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Action: MINSK, AMEMBASSY *ROUTINE*; BUJUMBURA, AMEMBASSY *ROUTINE*; SOMALIA, USMISSION *ROUTINE*; ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE *ROUTINE*
E.O.: 13526
TAGS: SENV, IMO
Reference: A) [15 STATE 114554](#)
B) [14 STATE 28888](#)
Subject: International Requests for and Offers of Oil Spill Response Assistance

1. Summary. In the event of large oil or hazardous materials spills, host governments might use diplomatic channels to notify the United States and/or request USG response assistance. In appropriate cases, the USG provides response assistance when it is determined to be in our national interest and resources are available. In the case of a major oil or hazardous materials spill in U.S. coastal waters, foreign governments might offer assistance to the United States. The Office of Ocean and Polar Affairs in the Bureau of Oceans and International Environmental and Scientific Affairs (OES/OPA) coordinates such requests for and offers of assistance. The steps Posts should take if they receive these types of requests or offers are outlined below. End Summary.

Fulfilling Our International Obligations and Commitments

2. The United States is a party to various international, regional, and bilateral agreements or arrangements that might obligate the USG to cooperate in responding to an international oil or hazardous material spill event. For example, the United States is a party to the International Convention on Oil

Pollution Preparedness, Response, and Co-Operation (OPRC), which provides a global framework for international cooperation on combating major incidents or threats of marine pollution from oil. The OPRC Convention requires that its 108 parties, subject to their capabilities and the availability of relevant resources, cooperate and provide advisory services, technical support, and equipment for the purpose of responding to an oil pollution incident, when the severity of such incident so justifies it, upon the request of another Party affected or likely to be affected. In the interest of protecting the marine environment, and in keeping with our obligations and commitments under these international agreements and arrangements, it is generally in the U.S. interest to respond to requests for cooperation with appropriate assistance when resources are available.

International Assistance Starts with Domestic Body

3. The National Response Team (NRT) plans and coordinates emergency preparedness and response to oil and hazardous substance pollution incidents in the United States. In the event of an international request for assistance to respond to a pollution incident, the NRT is the body that would determine whether the USG had the appropriate legally available resources to respond. The NRT is comprised of representatives of the 15 Federal agencies - including the Department of State - with responsibilities and expertise in various aspects of emergency response to oil and hazardous substance pollution incidents. The NRT has domestic responsibilities for interagency policy, planning, and coordination for pollution incidents of all sizes and kinds. With the Environmental Protection Agency and the U.S. Coast Guard serving as Chair and Vice-Chair respectively, the NRT meets regularly to develop guidance and procedures. For more information on the NRT, please visit: <http://www.nrt.org/>.

The Department's Role in the NRT

4. When the United States receives requests from foreign governments for assistance during significant pollution incidents or other environmental emergencies, the Department of State coordinates these requests as part of its role on the NRT. While primarily focused on domestic incidents, the NRT could provide response, technical, and/or advisory assistance, generally on a cost-reimbursable basis, to foreign governments when requested by the Department of State and determined to be in the national interest. OES/OPA represents the Department on

the NRT.

Processing Requests for U.S. Government Assistance

5. Should Posts receive requests from a host government for USG assistance in the case of an oil or hazardous substance spill, please contact OES/OPA, the Ops Center, and the appropriate desk officer. Posts or Regional Bureaus should coordinate through OES/OPA rather than directly contacting other U.S. agencies represented on the NRT. The NRT will aim to make a decision within one or two days, although this might not always be possible. The current OES/OPA points of contact are the State Department representatives to the NRT: Rona Rathod (primary - 202-647-3879, RathodRR@state.gov), Jonathan Burby (202-647-3946, BurbyJW@state.gov) and Matt Malone (202-647-3073, MaloneMA@state.gov). Please note these instructions do not supersede procedures specified in bilateral or multilateral agreements.

6. Requests should contain the following information:

- a) full description of the situation, including why the USG should become involved;
- b) type and estimated duration of assistance requested;
- c) commercial and government resources currently employed in the response;
- d) international organizations and entities assisting, such as the International Maritime Organization, International Tanker Owners Pollution Federation, etc.;
- e) contact information for authorized personnel on the diplomatic and operational levels; and
- f) whether the United States will be reimbursed for the costs of assistance if provided.

Humanitarian Assistance

7. The U.S. Agency for International Development Office of Foreign Disaster Assistance (USAID/OFDA) is responsible for providing international disaster and humanitarian assistance and coordinating the USG's humanitarian response to declared disasters in foreign countries. As such, in the context of an oil spill response, USAID/OFDA would coordinate the provision of humanitarian assistance, such as emergency relief supplies to displaced families. USAID/OFDA's responsibility and authority are specified in the Foreign Assistance Act of 1961, as amended, sections 491-493, and from delegated Presidential Authority. Specific guidance on accessing USAID/OFDA assistance can be found in ref A. Every post has a Chief of Mission-

designated Mission Disaster Relief Officer who is USAID/OFDA's point of contact at post for disaster-related information, planning, and activities affecting the host country.

International Offers of Assistance to the United States

8. In the event of a serious oil spill or discharge of hazardous material in U.S. coastal waters, Posts might receive offers of assistance from foreign governments. Post should communicate the following information about those offers to the points of contact in paragraph 5 so it can be relayed to the NRT:

- a) detailed description, type, amount, condition, and estimated duration of assistance offered;
- b) current location of any equipment offered;
- c) whether the assistance is governmental or commercial;
- d) contact information of authorized points of contact knowledgeable about technical details in offering agency/organization; and
- e) terms and conditions of the offer including whether the United States would be asked to reimburse the costs of any assistance provided.

Including Oil Spills in Crisis Management Planning

9. Posts should include this cable guidance, among other materials, in their Emergency Action Plan handbooks and are encouraged to include oil spill scenarios in their crisis preparedness exercises.

10. This guidance replaces the guidance in 14 STATE 28888 (ref B).

11. Minimize considered.

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