximity to certain locations.

Additional Considerations for PIOs:

- See 33 CFR § 154.1035 for additional information on FRP regulations.
- See 33 CFR § 155.1035 for additional information on VRP regulations.
- The OSRO Guidelines can be found at: https://homeport.uscg.mil under the following tabs: Environmental → Vessel Response Plan Program → What's New?

SME:

- USCG (Office of Marine Environmental Response Policy (CG-MER) and NSFCC)

2.9 Volunteers

The NCP requires ACPs to allow for the well-organized, worthwhile, and safe use of volunteers. Per the NCP, a volunteer is "any individual accepted to perform services by the lead agency, which has authority to accept volunteer services." It is helpful to be familiar with the Regional or ACP protocols related to this subject. Volunteers should have training in accordance with OSHA requirements before they assist in the spill response. There are two main types of volunteers:

Affiliated volunteers – individuals who assist following an incident without pay and have a pre-existing arrangement with a governmental agency, NGO, or Community Based Organization (CBO). These members have been trained for a specific role or function in incident response and have training and credentialing. Examples of affiliated volunteer groups include: Tri-State Bird Rescue and Research, Inc. and the UC Davis, Oiled Wildlife Care Network.

Unaffiliated volunteers – individuals who assist following an incident to assist a governmental agency, NGO, or CBO with response activities without pay who are not affiliated with a response or relief agency and typically do not have prior training or credentialing.

Additional Considerations for PIOs:

- Volunteers affiliated with existing volunteer organizations should contact those organizations to determine any training requirements and how they can help. If applicable, volunteer coordinator contact information should be provided for unaffiliated volunteers. A phone number and organizing agency can be provided in a press release or on a website.
- If applicable, provide information regarding incident-specific volunteer training and safety requirements.
- See 40 CFR § 300.185(c) for additional information on the use of volunteers.
- The NRT's *Use of Volunteers Guidelines for Oil Spills* can be found at http://www.nrt.org under the following tabs: Resources → Guidance, Technical Assistance & Planning.

SME:

- Lead federal agency (USCG or EPA)

2.10 Vessels of Opportunity

A Vessel of Opportunity (VOO) is a local, commercial, or recreational vessel identified to assist in responding to major oil spills. The VOO program can be run by various entities depending on the particular state/region and consists of vessel owners who volunteer to supplement the existing organized system of professional spill responders. Because major oil spills can disrupt a state's economy for an extended period of time, the VOO program allows for employment of vessels and boat crews who assist during emergency response operations. Typically, an organization collects and manages the VOO information, which then is made available to response contractors or oil companies to interact with vessel owners with whom they would like to contract. Once an agreement is made, the vessel owner is trained, assigned to a duty, and paid for the occasional or part-time work.

Additional Considerations for PIOs:

- Provide the contact information for the VOO program (if available).

SME:

- USCG

3.0 SOURCE CHARACTERISTICS

3.1 Pipeline

As described in 49 CFR § 192.3, a pipeline includes all parts of those physical facilities through which gas moves in transportation, including pipe, valves, and other components attached to pipe, compressor units, metering stations, etc.

An offshore pipeline is defined in the Code of Federal Regulations as a pipeline that lies beyond the low water mark of the coast of the United States that is adjacent to the open seas. Offshore pipelines consist of gathering and transmission lines. Gathering lines run from offshore production platforms to centralized platforms or pipelines where the product is transported to the shore through transmission pipelines.

Flow Rate: The daily throughput of the pipe based on the pressure and characteristics of the product, and the production from the input facilities.

***Methods of Containment*:** Containment is dependent upon the location of the shut-off valve and the production facilities that feed the pipeline.

Additional Considerations for PIOs:

- Rate should be listed in gallons (first) and barrels (second).

SME:

- Offshore: DOI/Bureau of Safety and Environmental Enforcement (BSEE); DOT/Pipeline and Hazardous Materials Safety Administration (PHMSA)
- Onshore: DOT/PHMSA

3.2 Vessel

A vessel includes every description of watercraft or other contrivance capable of being used as a means of transportation on water, but does not include aircraft (46 CFR § 67.3). There are many different types of vessels and requirements for documentation found in the Code of Federal Regulations. The three types of vessels that are required to have oil spill response plans are: tank, non-tank, and International Maritime Organization (IMO) vessels. The plans include geographic operating areas for the ship, notification procedures, shipboard spill mitigation processes, and shore-based response activities, among other things.

Volume: When actual spill quantities are unknown or the source is not secure, the standard practice is to give the maximum capacity of oil onboard the vessel as the potential amount that could be spilled (i.e., give WCD estimate, then refine as more information becomes available).

Methods of Containment: 1) Securing the source of the spill; 2) Lightering, or taking the remaining fuel off of the vessel to prevent additional spillage (this can also be used as a preventative measure pre-spill); and 3) Placing boom around the vessel to collect oil at the surface.

Additional Considerations for PIOs:

- Amount of oil should be listed in gallons (first) and barrels (second).

SME:

- USCG

3.3 Offshore Drilling Rig

A drilling rig drills the well. The type of drilling rig used to drill an exploratory well is almost always a mobile offshore drilling unit or (MODU). There are many types including jack-up rigs, semi-submersible rigs, dynamically positioned rigs, and drillships. These rigs stay in the one location for the duration of the drilling project and then move to a different location. (A well is not produced using a drilling rig, only drilled.)

Another type of drilling rig is located on a production platform or facility, usually as a package or sked. These types of rigs, called platform rigs, can drill a development well and conduct workover operations on a producing well. Production also does not take place from a platform drilling rig.

