2018.2

# Coast Guard Sector Lake Michigan Area Contingency Plan


**U.S. Coast Guard**

**Sector Lake Michigan**

**5/15/2020**

# SECTOR LAKE MICHIGAN AREA CONTINGENCY PLAN

U.S. Department of Homeland Security
United States Coast Guard

Commander
United States Coast Guard
Sector Lake Michigan

2420 S. Lincoln Memorial Drive
Milwaukee, WI 53207
Staff Symbol: sc
Phone: (414) 747-7101
Fax: (414) 747-7108

16465
15 May 2020

Dear Environmental Stakeholder:

This letter approves the Sector Lake Michigan 2018.2 Area Contingency Plan (ACP) pursuant to the provisions of the National Response Framework (NRF) and the National Contingency Plan (NCP) and the Oil Pollution Act of 1990.

This plan has been reviewed and updated, with minor grammatical changes, current contact information and additional links to supporting guides and references. It supersedes all previous editions.

The ACP provides for orderly and effective implementation of response actions to protect people, natural resources and property in the Coastal Zone from the impacts of an actual or substantial threat of oil discharges or hazardous substance releases. The Plan also details common roles, responsibilities, incident response planning processes and resources management principles and policy. Coupled with Sector Lake Michigan's Geographic Response Strategies (GRS), this Plan aligns with the National Incident Management System (NIMS) Incident Command System (ICS), and supports an effective and scalable response to pollution incidents of all types and sizes.

The 2018.2 Sector Lake Michigan ACP, GRS and other pertinent documents are available to the public via the Coast Guard Homeport website under the Lake Michigan Port Directory. Geographic Response Strategies for Sector Lake Michigan are continuously being created, reviewed and improved with the assistance of our Partners; all updates will also be posted on Homeport.

Comments and recommendations regarding this plan should be submitted to the Sector Lake Michigan ACP coordinator, Mr. Charles Tenney at Charles.w.tenney@uscg.mil.

Sincerely,

T. J. STUHLREYER
Captain, U.S. Coast Guard
Commander, Coast Guard Sector Lake Michigan

U.S. Department of Homeland Security
United States Coast Guard

Commander
United States Coast Guard
Ninth District

1240 East Ninth Street
Cleveland, OH 44199-2069
Staff Symbol: d
Phone: (216) 902-6001

16471

JUN 03 2019

# MEMORANDUM

From: J. M. Nunan, RADM
CGD NINE (d)

To: CG SECTOR LAKE MICHIGAN

Subj: FIVE-YEAR APPROVAL OF SECTOR LAKE MICHIGAN'S 2018 AREA CONTINGENCY PLAN

Ref: (a) COMDT (CG-5RI) Memo 16471 of 28 Nov 2017
(b) U.S. Coast Guard Marine Environmental Response and Preparedness Manual, COMDTINST M16000.14A

1. Congratulations to you and your staff! Your Area Contingency Plan (ACP) was among the first plans to be reviewed at the national level by the Coast Guard National Review Panel (CGNRP) and was returned with only minimal recommendations for revision. The revisions you made in accordance with CGNRP recommendations have been reviewed and verified by the D9 Contingency Preparedness Branch and the District Response Advisory Team who determined your plan is in compliance with all applicable references, and that it is also available to the public on Coast Guard Homeport. Having met the planning requirements at both the National and District Levels, I have determined that your plan is approved for use throughout the Lake Michigan geographic area of responsibility.

2. Please pass along my thanks to your Area Committee (AC) for their outstanding efforts in meeting the new national review requirements quickly, effectively, and in compliance with all ACP planning standards. Recognizing that the ACP is a living document subject to constant improvement, the AC's ongoing commitment to protection of the Great Lakes marine environment through future plan improvements is noted and very much appreciated.

3. Should you have any questions regarding this matter, please feel free to contact my D9 POCs, LCDR Kevin Kurczewski at (216) 902-6385 or Mr. Bob Allen at (216) 902-6054.

#

Enclosure: COMDT (CG-MER) memo 16471 of 14 Dec 2018

| RECORD OF CHANGES | | | |
|---|---|---|---|
| **Change Number** | **ACP Section # Changes** | **Date Entered** | **Entered by** |
| Complete Rewrite | | 23 May 2018 | R. Reinemann |
| 1 | Section 1680 was updated with additional NHPA information and links. Section 4610 added a complete list of Threatened & Endangered Species. Section 5200 added a list of major responders. GRS were updated. Throughout the plan, redundant ICS information was removed, contact information and links were verified & updated. | 13 May 2019 | R. Reinemann |
| 2 | Throughout the plan, contact information and links were verified & updated. | 15 May 2020 | R. Reinemann |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

**TABLE OF CONTENTS**
(All sections hyperlinked

## OVERVIEW

## AREA CONTINGENCY PLANS

Area Contingency Plans (ACPs) within the Ninth Coast Guard District coordinate response activities and mechanisms to be undertaken during an oil discharge or hazardous substance release. The ACPs minimize confusion for response personnel in emergent situations by presenting information derived through a deliberate planning process, considering, in advance, scenarios likely to occur in the region, with input from appropriate stakeholders. To ensure consistency in preparedness planning, and to allow effective utilization of assets within and between responders and stakeholders, preparedness activities are controlled by a hierarchy of directives.

**Development** – The ACPs, including local Geographic Response Strategies (GRSs), were developed to align coordination structures among all levels of government, capabilities and resources into a unified, all-discipline and all-hazards approach to incident management. This concept provides relief from redundant and overlapping emergency response planning requirements faced by Area Committees (ACs). The ACPs development includes extensive coordination with federal, state and local agencies, nongovernmental organizations (NGOs) and private sector throughout each planning area. The ACPs provide mechanisms for coordination and implementation of a wide variety of incident management and emergency assistance activities. Activation of the ACPs serves to unify and enhance incident management capabilities and resources of individual agencies and organizations, acting under their own authorities, in response to a wide array of potential threats and hazards. This encourages focused tactical planning at the field level. Individual ACPs incorporate best practices from a wide variety of incident management disciplines to include fire, rescue, emergency management, law enforcement, public works and emergency medical services. The collective input received from public and private-sector partners has been, and will continue to be, absolutely critical to continued refinement of the ACPs.

**Preparedness** - Preparedness ensures the local area response system has adequate capability and organization for prompt and effective response (to discharges or substantial threats of discharges of oil and releases of hazardous substances) to minimize adverse impacts. Preparedness is a cornerstone of effective pollution response. Based on identified risks, response resource requirements are identified, plans are developed and personnel are trained in their roles. ACPs are tested in a variety of exercises and in real time pollution incidents, then revised appropriately based upon lessons learned. Continued efforts to foster partnerships and cooperation among all levels of government, private sector and NGOs remain necessary to ensure that the emergency management community is prepared to respond, and the combined public health, environment and economy remain protected from discharges and releases in the coastal zone of the Great Lakes.

**Resource Planning Standard** - Ensuring a rapid, efficient mitigation of actual or potential pollution discharges and releases, fulfills the ACP intent for a coordinated response. It is USCG policy to ensure timely and effective response action is taken to control and remove discharges of oil and

releases of hazardous substances, including substantial threats of discharges and releases, into the coastal zone.

**Initial response is critical since amounts of materials spilled/discharged are often under or misreported. Resources should provide for no greater than a 2 hour on-scene arrival time at any location within the (Area of Responsibility) AOR. This response time is measured from initial notification until time of arrival on scene, including moderate environmental conditions allowing for safe transit and 30 minutes of preparation time.**

Federal On-Scene Coordinators (FOSCs) recognize these resource standards may not be met in all AORs, especially in those which include areas with little or no infrastructure. Proper operational risk assessment and hazard identification will ultimately determine on-scene arrival time.

Additionally, FOSCs will rapidly assess every reported discharge of oil or release of hazardous substances. Based on the geographical size of the zone, resource limitations, and information received in the notification, the FOSC may, as necessary, use capable and credible sources, such as representatives from other federal, state, or local government agencies for initial assessment.

## 1000 INTRODUCTION

This Coast Guard Sector Lake Michigan Area Contingency Plan has been reviewed and updated, as appropriate, to reflect new guidance, changing contact information, updated links and other additions to improve the overall usability of this plan.

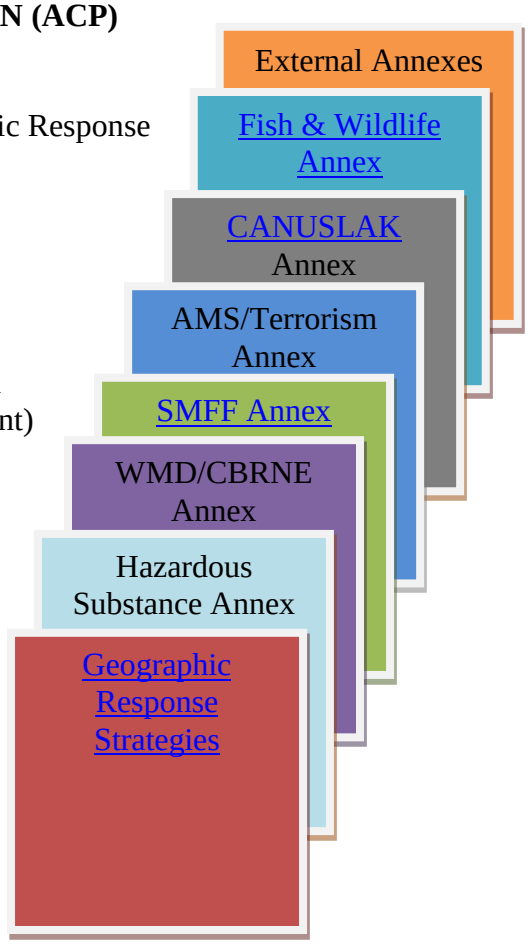
The ACP describes the strategy for a coordinated federal, state, tribal and local response to a discharge or substantial threat of discharge of oil, or a release or substantial threat of release of hazardous substance(s) within the boundaries of (Coastal Zone FOSC). This ACP addresses response to an average most probable discharge (AMPD), a maximum most probable discharge (MMPD), and a worst-case discharge (WCD). Planning for these scenarios covers the expected range of spills possible in the coastal zone covered by this ACP.

For purposes of this plan, the AMPD is the average spill in the area based on the available historical data. The MMPD is also based on historical spill data, and is the discharge most likely to occur taking into account such factors as the size of the largest recorded spill, traffic flow through the area, hazard assessment, risk assessment, seasonal considerations, spill histories and operating records of facilities and vessels in the area. The WCD from a vessel or facility is the largest foreseeable discharge in adverse weather conditions.

This plan shall be used as a framework for response mechanisms to evaluate shortfalls and weakness in the response structure before an incident, and as a guide for reviewing vessel and facility response plans required by the Oil Pollution Act of 1990 (OPA 90). The review for consistency should address, at a minimum, the economically, environmentally and culturally sensitive areas within the zone, response equipment (quantity and type) available within the zone (this includes federal, state, tribal and local government and industry owned equipment); response personnel available; equipment and personnel

needs compared to those available, protection strategies, etc. This plan is written in conjunction with National Oil and Hazardous Substances Contingency Plan (NCP) 40 CFR Part 300 and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) US EPA CERCLA Overview.

## 1010 HOW TO USE THIS AREA CONTINGENCY PLAN (ACP)




The ACP is designed along the lines of the National Response Framework (NRF) and contains an ACP supported by Geographic Response Strategies (GRS) and incident annexes. Some annexes are under development and will be linked when completed.

The plan is designed to be used for every contingency and is supplemented by the appropriate annexes.

For example, in the event of a hazardous substance incident both the ACP and the Hazardous Substance Annex (under development) should be consulted.

In the event that a hazardous substance incident involves suspected or actual terrorist involvement, the Terrorism Annex would be consulted in addition to the ACP and the Hazardous Substance Annex.

Information contained in the ACP and Annexes is built on the foundation of the Incident Command System (ICS). For example, if you are Incident Commander (IC) for an incident, you would first consult the Incident Commander section of the ACP and then reference the incident specific annex to determine if there are any unique issues that an IC should consider in addition to those listed in the ACP.

Where appropriate, links have been inserted to provide responders with sample documents or other information that may be helpful.

Throughout this document the term “Coast Guard Incident Commander” (CGIC) is used to describe the USCG Officer delegated the following authorities: Captain of the Port (COTP), Federal On-Scene Coordinator (FOSC), Federal Maritime Security Coordinator (FMSC) or his designee.

## 1020 MAINTENANCE OF THE AREA CONTINGENCY PLAN

Maintenance of a (Coastal Zone) ACP is the responsibility of the Coast Guard FOSC. As a living document, the ACP must be regularly reviewed and updated to ensure their accuracy and utility for oil and hazardous substance spill response planning and preparedness. ACPs must be reviewed and updated on an annual basis.

### 1020.1 ANNUAL REVIEW AND UPDATE SCOPE

At a minimum, this must address the following:

(A) Validations of critical points of contact information;

(B) Incorporation of lessons learned from exercises or incidents and corrective measures taken;

(C) Validation of Geographic Response Strategies as needed;

(D) Validation of worst case discharge scenarios; and

(E) Identification of any gaps and associated mitigation strategies.

## 1020.2 ANNUAL ACP PUBLICATION

Upon completion of the annual review and update, the FOSC shall complete the following no later than 01 June of each year:

(A) Document changes via Record of Change page. This running record shall be maintained in the ACP. Additionally, this document shall include an annual FOSC signature for validation and record keeping purposes. An example template will be posted and maintained on the MER CG Portal website;

(B) Ensure ACP revision year and change (YYYY.X) is correct. The revision year is the year in which the ACP was reviewed by the Coast Guard National Review Panel and version number is the change since the national review. For example, if an ACP was reviewed by the National Review Panel in 2018, the annual update for 2018 should be reflected as Revision 2018.1. Subsequent annual updates would be reflected as 2018.2, 2018.3, and 2018.4. Another national review will be required every fifth year resulting in a new revision date (i.e., 2023.0);

(C) Each FOSC shall prepare an annual ACP update promulgation memorandum to be incorporated into the ACP. Commandant (CG-MER), Area, District and National Strike Force Coordination Center (NSFCC) shall be copied.

(D) Post the most recent ACP, with record of changes and FOSC annual promulgation memorandum on the unit HOMEPORT website.

## 1020.3 COAST GUARD NATIONAL REVIEW PANEL AND 5-YEAR REVISION

To maintain national consistency and a unified response posture, a Coast Guard National Review Panel (CGNRP) will convene on a yearly basis to review selected ACPs. All ACPs shall be reviewed by the CGNRP at least once every five years. FOSC preparation and level of effort for a five-year review is expected to be similar to what is required for the annual FOSC review and update process described in Section 4. The overall objectives of the CGNRP are to address national consistency on a macro level as well as ensure Districts are utilizing a standard ACP approval process. The scope of the CGNRP review is to conduct a strategic overview of submitted ACPs within the context of national consistency, trends and emergent issues. This CGNRP review will complement the more comprehensive review completed at the District level.

## 1030 AREA CONTINGENCY PLAN PURPOSE

The ACP describe the strategy for a coordinated federal, state, tribal and local response to any vessel, offshore facility, submerged pipeline or waterfront facility within the Great Lakes that experience:

- A discharge or substantial threat of discharge of oil
- A release or threat of release of a hazardous substance
- An exposure to or threat of exposure to a chemical, biological, radiological, nuclear or explosive (CBRN) event.
- One of the above incidents combined with a threat of an act of terrorism

Discharges, releases or exposure incidents can occur for various reasons and the causes can include human error, mechanical failure, fire, and explosion and/or hostile or terrorist activity. In the writing of this plan, a number of factors were considered such as:

- Spill histories
- Vessel traffic flow through the area
- Hazard and risk assessments
- Seasonal considerations
- The maximum product capacities and the operating records of facilities and vessels within the area

The ACP shall be used as:

- A resource and response guide during actual spills or incidents for orderly and effective response actions in the coastal zone
- A framework for response mechanisms to evaluate shortfalls and weaknesses in the response structure before a spill or incident
- A guide for reviewing vessel and facility response plans required by OPA 90, to ensure consistency

This plan contains incident annexes:

- Hazardous Substance
- Weapons of Mass Destruction (WMD)/Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE)
- Salvage and Marine Fire Fighting (SMFF)
- Area Maritime Security (AMS)/Terrorism
- CANUSLAK (Great Lakes Operational Supplement to the Joint Marine Contingency Plan)
- Fish and Wildlife (F&W)
- External

## 1040 DEFINITIONS

The definitions and acronyms utilized throughout this plan are taken from the National Contingency Plan (40 CFR Part 300.5), CERCLA, OPA 90, or the CWA, as amended by OPA 90.

ACTIVATION - Means notification by telephone or other expeditious means to the appropriate state and local officials, or to the regional or district office of participating agencies.

ADVERSE WEATHER - Means the weather conditions that will be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include significant wave height, ice, temperature, weather-related visibility, and currents within the Captain of the Port (COTP) zone in which the systems or equipment are intended to function.

AVERAGE MOST PROBABLE DISCHARGE (facilities) - Means a discharge of the lesser of 50 barrels or l percent of the volume of the worst case discharge.

AVERAGE MOST PROBABLE DISCHARGE (vessels) - Means a discharge of 50 barrels of oil from the vessel.

COASTAL WATERS - Generally means U.S. waters which are navigable by deep-draft vessels, including the contiguous zone and parts of the high seas to which this plan is applicable, and other waters subject to tidal influence.

CONTIGUOUS ZONE - Means the zone of the high seas, established by the United States under Article 24 of the Convention on the Territorial Sea and Contiguous Zone, which is contiguous to the territorial sea and which extends nine miles seaward from the outer limit of the territorial sea.

DISTRICT RESPONSE GROUP (DRG) – The DRG provides the framework within which the USCG District to organize resources for all-hazard response operations. This framework helps to ensure that all assets residing in the District can be brought to bear in the most efficient manner, to assist the Incident Commander in responding to an incident.

DISTRICT RESPONSE ADVISORY TEAM (DRAT) – The DRAT is a readily accessible, deployable team which provides technical and logistical support for the Sector Commanders within the USCG District. Their explicit responsibility is to enhance all-hazard response preparedness for each port within the District, and to provide expertise and technical assistance to the FOSC during oil spills or chemical releases. In addition to this team, there are personnel identified as Expanded DRAT members co-located at the District that bring additional capabilities to bear as needed.

EXCLUSIVE ECONOMIC ZONE - Means the zone contiguous to the territorial sea of the United States extending to a distance up to 200 nautical miles from the baseline from which the breadth of the territorial sea is measured.

FEDERAL ON-SCENE COORDINATOR (FOSC) – The federal official pre-designated by the USEPA or the USCG to coordinate responses under subpart D of the NCP (40 CFR 300) or the government official designated to coordinate and direct removal actions under subpart E of the NCP. A FOSC can also be designated as the Incident Commander.

INCIDENT MANAGEMENT TEAM - A NIMS/ICS compliant overhead organization that can effectively manage an incident by developing and implementing appropriate strategies and tactics to accomplish incident objectives.

INLAND WATER - For the purposes of classifying the size of discharges, means those waters of the United States in the inland zone, waters of the Great Lakes, and specified ports and harbors on inland rivers.

MAJOR DISCHARGE - Means a discharge of more than 10,000 gallons of oil to the inland waters; or a discharge to the coastal waters of more than 100,000 gallons of oil; or a discharge of a hazardous substance that poses a substantial threat to the public health or welfare, or results in critical public concern (40 CFR 117).

MARINE TRANSPORTATION-RELATED FACILITY (MTR facility) - Means an onshore facility, including piping and any structure used to transfer oil to or from a vessel, subject to regulation under 33 CFR Part 154 and any deepwater port subject to regulation under 33 CFR Part 150.

MAXIMUM EXTENT PRACTICABLE (facility) - Means the planning values derived from the guidelines for determining and evaluating the required response resources for facility response plans per 33 CFR 154 Appendix C.

MAXIMUM EXTENT PRACTICABLE (vessel) - Means the planning values derived from the guidelines for determining and evaluating the required response resources for vessel response plans per 33 CFR 155.1050, 155.1052, 155.1230 or 155.2230, as appropriate.

MAXIMUM MOST PROBABLE DISCHARGE (facility) - Means a discharge of the lesser of 1,200 barrels or 10 percent of the volume of a worst-case discharge.

MAXIMUM MOST PROBABLE DISCHARGE (vessel) - Means a discharge of up to 2,500 barrels of oil for vessels with an oil cargo capacity equal to or greater than 25,000 barrels; or 10% of the vessels oil cargo capacity for vessels with a capacity of less than 25,000 barrels.

MEDIUM DISCHARGE - Means a discharge of 1,000 to 10,000 gallons of oil to the inland waters or a discharge of 10,000 to 100,000 gallons of oil to the coastal waters. A discharge of a hazardous substance equal to or greater than a reportable quantity as defined by regulation (40 CFR 117).

MINOR DISCHARGE - Means a discharge to the inland waters of less than 1,000 gallons of oil; or a discharge to the coastal waters of less than 10,000 gallons of oil; or a discharge of a hazardous substance in a quantity less than that defined as reportable by regulation (40 CFR 117).

NON-PERSISTENT OR GROUP I OIL - Means a petroleum-based oil that, at the time of shipment, consists of hydrocarbon fractions - At least 50% of which by volume, distill at a temperature of 340 degrees C (645 degrees F); and at least 95% of which by volume, distill at a temperature of 370 degrees C (700 degrees F).

NON-PETROLEUM OIL - Means oil of any kind that is not petroleum based. It includes, but is not limited to, animal and vegetable oils.

PERSISTENT OIL - Means petroleum-based oil that does not meet the distillation criteria for non-persistent oils. For the purposes of this document, persistent oils are further classified based on specific gravity as follows:

- Group II - Specific gravity less than .85 (e.g. gasoline, kerosene, Nigerian Light Crude).
- Group III - Specific gravity between .85 and less than .95 (e.g. Arabian and Kuwait Crude).
- Group IV - Specific gravity between .95 to and including 1.0 (e.g. Bunker C, #6 Fuel Oil).
- Group V - Specific gravity greater than 1.0 (e.g. Carbon Black).

QUALIFIED INDIVIDUAL - Means an English-speaking representative(s) of the facility identified in the plan, located in the United States, available on a 24-hour basis, familiar with implementation of the facility response plan, and trained in his or her responsibilities under the plan.

RESPONSE RESOURCES - Means the personnel, equipment, supplies, and other capability necessary to perform the response activities identified in a response plan.

SPILL OF NATIONAL SIGNIFICANCE (SONS) - is defined as a spill which greatly exceeds the response capability at the local and regional levels and which, due to its size, location, and actual or potential for adverse impact on the environment is so complex, it requires extraordinary coordination of federal, state, local and private resources to contain and clean up. Only the Commandant of the Coast Guard or the Administrator of the USEPA can declare a SONS.

SUBSTANTIAL THREAT OF A DISCHARGE (facility) - Means any incident or condition involving a facility that may create a risk of discharge of fuel or cargo oil. Such incidents include, but are not limited to storage tank or piping failures, above ground or underground leaks, fires, explosions, flooding, spills contained within the facility, or other similar occurrences.

SUBSTANTIAL THREAT OF A DISCHARGE (vessel) - Means any incident involving vessel that may create a significant risk of discharge of fuel or cargo oil. Such incidents include, but are not limited to groundings, standings, collisions, hull damage, fire, explosion, flooding, on-deck spills, loss of propulsion, or other similar occurrences.

TRUSTEE – means an official of a federal natural resources management agency designated in subpart G of the NCP or a designated state official or Indian tribe or, in the case of discharges covered by OPA, a foreign government official, who may pursue claims for damages under section 107(f) of CERCLA or section 1006 of the OPA.

VESSELS CARRYING OIL AS A PRIMARY CARGO - Means all vessels carrying bulk oil cargo that have a Certificate of Inspection issued under 46 CFR Subchapter D (except for dedicated response vessels), Certificate of Compliance, or Tank Vessel Examination Letter.

VESSELS CARRYING OIL AS A SECONDARY CARGO - Means vessels carrying oil pursuant to a permit issued under 46 CFR Subchapter D (30.01-5), 46 CFR Subchapter H (70.05-30), or 46 CFR Subchapter I (90.05-35), an International Oil Pollution Prevention (IOPP) or Noxious Liquid Substance (NLS) certificate required by 33 CFR 151.33 or 151.35, a dedicated response vessel operating outside a response area, or any uninspected vessel that carries bulk oil cargo.

WORST CASE DISCHARGE (facilities) - Means:

- For facilities with above ground storage, not less than –
  - Loss of the entire capacity of all tank(s) at the facility not having secondary containment; plus
  - Loss of the entire capacity of any single tank within a second containment system or
  - The combined capacity of the largest group of tanks within the same secondary containment system, whichever is greater; and

- For facilities with below-ground storage supplying oil to or receiving oil from the MTR portion means
  - The cumulative volume of all piping carrying oil between the marine transfer manifold and the non-transportation-related portion of the facility. The discharge of each pipe is calculated as follows:
    - The maximum time to discover the release from the pipe in hours, plus the maximum time to shut down flow from the pipe in hours (based on historic discharge data or the best estimate in the absence of historic discharge data for the facility) multiplied by the maximum flow rate expressed in barrels per hour (based on the maximum daily capacity of the pipe) plus the total line marine manifold and the non-transportation related portion of the facility.

WORST CASE DISCHARGE (vessel) - Means a discharge in adverse weather conditions of a vessel's entire oil cargo.

## 1050 ACRONYMS

AC Area Committee
ACP Area Contingency Plan
AMSP Area Maritime Security Plan
AOR Area of Responsibility
ATSDR Agency for Toxic Substance Disease Registry
AST Atlantic Strike Team (USCG)
AVO Affiliated Volunteer Organization
BIA Bureau of Indian Affairs
BOA Basic Ordering Agreement
BBL Barrel (42 U. S. gallons)
BSEE Bureau of Safety and Environmental Enforcement
CAC Crisis Action Center
CANUSLAK Canadian/ U.S. Lakes Annex to the Joint Marine Pollution Contingency Plan
CBRNE Chemical Biological Radiological Nuclear Explosive
CEQ Council on Environmental Quality
CERCLA Comprehensive Environmental Response, Compensation & Liabilities Act
CHRIS Chemical Hazardous Information Response System
CGHQ Coast Guard Headquarters
CO Commanding Officer
COMMCEN Communications Center
COTP Captain of the Port (USCG)
CFR Code of Federal Regulations
CWA Clean Water Act
DOC U. S. Department of Commerce
DOD U. S. Department of Defense
DOE U. S. Department of Energy
DOI U. S. Department of the Interior
DOL U. S. Department of Labor
DRAT District Response Advisory Team
DRG District Response Group
EOC Emergency Operations Center
ERT Environmental Response Team (USEPA)
FAA Federal Aviation Administration
FLAT Federal Lead Administrative Trustee
FOSC Federal On-Scene Coordinator (USCG)
FINCEN Coast Guard Finance Center
FWPCA Federal Water Pollution Control Act
33 USC 1321 - U. S. Code Title 33, Part 1321 (Codified version of the FWPCA)
GAL Gallon
GLWQA Great lakes Water Quality Agreement

GRS Geographic Response Strategies
GSA General Services Administration
ICS Incident Command Structure
ICS-AC Area Command
IMAT Incident Management Action Team
IMH Incident Management Handbook
ISB In-Situ Burn
JIC Joint Information Center
JOC Joint Operations Center
MER Manual Coast Guard Marine Environmental Response and Preparedness Manual
MIPR Military Interdepartmental Purchase Request
MOA Memorandum of Agreement
MOU Memorandum of Understanding
MSM Marine Safety Manual (USCG)
MSST Marine Safety and Security Team
MTSRU Marine Transportation System Recovery Unit
NCP National Contingency Plan
NIC National Incident Commander
NICa Alternate National Incident Commander
NIOSH National Institute for Occupational Safety and Health
NOAA National Oceanographic and Atmospheric Administration
NPFC National Pollution Fund Center
NPS National Park Service
NRC National Response Center
NRDA Natural Resource Damage Assessment and Restoration Program
NRF National Response Framework
NRS National Response System
NRT National Response Team
NSF National Strike Force
NSFCC National Strike Force Coordination Center (USCG)
OPA 90 Oil Pollution Act of 1990
OSC On-Scene Coordinator (USEPA)
OSHA Occupational Safety and Health Administration
OSLTF Oil Spill Liability Trust Fund
OSRO Oil Spill Removal Organization
PA Programmatic Agreement on Protection of Historic Properties during Emergency Response under the National Oil and Hazardous Substances Pollution Contingency Plan
PAO Public Affairs Officer
PIAT Public Information Assist Team (USCG)
POLREP Pollution Report in Message Format
PREP National Preparedness for Response Exercise Program
PRFA Pollution Removal Funding Authorization
PRP Potentially Responsible Party (CERCLA)

RAR Resources at Risk
RCP Regional Contingency Plan
RCRA Resource Conservation and Recovery Act of 1976
RP Responsible Party
RRC Regional Response Center
RRI Response Resource Inventory
RRT Regional Response Team
SDS Safety Data Sheet
SONS Spill of National Significance
SSC Scientific Support Coordinator (NOAA)
SUPSALV Supervisor of Salvage (USN)
UAC Unified Area Command
UCS Unified Command System
USACOE U. S. Army Corps of Engineers
USC U. S. Code
USDOT U. S. Department of Transportation
USEPA U.S. Environmental Protection Agency
USFWS U. S. Fish and Wildlife Service
USCG U. S. Coast Guard
USGS U. S. Geological Survey
USN U. S. Navy

## 1060 CRITICAL INCIDENT COMMUNICATIONS

To ensure that any incident of national interest is rapidly reported to senior levels within the USCG, the CGIC is to use the *Critical Incident Communications* process set forth in COMDTINST 3100.8 (series).

