



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

From: Chairmen, Federal Region III Standing Regional Response Team
To: Distribution
Subj: FEDERAL REGION III OIL AND HAZARDOUS SUBSTANCES POLLUTION
CONTINGENCY PLAN
Date: November 17, 1988

1. In accordance with the provisions of The Comprehensive Environmental Response Compensation and Liability Act of 1980 and the Federal Water Pollution Control Act of 1972, as amended by the Clean Water Act of 1977, a National Oil and Hazardous Substances Contingency Plan (NCP) was developed. To supplement the National Plan for Region III, the Federal Region III Oil and Hazardous Substances Pollution Contingency Plan has been prepared with the cooperation of all the designated Federal agencies and state and local governments. This plan provides a mechanism for coordinating response to spills of oil or hazardous polluting substances within Federal Region III.

2. We have revised the Region III Contingency Plan to reflect the changes submitted since the July 15, 1988 RRT Meeting. Earlier revisions addressed the Superfund Amendments and Reauthorization Act (SARA) impacts. A new annex was provided by the Second Coast Guard District and is included at the end of Annex III. Additional changes have been made to the RRT membership listing. This plan is effective upon receipt and supersedes the previous plans in their entirety. The superseded plan should be destroyed.

3. Any later changes made to this plan will be designated as such and will be consecutively numbered.

4. We invite comments and recommendations regarding this plan; they should be addressed to either Standing RRT Co-Chairman. This plan will be kept under continual review and additional information changes and corrections will be promulgated as necessary in accordance with the requirement of the NCP.

Dennis P. Carney

Dennis Carney
U.S. Environmental Protection Agency
Co-Chairman, Federal Region III
Standing Regional Response Team

C.C. Martin

C.C. Martin
Captain, U.S.C.G. District 5
Co-Chairman, Federal Region III
Standing Regional Response Team

FEDERAL REGION III

OIL

AND

HAZARDOUS SUBSTANCES

POLLUTION

CONTINGENCY PLAN

NOVEMBER 1988

RECORD OF CHANGES TO 9/30/88

CHANGE NUMBER	DATE SUBMITTED	SUBMITTED BY	PAGE NUMBER	DATE CHANGED
1	RRT MTG.	Various RRT Members	Annex II	7/29/88
2	8/5/88	Frank Piecuch (DHHI)	B-8	8/11/88
3	8/15/88	Anita Miller (DOI)	II-3	8/18/88
4	8/17/88	Bill Athayde (USCG)	Annex II	8/18/88
5	8/15/88	Anita Miller (DOI)	B-9	8/18/88
6	8/15/88	Anita Miller (DOI)	VII-10,26-38	8/18/88
7	8/19/88	Capt. L.A. Murdock (USCG)	Annex II	9/13/88

RECORD OF CHANGES FROM 9/30/88 - 5/89

8	1/26/89	Bill Athayde	II-3	2/1/89
9	3/6/89	Bill Athayde	II	3/6/89
10	1/5/89	Bill Athayde	C-10, D-5	3/10/89
"	"	"	E-1, II-12	"
11	3/9/89	Bill Athayde	V-11, IX, B-3	3/27/89
"	"	"	B-14, II-11	"
"	"	"	G-3	"
12	3/10/89	Bill Athayde	II-4, 7, 10, 15	3/28/89
13	3/28/89	Bill Athayde	II-4, 7, 13	3/28/89
14	4/28/89	Linda Ziegler	A-7	4/28/89
15	4/28/89	Josie Matsinger	II-4, 8, 16	4/28/89
16	06/1989	" "	Annex II	06/1989

RECORD OF CHANGES

[illegible]

Letter of Promulgation	i
Record of Changes	ii
Table of Contents	iii-viii

SUBJECT	PAGE NO.	CHANGE
Subpart A - Introduction		
300.1 - Purpose and Objectives	A-1	
300.2 - Authority	A-1	
300.3 - Scope	A-2	
300.4 - Application	A-3	
300.5 - Abbreviations	A-3	
300.6 - Definitions	A-8	
Subpart B - Responsibility		
300.21 - Federal Agency Responsibilities	B-1	
300.22 - Coordination Among and by Federal Agencies	B-2	
300.23 - Assistance by Federal Agencies	B-4	
300.24 - Commonwealth/State and Local Participation	B-13	
300.25 - Non-Government Participation	B-15	
Subpart C - Organization		
300.31 - Organizational Concepts	C-1	
300.32 - Planning and Coordination	C-1	
300.33 - Response Operations	C-3	
300.34 - Special Forces and Teams	C-4	
300.35 - Multi-Regional Responses	C-7	
300.36 - Communications	C-9	
300.37 - Special Considerations	C-13	
300.38 - Worker Health & Safety	C-13	

300.39 - Public Information C-13

300.40 - OSC Reports C-13

Subpart D - Plans

300.41 - Regional and Local Plans D-1

300.42 - Regional Contingency Plan D-1

300.43 - Local Contingency Plans D-1

300.44 - State Emergency Response Plan D-2

300.45 - List of Plans D-3

**Subpart E - Operational Response Phases
for Oil Removal**

300.51 - Discovery and Notification (Phase I) E-1

300.52 - Preliminary Assessment
and Initiation of Action (Phase II) E-1

300.53 - Containment, Countermeasures,
Cleanup and Disposal (Phase III) E-2

300.54 - Documentation and Cost Recovery (Phase IV) E-2

300.55 - General Pattern of Response E-2

300.56 - Pollution Reports E-2

300.57 - Special Considerations E-2

300.58 - Funding E-2

- TAB A TO SUBPART E E-5

Subpart F - Hazardous Substance Response

300.61 - General F-1

300.62 - State Role F-1

300.63 - Discovery and Notification (Phase I) F-1

300.64 - Preliminary Assessment for Removal
Action (Phase II) F-2

300.65 - Removals (Phase III) F-2

300.66 - Site Evaluation Phase and National Priorities List Determination (Phase IV)	F-3
300.67 - Community Relations (Phase V)	F-3
300.68 - Remedial Action (Phase VI)	F-4
300.69 - Documentation and Cost Recovery (Phase VII)	F-4
300.70 - Methods of Remedying Releases	F-4
300.71 - Other Party Responses - Worker Health and Safety	F-5
Subpart G - Trustees for Natural Resources	
300.72 - Designation of Federal Trustees	G-1
300.73 - State Trustees	G-3
300.74 - Responsibilities of Trustees	G-4
Subpart H - Use of Dispersants and Other Chemicals	
300.81 - General	H-1
300.82 - Environmental Trade-off	H-1
300.83 - Steps to a Dispersants Operation	H-2
300.84 - Interface With Other Districts	H-3
300.85 - Other Uses of Chemicals	H-3
Annex I - Distribution	
Annex II - Regional Response Team Directory	
Annex III - Geographical Boundaries	
1301.2 - Inland/Coastal Boundary Agreement in Maryland and Virginia	III-1
1301.3 - Inland/Coastal Boundary Agreement in Eastern Pennsylvania and Delaware	III-2
1301.4 - Inland/Coastal Boundary Agreement in Northwestern Pennsylvania	III-3

1301.5 - Inland/Coastal Boundary Agreements in Western Pennsylvania, Ohio and West Virginia	III-3
FIGURE 1 - Standard Federal Regions EPA-HHS-FEMA-DOE-DOL-DOC	III-5
FIGURE 2 - UNKNOWN	III-6
FIGURE 3 - Standard Federal Region III Inland/Coastal Zone Boundaries	III-7
FIGURE 3A- Standard Federal Region III Inland/Coastal Zone Boundaries - Detailed	III-8
FIGURE 4 - Department of the Interior Sites Map	III-9
FIGURE 5 - Department of the Interior Sites Mid-Atlantic Region List	III-10
FIGURE 6 - U.S. Coast Guard District Boundaries - Regional	III-13
FIGURE 7 - U.S. Coast Guard District Boundaries - Detailed	III-14
FIGURE 8 - New District Alignment	III-15
111.1 - Second Coast Guard District Areas of Responsibility	III-16
FIGURE 1 - MSO Huntington Zone	III-17
FIGURE 2 - MSO Pittsburgh Zone	III-19
FIGURE 3 - Ohio and Big Sandy Rivers	III-22
FIGURE 4 - Ohio, Allegheny and Monongahela Rivers	III-23
FIGURE 5 - Mononghela River	III-24
FIGURE 6 - Allegheny River	III-25
Annex IV - Public Information	
1401 - Public Relations	IV-1
1402 - Public Information Assist Team	IV-2

**Annex V - Notifications, Communications,
and Reports**

1501 - Communications Procedures	V-1
1502 - Inter-Agency Use of Communications Facilities	V-1
1503 - Communications Services Definitions	V-1
1504 - Incident Reporting Systems	V-6
1505 - RRT Semi-Annual Report	V-9
1506 - NOAA Electronic Mail	V-9
EXHIBIT 1 TO ANNEX V - Oil Spill Checklist for Coast Guard RRC Notification of RRT Members	V-12
EXHIBIT 2 TO ANNEX V - Hazardous Substance Checklist for Coast Guard RRC Notification of RRT Members	V-13

Annex VI - Legal Authorities

1601 - Federal Water Pollution Control Act	VI-1
1602 - Comprehensive Environmental Response, Compensation and Liability Act	VI-2
1603 - Related Laws/Treaties	VI-3

Annex VII - Interagency Support Arrangements/Agreements

EXHIBIT 1 - IAA, USCG-USN: Cooperation in Oil Spill Clean-up Operations and Salvage Operations	VII-3
EXHIBIT 2 - IAA, USCG-US F&W S; Participation in Pollution Incidents	VII-9
EXHIBIT 3 - MOU, USCG-EPA; Mitigating Damage to Public Health or Welfare Caused by a Discharge of a Hazardous Substance	VII-13
EXHIBIT 4 - MOU, USCG-NIOSH-OSHA-EPA; Guidance For Worker Protection	VII-15
EXHIBIT 5 - MOU, USCG-EPA; Mechanism for Funding Vendor Costs Incurred by the Coast Guard	VII-17

EXHIBIT 6 - IAA, DOT-EPA; Redelelegation of Certain Pollution Response Functions Under CERCLA	VII-25
EXHIBIT 7 - MOU, DOT-DOI; Respective Respon- sibilities Under the National Oil and Hazardous Substances Contingency Plan	VII-26
EXHIBIT 8 - MOU, DOI-DOT; Regulation of Activities on the Outer Continental Shelf	VII-28
EXHIBIT 9 - MOU, USCG-OSHA; Occupational Health and Safety on the Outer Continental Shelf	VII-39
EXHIBIT 10- IAA, USCG-COFE, Ocean Dumping	VII-44
EXHIBIT 11- MOU, USCG-EPA; Assessment of Civil Penalties	VII-47
EXHIBIT 12- Instrument of Redelelegation	VII-50
EXHIBIT 13- Agreement Between the United States and the State of Maryland Concerning Reimbursement From the Federal Pollution Fund	VII-52
EXHIBIT 14- Memorandum of Understanding USCG-MD Water Resources Administration	VII-59
EXHIBIT 15- Memorandum of Understanding USCG-VA State Water Control Board	VII-60
Annex VIII - Dispersants Checklist	
EXHIBIT 1 - Dispersant Use Decision Process	VIII-4
EXHIBIT 2 - Streamlined Dispersants Checklist	VIII-5
Criteria for Monitoring Dispersant Use	VIII-9
Annex IX - ASTM Dispersants Use Guidelines	
EXHIBIT 1 - Environmental Protection Agency National Contingency Plan Product Schedule - July 1987	IX-2
Annex X - National Contingency Plan	
NOT INCLUDED IN THIS DOCUMENT	

STANDARD FEDERAL REGION III
REGIONAL OIL AND HAZARDOUS SUBSTANCES

POLLUTION CONTINGENCY PLAN

SUBPART A - INTRODUCTION

300.1 Purpose and Objectives:

This Plan provides for a pattern of coordinated and integrated response by Departments and Agencies of the Federal Government to protect the environment from the damaging effects of pollution. It promotes the coordination and direction of Federal, state, and local response systems and supports the development of local government and private capability to handle such incidents. The objective of this Plan is to provide for efficient, coordinated, and effective action by government agencies to minimize damage from oil and hazardous substance discharges.

The Region III Regional Contingency Plan (RCP) is prepared in compliance with the National Contingency Plan (NCP). The RCP represents the chief working document for the Regional Response Team (RRT) in preparedness activities. Local emergency response plans should be coordinated with any Federal local contingency plans (LCPs) prepared in compliance with the NCP.

Title III of the Superfund Amendments and Reauthorization Act (SARA) requires the establishment of state emergency response commissions (SERCs), emergency planning districts, and local emergency planning committees (LEPCs). The RCP objectives call for coordination with these entities and the provision of planning assistance.

300.2 Authority:

a. The Federal Water Pollution Control Act (FWPCA), as amended by the Clean Water Act of 1977 (CWA) (33 USC 1321 et. seq.), and the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA) (42 USC 9601), Superfund Amendments and Reauthorization Act of 1986 (SARA) state that the President shall prepare and publish a National Contingency Plan for removal of oil and hazardous substances. Such a plan shall provide for efficient, coordinated and effective action to minimize damage from oil discharges or hazardous substance releases. Accordingly, the Environmental Protection Agency developed the National Oil and Hazardous Substances Contingency Plan (NCP) (40 CFR Part 300).

b. The NCP calls for the establishment of a nationwide system of Regional Contingency Plans (RCP) based on Standard Federal Regions. This plan is part of that system and encompasses Standard Federal Region III, which includes the Commonwealths of Pennsylvania and Virginia, the states of Delaware, Maryland, West Virginia, and the District of Columbia (See Annex III).

c. The NCP and this plan require a regional net of Federal Local Contingency Plans (LCP) for areas in which the Coast Guard provides the predesignated On-Scene Coordinators (OSC). SARA establishes local emergency planning districts and LEPCs. Each LEPC is required to prepare a plan by October 17, 1988. Local plans include data on vulnerable resources, potential pollution sources, clean-up equipment, environmental features and other information that will allow the OSC to quickly plan and organize his/her response to a pollution incident.

300.3 Scope:

a. This plan is effective for all areas within Standard Federal Region III. In the context of this plan, the term coastal includes the waters of the territorial sea, contiguous zone, the Great Lakes, and those waters related to activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act or containing resources under the exclusive management authority of the United States as applies to discharges or substantial threats of discharges of oil. The plan also applies to releases or substantial threats of releases of hazardous substances, pollutants, or contaminants which may present an imminent and substantial danger to public health or welfare or to any environmental media. The inland boundary of the Coastal Region has been established by joint Coast Guard/EPA agreement (See Annex III).

b. The provisions of this plan are applicable to all Federal agencies. This plan is based upon the NCP and may be complemented by Federal interagency and local assistance plans and agreements.

c. Three Coast Guard Districts fall within the area of Standard Federal Region III (see Annex III for a map of Standard Federal Region III and Coast Guard Districts). Depending on the location of a pollution incident, one of four individuals may activate the RRT and serve as the Chairperson:

(1) The Regional Administrator, EPA Region III, provides the RRT Chairman for all inland areas of standard Federal Region III.

(2) The Commander, Second Coast Guard District, provides the RRT Chairman when the Coast Guard is serving as the OSC in southwestern Pennsylvania. The U. S. Coast Guard Second District has identified certain river reaches as specified ports and

harbors for the inland river system within EPA Region III and U. S. Coast Guard Second District. The parts of the Monogahela, Allegheny, Ohio and Big Sandy River Systems included as specific ports and harbors are defined in Annex III. The Coast Guard provides OSCs for those incidents involving facilities that engage maritime trade.

(3) The Commander, Fifth Coast Guard District provides the RRT Chairman and OSCs for the coastal areas of Maryland, Virginia, the District of Columbia, the coastal areas of Pennsylvania (except the Great Lakes), Delaware, and the southern part of New Jersey.

(4) The Commander, Ninth Coast Guard District, provides the RRT Chairman and the OSC for the Great Lakes coastal areas of Pennsylvania.

d. In accordance with the NCP, the Coast Guard, through the appropriate Captain of the Port, shall be responsible for developing and maintaining Federal local contingency plans for specified ports and harbor areas in Federal Region III. All Federal local contingency plans are to be coordinated and integrated with local emergency response plans developed by LEPCs.

e. The Department of Defense (DOD) representatives will serve as the RRT Chairperson for incidents involving DOD OSCs.

300.4 Application:

This plan is applicable to response operations taken by all Federal agencies within standard Federal Region III, pursuant to the authorities under CERCLA/SARA and Section 311 of the FWPCA. Distribution of this plan is as per Annex I.

300.5 Abbreviations:

A. Abbreviations as used in the NCP are used in this Plan without change. Additional selected abbreviations from the RCP are added to this list.