Methods of Containment: The first barrier used to contain a loss of well control is a blowout preventer (BOP). For floating rigs, the BOP is located on the seafloor and operated remotely or at the BOP stack using a remote operated vehicle (ROV). An additional type of containment used in larger incidents of loss of well control involves a capping stack which is deployed subsea over the wellhead and stops the flow. There are different types of capping stacks: those that only contain flow, and others that contain flow and also allow controlled flow-back.

Additional Considerations for PIOs:

- In disclosing a flow rate for an uncompleted well (a well that is still being drilled), the WCD volume can be used. A WCD for exploratory and development drilling operations is the daily rate of an uncontrolled flow of natural gas and oil from all producible reservoirs into the open wellbore. Calculating the volume using an open wellbore equates to considering the amount of hydrocarbon that would flow without any casing, drill pipe, or other restrictions in the well. It should be noted that this volume is prepared by the operator prior to drilling and not an actual estimation of what is flowing at the time of the incident.
- Rate should be listed in gallons (first) and barrels (second).
- For more information, see 30 CFR § 250 Subpart E.

SME:

- USCG
- DOI/BSEE

3.4 Production Facility

A production facility is the infrastructure used offshore to receive the oil or gas production from wells or other facilities. The facility may also house the production processing equipment including separation, treating, and processing. Oftentimes, a production facility may have a platform rig onboard used to perform well operations or drill a well. These are usually mobile packages that can be removed from the platform when not needed. Production facilities may have pipeline transmission lines crossing the infrastructure. There are many types of production facilities. The major distinction between them is whether the platform is fixed to the seafloor or floats. In deeper waters, floating facilities are most commonly used and can vary from tension leg platforms to SPARs (single point anchor reservoir) to semi-submersibles.

Flow Rate: The flow rate for a production well is based on the daily production rate of the wells involved. Having an estimate of the timeframe of the release can assist in determining the volume released. This is usually calculated using the time when the release began through the time the release was stopped. Flow rates are determined by the operator as part of regular monitoring and involve a calculation using flow characteristics of the specific reservoir, pressure, and time.

Methods of Containment: Safety and Pollution Prevention Equipment (SPPE) includes surface safety valves, underwater safety valves, and subsurface safety valves.

Additional Considerations for PIOs:

- Rate should be listed in gallons (first) and barrels (second).
- See 30 CFR 250 § Subpart H for additional information.

SME:

- DOI/BSEE

3.5 Rail

Transportation of petroleum products by rail has increased in recent years. Crude oil can be unloaded from the trains directly to a facility (usually a refinery) or onto barges, tankers, or pipelines for further delivery purposes.

Methods of Containment: Methods of containment will depend on the product (as per the SDS), the location of the derailment (land, water, etc.), and the integrity of the cars.

Additional Considerations for PIOs:

- The amount of oil spilled depends on the number of cars impacted and capacity of the cars. For example, a DOT-111 tank car has a capacity of 30,110 US gallons.
- Rate should be listed in gallons (first) and barrels (second).
- See 49 CFR § 200-299 for additional information about Federal Railroad Administration (FRA) regulations.

SME:

- DOT/FRA

4.0 RESPONSE OPERATIONS

4.1 Trajectories

Spill response personnel use scientific data provided by several federal, state, and academic sources to determine where the oil may go and when it will be there. The quantity, type, wind, currents, and other environmental factors continually affect the spread of oil. Spilled oil weathers or changes chemically and physically by emulsifying or evaporating. Scientists from NOAA run advanced computer models using oceanographic and meteorological data, combined with on-scene observations and oil property information, to predict where the oil is heading. These models are periodically reevaluated to determine the most precise location and potential movement of oil.

Responders use these models to prioritize response actions and locations. While general ocean circulation and weather patterns are well known, local weather and environmental conditions will affect accuracies of the models.

Additional Considerations for PIOs:

- Could provide information to public on: 1) Trajectory information and graphics, 2) Scheduled trajectory updates, and 3) Closure information or possible impact.
- See 40 CFR § 300.5 for additional information and definition of spill classes (sizes).
- Various types of oil can affect the environment differently; for more information on oil types, see: http://response.restoration.noaa.gov/oil-and-chemical-spills/oil-spills/oil-types.html

SME:

- NOAA

4.2 Dispersants

Dispersants are chemical agents that reduce the interfacial tension between oil and water, allowing the oil to break up into much smaller droplets that can be dispersed into the water column. Dispersants make it easier for waves to break up oil. This prevents oil from being driven by wind and currents toward shore and promotes its biodegradation by organisms in the sea. Dispersants also prevent dispersed particles from re-coalescing and forming larger, more buoyant droplets that may float to the surface and recreate sheens.

The decision to use or not use dispersants is made after careful consideration of the location of the spill, the type of oil spilled, the resources at risk, and the environmental conditions at the time. These factors influence the effectiveness and practicality of using dispersants. Dispersants may be used in certain situations, where mechanical means such as booming and skimming may not be possible or as effective (e.g., boom failure may occur in areas with fast currents or choppy

waters). The objective is to minimize overall ecological impacts and maximize net environmental benefit in the face of the adverse effects of oil alone.

Additional Considerations for PIOs:

- Approved dispersant products are listed on the EPA Product Schedule at: https://www.epa.gov/emergency-response/alphabetical-list-ncp-product-schedule-products-available-use-during-oil-spill

SME:

- EPA
- USCG
- NOAA

4.3 Booms and Skimmers

A boom specifically designed for pollution response is a floating, physical barrier, placed on the water to contain, divert, deflect, or exclude oil. Proper deployment involves use of mooring systems (e.g., anchors, land lines) and skilled teams, and must be consistently monitored. Booms can be used in coordination with skimmers or other response actions.