An incident of national interest is presumed when it is conceivable that the Commandant of the USCG or Secretary of the Department of Homeland Security requires timely knowledge of the incident. Examples include:

- Terrorist attack or suspected terrorist attack
- Attack or apparently significant accident (e.g. explosion, fire, etc.) involving maritime critical infrastructure or key assets
- Sudden incident involving major loss of life or property
- Incident resulting in significant damage to a USCG ship, aircraft, or other high-value equipment (e.g. helicopter crash with probable serious injury or death)
- Receipt of intelligence or not finally evaluated information that the reporting command deems of such importance and time critical nature that it requires the immediate attention of Commandant or higher authority
- Any incident which, in the opinion of the commanding officer or officer-in-charge equates to the above criteria

## 1060.1 USCG PROCEDURES

The following is an overview (not inclusive) of the procedures to be followed under the Critical Incident Communications Process:

- Initial Report - The purpose of the conference call is for the Unit to make initial notification of the incident. The initial notification will normally be in clear voice (non-secure). Within 5 minutes of becoming aware of an incident the Unit must contact (800) 323-7233 and request a conference call with:
  - District
  - Area
  - USCG Command Center

- Follow-on update - Within 30 minutes of the Unit becoming aware of an incident the USCG Command Center will initiate a conference call with:
  - The Unit
  - District Commander
  - Area Commander
  - Commandant or designee

- The Unit will provide:
  - Update on the incident
  - Initial course of action
  - Resource needs (i.e. National Strike Force, Maritime Safety and Security Team)

The conference call will normally be conducted via a secure conference line.

## 1100 INTRODUCTION / AUTHORITY

## 1110 ESTABLISHMENT OF AREA COMMITTEES AND AREA CONTINGENCY PLANS

ACP's are required by Title IV, Section 4202 of the Oil Pollution Act of 1990 (OPA 90) which amends Subsection (j) of Section 311 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1321 (j) as amended by the Clean Water Act (CWA) of 1977 (33 U.S.C. 1251 et seq) to address the development of a national planning and response system.

The ACP's are also written in accordance with the NCP and the CERCLA, as Amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA).

As part of this National Planning and Response System, Area Committees (AC) were established for each area designated by the president. Qualified personnel from federal, state, tribal and local agencies comprise the AC. Each AC, under the direction of the FOSC for the area, is responsible for developing their local ACP. Each AC is responsible for working together as a committee including all applicable

federal, state, tribal and local officials to complete or include in their ACP appropriate annexes and/or Geographic Response Strategies (GRS).

GRS Components

- Identification of appropriate procedures for mechanical recovery
- Identification of appropriate procedures for shoreline cleanup
- Identification of environmentally and economically sensitive areas
- Identification of appropriate procedures for protection of sensitive economic and environmental areas
- Identification of appropriate procedures for protection, rescue, and rehabilitation of fisheries and wildlife
- Identification of methods to respond to non-floating oils
- Identification of high-risk hazardous substances including radiological materials within the area of responsibility (AOR)
- Identification of hazardous substances that can be used as WMD
- Identify and assess local, tribal, state, federal, and industry hazardous substance response capabilities

Executive Order 12777 of 22 October 1991, gave the Commandant of the USCG (through the Secretary of Transportation) for coastal zones and the Administrator of the USEPA for the inland zones, the functions of designating areas, appointing area committee members, determining the information to be included in area contingency plans, and reviewing and approving area contingency plans.

Title IV of the Homeland Security Act, Section 402 transferred functions of the USCG from the Department of Transportation to the Department of Homeland Security.

## 1120 POLLUTION INVESTIGATION AUTHORITY

Several federal, state, and local agencies have a direct role in the enforcement of applicable laws and regulations associated with a discharge, or substantial threat of a discharge, of oil into the navigable waters of the U.S. The investigation into alleged violations of the many applicable laws and regulations require a coordinated effort among the many agencies involved. As a preliminary step to enhance the effectiveness of investigative activities and limit the potential negative impact of these activities along with the cleanup and removal actions associated with an incident, the following agencies have been identified as having a direct, field-oriented role in the initial stages of these events:

- USCG
- DOE
- DOD
- USEPA
- Indiana Department of Environmental Management
- Illinois Environmental Protection Agency

- Wisconsin Department of Natural Resources
- Michigan Department of Environmental Quality

## 1130 SENSITIVE SECURITY INFORMATION (SSI) RELATING TO ACPs

### 1130.1 BACKGROUND

The NRT tasked the NRT Preparedness Committee with developing a list of sensitive information types and implementation guidelines for removing and reposting this information from the ACPs and RCPs so that the public could obtain access to the plans. As a result, the attached list of 12 types of sensitive information attempts to make an accommodation between removing all information that terrorists might find helpful and going "too far" by removing information that is of particular value to the incident planning and response communities. The list of 12 types of sensitive information has been reviewed by USCG Intelligence, Port Security and web content officials and deemed "reasonable and justifiable."

### 1130.2 IMPLEMENTATION

ACPs and RCPs containing any of the itemized types of sensitive information are considered for official use only and may be distributed only at the plan administrator's (e.g., RRT Co-Chair or other individual designated by the RRT Co-Chair, DRAT) discretion.

### 1130.3 RCPs

As of December 31, 2003, RCPs posted on the internet should not contain any sensitive information.

### 1130.4 ACPs

As of December 31, 2003, ACPs posted on the internet should not contain any sensitive information.

### 1130.5 ITEMIZATION OF SENSITIVE INFORMATION

The following types of sensitive information should have been removed from all GRSs, ACPs and RCPs:

- Personal contact information for agency personnel to include their home addresses and phone numbers (unless this phone number is used as an agency emergency contact notification).

- Personal contact information of chemical and petro-chemical facility personnel to include their names, home addresses, and phone numbers.

- Petro-chemical and chemical facility information, to include: facility schematics showing pipe and tank locations; products and hazardous materials handled including volumes, types, and locations; transfer schedules; and/or security measures.

- Locations of radiation sources in the region (lists of facilities with licenses and what type of source).

- Maps or diagrams depicting hazardous material plume trajectories (in the event of a release), based on actual products transported, stored, or manufactured in the area. (Note: Oil spill trajectories as they relate to possible scenarios are not considered sensitive.)

- HAZMAT and WMD scenarios based on actual products transported, stored, or manufactured in the area.

- Bulk chemical and liquefied hazardous gas carrier schedules and routes.(Note: Many LNG/LPG vessels have moving and/or fixed Safety Zones [33CFR165]
  associated with them; however, their routes are not identified in the regulations and likewise should not be made available through an ACP.)

- Railroad references when detailing bulk HazMat shipments.

- Oil, chemical and natural gas pipeline diagrams.

- Locations of public and private drinking water systems including intakes, pumping stations, wells, and other key delivery components.
- Hazmat and public health resource listings including hospitals able to assist with decontamination and disposal of biologically contaminated material.

- Terrorism annexes (for all plans that have included them).

The AC will review the respective ACP's to ensure the 12 types of sensitive information listed above are removed as appropriate and reposted for Internet access in accordance with the NRT ACP-RCP Internet Security Technical Assistance Document of 12 Aug 03.

## 1200 GEOGRAPHIC BOUNDARIES

**Ninth Coast Guard District Boundaries:**

As defined in 33 CFR 3.45-1**,** the Ninth Coast Guard District comprise Michigan, New York north of latitude 42° N. and west of longitude 74°39′ W.; Pennsylvania north of latitude 41° and west of longitude 78°55′ W.; that part of Ohio and Indiana north of latitude 41° N.; that part of Illinois north of latitude 41° N. and east of longitude 90° W.; Wisconsin, except that part south of latitude 46°20′ N. and west of longitude 90° W.; and that part of Minnesota north of latitude 46°20′ N.

**Sector Lake Michigan Boundaries:**

As defined in 33 CFR 3.45-15, the boundaries of Sector Lake Michigan's Marine Inspection Zone and Captain of the Port Zone include all navigable waters of the United States and contiguous land areas within the boundaries of an area starting from a point at latitude 44°43′00″ N, longitude 84°30′00″ W, proceeding due west to longitude 85°40′00″ W; thence northwest to the eastern shore of Lake Michigan at latitude 45°01′00″ N; thence northwest to latitude 45°22′30″ N, longitude 86°19′00″ W; thence northeast to latitude 45°41′00″ N, longitude 86°06′00″ W; thence northwest to latitude 46°20′00″ N, longitude 87°22′00″ W; thence west to latitude 46°20′00″ N, longitude 90°00′00″ W; thence south to latitude 41°00′00″ N; thence east to the Ohio-Indiana border at latitude 41°00′00″ N, longitude 84°48′12″ W; thence north along the Ohio-Indiana border to the intersection of the Ohio-Indiana-Michigan border at latitude 41°41′59″ N, longitude 84°48′22″ W; thence east along the Ohio-Michigan border to latitude 41°42′13″ N, longitude 84°30′00″ W; thence north to the start point.

**Coastal Zone Boundaries:**

The boundary between the inland zone and coastal zone is defined in 40 CFR 300.5: "*Coastal zone* as defined for the purpose of the NCP, means all United States waters subject to the tide, United States waters of the Great Lakes, specified ports and harbors on inland rivers, waters of the contiguous zone, other waters of the high seas subject to the NCP, and the land surface or land substrata, ground waters, and ambient air proximal to those waters. The term coastal zone delineates an area of federal responsibility for response action. Precise boundaries are determined by EPA/USCG agreements and identified in federal regional contingency plans.

**Ninth Coast Guard District Responses in the Inland Zone:**

Ordinarily, the Ninth Coast Guard District will not provide the OSC for a release occurring in the inland zone. However, where a Marine Safety Officer responds in the inland zone to a marine casualty or other incident pursuant to USCG port safety and commercial vessel safety responsibilities, that officer will serve as the First Federal Official On Scene, pending arrival of the predesignated US EPA OSC. In this capacity, that officer will manage any cleanup actions performed by the responsible party and, if necessary, will initiate a Federal removal.

The US EPA Region 5 office may request that the Ninth Coast Guard District provide the OSC for a release in the inland zone, regardless of source, because of the particular circumstances of the incident.

**Coastal/Inland Geographic Boundaries between EPA Region 5 and Coast Guard Sector Lake Michigan for spill response are shown below and in Section 1.4.2.3 of the RCP/ACP:**

**The following waters and proximal areas are located within the coastal zone in the COTP Sector Lake Michigan Zone and are waters for which COTP Sector Lake Michigan is the pre-designated Federal on Scene Coordinator:**

1. All waters of Lake Michigan within COTP Sector Lake Michigan's zone as defined in Title 33 Code of Federal Regulations 3.45-15.
2. Pike Creek (Kenosha): To the Sixth Avenue Bridge.
3. Root River (Racine): To the Main Street Bridge.
4. Oak Creek (Milwaukee): To its mouth.
5. Kinnickkinnic River (Milwaukee): To the South Kinnickkinnic Avenue Bridge.
6. Menominee River (Milwaukee): To mile 2 (25th Street Bridge)
7. Milwaukee River (Milwaukee): To the North Humboldt Avenue Bridge.
8. Sauk Creek (Port Washington): To the Wisconsin Street Bridge.
9. Sheboygan River (Sheboygan): To the Pennsylvania Avenue Bridge.
10. Manitowoc River (Manitowoc): To the C&NW Railroad Bridge.
11. West Twin River (Two Rivers): To the 16th and Madison Streets Bridge.
12. East Twin River (Two Rivers): To the 22nd Street Bridge.
13. Kewaunee River (Kewaunee): To the Park Street Bridge.

14. Ahnapee River (Algoma): To the 2nd Street Bridge.
15. Fox River (Green Bay): To the State Route 172 Bridge.
16. East River (Green Bay): To the Monroe Avenue Bridge.
17. Oconto River (Oconto): To the turning basin.
18. Menominee River (Marinette, Wisconsin to Menominee, Michigan): To the Dunlap Avenue (Highway 41) Bridge.
19. North Point Marina (Winthrop Harbor, Illinois): Entire marina.
20. Waukegan Harbor: Entire harbor.
21. Wilmette Harbor: From the entrance to the sluice gate.
22. Montrose Harbor (Chicago, Illinois): Entire harbor.
23. Belmont Harbor (Chicago, Illinois): Entire harbor.
24. Diversey Harbor (Chicago, Illinois): Entire harbor.
25. Chicago River: The outer harbor, limited to the waters outside the Chicago Lock and retaining walls, including the waters inside the lock gates.
26. Burnham Park Harbor (Chicago, Illinois): Entire harbor.
27. 59th Street Harbor (Chicago, Illinois): Entire harbor.
28. Jackson Park Harbor (Chicago, Illinois): Entire harbor.
29. Calumet Harbor and River (Chicago, Illinois): From the mouth of the Calumet River south to the north side of O'Brien Lock and Dam, including the waters inside the lock gates. From "The Forks" west to the temporary dike at the south boundary of Lake Calumet.
30. Hammond Marina: Entire marina.
31. Indiana Harbor (East Chicago, Indiana): Upstream to Conrail Railroad Bridge.
32. Pastrick Marina (East Chicago, Indiana): Entire marina.
33. Buffington Harbor (Gary, Indiana): Entire harbor.
34. Gary Harbor (Gary, Indiana): Entire harbor.
35. Burns Harbor (Burns Harbor, Indiana): From the entrance to the south end of deep draft slip.
36. Michigan City Harbor: Entrance to Bascule Bridge.
37. Betsie Lake (Frankfort): Entire lake throughout up to and including the mouth of the Betsie River to Highway M-22 bridge.
38. Arcadia Lake: Entire lake.
39. Portage Lake: Entire lake.
40. Manistee Lake (Manistee): Entire lake throughout up to and including the mouth of the Manistee River to Highway M-55 bridge.
41. Pere Marquette Lake (Ludington): Entire lake throughout up to and including the mouth of the Pere Marquette River to Old U.S. 31 bridge.
42. Pentwater Lake: Entire lake.
43. White Lake: Entire lake.
44. Muskegon/Bear Lake (Muskegon, Michigan): Entire lake throughout up to and including the Muskegon River to the U.S. 31 bridges.
45. Mona Lake: Entire lake.
46. Spring Lake: Entire lake.
47. Grand River: From the mouth to the end of the dredged channel at Buoy #78 (in Ottawa County approximately 17 miles upstream).

48. Pigeon Lake: Entire lake up to the fixed bridge in the intake channel of the J.H. Campbell power plant and on the eastern end up to the fixed bridge of Lakeshore Avenue.
49. Lake Macatawa: Entire lake to the end of the dredged channel marked by buoys #25 and #26 (eastern end of the lake in Holland).
50. Kalamazoo Lake (Douglas/Saugatuck): Entire lake up to and including the Kalamazoo River to the CSX Railroad bridge, approximately 11 miles upstream.
51. Black River (South Haven): From the mouth to the U.S. 31 bridge, approximately 2.6 miles upstream.
52. St. Joseph River (St. Joseph): From the mouth to the Somerleyton bridge, approximately 6.6 miles upstream.
53. Paw Paw River (Benton Harbor): From the mouth to the CSX Railroad bridge, approximately 3.2 miles upstream.
54. Galien River: from the mouth to the Highway 12 bridge, approximately 2 miles upstream.

For planning purposes, Sector Lake Michigan's AOR includes 28 Lake Michigan shoreline counties. The links shown below are to each County's Emergency Management Agency:

| Wisconsin | Illinois | Michigan |
|---|---|---|
| Marinette | Lake | Menominee |
| Oconto | Cook | Delta |
| Brown | | Leelanau |
| Door | **Indiana** | Benzie |
| Kewaunee | Lake | Manistee |
| Manitowoc | Porter | Mason |
| Sheboygan | LaPorte | Oceana |
| Ozaukee | | Muskegon |
| Milwaukee | | Ottawa |
| Racine | | Allegan |
| Kenosha | | Van Buren |
| | | Berrien |

## 1210 RELATIONSHIP TO OTHER PLANS OR BOUNDARIES

The ACP's are related to and supported by the following other contingency plans:

- National Response Framework (NRF)
- National Contingency Plan (NCP)
- Region 5 Regional Contingency Plan (RCP)
- Applicable Facility & Vessel Response Plans that operate in this zone
- Applicable Tribal, State and Local Plans

## 1300 AREA COMMITTEE

The Sector Lake Michigan Area Committee Charter, annual reports, meeting minutes and presentations are posted on HOMEPORT, Sector Lake Michigan Area Committee.

## 1310 PURPOSE

The Area Committee (AC) is a planning and preparedness organization, although individual members may have an oil and hazardous substance response role. The planning role is required by Sections 311(a)(18) and (j)(4) of the Clean Water Act (CWA), as amended by the OPA 90, which tasks the AC to prepare and submit for approval an ACP, as mandated by Sections 311(a)(19) and (j)(4) of the CWA. The USCG and respective AC members for the coastal zone will coordinate the activities of the AC and assist in the development of a comprehensive ACP that is consistent with the respective RCP and the NCP. In addition, County Emergency Management Directors will coordinate activities within their respective counties.

## 1320 ORGANIZATION

The FOSC shall serve as the Chair for their respective AC(s). The FOSC designates a representative of a federal, state, or local agency, or a territorial representative to serve as Vice-Chair, who shall be appointed in writing. Acting as Chair of inland zone AC's, precludes the USEPA representative to an AC from serving as Vice-Chair. If appropriate, the FOSC designates one or more Vice-Chairs. The members of the AC may also fill individual functional roles in the area response organization.

The FOSC shall appoint members, in writing, to serve on the AC for their zone. Each ACP details and contains AC charters, membership, subcommittees and meeting minutes for the respective area.

## 1330 AREA COMMITTEE MEMBERS

The following is a list of agencies that are represented on Sector Lake Michigan's Area Committee:

Department of Agriculture (USDA)
Department of Commerce (DOC)
General Services Administration (GSA)
Department of Labor (DOL)
Department of State (DOS)
Tribal Representation
WI Department of Natural Resources (WI DNR)
IL Environmental Protection Agency (IL EPA)
IL Department of Natural Resources (IL DNR)
IN Department of Natural Resources (IN DEM)
IN Department of Environmental Management (IN DEM)
MI Department of Environmental Quality (MI DEQ)
Federal Emergency Management Agency (FEMA)
Department of Energy (DOE)

Environmental Protection Agency (EPA)
Department of Health and Human Services (HHS)
Department of Justice (DOJ)
Nuclear Regulatory Commission
Department of Transportation (DOT)
Department of Interior (DOI)
Department of Defense (DOD)

## 1330.1 SUBCOMMITTEES

Area committees establish subcommittees as needed to support preparedness and planning responsibilities. The subcommittee Chair must be an appointed member of the AC. The FOSC designates members to participate in appropriate subcommittees.

Examples of subcommittees listed below, or others, may be activated when deemed necessary.

- Sub-Committee on Sensitive Area Assessment
- Sub-Committee on Command and Control Issues (ICS/UCS)
- Sub-Committee on Operational Response
- Sub-Committee on Response Planning
- Sub-Committee on Administration and Exercises
- Subcommittee on Science and Technology
- Subcommittee on Training

The five main Area Committee Sub-Area Committees are North Eastern Wisconsin (NEWI), South Eastern Wisconsin (SEWI), North Eastern Illinois (NEIL), North Western Indiana (NWIN) and Western Michigan (WEMI). These sub-area committees are held jointly with Sector Lake Michigan and EPA Region 5 IAW the MOU between Coast Guard Ninth District and EPA Region 5 dated July 25, 2018. The following is a list agencies and local port stakeholders that may be represented at these sub-committees throughout Sector Lake Michigan.

Federal Agencies
State Agencies
Local Agencies
Tribal representatives
Port stakeholders
Industry representatives
Pipelines representatives
Facility representatives
Barge representatives
Deep draft/lake carrier’s representatives
Railroad representatives

BOA contractors
Cleanup contractor representatives
Environmental
Public/environmental representatives
Academia
Specialized representatives

## 1400 NATIONAL AND REGIONAL RESPONSE SYSTEMS

### 1410 NATIONAL RESPONSE SYSTEM

The National Response System (NRS) was developed to coordinate all government agencies with responsibility for environmental protection, in a focused response strategy for the immediate and effective clean-up of oil or hazardous substance discharge. The NRS is a tiered response and preparedness mechanism that supports pre-designated FOSC in coordinating national, regional, local government agencies, industry, and responsible party during a response.

Most local agencies that respond to emergencies utilize some form of ICS. Although response to oil spill incidents will be managed through the Unified Command (UC), local agencies will likely utilize internally some form of ICS for interfacing with other local agencies. UC is in fact an element of ICS. They are identical with the exception of designation of the Incident Commander (IC). In ICS, one individual, usually the first arriving fire company officer, assumes the role of IC. Due to the expansive scope of large oil spills, a UC is utilized. Here the federal and state OSCs, the local agency IC, and the Responsible Party's (RP) Incident Manager work together to resolve the incident.

The ICS/UC provide a method for different agencies, organizations, and individuals to work together toward a common goal, in an organized, productive, efficient, and effective manner during emergencies. The systems consist of procedures for controlling personnel, facilities, equipment, and communications during all phases of an incident. Both are designed to evolve from the time an incident begins, through initial attack and stabilization, to long-term control, and finally, to resolution of the incident. These systems are adaptable to any type of incident whether fire, explosion, hazardous substances release, or oil spill. Structure can be established and rapidly expanded depending on changing conditions of the incident.

Solving any problem, especially one as complex as a major oil spill is easier to do if broken down into parts. Under these systems, the incident organization structure develops in a modular fashion, based on the size of the incident. The incident's staff builds from the top down, and additional sections or functions are added as required by the scope of the incident. One person usually can manage small incidents where larger operations require independent management of various command responsibilities. If the number of divisions and groups exceed the IC's span-of-control, branches can be utilized to further organizationally divide the incident into manageable areas. Divisions and groups can be assigned to various branch directors. ICS allows response agencies to operate with a common, consistent, and pre-established organizational structure and with standard operating procedures. Pre-determined

standard names and terminology are used for organizational elements. Plain English is used instead of complicated codes for radio communications. Incident communications are planned, controlled, and managed using a communications network.

## 1410.1 SPILL OF NATIONAL SIGNIFICANCE

A Spill of National Significance (SONS) is that rare, catastrophic spill event which captures the nation's attention due to its actual damage or significant potential for adverse environmental impact. A SONS is defined as a spill which greatly exceeds the response capability at the local and regional levels and which, due to its size, location, and actual or potential for adverse impact on the environment is so complex, it requires extraordinary coordination of federal, state, tribal, local and private resources to contain and clean up. As per the NCP (40 CFR 300.323), a discharge may be classified as a SONS only by the Administrator of the USEPA for discharges occurring in the inland zone, and only the Commandant of the USCG for discharges occurring in the coastal zone.

The response to a SONS event must be a coordinated response that integrates the FOSCs response organization with the SONS response organization. If a discharge occurs in the coastal zone and is classified as a substantial threat to the public health or welfare of the United States (40 CFR 300.320 (a) (2)), or the necessary response effort is so complex that it requires extraordinary coordination of federal, state, tribal, local and private resources to contain and clean up the discharge, the Commandant may classify the incident as a SONS under the (NCP).

The NCP describes, in part, the federal government's responsibility for strategic coordination and support of FOSC when responding to a SONS. To meet these responsibilities, the lead agency may establish an ICS Area Command (ICS-AC).

Depending on the lead agency, the Commandant of the USCG or the USEPA Administrator may classify a discharge as a SONS. The Commandant or Agency Administrator may name an ICS Area Commander (ICS-AC). The ICS AC will establish an Area Command organization. Pursuant to 40 CFR 300.323, the ICS AC will:

- Communicate with affected parties and the public;
- Provide strategic coordination of federal, state, tribal, local and international resources at the national level; and
- This strategic coordination will involve, as appropriate, the National Response Team (NRT), the Regional Response Team (RRT), the Governor(s) of the affected state(s), and the mayor(s) or other chief executive(s) of local government(s). In addition, the NIMS AC will coordinate with the senior corporate management of the RP(s).

## 1420 NATIONAL RESPONSE FRAMEWORK (NRF)

Domestic incident management and crisis response mechanisms have grown steadily in the last two decades. In 1992, national response planning originated with the Federal Response Plan, which focused

on federal roles and responsibilities during a disaster. In 2003, in compliance with Homeland Security Presidential Directive/HSPD-5: Management of Domestic Incidents, the newly established Department of Homeland Security (DHS) published the National Response Plan (NRP) as the first national plan integrating all levels of government, the private sector, and nongovernmental organizations (NGOs) into a common incident management framework. In 2008, the National Response Framework, which superseded the NRP, was developed to incorporate lessons learned after Hurricane Katrina. With the continued maturation of the NRF and the requirements set forth in the 2011 Presidential Policy Directive (PPD-8): National Preparedness, the mandate for integrated whole community plans across five mission areas - Prevention, Protection, Mitigation, Response, and Recovery - is stronger.

The National Response Framework is a guide to how the Nation conducts all-hazards response. It is built upon scalable, flexible, and adaptable coordinating structures to align key roles and responsibilities across the Nation. The NRF presents the guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies – from the smallest incident to the largest catastrophe. The NRF defines the key principles, roles, and structures that organize the way we respond as a Nation. It describes how communities, tribes, states, the federal government, and private-sector and non-governmental partners apply these principles for a coordinated, effective national response. The NRF is always in effect, and elements can be implemented at any level at any time.

The NRF also includes Incident Annexes that address specific categories of contingencies or hazard situations requiring specialized application of NRF mechanisms. The Incident Annexes are available in the National Preparedness Resource Library. Details relating to requesting and receiving assistance, as well as the authorities under which assistance is provided, are available on the NRF Resource Center. Response Partner Guides, information on Stafford Act and non-Stafford Act assistance, all annexes, and a listing of legal authorities are available on the Web site.

## 1430 NATIONAL RESPONSE TEAM ROLE IN INCIDENT RESPONSE

The NRT's membership consists of fifteen federal agencies with responsibilities, interests, and expertise in various aspects of emergency response to pollution incidents. The USEPA serves as chair; and the USCG serves as Vice-Chair, except when activated for a specific incident. The NRT is primarily a national planning, policy, and coordination body and does not respond directly to incidents. The NRT provides policy guidance prior to an incident and assistance as requested by an FOSC via an RRT during an incident. NRT assistance usually takes the form of technical advice, access to additional resources/equipment, or coordination with other RRTs. The following is a list of NRT members and their functions:

**Environmental Protection Agency (USEPA):**
The USEPA chairs the NRT, co-chairs the standing RRT's, provides pre-designated FOSCs for the inland zone, provides Remedial Projects Managers (RPM's) for remedial actions, and generally provides Scientific Support Coordinators for the inland zone. The USEPA provides expertise on environmental effects of releases and on environmental pollution control techniques. The USEPA provides legal

expertise on the interpretation of CERCLA and other environmental statutes. The USEPA may enter into a contract or cooperative agreement with the appropriate state to implement response actions.

**United States Coast Guard (USCG):**
The USCG provides pre-designated FOSCs for the coastal zone, co-chairs the standing RRT's, and serves as the NRT vice-chair. The USCG staffs and administers the National Response Center (NRC); maintains continuously-manned facilities that can be used for command, control, and surveillance of releases in coastal waters; and serves as fund manager for the oil spill liability trust fund (OSLTF). The USCG's NSF is especially trained and equipped to respond to major pollution incidents. In water pollution incidents, in which the USCG has financial responsibility jurisdiction, the USCG ensures the responsible parties, both U.S. and foreign, are able to compensate the U.S. and other impacted parties through the Certificate of Financial Responsibility Program (COFR).

**Federal Emergency Management Agency (FEMA):**
FEMA provides guidance, policy, and program advice, and technical assistance in hazardous materials and radiological emergency preparedness activities (planning, training, and exercising) to state and local governments. During responses, FEMA provides advice and assistance to the lead agency on coordinating relocation assistance and mitigation efforts with other federal agencies, state, and local governments, and the private sector. FEMA may enter into an agreement with the appropriate political entity to implement relocation assistance during responses.

**Department of Defense (DOD):**
The DOD must take all action necessary with regard to releases of oil or hazardous substances where the release is on, or the site source of the release is from, a facility or vessel under jurisdiction, custody, or control of the DOD. The DOD may also, consistent with its operational requirements and at the request of the Federal On-Scene Coordinator, provide locally deployed U.S. Navy (USN) oil spill equipment and provide response assistance to other federal agencies upon request. The USN also has an extensive array of specialized equipment and personnel available for use in ship salvage, shipboard damage control, and diving. The U.S. Army Corps of Engineers (USACE) has specialized equipment and personnel for removing navigation obstructions and accomplishing structural repairs.