1. Department and Agency Title Abbreviations:

- a) COE - U.S. Army Corps of Engineers
- b) DHHS - Department of Health and Human Services
 - 1) ATSDR - Agency for Toxic Substance and Disease Registry
 - 2) CDC - Centers for Disease Control
- c) DOA - Department of Agriculture

- d) DOC - Department of Commerce
 - 1) NOAA - National Oceanic and Atmospheric Administration
 - aa) NESDIS - National Environmental Satellite, Data and Information Service
 - bb) NMFS - National Marine Fisheries Service
 - cc) NOS - National Ocean Service
 - dd) NWS - National Weather Service
 - ee) OAR - Office of Oceanic and Atmospheric Research
- e) DOD - Department of Defense
- f) DOE - Department of Energy
- g) DOI - Department of the Interior
 - 1) FWS - Fish and Wildlife Service
 - 2) MMS - Minerals Management Service
 - 3) NPS - National Park Service
 - 4) USGS - U. S. Geological Survey
- h) DOJ - Department of Justice
- i) DOL - Department of Labor
 - 1) OSHA - Occupational Safety and Health Administration
- j) DOS - Department of State
- k) DOT - Department of Transportation
 - 1) USCG - U.S. Coast Guard
 - aa) AST - Atlantic Strike Team
 - bb) CAA - Commander, Atlantic Area
 - cc) CCGD2 - Commander, Coast Guard District Two, St. Louis, MO
 - dd) CCGD5 - Commander, Coast Guard District Five, Portsmouth, VA

- ee) CCGD7 - Commander, Coast Guard District Seven, Miami, FL
- ff) CCGD9 - Commander, Coast Guard District Nine, Cleveland, OH
- gg) COMDT COGARD - Commandant, U. S. Coast Guard, Washington, DC
- hh) COTP - Captain of the Port
- ii) ETF - Emergency Task Force
- jj) ETG - Emergency Task Group
- kk) LANTAREA - Atlantic Area Strike Force based out of Mobile, Ala.
- ll) MEP - Marine Environmental Protection Branch, CCGD5, CCGD7, CCGD9
- mm) MSO - Marine Safety Office
- nn) NSF - National Strike Force
- oo) OPCEN - Coast Guard District Operations Center
- pp) PIAT - Public Information Assist Team
- 1) EPA - U.S. Environmental Protection Agency
 - 1) EPIC - Environmental Photographic Interpretation Center
 - 2) EERU - Environmental Emergency Response Unit
 - 3) ERCS - Emergency Response Cleanup Services Contracts
 - 4) ERT - Environmental Response Team
 - 5) FCO - Federal Coordinating Officer
 - 6) FIT - Field Investigation Team
 - 7) OSC - On-Scene Coordinator
 - 8) PAAT- Public Affairs Assist Team
 - 9) TAT - Technical Assistance Team
- m) FEMA - Federal Emergency Management Agency

- n) NIOSH - National Institute for Occupational Safety and Health
- o) NRC - National Response Center
- p) NRT - National Response Team
- q) OSC - Predesignated Federal On-Scene Coordinator
- r) RRC - Regional Response Center
- s) RRT - Regional Response Team
- t) SSC - Scientific Support Coordinator
- u) USDA - Department of Agriculture
- v) USN - U.S. Navy

2. Other Abbreviations:

- a) API - American Petroleum Institute
- b) ASTM - American Society of Testing and Materials
- c) BOA - Basic Order Agreement
- d) CAER - Community Awareness and Emergency Response Program
- e) CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended
- f) CGIF - State (VA) Commission of Game and Inland Fisheries
- g) CHEMTREC - Chemical Transportation Emergency Center
- h) CHRIS - Chemical Hazard Response Information System
- i) CIS - Chemical Information System
- j) CMA - Chemical Manufacturers Association
- k) DER - (Pennsylvania) Department of Environmental Resources
- l) EDIS - Environmental Data and Information Services

- m) EHS - Extremely Hazardous Substances
- n) ESI - Environmental Sensitivity Index Maps
- o) FTS - Federal Telecommunications System
- p) FWPCA - Federal Water Pollution Control Act,
as amended
- q) HACS - Hazard Assessment Computer System
(USCG)
- r) IAA - Interagency Agreement
- s) ISHA - Intervention on the High Seas Act
- t) LCP - Local Contingency Plan
- u) LEPC - Local Emergency Planning Committee
- v) MOU - Memorandum of Understanding
- w) MWRA - The Maryland Water Resources Administration
- x) NCP or Plan - National Oil and Hazardous
Substances Contingency Plan
- y) NESS - National Environmental Satellite
- z) NPDES - National Pollution Discharge
Elimination System permits
- aa) OCS - Outer Continental Shelf
- bb) OCSLA - Outer Continental Shelf Lands Act
- cc) OHMTADS - Oil & Hazardous Materials Technical
Assistance Data System (EPA)
- dd) PIRS - Pollution Incident Reporting System
(USCG)
- ee) POLREP - Pollution Report in Message Format
- ff) RCP - Standard Federal Region III Oil and
Hazardous Substances Pollution Contingency Plan
- gg) RQ - Reportable Quantity
- hh) SARA - Superfund Amendments and
Reauthorization Act of 1986
- ii) SERC - State Emergency Response Commission

- jj) SKIM - Spill Cleanup Inventory System
- kk) VIMS - The Virginia Institute of Marine Science
- ll) VMRC - The Virginia Marine Resources Commission

300.6 Definitions.

Definitions as used in the NCP, FWPCA and CERCLA are used in this plan without change.

SUBPART B - RESPONSIBILITY

300.21 Federal Agency Responsibilities

a. In Section 311(b)(1) of the FWPCA, Congress declared "...that it is the policy of the United States that there should be no discharge of oil or hazardous substances into or upon the waters of the United States, the adjoining shorelines or into or upon the waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974, or which may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States (including resources under the Fishery Conservation and Management Act of 1976)." Section 104 of CERCLA states the intent of Congress to provide for removal or remedial action or other response measures consistent with the NCP, whenever any hazardous substance, pollutant or contaminant which may present an imminent and substantial danger to the public health or welfare is released or threatens to be released into the environment.

Title III SARA unifies emergency planning and notification, toxic chemical release reporting and emissions inventory requirements. The NRT with emergency preparedness and response responsibilities published guidance on emergency planning. The Regional Response Teams (RRTs), composed of Federal regional officials and state representatives, may review local emergency response plans and provide technical assistance and training to local emergency planning committees when requested to do so by the LEPC or SERC.

b. To implement Federal policy, Federal agencies have responsibilities to respond to an oil discharge or a hazardous substance release. Subpart B of the NCP outlines the responsibilities of each agency.

c. The RRT has the responsibility of preparing annual work plans to coordinate emergency response and preparedness activities. A semi-annual letter report will be submitted to the NRT by the standing RRT co-chairmen in accordance with the NCP.

At present, RRT members and their contractors are expected to conduct work at a hazardous waste site in accordance with the December 19, 1986 OSHA Interim Final Rule - "Hazardous Waste Operations and Emergency Response." When OSHA does publish final regulations, EPA will publish identical regulations immediately.

d. SARA Section 304 (b) requires that the SERC and community emergency coordinator of the LEPC are notified in the event of a spill or release of any SARA Section 302 (a) extremely hazardous substance (EHS) in an amount equal to or greater than the reportable quantity (RQ) for the chemical. For any EHS chemical which is also on the CERCLA Section 103 (a) list, calls

will be placed to the NRC, SERC, and community emergency coordinator of the LEPC. The party responsible for the spill/release, or their designee shall place these appropriate phone calls. A release of a CERCLA hazardous substance which is not an EHS chemical presently requires only notification to the National Response Center (NRC in Washington, D.C. (800-424-8802) {Section 304 (a)}). Listings of the EHS and the CERCLA hazardous substances are in the April 22, 1987 Federal Register (40 CFR Parts 300 & 355) and in the September 29, 1986 Federal Register (40 CFR Parts 117 & 302), respectively.

300.22 Coordination Among and By Federal Agencies

a. The EPA and the USCG respond to incidents and provide predesignated On-Scene Coordinators (OSCs) within their respective areas; however, DOD shall designate OSCs for releases of hazardous substances, pollutants, or contaminants from DOD facilities and vessels. The EPA will provide OSCs for all FWPCA discharges and non-DOD CERCLA releases into or threatening the inland zone, and unless otherwise agreed. The USCG will provide OSCs for FWPCA discharges and in the case of non-DOD CERCLA releases for immediate removal activities of hazardous substances, pollutants or contaminants into or threatening the coastal zone. The USCG will initially provide predesignated OSCs for discharges and releases from hazardous waste management facilities within the coastal zone. This includes abandoned dumpsites or other similarly chronic incidents. MOU procedures for USCG Second District require that the USCG provide predesignated OSCs for all discharges into ports and harbors for the Monongahela, Allegheny, Ohio, and Big Sandy River Systems. The EPA will provide an OSC for such incidents within forty-eight hours of initial notification. The redelegation of responsibility has been established by joint EPA and USCG agreement. This agreement is contained in Annex VII.

b. The Region III RRT serves as a regional body for Federal and Commonwealth/State agencies to coordinate planning and preparedness activities before, and response actions during, a pollution incident. Through this coordination of Federal and Commonwealth/State agencies, resources and other types of assistance are made available to the OSC. The Region III RRT Federal and State agency members are listed below.

c. Federal Agency RRT Membership

- | | |
|------------------------|---|
| 1) Dept of Agriculture | - U. S. Forest Service
Broomall, PA |
| 2) Dept of Commerce | - NOAA, Ocean Assessments Div.
Rockville, MD |

- 3) Dept of Defense - RRT Representative to be designated in future. NRT representative to be utilized in the interim.
- 4) Dept of Energy - VA/WV: Oak Ridge Operations Office
Oak Ridge, TN

PA/DE/MD/DC: Brookhaven Area Office
Upton, NY
- 5) Dept of Health & Human Services, Region III - Philadelphia, PA
- 6) Dept of Interior - Office of Environmental Project Review
Philadelphia, PA
- 7) Dept of Justice - Land and Natural Resources Division
Environmental Enforcement Section
Washington, DC 20430
- 8) Dept of Labor - OSHA
Philadelphia, PA
- 9) Dept of State - Department of State
Washington, DC
- 10) Dept of Transportation - Commander, Coast Guard district
in which incident occurs.
- 11) Environmental Protection Agency - EPA Region III,
Philadelphia, PA
- 12) Federal Emergency Management Agency - FEMA Region III
Philadelphia, PA

d. State Agency RRT Membership:

- 1) Delaware - DE Department of Public Safety
Emergency Planning and Operations Div.
P.O. Box 527
Delaware City, DE 19706
- 2) Maryland - Water Resources Administration (oil)
Annapolis, MD

- Maryland Department of the Environment
Waste Management Administration
201 W. Preston St.
Baltimore, MD 21201
- 3) Pennsylvania - Dept of Environmental Resources
Harrisburg, PA

- 4) Virginia
 - Department of Emergency Services
Richmond, VA
- 5) District of Columbia
 - Department of Consumer and
Regulatory Affairs
Environmental Control Division
614 H Street N.W.
Washington, DC 20009
 - Office of Emergency Preparedness
Plans and Training Division
2000 14th Street N.W.
8th Floor
Washington, DC 20009
 - D.C. Fire Department
Fire Prevention Division
Deputy Fire Chief
613 G Street N.W., Room 810
Washington DC 20001
- 6) West Virginia
 - Department of Natural Resources
Charleston, WV

300.23 Assistance by Federal Agencies

The NCP indicates that certain Federal agencies (listed above in section 300.22(c)) have duties, established by statute, Executive Order, or Presidential directive, which may be relevant to Federal response action following or in the prevention of a discharge of oil or a release of a hazardous substance, pollutant, or contaminant. The agencies' roles, responsibilities, resources, and types of assistance that may be provided to the OSC are described below.

a. The Department of Agriculture

DOA provides expertise in managing agriculture, forest, and wilderness areas and in selecting landfill disposal sites. The USDA Soil Conservation Service can be helpful in predicting effects of pollutants on soil and their movements over and through soil. The U.S. Forest Service has the capability and equipment to make temporary roads for access to remote areas.

b. The Department of Commerce

DOC through NOAA, provides support to the NRT, RRT, and the OSC with respect to living marine resources for which it has management authority, including marine mammals and endangered species; meteorology, hydrology, ice, and oceanographic data for ocean, coastal and certain inland waters; tide and current information; charts and maps; and satellite imagery. In response

to requests from Coast Guard OSCs, the Scientific Support Coordinator (SSC) provides OSC assistance for spills and releases in coastal and off-shore areas. (See Section 300.34 for further SSC information.) NOAA policies within the RRT will be handled by the NOAA RRT representative. However, in certain circumstances, the SSC will advise the RRT. NOAA also serves on behalf of the Secretary of Commerce as a Federal trustee for natural resources under Federal jurisdiction that are damaged or destroyed as a result of a release of oil or hazardous materials in coastal and marine waters and certain upland areas. NOAA is responsible for assessing damages, presenting claims, and developing and implementing restoration or replacement plans. Other DOC resources and support that can be provided are described below. Methods of obtaining available assistance are either to contact the appropriate office or the RRT member who will coordinate action.

1. National Ocean Service (NOS)

a) During an oil or hazardous substance spill event, a representative from the Atlantic office in Washington, DC. serves as NOAA's RRT member to coordinate NOAA's scientific capabilities as part of the Federal response to the spill event. In this capacity, the NOS acts to ensure that the appropriate NOAA components provide: expertise on living marine resources for which NOAA is responsible, including endangered species and marine mammals; current and predicted meteorological data, hydrologic data, and oceanographic conditions for the high seas, coastal, and related inland areas of the United States; charts, maps and tide/current information for coastal and territorial waters; and assist in damage assessment efforts in coastal regions and on the high seas. These services will be in addition to those which can be provided to the OSC by the SSC.

b) Also available from the NOS are two twin-engine photo aircraft capable of very high quality metric photography. Fast response film processing is available. The Office of Marine Operations manages NOAA's fleet of ships capable of oceanographic, hydrographic, wire-drag, tidal current, and fisheries surveys.

2. National Weather Service (NWS)

a) The NWS can provide hydrologic and meteorological assistance in case of a spill. This assistance usually includes, but is not limited to, on-scene weather forecasts (for computer to computer weather information, see Annex V), aviation forecasts, daily discharge and velocity forecasts, water temperature, and carrier movement forecasts, and 30-day water supply forecasts. The local NWS weather radio can be used to broadcast warnings. These services are available through the NWS Eastern Region Office in Garden City, NY or NWS Field Offices.

3. National Marine Fisheries Service (NMFS)

a) Northeast facilities. NMFS, through its Northeast Region at Gloucester, MA, and Northeast Fisheries Center (with laboratories at Woods Hole, MA; Narragansett, RI; Milford, CT; Sandy Hook, NJ; and Oxford, MD) is available to provide a broad variety of biological and oceanographic services that can be used to address the impact of spill contaminants and cleanup operations on marine organisms and the marine ecosystem. Such services include population assessments to determine mortalities, laboratory facilities for specific contaminant impact at sub-lethal levels on marine organisms, and a nationally recognized group of marine pathologists. The Regional Office maintains extensive contacts with the commercial fishing industry, marine recreational interests, and state fisheries agencies.

b) Northwest facilities. At the Northwest and Alaska Fisheries Center in Seattle, WA, a full range of hydrocarbon analytical chemistry facilities, including state-of-the-art gas chromatography-mass spectroscopic (GC-MS) technology, is available. Chemists and toxicologists at this facility can consult on properties and toxic potential of various hydrocarbon contaminants.

4. National Environmental Satellite, Data and Information Services

a) National Environmental Satellite Services (NESS). Satellite data products are available to support the OSC through NOAA's NESS in Suitland, MD. The NOAA polar orbiting satellites currently provide observations of the northeast coastal region at resolutions of 1/2 to 2 nautical miles twice daily. The NOAA geostationary satellite provides comparable resolution at one-hour intervals.

b) Environmental Data and Information Services (EDIS). Climatological data on marine weather, oceanic conditions, and water column characteristics are available through EDIS's National Climatic Center in Asheville, NC, and the National Oceanographic Data Center in Washington, DC. Trained personnel are available in these organizations to meet specific analytical requirements of the OSC in physical oceanographic and environmental areas.

5. Office of Oceanic and Atmospheric Research

Broad-range oceanographic capabilities are based at Atlantic Oceanographic and Meteorological Laboratories, Miami, FL. limited long-range aircraft surveillance capabilities are available through NOAA's R & D Research Flight Center, also based in Miami.

d. Department of Defense (DOD)

DOD provides representatives from the U. S. Army, U. S. Army Corps of Engineers (COE), and U. S. Navy to the RRT. Resources and assistance available from these agencies are outlined below. The appropriate RRT member should be contacted for desired support.

1) The U. S. Army's various military facilities have vehicles, equipment, and, in some cases, aircraft, which can be made available in the event of critical spill incidents. In addition, construction related equipment, such as barges at Fort Eustis, may be locally available.

2) COE can provide expertise in all disciplines of engineering. The COE can also provide assistance in the area of dredging, surveying, supply vessels, and manpower. The expertise can be used for clearing channels, locating obstructions, etc. Activation of the Corps resources in support of an RRT activity would be in the form of a written mission assignment and on a reimbursable basis. This mission assignment will outline the parameters of work to be done and estimated dollar authority to accomplish the prescribed mission.