Skimmers are mechanical devices that physically remove the free or contained oil from the surface of the water. There are many different types of skimmers that are used based on the situation, oil type, and availability. They are placed at the oil-water interface to recover, or skim, oil from the water's surface and may be operated independently from shore, be mounted on vessels, or be completely self-propelled.

There are limitations to booms and skimmers, to include weather, rough water, high winds, fast currents, waves, debris, and ice conditions.

Additional Considerations for PIOs:

- Graphics or charts may be available for use and sharing.

SME:

- EPA
- USCG

4.4 In-situ Burning

In-situ burning (ISB) removes oil from habitats by burning the oil in place, typically in marsh habitats or on the open water. ISB is used to remove oil from the impacted area when mechanical cleanup methods may be destructive or impossible to carry out (provides an option when no other options are acceptable or feasible; and may minimize short term risks of further impact of spilled oil and long term risks of persistent toxicity to marsh plants and biota). ISB can be used to remove oil quickly from a habitat when there is a time-critical element, such as rain or flooding, or seasonal increase in wildlife use.

ISB is also used to remove large quantities of oil from open water, e.g., 50,000 gal/hour can be achieved for a burn area of 10,000 square feet; removal efficiencies can exceed 90% in prime conditions.

Additional Considerations for PIOs:

- More information on ISB can be found at: http://response.restoration.noaa.gov/oil-and-chemical-spills/oil-spills/resources/in-situ-burning.html

SME:

- Lead federal agency (EPA or USCG)
- NOAA (SSC)

4.5 Shoreline Cleanup and Assessment Technique (SCAT)

SCAT is a systematic method for surveying an affected shoreline after an oil spill. SCAT is designed to inform and support decision-making for shoreline cleanup and response activities. SCAT teams include people trained in standardized techniques, procedures, and terminology of shoreline assessment. SCAT team members represent different technical skills and stakeholders for the affected shorelines. SCAT teams collect the data needed to develop a shoreline cleanup plan that maximizes the recovery of oiled habitats and resources, while minimizing the risk of injury from cleanup efforts.

SCAT is a regular part of the oil spill response. SCAT surveys begin early in the response to assess initial shoreline conditions, and are used to inform operational cleanup.

Surveys continue during the response to verify shoreline oiling, cleanup effectiveness, and eventually, to conduct final evaluations of shorelines to ensure they meet cleanup endpoints.

Additional Considerations for PIOs:

- See NOAA factsheet on SCAT: http://response.restoration.noaa.gov/oil-and-chemical-spills/oil-spills/resources/shoreline-cleanup-and-assessment-technique-scat.html

SME:

- NOAA

4.6 Sampling and Data Collection

During a spill response, samples may be collected to determine the extent of contamination of resources or the environmental impacts. Sampling data (oil, water, air, sediment, plants, or animals) are used to determine whether federal action is required to protect human health or the environment, and to inform the response.

Additional Considerations for PIOs:

- PIOs should coordinate with the Environmental Unit (within the UC) for additional information on the sampling data.

SME:

- Lead federal agency (EPA or USCG)
- NOAA
- DOI/USFWS
- DOL/OSHA

4.7 Technical Offers

During a SONS or major spill response, the lead agency may receive ideas for cleanup operations or offers of innovative response technologies from both domestic and international entities. An Alternative Response Technology Evaluation System (ARTES) team may be established in order to review these submissions on behalf of the UC. Additionally, other government-led evaluation teams may be established to vet vendor response solutions for the spill.

Additional Considerations for PIOs:

- More information on ARTES can be found at: http://response.restoration.noaa.gov/oil-and-chemical-spills/oil-spills/resources/alternative-response-tool-evaluation-system-artes.html

SME:

- USCG
- NOAA

5.0 HUMAN HEALTH IMPACTS

5.1 Human Health and Safety

Depending on proximity to the oil spill, members of the public may come in contact with oil or oil fumes. Contact may include skin contamination, ingesting oil-contaminated water, and breathing oil fumes. Members of the public may have questions on how to avoid exposure, the potential health effects of exposure, and recommended actions after exposure. In addition, members of the public may have similar questions regarding the use of chemicals used in the spill response, such as dispersants.

Benzene is a toxic chemical found in crude oil. Some people may feel sleepy or dizzy if they come into contact with benzene directly or indirectly. Others may get headaches. Benzene can also cause nausea, vomiting, or a rapid heart rate. Long-term exposures to benzene may increase risk of cancer.

Additional Considerations for PIOs:

- The oil spill response may include extensive air and water sampling to determine the extent of the spill's impacts. This information is closely associated with health concern from the public. Making this information accessible and understandable to the public is an important part of the PIO's responsibilities.
- Consider providing the public with information on how to avoid contact and what to do if exposed. Figure 2 includes typical public messages from previous spills.