**Department of Energy (DOE):**
Except as otherwise provided in Executive Order 12580, the DOE provides FOSC/RPMs that are responsible for taking all response actions with respect to releases of hazardous substances where either the release is on, or the sole source of the release is from, any facility or vessel under its jurisdiction, custody, or control. In addition, under the NRF, the DOE provides advice and assistance to other FOSC/RPMs for emergency actions essential for the control of immediate radiological hazards.

**Department of Agriculture (USDA):**
The USDA has scientific and technical capability to measure, evaluate, and monitor, either on the ground or by use of aircraft, situations where natural resources including soil, water, wildlife, and vegetation have been impacted by oil or hazardous substances. The USDA may be contacted through Forest Service emergency staff officers who are the designated members of the RRT. Agencies within

USDA with relevant expertise are: the Forest Service, the Agriculture Research Service, the Soil Conservation Service, the Food Safety and Inspection Service, and the Animal and Plant Health Inspection Service.

**Department of Commerce (DOC):**
Through the National Oceanic and Atmospheric Administration (NOAA), the DOC provides scientific support for responses and contingency planning in coastal and marine areas, including assessments of the hazards that may be involved, predictions of movement and dispersion of oil and hazardous substances through trajectory modeling, and information on the sensitivity of coastal environments to oil or hazardous substances. NOAA provides scientific expertise on living marine resources it manages and protects. It also provides information on actual and predicted meteorological, hydrologic, ice, and oceanographic conditions for marine, coastal, and inland waters, as well as, tide and circulation data.

**Department of Health and Human Services (HHS):**
The HHS is responsible for providing assistance on matters related to the assessment of health hazards at a response and protection of both response workers and the public's health. The HHS is delegated authorities under CERCLA relating to a determination that illness, disease, or complaints may be attributable to exposure to a hazardous substance, pollutant, or contaminant. Agencies within HHS that have relevant responsibilities, capabilities, and expertise are the Agency for Toxic Substances and Disease Registry (ATSDR) and the National Institutes for Environmental Health Sciences (NIEHS).

**Department of the Interior (DOI):**
The DOI has expertise on and jurisdiction over a wide variety of natural resources and federal lands and waters as well as certain responsibilities for Native Americans and U. S. Territories. The DOI may be contacted through Regional Environmental Officers (REO), who are the designated members of RRTs. Bureaus and offices with relevant expertise are: Fish and Wildlife Service, Geological Survey, Bureau of Indian Affairs, Bureau of Land Management, Minerals Management Service, National Park Service, Bureau of Reclamation, Office of Surface Mining and Reclamation Enforcement, and Office of Insular Affairs.

**Department of Justice (DOJ):**
The DOJ provides expert advice on complicated legal questions arising from discharges or releases, and federal agency responses. In addition, the DOJ represents the federal government, including its agencies, in litigation relating to such discharges or releases.

**Department of Labor (DOL):**
The Occupational Safety and Health Administration (OSHA) and the state operating plans approved under the Occupational Safety and Health Act of 1970, have authority to conduct safety and health inspections of hazardous waste sites to assure that employees are being protected and to determine if the site is in compliance with safety and health standards and regulations. On request, OSHA will provide advice and assistance regarding hazards to persons engaged in response activities.

**Department of Transportation (USDOT):**

The USDOT provides response expertise pertaining to transportation of oil or hazardous substances by all modes of transportation. Through the Research and Special Programs Administration (RSPA), USDOT offers expertise in the requirements for packaging, handling, and transporting regulated hazardous materials. RSPA promulgates and enforces the Hazardous Materials Regulations. RSPA provides technical assistance in the form of Emergency Response Guidebooks and, in a joint effort with FEMA, has developed Hazardous Material Information Exchange (HMIX). RSPA also provides planning support in the development of protective action decision strategies and exercise scenarios.

**Department of State (DOS):**
The DOS takes the lead in the development of international joint contingency plans. It also helps to coordinate an international response when discharges or releases cross international boundaries or involve foreign flag vessels. Additionally, DOS coordinates requests for assistance from foreign governments and U.S. proposals for conducting research at incidents that occur in waters of other countries.

**Nuclear Regulatory Commission (NRC)**:
The Commission responds, as appropriate, to releases of radioactive materials by its licensees, in accordance with the NRC Incident Response Plan (NUREG-0728). In addition, the NRC will provide advice to the FOSC/RPM when assistance is required in identifying the source and character of other hazardous substances releases where the commission has licensing authority for activities utilizing radioactive materials.

**General Services Administration (GSA)**
GSA is responsible for carrying out the policy and regulatory functions assigned to it by Congress, as one of the central management agencies of the federal government. GSA collaborates with customer agencies and stakeholders to develop policies for the implementation of federal laws, executive orders and other executive branch guidance.

## 1430.1 REGIONAL RESPONSE TEAM (RRT) ROLE IN INCIDENT RESPONSE

The RRT (consisting of a representative from each state in the region and representatives from 15 federal agencies) acts as a regional body responsible for regional planning and coordination of preparedness and response actions involving oil and hazardous substances. The RRT coordinates assistance and advice to the FOSC in the event of a major or substantial spill.

It is the policy of the RRT that response actions on non-federal lands should be monitored or implemented by the most immediate level of government with authority and capability to conduct such activities. The first level of response will generally be the RP, followed by local government agencies, and followed by state agencies when local capabilities are exceeded. When incident response is beyond the capability of the state response, USEPA or USCG is authorized to take response measures deemed necessary to protect public health or welfare or the environment from discharges of oil or releases of hazardous substances, pollutants, or contaminants. The need for federal response is based on evaluation by the FOSC.

The Region 5 Regional Response Team (RRT) is comprised of members from state and federal agencies committed to working efficiently to minimize the adverse effects of oil and chemical incidents that affect safety, human health and the environment.

RRT 5 is co-chaired by the US Coast Guard Ninth District and US Environmental Protection Agency Region V. The RRT acts as a regional planning and coordination body for preparedness and response actions. In the case of discharged oil and/or hazardous materials, the chair for the RRT is the member of the agency providing the Federal On-Scene Coordinator (FOSC). Preparedness activities are carried out in conjunction with appropriate State Emergency Response Committees, Area Committees, Local Emergency Planning Committees and Tribal Councils.

## 1430.2 CANUSLAK AND THE CROSSBORDER CONTINGENCY PLAN

Link to CANUSLAK Annex

The Great Lakes Water Quality Agreement (GLWQA), first signed in 1972, and renewed in 2012, expresses the commitment of Canada and the United States, to restore and maintain the chemical, physical and biological integrity of the Great Lakes Basin Ecosystem, and includes a number of objectives and guidelines to achieve these goals. New annexes to the GLWQA address atmospheric deposition of toxic pollutants, contaminated sediments, groundwater, and non-point sources of pollution. Annexes are also added to incorporate the development and implementation of remedial action plans for Areas of Concern and lake-wide management plans to control critical pollutants. Article Six of the GLWQA, entitled Joint Contingency Plan, states:

Annex One of the Canada-United States Joint Marine Contingency Plan (CANUSLAK), as mentioned or reviewed, shall be maintained in force for the Great Lakes. The USCG and the Canadian Coast Guard shall, in cooperation with other affected parties, identify and provide detailed Supplements for areas of high risk and of particular concern in augmentation of CANUSLAK. It shall be the responsibility of the USCG and the Canadian Coast Guard to coordinate and to maintain the Plan and the Supplements appended thereto.

The purpose of the Plan is to provide for coordinated and integrated response to pollution incidents in the Great Lakes System by responsible federal, state, provincial and local agencies. The Plan supplements the national, provincial and regional plans of the parties.

The Plan was developed to facilitate quick response to incidents involving both the United States and Canada. The plan supports the movement of resources to support incident response activities. In case of a pollution/marine incident related emergency or exercise that may occur in the U.S. or Canada, which would require emergency assistance from the U.S./Canadian Coast Guards or agencies/contractors working in conjunction with the U.S./Canadian Coast Guard, a call from the appropriate USCG will be made notifying the following:

- U.S. Customs and Border Protection (CBP)

- Canada Border Services Agency (CBSA)
- U.S. Immigrations and Customs Enforcement (ICE)
- Citizenship and Immigration Canada (CIC)

These notifications are designed to facilitate the expeditious movement of personnel and/or equipment across the U.S./Canada border when responding to marine related emergencies or during exercises and drills that assist agencies in preparing for marine emergencies.

## 1440 INCIDENT MANAGEMENT

The NIMS and the NRF are two fundamental documents, which form the basis of a comprehensive, integrated approach to domestic incident management. The use of NIMS and NRF is mandated by both law and Presidential policy for all domestic responses. These key documents assign roles and responsibilities and guide interagency response coordination and operations. In addition to NIMS and NRF, there are other documents that may guide responses to specific types of incidents. The Coast Guard's Contingency Preparedness Planning Manual, Volume 4: Incident Management and Crisis Response describes the USCG's connectivity to NIMS and the NRF. It mandates specific preparedness and response management activities within the USCG to ensure connectivity with all levels of interagency governance during disaster preparedness and response activities.

### 1440.1 NATIONAL INCIDENT MANAGEMENT SYSTEM

The NIMS is a systematic, inclusive approach to guide departments and agencies at all levels of government, NGO, and the private sector for working together seamlessly and assimilating divergent capabilities, cultures, and objectives for incidents spanning all hazards—regardless of cause, size, location, or complexity—in order to reduce loss of life, harm to the environment, and loss of property.

The NIMS is guided by four principles that establish the fundamental basis for influencing incident management practice in the United States and promoting a universal culture for managing emergencies. Each principle provides a clear and consistent lens through which to understand and use NIMS while also framing the ongoing implementation of NIMS across jurisdictions and organizations. These principles are: Universal Applicability, Standardization, Scalability, Flexibility, Adaptability, and Unity of Effort.

### 1440.2 INCIDENT COMMAND SYSTEM

The Incident Command System is a fundamental element of incident management. The use of the ICS provides standardization through the following 14 management characteristics, each of which contributes to the strength and efficiency of the overall system:

a. Common Terminology;
b. Modular Organization;
c. Management by Objectives;

d. Incident Action Planning;
e. Manageable Span of Control;
f. Incident Facilities and Locations;
g. Comprehensive Resource Management;
h. Integrated Communications;
i. Establishment and Transfer of Command;
j. Chain of Command and Unity of Command;
k. Unified Command;
l. Accountability;
m. Dispatch/Deployment;
n. Information and Intelligence.

Like other portions of the NIMS, the ICS is a flexible, scalable, and adaptable management approach to meet the needs of any incident. The ICS, therefore, provides a core mechanism for coordinated and collaborative incident management, allowing it to address a broad spectrum of incidents from small to complex, planned and unplanned, and both natural and human-caused.

A principle ICS reference is the Coast Guard Incident Management Handbook (IMH), although multiple agencies have ICS guides available for use. The IMH is an excellent reference to keep and use during a response. In addition, see Section 2000 for more guidance on ICS and UC issues.

## 1450 AREA EXERCISE MECHANISM

The opportunity to exercise this plan and components of this plan presents itself via the National Preparedness for Response Exercise Program (PREP). The PREP guidelines satisfy the exercise requirements for USCG, USEPA, PHMSA and BSEE. The PREP was developed to establish a workable exercise program, which meets the intent of OPA 90 for spill preparedness and provide a mechanism for compliance with exercise requirements, while being economically feasible for government and oil industry to adopt and sustain. PREP is a unified federal effort and satisfies the exercise requirements for all federal agencies, which adheres to its guidelines. PREP represents minimum guidelines for ensuring adequate response preparedness. Additional information on PREP can be found by within the NPREP Guidelines.

The Area Exercises are divided into three classification categories: Equipment Deployment Drills, IMT Discussion-Based Exercises and Operations-Based, Functional or Full-Scale Exercises.
The scope and objectives of Area exercises are detailed in the PREP guidelines. Members of the AC and response community will be involved in each type of exercise to some degree, varying from the confirmation of a phone number to assisting in the design of a scenario and performing as a controller or evaluator of the exercise. Participating in PREP and utilization of PREP guidance will ensure that all federal exercise requirements mandated by OPA 90 have been met.

Commercial vessel and waterfront facility response plan holders are required to meet the pollution response exercise requirements under OPA 90. Although participation in PREP satisfies these

requirements, PREP is a strictly voluntary program. Plan holders are not required to follow PREP guidelines and, if they choose not to, may develop their own exercise program that complies with regulatory exercise requirements. ACP holders (USCG/USEPA) are required to follow PREP guidelines.

The PREP Guidelines outline the frequency and types of exercises plan holders should conduct to meet exercise requirements of the appropriate response plan regulations and how plan holders can take credit for exercises when they respond to an actual incident.

## 1500 STATE/LOCAL RESPONSE SYSTEMS

Each state governor is requested to designate one state official to represent the state on the appropriate RRT. The state's office/representative may participate fully in all activities of the appropriate RRT. Each state governor is also requested to designate a lead state agency that will direct state-lead response operations. This agency is responsible for designating the lead state response official for federal and/or state-lead response actions, and coordinating/communicating with any other state agencies, as appropriate. Local governments are invited to participate in activities on the appropriate RRT as may be provided by state law or arranged by the state's representative. Tribal representatives wishing to participate should assign one person or office to represent the tribal government on the appropriate RRT. Appropriate state, tribal and local officials will participate as part of the response structure.

In addition to meeting requirements for local emergency plans under the Superfund Amendments and Reauthorization Act, SARA Title III, state and local government agencies are encouraged to include contingency planning for responses, consistent with the NCP, RCP, and ACP in all emergency and disaster planning.

For facilities not addressed under CERCLA or CWA, states are encouraged to undertake response actions themselves or to use their authorities to compel potentially responsible parties to undertake response actions.

States are encouraged to enter into cooperative agreements pursuant to the applicable CERCLA sections to enable them to undertake actions authorized under subpart E of the NCP. Requirements for entering into these agreements are included in subpart F of the NCP. A state agency that acts pursuant to such agreements is referred to as the lead agency. In the event there is no cooperative agreement, the lead agency can be designated in a Memorandum of Agreement (MOA) or other agreement.
Because state and local public safety organizations would normally be the first government representatives at the scene of a discharge or release, they are expected to initiate public safety measures that are necessary to protect public health and welfare and that are consistent with containment and cleanup requirements in the NCP, and are responsible for directing evacuations pursuant to existing state or local procedures.

## 1600 NATIONAL AND REGIONAL POLICY & DOCTRINE

The National Response Framework (NRF) is a guide to how the Nation conducts all-hazards response. The National Contingency Plan (NCP) is required by Section 105 of CERCLA, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and by Section 311(d) of CWA, as amended by OPA. The Emergency Support Functions (ESF), including ESF 10 of the NRF are required by the Robert T. Stafford Disaster Relief and Emergency Act (Public Law 93-288), as amended. The NCP requires establishment of Regional Response Teams (RRT), which are responsible for Regional planning and preparedness activities before response actions, and for providing advice and support to the RRT when activated during a response. The Regional Contingency Plan (RCP) is applicable to response actions taken pursuant to the authorities under CERCLA, Section 311 of CWA, and OPA.

It is the policy of Regional Response Team 5 that response actions on non-Federal lands should be monitored or implemented by the most immediate level of government with authority and capability to conduct such activities. The first level of response will generally be the responsible party (RP), followed by local government agencies and by State agencies when local capabilities are exceeded. When incident response is beyond the capability of the State response, US EPA or USCG are authorized to take response measures deemed necessary to protect the public health or welfare or the environment from discharges of oil or releases of hazardous substances, pollutants, or contaminants. The need for Federal response is based on evaluation by the Federal OSC.

## 1610 PUBLIC AND PRIVATE RESOURCE UTILIZATION

OPA 90 reaffirmed the basic principle that the primary source of an oil spill preparedness and response system in the U.S. should be implemented and maintained by the private sector. It is not, nor should it be, the USCG or USEPA intent to compete with the commercial oil and hazardous materials pollution response industry. The utilization of government resources in lieu of commercial resources can place the government in a competitive environment. This is not the intent of OPA 90, as it defeats the incentive for commercial enterprise to maintain equipment and trained personnel in a competitive market. USCG's pre-positioned response equipment, other publicly owned response equipment, and other initiatives under the USCG's oil spill response program or be used if the commercial industry does not have readily available resources, and only until such time that the FOSC or the UC decides to release the resources.

The FOSC has the authority and responsibility in accordance with the NCP to contain, control, and carry out response activities for the removal of a discharge where a substantial threat to public health or welfare, or where natural resources are endangered. At the direction and discretion of the FOSC and the UC, when the RP executes a suitable response, any government equipment deployed should be withdrawn as commercial equipment becomes available and is placed into service.

The FOSC may consider using USEPA, USCG, DOD, or Oil Spill Cooperative resources in such instances when the spill has been federalized and/or private sector resources cannot respond to the incident in a timely manner, or there are certain specific resources not available from the private sector.

## 1620 BEST RESPONSE CONCEPT

The term "Best Response" means a response organization will effectively, efficiently, and safely respond to oil spills, minimizing consequence of pollution incidents and to protect our national environmental and economic interests.

"Best Response" equals a successful response based on achievement of certain key success factors (i.e. things that a response must accomplish to be considered successful) as follows:

- Human Health
  - No public injuries
  - No worker injuries
- Natural Environment
  - Source of discharge minimized
  - Source contained
  - Sensitive areas protected
  - Resource damage minimized
- Economy
  - Economic impact minimized
- Public Communication
  - Positive media coverage
  - Positive public perception
- Stakeholders Support
  - Minimize stakeholder impact
  - Stakeholders well informed
  - Positive meetings
  - Prompt handling of claims
- Organization
  - Standard response management system
  - Sufficient/efficient resources

When conducting an oil spill response, IC/UC and their Command and General Staffs should always consider the "Best Response" concept while managing operational and support/coordination functions. Additional information on "Best Response" Concept is listed in Chapter 20 of the USCG IMH.

IC/UC and their Command and General Staffs need to closely monitor how well incident objectives, strategies, and tactics are addressing "Best Response" and key response functions, and to make appropriate adjustments where necessary to ensure maximum potential for success.

## 1630 CLEANUP ASSESSMENT PROTOCOL (HOW CLEAN IS CLEAN)

40 CFR 300.320 states: "Removal shall be considered complete when so determined by the FOSC in consultation with the Governor(s) of the affected state(s). When the FOSC considers removal complete

the OSLTF removal funding shall end." Due to the differences in incident type and complexity, the FOSC will take all issues and agency concerns into consideration prior to making the "Removal Complete" assessment. Any group(s), or individual(s) with issues or concerns regarding an incident clean up, should forward them via the Liaison Officer (LOFR) or their respective Governor's office.

## 1640 USE OF CHEMICAL AGENTS

The FOSC must choose the best method from available response tools in any incident. The physical recovery and removal of oil is the preferred cleanup technique. Under certain conditions chemical agents can be an effective tool. There are pre-approved solidifiers in Region 5; see RCP Oil Spill Solidifier Preapproval Appendix for details. If chemical use is considered, the RCP guidelines are intended to aid the FOSC in making a decision.

USEPA has compiled the NCP Product Schedule, a list of chemicals countermeasures which the FOSC and/or PRP may consider for use during a spill emergency. The Product Schedule does not authorize or pre-approve use of any listed products. The FOSC may not authorize use of a product that is not listed on the Product Schedule.

### 1640.1 DISPERSANT PRE-APPROVAL/MONITORING/DECISION PROTOCOL

Use of dispersants or other oil emulsifiers is not pre-approved anywhere in the Great Lakes. The FOSC may not authorize use of a product that is not listed on the Product Schedule. See RRT5

### 1640.2 IN SITU BURN APPROVAL/MONITORING/DECISION PROTOCOL

In order to minimize environmental impacts and facilitate effective cleanup of an oil spill, responders have a limited number of techniques available to them. These include mechanical methods, use of certain chemical countermeasures, and ISB. In situ burning involves the controlled burning of oil that has spilled from a vessel or a facility, at the location of the spill. Under certain specific conditions, ISB may offer a logistically simple, rapid, inexpensive, and relatively safe means for reducing shoreline impacts of an oil spill. Authorization of ISB is subject to consultation and concurrence from the state and DOI. Considerations for use should include an analysis of oil location and potential impact of smoke on downwind populations.

Regional Response Team 5 (RRT5) has adopted the In-Situ Burning Appendix to the Regional Contingency Plan and has also provided In-Situ Burning Field Operations Guide and other tools for the FOSC use when considering in-situ burning options.

See Sections 1660 and 3270.

### 1640.3 BIOREMEDIATION APPROVAL/MONITORING/DECISION PROTOCOL

The objective of bioremediation is to accelerate the rate of hydrocarbon degradation due to natural microbial processes by biostimulation or bioaugmentation.

**Incident–specific RRT approval is required**; Products **must** be on the NCP Product Schedule to be considered for use.

• Verify need for applicable state requirements.

• Prior to listing, products must submit efficacy test results to be listed on the Product Schedule. The evaluation criteria were established by a scientific panel under the USEPA Bioremediation Action Committee and are noted as minimal standards for acceptance.

  − The test uses Alaska North Slope crude oil with water-oil control, oil-nutrients, and oil-agent.

  − Samples are taken at day 0, 7, and 28 for GC/MS analysis of alkanes and aromatics, and gravimetric change in weight after 28 days.

  − The standard for listing is: The products need to perform statistically significantly better than the control.

  − The conditions of the efficacy test are ideal: closed, well-mixed flasks where neither nutrients nor microbes are lost from the system, competition from indigenous microbes is minimal, and aeration is good.

  − Performance in the field will most certainly differ.

The Regional Contingency Plan contains appendices for Chemical Use and Oil Spill Solidifiers.

See Section 3280.

## 1660 SPECIALIZED MONITORING OF APPLIED RESPONSE TECHNOLOGY (SMART)

SMART establishes a monitoring system for rapid collection and reporting of real-time, scientifically based information, in order to assist the UC with decision-making during ISB or dispersant operations. SMART recommends monitoring methods, equipment, personnel training, and command and control procedures that strike a balance between the operational demand for rapid response and the UC's need for feedback from the field in order to make informed decisions. SMART is not limited to oil spills. It can be adapted to hazardous substance responses where particulate air emission should be monitored, and to hydrocarbon-based chemical spills into fresh or marine water. For additional SMART information and guidance, see NOAA's Office of Response and Restoration website.

## 1670 COMPLIANCE WITH FISH AND WILDLIFE ACTS

See RRT5's Habitat Fact Sheets for valuable information.

## 1670.1 MIGRATORY BIRDS

A large number of international treaties and domestic laws have been enacted that provide protection for migratory birds. Legal authorities may be categorized as primary or secondary. Primary authorities are international conventions and major domestic laws that focus primarily on migratory birds and their habitats. Secondary authorities are broad-based domestic environmental laws that provide ancillary but significant benefits to migratory birds and their habitats.

**Primary Federal Authorities for Migratory Birds and Their Habitats**
Primary authorities of the United States for migratory birds may be divided into those that protect bird populations and those that protect bird habitats. Authorities which protect bird populations include: Lacey Act of 1900, Weeks-McLean Law of 1913, Migratory Bird Treaty Act of 1918, Endangered Species Act of 1973, four international conventions (treaties) with Canada, Mexico, Japan and the former Soviet Union, Ramsar Convention, Antarctic Treaty, Bald Eagle Protection Act, Waterfowl Depredations Act, Fish and Wildlife Conservation Act, and the Wild Bird Conservation Act. Primary authorities for protecting bird habitats include: Duck Stamp Act, Wetlands Loan Act, Emergency Wetlands Resources Act, Migratory Bird Conservation Act and the North American Wetlands Conservation Act. Several of these authorities may come into play during an emergency response, most notably the following:

**Bald Eagle Protection Act of 1940**
The Bald Eagle Protection Act provides for the protection of the bald eagle (the national emblem) and the golden eagle by prohibiting, except under certain specified conditions, the taking, possession and commerce of such birds. The 1972 amendments increased penalties for violating provisions of the Act or regulations issued pursuant thereto and strengthened other enforcement measures. Rewards are provided for information leading to arrest and conviction for violation of the Act.

**Migratory Bird Treaty Act (MBTA) of 1918**
The Migratory Bird Treaty Act (MBTA) implemented the 1916 convention between the United States and Great Britain for the protection of birds migrating between the U.S. and Canada. Similar conventions between the United States and Mexico (1936), Japan (1972) and the Union of Soviet Socialists Republics (1976) further expanded the scope of international protection of migratory birds. Each new treaty has been incorporated into the MBTA as an amendment and the provisions of the new treaty are implemented domestically. These four treaties and their enabling legislation, the MBTA, established federal responsibilities for the protection of nearly all species of birds, their eggs and nests.

The MBTA made it illegal for people to "take" migratory birds, their eggs, feathers or nests. Take is defined in the MBTA to include by any means or in any manner, any attempt at hunting, pursuing, wounding, killing, possessing or transporting any migratory bird, nest, egg, or part thereof. In total, 836 bird species are protected by the MBTA, 58 of which are currently legally hunted as game birds. A

migratory bird is any species or family of birds that live, reproduce or migrate within or across international borders at some point during their annual life cycle.

The U.S. Fish and Wildlife Service (USFWS), Division of Migratory Bird Management, issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, educational, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal.

On November 26, 2003, the USFWS established a new category of migratory bird permit, namely, bird rehabilitation (50 CFR Parts 17, 21 and 22). Rehabilitation permits take the place of the old special use permits for rehabilitation by specifically authorizing migratory bird rehabilitation, including rehabilitation of migratory bird species listed as threatened or endangered under the Endangered Species Act. The new permits, applicable to approximately 2500 bird rehabilitators nationwide (veterinarians are exempt), set specific requirements to take, temporarily possesses, or transport any migratory bird for rehabilitation purposes. However, any person who finds a sick, injured, or orphaned migratory bird may, without a permit, take possession of the bird in order to immediately transport it to a permitted rehabilitator.

Prior to entering the location of an oil or hazardous material spill, a permitted rehabilitator must obtain authorization from the FOSC and a designated representative of the USFWS. Most states also have permitting requirements. All activities within the location of a spill are subject to the authority of the FOSC. The USFWS is responsible for the disposition of all migratory birds, dead or alive, and for overseeing migratory bird rehabilitation by permitted organizations, such a Tri-State Bird Rescue and Research or International Bird Rescue. Facilities used in migratory bird rehabilitation activities should conform as closely as possible with the facility specifications contained in the USFWS policy *Best Practices for Migratory Bird Care During Oil Spill Response*. Caging dimensions should follow standards developed by the National Wildlife Rehabilitators Association and the International Wildlife rehabilitation Council (*Minimum Standards for Wildlife Rehabilitation, 2000).*

## 1670.2 MAMMALS

**Marine Mammal Protection Act of 1972 (MMPA)**

The Marine Mammal Protection Act (MMPA) established a federal responsibility to conserve marine mammals. Management of sea otter, walrus, polar bear, dugong, and manatee is vested with the Department of the Interior's USFWS. The Department of Commerce's NOAA is responsible for managing cetaceans (whales and dolphins) and pinnipeds (seals and sea lions), other than the walrus. Under the MMPA, it is illegal to harass, hunt, capture or kill, or attempt to harass, hunt, capture or kill any marine mammal. Some marine mammals receive additional protection under the Endangered Species Act.

The NOAA Fisheries Office of Protected Resources works in collaboration with the NOAA Fisheries Regions, Fisheries Science Centers and Partners to develop and implement a variety of programs for the

protection, conservation and recovery of the approximately 175 mammal stocks listed under MMPA. The USFWS has similar programs for mammals under its jurisdiction.

## 1670.3 FISH

The USFWS has management authority for anadromous fish species, inter-jurisdictional (coastal) fishes, and inland threatened or endangered species under a variety of laws including, but not limited to the Endangered Species Act, Fish and Wildlife Conservation Act, Atlantic Stripped Bass Act and the Anadromous Fish Conservation Act. The NOAA has management authority over marine, estuarine and anadromous species under a variety of laws including the Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act and the Anadromous Fish Conservation Act. The individual states have responsibility for all fishes within their state boundaries, except where federal law supersedes.

**Magnuson-Stevens Fishery Conservation and Management Act of 1996**
This law, more popularly known as the Sustainable Fisheries Act, amended the Fishery Conservation and Management Act of 1976. The amendments mandate the Secretary of Commerce to promulgate guidelines for identification of essential fish habitat by Fishery Management Councils. Section 305(b)(2)-(4) outlines a process for the National Marine Fisheries Service (NMFS) and Councils to comment on activities proposed by federal agencies that may adversely impact areas designated as essential fish habitat. Essential fish habitat is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, growth and maturity.

The consultation process is usually integrated into existing environmental review procedures, such as the Endangered Species Act or Fish and Wildlife Coordination Act.

The NMFS provides the federal agency with essential fish habitat recommendations that would avoid, mitigate or offset the adverse impact of a proposed activity on essential fish habitat. The recommendations are advisory in nature, but the federal agency must respond within 30 days from the date the recommendations are received. If the federal agency chooses not to adopt the NMFS recommendations, it must provide an explanation.

**National Marine Sanctuaries Act of 1972**
The National Marine Sanctuaries Act (NMSA) authorizes the Secretary of Commerce to designate and protect areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or esthetic qualities as national marine sanctuaries. Day-to-day management of national marine sanctuaries has been delegated by the Secretary of Commerce to NOAA's Office of National Marine Sanctuaries. The primary objective of the NMSA is to protect marine resources, such as coral reefs, sunken historical vessels or unique habitats.