3) U.S. Navy. Commander Naval Base, Norfolk can provide expertise and material/equipment/manpower support to a variety of areas within certain limitations. Under the COMNAVBASE NORVA role as Navy Coordinator, the Atlantic Division, Naval Facilities Engineering Command Environmental Quality Branch, can provide technical expertise on such subjects as inactive waste disposal site investigations, hazardous waste, PCBs, solid waste, oil industrial waste water pre-treatment and air pollution in accordance with applicable Federal laws. Preventive Medicine Unit 2 and the Naval Medical Command have industrial hygienists and health physicists to provide expertise in radiation, toxic substances, and industrial operations. The Navy Public Works Center Utilities Branch can provide expertise in the areas of hazardous material, hazardous waste, and packaging and shipping requirements of such. In addition, the U.S. Navy Supervisor of Salvage (SUPSALV) can provide expertise in the salvage of damaged vessels and, through pre-established arrangements, can provide vessels and equipment to assist in this regard. SUPSALV also has limited quantities of spill response equipment sited at strategic locations. This equipment is primarily intended for use in offshore response operations. COMNAVBASE NORVA can additionally provide, under strict limitations and by specific request, material/equipment/manpower support to respond to oil discharges of the navigable waters. The Navy Reclamation Facility at Craney Island, Virginia, can recycle many recovered oils.

e. The Department of Energy (DOE)

DOE through the Radiological Assistance Program and Federal Radiological Monitoring Assessment Program can assess the magnitude and impact of a radiological incident. They will provide assessments to states and cognizant federal agencies.

f. The Department of Health and Human Services (DHHS)

1) Following the enactment of CERCLA, the Agency for Toxic Substances and Disease Registry (ATSDR) was created to coordinate DHHS activities as defined in the Act. DHHS is responsible for providing direct on-scene or indirect assistance for chemical spills and emergencies in which there is a potential or actual threat to the public's health. Requests for assistance may be made directly to the DHHS Regional Response Team (RRT) member in Philadelphia, PA.

2) The Agency for Toxic Substances and Disease Registry (ATSDR) has assigned a Public Health Advisor to the EPA Region III office in Philadelphia, PA. This individual's responsibilities include health related field guidance and laboratory support, access to toxicology data bases for health and medical data, biological sampling, and testing and recommendations for environmental testing. During an emergency response, the OSC may call upon the ATSDR representative to provide consultation and advice on whether potential or real threats to human health may exist. This information is available directly to the OSC at the scene of the response.

3) When necessary, Public Health Advisors from the ATSDR will coordinate or perform the following activities:

a) visit the spill scene to determine threats to human health and to recommend environmental sampling or monitoring procedures to define the extent of exposure,

b) review available background information about the pollution incident and estimate the potential for human exposure to hazardous substances on-site, and to hazardous substances which may have migrated off-site,

c) determine the potential toxic hazard of substances identified at the site,

d) provide advice as to the necessity of relocating nearby and, off-site residents, or taking other preventive measures,

e) outline potential pathways to human populations based upon soil contamination, wind direction, water contamination, biomagnification and/or food chain involvement, and

f) review plans for the safety and health of workers on-site, and provide advice about operations to assure worker safety and health and compliance with appropriate OSHA regulations.

g. The Department of the Interior (DOI)

DOI can provide information about the lands and resources specifically under DOI jurisdiction as well as technical expertise related to geology, hydrology, minerals, fish and wildlife, cultural resources, and recreational resources. The DOI can conduct assessments of damages to natural resources under its jurisdiction. DOI has trustee responsibilities for the National Wildlife Refuge System, National Fish Hatchery System, and National Park System. See Annex III for a detailed listing of DOI facilities. Within the Department, individual bureaus have specific responsibilities and capabilities as follows:

1) The U. S. Fish and Wildlife Service (FWS) can provide expertise on migratory birds, endangered and threatened species, and wildlife habitat, and can advise on fish and wildlife protection methods. It can provide information concerning national wildlife refuges and national fish hatcheries managed by the FWS. The FWS may be able to provide vehicles and boats for spill response in the vicinity of national wildlife refuges. The FWS has the expertise, personnel, and basic equipment necessary to disperse or capture birds, and to coordinate and conduct bird rehabilitation activities at a spill site. The FWS maintains liaison with FWS trained organizations (such as Audubon Society Chapters or Tri-State Bird Rescue) that can provide local volunteers to assist in bird rehabilitation operations related to oil spill incidents. Specific areas of concern are:

a) Waterfowl Protection. Contamination of waterfowl during oil spills is an issue of serious concern to an OSC. The impacts of oil contamination on waterfowl, public interest and concerns about the welfare and care of oiled waterfowl, and information needs by the news media are issues to be managed as part of the overall cleanup activities by the OSC. Whenever a spill incident involves or threatens waterfowl, the DOI representative on the RRT should be requested to organize and oversee waterfowl protection efforts. Partial activation of the RRT for assistance in this area, and partial opening of the FWPCA 311 Fund may be necessary.

b) The most effective method of bird protection is to prevent or discourage waterfowl from entering contaminated areas. This often may be accomplished by using various waterfowl repelling measures. FWS has personnel and equipment that may be utilized for such response actions. At the first indication of waterfowl involvement in oil spill incidents, the OSC should alert the DOI representative for activation of appropriate response actions.

c) Endangered Species. Technical assistance and guidance on endangered and threatened wildlife and plants are available from the FWS. All requests for such assistance should be directed to DOI RRT representative.

2) The Minerals Management Service (MMS) has expertise in geology, geophysics, and petroleum engineering. It can provide expertise concerning oil drilling, producing, handling, and pipeline transportation, and it has access to and supervision over continuously staffed facilities that can be used for command, control, and surveillance of spills occurring from operations conducted under the Outer Continental Shelf Lands Act.

The MMS can direct a lessee to clean up pollution with their equipment (Clean Atlantic Associates) or via direct contracts. This authority is spelled out in OCS Order No. 7 and in 30 CFR 250.43. The MMS has the authority to suspend any activity within a 500 meter radius of any pollution source for abatement purposes as stated by the Memorandum of Understanding of August 16, 1971, between DOI and DOT.

3) The National Park Service (NPS) can provide expertise on historical, archaeological, architectural, and recreational resources and sites on the National Register of Historic Places. The NPS can also provide information on units of the national park system, including national parks, monuments, seashores, battlefields, and preserves; and, national historic sites, rivers, recreation areas, and parkways.

The NPS may be able to provide vehicles and boats locally for spill response in the vicinity of units of the national park system.

4) The U. S. Geological Survey (USGS) can provide expertise on geologic, geohydrologic, and geochemical resources, as well as information on ground and surface waters. The USGS maintains stream flow gauges in every state, can provide historical stream flow information, assist in predicting the time/travel/trajectory of spills, and can collect and analyze surface and ground water samples.

5) The Bureau of Mines can provide expertise on the analysis and identification of inorganic hazardous substances, and of acid mine drainage.

h. The Department of Justice

DOJ can provide legal advice to deal with judicial questions arising from discharges, releases, and Federal agency responses.

i. The Department of Labor

DOL through the Occupational Safety and Health Administration (OSHA) will provide the OSC with advice, guidance, and assistance regarding hazards to persons involved in removal or control of

oil or chemical spills, and in the precautions necessary to prevent endangerment of their health and safety. OSHA and states having OSHA approved plans have responsibility for employee health and safety at response activities and will provide site inspections upon request. The OSHA Interim Final Rule - "Hazardous Waste Operations and Emergency Response" (Federal Register, December 19, 1986, Page 45654) is presently used to regulate employee health and safety during emergency response and at hazardous waste operations until the final rule is published.

j. The Department of State

DOS will lead in developing joint international contingency plans. It will also help to coordinate an international response when a pollution discharge or release crosses international boundaries or involves foreign flag vessels. Additionally, this department will coordinate requests for assistance from foreign governments and U.S. proposals for conducting research at incidents that occur in waters of other countries.

k. The Department of Transportation

1) On behalf of DOT, the U.S. Coast Guard provides the predesignated OSCs for coastal zones and chairs the RRT when it is activated during a removal. The Coast Guard also provides a representative to the RRT when activated for inland discharges. In coastal zones, the Coast Guard will insure that the NCP is effectively and efficiently implemented with optimum coordination among Federal agencies and will recommend changes in the Plan as deemed necessary. When the RRT is activated for inland incidents, the Coast Guard will provide technical expertise and resources available within the service to the OSC relative to environmental protection and mitigation during periods of activation. The Coast Guard can offer expertise in the fields of marine environmental protection, port safety and security, marine law enforcement, ship navigation and construction, and the manning, operation, and safety of vessels and marine facilities. For the purpose of planned RRT meetings, a member of the U.S. Coast Guard will serve as co-chairperson with the EPA.

2) The Coast Guard (USCG) maintains facilities, vessels, aircraft, and vehicles which can be used for command, control, and surveillance of pollution incidents occurring in coastal areas. The USCG also maintains special forces and teams including the National Strike Force (NSF), the OSC Emergency Task Force (ETF), the Coast Guard District Staff Emergency Task Group (ETG), and the Public Information Assist Team (PIAT). See Section 300.34 of this plan for further discussion of these special forces.

3) Coast Guard Environmental Health Officers are located at Coast Guard Headquarters and each district office. The Environmental Health Officers, if available, can provide technical assistance to the OSC during an incident.

1. Environmental Protection Agency

1) The EPA provides predesignated OSCs for all incidents in the inland zone and chairs the RRT when activated for a release or potential release. EPA also provides a Federal representative to the RRT when activated for incidents in the coastal zone. For the purpose of planned RRT meetings, an EPA member will serve as co-chairperson with the Coast Guard. Within the inland zone, EPA will insure that the NCP is effectively and efficiently implemented with optimum coordination among Federal agencies and will recommend changes in the Plan as deemed necessary. When the RRT is activated for incidents in the coastal zone, EPA will provide technical expertise and resources available within the Agency to the OSC relative to environmental protection and mitigation during periods of activation. Such resources include, but are not limited to, EPIC overflights, ERT, EERU, TAT, ERCS and FIT. Many of these resources are described in Section 300.34, Special Forces and Teams, of this Plan.

2) Oil and Hazardous Materials Technical Assistance Data System (OHMTADS) is an EPA Headquarters computer data base accessible through any remote terminal. OHMTADS data base provides a wide variety of physical, chemical, biological, toxicological, and commercial data on over 1400 materials with emphasis placed on their harmful effects on water quality. This system supplements the CHRIS system and is another valuable source of information.

3) Environmental Response Team (ERT). ERT has been established by EPA to provide expertise in biology, chemistry, hydrology, geology and engineering. The Team can provide to the OSC advice and special equipment, including mobile laboratory equipment and a mobile incinerator, for hazardous substances releases. A more complete inventory of support expertise is contained in Section 300.34.

m. Federal Emergency Management Agency

FEMA provides technical assistance to state and local governments during "Superfund" hazardous materials accidents which could require the evacuation or planned temporary relocation of individuals or the permanent relocation of households, businesses, or community facilities. Emergency response training, workshops and seminars are available through FEMA's National Emergency Training Center, located in Emmitsburg, Maryland, including topic areas of emergency management, fire service, law enforcement, emergency medical services and public works. FEMA is responsible for the administration of \$5,000,000 in Superfund emergency training monies for each fiscal year from 1986 to 1990. These monies are available to existing state and local training programs which support state and local emergency planning and chemical preparedness activities. FEMA is also a supply source for flood maps which may be used for local contingency planning. FEMA's Disaster Assistance Programs Division may offer various forms of public and individual

assistance to supplement state and local response efforts in the wake of an emergency or declaration of a major disaster by the President. FEMA's National and Regional Emergency Response Teams provide coordination of Federal response and technical assistance to state and local governments in extraordinary situations of unique national significance, such as commercial nuclear power plant or nuclear weapons accidents.

300.24 Commonwealth/State and Local Participation

a. Every state governor is asked to assign an office or agency to represent the state on the RRT. The state's representative should participate fully in all facets of RRT activity and shall designate the appropriate element of the state government that would undertake direction of state managed oil discharges or hazardous substance releases. Each State RRT member also represents and coordinates the RRT involvement of various other state, county, and municipal organizations. The local emergency planning committees (LEPCs) are responsible for the development of local emergency response plan by October 17, 1988 in accordance with SARA, Sections 301 to 303. The local emergency response plan must be reviewed by a SERC. The governor of each state designated a SERC by April 17, 1987. The RRTs may review the plans and provide assistance if the SERC or LEPC so requests. Federal Local Contingency Plans provide for coordination with local government organizations such as county, city or town governments. This is especially important for traffic control, land access, and disposal of oil or hazardous materials removed in response operations. Commonwealth/state conservation departments, through their representative on the RRT, shall coordinate wildlife preservation measures for non-migratory animals. When necessary, the closing of areas to commercial fishing and shellfish harvest due to health hazards will be accomplished by the appropriate commonwealth/state agency.

b. The Commonwealth of Virginia

1) The Virginia State Water Control Board is the enforcement agency for the water pollution laws in the Commonwealth of Virginia and coordinates response to spills. Agency personnel are available 24 hours a day for investigation of pollution incidents and assessment of environmental damages. The VSWCB can provide laboratory services and water quality survey assistance. Requests for disposal sites and incinerators for waste oil should be coordinated through this agency.

2) The Virginia Department of Emergency Services (DES) coordinates disaster response actions and provides guidance and assistance. If a threat to human safety exists in pollution cases, DES obtains and coordinates requested assistance from local governments. This department represents the commonwealth for all RRT activities.

3) State Department of Health through the Division of Solid and Hazardous Waste promulgates and enforces state regulations on hazardous waste, transportation and disposal. Personnel are trained to provide technical assistance concerning response, cleanup and disposal for hazardous substances releases.

4) The Virginia Institute of Marine Science (VIMS), the Virginia Marine Resources Commission (VMRC), and the State Commission of Game and Inland Fisheries (CGIF) may provide valuable assistance in cases involving damage to aquatic resources. Requests for the assistance of these groups should be channeled through the VSWCB.

c. The State of Maryland

1) The Maryland Water Resources Administration (MWRA) is the lead agency in the state for enforcement of state oil pollution laws and response to oil pollution incidents. The MWRA is equipped and staffed to respond to any oil pollution incident in state waters. The MWRA will respond to any incidents in Maryland, where there is a need for emergency containment and control. The Coast Guard and Maryland have a Memorandum of Understanding for response equipment which may be used by an OSC. The MWRA will represent Maryland for all incident specific activations of the RRT involving oil.

2) The Maryland Department of the Environment, Waste Management Administration, responds to hazardous materials incidents. A member of this department will be the RRT representative for the state of Maryland for all activations of the standing RRT and all incident specific activations involving chemicals, pollutants, or contaminants other than oil.

d. The State of Delaware

1) The Department of Natural Resources and Environmental Control, Division of Environmental Control, maintains listings of commercially available resources in Delaware. The department will provide response assistance on hazardous materials incidents, oil spills, public health exposures and information and advice concerning local habitat, wildlife and fisheries. A member of this department will be the RRT representative.

e. The Commonwealth of Pennsylvania

1) The Department of Environmental Resources (DER) will coordinate state response to spills and can provide laboratory services and water quality survey assistance. DER maintains listings of permitted landfills and incinerators for oil and oil debris. A member of this department will be the RRT representative.

f. The District of Columbia

1) The Department of Consumer and Regulatory Affairs, Environmental Control Division, provides response assistance and coordination for spills or releases of either oil or hazardous materials. A member of this department will be the RRT representative.

g. The State of West Virginia

1) The Department of Natural Resources through the Water Resources Division represents the state's interests on both the Standing RRT and any activations of Incident Specific RRTs that involve West Virginia.

300.25 Non-Government Participation

a. There are several non-governmental entities that can provide assistance during a pollution response action within Federal Region III. A partial listing of this information is provided below and further information is contained in the Federal local contingency plans.

b. Chemical Transportation Emergency Center (CHEMTREC) - Provides technical expertise, coordination of chemical manufacturers, emergency response information on chemical spills 1-800-424-9300 (24-hour emergency number); for planning purposes: (202)887-1255 during working hours.

c. Bureau of Explosives - Association of American Railroads, Washington, DC can provide technical advice during train accidents. The Bureau of Explosives may provide assistance in the areas of accident assessment, classification of materials, environmental impacts, methods of cleanup and mechanical evaluations of trains. May be contacted through CHEMTREC (800) 424-9300 or at (202)835-9500 (24-hour number).

d. Old Dominion University, Oceanography Department, Norfolk, VA 23508, telephone (804)489-6477. Old Dominion University has one 65-foot oceanographic vessel that gives them the capability for large-area surveillance and water sampling. The University also has some laboratory facilities.

e. Chesapeake Bay Foundation. The Church, Prince George and East Streets, Box 1709, Annapolis, MD 21404, telephone (301) 268-8816. The Foundation is staffed with biologists who specialize in estuarine ecology. They can provide assistance in evaluating and monitoring damage to natural resources due to a spill as well as help in relieving the damage.

f. American Petroleum Institute, 2100 L Street, NW, Washington, DC 20037, telephone (202)457-7064. This is an organization consisting of representatives of the petroleum industry. Technical and operational expertise is available.

g. National Association of Agricultural Chemists. 24-hour emergency phone number is (513)961-4300. This organization can provide assistance during incidents involving pesticide spills. The trade name and any available information on the amount and location of the spill should be given when assistance is requested.

h. Chemical Manufacturers' Association (CMA) is an association of chemical manufacturers and is located in Washington, DC. CMA's Community Awareness and Emergency Response (CAER) program provides guidance to chemical plant manufacturers for interaction with the local community in the development of local hazardous materials response plans. Item b. CHEMTREC (above) is provided by CMA.

SUBPART C - ORGANIZATION

300.31 Organizational Concepts.

At its June 1, 1984 meeting, the NRT mandated the realignment of RRTs. It was noted that some thirty to forty RRTs and associated contingency plans had evolved over the past ten years. In recognition of the conflicting organizational structures within the RRT membership, the NRT provided for the establishment of standing and incident specific RRTs. The standing RRTs responsibilities include planning, preparedness, training, coordination, communications, community relations, and evaluation on a Region-wide basis. Incident specific RRTs will be activated as necessary for response operations tailored to the geographic location and nature of the incident. The EPA or USCG will activate incident specific RRTs for releases from DOD vessels or facilities at the specific request of the DOD agency involved. The chairperson will be determined by the location of the release of potential release and the geographic areas of responsibility outlined in Annex III. As a result of SARA Title III: Emergency planning and community right-to-know, each state established a State Emergency Response Commission (SERC). Each SERC in turn designated districts to form local emergency planning committees (LEPCs). The LEPC is responsible for the development of a local emergency response plan by October 17, 1988. Due to the broad representation (fire, police, emergency management, local officials, public health officials, chemical facility representative...) on the LEPC, the LEPC is a valuable resource in the event of an RRT response to a chemical disaster.