SME:

- Lead federal agency (EPA or USCG)
- HHS/Agency for Toxic Substances and Disease Registry (ATSDR)
- DOL/OSHA

Table 2: Examples of messages provided to the public in previous spill responses

PUBLIC MESSAGES USED IN PAST SPILLS
Pay attention to safety information from local authorities and avoid areas affected by the oil spill. The oil could cause health problems, including skin and eye irritation or breathing problems.
If you get contaminated water on your skin, wash it off immediately with soap and water or a hand cleanser meant to remove oils and grease.
If you accidentally drink some oil-contaminated water and symptoms such as nausea, vomiting or dizziness occur, seek medical attention.
If you get oil in your eyes, flush them with water for 15 minutes.
If you swallow oil, do not try to vomit it, as this may get oil into your lungs.
If you breathe in oil fumes, move indoors or to an area away from the oil.
It is most important to leave during the hottest times of the day when the oil fumes are strongest.
If you have trouble sleeping because of the oil fumes, try to find some place away from the fumes where you can stay for a while.
If you have breathed in a lot of fumes and you have trouble breathing, your chest hurts or feels tight, or you feel dizzy, see a doctor right away.
Keep your pets from entering oil-contaminated areas.

5.2 Product Hazard

Different petroleum products may present different hazards to responders and to the public. Volatile organic compounds (VOCs) from different petroleum products can present a hazard for fire or explosion. Exposure to low levels of VOCs can cause irritation to eyes, nose, throat, and skin. Exposure to VOCs can also cause headaches and stomach upset in some individuals. These symptoms usually diminish when the individual leaves the area. Benzene is a toxic VOC found in petroleum products. Environmental monitoring is often conducted to alert responders of any potential hazards or determine the status of identified threats.

In addition to inhalation risks, individuals may experience negative health impacts from skin contact with petroleum products or through ingesting water contaminated with petroleum products.

Additional Considerations for PIOs:

- PIOs may wish to consult SMEs and the OSHA SDSs for the spilled product to be ready for questions on the product's hazard.

SME:

- Lead federal agency (EPA or USCG)
- HHS/ATSDR
- DOL/OSHA

5.3 Water Contamination

Inland oil spills may threaten or actually contaminate both private and public sources of drinking water. Disruptions to drinking water sources may cause great anxiety in the impacted populace and typically generate intense media interest. In addition to questions about exposure to contaminated water, alternative drinking water sources, and restoration of drinking water systems, the public may also inquire about impacts to livestock and agriculture.

Additional Considerations for PIOs:

- For spills that impact drinking water systems, federal authorities often provide technical assistance to state and local authorities to help restore drinking water systems. It is important to remember that the lead authority for the impacted water system is likely to be a local authority, not a federal authority. Local, state, and federal authorities may work together to provide alternative drinking water to the affected populace while efforts are made to restore drinking water systems.

SME:

- EPA
- HHS

5.4 Food Sources

NOAA National Marine Fisheries Service (NMFS) advises on the safety of harvesting fish from waters that may have been contaminated by harmful substances. The HHS Food and Drug Administration (FDA) has authority over the edible portions of seafood and seafood products after harvest. State regulations typically mirror the FDA requirements and states often have a memorandum of understanding (MOU) with the FDA to conduct inspections on behalf of the federal agency.

Additional Considerations for PIOs:

- PIOs may consider providing any details on the fishing closures and seafood warnings.

SME:

- NOAA
- HHS/FDA
- States

6.0 ENVIRONMENTAL IMPACTS

6.1 Wildlife

Depending on the circumstances, oil spills can affect animals and plants, including protected species, in two ways: from the oil itself and from the response or cleanup operations. Understanding both types of impacts can help spill responders minimize overall impacts to ecological communities and help them to recover much more quickly.

Oil destroys the insulating ability of fur-bearing mammals, such as sea otters, and the water-repelling abilities of a bird's feathers, exposing them to the harsh elements. Many birds and animals also swallow oil and are poisoned when they try to clean themselves or when eating oiled prey.

Fish and shellfish exposed to oil can be affected in many ways, including behavioral changes, and impaired reproduction and growth. Heavy exposures can cause death. Commercially harvested species such as oysters, shrimp, and finfish may become contaminated by oil, requiring assessment programs to determine food safety. Air-breathing marine animals like sea turtles, whales, and dolphins may suffer harm from inhaling or ingesting oil and oil vapors at the water's surface.

Some actions that may be taken to protect wildlife include: performing rescue operations by boat; taking rescued wildlife to rehabilitation centers to be cleaned and cared for; monitoring beaches and coastlines for injured or dead wildlife; monitoring or safeguarding nesting; hazing, which consists of methods sometimes used by responders to deter or ward off wildlife from oiled areas; and conducting aerial surveys to assess abundance of wildlife potentially in the footprint of an oil spill.

Additional Considerations for PIOs:

- Provide a number for the public to use if they find impacted wildlife.
- Encourage the public to report, but not attempt to capture, oiled wildlife.

SME:

- DOI/FWS
- NOAA
- EPA

6.2 Environment

Spills of petroleum products can threaten a large variety of aquatic and semi-aquatic species, including fish, crustaceans, birds, and mammals. In addition, spilled petroleum may damage both aquatic and shoreline plant species. Spilled petroleum products may have a toxic impact through emissions of VOCs or through mixture in the water column. In addition, the physical properties of oil can kill animals by coating their bodies impairing their abilities to fly or maintain body temperature. The environmental impacts from spilled petroleum products can have long-term consequences for ecosystems.

Media may focus heavy attention on environmental impacts in the aftermath of a petroleum spill. Media coverage may include photos of impacted wildlife and questions about long-term impacts. Media may also focus on impacts to fisheries, safety of seafood, and sensitive environmental areas (e.g., endangered species, national parks or other protected ecosystems).

It is not always clear how much product will be recovered or how weather and other variables will impact cleanup; it is therefore difficult to fully predict environmental impacts in the early stages of the response.