A new National Marine Sanctuary is being considered for Lake Michigan. The Wisconsin-Lake Michigan National Marine Sanctuary would be only the second sanctuary in the Great Lakes and the

first in the nation since 2000. The zone is just off the shores of Manitowoc, Sheboygan and Ozaukee counties and "would protect 37 shipwrecks and related underwater cultural resources that possess exceptional historic, archaeological, and recreational value," according to the NOAA drafted plans.

## 1670.4 ENDANGERED SPECIES ACT (ESA)

**The Endangered Species Act of 1973**
This law was enacted to conserve and recover threatened and endangered species and the ecosystems upon which they depend. The Act is administered by the USFWS in the Department of the Interior and the NMFS in the Department of Commerce. Under Section 7 of the ESA, federal agencies must consult with these trustee agencies on actions they take, permit, or fund which may jeopardize listed endangered species or adversely modify their designated critical habitat. During emergencies, such as disasters, casualties, national defense or security emergencies, and response to oil spills, the ESA allows for emergency consultation during the event, with formal consultation occurring after the event, if necessary. See Section 4610 for a comprehensive list of Threatened and Endangered Species.

**Implementation of the Interagency Memorandum of Agreement for the Endangered Species Act (ESA MOU)**
Signed by the USCG, USEPA, NOAA, DOI, USFWS, and NMFS, aligns the consultation requirements with the pollution response responsibilities outlined in the NCP, 40 CFR 300. The MOA is intended to be used at the Area Committee level primarily to identify and incorporate plans and procedures to protect listed species and designated critical habitat during spill planning and response activities.

A guidebook was developed for the MOA by the signatory agencies to further facilitate cooperation and understanding between the agencies involved in oil spill planning and response. Using the MOA guidebook, the following checklists were developed to assist FOSCs during Pre-Spill Planning, Emergency Response and Post Response activities. ESA MOU

## 1680 PROTECTION OF HISTORIC PROPERTIES NATIONAL HISTORIC PRESERVATION ACT (NHPA)

Section 106 of the NHPA provides that federal agencies are to take into account the effects of "federal or federally assisted undertakings" on histories properties that are listed in or eligible for inclusion in the National Register of Historic Places. An "undertaking" includes an environmental response coordinated by an FOSC. The NCP does not provide specific guidance for taking historic properties into account during emergency response to an actual or threatened release of a hazardous substance, pollutant or contaminant or to the discharge of oil or other pollutants. Also, emergency provisions contained in the regulations implementing Section 106 of the NHPA do not directly address requirements for such emergency responses.

RRT5 NHPA Guide provides additional information and checklists including Spill or Release Categories Excluded from Additional Compliance with Section106 of the National Historic Preservation Act. RRT5

also has a Compliance Guide for National Historic Preservation Act that includes checklists that may be used.

As a result, several federal departments and agencies entered into a Programmatic Agreement on the Protection of Historic Properties (PA) during emergency response under the NCP to ensure that historic properties are taken into account in their planning for and conduct of the emergency response under the NCP. Generally, during pre-incident planning, historic properties and exclusions are identified to the fullest extent possible; notification lists are generated; and emergency response strategies are developed. During a federally-led emergency response in an area that has not been excluded, the FOSC will activate the agreed-upon mechanism for addressing historic properties, including notification of the identified parties, consult with them regarding historic properties that may be affected, assess the potential effects of emergency response, and develop and implement response activities. Note: that if it is clear to the FOSC that no historical property is involved, then there is no need to obtain expertise or hire a Historic Properties Specialists to make such a determination. It is recognized that historic properties is only one of the many issues that FOSCs take into account when responding to a spill. The DOI requires notification when any DOI facility that is protected under the NHPA has been or may be impacted by a discharge of oil/hazmat.

Each state has a State Historic Preservation Officers (SHPO). The SHPO can provide many important services to local governments and historic preservation commissions. The SHPO is designated by the Governor of each state. In some states, he or she serves directly in the Governor's cabinet or executive office. In other states, the SHPO may be an official in an archives department, a state historic society, or a state museum. Specific SHPO contact information is shown below and in Section 9100. The NOAA Scientific Support Coordinator can assist with coordination with the State's SHPO.

| | |
|---|---|
| Scientific Support Coordinator (Great Lakes & Midwest) | **216-522-7760** |
| Michigan SHPO | **517-373-8370** |
| Indiana SHPO | **317-232-1646** |
| Illinois SHPO | **217-782-4836** |
| Wisconsin SHPO | **608-264-6400** |

Under National Park Service (NPS) regulations, a staff of appropriate preservation officials, in most cases including historians, architectural historians, historical architects, and archaeologists, must assist each SHPO. Academic institutions, historical and archeological societies, and other preservation-oriented groups through contracts or cooperative agreements also assist many SHPOs.

Most SHPOs receive their primary funding from their state legislatures. In addition, NPS provides SHPOs with grants-in-aid from the Historic Preservation Fund (HPF), a special fund created by the National Historic Preservation Act. HPF grants must be matched with non-federal funds or in-kind contributions.

The National Historic Preservation Act established certain SHPO responsibilities. These include the following:

- Ensuring comprehensive statewide historic preservation planning;
- Conducting a statewide survey to identify historic properties;
- Nominating properties to the National Register of Historic Places;
- Assisting local governments in developing historic preservation programs and in becoming certified to participate in the national program;
- Advising and assisting in federal, state, and local historic preservation projects;
- Participating in review of federal, state, and local undertakings that may affect historic properties;
- Providing public information, education, training, and technical assistance in historic preservation.

Under National Park Service (NPS) regulations, SHPOs may also participate in NPS certification of properties and projects for historic preservation tax incentives. In addition, SHPOs carry out duties under state laws, and seek to advance the interests of historic preservation generally in their states. For example, many SHPOs:

- Conduct preservation conferences and workshops;
- Distribute state grants and loans for preservation;
- Maintain and interpret state-owned historic properties;
- Conduct programs to acquire and administer historic preservation easements;
- Administer state legislation to protect historic properties from non-federal construction and land-use projects;
- Administer state legislation relating to archeological resources, shipwrecks, and other special kinds of historic properties;
- Publish newsletters, scholarly publications, and popular books and brochures;
- Administer state history museums and conservation laboratories;
- Develop and support state and local preservation statutes;
- Help state and local authorities use preservation in primary and secondary curricula, and in public education generally; and
- Provide technical assistance to owners of historic properties.

## 1690 REMOVAL/DESTRUCTION OF A VESSEL TO PROTECT THE ENVIRONMENT

Chapter 10 of the U.S. Coast Guard Marine Environmental Response and Preparedness Manual provides policy and guidance on mitigating oil/hazardous substance threats from abandoned vessels, remediation of Underwater Legacy Environmental Threats (RULET) including historic sunken wrecks, vessel destruction under the Federal Water Pollution Control Act, and oil and hazardous substance threats from marine debris. The policies and guidance in this Chapter are to ensure safe and efficient response to oil discharges and hazardous substance releases associated with abandoned vessels and marine debris.

## 1700 Reserved

**1800 Reserved**

**1900 Reserved for Area/District**

## 2000 COMMAND

## 2010 PUBLIC VERSUS PRIVATE EQUIPMENT

See Section 1610

## 2100 UNIFIED COMMAND

The NCP requires FOSCs to direct response efforts and coordinate all other actions at the scene of a discharge or release. The NCP further states that the basic format for the response management system is a structure that brings together federal, state, tribal, local agencies and responsible party, to achieve an effective and efficient response. This approved structure is NIMS/ICS Unified Command (UC).

ICS UC is an application of ICS used when there is more than one agency with jurisdiction or when incidents cross political boundaries. Agencies work together through designated members of the UC to establish their designated Incident Commanders at a single ICP to establish a common set of objectives and strategies in an Incident Action Plan (IAP). This is accomplished without losing or abdicating authority, responsibility, or accountability. UC is responsible for overall management of the incident by bringing together a single command structure thereby enhancing preparedness and response and recovery activities. UC is not a “decision by committee”.

The AC adopted ICS/UC as the basic model for operating a coordinated response. Under the UC structure, federal government, state, and responsible party will each provide an IC, who will consult with each other and share decision-making authority regarding spill response and clean-up management issues. Depending on the circumstances of the incident, a local or tribal entity may also provide an IC. Together, these ICs will jointly serve as UC. In doing so it brings together the expertise, resources, and equipment of many organizations so that the incident can be handled in the safest, quickest, and most efficient manner.

The majority of incidents typically have UC spill response from local/ county response agencies, state response agencies, USCG, USEPA and responsible parties and or their representatives. Once notified (e.g., NRC, State Duty Officer, agency to agency), these responders assemble on scene, determine the extent of the incident, quickly discuss options, establish objectives, and initiate unified response strategies and tactics to mitigate the incident. This cooperative relationship has worked well over the years and is the cornerstone for response to any incident. Common sense, recognition of others statutory responsibilities, and a spirit of cooperation during an incident are paramount. In unforeseen rare situations where UC consensus is not attained, the FOSC is charged with resolving the issue. If the issue warrants, the FOSC may consult the respective RRT for guidance.

While the UC structure is an excellent vehicle (only nationally recognized vehicle) for coordination, cooperation, and communication, the duly authorized representatives must make the system work successfully. A strong command – single IC or UC, is essential to an effective response.
To be considered for inclusion as a UC representative, an organization must:

- Have jurisdictional authority or functional responsibility under law or ordinance for the incident; and,
- The incident or response operations must have impact on the organization's AOR; and,
- The organization must be specifically charged with commanding, coordinating, or managing a major aspect of the response; and,
- The organization must have the resources to support participation in the response.

Unified Commanders must be able to:

- Agree on incident objectives and priorities;
- Have the capability to sustain a 24 -hour- 7 day-a-week commitment to the incident;
- Have the authority to commit agency or company resources to the incident;
- Have the authority to spend agency or company funds;
- Agree on an incident response organization;
- Agree on the appropriate Command and General Staff position assignments to ensure clear direction for on-scene tactical resources;
- Commit to speak with "one voice' through the PIO or JIC, if established;
- Agree on logistical support procedures; and
- Agree on cost-sharing procedures, as appropriate.

The primary objective for the UC is to "Minimize the Consequences of Pollution Incidents." Response goals, referred to as "Critical Success Factors" are noted in section 2100.1. In addition, the "Best Response Concept Doctrine" is listed in Section 1620 of this plan. It identifies areas that must be done well in order to conduct a successful response.

## 2100.1 AREA COMMAND

The purpose of an Area Command (AC) is to oversee the management of an exceptionally large or highly complex incident that impacts a broad area, focusing primarily on strategic assistance and direction, and resolve competition for scarce response resources. An AC is activated depending on the complexity of the incident and incident management span-of-control considerations. This organization does not supplant an IC/UC, but supports it by providing strategic direction and oversight of incident management. An AC also prioritizes incident activities, allocates or reallocates critical resources to support identified needs, and ensures incident information is distributed appropriately. Execution of tactical operations and coordination remains the responsibility of the on-scene IC/UC as does setting incident-specific objectives and managing incident-specific tactical operations and support.

Chapter 14 of the IMH can be used to facilitate Area Command responsibilities.

## 2100.3 PLANNING CYCLE

The period of initial response and assessment occurs in all incidents (NCP Phase I - II). Short-term responses (small in scope and/or duration) can be coordinated simply using the ICS 201 briefing form.

More complex, longer term responses will likely require the IC to identify a dedicated Planning Section Chief (PSC). The PSC must arrange for transition to the operational period planning cycle.

Planning cycle meetings are identified in detail in Chapter 3 of the IMH. The planning cycle meetings, briefings, and information ascertained during the planning cycle lead to the development of the IAP.

## 2110 COMMAND REPRESENTATIVES

### 2110.1 INCIDENT COMMANDER (IC)

The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site. On many incidents, command is carried out by a single IC. The IC is selected based on qualifications and experience. The IC may have Deputy IC's who may be from the same agency or from an assisting agency. The Deputy IC must have the same qualifications as the IC, as they must be ready to take over that position at any time.

The IC Initial Checklist is provided in the IMH as a job aid which can be used on all oil and hazardous substance incidents and HOMPORT has an Incident Commander Job Aid.

### 2110.2 FEDERAL ON-SCENE COORDINATOR (FOSC)

The FOSC is the pre-designated federal official responsible for ensuring immediate and effective response to a discharge or threat of discharge of oil or hazardous substance(s). NOAA's An FOSC's Guide to Environmental Response is a valuable tool for FOSCs. See also the Coast Guard IMH.

The USCG shall provide FOSCs for oil discharges, including discharges from facilities and vessels under jurisdiction of another federal agency, within or threatening the coastal zone (Great Lakes are considered in the Coastal Zone). The USCG shall NOT provide pre-designated FOSCs for discharges or releases from hazardous waste management facilities or similarly chronic incidents (USCG is not FOSC for remedial actions).

- The USEPA shall provide FOSCs for discharges or releases into or threatening the inland zone, and shall provide Remedial Project Managers (RPMs) for federally funded remedial actions, except in the case of state-lead federally funded response. USEPA will also assume all remedial actions at National Priorities List (NPL) sites in the coastal zone, even where removals are initiated by the USCG.

- DOD and DOE shall provide FOSCs for releases of hazardous substances, pollutants, or contaminants, when the release is on, or the sole source of the release is from, any facility or vessel, including vessels bareboat-chartered and operated, under the jurisdiction, custody, or control of DOD, DOE, or other federal agency: In the case of DOD, or DOE, DOD or DOE shall provide FOSCs/RPMs responsible for taking all response actions; and, In the case of a

federal agency other than USEPA, DOD, or DOE, such agency shall provide FOSCs for all removal actions that are not emergencies and shall provide RPMs for all remedial actions.

### 2110.3 STATE ON-SCENE COORDINATOR (SOSC)

The highest-ranking, most qualified representative of the impacted Great Lake's state will fill the role of Unified Commander.

### 2110.4 LOCAL ON-SCENE COORDINATOR

The highest-ranking, most qualified representative of the local government (city, county) will fill the role of Unified Commander. The focus of local responders is usually directed toward abating immediate public safety threats. The degree of local response will depend upon the training and capabilities of local responders relative to the needs of the specific emergency.

### 2110.5 TRIBAL ON-SCENE COORDINATOR

The United States has a unique relationship with Indian tribal governments. In treaties, the United States has guaranteed the right of Indian tribes to self-government and to exercise inherent sovereign power over their members and territory.

The Bureau of Indian Affairs (BIA) within the U.S. Department of the Interior acts as the principal agent for the United States in carrying on the government-to-government relationship that exists between the United States and Federally recognized Indian tribes. The BIA also acts as the principal agent of the United States in carrying out the U.S. Government's responsibilities as trustee for the property it holds in trust for the benefit of federally recognized tribes. See Section 9100 for contact information.

The highest-ranking, most qualified representative will fill the role of Unified Commander if applicable. Normally, the impacted Tribe (or representative) is a designated natural resources trustee for Native American communities. Response capabilities of Tribes within this Great Lakes vary.

### 2110.6 RESPONSIBLE PARTY (RP) REPRESENTATIVE

The highest-ranking, most qualified representative of the RP will fill the role of Unified Commander. In addition, his or her staff will be expected to staff part of the UC's response organization within the Operations, Planning, Logistics, and Admin/Finance sections.

Each responsible party for a vessel or facility, from which a hazardous substance is released, or which poses a substantial threat of a discharge, is liable for removal costs as specified in CERCLA (42 U.S.C. 9601 et seq.).

- The first response role of the RP is making notification of an incident to appropriate agencies and other responders in accordance with applicable laws and response plans.

- Cooperate with local public safety agencies. This includes providing full access to properties, information, and expertise of the company. The RP conducts whatever response actions are necessary and for which their personnel are trained and equipped. This can include turning valves off, plugging leaking containers, and evacuating employees. It may include firefighting by industrial fire brigades. All of these response activities are done under the direction of a public safety IC.
- Provide Qualified Individual (QI) as applicable and required by, Title 33, CFR Part 155.
- Activate the facility or vessel Response Plan if applicable.
- The RP will often contract with specialized Oil Spill Removal Organizations (OSROs) to perform cleanup and mitigate a spill under the direction of the IC, UC or FOSC.
- Responsible for Natural Resource Damage Assessment (NRDA) in conjunction with natural resource trustees.
- Responsible for response costs and other damages caused by their spill.
- The RP should conduct inquiries into the cause of the incident. This is often done with the participation or oversight of state or federal agencies. The RP should then revise prevention, preparedness, and response measures accordingly.

## 2120 GUIDANCE FOR SETTING RESPONSE OBJECTIVES

IC's are responsible for providing direction and guidance to the Incident Management Team (IMT). The UC must analyze the overall requirements of the incident and determine the most appropriate direction for the management team to following during the response. This is accomplished by making key decisions, setting management team priorities, developing response objectives and assigning work tasks to primary staff within the IMT. Chapter 4 of the IMH can be used by Command to help facilitate their responsibilities.

## 2130 GENERAL RESPONSE PRIORITIES

The first level of response will generally be the RP, local response agencies, and state response agencies when local capabilities are exceeded. When the incident response is beyond the capability of the state response, USEPA or USCG FOSCs are authorized to take response measures deemed necessary to protect the public health or welfare or the environment from discharges of oil or hazardous substances, pollutants, or contaminants. The need for a federal response is based on an evaluation by the FOSC.

Local officials are usually in command of an incident and the RP for the incident is required to cooperate with and aid the local IC or UC. In most states, the role of state agencies that respond during the early stages of an incident is to provide technical advice to local commanders as soon as possible on public safety issues. [Seldom will state or federal authorities assume command from local fire or police commanders for short-term, on-site, public safety-related issues.] However, on some incidents, both SOSCs and FOSCs may respond due to unique issues of the incident. See also Chapter 4 of the IMH.

The UC structure identifying a multi-agency Type I, II, or III incident is also outlined by UC position element. The five types of incidents per ICS are:

- Type I Incident - Highly Complex National Interest (National)
- Type II Incident - Very Complex Regional to National (District)
- Type III Incident - Non-Routine Local Interest (Unit Level)
- Type IV Incident - Routine (Unit Level)
- Type V Incident - Initial (Unit Level)

## 2140 COMMAND POST LOCATIONS

The field location at which primary tactical-level, on-scene incident command functions are performed will be the incident command post. The locations of command posts vary depending on the incident type and complexity. Most require a fixed location; however, some incidents require a mobile command post (remote incidents). See applicable Geographic Response Strategies for site specific details.

## 2200 SAFETY OFFICER (SOFR)

Information regarding this position can be found in Chapter 6 of the USCG IMH and in the ICS Position Job Aids found in HOMEPORT.

The SOFR or SSHO (Site Safety and Health Officer) is responsible for monitoring and assessing hazardous and unsafe situations and developing measures for assuring personnel safety. The SOFR will recommend measures for assuring personnel safety and assess and/or anticipate hazardous and unsafe situations. It is a mandatory position under 29 CFR 1910.120.

As determined by the scale of the operation, federal and/or state OSHA compliance officers may be on-scene. They will be consulted to determine applicability of OSHA regulations. They will also assess the safety posture and procedures of the response organization. They will also recommend/order changes as appropriate after consultation with the SOFR.

## 2200.1 U.S. AND STATE OSHA REPRESENTATIVES

The OSHA conducts safety and health inspections of hazardous waste sites to ensure employees are protected and to determine compliance with its regulations. OSHA will provide the FOSC with advice, guidance, and assistance regarding hazards to persons involved in removal or control of oil or chemical spills and precautions necessary to prevent endangerment of their health and safety. The assigned SOFR should establish communication with OSHA representative at the beginning stages of a medium or large spill.

## 2210 SITE CHARACTERIZATION

Site Characterization information is listed in the [Hazardous Substance Annex].

## 2220 SITE SAFETY PLAN DEVELOPMENT

Information regarding this position can be found in Chapter 6 of the USCG IMH and the Sample Site Safety Plan.

## 2300 PUBLIC INFORMATION OFFICER (PIO)

Information regarding this position can be found in Chapter 6 of the USCG IMH and in the ICS Position Job Aids found in HOMEPORT.

The Public Information Officer (PIO) is a key staff member supporting the incident command structure. The PIO represents and advises IC/UC on all public information matters relating to the management of the incident. The PIO handles media and public inquires, emergency public information and warnings, rumor monitoring and response, media monitoring, and other functions required to coordinate, clear with appropriate authorities, and disseminate accurate and timely information related to the incident particularly regarding information on public health and safety and protection.

## 2310 PROTOCOL FOR ACCESS/TIMING OF MEDIA BRIEFINGS

The question of media access to spill sites may arise during emergencies. In general, it should be the UC's policy to allow media access when public resources are concerned, with reasonable guidelines to protect personal safety and preclude interference with response activities.

## 2310.2 NEWS RELEASES/PRESS RELEASES/FACT SHEETS

News releases should be reserved for announcements of major decisions, policy changes, or new developments. They must report on items that are actually news, should summarize issues clearly, and provide quotes from decision-makers that encapsulate and clarify the UC's position. Distribution should be to affected communities and response agencies in addition to the media. Fact sheets should be prepared and updated regularly to present key data needed by the press or public, such as amounts of oil or hazardous substance spilled or cleaned up, or wildlife mortalities.

Incident News is a website that is maintained by the Emergency Response Division, Office of Response and Restoration, NOAA, in support of the USCG. This site contains information provided and approved by the UC for specific spill incidents.

## 2310.3 SOCIAL MEDIA IN A RESPONSE

For smaller Coast Guard cases - like a minor pollution response, local SAR case or maritime event – Area, Districts, Sectors and units should collaborate to use pre-existing Coast Guard social media sites to communicate as outlined in the Coast Guard External Affairs Manual.

For the use of social media in a USCG-led crisis/response, reference the Social Media Field Guide, a compliment to the National Response Team Joint Information Center (NRT JIC) Model.

## 2320 JOINT INFORMATION CENTER (JIC)

Information regarding this subject can be found in the USCG IMH, the Public Information Officer (PIO) Job Aid and the National Response Team's NRT JIC Model. The PIO Job Aid also includes a sample JIC Organization Chart.

## 2330 RISK COMMUNICATION

Information Management topics can be found in Chapter 12 of the USCG IMH and in the PIO and Comms-Info-Mgt Job Aids found in HOMEPORT.

Risk communication is maximizing public safety by presenting information to the public in a timely and professional manner during emergency situations. Maximum cooperation is needed from the public to ensure safe response efforts.

Three equations that result in successful Risk Communication:

- Perception equals reality,
- Goal equals trust and credibility
- Communication equals skill

## 2340 MEDIA CONTACTS

Descriptions and contact information for local, state and tribal newspapers, television stations and radio stations can be found in HOMEPORT, Sector Lake Michigan ACP Referenced Documents, Media Contacts.

The Sector Lake Michigan Public Affairs Officer can be reached at 414-405-6436 or the Ninth District Public Affairs Officer can be consulted at 216-310-2608, d9publicaffairs@gmail.com.

## 2400 LIAISON OFFICER (LOFR)

Information regarding this position can be found in Chapter 6 of the USCG IMH and in the ICS Position Job Aids found in HOMEPORT.

Incidents that are multi-jurisdictional, or have several agencies involved, may require the establishment of a LOFR position. Only one primary LOFR will be assigned for each incident, including incidents operating under UC and multi-jurisdiction incidents. The LOFR may have assistants as necessary, and the assistants may also represent assisting agencies or jurisdictions. The LOFR is assigned to the incident to be the point of contact for assisting and or cooperating agency representatives.

Additional information regarding Multiagency Coordination can be found in Chapter 15 of the USCG IMH.

## 2410 TRUSTEES

The NCP designates trustees who are to act on behalf of the public as trustees for natural resources and outlines the responsibilities of those trustees.

See 40 CFR 300 Trustees for Natural Resources for designations and responsibilities.

### 2410.1 NOTIFICATION OF DOI

The DOI Regional Environmental Officer for Region V must be contacted in the following circumstances:

- All reported oil discharges that equal or exceed 5,000 gallons in the Great Lakes.
- All reported releases of hazardous substances that exceed the reportable quantity (RQ) in the Great Lakes.
- All reported discharges or releases of hazardous substances of any size that may affect DOI administered facilities or National Wildlife Refuge System as well as any Indian Reservation.
- All reported discharges or releases of any size that have impacted or threaten populations of federally listed species or designated critical habitats protected under the Endangered Species Act.
- All reported discharges or releases of any sizes that have impacted or threaten “historic properties” protected under the National Historic Preservation Act.
- All reported discharges or releases of any size that have resulted in fish kills or have impacted migratory birds.

### 2410.2 NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION (NRDA)

The overall goals of the NRDA process are to restore the injured natural resources to pre-spill conditions and to obtain compensation for all documented losses of natural resources and services that occur between the spill and the return to baseline (pre-spill) conditions.

In general, the NRDA process may require several phases to complete, including individual phases of documenting injuries, assessing damages, settling claims, and undertaking restoration programs. This document addresses the NRDA process only during initial stages while response efforts are underway. This document attempts to describe the NRDA process, identify principle participants in NRDA activities, and clarify the relationship of NRDA to ICS. NRDA is separate from the response and is not part of the ICS. However, and as mentioned in the previous section, the Federal Lead Administrative Trustee (FLAT) coordinate the NRDA process with the LOFR in ICS in order to minimize interference, share resources and information and avoid duplication of effort. This information provided here is to allow an RP to understand the NRDA process. Additional information is provided concerning funding

for NRDA activities and the requirements for specific federal, state, and local permits necessary to collect information for assessments of natural resource damages.

## 2410.3 NRDA REPRESENTATIVES

The NRDA Representatives are responsible for coordinating NRDA needs and activities of the trustee team. NRDA activities do not occur within the structure, processes, and control of ICS. However, in the early phases of a spill response, NRDA activities may overlap with environmental assessment activities.

Since NRDA is carried out by natural resource trust agencies and/or their contractors, personnel limitations may require staff to perform both NRDA and response activities simultaneously. Therefore, NRDA representatives should remain coordinated with the spill response organization through the LOFR, and may need to work directly with the IC/UC, Planning Section, Operations Section, and the NOAA SSC to resolve any problems or address areas of overlap.

This includes close coordination with the LOFR for obtaining timely information on the spill and injuries to natural resources. While NRDA resource requirements and costs may fall outside the responsibility of the Logistics and Finance/Admin Sections, coordination is important. The NRDA Representatives will coordinate NRDA or injury determination activities. The Federal Lead Administrative Trustee (FLAT) (see Section 2410.5) should:

- Attend appropriate planning meetings to facilitate communication between NRDA Team and IC/UC.
- Provide status reports.
- Coordinate with the LOFR or IC/UC in absence of an LOFR, to assure that NRDA field activities do not conflict with response activities and to request logistical support for NRDA field activities.
- Seek FOSCs cooperation in acquiring response-related samples or results of sample analysis applicable to NRDA; (e.g., spilled petroleum product from source and/or oil from contaminated wildlife).
- Support IC/UC information needs through the PIO.
- Interact with appropriate units to collect information requested by the NRDA team.
- Obtain necessary safety clearances for access to sampling sites.
- Coordinate with other organizations to identify personnel available for NRDA.
- Identify site access, transportation support, logistics requirements and staffing needs to the proper ICS elements.

## 2410.4 NOTIFICATION PROCEDURE FOR INITIATING NRDA ACTIONS

In the event of an oil or hazardous substances spill, the FOSC shall ensure that potentially affected federal, state, tribal and foreign natural resource trustee representatives are promptly notified by telephone. Prompt notification pursuant to the NCP enables the trustees to quickly initiate a NRDA for the purpose of restoring natural resources and lost uses to pre-spill conditions. Sector Lake Michigan can contact the Coast Guard Ninth District DRAT for assistance.

It is highly desirable for natural resource trustees to coordinate their NRDA activities and to consult with local governments and interest groups from the affected area to produce a single NRDA for all injuries to public trust resources. The trustees are encouraged to coordinate these activities with the efforts of cooperative RP to the extent that trustee responsibilities are not compromised.

## 2410.5 IDENTIFICATION OF FEDERAL AND INCIDENT LEAD ADMINISTRATIVE TRUSTEE (FLAT)

Executive Order 12777 (October 22, 1991) requires the federal natural resource trustees to select a representative as the FLAT. In general, the FLAT serves as the federal contact for all aspects related to damage assessment, resource restoration, and federal funding for NRDA activities. Depending on the resources affected and other relevant factors, it might be appropriate for most administrative duties to be undertaken by a lead trustee from a non-federal agency. In such cases, a FLAT would still be selected to work with the representatives of the OSLTF to secure federal funds to initiate the damage assessment. All other administrative duties regarding damage assessment activities would be coordinated by the non-federal lead trustees. This lead trustee or trustee agency shall be selected by consensus of all participating trustees. The trustees will notify the USCG of the FLAT selection and, when appropriate, non-federal lead trustee as soon as possible after an oil spill.

## 2410.6 NRDA AND ICS

Information regarding this subject can be found in Chapter 20 the USCG IMH and the NPFC User Reference Guide.