300.32 Planning and Coordination

a. A discussion of the NRT and its responsibilities and functions is presented in Section 300.32 of the NCP and remains unchanged in this plan.

1) The NRC is the national communications center for activities related to pollution response actions. It is located at USCG Headquarters in Washington, DC. The NRC receives and provides computer developed spill trajectory forecasts for spills, disseminates OSC and RRT reports to the NRT when appropriate and provides facilities for the NRT to use in coordination of a national response action when required.

2) Notice of an oil discharge or a release of a hazardous substance in an amount equal to or greater than the reportable quantity must be made immediately in accordance with 33 CFR Part 153, Subpart B, Section 103(a) of CERCLA and 40 CFR Parts 117 and 302. Notification shall be made to the NRC Duty Officer, at telephone number (800)424-8802 (or current local telephone number). All notices of discharges or releases received at the NRC will be relayed to the OSC and the appropriate state.

SARA Section 304 (b) requires notification of the SERC and community emergency coordinator of the LEPC in the event of a spill or release of any SARA 302 (a) extremely hazardous substance (EHS) in an amount equal to or greater than the reportable quantity (RQ) for the chemical. For any EHS chemical which is also on the CERCLA Section 103 (a) list, notification should be made to the NRC, SERC and community emergency coordinator of the LEPC.

3) The NRC also maintains a technical library on oil and hazardous substances and can evaluate chemical hazard discharges. The following two systems are in use:

a) The Chemical Hazards Response Information System (CHRIS). CHRIS is a system developed to provide Coast Guard personnel with timely information essential for proper decision making during emergencies involving hazardous substances. It is available at the NRC, RRCs and Coast Guard Marine Safety Offices. Through the use of tables, graphs and simple arithmetic, the system provides an OSC with valuable information that will enable him to effectively deal with a hazardous chemical discharge incident. The system consists of four reference guides or manuals, a Hazard Assessment Computer System (HACS) and a support organization at Coast Guard Headquarters.

b) The Hazard Assessment Computer System (HACS). HACS can be described as the computerized counterpart to CHRIS. This system is designed to supplement, not replace, calculations made from CHRIS. The system can be accessed through the NRC duty officer by providing the full name of the chemical involved, environmental condition, and dimensions of the affected water body. The NRC can then provide a detailed hazard assessment in about 2 hours.

b. The standing RRT serves as the regional body for planning and preparedness actions before a response action is taken. Except for periods of activation for a removal action, the representatives of EPA and USCG shall act as co-chairmen. The chairman for periods of removal action will be provided by the agency providing the OSC for the removal operation. A listing of the RRT representatives can be found in Annex III. The standing RRT will:

1) make continuing review of regional and local responses to discharges or releases, consider available legal remedies, equipment readiness, and coordinate among responsible public agencies and private organizations,

2) based on observations of response operations, recommend revisions of the National Contingency Plan to the NRT,

3) consider and recommend necessary changes to the RCP based on continuing review of response actions in the region,

4) review OSC actions to help ensure that Federal regional and Federal local contingency plans are developed satisfactorily,

5) be prepared to respond to major discharges or releases outside the region,

6) meet at least semi-annually to review response actions carried out during the preceding period, and consider changes in Federal regional and Federal local contingency plans, and

7) provide letter reports on their activities to the NRT twice a year, no later than January 31 and July 31. At a minimum, reports will summarize recent activities, organizational changes, operational concerns, and efforts to improve state and local preparedness.

8) review local emergency response plans upon request by an LEPC or a SERC.

300.33 Response Operations.

Predesignated OSCs will supervise all federally funded response and cleanup efforts within Standard Federal Region III. OSCs shall monitor all discharges/potential discharges where responsible parties have accepted liability to the degree necessary to insure all statutory/regulatory mandates are fulfilled. In either case, the OSCs must insure community relations are adequately addressed. This may be accomplished by developing a community relations plan on-scene and by working through members of the LEPC. OSCs should be aware of the information contained in local emergency response plans which the LEPCs will develop by October 17, 1988. OSCs for the inland zone are predesignated by the EPA Regional Administrator. The specific geographical areas of responsibility for OSCs are outlined in Annex III. OSCs for the Coastal Zone are predesignated by Commandant, USCG when assigned as Commanding Officers of Marine Safety Offices or Captain of the Port. See Section 300.45b for listing and addresses. The following EPA personnel are predesignated OSCs:

Charles Dispoto	(215) 597-4173
Jack L. Downie	(304) 233-9831
George English	(215) 597-0807
Douglas P. Fox	(215) 597-1389
Gerald T. Heston	(215) 597-9355
Alan Jackson	(215) 597-1395
Stephen D. Jarvela	(215) 597-7915
Edward M. Powell	(215) 597-8170
Lisa Price	(215) 597-1357
Jerry Saseen	(304) 233-9831
Lynn Wilder	(215) 597-2711
Benton M. Wilmoth	(304) 233-9831
David P. Wright	(215) 597-3184

Phillip C. Younis	(215) 597-9328
Vincent E. Zenone	(215) 597-3038

NOTE: These lists are accurate as of date of initial printing. Changes to the list due to attrition, etc., will be maintained in the EPA RRC.

300.34 Special Forces and Teams.

Different Federal agencies can provide special forces, as delineated in the NCP, that an OSC may call upon for assistance during an oil discharge or hazardous material release. These special forces are described below. They may be requested through the agency's RRT member.

a. Department of Transportation - USCG Forces.

1) The National Strike Force (NSF) consists of the LANTAREA (Atlantic Area Strike Force based out of Mobile, Alabama) and Pacific Strike Teams established by the USCG. The Strike Teams can provide communications support, advice, and assistance for oil and hazardous substances removal. The teams are equipped with specialized containment and removal equipment and have rapid transportation (i.e., aircraft, trucks) available. Coastal Region III falls within the geographical responsibility of the LANTAREA. Notification of the LANTAREA will serve to activate any of the NSF's capabilities.

2) When possible, the Strike Teams will assist in training OSC personnel in all facets of response activities including response staff organization, monitoring techniques, cleanup techniques, equipment use and deployment, and accounting procedures.

3) OSC Emergency Task Force (ETF). Each predesignated Coast Guard OSC maintains an ETF comprised of personnel from their staff. These personnel are trained and have the capability to assess a spill situation for initiation of first response measures. They are also knowledgeable in the employment of Coast Guard and contractor owned response equipment to contain and remove spills. Task force members also provide on-scene supervision and cleanup management under the guidance of the OSC. Information and evidence necessary to support legal actions against the spiller will also be gathered by task force personnel.

4) Public Information Assist Team (PIAT). The PIAT was created to assist OSCs in the dissemination of information to the media and the public. The PIAT members are trained in journalism, public relations, and photography and have knowledge of pollution response techniques, equipment, and applicable Federal laws. They are particularly useful in setting up and manning a news office. See Annex IV for details on the public information requirements and resources.

b. U.S. Environmental Protection Agency Forces

1) Environmental Response Team (ERT): The ERT is located in Edison, New Jersey, and Cincinnati, Ohio. Their expertise supplements regional expertise that can assist an OSC in dealing with unique situations encountered during oil and hazardous substances incidents. The ERT teams maintain trained personnel and can advise the OSC on:

- a) hazard calculations;
- b) risk assessment;
- c) multimedia sampling and analysis programs;
- d) on-site safety, including development and implementation of plans;
- e) cleanup techniques and priorities;
- f) water supply decontamination and protection;
- g) environmental assessments; and
- h) training courses.

2) Environmental Emergency Response Unit (EERU). EERU is contracted to ERT. The spill response group operates and maintains field ready equipment and provides site support services to the ERT. This unit is on call 24-hours a day. Its activities include monitoring equipment, conducting extent of contamination surveys and collecting multimedia samples. EERU provides both research and development (R&D). The R&D group tests and demonstrates prototype cleanup and control equipment. EERU also gives training courses to demonstrate the different types of equipment tested.

3) Technical Assistance Team (TAT). TAT is contracted to provide technical expertise for the response to and investigation of oil and hazardous substances incidents. The team has personnel trained in health and safety, multimedia field monitoring and sampling, incident documentation, cost monitoring, cleanup restoration, and disposal techniques during oil and hazardous substances incidents. TAT can also conduct initial response cleanups limited to \$1,000 in cost.

4) Emergency Response Cleanup Services Contracts (ERCS). ERCS contracting network may be used by the OSC to provide support for all Federally funded emergency cleanup operations on oil and hazardous substances releases. The ERCS contractor operates a 24-hour, seven day a week call center to maintain response capability and accept and implement delivery orders. Delivery orders may be initiated in a predetermined response time to support the OSC with trained personnel and equipment to control, stabilize, cleanup, and subcontract

transportation and disposal during oil and hazardous substances releases. Guidelines are contained in the ERCS Users' Manual, October 1983.

c. Scientific Support Coordinator (SSC)

1) Scientific support is organized by EPA and NOAA to support the OSC by providing scientific assistance related to operational decisions, including the areas of oceanography, chemistry, location of environmentally sensitive areas, and the assessment of possible environmental impacts involved in cleanup operations. During responses to actual or potential discharges of oil or releases of hazardous substances, the OSC or the RRT Chairman may request either EPA (for inland areas) or NOAA (for coastal and marine areas) to coordinate scientific support. NOAA may, on agreement with EPA, also provide a Scientific Support Coordinator (SSC) for inland discharges or releases that threaten coastal waters. In general, the ERT serves as EPA's SSC. During a response, the SSC serves on the OSC's staff to provide scientific advice in support of the OSC's operational decisions and to coordinate on-scene scientific activity. The SSC works with Federal and state agencies, universities, shippers, and manufacturers in compiling information that will assist the OSC in developing strategies to minimize adverse effects.

2) The Hazardous Material Response Branch (HAZMAT) provides information and field support to the NOAA coastal SSC. The HAZMAT Team supplies trajectory modeling; assessment of the nature, behavior, and after effects of pollutants; and identification of areas of special biological importance requiring protection. The team is equipped and trained in personnel protection and safety, can conduct air and marine sampling and analysis, and is available to the Coast Guard Strike Teams for advice on protective measures, safety, chemistry, sampling requirements, selection of appropriate sampling instruments, and interpretation of sampling data. The HAZMAT Team can be contacted through the region's coastal SSC, or directly using a 24-hour paging service at (206) 343-3432 (FTS and commercial).

3) The Ocean Assessments Division of NOAA, through its Hazardous Materials Response Branch in Seattle WA, provides regional SSC for coastal areas, and NOAA's Hazardous Materials Response Regional Team (HAZMAT) for regional scientific support in the event of a discharge of oil or hazardous substance in marine waters. The availability of this scientific support network can be obtained from the NOAA RRT representative. The specific response duties of the SSCs and HAZMAT Team may include:

a) providing liaison between natural resource, chemical, medical, and other scientific experts and the OSC;

b) modeling trajectories of discharged or released materials to predict movement of a pollutant, including time and location of its landfall, etc.;

c) assessing the nature, behavior, and fate of pollutants, e.g. chemical sampling and analysis, identification of toxic properties, and alteration of physical and chemical characteristics under various environmental conditions;

d) advising on safety precautions for response personnel;

e) identifying areas of special biological importance requiring protection;

f) helping to respond to requests from Federal and state agencies for assistance in scientific studies and environmental assessments, and

g) assisting public relation efforts on scientific issues.

4) The OSC can obtain NOAA SSC assistance 24 hours a day by directly contacting the regional SSC at FTS 392-6317, Commercial (206)526-6317. Each regional SSC has the authority to respond immediately to pollution incidents and to commit additional HAZMAT technical resources when necessary for the response. The SSC Headquarters in Seattle will provide support to the OSC while the regional SSC is enroute to a release or discharge or otherwise not available.

5) During non-response periods, NOAA's SSCs can assist the OSC and the RRT by obtaining scientific data to improve regional and local contingency planning. This data includes forecasting spill trajectories with respect to specific areas or biologically important environments, locating environmentally sensitive regions, obtaining background data on the behavior of various pollutants under a range of environmental conditions, and predicting the environmental impact of alternative cleanup strategies.

300.35 Multi-Regional Responses.

a. In the event that an actual or threatened discharge or release moves from the area covered by one regional contingency plan into another area, the authority to initiate pollution control actions shall likewise shift. In the event that an actual or potential incident affects areas covered by two or more regional plans, the response mechanisms called for by both plans shall be activated. The NRT will be notified in the event of a discharge which transcends regional boundaries. If necessary, the NRT will be activated to coordinate cleanup efforts, personnel and equipment in the affected regions.

b. There shall be only one OSC at any time during the course of a response operation. Should a discharge or a release affect two or more areas, the OSC shall be designated by joint agreement of the USCG, EPA, and if appropriate, DOD. In making this designation agreement, prime consideration will be given to the areas vulnerable to the greatest damage. The RRT shall designate the OSC if such agreement cannot be reached. The NRT shall designate the OSC if members of one RRT or two adjacent RRTs are unable to agree on the designation.

c. The incident specific RRT will be activated as an Intergovernmental Coordination Team by an authorized chairperson as designated in Section 300.3 when a discharge:

- 1) exceeds the response capability available to the OSC in the place where it occurs;
- 2) transcends EPA regional or USCG district boundaries;
- 3) may pose a substantial threat to the public health, welfare, environment, or to regionally significant amounts of property; or
- 4) otherwise meets the definition of a major discharge as defined in NCP.

NOTE: The incident-specific RRT shall be activated automatically in the event of a major or potential major discharge or release. Activation will be for information purposes only if no RRT action is requested by the OSC. Activation for assembly may be either telephonic or physical co-location.

d. Using the above criteria, the incident-specific RRT may be activated during any pollution emergency by a request of an RRT representative to the appropriate chairperson.

e. The RRT can be deactivated by the chairperson of the incident-specific RRT.

f. The times of activation and deactivation should be included in the pollution reports (POLREPS) generated by the RRT chairperson.

g. RRT Functions. When activated for a discharge or release, Agency representatives will meet at the call of the chairperson and may:

- 1) monitor and evaluate reports from the OSC. The RRT may advise the OSC on the duration and extent of the Federal response and may recommend to the OSC specific actions in responding to the discharge or release,

2) request other Federal, state, or local government, or private agencies to provide resources under their existing authorities to assist the OSC in his/her response efforts,

3) aid the OSC in preparing information releases for the public and assist the OSC in communications with the NRT,

4) if the circumstances warrant, advise the regional or district head of the agency providing the OSC that a different OSC should be designated, and

5) submit Pollution Reports (POLREPS) to the NRC as significant developments occur.

300.36 Communications.

a. Initial Spill Reports. The FWPCA, CERCLA, and regulations issued thereunder, require that any person in charge of a vessel, onshore or offshore facility notify the NRC as soon as he has knowledge of any discharge of oil into water of the United States or release of a hazardous substance of a reportable quantity to the environment. A toll free number (800-424-8802) has been provided to the NRC for receipt of discharge reports from anywhere in the continental U.S.. Agencies receiving initial reports of spills should immediately notify the NRC of the report. The NRC will then notify the predesignated OSC who will evaluate the spill report and initiate action, as appropriate.

b. The RRC is the regional site for notification, communication, and inter-agency coordination during a pollution incident. See Annex V for RRC communications capabilities. The RRC will be located at the appropriate Coast Guard District office when an incident occurs in the Coastal Zone of Region III. The RRC will be located in the EPA Regional Office when an incident occurs in the Inland Zone of Region III.

c. The EPA RRC located at the EPA Region III Office in Philadelphia, Pennsylvania will provide a predesignated OSC and will coordinate communication, information, limited supplies and equipment and other personnel and facilities necessary to allow proper functioning and administration of this Plan. The RRC maintains copies of the Plan, numerous other Federal, state, local, and private industry contingency plans, authorities cited but not reprinted in this Plan, handbooks along with industrial and technical publications containing information relevant to oil and hazardous substances spill response. The RRC employs primarily two computer data systems which are accessible through any remote terminal. These systems are used to provide a wide variety of physical, chemical, biological, toxicological, and commercial data on oil and hazardous substances:

1) Chemical Information System (CIS): CIS is a multiple component system which includes OHMTADS. This data system provides necessary technical support for the assessment of the potential or actual dangers encountered as a result of the discharge of oil or hazardous substances. OHMTADS contains data for materials which have been designated as oils or hazardous materials. While the primary function of this data base is to provide emergency information to spill response team personnel, it can be also used as a general source of diverse information on hazardous substances.

2) HAZARDLINE: This system contains over 4,000 compounds and 15,000 material safety data sheets. All information is periodically updated to ensure its present utility. The user can define reports for specific information and look for compound information with key words.

d. The Coast Guard has four RRCs that serve Federal Region III, although only one of them is physically located within the region. An incident-specific activation of the RRT will be generated by the appropriate Coast Guard RRC whenever the Coast Guard is providing the OSC. The following general descriptions of the geographical areas served by the Coast Guard RRCs are defined in detail in Annex III.