Additional Considerations for PIOs:

- During a response, the UC works with natural resource agencies. It is critical to coordinate public information releases on environmental impacts through the collective SMEs, as no single entity may have a complete picture.
- PIOs need to be aware that full information on environmental impacts from the spill may take years to study. PIOs may wish to collect information on the impacts of past oil spills in similar environments and coordinate with the JIC to help respond to media inquiries on the potential impacts.

SME:

- EPA
- USDA
- NOAA/ NMFS
- DOI/USFWS

7.0 ECONOMIC IMPACTS

7.1 Fishing Closures

Federal, state, local, and tribal partners work together to determine when and if a closure is needed and for how long. Fisheries may be closed for many reasons, such as observations of oil in the area, a report of seafood tainting, or out of an abundance of caution. Re-opening areas to fishing is determined on a case-by-case basis in coordination with the UC.

Additional Considerations for PIOs:

- PIOs may consider posting fishing closures and seafood warnings.

SME:

- NOAA
- HHS/FDA
- State

7.2 Port Closures

The Captain of the Port (COTP), who is also the pre-designated FOSC in the coastal zone, enforces port safety and security during a response, including taking enforcement actions to ensure the protection and security of vessels and responders, harbors, waterfront facilities, and waterways. Port closures are one such action that the COTP is authorized to take. During pollution events, closures are issued when vessel traffic may impede operations, affect the well-being of vessel crews or responders, or worsen the impact of the spill. Port closures may redirect, restrict, or delay inbound and/or outbound vessel traffic, or limit access to shoreside facilities.

Additional Considerations for PIOs:

- Port closures may be of significant concern to the maritime industry and associated shoreside commercial entities, particularly when closures are prolonged or geographically far-reaching.
- Provide information to the public regarding the status of port closures and reopening.
- Make available the number of vessels in the queue.

SME:

- USCG (COTP or FOSC)

7.3 Tourism

When coasts or recreational areas become polluted, the effects can seem both traumatic and personal to some individuals. Impacts may include damaged habitats, dirtied water, injured wildlife and plants, and closed areas where people boat, fish, and visit. After a spill, people may no longer be able to conduct the activities that they had been planning (swimming, picnic, or playing at the beach), which may affect tourism and the local economy.

Additional Considerations for PIOs:

- Lost recreational uses are taken into consideration during Natural Resource Damage Assessment and Restoration activities (see Section 8.1 of this guide).
- If available, provide numbers to the local tourism authority or chamber of commerce. Consider including those offices in updates on closures, etc.

SME:

- Lead federal agency (EPA or USCG)
- NOAA
- DOI
- State
- Local government

8.0 REMEDIATION AND RESTORATION

8.1 Natural Resource Damage Assessment (NRDA)

NRDA (also referred to as Natural Resource Damage Assessment and Restoration) is the legal process that some federal agencies, together with the states and Indian tribes, use to evaluate the impacts of oil spills, hazardous waste sites, and ship groundings on natural resources along the nation's coast and throughout its interior. These partners, referred to collectively as natural resource trustees, work together to identify the extent of natural resource injuries, the best methods for restoring them, and the type and amount of restoration required. In addition to studying impacts to the environment, the NRDA process includes assessing and restoring the public's lost use of injured natural resources (e.g., closed recreational fishing or swimming.)

There are several steps to the NRDA process, which can begin prior to an incident (pre-incident coordination and planning). Once the information is collected and damages are assessed, legal settlements may be negotiated with the RP, which can be used to restore the injured resources at no cost to the American taxpayers.

Additional Considerations for PIOs:

- NRDA occurs separately from the response and may take several years to complete.
- If available, provide the website for NRDA information specific to the incident.

SME:

- DOC/NOAA
- DOI

8.2 Claims

People adversely impacted by an oil spill may be able to receive compensation. OPA 90 defines the conditions under which individuals may recover costs and damages.

Claimants must first submit the claim to the RP. If the RP denies the claim or does not pay within 90 days of the date the claim was presented to them, a claimant can submit a claim to the NPFC or initiate an action in court. OPA 90 dictates that the RP pay compensation for certain removal costs or damages suffered as a result of an oil spill. The types of costs or damages covered under OPA 90 include: removal costs; real or personal property damage; loss of profits and earning capacity; loss of government revenue; cost of increased public services; subsistence loss; and natural resource damages.

Additional Considerations for PIOs:

- Additional information on claims can be found in 33 CFR § 136.
- PIOs can consider providing the incident-specific claims contact number.
- See the NPFC Claimant's Guide for more information: https://www.uscg.mil/npfc/Claims

SME:

- USCG/NPFC

8.3 Loss of Subsistence Use

Subsistence use refers to individuals' use of natural resources to generally sustain their dietary, economic, shelter, tool, or clothing needs. If an oil spill incident (covered under OPA 90) causes any injury, destruction, or loss to these natural resources, those impacted can file a claim. It does not matter who owns or manages the affected natural resources. Loss of subsistence use does not apply to "recreational" fishermen or hunters.

Additional Considerations for PIOs:

- See the NPFC Claimant's Guide for more information: www.uscg.mil/npfc/Claims
- See 33 CFR § 136 for additional information on claims.

SME:

- USCG/NPFC

Summary

This document provides basic information for public affairs officials regarding subjects and issues that may arise during a SONS or other major oil spill incident. It is intended to be used as a quick reference by PIOs to determine applicable background information, where to find additional information, and the most appropriate agency with subject matter expertise to tackle certain questions on general issues that may arise during a SONS response. It was created by public affairs and spill response experts from NRT member agencies with the intention of improving federal agencies' ability to effectively communicate and share consistent information with each other and the national media during a SONS. This information is not intended to be used in place of incident-specific information as it becomes available over the course of a response.