One objective of ICS is to reduce or eliminate duplication of efforts by numerous response agencies, while attempting to control or contain the spill and mitigate possible impacts of spilled oil. A small group consisting of the FOSC, SOSC, local IC, and a representative of the RP from the UC coordinates and directs the actions of the response. Concerns of affected local governments related to spill response or cleanup are generally presented to the UC through a Multi-Agency Coordination (MAC) Group representative. The local government claims for spill damages associated with services provided by natural resources should be coordinated with the Trustee NRDA Team to avoid overlap within assessments.

Assessment of injuries and damages resulting from spilled oil need to begin as soon as possible following initial release of a pollutant. This necessitates that NRDA activities be conducted simultaneously with response efforts and coordinated through the UC. Portions of the NRDA process should be aligned with ICS to improve communication, expedite both response and NRDA activities, and make efficient use of personnel and equipment. To avoid potential conflicts in duties, it is recommended that members of the NRDA Team not have responsibilities for spill cleanup or general response activities.

The primary role of the NRDA Team is to document a pathway for the spilled oil, measure levels of injuries resulting from the spill, and determine damages. The UC, in contrast to the NRDA Team, focuses primarily on response, cleanup, and minimizing impacts of the oil spill. Although the UC and NRDA Team often have different responsibilities and needs, some of their activities overlap and require coordination. Examples of activities to be coordinated immediately following a spill include collecting samples (e.g. access to restricted sites, sampling prior to changes to natural resources, using equipment (boats, helicopters, etc.), communications, surveying spill sites, identification of protective measures and potential need for emergency restoration.

Uninterrupted communication between the UC and the NRDA Team is essential to ensure that needs and efforts of the NRDA Team are not in conflict with response strategies and activities selected by the UC. Information concerning, for example, the spill trajectory forecasts, cleanup strategies, and beach and port closures should be made available to the NRDA Team to assist sample and data collection in a timely fashion. Conversely, information concerning potential injuries to natural resources caused by oiling or response techniques should be made available to the Planning Section before implementation of cleanup responses by the Operations Section.

It is important to note that the RP is part of the UC but may not necessarily be part of the trustees' coordinated NRDA activities. For this reason, the NRDA Team must remain separate from ICS to ensure that statutory responsibilities of the trustees are not compromised. The trustees retain the option of inviting the RP to participate in all or part of the damage assessment process. Some NRDA activities, however, are best coordinated with the UC. The NRDA Team will provide an agency Representative(s) (AREP) to the LOFR of ICS to present the needs of the NRDA Team and other response information to the incident command. The NRDA Representative(s) will also act as historian or recorder of information critical for an accurate assessment of spill damages and will attend appropriate incident command meetings to secure knowledge of the up-to-date response activities.

## 2420 INVESTIGATORS

See Chapter 9 of the Coast Guard IMH.

## 2430 AGENCY REPRESENTATIVES (AREP)

In many multi-jurisdiction incidents, an agency or jurisdiction may send an AREP who is not on direct tactical assignment, but is there to assist in coordination efforts. See Chapter 6 of the Coast Guard IMH.

## 2440 U.S. COAST GUARD INTERNATIONAL COORDINATING OFFICER (ICO)

The ICO acts as coordinator between ICPs in U.S. and Canada, communicating and coordinating planned response actions between both Command Posts. Guidance for this can be found in the Ninth District CANUSLAK Plans.

## 2450 STAKEHOLDERS

Stakeholders are any person, group, or organization affected by and having a vested interest in the incident and/or the response operation. Oil spill and hazardous substance response stakeholders include environmental, economic, and political stakeholders. Stakeholder listings are captured throughout this Plan (local, state, tribal, federal, NRDA, volunteers, etc).

## 2500 INTELLIGENCE/INVESTIGATIONS SECTION

The analysis and sharing of information and intelligence are important elements of ICS. See Chapter 9 of the Coast Guard IMH and the Comms-Info-Mgt Job Aid.

The Intelligence/Investigations Section (I/I) is responsible for conducting investigations to determine cause(s) of an incident and provide Command intelligence information that could influence the response activities of an incident. This Section can include an Investigative Operations Group, Intelligence Group, Forensic Group and Investigative Support Group. The IC/UC will determine the need for a I/I Section and designate a qualified individual to fill the role of I/I Section Chief (ISC).

## 2510 INTELLIGENCE/INVESTIGATIONS SECTION CHIEF

The ISC, a member of the General Staff, is responsible for the management of intelligence and investigation activities. The ISC is normally selected from the organization with the most jurisdictional or functional responsibility for the intelligence or investigation activities.

The responsibility of the ISC is to provide Command intelligence information that could have a direct impact on the safety of response personnel and influence the disposition of maritime security assets involved in the incident response.

Additional information regarding this position can be found in Chapter 9 of the USCG IMH.

## 2520 INVESTIGATIVE OPERATIONS GROUP SUPERVISOR (IOGS)

The Investigative Operations Group manages and directs the overall investigative effort for the ISC. The IOGS is the primary case investigator.

The major responsibilities of the IOGS can be found in Chapter 9 of the USCG IMH.

## 2530 INTELLIGENCE GROUP SUPERVISOR (IGS)

The Intelligence Group is responsible for three major functions: (1) information intake and assessment; (2) operations security, operational security, and information security; and (3) information/intelligence management.

The major responsibilities of the IGS can be found in Chapter 9 of the USCG IMH.

## 2540 FORENSIC GROUP SUPERVISOR

The Forensic Group is responsible for managing crime scenes and processing forensic evidence, digital and multimedia evidence, and decedents. The Forensic Group ensures proper examinations, analyses, comparisons, and enhancements of forensic evidence, digital and multimedia evidence and decedents by the appropriate laboratories, analytical service providers, and morgues. The Forensic Group coordinates with the Mass Fatality Management Group and the medical examiner/coroner on matters related to the examination, recovery, and movement of decedents.

The major responsibilities of the IGS can be found in Chapter 9 of the USCG IMH.

## 2550 INVESTIGATIVE SUPPORT GROUP SUPERVISOR

The Investigative Support Group works closely with the Command and General Staffs, particularly the Logistics Section and Planning Section, to ensure that necessary resources, services, and support are obtained for the I/I Section.

The major responsibilities of the IGS can be found in Chapter 9 of the USCG IMH.

## 2600 Reserved

## 2700 Reserved

## 2800 Reserved

## 2900 Reserved for Area/District

## 3000 OPERATIONS

Additional Information regarding this Section can be found in Chapter 7 of the USCG IMH and in the ICS Position Job Aids found in HOMEPORT.

## 3010 THE OPERATIONS SECTION ORGANIZATION

The Operations organization is designed to be highly flexible so that it can be used during any type of emergency. Unlike the other Sections in the ICS organization, Operations builds from the bottom up, only adding layers of management to maintain span of control when the size of the Operations Section requires more focused oversight.

## 3020 INITIAL RESPONSE ACTIONS OF THE OPERATIONS SECTION CHIEF (OSC)

Typically, the first responder will act in the capacity of both initial IC and as (OSC). As OSC, there are several key actions you must undertake to ensure operations are properly managed. Additional Information regarding this Section can be found in Chapter 7 of the USCG IMH and in the ICS Position Job Aids found in HOMEPORT.

## 3100 OPERATIONS SECTION ORGANIZATION

The Operations Section is responsible for all operations directly applicable to the primary mission. The Operations Section is responsible for developing detailed operational plans with representatives from federal, state, tribal, local and RP organizations based on UC objectives. The Operations Section collects information from field level sources, assessing the situation, communicates with and makes recommendations to the UC.

## 3110 OPERATIONS SECTION CHIEF (OSC)

The OSC is responsible for the management of all tactical operations directly applicable to the primary mission. The OSC will normally be selected from the organization/agency with the most jurisdictional responsibility for the incident. The OSC activates and supervises organization elements in accordance with the Incident Action Plan (IAP) and directs its execution. The OSC also directs preparation of operational plans; requests or releases resources, monitors operational progress and makes expedient changes to the IAP as necessary; and reports such to the IC. The OSC may have Deputy OSCs who may be from the same agency or from an assisting agency. The Deputy OSC must have the same qualifications as the person for whom they work, as they must be ready to take over the position at any time. Additional Information regarding this Section can be found in Chapter 7 of the USCG IMH and in the ICS Position Job Aids found in HOMEPORT.

## 3200 RECOVERY AND PROTECTION BRANCH

The Recovery and Protection Branch is responsible for overseeing and implementing protection, containment and cleanup activities established in the IAP. Additional information regarding this position can be found Chapter 20 of the USCG IMH.

## 3210 PROTECTION GROUP

The Protection Group is responsible for the proper deployment of containment, diversion, exclusion and sorbent boom/materials in designated locations and implements proper cleanup methods. Additional information regarding this position can be found in Chapter 20 of the USCG IMH.

## 3220 PROTECTION STRATEGIES FOR SENSITIVE AREAS

For identification and protection of sensitive sites, see the Environmental Response Management Application (ERMA) and the Sector's Geographic Response Strategies.

## 3230 ON WATER RECOVERY GROUP

The On Water Recovery Group is responsible for managing on water recovery operations in compliance with the IAP. The Group may be divided into Strike Teams, Task Forces, and Single Resources. Additional information regarding this position can be found in Chapter 20 of the USCG IMH.

### 3230.1 RECOVERY OPTIONS

See the Geographic Response Strategies for on-water recovery. Options may include a Coast Guard Spilled Oil Recovery System (SORS), small boat skimming systems and sorbent materials.

### 3230.2 TEMPORARY STORAGE

Storage of recovered oil during on water recovery operations will likely consist of tankage on board recovery vessels, oil bladders (dracones, sea slugs, etc), and 55 gallon drums to small portable tanks. Oil contaminated debris collected on water can be placed in containers which should be lined to prevent further contamination. The Oil Spill Removal Organization (OSRO) will likely be tasked with ensuring proper temporary storage is available for and during recovery operations. See also 3260.

## 3240 SHORESIDE RECOVERY GROUP

The Shoreside Recovery Group is responsible for managing shoreside cleanup operations in compliance with the IAP. Additional information regarding this position can be found in Chapter 20 of the USCG IMH.

### 3240.1 SHORELINE CLEANUP OPTIONS

Shoreline Cleanup Options include No Action, Passive Cleanup (sorbent materials) Operations, Manual Cleanup operations, Mechanical Cleanup operations and alternative countermeasures. See the Great Lakes Great Lakes Shoreline Cleanup Guidelines that list pre-approved specific RRT Region cleanup guidelines. These guidelines identify the cleanup objective, cleanup description, applicable shoreline types, when to use the cleanup option, biological constraints, and environmental effects.

The Shoreline Cleanup Assessment Technique (SCAT) is used for cleanup start point and end point criteria. NOAA has developed a Shoreline Assessment Manual and Job Aid as well as additional guidance at their Office of Response and Restoration website.

### 3240.2 PRE-BEACH CLEANUP

Pre-beach cleanup should be evaluated and conducted if deemed necessary. Pre-beach cleanup will likely include removal of debris, trash, and the like, prior to impact, in an effort to limit the amount of contamination requiring proper disposal. Pre-beach cleanup can be a very effective way to lessen disposal volume. Dumpsters may be used for uncontaminated debris.

### 3240.3 TEMPORARY STORAGE

Adequate and proper storage is necessary to enable oily debris to be collected safely and securely at the spill location or sites. Storage can be limited to a few 55 gallon drums or can be tank trucks, baker tanks, or small to large storage tanks. It is essential that the storage device be compatible for the recovered material and meet USDOT and/or USEPA requirements as applicable. Roll on/off dumpsters can be used to collect large amounts of oil contaminated debris, while salvage drums can be used for smaller quantities. It is essential that the dumpster or similar storage device be lined with plastic material to prevent further contamination and leakage.

## 3260 DISPOSAL GROUP

The Disposal Group is responsible for coordinating onsite activities of personnel engaged in collecting, storing, transporting, and disposing of waste materials. Depending on the size and location of the spill, disposal groups may be further divided into teams, task forces, and single resources. Additional information regarding this position can be found in Chapter 20 of the USCG IMH.

### 3260.1 WASTE MANAGEMENT AND TEMPORARY STORAGE OPTIONS

A waste is any solid, liquid, or contained gaseous material that is not of any further use, and either is recycled or thrown away. According to RCRA, a hazardous waste is a waste that because of its quantity, concentration, or physical, chemical, or infectious characteristic, it may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or pose a substantial hazard or potential hazard to human health and the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. A hazardous waste also must be a

"solid waste" as defined in RCRA as "garbage, refuse, or sludge or any other water material." A solid waste can be a solid, semisolid, a liquid, or a contained gas. Presently there are two ways a material may be classified as a "hazardous waste". If the waste is "Listed" under RCRA regulations (40 CFR 261.20 – 261.24) or if it has one of the following four characteristics: ignitability, corrosivity, reactivity, and toxicity, as listed in 40 CFR 261.

Any discussion of the disposal of oil or hazardous material recovered during clean-up of a discharge or release in the Great Lakes Zone must first recognize the location of the removal site will play a major role in the disposal method decision-making process. In addition, each of the eight states within the zone has its own state laws and regulations. Therefore, each incident will be unique and only generalities can be made concerning some aspects of disposal. In the interest of conservation, individual state laws will not be repeated in this plan. See the Sample Waste Management and Disposal Plan.

## 3260.2 DECANTING POLICY

Large quantities of oily-water/fluids are typically generated during an oil spill response, as a result of skimming and vacuuming operations. These collected fluids consist mostly of water with suspended hydrocarbons which eventually float to the surface. Recovered oil and water mixtures will typically separate into distinct phases when left in a quiescent state. When separation occurs, the relatively clean water phase can be siphoned or decanted back into the containment or recovery point with minimal impact. Decanting therefore increases the effective on-site storage capacity and equipment operating time. Oil recovery operations can continue as long as there is a place to store the recovered fluids. Once field storage capacity is reached, skimming/vacuuming operations must terminate until additional storage is provided. Because this process risks discharge of oil already recovered, it must be done carefully. Typically decanting water is discharged into a secondary storage container or into a boomed area where any accidental discharged oil can be contained and recovered. Approval to decant during a response must be requested and approved through the IC/UC, with concurrence from the respective RRT as outlined in RRT5's Regional Contingency Plan (RCP).

## 3280 DECONTAMINATION GROUP

The Decontamination Group Supervisor is responsible for decontamination of personnel and response equipment in compliance with approved statutes. Contaminated personnel and personnel entering contaminated areas shall be decontaminated in accordance with the instructions of the site SOFR. Additional information regarding this position can be found Chapter 20 & 21 of the USCG IMH.

## 3280.1 SAMPLE DECON PLAN

Chapter 10 of the Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities is available for reference and covers Decontamination and Decon Plans. See also the sample Site Safety and Health Plan.

## 3290 DISPERSANTS, IN-SITU BURNING, SURFACE WASHING AND COLLECTING AGENTS

Use of dispersants or other oil emulsifiers is not pre-approved anywhere in Region 5 and is not likely to be allowed because of the limited dilution available in fresh waters, the use of freshwaters as a water supply, the limited toxicology information available for dispersants in fresh water, and the limited information available as to fresh water effectiveness of dispersants. The FOSC may not authorize use of a product that is not listed on the Product Schedule.

The use of surface collecting agents, biological additives, burning agents or miscellaneous oil spill control agents on surface waters, particularly near sensitive wetland or water supplies (fresh water systems), must be approved by State and/or Federal Agencies. Such use adds to the potential for serious impact of already released petroleum products. This stance is necessary to protect subsurface water intakes (potable and non-potable).

### 3290.1 IN-SITU BURNING (ISB)

Presently there are no pre-authorized ISB zones within the area covered by this plan.

The ISB Operations Group Supervisor is responsible for coordinating all aspects of an ISB operation. For aerial ignition, the ISB Operations Group Supervisor works closely with the Air Tactical Group Supervisor. The ISB Operations Group Supervisor responsibilities are covered in Chapter 20 of the IMH.

For In-Situ Burn Checklist, see Sections 1650.3, 1660 and Appendix VI of RRT5's RCP. If ISB equipment is required, the FOSC will consult with appropriate Subject Matter Experts through the respective RRT network to determine this requirement.

### 3290.2 BIOREMEDIATION

Presently there are no pre-authorized bioremediation zones within the area covered by this plan.
See Section 1650.4 and Appendix V of the RRT5 RCP: Chemical Use Checklist in Region 5.

If bioremediation resources are required, the FOSC will consult with appropriate Subject Matter Experts through the RRT network to determine this requirement.

### 3290.6 SURFACE WASHING & SURFACE COLLECTING AGENTS

For policy on use of surface washing or surface collecting agents, see RRT5 Regional Contingency Plan Section 3.2 and the RRT5 Chemical Countermeasures Fact Sheet.

If surface washing or collecting agents are being considered, the FOSC will consult with appropriate Subject Matter Experts through the RRT network to determine this requirement.

## 3300 EMERGENCY RESPONSE

Salvage and Source Control: See Chapter 20 of the IMH.
Salvage and Marine Firefighting: See SMFF Annex
HAZMAT: Chapter 21 of the USCG IMH and the HAZMAT Annex (under development).

## 3400 AIR OPERATIONS BRANCH

The Air Operations Branch is responsible for all aspects of incident aircraft from supporting tactical operations to logistical support of the aircraft. See Chapter 7 and Chapter 20 of USCG IMH and the ICS Position Job Aids found in HOMEPORT.

Temporary Flight Restrictions: In all cases, the Federal Aviation Administration (FAA) and/or nearest airport which could be affected should be contacted. Notice to Airmen (NOTAMS) or similar advisories can be posted/broadcasted by the FAA to alert aviators to possible environmental hazards/concerns. Likewise, response personnel and media engaged in assessment or follow-up spill site surveillance need to be fully aware of FAA and/or DOD controlled airspace and any hazards or restrictions that may exist. See the FAA NOTAM and TFR sites for more information.

## 3500 STAGING AREAS

Staging Areas: See Section 9100, Chapter 7 of the USCG IMH, the appropriate GRS and ERMA for more information.

## 3600 WILDLIFE BRANCH

The Wildlife Branch is responsible for minimizing wildlife injuries during spill responses; coordinating early aerial and ground reconnaissance of wildlife at the spill site and reporting results to the SITL; advising on wildlife protection strategies, including diversion booming placement, ISB, and chemical countermeasures; removing of oiled carcasses, employing wildlife hazing measures as authorized in the IAP; and recovering and rehabilitating impacted wildlife. See Chapter 20 of the USCG IMH, the Wildlife Annex (under development) or the Wildlife Response Annex for Wisconsin that contains excellent information that can used in any location.

## 3610 FISH AND WILDLIFE PROTECTION OPTIONS

In addition to wildlife initially impacted after the release or spill, continued exposure should be considered in planning due to migrating wildlife re-entering contaminated areas during clean-up activities. Several options available to the FOSC/UC include hazing and capture/re-release. Any such measures should be evaluated through the Environmental Unit with appropriate recommendations made in accordance with applicable laws and regulations. See Chapter 20 of the USCG IMH**.**

Additionally, measures to protect wildlife may include all or a combination of the following:

- Preventing the spill from reaching areas where wildlife are located by either containing, deflecting or recovering the material, or
- Deterring wildlife from entering areas already affected by contamination.

Wildlife deterrence devices or methods are generally grouped into visual or auditory, or a combination of both. The types of equipment used and sources for their acquisition can be found in the Fish and Wildlife and Sensitive environments portion of the External Annex to this plan. In an emergency, the USFWS, state wildlife agency, or local USDA Wildlife Services office may be able to locate and provide limited amounts of this equipment.

## 3620 RECOVERY

The Wildlife Recovery Group is responsible for coordinating the search for collection and field tagging of dead and live impacted wildlife and transporting them to processing center(s). This group should coordinate with the Planning Situation Unit in conducting aerial and group surveys of wildlife population in vicinity of the spill. They should also deploy acoustic and visual wildlife hazing equipment as needed.

### 3620.1 WILDLIFE RECOVERY OPERATIONS AND PROCEDURES

If exposure of birds and other wildlife to oil occurs, an immediate decision must be made concerning the capture and rehabilitation of oiled birds and other wildlife. That decision must be made in consultation with appropriate state and federal natural resource trustees, because state and federal permits are usually required for such activities. The Department of the Interior (DOI) has statutory responsibilities (delegated to USFWS) for the protection of migratory birds and federally listed threatened and endangered species. If wildlife other than migratory birds or federally listed species are found injured, the responsible agency would typically be the state wildlife agency. USDA APHIS Wildlife Service in each state can also assist and the Wildlife Response plan that was developed by APHIS Wildlife Service in Wisconsin is an excellent resource. See section 4800 for required permits and the appropriate GRS for site specific details.

The USFWS and state natural resource agency are responsible for overseeing spill response activities relative to their effects on fish and wildlife resources. These oversight responsibilities are carried out under the overall direction of the FOSC. In some instances, the federal and state agencies will participate in activities such as hazing, capture, relocation and release of wildlife. Those natural resource agencies typically do not conduct treatment or rehabilitation of injured trust resources. However, all wildlife rescue and rehabilitation efforts will be directed by USFWS and/or the state wildlife agency, including the approval of a qualified wildlife rehabilitator (QWR). The USFWS and state wildlife resource agencies will usually recommend that the RP or FOSC enter into a contract with a QWR. In all cases where a QWR is utilized, the USFWS and state natural resource agencies will remain in an oversight role. Oversight responsibilities include, but are not limited to, the identification and certification of a

QWR; the supervision/oversight of injured wildlife collection, handling, cleaning and associated veterinary care; the release of successfully rehabilitated wildlife to the wild; and/or the disposition of carcasses to labs and evidence storage. The Fish and Wildlife and Sensitive Environment section contain guidance on rehabilitation facilities, equipment and training requirements.

## 3620.2 RECOVERY PROCESSING

Detailed information concerning capture and recovery of birds is contained in the USFWS - Best Practices for Migratory Bird Care during Oil Spill Response. Only trained individuals should undertake the capture and treatment of oiled birds, and teamwork is essential to minimize additional stress to the birds.

The USFWS's Division of Law Enforcement (DLE) is responsible for investigating suspected and alleged violations of federal wildlife laws including the Migratory Bird Treaty Act, 16 USC 703 *et seq.*, the ESA, 16 USC 1538 *et seq.*, the Eagle Protection Act, 16 USC 668a *et seq.*, the National Wildlife Refuge Act, 16 USC 668dd *et seq.*, and several others. Wildlife injuries, mortalities and habitat impacts resulting from spills can constitute violations of DLE - enforced laws. Agents of DLE may be required to initiate investigations during the spill response phase in order to document violations and collect evidence in a timely manner. It should be emphasized that maintaining chain of custody is paramount when handling wildlife which may be considered evidence for potential litigation. DLE agents will need to establish chain of custody from the onset of any capture or recovery. These officers will normally coordinate their activities with the FOSC or other on scene law enforcement personnel. Additionally the USFWS agents can insure that responders possess the necessary federal permits and that wildlife-related response activities are accomplished in accordance with applicable law and permit provisions.

## 3620.3 CARCASS RETRIEVAL AND PROCESSING

When collecting carcasses during capture activities, capture teams should receive guidance from natural resource management agencies as to which carcasses to collect and how to record the location and condition of the carcass prior to collection. Oiled carcasses should be collected in accordance with spill-incident specific instructions and chain of custody protocols as provided by the natural resource management agencies. Each carcass should be photographed then placed in an individual bag or wrapped in aluminum foil; labeled with date, time, location, and collector's name; and taken to a designated morgue location.

## 3630 WILDLIFE REHABILITATION

The Wildlife Rehabilitation Center Manager is responsible for the oversight of facility operations including: receiving oiled wildlife at the processing center, recording essential information, collecting necessary samples, and conducting triage, stabilization, treatment, transport, and rehabilitation of oiled wildlife. The Wildlife Rehabilitation Center Manager is responsible for assuring appropriate transportation to appropriate treatment centers for oiled animals requiring extended care treatment. Additional information regarding this position can be found in Chapter 20 of the USCG IMH.

## 3630.1 WILDLIFE REHABILITATION OPERATIONS

The contamination of wildlife by oil has a high public impact, which must be recognized by the FOSC, the UC, and members of the RRT. Public interest, inquiries, criticism, and demands for the cleaning of affected wildlife can seriously hamper the FOSCs ability to proceed with mitigation of the spill. Early inspection of impacted or potentially impacted areas known to be wildlife habitat should be made by the FOSC, and at first sign of wildlife involvement, the FOSC should contact the DOI on the respective RRT to request organization and supervision of the wildlife protection efforts. Funding will be required either from the responsible party or the pollution fund for these efforts. The following brief synopsis outlines the three elements of a wildlife conservation program:

- Protection: Hazing devices and removal of dead impacted wildlife may be helpful in keeping other wildlife from impacted areas. Baiting clean areas is another method of protecting unoiled wildlife.
- Collection: Only trained collectors should be allowed to participate, due to safety considerations such as (1) the potential for contact with pollutants; (2) physical hazards involved in the handling of wildlife; and (3) the potential for additional stress placed on the wildlife involved. Federal and state permits are required for collection of most wildlife.
- Rehabilitation: This medical procedure should be done by trained and permitted supervision. In addition to trained and permitted rehabilitators, considerable additional resources – including trained volunteers, supplies, and facilities – are critical to a timely and effective rehabilitation effort.

The Wildlife Branch must coordinate its efforts with the NRDA Unit via the LOFR and Resources at Risk Specialists within the Environmental Unit of Planning. Federal Trustees from the USFWS and state trustees, as well as Tribal Trustees, will have personnel in these cells. This coordination must start up early if these cells are activated.

If the decision is made, in consultation with the applicable natural resource trustees, to go forward with wildlife rehabilitation, a standard set of identified criteria will be used by USFWS and state wildlife agencies in selecting or recommending a QWR. The NCP in 300.210 (4) (ii) (h) requires the fish and wildlife input to identify and secure the means of providing, if needed, the minimum required OSHA and USEPA training for volunteers, including those who assist with injured wildlife. The OSHA Hazard Communication Standard (HAZCOM) should be used as a standard for communicating the potential hazards to individuals involved in assisting injured wildlife. HAZCOM applies to wildlife rehabilitation organizations because petroleum and hazardous chemicals are considered a human health hazard. Besides chemical hazards, other hazards such as mechanical, physical and biological hazards are also present during rescue and rehabilitation activities.

Workers must be aware of and trained on dealing with these hazards as well. Training elements should include field and facility concerns on the behavior of impacted birds, proper animal restraint, and personal protective equipment and clothing to protect workers from blood-borne pathogens and

zoonoses (diseases transmittable from animals to humans). Personnel health and safety concerns relating to wildlife rescue and rehabilitation should be considered in all plans and actions when dealing with contaminated wildlife. The Fish and Wildlife and Sensitive Environment portion of the External Annex contains additional information on safety, training and potential risks associated with wildlife rescue and rehabilitation. In addition, chapter 4 of the USFWS - Best Practices for Migratory Bird Care during Oil Spill Response contains more information.

Also, detailed information on this topic can be found in the respective USEPA region's RCP, Fish and Wildlife and Sensitive Environments portion of the External Annex. Specific permits required by wildlife handlers are discussed in Section 4800.

### 3630.2 REHABILITATION FACILITIES

Facility needs usually focus on the majority of species affected by a petroleum discharge, which are generally birds. Facility requirements can vary significantly, depending on: overall size of response, species and age of wildlife contaminated, the type of contaminant, the season/weather, the location of the spill, and the rehabilitation effort. The facility needed will vary according to the needs of the specific spill situation, and should be determined by the QWR experienced in oil spill response work. A suitable facility must have a large open space on the ground floor that can easily be configured and reconfigured to accommodate the changing needs of this unique form of wildlife rehabilitation. All rehabilitation efforts should be accommodated under one roof. A warehouse, armory, motor pool or convention hall that is accessible to a trained labor force is within reasonable distance from hotel accommodations and has adequate parking and exterior grounds could meet this requirement. The facility may be located up to 3-4 hours from the spill site, provided that on-scene stabilization is administered prior to transport. An oil spill stabilization site can be located at the time of the spill. The Responsible Party should be proactive in this effort. Region 5 RCP Fish and Wildlife Appendix contains more information.

### 3630.3 FACILITY REQUIREMENTS AND EQUIPMENT NEEDS

Facility needs usually focus on the majority of species affected by a petroleum discharge, which historically are avian. Facility requirements can vary depending on the following factors:

- Anticipated number of animals
- Types and number of species
- Age of wildlife contaminated
- Type of contaminant
- Season/Weather
- Location of the spill
- Facility availability

The most appropriate facility, will vary according to the specific needs of the spill situation, and should be selected by a QWR, experienced in oil spill response work at the time of a spill.

Facility Needs and Set-up:

Because facility requirements can vary significantly, a permanent facility is not always advisable, and may actually be an impediment. A suitable facility must have a large open space on the ground floor that can easily be configured and reconfigured to accommodate the changing needs of this unique form of wildlife rehabilitation. All rehabilitation efforts should be accommodated in connected or adjacent buildings whenever possible. Experience has taught that a tent or other outdoor situation is often inefficient and unsuitable. A warehouse, armory, motor pool or convention hall that is accessible to a trained labor force, is within reasonable distance from hotel accommodations, and has adequate parking and exterior grounds could be a suitable facility. Considerations for a suitable facility should include at a minimum:

Site Safety
Hot and Cold Water Capacity
Electric & Lighting
HVAC Systems
Communications
If a wildlife rehabilitation center is situated in a secure site, e.g., military installations or refinery, procedures for allowing entry for a fluctuating volunteer work force must be developed. If the facility is located more than a 30-45 minute drive from the spill site, on-scene stabilization must be administered prior to transport. An oil spill stabilization site can be located at the time of a spill.