1) Incidents involving vessels and/or waterfront facilities in southwestern Pennsylvania and West Virginia:

Commander (m)
Second Coast Guard District
St. Louis, MO
Phone: (FTS) 279-4655 Commercial 314-425-4655

2) Incidents occurring in Eastern Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia:

Commander (m)
Fifth Coast Guard District
Portsmouth, VA
Phone: (FTS) 827-9383 Commercial 804-398-6383
(FTS) 827-9381 Commercial 804-398-6381

3) Incidents occurring in the Great Lakes area of Northwestern Pennsylvania:

Commander (m)
Ninth Coast Guard District
Cleveland, OH
Phone: (FTS) 293-3332 Commercial 216-522-3332
(FTS) 293-3983 Commercial 216-522-3983

e. Notifications of Oil Discharges

1) Notifications of minor oil spills. For minor oil spills (those under 1,000 gallons in the inland zone and those under 10,000 gallons in the coastal zone that do not pose a significant environmental threat), the OSC will send POLREP message reports to the appropriate RRC and the appropriate state(s). These reports will be reviewed by the RRT chairman who will notify other Federal and state RRT members, if circumstances warrant. RRT member agencies with local offices may make individual arrangements with OSCs for local notification, if considered necessary.

2) Notification of medium oil spills. Actual or potential medium oil spills (those between 1,000 and 10,000 gallons in the Inland Zone and those between 10,000 and 100,000 gallons in the Coastal Zone), will be treated the same as minor spills except when response requirements exceed the capabilities of the OSCs and local contractors, or when there is a likelihood of strong public or political interest in the response, or major environmental damage. Under these circumstances, the required notifications for a major spill will be initiated. Coast Guard OSC POLREP messages will include EPA and NRC as informational addressees (INFO ADDEES) on all medium, or potential medium, spills.

3) Notification of major oil spills. Upon first learning of an actual or potential major oil spill situation, (in excess of 10,000 gallons in the Inland Zone or in excess of 100,000 gallons in the Coastal Zone), the OSC shall immediately notify the appropriate Regional Response Center by the most rapid means available. The OSC shall provide the RRC with all known information, even if it has not been confirmed by personnel on scene. Upon notification, the RRT Chairperson will automatically activate the RRT for information purposes. RRT activation will be by telephone followed by RRC POLREPS. Coast Guard POLREP messages for major classification will include the same INFO ADDEES as POLREPS for medium classifications. Discharges from DOD facilities or vessels will be treated as outlined in Section 1201.4 of Annex II.

f. Notification of Hazardous Substances Releases.

1) Notifications of minor hazardous substance releases. For minor releases, those in an amount of less than the reportable quantity (RQ), that do not pose a significant environmental threat, the OSC will make routine POLREP message reports to the RRC. These reports will be reviewed by the RRT chairperson who will notify other Federal and state RRT members if it is felt circumstances warrant. RRT member agencies with local offices may make individual arrangements with OSCs for local notification if considered necessary.

2) Notifications of medium hazardous substance releases. Actual or potential medium releases, those amounts

which present a significant threat to the public health and welfare or the environment, will be treated the same as minor spills except when response requirements exceed the capabilities of the OSC and local contractors or when there is a likelihood of strong public or political interest in the response. Under these circumstances the required notifications for a major spill will be initiated.

3) Notifications of major hazardous substance releases. Upon first learning of an actual or potential major hazardous substance release in an amount which will create a grave and imminent danger to the public health and welfare or the environment, the OSC shall immediately notify the RRC by the most rapid means available. The OSC shall provide the RRC with all known information, even if it has not been confirmed by personnel on scene. Upon notification of an actual or potential major hazardous substance release, the RRT Chairperson will automatically activate the RRT for information purposes. RRT activation will be by telephone followed by RRC POLREPS. Coast Guard OSC POLREPS for major classifications shall include EPA and NRC as INFO ADDEES.

g. RRT Activation Communications. Incident specific RRT activations will be initiated by the EPA or Coast Guard RRT chairperson; any member of the RRT may initiate activation by oral request to the chairperson. RRT members will initially be notified of RRT activation by the most rapid means available, normally the telephone. Upon activation, RRT members will automatically begin receiving copies of all message traffic from the RRC to the NRC. RRT telephone activation for information purposes only is the first step in RRT involvement. If required, the next level would be an RRT "assembly" via telephone conference call. RRT members can initially make a great contribution from their headquarters in meeting an OSC's requests for information and assistance. If there is an actual RRT assembly, each member's agency should be ready to provide assistance and advice over the telephone while the representative is enroute to the site of the assembly.

h. RRT Routine Correspondence. Standing RRT notices are used to provide routine information to RRT members and OSCs. Topics of these notices include standing RRT meetings, exercises, RCP changes, policy information, etc. The notices are sequentially numbered during each calendar year and will be issued as necessary by the RRT Chairman. Any RRT member wishing to have information included in an RRT Notice should submit it to:

Commander (mep)
Fifth Coast Guard District
Federal Building
431 Crawford Street
Portsmouth, VA 23704-5004

U.S. Environmental
Protection Agency
Region III (3HW20)
Superfund Branch
841 Chestnut Street
Philadelphia, PA 19106

300.37 Special Considerations.

a. The Spill Cleanup Inventory (SKIM) system was terminated as a nationwide listing of pollution response equipment on October 1, 1985. An analysis of usage versus upkeeping time concluded that SKIM was no longer cost effective. Each Coast Guard District office maintains a Basic Order Agreement (BOA). The BOA not only serves the inventory role of the SKIM system but also provides the OSCs with direct contracting authority for the use of the equipment listed. COMDNOTE 16465 of December 9, 1985 applies.

300.38 Worker Health & Safety

This section remains as presented in NCP. When using a BOA, each OSC shall insure the contractor complies with all OSHA regulations relative to worker safety and health (29 CFR 1910.120).

300.39 Public Information

a. The provisions of this section, as contained in the NCP, apply to all activities within Region III. Additionally, the requirements of Section 300.67 of the NCP mandate the development of formal community relations plans for all CERCLA action extending, or expected to extend, beyond 45 days.

300.40 OSC Reports

a. The OSC Report requirements of Section 300.40 of the NCP apply to all EPA and USCG OSC activities within Region III. Section 300.69 of the NCP also requires a formal OSC report for all CERCLA/SARA-funded removals. Upon receipt of an OSC report, the RRT chairperson will distribute copies of the report to all affected RRT members. If no responses are received within three weeks, the RRT chairperson shall prepare an endorsement and forward the OSC report to the NRT, identifying the RRT members who received copies of the report. All responses received from RRT members will be included in the endorsement to the NRT and a copy of the endorsement will be provided to the agencies who provided responses.

b. In keeping with the NRT memorandum of September 16, 1985, three copies of the OSC report and endorsement will be sent to:

Executive Secretary
National Response Team
USCG Headquarters (G-MER)
2100 Second Street, S.W.
Washington, DC 20593

The Executive Secretary will distribute copies to the appropriate Coast Guard and Environmental Protection Agency program offices.

SUBPART D - PLANS

300.41 Regional and Local Plans

a. This Federal Regional Plan was developed in accordance with the NCP for areas of Standard Federal Region III. The requirement for the development of Federal Local Plans within Federal Region III is contained in Section 300.43 below.

b. This plan will be distributed to all members of the RRT in accordance with Annex I and will be available for inspection at all designated RRCs.

c. Federal RCP and OSC contingency plans prepared in compliance with the NCP should be coordinated with local emergency response plans.

The roles and responsibilities of state emergency response commissions (SERCs) and local emergency planning committees (LEPCs) are defined in SARA Sections 301 and 302.

300.42 Regional Contingency Plan

a. This Regional Plan was developed by the Region III RRT, working with the representatives of Delaware, Maryland, Pennsylvania, Virginia, West Virginia and the District of Columbia. This plan is in the same format as the NCP Subparts, with Annexes added to provide additional information. This plan will be updated and revised on an annual basis. Changes to this plan may be submitted by any participating agency to either of the Standing RRT Co-Chairmen:

Commander (m)	U.S. Environmental
Fifth Coast Guard District	Protection Agency
431 Crawford Street	Region III
Portsmouth, VA 23705-5004	Superfund Branch
	841 Chestnut Street
	Philadelphia, PA 19107

b. For informational purposes, a listing of RCPs for other regions bordering the coastal areas of Region III and the EPA Region III RCP is provided in Section 300.45a of this Subpart. A copy of these regional plans will be maintained at all designated RRCs within Region III.

c. The lines of demarcation between inland and coastal areas have been agreed upon by the Coast Guard and EPA. These are listed in Annex III to this plan.

300.43 Local Contingency Plans

a. Coast Guard predesignated OSCs shall develop, and maintain current a Federal Local Contingency Plan for coastal areas under their respective jurisdictions. Local Contingency Plans will be available for inspection at the appropriate RRC or

at applicable offices shown in Section 300.45(b) to this Subpart.

b. The LEPCs have the primary role in the preparation and development of local emergency response plans.

The LEPC prepares a local emergency response plan to include at least the following:

1. Identification of facilities subject to Title III, identification of routes likely to be used for extremely hazardous substances, and identification of facilities adding to risk or subject to additional risk due to proximity to facilities;

2. Methods and procedures to be followed by facility owners and operators and local emergency and medical personnel responding to a release;

3. Designation of community emergency coordinator and facility coordinators;

4. Communication procedures for notification by coordinators to persons designated in the contingency plan;

5. Methods for determining releases and area or population affected;

6. Description of emergency equipment to be used and identification of persons responsible;

7. Evacuation plans including precautionary evacuation and alternative routes;

8. Training programs for emergency response and medical personnel;

9. Methods and schedules for exercising the contingency plan.

All parts of the plan are to be fully coordinated with the applicable elements of the RCP and any relevant Federal Local Contingency Plans.

300.44 State Emergency Response Plan:

The SERCs have the lead role in developing a state emergency response plan and in providing guidance to the LEPC in formulation of plans. State emergency response plans are to assure coordination between local emergency response plans and may establish additional state standards for local emergency response plans.

For informational purposes, a listing of contingency plans for state agencies within Standard Federal Region III is provided in Section 300.45(c) of this Subpart. Those with questions

concerning a state's contingency plan should contact the RRT member for that state. Addresses and phone numbers are listed in Annex II. Additionally, a copy of each state's plan will be maintained at each RRC.

300.45 List of Plans

a. List of Regional Contingency Plans

1) U.S. Federal Region II, Oil and Hazardous Substances Contingency Plan. This plan is maintained and is available for inspection at:

U. S. Environmental Protection Agency
Response and Prevention Branch
Incident Response and Prevention Section
Edison, New Jersey 08837
Telephone: (201)321-6656 (FTS) 340-6656

2) Coastal Region IV Oil and Hazardous Substances Pollution Contingency Plan. This plan is maintained and is available for inspection at:

Commander, (mep)
Federal Building
909 S.E. First Avenue
Miami, Florida 33131-3050
Telephone: (305) 350-5651, (FTS) 350-5651

3) Inland Region IV Oil and Hazardous Substances Contingency Plan. This plan is maintained and is available for inspection at:

U.S. Environmental Protection Agency
345 Courtland Street
Atlanta, GA 30365
Telephone: (404)881-3931 (FTS) 257-3931

4) Inland Region V Oil and Hazardous Substances Pollution Contingency Plan. This plan is maintained and is available for inspection at:

U.S. Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604
Telephone: (312)896-7591

5) Coastal Region V Oil and Hazardous Substances Pollution Contingency Plan. This plan is maintained and is available for inspection at:

Commander (mep)
Ninth Coast Guard District
1240 East 9th Street
Cleveland, Ohio 44199-2060
Telephone: (216) 522-3332 (FTS) 293-3332

b. List of Local Federal Contingency Plans

1) MSO Baltimore's Oil and Hazardous Substances Contingency Plan may be inspected at:

U.S. Coast Guard
Marine Safety Office
Custom House
Baltimore, MD 21202-4022
Telephone: (301) 962-5105 (FTS) 922-5105

2) MSO Buffalo's Oil and Hazardous Substances Contingency Plan may be inspected at:

U.S. Coast Guard
Marine Safety Office
Federal Building, Rm. 1111
111 West Huron Street
Buffalo, NY 14202-2395
Telephone: (716) 846-4168 (FTS) 347-4168

3) MSO/Group Philadelphia Local Oil and Hazardous Substances Pollution Contingency Plan may be inspected at:

MSO/Group Philadelphia
Commanding Officer
U.S. Coast Guard
1 Washington Ave.
Philadelphia, PA 19147-4395
Telephone: (609) 456-1370 (215) 271-4800

4) Marine Safety Office Hampton Roads Local Oil and Hazardous Substances Pollution Contingency Plan may be inspected at:

U.S. Coast Guard
Marine Safety Office
Norfolk Federal Building
200 Granby Mall
Norfolk, VA 23510-1888
Telephone: (804) 441-3292 (FTS) 827-3292

5) Marine Safety Office Pittsburgh Local
Oil and Hazardous Substances Pollution Contingency Plan may be
inspected at:

U.S. Coast Guard
Marine Safety Office
Suite 700
Kossman Building
Forbes Avenue & Stanwix Street
Pittsburgh, PA 15222-1371
Telephone: (412) 644-5808 (FTS) 772-5808

6) Marine Safety Office Huntington Local
Oil and Hazardous Substances Pollution Contingency Plan may be
inspected at:

U.S. Coast Guard
Marine Safety Office
P.O. Box 2412
Prichard Building
6th Avenue & 9th Street
Huntington, WV, 25725

c. List of State Contingency Plans

1) Commonwealth of Virginia, Emergency Operations
Plan, Vol. I & Vol. II, July 1982, Annex I-U to Vol. II, December
1983 (VA)

2) Sub-Regional Contingency Plan for Waters of the
Commonwealth of Virginia

3) Commonwealth of Pennsylvania, The State Water Plan
Subbasin 13, Potomac River, June 1979 (PA)

4) Pennsylvania Department of Environmental Resources,
Emergency Management Plan, October 1981 (PA)

5) Oil Spill Response Planning for the Delaware Estuary

- I. Upper Estuary: Trenton to Delaware City,
April 1979
- II. Lower Estuary: Delaware City to the Capes,
September 1979

6) Report and Notification of Spills Accidental
Discharge to Ohio River and Tributaries, Ohio River Valley Water
Sanitation Commission, August 1984

7) State of Delaware Hazardous Substance Incident
Contingency Plan, Rev. April 1983 (DE)

8) Hazardous Substance Spill Response Plan, July 1978,
Kentucky DNR

- 9) Oil and Hazardous Materials Contingency Plan, April 1977, Ohio EPA
- 10) West Virginia Hazardous Materials Emergency Response Plan, May 10, 1985
- 11) Maryland State Spill Contingency Plan, Fourth Edition, February 1981
- 12) Maryland Hazardous Materials Emergency Response Plan, 1985
- 13) West Virginia Emergency Disaster Plan, December 1983
- 14) Oil and Hazardous Substances Pollution Contingency Plan for the Waters of the District of Columbia, November 25, 1986.

d. List of other Contingency Plans maintained by Region III

- 1) Commander, Naval Base Norfolk Oil and Hazardous Substance Pollution Contingency Plan (October 1984)
- 2) U.S. Fish and Wildlife Service Region V, Contingency Plan for Response to Oil and Hazardous Substance (June 1981)
- 3) NOAA Eastern Region National Weather Service. Regional Plan for Participation in the National Multi-Agency Hazardous Materials Pollution Contingency Plan (September 1978)
- 4) First United States Army Military Assistance to Civil Authorities Plan (February 1984)
- 5) DOC/NOAA Organizational Response Plan for Releases of Oil and Hazardous Substances (April 1984)
- 6) Naval Energy and Environmental Support Activity Oil and Hazardous Substance Spill Response Activity Information Directory (NEESA 7-021) (February 1984)
- 7) U.S. Army Corps of Engineers Plans
 - a) North Atlantic Division Oil and Hazardous Substances Pollution Contingency Plan (Standard Operating Procedures) (May 1983)

- b) Oil and Hazardous Substances
Pollution Contingency Plan
(Philadelphia District) (August 1984)
- 8) Department of the Air Force,
Headquarters 1100 Air Base Wing
Oplan 19-82 Oil and Hazardous Substances
Contingency Plan, March 1982 (DOD)
- 9) FEMA Emergency Response Team Plan,
Region III, October 1984 (FEMA
REGION III)
- 10) Hazardous Materials; a Relocation Guide,
March 1984 (FEMA Region III)
- 11) Mid-Atlantic Region, Emergency Operations
Plan, 1984 (DOI)
- 12) Handbook on Pesticide Storage, Transportation,
Spills and Disposal on National Forest Lands,
USDA Forest Service
- 13) OSHA National Plan, CPL 2.237, December 1983,
National OSHA Office of Field Coordination
- 14) NOS/NOAA Oil and Hazardous Substances Pollution
Incidents - Planning and Response Considerations,
Philadelphia, PA (June 1985)

SUBPART E - OPERATIONAL RESPONSE PHASES FOR OIL REMOVAL

This subpart remains as presented in the National Contingency Plan with additions as noted below:

300.51 Discovery and Notification Phase I.

Notice of an oil discharge or release of a hazardous substance in an amount equal to or greater than the reportable quantity must be made immediately in accordance with 33 CFR Part 153, Subpart B and 40 CFR Part 302, respectively. Notification shall be made to the NRC Duty Officer, HQ USCG, Washington, DC., telephone (800)424-8802 (or current local telephone number). All notices of discharges or releases received at the NRC shall be relayed immediately by telephone to the OSC or lead agency.

If the NRC cannot be reached:

(a) Reports of discharges within the Inland Zone of Region III, as defined in Annex III, may be made to the EPA Regional Office by calling (215)597-9898.