Appendix A:
Federal Agency Public Affairs Office Phone Numbers

FEDERAL AGENCY PUBLIC AFFAIRS OFFICE PHONE NUMBERS *(FOR LISTED SUBJECT MATTER EXPERT AGENCIES IN THIS DOCUMENT)*	
Department of Commerce	(202) 482-4883
National Oceanic and Atmospheric Administration	(202) 482-6090
Department of Health and Human Services	(202) 690-6343
Food and Drug Administration	(301) 796-4540
Department of Homeland Security	(202) 282-8010
Federal Emergency Management Agency	(202) 646-3272
United States Coast Guard	(202) 372-4630
National Pollution Funds Center	(202) 795-6958
Department of the Interior	(202) 208-6416
Bureau of Safety and Environmental Enforcement	(202) 208-3985
Department of Labor	(202) 693-4676
Occupational Safety and Health Administration	(202) 693-1999
Department of State	(202) 647-2492
(After Hours)	(202) 647-1512
Department of Transportation	(202) 366-4570
Federal Railroad Administration	(202) 493-6024
Pipeline and Hazardous Materials Safety Administration	(202) 366-4831
United States Maritime Administration	(202) 366-5807
Environmental Protection Agency	(202) 564-8368
National Security Council Staff	(202) 456-1414

Note: Please defer to established lines of communication prescribed by the Unified Command when actively involved in an incident response. The SME agencies and phone numbers listed are provided as a resource.

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Appendix B:
NRS Member Agencies' Responses Solutions

Under the NRS, there are 15 federal agencies that can provide solutions for effective responses to foreign and domestic emergencies involving hazardous substances, pollutants and contaminants, oil, and weapons of mass destruction in natural and technological disasters and other environmental incidents of national significance. These agencies may provide technical assistance, scientific expertise, logistical support, and coordinating capabilities associated with its specific responsibilities and expertise. The National Response Team and Regional Response Teams coordinate planning and can access assets and capabilities of its member agencies to support Federal On-Scene Coordinators and state and local responders. The following include a few examples of each agency's capabilities (National Response Team, 2011).

AGENCY	SOLUTIONS FOR RESPONSE
Department of Agriculture (USDA)	USDA's Forest Service, Agricultural Research Service, and other agencies have personnel, laboratories, and field capabilities to evaluate, monitor, and control situations where natural resources, including soil, water, wildlife, and vegetation, have been impacted by hazardous substances and other natural or manmade emergencies. Further, the Forest Service may offer additional equipment to the response effort.
Department of Commerce, National Oceanic and Atmospheric Administration (NOAA)	NOAA's National Ocean Service (NOS) provides a broad range of scientific, technical, and policy experts to support the response to an incident and inform recovery. NOS services provide valuable information for preparedness, response and recovery, such as GNOME, a software modeling tool used to predict how oil and other pollutants might move and spread on the water, and ERMA, an online mapping tool integrating static and real-time data in an easy-to-use format for environmental responders and decision-makers. NOAA Scientific Support Coordinators (SSCs) provide scientific information and expertise to mitigate the impacts of oil and hazardous substance releases on natural resources in coastal and navigable water areas. NOAA SSCs coordinate and provide expertise in many areas including: environmental chemistry, contaminant transport in air and water, weather forecasts, oceanographic conditions, marine fisheries, marine mammals, hydrographic surveys, geodetic positioning, satellite imagery, and high resolution digital aerial photography. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), NMFS is responsible for protecting, restoring, and managing species listed under the Endangered Species Act and Marine Mammal Protection Act, as well as their habitats. NMFS may also provide the FOSC with advice, tools, or scientific information regarding the listed species and designated critical habitat.

AGENCY	SOLUTIONS FOR RESPONSE
Department of Defense (DOD)	For response to contaminant release incidents, DOD's Supervisor of Salvage & Diving, the Army Corps of Engineers, and DoD's Chemical, Biological, Radiological, and Nuclear (CBRN) Response Enterprise, which includes elements of both the active and reserve forces (including the National Guard), have extensive expertise in containment, collection, and mitigation.
Department of Energy (DOE)	DOE's National Nuclear Security Administration is ready to respond to any type of nuclear/radiological accident or incident domestically or internationally, including monitoring, assessment, and working with local, state, and federal agencies and officials to resolve the situation.
Department of Health and Human Services (HHS)	HHS is responsible for coordinating federal assistance to supplement state, tribal, and local resources in response to a public health and medical disaster, potential or actual incidents requiring a coordinated federal response, and/or during a developing potential health and medical emergency. These services include responding to medical needs associated with mental health, behavioral health, and substance abuse considerations of incident victims and response workers. The Centers for Disease Control and Prevention (CDC) and National Institute of Health/National Institute of Environmental Health Sciences (NIEHS) provide worker health and safety training, and the Agency for Toxic Substances and Disease Registry (ATSDR) maintains a surveillance system to evaluate human health exposures to hazardous substances in emergencies. During an incident, CDC and ATSDR also advise the Federal On Scene Coordinator (FOSC) on human health threats and the prevention or mitigation of exposure to hazardous substances. In addition, HHS support includes the Food and Drug Administration (FDA) mandatory safety program for all fish and fishery products. FDA maintains and updates tolerance limits for suggested seafood consumption rates based upon identified compounds of concern.
Department of Homeland Security (DHS)	As provided by the § 311 of the Clean Water Act (CWA), the Secretary of Homeland Security has broad authorities and responsibilities to respond to oil spills, including spills of national significance, in the coastal zone. Additionally, per Homeland Security Presidential Directive-5 (HSPD-5), the Secretary of Homeland Security is also designated as the Principal Federal Official for domestic incident management. These authorities are complementary, since the exercise of CWA authorities ensures an effective and coordinated response under the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300, NCP) and will typically achieve the goals of HSPD-5. Throughout a SONS response, the NIC should confer regularly with the Secretary of Homeland Security to ensure alignment between national goals and objectives, the actions of the Federal interagency and the needs of the FOSC in directing the response.