It is recommended that a list be assembled of potential real estate within the identified high risk areas, and the sites be physically reviewed by a representative of the wildlife response group with major spill response experience. Once the actual facilities have been identified, all costs, availability, and contract information should be reviewed with the GRS.

See Chapter 6 of the USFWS - Best Practices for Migratory Bird Care during Oil Spill Response and the respective GRS for additional wildlife rehab organizational information.

## 3630.4 REHABILITATION PROCEDURES

The goal in rehabilitating wildlife during an oil spill response is the release of a healthy individual back into its natural environment. It should be noted that only trained personnel should administer this type of care. The Safety Data Sheet (SDS) for the spilled contaminant should be reviewed prior to handling contaminated wildlife. All chemical hazards to humans also apply to the affected bird or other wildlife species. The steps in the rehabilitation process are outlined in much detail in the USFWS Best Practices attachment chapter 4.

The rehabilitation guideline process can be summarized in the following steps:

- Stabilization
- Evaluation and admission

- Euthanasia (covered by policy or plan with natural resource agency)
- Necropsy
- Cleaning
- Husbandry

**3700 Reserved**

**3800 Reserved**

**3900 Reserved for Area/District**

## 4000 PLANNING

The Planning Section plays a critical role in moving an incident from a reactive response to a proactive response. Regardless of the initial complexity of the incident the Planning Section must look far beyond the apparent situation and ask "What if?" The PSC must be aware of immediate challenges and those that lie on the horizon. The size of the Planning Section will be based on the needs of the incident. See the USCG IMH and the ICS Position Job Aids found in HOMEPORT for additional information.

## 4100 PLANNING SECTION ORGANIZATION

See the USCG IMH and the ICS Position Job Aids found in HOMEPORT for additional information.

## 4200 SITUATION UNIT LEADER (SITL) CONSIDERATIONS

See the USCG IMH and the ICS Position Job Aids found in HOMEPORT for additional information.

## 4300 RESOURCES

See also Section 5210.1, the USCG IMH and the ICS Position Job Aids for additional information..

## 4310 VOLUNTEERS

Volunteers make up a special group of stakeholders who share commitment to protecting the environment. USEPA and USCG FOSCs may use the services of volunteers in oil spill responses in accordance with their statutory authorities and other applicable laws. The IC/UC should make that decision on a case-by-case basis, weighing the interests of the local volunteer community and benefits of volunteer efforts against health and safety concerns, resources needed for volunteer supervision and training, liability concerns, and other relevant issues. OSHA requirements for volunteers can be found in the publication 3172 Training Marine Oil Spill Response Workers under OSHA's Hazardous Waste Operations and Emergency Response Standard.

As noted in the NCP, volunteers generally should not be used for physical removal of oil contaminated materials. Typically, volunteers should be used for minimal risk activities. In certain circumstances volunteers may be used for higher risk activities such as certain oiled wildlife cleaning activities if they have received appropriate training and Personal Protective Equipment (PPE), as conditional by the NCP volunteer requirements.

## 4310.1 NRT USE OF VOLUNTEERS GUIDELINES FOR OIL SPILLS

This NRT document provides guidance for FOSCs and ACs using or considering using volunteers during an oil spill incident. It was developed in response to incident lessons learned and contains information, examples, and tools to help with everything from coordination and outreach, to

organization and oversight, and also includes tips on avoiding potential issues associated with utilizing a volunteer workforce. Though this document is comprehensive in nature, it is a guidance document and was not designed to preclude any existing laws or agency-specific policies. This document will be evaluated and updated periodically by the NRT in an effort to incorporate future lessons learned and maintain relevance in the field. See NRT Use of Volunteers Guidelines for Oil Spills for more details.

## 4310.2 AFFILIATED VOLUNTEER ORGANIZATIONS RESOURCES AND CAPABILITIES

General information on Affiliated Volunteer Organization resources can be found at the Corporation for National and Community Service web page. These resources are for general disaster response, but some may be available for support during oil spill response operations. Volunteering In America hosts the most comprehensive collection of data on volunteering and civic engagement ever assembled, including data for every state and almost 200 cities. The data are collected through a partnership with the U.S. Census Bureau and the Bureau of Labor Statistics, and has been released annually since 2005. The web site has been substantially upgraded and is much more interactive for users who wish to retrieve and customize profiles of their local area's volunteering information. In addition, the website contains links to a number of other useful resources -- including research reports, proven strategies, and effective practices -- that are designed to help local nonprofit leaders target their recruiting efforts more effectively, match local programs with available volunteer resources, fill service gaps, and do a better job of retaining their volunteers.

In addition, State Service Commissions provide Corporation funding to AmeriCorps state programs in their states through annual grant competitions. State Service Commissions are also charged with encouraging volunteering in their states. They often administer special volunteer initiatives. The State Service Commissions directory and information on the State Volunteer Coordinators can be found at the Corporation for National and Community Service web page.

FEMA's Community Emergency Response Team (CERT) is an additional resource available to responders.

## 4400 DOCUMENTATION UNIT LEADER (DOCL)

See the USCG IMH Chapter 8 and the ICS Position Job Aids found in HOMEPORT for additional information.

The role of the DOCL in an ICS organization provides the IC/UC the ability to create a documentation package from its inception to the point where litigation may occur.

## 4500 DEMOBILIZATION UNIT

See the USCG IMH Chapter 8and the ICS Position Job Aids found in HOMEPORT for additional information and a Sample Demobilization Plan.

Demobilization Unit is responsible for developing the Incident Demobilization Plan. On large incidents, demobilization can be quite complex, requiring a separate planning activity. Note that not all agencies require specific demobilization instructions.

## 4600 ENVIRONMENTAL UNIT

See the USCG IMH Chapter 8 and the ICS Position Job Aids found in HOMEPORT for additional information.

## 4610 ENDANGERED SPECIES PROTECTION DURING OIL DISCHARGE EMERGENCY RESPONSE OPERATIONS

The Interagency Memorandum of Agreement Regarding Oil Spill Planning and Response Activities under the FWPCA's NCP and the ESA MOA, which was signed by the USCG, among others, aligns the consultation requirements with the pollution response responsibilities outlined in the NCP. This section is intended to assist FOSCs and IC/UC in areas where the pre-spill planning called for in the MOA has not yet been completed. It should not be used to replace existing ACP provisions developed pursuant to the MOA or existing regional guidance on implementation of the MOA. It should also not be used as a substitute for completing pre-spill planning called for in the MOA.

See the Endangered Species Act Consultation on Pre-Spill Planning Response Tool Template for details about spill response activities potential impact. Also see USFWS sites for a list of Endangered Species, Information for Planning and Consultation (IPaC) and RRT5's Habitat Fact Sheets and Species Fact Sheets for more details. USFW Endangered Species and NOAA's Consultations websites also provide more information.

Below is a comprehensive list of all Threatened and Endangered Species and Plants within Sector Lake Michigan's Area of Responsibility.

| Wisconsin Animals Threatened (T) and Endangered (E) | |
|---|---|
| **Status** | **Species/Listing Name** |
| T | Bat, Northern long-eared Wherever found (*Myotis septentrionalis*) |
| E | Bumble bee, Rusty patched Wherever found (*Bombus affinis*) |
| E | Butterfly, Karner blue Wherever found (*Lycaeides melissa samuelis*) |
| E | Crane, whooping Wherever found, except where listed as an experimental population (*Grus americana*) |

| | |
|---|---|
| E | Dragonfly, Hine's emerald Wherever found (*Somatochlora hineana*) |
| E | Higgins eye (pearlymussel) Wherever found (*Lampsilis higginsii*) |
| T | Knot, red Wherever found (*Calidris canutus rufa*) |
| T | Lynx, Canada Wherever Found in Contiguous U.S. (*Lynx canadensis*) |
| E | Mapleleaf, winged Wherever found, except where listed as an experimental population (*Quadrula fragosa*) |
| T | Massasauga (=rattlesnake), eastern Wherever found (*Sistrurus catenatus*) |
| E | Mussel, sheepnose Wherever found (*Plethobasus cyphyus*) |
| E | Mussel, snuffbox Wherever found (*Epioblasma triquetra*) |
| E | Plover, piping [Great Lakes watershed DPS] - Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) (*Charadrius melodus*) |
| E | skipperling, Poweshiek Wherever found (*Oarisma poweshiek*) |
| E | Snail, Iowa Pleistocene Wherever found (*Discus macclintocki*) |
| E | Spectaclecase (mussel) Wherever found (*Cumberlandia monodonta*) |
| E | Warbler, Kirtland's Wherever found (*Setophaga kirtlandii (= Dendroica kirtlandii)*) |
| E | Wolf, gray U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. (*Canis lupus*) |

| Wisconsin Threatened (T) and Endangered (E) Plants | |
|---|---|
| **Status** | **Species/Listing Name** |
| T | Bush-clover, prairie (*Lespedeza leptostachya*) |
| T | Iris, dwarf lake (*Iris lacustris*) |

| Wisconsin Threatened (T) and Endangered (E) Plants | |
|---|---|
| **Status** | **Species/Listing Name** |
| T | Locoweed, Fassett's (*Oxytropis campestris var. chartacea*) |
| T | Milkweed, Mead's (*Asclepias meadii*) |
| T | Monkshood, northern wild (*Aconitum noveboracense*) |
| T | Orchid, eastern prairie fringed (*Platanthera leucophaea*) |
| T | Thistle, Pitcher's (*Cirsium pitcheri*) |

| Illinois Threatened (T) and Endangered (E) Animals | |
|---|---|
| **Status** | **Species/Listing Name** |
| E | Amphipod, Illinois cave Wherever found (*Gammarus acherondytes*) |
| E | Bat, gray Wherever found (*Myotis grisescens*) |
| E | Bat, Indiana Wherever found (*Myotis sodalis*) |
| T | Bat, Northern long-eared Wherever found (*Myotis septentrionalis*) |
| E | Bumble bee, Rusty patched Wherever found (*Bombus affinis*) |
| E | Butterfly, Karner blue Wherever found (*Lycaeides melissa samuelis*) |
| E | Clubshell Wherever found; Except where listed as Experimental Populations (*Pleurobema clava*) |
| E | Dragonfly, Hine's emerald Wherever found (*Somatochlora hineana*) |

| Illinois Threatened (T) and Endangered (E) Animals | |
|---|---|
| **Status** | **Species/Listing Name** |
| E | Fanshell Wherever found (*Cyprogenia stegaria*) |
| E | Higgins eye (pearlymussel) Wherever found (*Lampsilis higginsii*) |
| T | Knot, red Wherever found (*Calidris canutus rufa*) |
| T | Massasauga (=rattlesnake), eastern Wherever found (*Sistrurus catenatus*) |
| E | Mucket, pink (pearlymussel) Wherever found (*Lampsilis abrupta*) |
| E | Mussel, scaleshell Wherever found (*Leptodea leptodon*) |
| E | Mussel, sheepnose Wherever found (*Plethobasus cyphyus*) |
| E | Mussel, snuffbox Wherever found (*Epioblasma triquetra*) |
| E | Pimpleback, orangefoot (pearlymussel) Wherever found (*Plethobasus cooperianus*) |
| E | Plover, piping [Great Lakes watershed DPS] - Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) (*Charadrius melodus*) |
| E | Pocketbook, fat Wherever found (*Potamilus capax*) |
| T | Rabbitsfoot Wherever found (*Quadrula cylindrica cylindrica*) |
| E | Riffleshell, northern Wherever found (*Epioblasma torulosa rangiana*) |
| E | Snail, Iowa Pleistocene Wherever found (*Discus macclintocki*) |

| Illinois Threatened (T) and Endangered (E) Animals | |
|---|---|
| **Status** | **Species/Listing Name** |
| E | Spectaclecase (mussel) Wherever found (*Cumberlandia monodonta*) |
| E | Sturgeon, pallid Wherever found (*Scaphirhynchus albus*) |
| E | Tern, least interior pop. (*Sterna antillarum*) |

| Illinois Threatened (T) and Endangered (E) Plants | |
|---|---|
| **Status** | **Species/Listing Name** |
| T | Aster, decurrent false (*Boltonia decurrens*) |
| T | Bush-clover, prairie (*Lespedeza leptostachya*) |
| T | Daisy, Lakeside (*Hymenoxys herbacea*) |
| T | Milkweed, Mead's (*Asclepias meadii*) |
| T | Orchid, eastern prairie fringed (*Platanthera leucophaea*) |
| T | Pogonia, small whorled (*Isotria medeoloides*) |
| T | Potato-bean, Price's (*Apios priceana*) |
| E | Prairie-clover, leafy (*Dalea foliosa*) |

| Illinois Threatened (T) and Endangered (E) Plants | |
|---|---|
| **Status** | **Species/Listing Name** |
| T | Thistle, Pitcher's (*Cirsium pitcheri*) |

| Indiana Threatened (T) and Endangered (E) Animals | |
|---|---|
| **Status** | **Species/Listing Name** |
| E | Bat, gray Wherever found (*Myotis grisescens*) |
| E | Bat, Indiana Wherever found (*Myotis sodalis*) |
| T | Bat, Northern long-eared Wherever found (*Myotis septentrionalis*) |
| E | Bean, rayed Wherever found (*Villosa fabalis*) |
| E | Bumble bee, Rusty patched Wherever found (*Bombus affinis*) |
| E | Butterfly, Karner blue Wherever found (*Lycaeides melissa samuelis*) |
| E | Butterfly, Mitchell's satyr Wherever found (*Neonympha mitchellii mitchellii*) |
| E | Catspaw, white (pearlymussel) Wherever found (*Epioblasma obliquata perobliqua*) |
| E | Clubshell Wherever found; Except where listed as Experimental Populations (*Pleurobema clava*) |
| E | Fanshell Wherever found (*Cyprogenia stegaria*) |

| Indiana Threatened (T) and Endangered (E) Animals | |
|---|---|
| **Status** | **Species/Listing Name** |
| T | Knot, red Wherever found (*Calidris canutus rufa*) |
| T | Massasauga (=rattlesnake), eastern Wherever found (*Sistrurus catenatus*) |
| E | Mussel, sheepnose Wherever found (*Plethobasus cyphyus*) |
| E | Mussel, snuffbox Wherever found (*Epioblasma triquetra*) |
| E | Pigtoe, rough Wherever found (*Pleurobema plenum*) |
| E | Plover, piping [Great Lakes watershed DPS] - Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) (*Charadrius melodus*) |
| E | Pocketbook, fat Wherever found (*Potamilus capax*) |
| T | Rabbitsfoot Wherever found (*Quadrula cylindrica cylindrica*) |
| E | Riffleshell, northern Wherever found (*Epioblasma torulosa rangiana*) |
| T | Snake, copperbelly water Indiana north of 40 degrees north latitude, Michigan, Ohio (*Nerodia erythrogaster neglecta*) |
| E | Tern, least interior pop. (*Sterna antillarum*) |

| Indiana Threatened (T) and Endangered (E) Plants | |
|---|---|
| **Status** | **Species/Listing Name** |
| E | Bladderpod, Short's (*Physaria globosa*) |
| E | Clover, running buffalo (*Trifolium stoloniferum*) |
| E | Goldenrod, Short's (*Solidago shortii*) |
| T | Milkweed, Mead's (*Asclepias meadii*) |
| T | Orchid, eastern prairie fringed (*Platanthera leucophaea*) |
| T | Thistle, Pitcher's (*Cirsium pitcheri*) |

| Michigan Threatened (T) and Endangered (E) Animals | |
|---|---|
| **Status** | **Species/Listing Name** |
| E | Bat, Indiana Wherever found (*Myotis sodalis*) |
| T | Bat, Northern long-eared Wherever found (*Myotis septentrionalis*) |
| E | Bean, rayed Wherever found (*Villosa fabalis*) |
| E | Beetle, American burying Wherever found, except where listed as an experimental population (*Nicrophorus americanus*) |
| E | Beetle, Hungerford's crawling water Wherever found (*Brychius hungerfordi*) |

| Michigan Threatened (T) and Endangered (E) Animals | |
|---|---|
| **Status** | **Species/Listing Name** |
| E | Butterfly, Karner blue Wherever found (*Lycaeides melissa samuelis*) |
| E | Butterfly, Mitchell's satyr Wherever found (*Neonympha mitchellii mitchellii*) |
| E | Clubshell Wherever found; Except where listed as Experimental Populations (*Pleurobema clava*) |
| E | Dragonfly, Hine's emerald Wherever found (*Somatochlora hineana*) |
| T | Knot, red Wherever found (*Calidris canutus rufa*) |
| T | Lynx, Canada Wherever Found in Contiguous U.S. (*Lynx canadensis*) |
| T | Massasauga (=rattlesnake), eastern Wherever found (*Sistrurus catenatus*) |
| E | Mussel, snuffbox Wherever found (*Epioblasma triquetra*) |
| E | Plover, piping [Great Lakes watershed DPS] - Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) (*Charadrius melodus*) |
| E | Riffleshell, northern Wherever found (*Epioblasma torulosa rangiana*) |
| E | skipperling, Poweshiek Wherever found (*Oarisma poweshiek*) |
| T | Snake, copperbelly water Indiana north of 40 degrees north latitude, Michigan, Ohio (*Nerodia erythrogaster neglecta*) |
| E | Warbler, Kirtland's Wherever found (*Setophaga kirtlandii (= Dendroica kirtlandii)*) |

| Michigan Threatened (T) and Endangered (E) Animals | |
|---|---|
| **Status** | **Species/Listing Name** |
| E | Wolf, gray U.S.A.: All of AL, AR, CA, CO, CT, DE, FL, GA, IA, IN, IL, KS, KY, LA, MA, MD, ME, MI, MO, MS, NC, ND, NE, NH, NJ, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, VA, VT, WI, and WV; and portions of AZ, NM, OR, UT, and WA. Mexico. (*Canis lupus*) |

| Michigan Threatened (T) and Endangered (E) Plants | |
|---|---|
| **Status** | **Species/Listing Name** |
| T | Daisy, Lakeside (*Hymenoxys herbacea*) |
| T | Fern, American hart's-tongue (*Asplenium scolopendrium var. americanum*) |
| T | Goldenrod, Houghton's (*Solidago houghtonii*) |
| T | Iris, dwarf lake (*Iris lacustris*) |
| E | monkey-flower, Michigan (*Mimulus michiganensis*) |
| T | Orchid, eastern prairie fringed (*Platanthera leucophaea*) |
| T | Pogonia, small whorled (*Isotria medeoloides*) |
| T | Thistle, Pitcher's (*Cirsium pitcheri*) |

## 4610.1 THE ENDANGERED SPECIES ACT OF 1973 (ESA)

The ESA of 1973 (16 USC 1531 et seq) was enacted to conserve and recover threatened and endangered species and ecosystems upon which they depend. The Act is administered by USFWS in DOI and NOAA's National Marine Fisheries Service (NOAA Fisheries) in DOC. Under Section 7 of the ESA, federal agencies must consult with USFWS and NOAA Fisheries (The Services) on actions they carry out, permit, or fund which may affect listed species or designated critical habitat. ESA Section 7 requires that agencies ensure their actions are not likely to jeopardize listed species or destroy or adversely modify their designated critical habitat. During emergencies, such as disasters, casualties, national defense or security emergencies, and response to oil spills, the ESA allows for emergency consultation during the incident, with formal consultation occurring after the incident, if necessary. The emergency consultation procedures are described in the MOA.

## 4610.2 HOW THE MOA APPLIES TO THE FOSC

The MOA, signed by the USCG, USEPA, NOAA, DOI, FWS, and NOAA Fisheries in July 2001, aligns the ESA consultation requirements with the pollution response responsibilities outlined in the NCP (40 CFR 300). The MOA is intended to be used at the Area Committee level primarily to identify and incorporate plans and procedures to protect listed species and designated critical habitat during pre-spill planning and response activities.

In addition, a guidebook addressing the MOA was developed by its signatory agencies to further facilitate cooperation and understanding between the agencies involved in oil spill planning and response. This cooperation is highly successful when established before an incident occurs and needs to continue throughout an incident and post-incident follow-up and review. By working proactively to identify the potential effects of spill response activities on species and their habitat, and then developing response plans and countermeasures, impacts to listed species and/or critical habitat can be reduced or avoided completely during an incident.

## 4610.3 ESA REFERENCES

Regulations regarding ESA consultation are found in 50 CFR 402.

The Interagency Memorandum of Agreement Regarding Spill Planning and Response Activities under the FWPCA's NCP and the ESA

Training Manual for the Inter-agency Memorandum of Agreement Regarding Oil Spill Planning and Response Activities Under the Federal Water Pollution Control Act's National Oil and Hazardous Substances Pollution Contingency Plan and the Endangered Species Act

The Endangered Species Consultation Handbook, USFWS and NMFS

Appendix VII: Fish and Wildlife Annex to the USEPA RRT5/RCP

## 4700 TECHNICAL SPECIALISTS (THSP)

Certain incidents may require the use of THSP who have specialized knowledge and expertise. THSP are advisors with special skills needed to support the incident and may function within the Planning section or be assigned anywhere in the ICS organization. See Chapter 11 of the Coast Guard's Marine Environmental Response and Preparedness Manual.

The Shoreline Cleanup Assessment Technique (SCAT) Coordinator is an example of an important THSP. This position is responsible for providing shoreline cleanup recommendations, including requirements for SCATs and cleanup end point criteria. NOAA has developed a Shoreline Assessment Manual and Job Aid as well as additional guidance at their Office of Response and Restoration website.

A Legal Specialist Could act in an advisory capacity during the response and a Human Resources Specialist could provide direct human resources services to the response organization, including ensuring compliance with all labor-related laws and regulations. Additional information regarding this position can be found in Chapter 8 and Chapter 20 of the USCG IMH.

## 4710 HAZARDOUS MATERIALS

HAZMAT Annex (under development)

## 4720 SCIENTIFIC SUPPORT COORDINATOR (SSC)

The SSC is one of the special technical advisors within ICS, as specified in the NCP. Though often seated with the Environmental Unit of a UC to support and liaise with the overall response effort, the NOAA SSC has a primary responsibility to serve the FOSC directly as a member of his/her staff. The SSC may be designated by the FOSC as principal advisors for scientific issues, communication with the scientific community and natural resource trustee agencies, and coordination of requests for assistance from state and federal agencies regarding scientific issues. The NOAA SSC and the scientific support team are available to the FOSC 24/7 by calling the assigned NOAA SSC directly.

The Great Lakes SSC can be contacted at 206-849-9918. If the SSC cannot be reached, The NOAA Emergency Response Division (ERD) located in Seattle, WA can be contacted 24/7 at (206) 526-4911.

Additional information can be found in the IMH Chapter 20, NOAA's Office of Response and Restoration, and NOAA's Response Tools for Oil Spills.

## 4730 CULTURAL AND HISTORIC PROPERTIES

### 4730.1 PROTECTION OF HISTORIC PROPERTIES DURING EMEGENCY RESPONSE OPERATIONS UNDER THE NCP

The Programmatic Agreement on Protection of Historic Properties During Emergency Response Under the National Oil and Hazardous Substances Pollution Contingency Plan, which was signed by the

USCG, among others, requires consideration of historic properties in planning for and conducting emergency response under the NCP. The PA was developed to help federal agencies sufficiently comply with requirements of the statute. This document is intended to assist FOSCs and IC/UC in areas where pre-spill planning called for in the PA has not yet been completed. However, it should not be used to replace existing regional PAs developed pursuant to the national PA or existing ACP provisions developed pursuant to a regional or the national PA. It should also not be used as a substitute for completing pre-spill planning called for in the PA.

## 4730.2 THE NATIONAL HISTORIC PRESERVATION ACT

All federal agencies are required to consider the effects of their actions on historic properties and take steps to reduce or eliminate adverse effects. The National Historic Preservation Act (NHPA), formerly in Title 16 USC 470, has been moved to Title 54 USC starting in section 300101. Listed below are some of the frequently used old citations to the NHPA and their new corresponding citations:

| Name | Old NHPA (title 16) | New NHPA (new title 54) |
|---|---|---|
| NHPA in general | 16 U.S.C. 470 et seq. | 54 U.S.C. 300101 et seq. |
| Section 106 | 16 U.S.C. 470f | 54 U.S.C. 306108 |
| Section 110(a) | 16 U.S.C. 470h-2(a) | 54 U.S.C. 306101(a) and 306102 |
| Section 110(f) | 16 U.S.C. 470h-2(f) | 54 U.S.C. 306107 |
| Section 110(k) | 16 U.S.C. 470h-2(k) | 54 U.S.C. 306113 |
| Section 110(l) | 16 U.S.C. 470h-2(l) | 54 U.S.C. 306114 |
| Section 111 | 16 U.S.C. 470h-3 | 54 U.S.C. 306121 and 306122 |

## 4730.3 HOW THE PA APPLIES TO THE FOSC

The PA, which was signed by the Assistant Commandant for Marine Safety, Security and Environmental Protection on May 13, 1997, provides an alternative to the process in Section 106 of the NHPA. This ensures appropriate consideration of historic properties within the context of the NHPA during emergency response to a discharge or a release under the NCP. The alternative to following the process in the PA, including the pre-spill planning part of the process, is to follow the complete consultation process in Section 106 of the NHPA.

The PA states that the FOSC is responsible for ensuring that historic properties are appropriately considered in planning and during emergency response. During pre-spill planning activities, the PA calls for identifying: (1) historic properties listed in, or determined to be eligible for listing in, the National Register of Historic Properties (NR) that might be affected by response to a release or spill; (2) un-surveyed areas where there is a high potential for the presence of historic properties; (3) geographic areas or types of areas where historic properties are unlikely to be affected; (4) parties that are to be notified in the event of a spill in a non-excluded area; (5) who will be responsible for providing expertise on historic properties to the FOSCs during emergency response (i.e., the FOSCs Historic

Properties Specialist); and developing emergency response strategies to help protect historic properties.

Effective consideration of historic properties during emergency response in the absence of this advance planning is extremely difficult and may not be possible, so to take advantages of the benefits of the PA, FOSCs are to make every effort to conduct this planning effort and incorporate it into the GRSs in advance. During emergency response, FOSCs are responsible for initiating the agreed upon mechanism for addressing historic properties, namely activating the FOSCs Historic Properties Specialist. In turn, the FOSCs Historic Properties Specialist will: (1) notify and consult with parties identified in pre-incident planning and those applicable entities that are listed in the GRSs; (2) assess potential effects of emergency response strategies on historic properties; and (3) recommend to the FOSC response actions to help minimize or eliminate potential impacts to historic properties. See the GRS for details.

## 4730.4 OBTAINING EXPERTISE ON HISTORIC PROPERTY MATTERS DURING EMERGENCY RESPONSE

One of the essential pre-spill planning elements is the identification of those responsible for providing reliable and timely expertise on historic properties to the FOSC during emergency response, i.e., the FOSCs Historic Properties Specialist. The PA provides that historic properties expertise and support may be obtained by the FOSC in any one of several ways:

- Implementing an agreement with state or federal agencies that have historic properties specialists on staff;
- Executing a contract with experts identified in ACPs; or
- Privately hiring historic properties specialists.

The PA specifies the professional qualifications and standards of a Historic Properties Specialist. It should be noted that only the FOSC and not the RP, may contract with experts to serve as the FOSCs Historic Properties Specialist. An FOSC may only utilize a Pollution Removal Funding Authorization (PRFA) for funding the activation of a Historic Property Specialist during emergency responses to oil pollution incidents. OSLTF resources are not available for hiring of a specialist to assist with pre-spill planning activities.

If FOSCs choose to obtain historic properties expertise through executing contracts with appropriate archaeologists, it is possible to go through a solicitation process that includes technical input and assistance from appropriate State Historical Preservation Officer (SHPOs) and federal land management agency cultural resources specialists. Blanket Purchase Agreements may then be established with one or more companies or with one or more named individuals who may be activated during emergency response to serve as the FOSCs Historic Properties Specialist(s). See GRS in Annex 9100 for details.

## 4730.5 REFERENCES

The list of properties included in the National Register is not sufficient in helping to determine all of the properties that need to be considered in your ACP, as you must also consider properties that could be

determined eligible for inclusion in the NR. For eligibility criteria, please refer to the National Register.

The National Park Service website contains laws, regulations and standards & guidelines for historic preservation and the National Register.

The following sites are for contacting preservation officers:
Tribal Directory Assistance Tool (TDAT)
Tribal Historical Preservation Officers
Federal Preservation Officers
State Historic Preservation Officers

Information and resources for Tribal Preservation Officers (THPO) may also be found at the following sites:
http://www.nathpo.org/,
http://www.hanksville.org/sand/contacts/tribal/,
http://www.kstrom.net/isk/maps/US.html, and
http://www.kstrom.net/isk/mainmenu.html.