(b) Reports of discharges within the Coastal Zone, as defined in Annex III, may be made to the appropriate U.S. Coast Guard District Office:

<u>General Location</u>	<u>District Office</u>
Rivers of Western Pennsylvania and West Virginia	Commander, Second Coast Guard District (314) 425-4614 (FTS) 279-4614
Eastern Pennsylvania, Delaware, Eastern Maryland, and Virginia	Commander, Fifth Coast Guard District (804) 398-6231 (FTS) 827-8231
Great Lakes portion of Western Pennsylvania	Commander, Ninth Coast Guard District (216) 522-3981 (FTS) 942-3981

300.52 Preliminary Assessment and Initiation of Action Phase II.

For all releases of oil which might affect natural resources, the OSC shall promptly notify those Federal and state agencies serving as natural resource trustees. For releases in Region III, the OSC shall notify DOC/NOAA, DOI, and the appropriate state agencies. For releases of oil from DOD facilities or vessels, the EPA or Coast Guard will provide the OSC as outlined in Annex III. DOD vessels and facilities will, however, make required notifications to the NRC (see Federal Register Volume 50, No. 29, page 5875; and 40 CFR 300.33(b)(8).)

300.53 CONTAINMENT, COUNTERMEASURES, CLEANUP AND DISPOSAL
Phase III.

Oil and contaminated material recovered in cleanup operations shall be disposed of in accordance with applicable state regulations. In general, oil and oil contaminated debris shall be recycled, incinerated or land filled at an approved dumpsite. Oil recovered from 311K fund financed cleanups must be processed in accordance with GSA regulations. The appropriate RRC should be contacted early in the cleanup for disposal instructions before storage problems become critical.

300.54 DOCUMENTATION AND COST RECOVERY Phase IV.

Evidentiary and cost documentation procedures and requirements are specified in the USCG Marine Safety Manual (Commandant Instruction M16000.11), 33 CFR Part 153, and the Marine Environmental Protection Annexes of the 2nd, 5th, and 9th Coast Guard District Standard Operating Procedures (SOP).

300.55 General Pattern of Response

300.56 Pollution Reports

300.57 Special Considerations

The preceding three sections remain as presented in the NCP.

300.58 FUNDING

The FWPCA, Outer Continental Shelf Lands Act (OCSLA), and Deepwater Port Act established funds to be used to pay for the removal of oil from the waters of the United States within limits described in each act. See NCP. Particular note must be made that these funds are not established to release spillers from their responsibility to remove the discharge. The intent is to allow Federal action in the absence of adequate action on the part of the spiller.

1. Federally administered funds for oil spill response available for use in Coastal Region III include:

a. The Oil Pollution Fund established by the FWPCA, pursuant to Section 311(k). Regulations governing the administration and use of the fund are contained in 33 CFR, Part 153.

b. The fund authorized by the Deepwater Port Act. Governing regulations are contained in 33 CFR Parts 136 and 150.

c. The fund authorized by the OCSLA, as amended. Governing regulations are also contained in 33 CFR Parts 136 and 150.

2. Pursuant to Section 311(c)(2)(H) of the FWPCA, the National Oil and Hazardous Substances Contingency Plan outlines

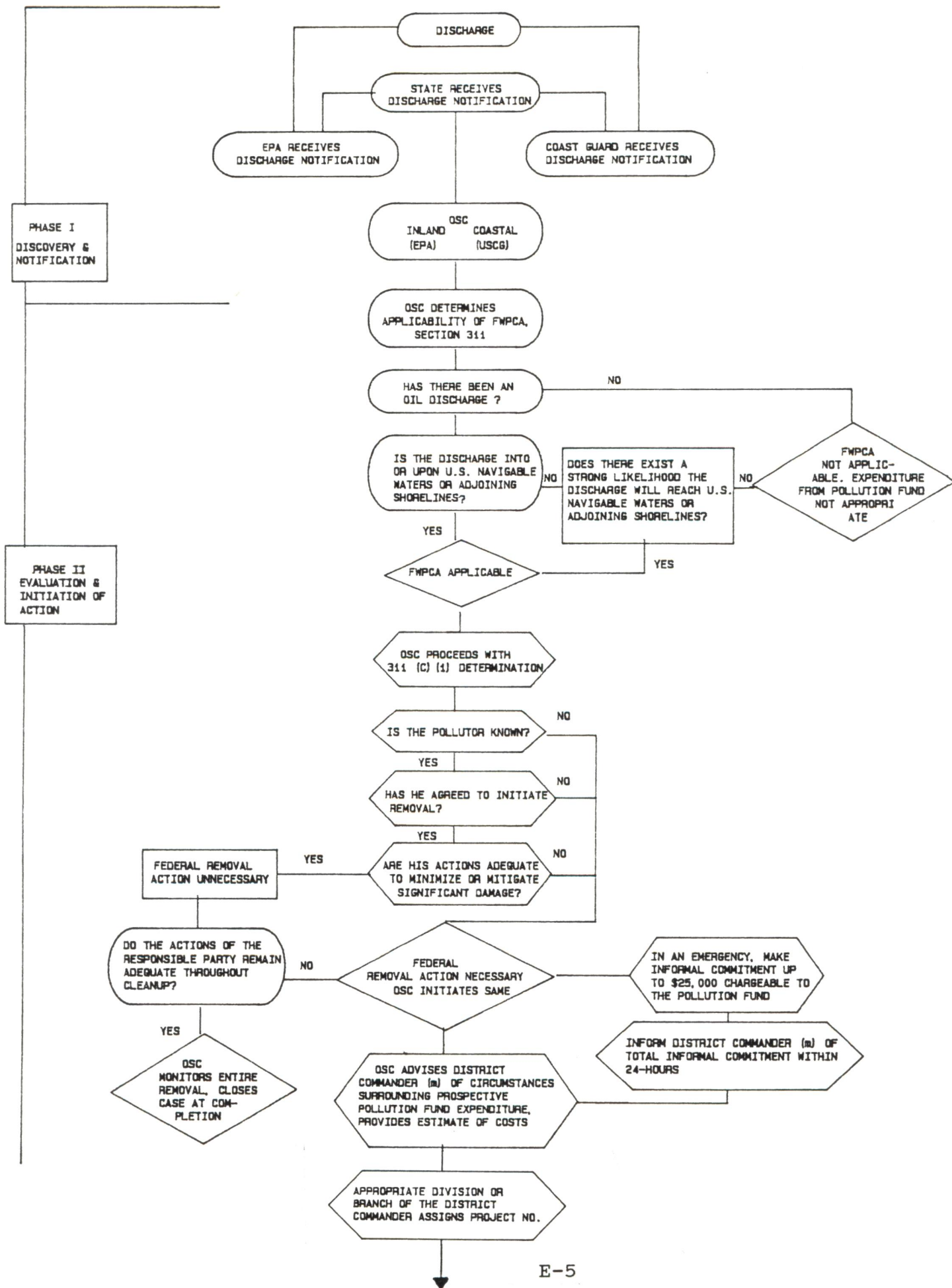
the procedures for allowing state-conducted removal operations. Subsequent state reimbursement for removal expenses will be considered only if a determination has been made by the Federal OSC that the actions of the party responsible for the discharge are not proper, in accordance with 33 USC 1321(c)(1) (FWPCA). Without a 33 USC 1321(c)(1) determination by the Federal OSC during the incident, and prior to initiation of state removal actions, a state cannot obtain reimbursement for costs incurred in state removal activities. In addition to determining that the discharger's actions are improper, as defined by the National Oil and Hazardous Substances Contingency Plan, state removal action is necessary when it can minimize or mitigate significant damage which Federal removal actions cannot or when the cost which will be incurred by the state will not be significantly greater than that which would be incurred by Federal departments or agencies. Also, in accordance with the National Plan, the OSC must maintain adequate control of removal operations to certify that the activities of the state and the corresponding expenses incurred were authorized for reimbursement from the 311(k) Pollution Fund. It must be emphasized that reimbursement is the only method of funding state removal actions. Only expenses not normally funded by the state's regular appropriations may be considered for reimbursement from the pollution fund. This policy recognizes the responsibility of the OSC to determine the propriety of any removal actions undertaken by the party responsible for the discharge and allow the OSC to maintain effective control over removal activities in his/her geographic area of responsibility in accordance with the provisions of the National Oil and Hazardous Substances Contingency Plan. The determination that state involvement in removal operations is necessary and that state expenses incurred are reasonable must be made in a timely manner on a case-by-case basis. Only costs that are not ordinarily funded by an agency's regular appropriation and that are not incurred during normal operations are reimbursable from the fund. State resources are to be used in accordance with formal agreements established between Federal departments, agencies, the state, and the Coast Guard.

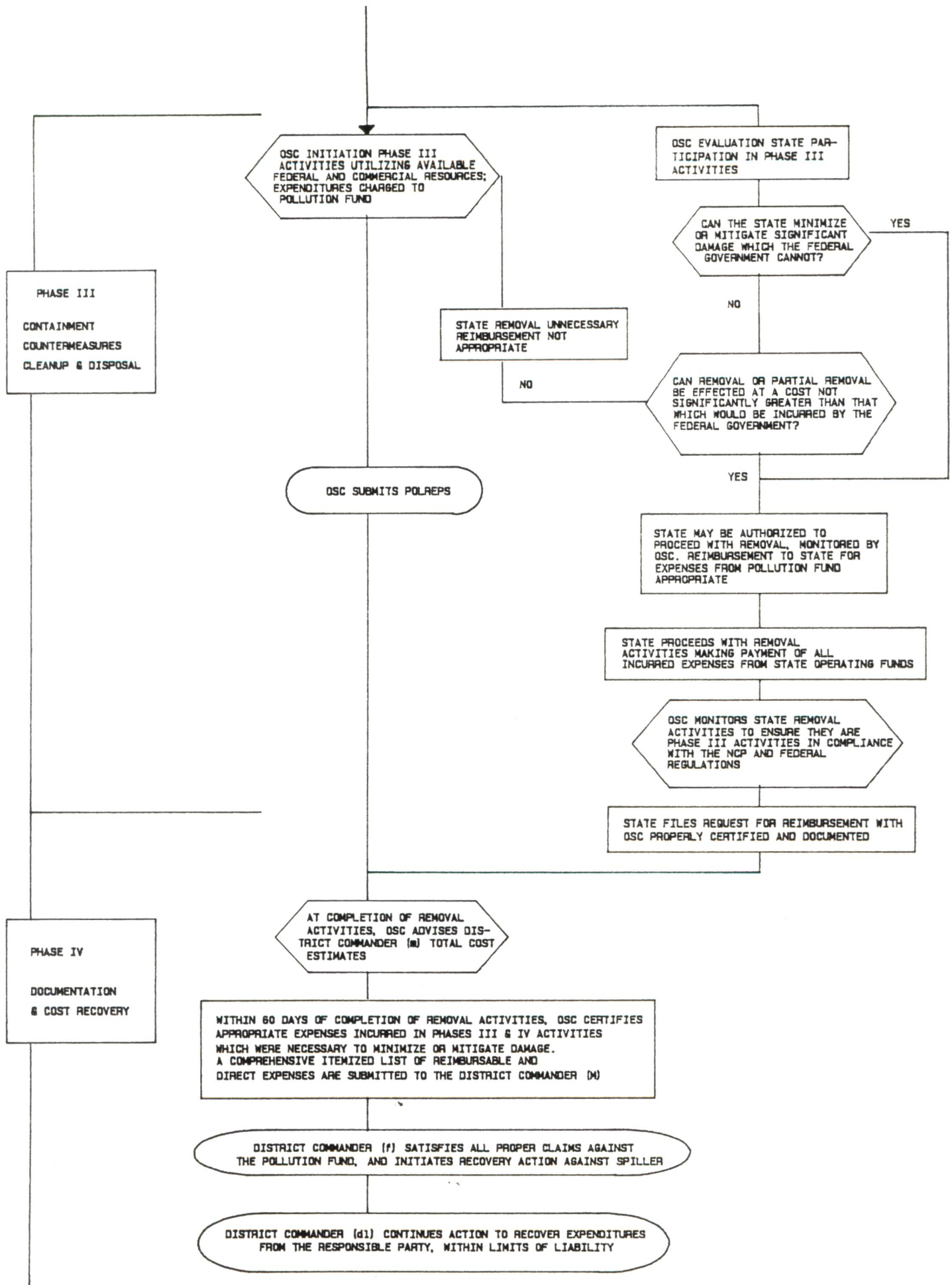
3. EPA OSCs may obtain access to, and accounting data for the 311(k) fund by contacting the appropriate U.S. Coast Guard district office. After normal business hours, this data may be obtained by using the phone numbers listed in Section 300.57 of this subpart. During normal working hours, this data can be obtained by directly contacting the incident specific Coast Guard district as listed in Annex II.

4. Once an EPA OSC activates the 311(k) fund, he/she may initiate a contract for cleanup, select a cleanup contractor from the appropriate Coast Guard BOA, or negotiate for state removal actions. If a BOA contractor is used, all documentation and certification as required by the BOA must be submitted with the invoice for payment. Neither states nor BOA contractors will be reimbursed for subcontracted services or equipment without the approval of a Coast Guard Contracting Officer. Such approval must be planned for in advance, as contracting officers are

generally only available during normal working hours. Arrangements for contracting officers may be made through the specific Coast Guard district office as listed in Annex II.

5. A copy of Maryland/Coast Guard Memorandum of Agreement for Reimbursement from the 311(k) fund is included in Annex VII. It is the OSC's responsibility to insure adequate documentation for reimbursement from the 311(k) fund.





SUBPART F HAZARDOUS SUBSTANCE RESPONSE

300.61 General

This Subpart remains as presented in the NCP with the additions and clarifications as noted below.

a. CERCLA activities within Region III will be conducted in accordance with Section 300.33 of this plan as modified by Annex III and Annex VII.

b. Response activities will be initiated by the appropriate lead agency, as identified in Annex III, when there is a substantial threat or a release involving:

1. a material or combination of materials designated as a hazardous substance in Title 40 Code of Federal Regulations, Table 302.4; or

2. any other pollutant or contaminant which presents an imminent and substantial danger to the public health or welfare.

c. In those instances where the lead agency is unable to provide surveillance over actions taken by responsible parties or third parties preauthorized under Section 300.25(d) of the NCP, the lead agency shall provide notification to the RRT representatives that have trustee responsibilities for natural resources in the area of the incident. This notification will be made in addition to any notifications provided in accordance with Section 300.64(d) of the NCP.

d. SARA activities within Region III will be conducted in accordance with Section 300.33 of this plan as modified by Annex III and Annex VII.

e. The role of lead agency, support agencies and responsible parties is to be defined for each phase of hazardous substance response. Actions to be taken are to be communicated to all parties.

300.62 State Role

a. This section remains as presented in the NCP with the additional inclusion of roles under SARA described in Subpart B, 300.24.

This section remains as presented in the NCP.

300.63 Discovery and Notification (Phase I)

a. The provisions of Section 300.51 of this plan are also applicable to reports involving hazardous substances, pollutants, or contaminants.

300.64 Preliminary Assessment for Removal Action (Phase II)

This section remains as presented in the NCP.

300.65 Removals (Phase III)

a. CERCLA/SARA will be the source for all Federal response efforts initiated under this subpart. Specific authorization from the Commandant, U.S. Coast Guard is required to utilize the 311(k) fund for chemical response. Its use must be restricted to those specific chemicals designated as hazardous substances under the CWA that either impact or potentially impact the navigable waters of the U.S..

b. Exhibit 5 to Annex VII outlines the requirement for Coast Guard OSC usage of the CERCLA fund. This M.O.U. has been modified. USCG District Commanders may now obligate \$250,000 per response without prior authorization. The remainder of the M.O.U. remains unchanged. COMDNOTE 16465 (ALDIST 181/85) applies. Authorization for specific Coast Guard obligations and the ten digit accounting number may be obtained during normal working hours from EPA headquarters at 382-7731/2188(FTS). Request for funding in excess of the M.O.U. after normal working hours should be made through the NRC.

c. Removal efforts involving any significant hazardous materials incident may require the expertise of various members of the RRT. The capabilities of the members of the RRT are listed in Subpart B. The capabilities which will be of particular concern during Phase III removal actions are listed below.

1) EPA removal guidance is established in the transmittal of Superfund Removal Procedures, Revision Number Two, August 20, 1983 and subsequent revisions. Each EPA region has personnel experienced in hazardous substance response. The EPA OSC may request technical advice from ERT and the Technical Assistance Team (TAT) contractor. The Coast Guard OSC may request technical advice from the EPA through the EPA RRT representative.

2) Each Coast Guard OSC has a staff of personnel knowledgeable in the legal technicalities of chemical response and the shipment of hazardous materials/wastes. Each OSC also has immediate access to several chemical information systems. Coast Guard OSCs in Region III do not have the capability of providing personnel for immediate entry into the site of a chemical release. The Coast Guard LANTAREA Strike Team does maintain the capability of providing trained personnel and equipment for immediate response to hazardous substance releases. EPA OSCs may request the support of the Coast Guard LANTAREA Strike Team through the NRC.

3) DOI provides technical assistance on the environmental resources at risk, including natural resources for which DOI is the Federal Trustee, as well as other areas of DOI jurisdiction and/or expertise (refer to Section 300.23g).

4) NOAA provides technical assistance on the environmental resources at risk from a hazardous materials incident as part of their role of natural resource trustee as well as other areas of DOC/NOAA jurisdiction and/or expertise (refer to Section 300.23b).