AGENCY	SOLUTIONS FOR RESPONSE
Department of the Interior (DOI)	Through its bureaus and offices, and based on its extensive land and resource management responsibilities, DOI provides scientific expertise to FOSCs to help protect sensitive natural, recreational, and cultural resources and areas. The U.S. Fish and Wildlife Service (USFWS) provides technical expertise to the FOSC to minimize harm to threatened and endangered species, migratory birds, certain marine mammals, freshwater fish, and their supporting habitat. The Bureau of Safety and Environmental Enforcement (BSEE) oversees oil spill planning and preparedness for U.S. facilities located in both state and federal waters seaward of the coastline that handle, store or transport oil. During a spill, BSEE provides the FOSC with subject matter expertise and source control support as needed on regulated offshore facilities. The Bureau of Ocean Energy Management (BOEM) manages the development of the nation's offshore conventional and renewable energy and marine mineral resources. BOEM oversees oil and gas assessments; inventories oil and gas reserves; grants leases, easements, and rights-of-way for renewable energy development activities; and conducts environmental reviews for each major stage of energy development planning. BOEM may be able to provide the FOSC with additional information pertaining to these subjects.
Department of Justice (DOJ)	DOJ, in coordination with legal counsel of the federal agencies and departments involved, provides expert advice on legal questions arising during an incident. DOJ also represents the federal government in litigation relating to hazardous substance, oil, chemical, or biological releases. Through the Federal Bureau of Investigation (FBI), DOJ is the lead federal agency for the coordination of law enforcement and investigative activities in response to threats or acts of terrorism.
Department of Labor (DOL)	DOL's Occupational Safety and Health Administration (OSHA) has the responsibility and authority to ensure that response workers are protected and to determine if response sites are in compliance with safety and health standards. In this role, OSHA provides consultation and enforcement, as appropriate, and requires adequate training, controls, and personal protective equipment to ensure that responders are properly protected during a response.
Department of State (DOS)	DOS coordinates international response and notification efforts when discharges or releases may affect international interests, including when they involve foreign flag vessels or threaten impact beyond U.S. jurisdiction. DOS also coordinates requests for response assistance from foreign governments.

AGENCY	SOLUTIONS FOR RESPONSE
Department of Transportation (DOT)	DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) develops and enforces regulations for the safe operation of the nation's 2.6 million mile pipeline transportation system and the nearly one million daily shipments of all hazardous materials (hazmat) by land, sea, and air. PHMSA also provides technical training and support to the planning and response communities, including publication of the DOT Emergency Response Guidebook. DOT's Federal Railroad Administration (FRA) has primary jurisdiction over railroad safety, covering the safety of track, grade crossings, rail equipment, operating practices, and movement of hazmat. DOT's Maritime Administration (MARAD) promotes the use of waterborne transportation and its seamless integration with other segments of the transportation system, working in many areas involving ships and shipping, shipbuilding, port operations, vessel operations, national security, environment, and safety.
Environmental Protection Agency (EPA)	EPA chairs the National Response Team and also co-chairs the standing Regional Response Teams with the USCG. EPA provides FOSCs and SSCs for hazardous substance releases and oil discharges in the inland zone as well as Remedial Project Managers for specified long-term remedial activities. EPA also provides expertise on human health and ecological effects of oil discharges or releases of hazardous substances, pollutants, or contaminants; ecological and human health risk assessment; and environmental pollution control techniques. EPA has a number of special teams that can assist FOSCs, including the Environmental Response Team, Chemical, Biological, Radiological, and Nuclear (CBRN) Consequence Management Advisory Team, Radiological Emergency Response Team, and the National Criminal Enforcement Response Team. These Teams have highly trained scientists, engineers, and other technical experts who provide training and specialized assistance in multimedia sampling and analysis, hazards assessment, cleanup techniques, waste management, and environmental crime investigations.
General Services Administration (GSA)	GSA may provide a variety of support to the FOSC including, but not limited to, the following: leasing of facilities, transportation services (air, sea, land), Emergency Lodging Services, and acquisitions support for commodities and supplies, telecommunications services, and other needs as identified.
U.S. Nuclear Regulatory Commission (USNRC)	USNRC regulates civilian nuclear facilities and nuclear materials. USNRC is the lead federal agency during radiological events involving licensees and provides expertise during other radiological incidents.
Federal Emergency Management Agency (FEMA)	FEMA, a component of DHS, is the lead agency for administering financial and technical assistance during a Presidentially declared disaster or emergency under the Robert T. Stafford Act. FEMA is responsible for providing hazardous materials response guidance and training for emergency first responders.