## 4740 CONTINGENY PLANNING FOR GROUP V OIL (NON-FLOATING)

### 4740.1 INTRODUCTION

As defined in Title 33, Code of Federal Regulations part 154.1020 (facilities) and 155.1020 (vessels) Group V oils are classed as a "Persistent Oil". Persistent oil means a petroleum based oil that does not meet the distillation criteria for a non-persistent oil. For the purposes of this subpart, persistent oils are further classified based on specific gravity as follows:

- Group II: specific gravity of less than .85.
- Group III: specific gravity equal to or greater than .85 and less than .95
- Group IV: specific gravity equal to or greater than .95 and less than or equal to 1.0
- Group V: specific gravity greater than 1.0

Oils with a specific gravity of > 1.0, referred to as Group V oils, include some heavy fuel oils, asphalt products, and very heavy crude oils. Oils with a specific gravity greater than 1.0 may be neutrally buoyant or sink when spilled on water. RRT5 Library of Bakken Oil contains information about the transportation of crude oil.

Oils that sink to the bottom or remain suspended in the water column pose risks to certain resources that are not normally affected by floating oils. These resources include fish, shellfish, sea grasses, and other benthic (seabed) and water column biota. Submerged oil may also cause episodic re-oiling of shorelines. Federal rules governing oil spill contingency plans categorize petroleum cargoes according to their physical properties. Vessels and terminals that handle Group V oils are required to include responses to spills of Group V oils in their facility response plans. The National Academy of Sciences has produced a

report on the history, behavior and response of Non-Floating Oils titled, *Spills of Non-Floating Oils-Risk and Response*. Information from that report is summarized below and can be reviewed to consider recommendations and conclusions for response to spills of non-floating oils.

## 4740.2 GROUP V OIL SPILL STATISTICS

From 1991-1996, 17% of the petroleum products transported on United States waters were heavy oils. Barges accounted for 44% of heavy oils transported and tank vessels accounted for 56%. Of all oil spills during this time frame, 23% were spills of heavy oils. Of this 23%, 20% exhibited non-floating oil behavior of sinking or becoming suspended in the water column. Barges were responsible for 80% of the volume of heavy-oil spills, 10 times higher than tank vessels. Most notable was the spill and response to the T/B MORRIS J. BERMAN spill, San Juan Puerto Rico on January 7th, 1994. All FOSCs should maintain a copy of the report titled "The Response to the T/B MORRIS J. BERMAN Major Oil Spill", dated 25 August 1995 and a copy of the report titled, "Tank Barge MORRIS J. BERMAN Spill Submerged Oil Recovery Operations", dated 26 July 1994. These two reports identify the cleanup recovery operations of 800,000 gallons of low API #6 oil which was discharged as a result of the grounding of the T/B MORRIS J. BERMAN.

## 4740.3 BEHAVIOR OF HEAVY OIL

Non-floating oils behave differently and have different environmental effects than oils which float. The water column and benthic resources are at greatest risk during spills of heavy oil due to the non-floating behavior once in the water. Non-floating oils also tend to weather at a much slower rate, resulting in extended impact to resources both over time and distance.

Although floating oil modeling and predictions are well developed, models and predictions of heavy-oil behavior are unverifiable and rarely used. There is a lack of supporting field data due to the complex nature of three dimensional currents when oil sinks into the water column. Field data can be verified, but methods are very slow and labor intensive that make updating spill models difficult. Remote sensing equipment is very limited in its use because it cannot penetrate the water column.

## 4740.4 CONTAINMENT, RECOVERY AND RESPONSE

Technologies exist for the recovery and containment of non-floating oils, but few are effective and work only in very limited environments. Silt curtains and nets can be used for containment only if the currents are very weak with minimal wave activity. Recovery by nets and trawls is limited by the viscosity of the oil and net tow speeds. Manual methods for recovery are available, but they are extremely labor intensive and slow.

The lack of Group V oil spill recovery expertise and resources, especially at the local level, in responding to spills of non-floating oil poses a major difficulty to response. Because there are no specialized systems for the removal of non-floating oil, it has been difficult to adapt available equipment for response.

Area committees should maintain inventories of equipment, specialized services and protection priorities for non-floating oils. Response plans for facilities and vessels that handle non-floating oils must also be tested during exercises and conduct drills to ensure effective and efficient response.

Lessons learned from the T/B MORRIS J. BERMAN Major Oil Spill on Submerged Oil Response Techniques considered the following removal options:

- Set up a Submerged Oil Task Force made up of USCG, Spill Management Team, and Spill Cleanup Contractor personnel. Task Force personnel remained a separate element within the Operations Section;
- Divers and Dredging were utilized to great effect. Divers conducted underwater surveys, used snare and bagged congealed oil that was no longer pumpable from underwater sea grass and used underwater vacuum hoses to recover/suck submerged oil from the water column and or bottom.
- Deployed sorbent snare along the bottom to passively recover the oil. Limitations included hard to weight down the snare;
- Used heavy clamshell or scoop recovery equipment. Limitations included the need for a large vessel platform which could not be used in shallow water;
- Instituted the use of "airlift" recovery systems by divers. Limitations included the system only worked effectively in deep waters (deeper than 15 feet);
- Increased vacuum recovery rates by mobilizing more equipment and divers. Utilized a 4" suction hose with a 2" stinger for diver control. Limitations included the stinger was often times omitted due to the frequency of clogging;
- Increased hydraulic sludge pump recovery rates by mobilizing more equipment and divers;
- Instituted the use of dredge recovery equipment. Dredging posed formidable logistical problems and increased cost; however, the anticipated recovery rates outweighed these disadvantages.

Vessels: As a result of the USCG and MTSA of 2004, requirements for non-tank vessels operating with Group V oils as fuel are identified in Navigation Vessel Instruction Circular (NVIC) 01-05, Change 1. The NVIC applies to U.S. flag, Self-Propelled, Non-Tank Vessel ≥ 400 GT carrying oil of any kind as fuel for main propulsion. These requirements also apply to foreign flag vessels meeting the tonnage and oil criteria when operating on the navigable waters of the United States.

Specifically required within the NVIC, vessels which have Group V oils with a capacity over 2,500 barrels are required:

- Remote sensing, sonar or other similar methods to locate submerged oil;
- Dredges, Pumps or other equip to recover oil from the bottom;
- Response resources should be capable of being deployed within 24 hours of discovery of discharge to the port nearest the area where the vessel is operating.

## 4800 REQUIRED CORRESPONDENCE, PERMITS & CONSULTATION

There are a number of documents that are required from the USCG, USEPA, and other federal and state agencies. These include:

- Notice of Federal Interest for a Pollution Incident (NOFI)
- Authorization to Proceed; ATP Authorization Message; Obligation of Funds Message
- NPFC Notice of Designation
- Letter of Assumption
- Sample Pollution Removal Funding Authorization (PRFA)
- Sample CERCLA Administrative Order
- Shoreline Cleanup and Assessment Team forms: SCAT Forms

## 4810 FEDERAL/STATE PERMIT REQUIREMENTS (WILDLIFE)

Federal and state permits generally allow the permit holder to collect, transport, possess, rehabilitate, euthanize, release, or band migratory birds. Some permit holders also have authority to handle threatened and endangered species under separate federal permits. Each of these permits may encompass more than one species. If a bird were considered to be migratory, but also threatened or endangered, it must be covered under a threatened or endangered species permit. If rescue and rehabilitation efforts are deemed to be necessary and worthwhile, the following federal permits apply. Contact US Fish and Wildlife Service in the applicable state for more info.

| | | |
|---|---|---|
| **Migratory Bird** | Banding or Marking:<br>(50 CFR 21.22) | A permit is required before any migratory bird is captured for the purpose of banding or marking. |
| | Special Purpose:<br>(50 CFR 21.27) | May be issued for special purpose activities related to migratory birds, their parts, nests, or eggs. |
| **Eagle Permits** | (50 CFR 22) | These permits authorize the taking, possession, or transportation of bald eagle or golden eagles, or their parts, nests, or eggs for scientific or exhibition purposes. |
| **Endangered Species** | (50 CFR 17.22 & 17.32) | Permits are for scientific purposes, enhancement of propagation or survival, or for incidental take. |

## 4820 ENDANGERED SPECIES ACT CONSULTATIONS

See Section 4610.

## 4830 FEDERAL/STATE PERMIT REQUIREMENTS (DREDGING)

Dredge permits are issued pursuant to Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act (CWA), among several others. Dredging Permits are issued by the US Army Corps of Engineers (USACE) Great Lakes and Ohio River Division Regulatory Program Manager through the District Offices. The contact information for the District Offices is located in the USACE website.

## 4840 FEDERAL/STATE PERMIT REQUIREMENTS (DECANTING)

See Section 3240.2.

## 4850 FEDERAL/STATE PERMIT REQUIREMENTS (DISPOSAL)

See Section 3240.

## 4900 MARINE TRANSPORTATION SYSTEM RECOVERY UNIT (MTSRU)

See the USCG IMH and the ICS Position Job Aids found in HOMEPORT for additional information.

The MTSRU is created for every incident that significantly impacts the Marine Transportation System (MTS). It will function alongside the resources, situation, documentation, and demobilization units. The MTSRU will track and report on the status of the MTS, understand critical recovery pathways, recommend courses of action, and provide all MTS stakeholders an avenue of input to the response organization. The MTSRU should be prominent in the regular ICS planning cycle, including the situational brief, setting incident objectives, and allocating response resources.

## 5000 LOGISTICS

Information regarding Logistics Section organization can be found in Chapter 10 of the USCG IMH.

## 5100 LOGISTICS SECTION CHIEF (LSC)

See the USCG IMH and the ICS Position Job Aids found in HOMEPORT for additional information.

## 5200 SUPPORT BRANCH

The Support Branch, when activated, is under the direction of the LSC and is responsible for development and implementation of logistics plans in support of the IAP. See the appropriate GRS for specific support resources.

Additional information regarding this position can be found in Chapter 10 of the USCG IMH.

A telephone directory of important contacts can be found in Section 9100.

| Major Response Equipment Providers within Sector Lake Michigan | |
|---|---|
| American Waste dba Northern A-1 (MI) | Environmental Management Specialists (MI, IN, IL) |
| 3947 US 131 N P.O. Box 1030 | 8909 Engle Rd Suite C-31 |
| Kalkastka, MI 49646-8428 | Cleveland, OH 44130-3484 |
| 800-544-2663 | 877-816-9111 |
| BOA # 70Z08419GG0004300 | BOA # 70Z08418GG0004200 |
| | |
| C & W Tank Cleaning Company, Inc. (MI, IN) | Environmental Restoration LLC (MI, IN, IL) |
| 50 North Lallendorf Road | 1666 Fabick Drive |
| Oregon, OH 43616 | St. Louis, MO 63026 |
| 419-691-1995 | 636-227-7477 |
| BOA # HSCG84-16-A-G00037 | BOA # 70Z08418GN0006900 |
| | |
| Great Lakes Towing (MI, IN, IL) | Heritage Environmental Services (IN, IL) |
| 4308 Willow Street | 7901 West Morris Street |
| Bridgman, MI 49106 | Indianapolis, IN 46231 |
| 269-266-2125 | 800-487-7455 |
| BOA # HSCG84-16-A-G00033 | BOA # HSCG84-16-A-G00036 |
| | |
| Marine Pollution Control (MI) | OSI Environmental (WI, MI, IN, IL) |
| 8631 W. Jefferson Ave. | 300 Fayal Road |
| Detroit, MI 48209-2651 | Evaleth, MN 55734 |
| 313-849-2333 | 218-744-3064 |
| BOA # HSCG84-17-A-G00040 | BOA # 70Z08419GG0004500 |
| | |
| SET Environmental (WI, IL, IN, MI) | U.P. Environmental Services (WI and MI U.P.) |
| 450 Sumac Road | 1315 U.S. Highway 2/41 |
| Wheeling, IL 60090-6350 | Bark River, MI 49807-9753 |
| 877-437-7455 | 906-466-9900 |
| BOA # HSCG84-16-A-G00032 | BOA # HSCG84-15-A-G00029 |
| | |
| **Marine Salvage and Firefighting** | |
| T & T Marine Salvage | Bisso Marine |
| 30580 Edison Drive | 11311 Neeshaw, Drive |
| Roseville, MI 48066 | Houston, TX 77065 |
| 586-773-5246 | 281-897-1500 |
| | |
| Donjon Marine Co. | Titan Maritime |
| 100 Central Avenue | 15894 Diplomatic Plaza Drive |
| Hillside, NJ 07205 | Houston, TX 77032 |
| 908-964-8812 | 832-850-4150 |
| | |

| | |
|---|---|
| Great Lakes Towing | Gaelic Tugboat Company |
| 800-321-3663 | P.O. Box 707 |
| | Lincoln, Park, MI 48146 |
| | 313-841-9440 |
| | |
| Michigan Marine Salvage | Cable Arm Environmental Clam Shell |
| 586-783-2073 | 734-676-6108 |
| | |
| **Commercial Diving** | |
| Sea Side Diving | Commercial Diving & Marine Services |
| 586-772-7676 | 810-987-8898 |

## 5210 SUPPLY UNIT

The Supply Unit Leader (SPUL) is primarily responsible for receiving, storing and distributing all supplies for the incident; maintaining and inventorying of supplies; and storing, disbursing and servicing non-expendable supplies and equipment.

Additional information regarding this position can be found in Chapter 10 of the USCG IMH.

### 5210.1 OIL AND HAZARDOUS SUBSTANCES RESPONSE EQUIPMENT

See USCG Response Resource Inventory System (RRI) for Oil Spill Removal Organizations (OSRO) and CGPORTAL Basic Ordering Agreement (BOA) Library for list of BOA contractors. Another source list of equipment is in the Coast Guard's Incident Management Software System (IMSS) by clicking on the "Find Resources" tab in form ICS-201-4.

Sector Lake Michigan also maintains USCG seven response trailers at the following locations:

- Kenesha, MI; Menominee County Highway Department N 2703 Chief Carron Rd Kenesha, MI
- Marinette, WI; Marinette Fire Department, 1450 Main Street Marinette, WI
- Sister Bay, WI; Sister Bay Fire Department, 225 Mill Road Sister Bay, WI
- Green Bay, WI; Green Bay Metro Fire Department, 101 Bay Beach Road Green Bay, WI
- Kekoskee, WI; Kekoskee Fire Department, W3257 County Road Tw, Mayville, WI
- Port Washington, WI; Port Washington Sheriff's Office, 410 Spring Street Port Washington, WI
- Muskegon, MI; North Muskegon Fire Department, 1102 Ruddiman Drive North Muskegon, MI

## 5220 FACILITIES UNIT

The Facilities Unit is primarily responsible for the set-up, maintenance and demobilization of incident facilities, e.g., Base, ICP and Staging Areas, as well as security services required to support incident operations.

Additional information regarding this position can be found in Chapter 10 of the USCG IMH.

The Facilities Unit provides sleeping and sanitation facilities for incident personnel and manages Base operations. Besides contracting with local hotels or motels for sleeping arrangements, contacting the local EMA Directors using their County Resources Manual may expedite locating several of these requirements.

## 5230 VESSEL SUPPORT UNIT

The Vessel Support Unit is responsible for implementing the Vessel Routing Plan for the incident and coordinating transportation on the water and between shore facilities. Since most vessels will be supported by their infrastructure, the Vessel Support Unit may be requested to arrange fueling, dockage, maintenance and repairs of vessels on a case by case basis.

Additional information regarding this position can be found in Chapter 10 of the USCG IMH.

## 5240 GROUND SUPPORT UNIT

The Ground Support Unit is primarily responsible for ensuring repair of primary tactical equipment, vehicles, mobile ground support equipment and fueling services; transportation of personnel, supplies, food and equipment in support of incident operations; recording all ground equipment usage time, including contract equipment assigned to the incident; and implementing the Traffic Plan for the incident.

Additional information regarding this position can be found in Chapter 10 of the USCG IMH.

## 5300 SERVICE BRANCH

The Service Branch Director (SVBD), when activated, is under the supervision of the LSC, and is responsible for the management of all service activities at the incident. The SVBD supervises the operations of the Communications, Medical and Food Units.

Additional information regarding this position can be found in Chapter 10 of the USCG IMH.

## 5310 FOOD UNIT

The Food Unit Leader (FDUL) is responsible for supplying the food needs for the entire incident, including all remote locations, e.g., Staging Areas, as well as providing food for personnel unable to leave tactical field assignments.

Additional information regarding this position can be found in Chapter 10 of the USCG IMH and through the Red Cross or the Salvation Army.

## 5320 MEDICAL UNIT

The Medical Unit under the direction of the SVBD, if established, or the LSC, and is primarily responsible for the development of the Medical Plan; providing medical care and overseeing health aspects of response personnel; obtaining medical aid and transportation for injured and ill response personnel; coordinating with other functions to resolve health and safety issues; and preparation of report and records.

Additional information regarding this position can be found in Chapter 10 of the USCG IMH and in the Medical Facilities contact list in HOMEPORT.

## 5400 COMMUNICATIONS UNIT

The Communications Unit is responsible for developing plans for the effective use of incident communications equipment and facilities; installing and testing communications equipment; supervision of the Incident Communications Center; distribution of communications equipment to incident personnel; and maintenance/repair of communications equipment.

See the USCG IMH and the ICS Position Job Aids found in HOMEPORT for additional information.

## 5410 COMMUNICATIONS SUPPORT

For Deployable Communication assets, see CG C4IT's Deployable Communication Service Catalog (FOR OFFICIAL USE ONLY). The Ninth Coast Guard District DRAT can assist in obtaining any communication assets; they can be contacted at 216-902-6053 (day) or 216-902-6117 (after hours).

### 5410.1 RADIO AMATEUR CIVIL EMERGENCY SERVICE (RACES)

Radio Amateur Civil Emergency Service (RACES) is a public service that provides a reserve communications group within government agencies in times of extraordinary need. During periods of activation, RACES personnel are called upon to perform many communications related tasks for government agencies they serve. Although the exact nature of each, activation, will be different, the common thread is communications.

The Federal Communications Commission (FCC) is responsible for the regulation of RACES operations. The Amateur Radio Regulations, Part 97, Subpart F, were created by the FCC to describe RACES operations in detail.

## 5500 USCG BASE CLEVELAND SUPPORT

USCG Base Cleveland coordinates all regional mission support activities in the Ninth District. The Base is a regional command that provides logistics, engineering, administrative, financial, purchasing, and health care services to USCG units throughout the entire eight state Great Lakes region. The Base Commander synergizes field support delivery, establishes local command unity, and integrates the technical authority of logistics and service centers, product and service lines, and local, coordinated service delivery. In a regional contingency, the Base Commander serves as the District Commander's DCMS staff element.

**5600 Reserved**

**5700 Reserved**

**5800 Reserved**

**5900 Reserved for Area/District**

# 6000 FINANCE/ADMINISTRATION

## 6010 FINANCE/ADMINISTRATION SECTION ORGANIZATION

The Finance/Administrative Section is responsible for all administrative and financial considerations on an incident. This includes Time Unit, Procurement Unit, Compensation/Claims Unit, and Cost Unit. The IC/UC will determine the need for a Finance/Admin Section and designate a qualified individual to fill the role of Finance Section Chief (FSC). The Finance/Admin Section is generally set up for any incident which may require on-site financial management.

Additional information regarding this position can be found in Chapter 11 of the USCG IMH.

If the response is not funded by the RP the Finance/Admin Section will ensure contractors are paid in a timely fashion IAW National Pollution Funds Center (NPFC) protocols, process and pay claims as appropriate and reimburse the response costs of government agencies as appropriate. The FSC may request assistance from the NPFC for claims processing.

The following key references in concert with this ACP should be consulted directly for specific issues that arise throughout this section:

- NPFC User Reference Guide
- NPFC Technical Operating Procedures
- FOSC Financial Management Checklist
- Marine Environmental Response and Preparedness Manual (COMDTINST 16000.14A)

## 6100 FINANCE SECTION CHIEF (FSC)

See the USCG IMH and the ICS Position Job Aids found in HOMEPORT for additional information.

The Finance/Admin Section Chief is the primary financial advisor to the Incident Commander and oversees the operation of the Finance Section. The FSC is a member of the General Staff and is responsible for all financial, administrative and cost analysis aspects of the incident and for supervising members of the Finance/Admin Section. The FSC may have Deputy FSCs' who may be from the same agency or from an assisting agency. The Deputy FSC must have the same qualifications as the person for whom they work, as they must be ready to take over that position at any time. Duties include:

• Review operational plans and provide alternatives where financially appropriate.
• Manage all financial aspects of an incident.
• Provide financial and cost analysis information as requested.
• Gather pertinent information from briefings with responsible agencies.
• Develop an operating plan for the Finance/Admin Section; fill supply and support needs.
• Meet with assisting and Cooperating Agency Representatives, as needed.
• Maintain daily contact with agency(s) administrative headquarters on Finance/Admin matters.

• Ensure that all personnel time records are accurately completed and transmitted to home agencies, according to policy.
• Provide financial input to demobilization planning.
• Ensure that all obligation documents initiated at the incident are properly prepared and completed.
• Brief agency administrative personnel on all incident-related financial issues needing attention or follow-up prior to leaving incident.
• Develop recommended list of Section resources to be Demobed and initial recommendation for release when appropriate.
• Receive and implement applicable portion of the incident Demobilization Plan.

## 6200 FUND ACCESS

Under the NCP the FOSC is charged with directing response efforts and coordinating all other efforts at the scene of a discharge or release of oil or a hazardous substance. The FOSC is delegated authority to ensure that only those actions whose primary purpose is to ensure effective and immediate removal and mitigation of a discharge of oil or a hazardous material or a substantial threat of a discharge of oil or hazardous material are undertaken. These actions must be consistent with the NCP. Only approved actions may be reimbursed by the OSLTF or CERCLA fund.

- From the outset of any response, the FOSC should establish whether federal, state, tribal, local or contracting resources are necessary for removal actions. This includes the utilization of Other Government Agency (OGA)'s technical expertise and supporting services, either organic to the organization or through contract mechanisms.
- The IC/UC, when weighing the assistance of Other Government Agencies must consider the following:
    - Define the scope of the state, tribal, local or federal agencies' expected actions and allow the FOSCs staff to evaluate potential claims against the OSLTF.
    - When a state, local or federal agency responds at the request of the IC/UC, the USCG representative in the Finance/Administration section must execute a PRFA with the agency's financial representative. The PRFA assures the agency will be reimbursed for specific work performed at the FOSCs request.
- The NPFC website contains Pollution Removal Funding Authorization instructions, forms and job aid.

Other considerations of the OSLTF and CERCLA involve damage claims, equipment restoration, and spills from other federal agencies.

- The NCP places responsibility for spills from federal vessels and installations on the owning federal agency to use its own funding.
    - However, the FOSC can use the OSLTF as a last resort to clean up or prevent oil discharges. When the responsible federal agency is capable of funding the cleanup, the FOSC should attempt to establish a Military Interdepartmental Purchase Request (MIPR)

or equivalent to reimburse the use of FOSC and OGA pollution response equipment and personnel time.

- Claims of damage may be submitted for reimbursement (when approved) from the OSLTF. Often, such damage claims include the costs of restoring a vessel, facility, etc., to operation (as in the case of a third-party vessel which is oil contaminated as a result of the spill). Actual decontamination of a vessel, facility, or other installation may also reasonably be a removal action (i.e., to prevent further human health, economic or environmental damage).
- The OSLTF may be used to restore pollution response equipment to inventory in the condition it was in before the response. Items used up in the response (consumables) or damaged beyond economical repair may be replaced.
- Discharges from oil tanks and related facilities often cause extensive subsurface or groundwater contamination. When underground contamination has migrated so as to cause an actual surface discharge or substantial threat of a discharge into navigable waters, the OSLTF may be used for removal. When these imminent threat or actual discharge conditions are not met, the incident is considered a hazardous materials incident ashore under municipal, county, and state hazardous material discharge rules.
- Many if not all of the agencies and organizations responding to a spill will have prearranged sources of supply and service, and all will have legal and procedural limitations on procurements. While the emergency elements of the response may expedite procurements, it does not eliminate the rules governing procurement.
- In a large response, there is significant possibility that the RP's limits of financial responsibility will be exceeded, opening the possibility that the response may transition entirely to FOSC /SOSC control.

## 6210 FOSC ACCESS TO OSLTF AND CERCLA

The OSLTF and CERCLA are accessed by obtaining a Federal Project Number (FPN) (for oil spills) or CERCLA Project Number (CPN) (for hazardous substance releases) using the Ceiling and Number Assignment Processing System (CANAPS).

### 6210.1 OSLTF

The OSLTF applies to funding responses only when the following two conditions are both met:

- There is a discharge of oil (as defined in 33 USC Section 2701(23)), or a substantial threat of a discharge of oil
  - Into the navigable waters
  - On the adjoining shorelines
  - Into the waters of the exclusive economic zone
  - That may affect natural resources under exclusive management authority of the United States
- There are further actions necessary to ensure effective and immediate removal, mitigation or prevention of the substantial threat Under OPA 90 the FOSC may allow the responsible party to

continue all response efforts within their capability. The FOSC may simultaneously secure and direct additional response efforts using contractors or government personnel and equipment. See the NPFC's OSLTF website for more details.

### 6210.2 CERCLA

The CERCLA funding for responses generally applies when the following three conditions are all met:

- A hazardous substance (not oil under 33 USC 2701(33)) has been released, or there is substantial probability that it will be released
- The release (or probable release) presents an imminent and substantial threat to the public health or welfare
- The RP is failing to take appropriate actions or it is necessary to monitor the actions of the RP to assure they are taking appropriate actions. See EPA's Superfund - CERCLA website for more information.

The FOSC can obligate no more than $250,000 per incident without an approved Action Memorandum. There is no CERCLA funding for compensation payments to claimants damaged by hazardous substances.

## 6220 Procurement Processes and Procedures

Upon obtaining an FPN or CPN, the FOSC can determine whether assistance is needed from a spill response contractor or a federal, state, tribal or local agency.

## 6230 Trustee Access to the Oil Spill Liability Trust Fund

Administrative Trustees are organizations with responsibilities for specific areas or natural resources such as the DOI. OPA 90 authorizes these organizations access to the fund through one administrative trustee known as the Lead Administrative Trustee (which must be a federal agency.) The designation of Lead Administrative Trustee is made for each spill based on the involvement of each organization. Administrative trustee access to the emergency fund would most likely be limited to beginning the natural resource damage assessment process.

## 6240 STATE ACCESS

### 6240.1 STATE ACCESS TO FUND – DIRECT AND INDIRECT

Section 1012(d)(1) of OPA 90 provides that the President, upon request of the Governor of a state or his or her designated state official, may obligate the OSLTF for payment in an amount not to exceed $250,000 per incident for removal costs consistent with the NCP.

The SOSC may access the OSLTF directly by contacting the cognizant FOSC, and indicating that they are making a request for direct access to the Fund at OSLTF. (This person must be designated, in writing, by the Governor of the state, and on file at the NPFC). The FOSC makes a determination that the request is authorized or not, and contacts the NPFC and District (R) by the following work day. If the request is authorized, the FOSC forwards the request to the NPFC to obtain a Federal Project Number (FPN). The CANAPS product set will forward the FPN/Cost Ceiling to the state, with a copy to the FOSC.

The removal costs must be required for the immediate removal of a discharge, or the mitigation or prevention of a substantial threat of discharge, of oil. Pursuant to the authority delegated to the USCG in Executive Order 12777, the USCG has published a regulation (33 CFR 133) to implement the provisions of section 1012(d) (1) of OPA 90.

When the FOSC determines that another agency (federal, state, tribal or local) can assist in a removal effort, the FOSC may authorize that agency to perform removal actions under its direct supervision. In these situations, the FOSC issues a PRFA to the state to establish a contractual relationship and obligate the Fund. In this method, the state is not limited to $250,000 per incident and the FOSC is actively directing the state's response actions.

## 6250 STAFFORD DISASTER RELIEF & EMERGENCY ASSISTANCE ACT FUNDING

In the event of a Presidential declared disaster, when the National Response Framework (NRF) is activated to assist an impacted state, the use of the Robert T. Stafford Disaster Relief and Emergency Assistance Act fund may be authorized. The Fund reimburses allowable costs incurred in support of activities under an Emergency Support Function (ESF). A complete listing of ESFs is on page 1000-26 of this plan.

Under the Stafford Act the USCG FOSC may receive direct tasking in the form of a Mission Assignment (MA), a work order issued by the Federal Emergency Management Agency (FEMA)(or other designated agency), directing the recipient agency to complete a specified task. ESF #10 of the NRF includes both oil and hazardous materials response activities. In the execution of a mission assignment, the FOSC will use existing funds, resources, and contracts for goods and services to complete the task. The FOSC will then review the actual expenses against the estimated costs and make payments to OGA and private vendors for each cost. For oil spills and hazardous materials releases, the FOSC will receive a "Request for Federal Assistance" from FEMA or the ESF lead agency, including a cost ceiling, and will then proceed to respond as normal using the OSLTF or CERCLA funds as applicable, including the "Request for Federal Assistance" form in the cost documentation. It is important to recognize that Stafford Act funds, like OSLTF and CERCLA funds, may only be applied to response costs directly related to the tasking and the Stafford Act ceiling must be managed carefully just as other fund ceilings.