5) FEMA enters into an IAG with EPA when evacuation/temporary relocation needs are beyond the capabilities of the local governments. When CERCLA funds are utilized FEMA will monitor all CERCLA funds spent on evacuation and provide EPA with the necessary documentation.

6) Centers for Disease Control(CDC) will provide a representative on scene to assist the OSC in determining the nature of health hazards at a release, supply data on the health effects of various chemicals and coordinate obtaining local health services.

7) State agencies - can provide valuable assistance in applying state law, site monitoring, and evaluating environmental resources at risk.

d. In addition to the above RRT involvement, the OSC will make use of various pollution forces available through the above agencies, e.g. NSF, SSC, etc.

e. The spiller must be made aware of his responsibility to clean-up his spill and his potential liabilities under CERCLA. This may include issuing an administrative order as specified in CERCLA. Whenever an administrative order is issued, the OSC will inform the appropriate state. Administrative orders may not be issued to vessels. COMDINST M16465.29 applies.

300.66 Site Evaluation Phase and National Priorities List Determination (Phase IV)

This section remains as presented in NCP.

300.67 Community Relations (Phase V)

a. The full resources of the RRT will be made available to all OSCs, upon request, to assist in the development of all community relation plans required by this section of the NCP. A copy of all community relations plans will be submitted as an enclosure to the OSC reports required by Section 300.69 of this plan and the NCP. The community relations plan shall provide for keeping the public informed in the affected area. A trained person should be appointed spokesperson. The spokesperson should be included in the chain of command. Other members of the response team should be trained to direct all communications and

public relations issues to the spokesperson. A list of radio and TV contacts should be included in the plan. A copy of all community relations plans will be forwarded to all involved RRT members as soon as developed. RRT members shall provide objections or comments to the chairperson as soon as possible. RRT members should insure their representatives on-scene are familiar with and comply with the plan.

300.68 Remedial Action (Phase VI)

a. The EPA will conduct all remedial actions within Region III, with the exception of remedial action involving vessels. The Coast Guard will conduct remedial action for all incidents involving vessels in accordance with the NCP.

300.69 Documentation and Cost Recovery (Phase VII)

a. EPA has developed the Removal Cost Management Manual, January 1985. It is designed to provide comprehensive cost management procedures for use by the EPA at emergency response actions (removals) authorized under CERCLA. EPA has also established the Standard Operating Safety Guides, November 1984. These guidelines replace the Interim Standard Operating Guides, revised September 1982. The Standard Operating Safety Guides are in accordance and consistent with the procedures for employee health and safety contained in EPA's Occupational Health and Safety Manual, Chapter 9, Hazardous Substances Responses, (1440 TN12), May 5, 1984. The guides are not meant to be a comprehensive safety manual for incident response. Rather, they provide information on health and safety to complement professional judgment and experience, and to supplement existing Regional Office safety procedures.

b. OSCs shall prepare OSC reports for all major releases and all Fund financed removal actions as required by Section 300.40 of this plan and the NCP. The NCP (Section 300.6) has defined the size classes of releases as:

1) Minor - release that poses minimal threat to public health or welfare or the environment;

2) Medium - release that does not meet the criteria as a minor or major release; and

3) Major - release that poses substantial threat to public health, welfare, the environment or results in significant public concern.

300.70 Methods of Remedying Releases

As presented in the NCP.

300.71 Other Party Responses - Worker Health & Safety:

OSCs shall ensure that all contractors funded by Federal 311(k) or CERCLA/SARA funds comply with all applicable OSHA regulations, including Interim Final Rule (Federal Register, December 19, 1986, p. 45654).

SUBPART G - TRUSTEES FOR NATURAL RESOURCES

300.72 Designation of Federal Trustees

a. The NCP, CERCLA and Executive Order 12316 delegate to various Federal agencies the role of trustee for natural resources. As trustees, agencies are responsible for assessing damages to the resources resulting from spills of oils or release of hazardous substances. In addition, agencies are responsible to seek recovery for losses from the responsible person or from the fund and to devise and carryout restoration, rehabilitation and replacement. Where more than one trustee has jurisdiction over a resource, these agencies will coordinate and cooperate in carrying out their activities described above.

b. To facilitate damage assessment, the OSC shall promptly notify those Federal and state agencies serving as natural resource trustees of actual or potential medium or major releases of oil or hazardous substances. Trustees should also be notified of smaller releases of oil or hazardous substances that may affect protected or endangered species, or particularly sensitive environments or resources. Sensitive environmental areas are to be identified as part of hazardous analysis and included in local emergency response plans.

c. RRT representatives generally administer and oversee agency policy on Trusteeships. At the present time, the major trustees for natural resources subject to Federal management or protection include:

- 1) The Secretary of Commerce, delegated to NOAA.
- 2) The Secretary of the Interior, in Region III assigned primarily to the Fish and Wildlife Service and the National Park Service.
- 3) The Secretaries of the Department of Agricultural and the Department of Defense when authorized to manage or protect a specific natural resource.

d. Responsibilities of these trustees are described in Section 300.74 of the National Contingency Plan.

e. Federal lands in Region III managed by the Fish and Wildlife Service include all National Wildlife Refuges and National Fish Hatcheries. The FWS also administers DOI trusteeship over certain marine mammals, endangered species, and migratory birds.

f. Federal lands in Region III managed by the National Park Service include all units of the national park system, (e.g. national seashores, national parks, national battlefields, etc.).

g. The National Oceanic and Atmospheric Administration (NOAA) acts on behalf of the Secretary of Commerce as a Federal

trustee for living and non-living natural resources in coastal and marine areas. Resources of concern to NOAA include all life stages, wherever they occur, of fishery resources of the exclusive economic zone and continental shelf; anadromous and catadromous species throughout their ranges; endangered and threatened species and marine mammals for which NOAA is responsible; tidal wetlands and other ecosystems supporting these living marine resources; and resources of National Marine Sanctuaries and Estuarine Research Reserves. For resources in coastal waters and anadromous fish streams, NOAA may be a co-trustee with the Department of Interior, other Federal land managing agencies, and possibly Indian tribes as well as the affected state(s). It will coordinate with co-trustees in investigating damages.

NOAA's trusteeship derives from the following authorities:

- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 107 (f);
- Clean Water Act (CWA) Section 311 (f) (5);
- Executive Order No. 12580 of January 23, 1987;
- National Oil and Hazardous Substances Pollution Contingency Plan (NCP) Subpart G;
- Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801-1882);
- Anadromous Species Conservation Act (16 U.S.C. Section Symbol 757 a-g);
- Fish and Wildlife Coordination Act (16 U.S.C. Section Symbol 661-666);
- Endangered Species Act (16 U.S.C. Section Symbol 1531-1543);
- Marine Mammal Protection Act (16 U.S.C. Section Symbol 1361-1407)
- Whaling Convention Act (16 U.S.C. Section Symbol 916-9161);
- Fur Seal Act (16 U.S.C. Section Symbol 1151-1187);
- Marine Protection, Research and Sanctuaries Act (33 U.S.C. Section Symbol 1441-1445);
- Coastal Zone Management Act (16 U.S.C. Section Symbol 1451-1464);
- National Ocean Pollution Planning Act (33 U.S.C. Section Symbol 1701-1709).

h. NOAA shares a co-trusteeship with the states over those species of fish which reside in both Federal and state waters (excluding the internal waters of a state). State waters are

defined as those waters extending from the baseline of the territorial sea seaward to three nautical miles (with the exception of Puerto Rico, Texas, and the west coast of Florida all of whose state waters extend seaward to nine nautical miles) including internal waters. Internal waters of a state are defined in the Magnuson Act, 16 U.S.C. 1856(c)(4)(A), as those waters within the boundaries of a state except those seaward of the baseline from which the territorial sea is measured. NOAA has no trusteeship responsibilities for species residing solely within a state's internal waters, with the exception of any species subject to the Magnuson Act, and certain marine mammals and endangered species which fall under the protection of NOAA.

i. NOAA may also exercise trusteeship over natural resources defined in Section 300.6 of the NCP if the resource:

...lies in or under the United States waters that are navigable by deep draft vessels, including waters of the contiguous zone and parts of the high seas to which the NCP is applicable and other waters subject to tidal influence, and upland areas serving as habitat for marine mammals and other species subject to the protective jurisdiction of NOAA. NCP 300.72(c)(1).

j. In exercising this trusteeship, NOAA shares a co-trusteeship with the DOI for resources subject to the statutory authorities and jurisdictions of both agencies. NOAA may also designate another Federal entity as trustee to act for NOAA for a specific resource. NCP 300.72(c)(1).

300.73 STATE TRUSTEES

a. At the present time, trustees for natural resources within Region III subject to state management or protection include:

1) Delaware - Secretary of the Delaware Department of Natural Resources and Environmental Control.

2) Maryland - Secretary of the Maryland Department of Natural Resources.

3) Pennsylvania - Secretary of the Pennsylvania Department of Environmental Resources.

4) Virginia - Secretary of the Virginia Department of Commerce and Resources

5) West Virginia - Secretary of the West Virginia Department of Natural Resources

6) District of Columbia - Director of the District of Columbia Department of Consumer and Regulatory Affairs

b. Natural resources under State jurisdiction include all fish, wildlife and biota (including a shared trusteeship with the Federal government for certain plants and animals); air, surface and groundwater, and land (ref. NCP 300.6 and CERCLA Section 101).

300.74 RESPONSIBILITIES OF TRUSTEES

This section remains as presented in the NCP.

SUBPART H USE OF DISPERSANTS AND OTHER CHEMICALS

300.81 General

a. In any oil pollution incident the OSC must choose the best method from the response "tools" available to him/her. The physical recovery and removal of oil is still the preferred clean-up technique. However, under certain conditions dispersants can be a very effective tool to be used by the OSC. Region III OSCs are aware of the types of circumstances where dispersants present the best response tool, and have conducted contingency planning for their use.

300.82 ENVIRONMENTAL TRADE-OFF

a. There will be situations where oil cannot be contained and removed before it impacts a very sensitive environmental or economic resource. In addition, there are situations where the mechanical clean up of oil from the shoreline will result in significant environmental damage. In the above circumstances dispersants will be evaluated as a response technique. The use of dispersants is basically an environmental trade-off. A decision is made to specifically impact one area in order to diminish the impacts on another more environmentally sensitive area. A similar decision could be made to impact one portion of the environment to protect an economically sensitive area. In life-threatening situations the OSC can apply dispersants on his/her own authority. In all other situations, an Incident Specific RRT will be involved in the decision making to use dispersants. The following items are available to assist the Incident Specific RRT in its decision making.

1) Dispersants Checklist - OSCs have a Dispersants Checklist for every conceivable dispersants application. The OSC will supply the appropriate members of the RRT with the information contained in the checklist. The checklist provides information on the circumstances of the spill, trajectories, environmental resources at risk, and available dispersants. The purpose of the checklist is to supply RRT decision makers with the information necessary to make a decision on the possible use of dispersants. The Region III Dispersants Checklist is contained in Annex VIII.

2) ASTM Habitat Guidelines - The American Society of Testing and Materials (ASTM) established a task force in 1981 to evaluate the potential use of dispersants in different habitat types. The ASTM task force is developing Dispersants Use Guidelines for each of thirteen habitat types. Copies of the draft ASTM guidelines which apply to Coastal Region III waters have been distributed to RRT members. Annex IX will be updated as ASTM revises the guidelines. During response operations the OSC with the help of the SSC and RRT will identify the environmental resources at risk from an undispersed oil slick. The Dispersants Use Guidelines can then be used to evaluate the desirability of using dispersants to protect those habitats. The

ASTM guidelines are the best source available to the OSC and the RRT in making a decision with potential environmental trade-offs.

300.83 STEPS TO A DISPERSANTS OPERATION

a. The NCP gives the minimum approvals necessary for the use of dispersants. The following is the expected course of events and necessary approvals for a dispersants operation in Federal Region III.

1) The OSC will investigate every reported oil spill in the Region. As necessary, reported oil spills will be evaluated using the following means:

a) Environmental Sensitivity Index (ESI) maps. These maps have been prepared by NOAA and contain information on the location of environmental resources and the sensitivity of shorelines of Maryland and Virginia;

b) Obtain an oil spill trajectory from NOAA and the NRC; and

c) Obtain interpretation of the ESI maps and further information on the effects of dispersed and non-dispersed oil on environmental resources at risk through the SSC.

2) If it becomes apparent that dispersants may be a viable response tool, the OSC will begin work on the Dispersants Checklist contained in Annex VIII. The OSC will also complete the dispersants checklist if the spiller is requesting permission to apply dispersants. Generally, the SSC will assist the OSC in completing the checklist.

3) The OSC will use the information contained in the checklist and the ASTM habitat guidelines to evaluate the potential use of dispersants.

4) The OSC will request approval from the appropriate members of the Incident Specific RRT through the Chairperson if either the OSC or the spiller wishes to apply dispersants. If the spiller is requesting permission to apply dispersants through the OSC he can, at his expense, make logistical arrangements to be prepared to apply dispersants in the event approval is granted. For Federally funded cleanups the OSC can use the 311(k) fund to make logistical arrangements pending approval of dispersants use.

5) The OSC will request permission to use dispersants on behalf of the OSC or the spiller by establishing a conference call with the following members of the appropriate Incident Specific RRT:

a) RRT Chairman

b) Appropriate OSC

- c) EPA RRT representative
- d) Appropriate state(s) RRT representative
- e) NOAA RRT representative
- f) DOI RRT representative

6) The Incident Specific RRT members involved in the conference call will be briefed on the incident and the request to use dispersants using the Dispersants Checklist. Where possible the RRC will forward a completed Dispersants Checklist to RRT members by electronic means before the above conference call is placed.

7) Upon approval from the EPA RRT representative and with concurrence of affected states dispersants application may be authorized by the OSC. All dispersants application in Region III will be monitored by the appropriate OSC using the monitoring portion of the Dispersants Checklist. AST personnel will generally be available to assist the OSC in monitoring dispersant operations.

8) In a life-threatening situation the OSC can apply dispersants without going through the above approval process. However, the OSC will notify the Incident Specific RRT as soon as practicable of any dispersants used under life-threatening conditions.

300.84 INTERFACE WITH OTHER DISTRICTS

a. Any dispersant operation on the regional boundary will require coordination with appropriate RRT members from the bordering region. The Incident Specific RRC will coordinate information transfer and conference call arrangements for the necessary interface with a bordering region.

300.85 OTHER USES OF CHEMICALS

a. Other chemicals such as herding agents can be effectively used in conjunction with mechanical methods. The approval procedure outlined above will be used for a request by the OSC or the spiller to use other chemical agents. Sinking agents will not be utilized in Region III. See Annex IX for the EPA Product Schedule for dispersants. The EPA RRT representative should be contacted for any additions or deletions before utilizing this schedule.

ANNEX I
1100 DISTRIBUTION

1101 Two copies of this plan and all subsequent changes or revisions will be forwarded to the Federal and state agencies listed in Annex II and those Coast Guard commands listed in section 300.45 b.

1102 In addition to these copies identified above, the following distribution has been made:

U.S. Department of Interior, Region III - (14)

U.S. Coast Guard

LANTAREA Strike Team - (1)

Reserve Training Center (t-mss) - (1)

Commander, First Coast Guard District (m) - (1)

Commander, Second Coast Guard District (m) - (1)

Commander, Fifth Coast Guard District (m) - (1)

Commander, Seventh Coast Guard District (m) - (1)

Commander, Ninth Coast Guard District (m) - (1)

Commander, Atlantic Area (Aos) - (1)

Commandant (G-MER) - (1)

National Response Team (G-MER-12) - (1)

National Response Center - (1)

1103 Additional copies may be requested from the co-chairs of the Standing RRT.

ANNEX II
1200 REGIONAL RESPONSE TEAM DIRECTORY

1201.1 The RRT consists of regional representatives of participating Federal agencies and representatives of state governments. Each agency shall designate one member and a sufficient number of alternates to insure representation at an RRT activation in the event that the member is unavailable. Participating states may also designate one member and at least one alternate member of the RRT to be notified in appropriate circumstances. The agency membership on the RRT is established by the NCP. However, individuals representing the primary agencies may vary depending on the local area in which the spill occurs. All agencies and states may also provide additional representatives as observers to meetings of the RRT. All designated members of Incident Specific RRTs will also participate in the planning efforts of the Standing RRT.

1201.2 Tab A lists the primary and alternate representatives for all agencies represented on the Federal Region III RRT. This listing will be routinely updated following each semi-annual RRT meeting. All agencies shall immediately notify the co-chairmen of any changes in their agency's representatives as they occur. The standing RRTs primary functions are to insure adequate planning, training and advanced coordination have been accomplished in order to provide all necessary assistance to the OSCs response efforts.

1201.3 Tab B lists modifications to be made to the Standing RRT membership when activation is for assisting a specific OSC respond to a specific incident. Incident Specific RRTs will be chaired by the agency providing the OSC.

1201.4 Tab C lists the specific DOD personnel who will request Incident Specific activations of the RRT when the DOD is providing the OSC. When EPA or Coast Guard OSCs are involved in a DOD discharge, the RRT will be activated at the request of these personnel or at the request of the OSC and in consultation with these personnel.