AGENCY	SOLUTIONS FOR RESPONSE
U.S. Coast Guard (USCG)	The USCG is one of the five armed forces of the United States and the only military organization within DHS. The USCG provides the National Response Team Vice Chair, and co-chairs the standing Regional Response Teams. The USCG staffs the National Response Center (NRC), which is the designated federal point of contact for reporting all oil, chemical, radiological, biological, and etiological discharges into the environment, in the U.S. and its territories. The NRC also takes maritime reports of suspicious activity and security breaches within the waters of the U.S. and its territories. The USCG provides FOSCs and coordinates government and industry activities for oil spills and hazardous substance releases in the coastal zone. In addition to a cadre of Marine Science Technicians, Incident Management Division staffs, and District Response Advisory Team members who are trained in spill response and stationed at units throughout the country, the USCG has three Strike Teams who maintain and rapidly deploy with specialized equipment and incident management skills anywhere in the world. The USCG's National Pollution Funds Center (NPFC) provides protection up-front by certifying that certain oil-carrying vessels have the financial ability to pay in the case of an oil spill. When spills do occur, the NPFC provides funding for quick response, compensates claimants for cleanup costs and damages, and takes action to recover costs from responsible parties. Additionally, the USCG maintains continuously manned facilities which can be used for command, control, and surveillance of oil discharges and hazardous substance releases. The USCG offers expertise in domestic and international fields of port safety and security, maritime law enforcement, ship navigation and construction, and the manning, operation, and safety of vessels and marine facilities.

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PORT FOURCHON, La. – Representatives of the responsible party receive a safety briefing prior to addressing reporters at the beach in Port Fourchon, La., May 29, 2010. USCG Photo by Petty Officer 2nd Class Patrick Kelley

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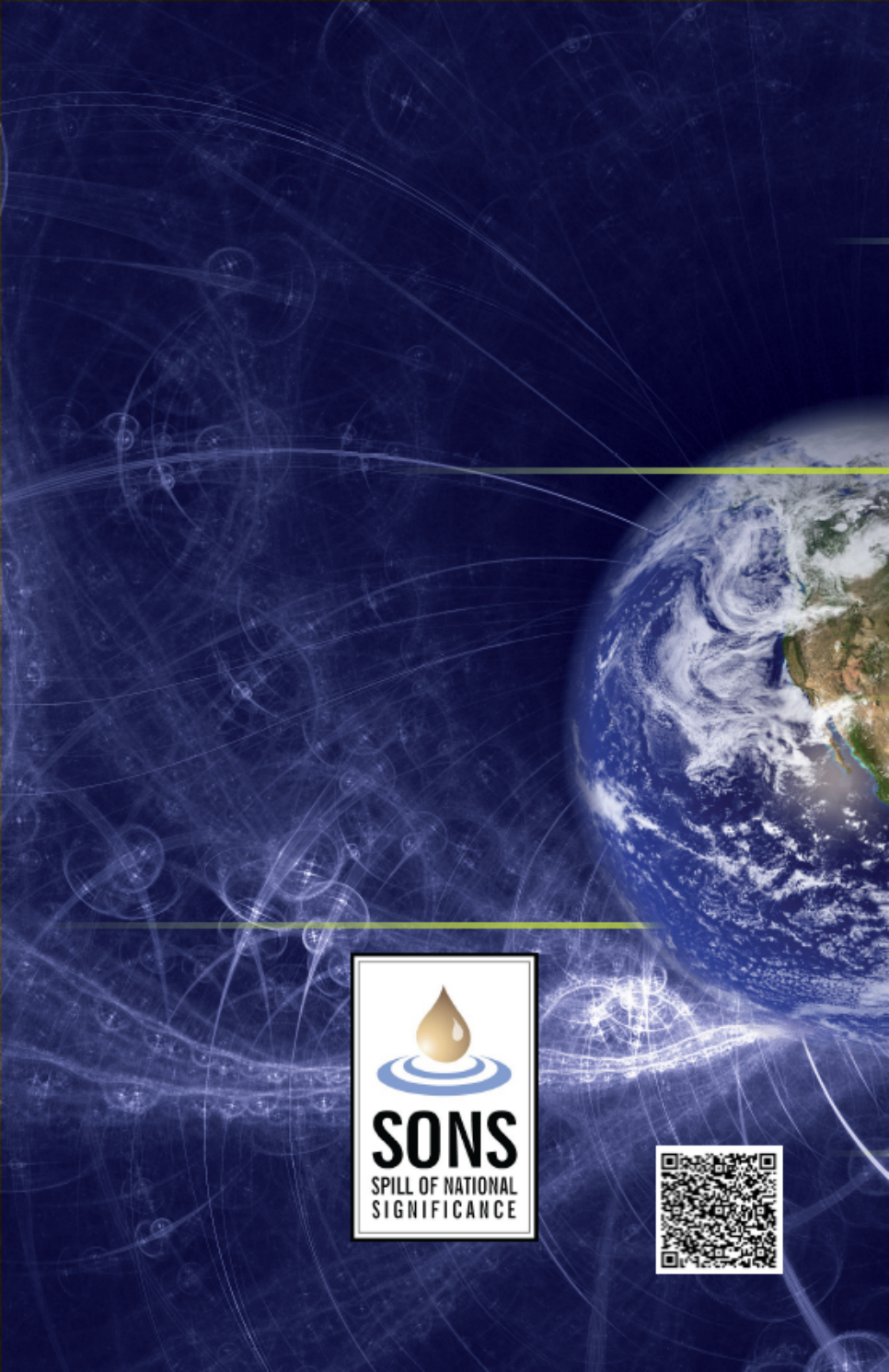
Commandant U.S. Coast Guard (CG-MER-3)
U.S. Coast Guard – Stop 7516
2703 Martin Luther King Jr. Ave. SE
Washington, DC 20593-7516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