### 6250.1 STAFFORD ACT FUND USE CRITERIA

- There must be a Presidential Declaration of Disaster (natural or other).
- The affected state that has requested assistance will contribute matching funds.
- FEMA has to issue a MA to the USCG identifying the work to be done and authorizing spending.
- Use of Stafford Act differs from typical pollution response. States are expected to deal with most problems, and the federal government only becomes involved when state resources are not sufficient for the disaster response.
- Stafford Act responses can be geographically limited (e.g., certain counties in a state).

## 6250.2 LEGAL/REGULATORY FRAMEWORK FOR RESPONSE

- When the President issues a Disaster Declaration, FEMA establishes a senior official as the Federal Coordinating Officer (FCO). The FCO determines which parts of the NRF will be activated and which actions the federal government will support.
- The FCO is paired with a state counterpart, the State Coordinating Officer (SCO), and the two, working together, oversee the combined state/federal response.
- The SCO also must approve all MA, since the state normally must provide matching resources or funds (10%-25%) for every Stafford Act dollar spent.
- Under certain circumstances, the Presidential Declaration may waive the matching fund requirement. (e.g., this was done for the World Trade Center and the Shuttle Columbia responses).

## 6250.3 NON-COAST GUARD PARTICIPANTS

- The funding process for Stafford Act Pollution Response (ESF-10), from the FOSC perspective is similar but not identical to oil or hazardous material responses.
- USCG Stafford Act responses must have an approved FEMA Mission Assignment (MA) in place or the USCG cannot seek reimbursement after the response is completed. The FEMA MA defines what is to be done, where, and sets a spending limit.
- When the FOSC utilizes Stafford Act Funds, most of the resources of the NCP are at his/her disposal, including contractors and other federal agencies (but not state or local agencies).
- The FOSC can hire contractors through BOAs.
- The FOSC can provide funding to federal government responders through incident-specific PRFAs (but not state or local agencies).
- The Stafford Act provides separate and distinct claims procedures for Third Party claims within its overall disaster response system in the FRP.

## 6300 COST UNIT

The Cost Unit Leader (COST) is responsible for collecting all cost data, performing cost effectiveness analyst and, providing cost estimates and cost saving recommendations for the incident.

Additional information regarding this position can be found in Chapter 11 of the USCG IMH and NPFC Technical Operating Procedures can provide detailed guidance.

## 6310 COST DOCUMENTATION PROCEDURES, FORMS, REPORTS

The Cost Unit tracks response costs against the response ceiling. They collect all obligating documents issued in support of the response and ensure that other expenses such as USCG personnel costs are properly logged. They are responsible for reporting amounts spent and ceiling remaining. They work with the Finance Center to record response costs in the USCG official accounting records and process payments for contractors, other government agencies, and other purchases. The USCG maintains NPFC cost documentation forms that are used to track all government and contractor resources during an oil spill.

## 6320 ADMINISTRATIVE DOCUMENTATION AND FORMS

In addition to the cost documentation forms, several administrative forms are required by the USCG (if applicable) and are listed below:

- Notice Of Federal Interest (NOFI) – Form CG-5549
- Authorization To Proceed
- Notice of Federal Assumption (if applicable)
- Designation of Source (for initiating the claims process)
- Administrative Directive/Order
- POLREP
- Financial Summary Report

## 6400 TIME UNIT

The Time Unit Leader (TIME) is responsible for equipment and personnel time recording and for managing the commissary operations. Release time reports form assisting agency personnel to the respective Agency Representative prior to demobilization.

Additional information regarding this position can be found in Chapter 11 of the USCG IMH.

## 6500 COMPENSATION/CLAIMS UNIT

The Compensation Unit Leader (COMP) is responsible for the overall management and direction of all administrative matters pertaining to compensation for injury and claims related activities (other than injury) for an incident. This unit handles “insurance” related matters. It manages any medical costs, death benefits, and personnel claims. It also manages Oil Spill Liability Trust Fund claims when the responsible party is not handling claims.

Additional information regarding this position can be found in Chapter 11 of the USCG IMH and the Finance Section Chief Job Aid

## 6600 PROCUREMENT UNIT

The Procurement Unit Leader (PROC) is responsible for administering all financial matters pertaining to vendor contracts, leases, and fiscal agreements.

Additional information regarding this position can be found in Chapter 11 of the USCG IMH, NPFC's Optional OSLTF Claim Form and the Finance Section Chief Job Aid

## 6610 CONTRACTING

For response to oil discharge incidents or substantial threats of discharge, the FOSC has discretion to allocate a cost ceiling up to $500,000 against the OSLTF. To increase the obligated ceiling above that amount, the FOSC must contact the NPFC Case Officer/Case Team/CDO. Ceilings cover the following costs:

- Out-of-pocket USCG/USEPA costs
- Contractor costs
- Other Agency costs

The FOSC has the authority to issue ATPs to contractors for amounts up to $25,000. To increase those amounts, contact SILC staff.

For response to a hazardous materials release incident, the FOSC has discretion to allocate a cost ceiling of $250,000. For ceiling amounts exceeding $250,000 per incident, an Action Memo must be approved by the USEPA.

## 6620 MEMORANDUM OF UNDERSTANDING (MOU) AND LAND USE AGREEMENTS

Any MOU or Land Use Agreement would be created in consultation with the assistance of appropriate District/Area/HQ program and legal offices.

## 6630 COORDINATING WITH COMPENSATION/CLAIMS UNIT

See Procurement Unit Leader and Compensation/Claims Unit Leader guidance in the Finance/Administration section of the IMH and the Finance Section Chief Job Aid.

## 6900 RESERVED FOR AREA/DISTRICT

## 7000 HAZARDOUS MATERIALS

## 7100 HAZARDOUS MATERIALS INTRODUCTION

FOSCs coordinate and direct responses to hazardous substances releases or potential releases. Their primary objective is to protect public health and safety, and the environment. In accordance with reference (a) and (b), the CG is the lead agency for federal pollution response in the coastal zone and regulates maritime transportation of hazardous materials. There are numerous scenarios that require the CG to become involved in hazardous substance release response. For example, the CG may become involved in hazardous substance incidents when responding to other incidents such as man-made disasters where the CG is a supporting agency under the NRF.

Three other federal agencies - the EPA, Department of Defense (DoD), and Department of Energy (DOE) – have OSC authority for hazardous substance response in their AORs.

There are different uses of the term HAZMAT throughout the transportation, response, and regulatory communities. For the purpose of this plan both hazardous substance and hazardous material (HAZMAT) are referred to as hazardous substances. More details can be found in Chapter 21 the IMH.

**7200 WEAPONS OF MASS DESTRUCTION see WMD** Annex (under development)

**7600 Reserved**

**7700 Reserved**

**7800 Reserved**

**7900 Reserved for Area/District**

**8000 SALVAGE AND MARINE FIRE FIGHTING [See SMFF Annex]**

**9000 APPENDICES**

**9100 EMERGENCY NOTIFICATIONS**

**Required Notification for Oil Spills or Hazard Substance Release:**
**National Response Center: 800-424-8802**

Sector Lake Michigan Response Checklist

## 9200 PERSONNEL AND SERVICES DIRECTORY

ARMY CORP OF ENGINEERS

| | |
|---|---|
| **Detroit District** | **888-694-8313** |
| http://www.lre.usace.army.mil/ | |
| **Chicago District** | **312-353-6400** |
| http://www.lrc.usace.army.mil/ | |
| **Rock Island District** | **800-799-8302** |
| http://www.mvr.usace.army.mil/ | |
| **St. Paul District** | **651-290-5807** |
| http://www.mvp.usace.army.mil/ | |

**Lock status, vessel location in the system, queues:**
U.S. Army Corps of Engineers River Locks

COUNTY EMERGENCY MANAGEMENT AGENCIES

| | |
|---|---|
| Marinette, WI | 715-732-7660 |
| Oconto, WI | 920-834-6850 |
| Brown, WI | 920-391-7401 |
| Door, WI | 920-746-7100 |
| Kewaunee, WI | 920-845-9700 |
| Manitowoc, WI | 920-683-4207 |
| Sheboygan, WI | 920-459-3360 |
| Ozaukee, WI | 262-238-8389 |
| Milwaukee, WI | 414-226-7308 |
| Racine, WI | 262-636-3515 |
| Kenosha, WI | 262-605-7900 |
| | |
| Lake, IL | 847-377-7100 |
| Cook, IL | 312-603-8180 |
| | |
| Lake, IN | 219-755-3549 |
| Porter, IN | 219-462-8654 |
| LaPorte, IN | 219-362-7210 |
| | |
| Menominee, MI | 906-295-0309 |
| Delta, MI | 970-874-2004 |
| Leelanau, MI | 231-265-8800 |
| Benzie, MI | 231-882-0567 |
| Manistee, MI | 231-723-8393 |
| Mason, MI | 231-845-5911 |

| | |
|---|---|
| Oceana, MI | 231-873-2121 |
| Muskegon, MI | 231-724-6341 |
| Ottawa, MI | 616-738-4000 |
| Allegan, MI | 269-673-0571 |
| Van Buren, MI | 269-657-7786 |
| Berrien, MI | 269-983-3060 |

## ENVIRONMENTAL PROTECTION AGENCY

**EPA Region 5 Spill Response** **312-353-2318**
http://www2.epa.gov/aboutepa/epa-region-5

## FEDERAL EMERGENCY MANAGEMENT AGENCY

**FEMA Region V** **312-408-5500**
https://www.fema.gov/region-v-il-in-mi-mn-oh-wi

National Preparedness Resource Library

## HOSPITALS

See Medical Facilities in HOMEPORT
US Hospital Finder

## INTERIOR, DEPARTMENT OF THE

**DOI Regional Office (Philadelphia)** **215-597-5378**
https://www.doi.gov/oepc/regional-offices/philadelphia

**Animal and Plant Health Inspection Service (APHIS)**
**Emergency Response; Wildlife Services Hotline** **866-487-3297**
USDA APHIS Wildlife Services

**U.S. Fish and Wildlife** **800-344-9453**
http://www.fws.gov/offices/

## MEDIA CONTACTS

See Media Contacts in HOMEPORT

## MEDICAL CONTACTS

See Medical Facilities in HOMEPORT

## NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION

**Scientific Support Coordinator (Great Lakes & Midwest) 216-522-7760**
http://response.restoration.noaa.gov/about/orr-field-staff.html

**Nautical Charts and Pubs:** NOAA Office of Coast Survey
**River levels/predictions:** NOAA Advanced Hydrologic Prediction Service
Response Tools for Oil Spill Response

## RAILROADS

Federal Railroad Administration **(FRA),** Regional Safety Office Chicago **800-724-5040**

**Railroad Lines:**
http://fragis.fra.dot.gov/Apps/GISFRASafety/

**Railroad Crossing Locator:**
http://safetydata.fra.dot.gov/OfficeofSafety/publicsite/crossing/xingqryloc.aspx

| | |
|---|---|
| Canadian Pacific Railway **(CP)** | **800-716-9132** |
| Union Pacific Railway **(UP)** | **888-877-7267** |
| Burlington Northern Santa Fe Railway **(BNSF)** | **800-832-5452** |
| Canadian National Railway **(CN)** | **800-465-9239** |
| Amtrak | **800-465-9239** |

## REGION 5 REGIONAL RESPONSE TEAM

**RRT5 is contacted through the Ninth Coast Guard District 98 or EPA Region 5 216-902-6117**
RRT5

## RESPONDERS, MAJOR

**See Section 5200**

## STATE HISTORIC PRESERVATION OFFICERS

| | |
|---|---|
| Michigan SHPO | **517-373-8370** |
| Indiana SHPO | **317-232-1646** |
| Illinois SHPO | **217-782-4836** |
| Wisconsin SHPO | **608-264-6400** |

## STATE SPILL RESPONSE AND EMERGENCY MANAGEMENT AGENCIES

**Michigan** **800-292-4706**
Michigan Department of Environment, Great Lakes and Energy
Michigan Department of Natural Resources

**Indiana** **888-233-7745**
Indiana Department of Environmental Management (IDEM)
Indiana Department of Homeland Security

**Illinois** **800-782-7860**
Illinois Department of Environmental Protection Agency
Illinois Emergency Management Agency

**Wisconsin** **800-943-000**
Wisconsin Department of Natural Resources
Wisconsin Department of Emergency Management

## TRANSPORTATION, DEPARTMENT OF

**Federal Railroad Administration (FRA) Region 4, Chicago, IL** **800-724-5040**
http://www.fra.dot.gov/

**Pipeline and Hazardous Materials Safety Administration (PHMSA)**
**Central Region, Des Plains, IL** **847-294-8580**
http://www.phmsa.dot.gov/

## TRIBAL CONTACTS

National Association of Tribal Historic Preservation Officers **202-628-8476**

**The Bureau of Indian Affairs Tribal Leaders Directory for current Tribal contacts:**
https://www.bia.gov/regional-offices/midwest

The Bureau of Indian Affairs Midwest Region Office **612-713-4400 / 612-725-4500**

Tribal Directory Assessment Tool (TDAT)

## U.S. COAST GUARD

**U.S. Coast Guard Sector Lake Michigan** **414-747-7182/7132**

https://www.atlanticarea.uscg.mil/Our-Organization/District-9/Ninth-District-Units/Sector-Lake-Michigan/

**Coast Guard Marine Safety Unit Chicago 630-986-2155**
https://www.atlanticarea.uscg.mil/Our-Organization/District-9/Ninth-District-Units/Sector-Lake-Michigan/Units/MSU-Chicago/

**Coast Guard Marine Safety Detachment Sturgeon Bay, WI 920-743-9448**
https://www.atlanticarea.uscg.mil/Our-Organization/District-9/Ninth-District-Units/Sector-Lake-Michigan/Units/MSD-Sturgeon-Bay/

**Coast Guard Sector Field Office Grand Haven, MI 616-850-2500**
https://www.atlanticarea.uscg.mil/Our-Organization/District-9/Ninth-District-Units/Sector-Lake-Michigan/Units/SFO-Grand-Haven/

**Ninth Coast Guard District 216-902-6117**
http://www.uscg.mil/d9/

**Coast Guard Base Cleveland 216-902-6283**
Base Cleveland

**National Pollution Funds Center 703-235-4730**
http://www.uscg.mil/npfc/

**National Strike Force Coordination Center 252-331-6000**
https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/

**Incident Management Assist Team (CG-IMAT) via LANTAREA CC 757-398-6700**
http://www.uscg.mil/lantarea/cgimat/

**Marine Safety Salvage Engineering Response Team (SERT) 202-327-3985**
**Marine Safety Center Salvage and Engineering Response Team (SERT)**

VOLUNTEER AGENCIES

**Corporation for National & Community Service (CNCS) 800-942-2677**
http://www.nationalservice.gov/

**CNCS State Offices:**
**Michigan 313-226-6510**
**Indiana 317-226-6724**
**Illinois 312-353-3622**
**Wisconsin 414-297-1118**

**Red Cross** **800-733-2767**
http://www.redcross.org/find-help

**Salvation Army**
https://www.salvationarmy.org/

| WEATHER |
|---|

National Weather Service

## 9300 DRAFT INCIDENT ACTION PLAN FOR WORST CASE DISCHARGE

See Sector Lake Michigan's ACP Referenced Documents in Homeport for General Agency Responsibilities Form, Initial ICS-201 and sample templates for developing an Initial Action Plan.

## 9400 AREA PLANNING DOCUMENTATION

## 9410 DISCHARGE AND RELEASE HISTORY

### 9410.1 Historical Spill Considerations

In the past ten years, the vast majority of spills in Sector Lake Michigan's AOR have been less than 100 gallons, with only very few being in the category of greater than 1000 gallons. The Chicago area sees the most spills, followed by the Green Bay area, then Milwaukee area. The majority of spills are from an unknown source, followed by recreational vessels then commercial vessels. The largest, recent, facility discharge occurred in at BP Whiting, Indiana in 2014; 9-18 bbls (378-576 gals) of crude oil was discharged into Lake Michigan through an outfall from a separator in the refinery.

## 9420 RISK ASSESSMENT / WORST CASE DISCHARGE SCENARIOS

Sector Lake Michigan contains the largest refinery in the Midwest (BP Whiting, Indiana) and two other large oil/hazmat bulk facilities (U.S. Venture / U.S. Oil in Milwaukee and U.S. Oil in Green Bay, WI). Tank barges and some tank ships transit through Lake Michigan with refined products to these three facilities.

Due to the size and diversity of Sector Lake Michigan's area of responsibility, one WCD scenario is identified for each mode of transportation. The vessel scenario assumes a loss of the entire vessel's cargo or fuel oil in adverse weather conditions, the on-shore facility scenario assumes the largest foreseeable discharge in adverse weather conditions. Response strategies for each scenario will be addressed in ERMA and the appropriate Geographic Response Strategies (GRS).

| Sector Lake Michigan ACP Coastal Zone Worst Case Discharges | | | | | |
|---|---|---|---|---|---|
| **Type** | Owner/Operator or Vessel/Facility Name | Port Region | WCD Amount | Product | Key GRSs |
| **Vessel** | M/V ALGONORTH | Southeast MI & WLE | 134,115 bbls/ 5,632,830 gls | Chemical & Oil Products | 2, 3, 6, 8, 9, 11, 12, 13, 14 |
| **Pipeline** | Enbridge Line 5 | Southeast MI | 5,000 bbls/ 210,000 gls | Oil Products | 2, 3, 6, 8, 9, 11, 12, 13, 14 |
| **Rail** | St. Clair Tunnel | Southeast MI | Varies see below | Flammable & Dangerous Goods | 2, 3, 6, 8, 9, 11, 12, 13, 14 |
| **Facility** | BP Whiting Refinery | Northwest Indiana | 577,000 bbls/ 24,271,800 gls | Asphalt | 50, 51, 49 |

Tank vessel: various foreign flagged tank ships make trips to Burns Harbor, IN, the largest with a capacity of 149,000 bbls (6,258,000 gals) of petroleum products. A tank vessel sinking in Lake Michigan with a total loss of cargo could impact large sections of the shoreline. See the VRP, GRS (C10-11) and ERMA for details.

Facility: A worst case discharge at the BP facility in Whiting, IN could result in 577,900 bbls (24,271,800 gals) of Group II oil discharging into the Lake George Barge Canal, thence into Lake Michigan. See GRS (C3-5), ERMA and BP Whiting's FRP for details.

Pipeline: Many pipelines run near Lake Michigan in IN and IL. A WCD would be complete line segment loss of up to 9,996 bbls (420,000 gals) that could impact Lake Michigan by discharging through the Indiana Harbor Canal. See GRS (C18) and ERMA for details.

Rail: Many trains pass near Lake Michigan with multiple tank cars carrying heavy oil with a capacity of 34,000 gls in each car. A derailment or accident involving a unit train with up to 1 million gallons of product could result in a significant spill of heavy oil in a tributary or drainage ditch leading to Lake Michigan. See GRS (A11-12, B8-9, C16-17, D5-6) and ERMA for details. Additional Railroad information can be found in RRT5's Library of Railroads and Transport of Oil/Flammable Liquids by Rail. Also see the Field Guide for Tank Cars.

## 9430 PLANNING ASSUMPTIONS / BACKGROUND INFORMATION

### 9430.1 PLANNING ASSUMPTIONS

ACPs contain critical elements of sound oil and hazardous substance spill response, incident management, and all-hazards preparedness. The ACP should be a useful tool for the FOSC and other responders, providing practical and easily accessible information to assist in conducting an effective response. Do not view information found in the ACPs related to certain items, such as the availability and response time for operational resources, as performance standards. Based on a set of assumptions, these planning criteria may not exist during each actual incident.

As living documents, ACPs must be regularly reviewed and updated to ensure their accuracy and utility for oil and hazardous substance spill response planning and preparedness. ACPs must be reviewed and updated on an annual basis.

Annual review and update scope. At a minimum this must address the following:

(l) Validation of critical points of contact information;

(2) Incorporation of lessons learned from exercises or incidents and corrective measures taken;

(3) Validation of Geographic Response Strategies as needed;

(4) Validation of worst case discharge scenarios; and

(5) Identification of any gaps and associated mitigation strategies.

Annual ACP Publication. Upon completion of the annual review and update, the FOSC shall complete the following no later than 01 June of each year:

(1) Document changes via Record of Change page. This running record shall be maintained in the ACP. Additionally, this document shall include an annual FOSC signature for validation and record keeping purposes. An example template will be posted and maintained on the MER CG Portal website.

(2) Ensure ACP revision year and change (YYYY.X) is correct. The revision year is the year in which the ACP was reviewed by the Coast Guard National Review Panel and version number is the change since the national review. For example, if an ACP was reviewed by the National Review Panel in 2018, the annual update for 2018 should be reflected as Revision 2018. I. Subsequent annual updates would be reflected as 2018.2, 2018.3, and 2018.4. Another national review will be required every fifth year resulting in a new revision date (i.e., 2023.0);

(3) Each FOSC shall prepare an annual ACP update promulgation memorandum to be incorporated into the ACP. Commandant (CG-MER), Area, District and National Strike Force Coordination Center (NSFCC) shall be copied.

(4) Post the most recent ACP, with record of changes and FOSC annual promulgation memorandum on the unit Homeport website.

Coast Guard National Review Panel (CGNRP) and 5-year ACP Revision.

To maintain national consistency and a unified response posture, a Coast Guard National Review Panel (CGNRP) will convene on a yearly basis to review selected ACPs. All ACPs shall be reviewed by the CGNRP at least once every five years. FOSC preparation and level of effort for a five-year review is expected to be similar to what is required for the annual FOSC review and update process described in Section 4. The overall objectives of the CGNRP are to address national consistency on a macro level as well as ensure Districts are utilizing a standard ACP approval process. The scope of the CGNRP review is to conduct a strategic overview of submitted ACPs within the context of national consistency, trends and emergent issues. This CGNRP review will complement the more comprehensive review completed at the District level.

## 9500 List of Agreements

**MEMORANDUM OF UNDERSTANDING BETWEEN UNITED STATES COAST GUARD NINTH DISTRICT AND UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 5 REGARDING AGENCY PARTICIPATION ON AREA COMMITTEES TO EXECUTE THE NATIONAL CONTINGENCY PLAN.**

## 9600 CONVERSIONS (see also: Convert-me.com)

### CONVERSIONS AND EQUIVALENTS

| AREA s=statute, n=nautical | | |
|---|---|---|
| Multiply | by | to derive |
| meters² | 10.76 | feet² |
| feet² | 0.0929 | meters² |
| kilometers² | 0.386 | s. miles² |
| s. miles² | 2.59 | kilometers² |
| s. miles² | 0.7548 | n. miles² |
| n. miles² | 1.325 | s. miles² |
| kilometers² | 0.2916 | n. miles² |
| n. miles² | 3.43 | kilometers² |

| VOLUME | | |
|---|---|---|
| Multiply | by | to derive |
| barrels | 42 | gallons |
| barrels | 5.615 | feet³ |
| barrels | 158.9 | liters |
| barrels | 0.1589 | meters³ |
| feet³ | 7.481 | gallons |
| gallons | 3.785 | liters |

| TEMPERATURE | |
|---|---|
| Calculate | To derive |
| 5/9(ºF-32º) | ºC |
| 9/5ºC+32º | ºF |

| WEIGHT | | |
|---|---|---|
| Multiply | by | to derive |
| kilograms | 2.205 | pounds |
| metric tons | 0.984 | long tons |
| metric tons | 1,000 | kilograms |
| metric tons | 2,205 | pounds |
| long tons | 1,016 | kilograms |
| long tons | 2,240 | pounds |
| short tons | 907.2 | kilograms |
| short tons | 2,000 | pounds |

### DENSITY ESTIMATIONS

| | Barrels/Long Ton | |
|---|---|---|
| | Range | Average |
| Crude Oils | 6.7 - 8.1 | 7.4 |
| Aviation Gasolines | 8.3 - 9.2 | 8.8 |
| Motor Gasolines | 8.2 - 9.1 | 8.7 |
| Kerosenes | 7.7 - 8.3 | 8.0 |
| Gas Oils | 7.2 - 7.9 | 7.6 |
| Diesel Oils | 7.0 - 7.9 | 7.5 |
| Lubricating Oils | 6.8 - 7.6 | 7.2 |
| Fuel Oils | 6.6 - 7.0 | 6.8 |
| Asphaltic Bitumens | 5.9 - 6.5 | 6.2 |

Notes:
- 1 Long Ton equals 2,240 pounds
- As a general approximation, use 7 barrels (300 U.S. gallons) per metric ton of oil.
- 6.4 barrels/long ton is neutrally buoyant in fresh water.
- 6.21-6.25 barrels/long ton range is generally neutrally buoyant in open ocean.

- Specific Gravity of 1 or an API of 10 equals the density of fresh water.
- Specific Gravity < 1 or an API > 10 indicates product is lighter than fresh water.
- API Gravity = (141.5/Specific Gravity) - 131.5

Weight of Fresh Water: 8.3 pounds/gallon
Weight of Sea Water: 8.5 pounds/gallon

Note: Exact weight depends upon temperature and salinity.

### OIL THICKNESS ESTIMATIONS

| Standard Terminology | Approx. Oil Thickness microns | | Approx. Volume of Oil US gallons per square mile | |
|---|---|---|---|---|
| | Low | High | Low | High |
| Sheen (S) | 0.04 | 0.3 | 27 | 205 |
| Rainbow (R) | 0.3 | 5 | 205 | 3421 |
| Metallic (M) | 5 | 50 | 3421 | 34210 |
| Transitional Dark (or True) (T) | 50 | 200 | 34210 | 136840 |
| Dark (or True) (D) | >200 | | >136840.495 | |
| Emulsified (E) | Thickness range is very similar to dark oil | | | |

For calculating volume: (Length) x (width) x (% distribution) x (% of standard term) x (thickness value)
For calculating total volume, add together volumes for each standard term

### OIL WEATHERING PROCESS CONVERSION

| Weathering Process | Conversion/ Information | Time Scale |
|---|---|---|
| Evaporation | Evaporation at 59ºF: Gasoline:100% \| Diesel:80% Lt crude:40% \| Heavy crude:20% \| Bunker C:5-10% | 2-5 days |
| Emulsification | ncreases pollutant volume by 2-4 times. Slows other processes. | Rapidly w/wave action; onset can be delayed. |
| Dispersion | Moves oil from surface to water column. | <5 days |
| Dissolution | Most water-soluble oil components are toxic. | <5 days |
| Biodegredation | Rate depends on oil type & amount, temperature, nutrients, & oxygen. Consult NOAA. | Weeks - Months |
| Tarball formation | Tarballs are hard to detect, so slick only appears to go away. | Days - Weeks |

### COMMONLY-USED EQUATIONS

**CIRCLE**
Area = 3.14 x radius²
Circumference = 3.14 x diameter

**SPHERE/TANK**
Area = 4 x 3.14 x radius²
Volume = 1.33 x 3.14 x radius³

**CYLINDER/PIPE/TANK**
Volume = 3.14 x radius² x length

**RECTANGLE/SQUARE**
Area = length x width

**CUBE/BLOCK/TANK**
Volume = length x width x height

## 9700 RESPONSE REFERENCES

**Response reference that are listed throughout the document in the appropriate sections.**

CANAPS
CANUSLAK Plan
Coast Guard Job Aids
Cold Weather Response Field Guide
Community Emergency Response Team
Corporation for National and Community Service
Crude Oil Transportation
Endangered Species
Endangered Species Act (ESA) Section 7 Resources
Endangered Species Act Consultation Handbook
Endangered Species Act Consultation on Pre-Spill Planning Response Tool Template
Environmental Response Management Application (ERMA)
Emergency Support Function Annexes (ESF)
Fish and Wildlife Annex to the USEPA RRT5/RCP
FOSC Financial Management Checklist
FOSC Guide to NOAA Scientific Support
FOSC Guide to Environmental Response
Geographic Response Strategies
Great Lakes Great Lakes Shoreline Cleanup Guidelines
Habitat Fact Sheets
Incident Management Handbook (IMH)
National Oil and Hazardous Substances Pollution Contingency Plan
National Historic Preservation Act Programmatic Agreement
National Historic Preservation Act Compliance Guide
National Marine Sanctuaries Act
National Preparedness Resource Library
National Preparedness for Response Exercise Program (NPREP) Guidelines
National Response Framework
NPFC Technical Operating Procedures
NPFC User Reference Guide
NRT Use of Volunteers Guidelines for Oil Spills
NRT JIC Model
Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities
OSLTF Claim Form
Pollution Removal Funding Authorization
RRT5 Regional Contingency Plan
RRT5 Chemical Countermeasures Fact Sheet
Superfund Amendments and Reauthorization ACT (SARA Title III)
SCAT Forms
Stafford Act

Training Marine Oil Spill Response Workers under OSHA's Hazardous Waste Operations and Emergency Response Standard
USCG Marine Environmental Response and Preparedness Manual
USCG Response Resource Inventory System (RRI)
USCG Basic Ordering Agreement (BOA) Library
USCG Incident Management Software System
USCG Social Media Field Guide
USDA APHIS Wildlife Service
USDOT Federal Aviation Administration
USFWS - Best Practices for Migratory Bird Care during Oil Spill Response
Volunteering In America

## INDEX

## USERS SURVEY

Comments and recommendations regarding this plan can be submitted by completing the Users Survey or by sending an e-mail to the Sector Lake Michigan ACP Coordinator, Mr. Charles Tenney at Charles.W.Tenny@uscg.mil.