TAB A

FEDERAL REGION III
STANDING RRT MEMBERSHIP

Co-Chairman: CAPT John H. Hill

Chief, Marine Safety Division
Fifth Coast Guard District

Co-Chairman: Mr. Dennis Carney

Asst. Chief, Superfund Branch
EPA Regional Office, Region III

-----	-----
AGENCY	RRT REPRESENTATIVE
<u>EPA</u>	
U.S. Environmental Protection Agency Hazardous Waste Management Division Superfund Branch - Assistant Branch Chief 841 Chestnut Building Philadelphia, PA 19107	Mr. Dennis Carney, PRI Work: (215) 597-0992 FTS: 597-0992
<u>USCG</u>	
United States Coast Guard Commander (m) Fifth Coast Guard District 431 Crawford Street Portsmouth, VA 23705-5004	CAPT John H. Hill, PRI Work: (894) 398-6637 FTS: 827-9637 24Hr: (804) 398-6231 24Hr FTS: 827-9231 Home: (804) 399-5170
United States Coast Guard Commander (mep) Fifth Coast Guard District 431 Crawford Street Portsmouth, VA 23705-5004	CDR James C. Clow, ALT Work: (804) 398-6638 FTS: FTS 827-9638 24Hr: (804) 398-6231 24Hr FTS: 827-9231 Home: (804) 486-5247
United States Coast Guard Commander (mep) / RRT Coordinator Fifth Coast Guard District 431 Crawford Street Portsmouth, VA 23705-5004	LCDR William Athayde, ALT Work: (804) 398-6620 FTS: 827-9620 24Hr: (804) 398-6231 24Hr FTS: 827-9231 Home: (804) 898-2962

DOI

U.S. Department of Interior
Office of Environmental Project Review
U.S. Customhouse - Room 502
Second & Chestnut Streets
Philadelphia, PA 19106

Ms. Anita Miller, PRI
Work: (215) 597-5378
FTS: 597-5378
Home: (215) 625-8419

U.S. Fish and Wildlife Service
1 Gateway Center
Suite 700
Newton Corner, MD 02158

Mr. Arnold Julin, ALT
Work: (617) 965-5100, x379
FTS: 829-9379
Home: (603) 893-9348

DOC/NOAA

Department of Commerce
National Oceanic and Atmospheric
Administration (N/OMA 3)
Rockwall Building Room 652
Rockville, MD 20852

Dr. Jean Snider, PRI
Work: (301) 443-8933
FTS: 443-8933
Home: (703) 521-3472
(301) 366-7274

Department of Commerce
National Oceanic and Atmospheric
Administration (N/OMA 3)
Rockwall Building Room 652
Rockville, MD 20852

Mr. Hal M. Standford, ALT
Work: (301) 443-8487

Department of Commerce
NOAA Scientific Support Coordinator
110 North Royal Street - Suite 300
Alexandria, VA 22314

Ms. Ann Hayward Walker
Work: (703) 683-8324
Pager: (206) 526-6317

For the states of Delaware and Pennsylvania:

National Oceanic and Atmospheric
Administration
Building 110 - Box 2
Governor's Island
New York, NY 10004

Mr. Edwin Levine, PRI
Work: (212) 668-6428
FTS: 664-6428
24Hr: (206) 526-6317
Pager: (212) 276-0320
Home: (212) 548-5961

DHHS

Department of Health & Human Services
Public Health Service - Region III
P.O. Box 13716
Philadelphia, PA 19101

Mr. Frank Piecuch, PRI
Work: (215) 596-6650
FTS: 596-6650
Home: (215) 527-0817

Department of Health & Human Services
Public Health Service - Region III
P.O. Box 13716
Philadelphia, PA 19101

Mr. Jim Byrd, ALT
Work: (215) 596-6650
FTS: 596-6650
Home: (215) 362-6987

DHHS/ATSDR

U.S. Environmental Protection Agency
 Region III
 Superfund Branch
 841 Chestnut Street
 Philadelphia, PA 19107

Mr. Charles Walters
 Work: (215) 597-7291 (Work)
 FTS: 597-7291
 Home: (609) 751-8722
 Otherwise available through
 EPA RRC (215) 597-9898

FEMA

Federal Emergency Management
 Agency
 Liberty Square Building
 105 South 7th Street
 Philadelphia, PA 19106

Mr. Joe McCarey, PRI
 Work: (215) 931-5520
 FTS: 489-5520
 Mr. Craig Patani, ALT
 Work: (215) 931-5520
 FTS: 489-5520

DOL

U.S. Department of Labor
 OSHA Technical Support
 Room 2100
 3536 Market Street
 Philadelphia, PA 19104

Mr. Kenneth W. Gerecke, PRI
 Work: (215) 596-1201
 Home: (609) 983-7205

U.S. Department of Labor
 OSHA Technical Support
 Room 2100
 3536 Market Street
 Philadelphia, PA 19104

Mr. R.D. Sultan, ALT
 Work: (215) 596-1201
 Home: (215) 342-2825

USDA

U.S. Department of Agriculture
 Forest Service - USDA
 370 Reed Road
 Broomall, PA 19008

Mr. Donald P. Footer, PRI
 Work: (215) 690-3146
 FTS: 489-3146
 Home: (215) 353-6495

U.S. Department of Agriculture
 Forest Service, USDA
 370 Reed Road
 Broomall, PA 19008

Mr. Charles L. Hatch, ALT
 Work: (215) 690-3169
 FTS: 489-3169
 Home: (215) 674-5533

DOJ

U.S. Department of Justice
 Land and Natural Resources Division
 Environmental Enforcement Section
 Room 1541
 10th & Pennsylvania Avenue - N.W.
 Washington, DC 20530

Ms. Patricia K. Cassano, PRI
 Work: (202) 633-4797
 FTS: 633-4797
 Home: (703) 971-8054

U.S. Department of Justice
 Land and Natural Resources Division
 Environmental Enforcement Section
 Room 1541
 10th & Pennsylvania Avenue - N.W.
 Washington, DC 20530

Ms. Sheila Jones, ALT
 Work: (202) 633-3646

DISTRICT OF COLUMBIA

Department of Consumer & Regulatory
Affairs
Environmental Control Division
614 H Street - N.W.
Washington, DC 20001

Mr. A. Padmanabha - P.E., PRI
Work: (202) 783-3180
24Hr: (202) 727-6161

Department of Consumer & Regulatory
Affairs
Environmental Control Division
614 H Street - N.W.
Washington, DC 20001

Mr. Angelo Tompros, ALT
Work: (202) 783-3194
24 Hr: (202) 727-6161

Office of Emergency Preparedness
Plans and Training Division - 8th Floor
2000 14th Street - N.W.
Washington, DC 20009

Mr. John C. Lewis, ALT
24Hr: (202) 727-6161

Office of Emergency Preparedness
Plans and Training Division - 8th Floor
2000 14th Street - N.W.
Washington, DC 20009

Ms. Pamela Thurber, ALT
24Hr: (202) 727-6161
Home: (202) 775-2437

D.C. Fire Department
Fire Prevention Division
Deputy Fire Chief - Room 810
613 G Street - N.W.
Washington, DC 20001

Chief Joseph A. Quander, PRI
Work: (202) 745-2344/2345

STATE OF DELAWARE

Department of Public Safety
Emergency Planning and Operations Div.
P.O. Box 527
Delaware City, DE 19706

Mr. Clarke V. Jester, PRI
24Hr: (302) 834-4531
24Hr FTS: 834-4531

Department of Public Safety
Emergency Planning and Operations Div.
P.O. Box 527
Delaware City, DE 19706

Mr. Don Petrilli, ALT
24Hr: (302) 834-4531
24Hr FTS: 834-4531

STATE OF MARYLAND

Department of the Environment
Hazardous Waste & Solid Waste
Management Administration
201 W. Preston Street
Baltimore, MD 21201

Mr. Ronald Nelson, PRI
Work: (301) 225-5647
24Hr: (301) 974-3551

Department of the Environment
Hazardous Waste & Solid Waste
Management Administration
201 W. Preston Street
Baltimore, MD 21201

Mr. James Pittman, ALT
Work: (301) 225-5700
24Hr: (301) 974-3551

COMMONWEALTH OF PENNSYLVANIA

Department of Environmental Resources
 Office of Environmental Protection
 P.O. Box 2063
 Harrisburg, PA 17120
 Harrisburg, PA 17120

Mr. Fred Osman, PRI
 Work: (717) 787-5027
 24Hr: (717) 787-4343
 Home: (717) 783-4730

Department of Environmental Resources
 Office of Environmental Protection
 P.O. Box 2063
 Harrisburg, PA 17120

Mr. Ken Welizer, ALT
 Work: (717) 783-8303

COMMONWEALTH OF VIRGINIA

Department of Emergency Services
 310 Turner Road
 Richmond, VA 23225-6491

Mr. Norman S. McTague, PRI
 Work: (804) 674-2451
 24Hr: (804) 674-2400

Department of Emergency Services
 310 Turner Road
 Richmond, VA 23225-6491

Mr. Michael M. Cline, ALT
 Work: (804) 674-2406
 24Hr: (804) 674-2400

STATE OF WEST VIRGINIA

Deputy Department of Natural Resources
 1800 East Washington Street
 Charleston, WV 25303

Mr. Robert K. Parsons, PRI
 Work: (304) 348-2755
 24Hr: (304) 348-3614

Department of Natural Resources
 Water Resources Division
 1201 Greenbrier Street
 *Charleston, WV 25311

Mr. Ron Sandy, ALT
 Work: (304) 348-3614
 24Hr: (304) 348-3614
 Home: (304) 343-5132

TAB B

FEDERAL REGION III
INCIDENT SPECIFIC RRT MEMBERSHIP
DISTRICT OF COLUMBIA

1. Delete all Standing RRT non-Federal agencies, except the District of Columbia, which are not likely to be impacted by the incident.

FEDERAL REGION III
INCIDENT SPECIFIC RRT MEMBERSHIP
DELAWARE

1. Delete all Standing RRT non-Federal agencies, except Delaware, which are not likely to be impacted by the specific incident.

FEDERAL REGION III
INCIDENT SPECIFIC RRT MEMBERSHIP
MARYLAND

1. Delete all Standing RRT non-Federal agencies, except Maryland which are not likely to be impacted by the specific incident.
2. For Incident Specific activations involving oil delete the Maryland Department of Health and Mental Hygiene and add:

Department of the Environment
Hazardous & Solid Waste Management
Administration
201 W. Preston Street
Baltimore, MD 21201

Mr. Gregory Sonberg, PRI
Work: (301) 333-2950
24Hr: (301) 974-3551

FEDERAL REGION III
INCIDENT SPECIFIC RRT MEMBERSHIP
PENNSYLVANIA

1. Delete all Standing RRT non-Federal agencies, except Pennsylvania, which are not likely to be impacted by the incident.
2. Delete the United States Coast Guard Standing RRT membership listing. The Commonwealth of Pennsylvania is serviced by three Coast Guard Districts. Refer to Annex III to identify in which Coast Guard District a specific incident has occurred and add one of the following, as appropriate:

USCG (Eastern Pennsylvania)

United States Coast Guard
Commander (m)
Fifth Coast Guard District
431 Crawford Street
Portsmouth, VA 23705-5004

CAPT John H. Hill, PRI
Work: (894) 398-6637
FTS: 827-9637
24Hr: (804) 398-6231
24Hr FTS: 827-9231
Home: (804) 399-5170

United States Coast Guard
Commander (mep)
Fifth Coast Guard District
431 Crawford Street
Portsmouth, VA 23705-5004

CDR James C. Clow, ALT
Work: (804) 398-6638
FTS: FTS 827-9638
24Hr: (804) 398-6231
24Hr FTS: 827-9231
Home: (804) 486-5247

USCG (Southwestern Pennsylvania)

Commander (m)
Second Coast Guard District
1430 Olive Street
St. Louis, MO 63103-2398

CAPT Larry J. Balock, PRI
CDR Robert Luchun, ALT
Work: (314) 425-4655
FTS: 279-4655
24Hr: (314) 425-4614
24Hr FTS: 279-4614

USCG (Northwestern Pennsylvania)

Commander (m)
United States Coast Guard
Ninth Coast Guard District
1240 East 9th Street
Cleveland, OH 44199-2060

CAPT Larry A. Murdock, PRI
CDR F.X. Owens, ALT
Work: (216) 522-3994
FTS: 942-3994
24Hr: (216) 522-3983
24Hr FTS: 942-3983

FEDERAL REGION III
INCIDENT SPECIFIC RRT MEMBERSHIP
VIRGINIA

1. Delete all Standing RRT non-Federal agencies, except Virginia, which are not likely to be impacted by the specific incident.
2. For incident specific activations involving state waters, delete the Department of Emergency Service and add:

Virginia State Water Control Board
Pollution Response Branch
P.O. Box 11143
Richmond, VA 23230

David P. Chance, PRI
Work: (804) 257-0970
24Hr: (804) 257-0080
Larry Lawson, ALT
Work: (804) 257-6383

FEDERAL REGION III
INCIDENT SPECIFIC RRT MEMBERSHIP
WEST VIRGINIA

1. Delete all Standing RRT non-Federal agencies except West Virginia which are not likely to be impacted by the specific incident.
2. Delete the United States Coast Guard Standing RRT membership listing and insert:

USCG

Commander (m)
Second Coast Guard District
1430 Olive Street
St. Louis, MO 63103-2398

CAPT Larry J. Balock, PRI
CDR Robert Luchun, ALT
Work: (314)425-4655
FTS: 279-4655
24Hr: (314)425-4614
24Hr FTS: 279-4614

TAB C

FEDERAL REGION III
DEPARTMENT OF DEFENSE
INCIDENT SPECIFIC RRT REPRESENTATIVES

United States Army

First U.S. Army Headquarters
First Army
Ft. George G. Meade, MD 20755-7000
Attn: AFKA-OP-OP

Entire Region III

Mr. John O'Neil, PRI
Mr. Joseph Conway, ALT
Work: (301) 677-7983/2610/6535
FTS: 923-7983/2610/6535
24Hr: (301) 677-4805/4827
24Hr FTS: 923-4805/4827

United States Navy

Commander - Naval Base
Director - Operations and Plans Dept.
Code N3
Building N26
Norfolk, VA 23511-6002

Virginia

CAPT Robert L. Jerns, PRI
Work: (804) 444-3649
FTS: 954-2751
24Hr: (804) 444-7097
24Hr FTS: 954-7097

Commander - Naval Base
Director - Operations and Plans Dept.
Code N34
Building N26
Norfolk, VA 23511-6002

Mr. Steve K. Gibson, ALT
Work: (804) 444-2590
FTS: 954-2590
24 Hr: (804) 444-7097
24Hr FTS: 954-7097

Department of Defense

Office of Deputy Assistant
Secretary of Defense for Environment
Pentagon
Washington, DC 20301

Entire Region III

Dr. Michael Heeb, PRI
Work: (703) 325-2212

Ancillary RRT Members
United States Coast Guard

NRT DESIGNATED REGIONAL REPRESENTATIVE

LCDR Harry Schultz
c/o Comdt. (G-MER)
United States Coast Guard
2100 South 2nd Street - S.W.
Washington, DC 20593-0001

UNITED STATES LANTAREA STRIKE TEAM
EPA REGIONS II, III, IV

Commanding Officer
Lantarea Strike Team
United States Coast Guard
USCG Aviation Training Center
Mobile, AL 36608-9690

LCDR Richard K. Softye, PRI
LT P. Biedenbender, ALT
24Hr: (205) 694-6601
FTS: 537-6601

UNITED STATES COAST GUARD DISTRICT 5
EPA REGION III

*(Delaware, District of Columbia, Maryland,
Pennsylvania - Eastern portion, and Virginia)*

MSO Baltimore

Commanding Officer
U.S. Coast Guard
Marine Safety Office
Custom House
Baltimore, MD 21202-4022

CAPT James Parent, PRI
Work: (301) 962-5121
FTS: 922-5121
24Hr: (301) 962-5105
24Hr FTS: 922-5105

MSO/Group Philadelphia

Commanding Officer
U.S. Coast Guard
1 Washington Ave.
Philadelphia, PA 19147-4395

CAPT Edward Roe, PRI
Work: (609) 456-1370
(215) 271-4800

MSO Hampton Roads

U.S. Coast Guard
Marine Safety Office
Norfolk Federal Building
200 Granby Mall
Norfolk, VA 23510-1888

CAPT Lloyd Burger, PRI
Work: (804) 441-3303
FTS: 827-3302
24Hr: (804) 441-3307
24Hr FTS: 827-3307

Ancillary RRT Members
United States Coast Guard
Marine Safety Offices

UNITED STATES COAST GUARD DISTRICT 5
EPA REGION IV

MSO Wilmington

Commanding Officer
U.S. Coast Guard
Marine Safety Office
272 North Front Street - Suite 500
Wilmington, NC 28401-3907

CAPT David Whitten, PRI
Work: (919) 343-4882
FTS: 671-4882
24Hr: (919) 343-4895
24Hr FTS: 671-4895

UNITED STATES COAST GUARD DISTRICT 2
EPA REGION III

(Pennsylvania - Southwestern Portion, West Virginia)

MSO Huntington

Marine Safety Office
P.O. Box 2412
Prichard Building
6th Avenue & 9th Street
Huntington, WV 25725-2412

CDR William F. Holt, PRI
Work: (304) 529-5524
FTS: 924-5524

MSO Pittsburgh

U.S. Coast Guard
Suite 700
Kossman Building
Forbes Avenue & Stanwix Street
Pittsburgh, PA 15222-1371

CDR Eugene A. Miklaucic, PRI
Work: (412) 644-5808
FTS: 722-5808

UNITED STATES COAST GUARD DISTRICT 9
EPA REGION III

(Pennsylvania - Great Lakes Area)

MSO Buffalo

Commanding Officer
U.S. Coast Guard
Marine Safety Office
Federal Building, Rm. 1111
111 West Huron Street
Buffalo, NY 14202-2395

LT Jim Cumming, PRI
Work: (716) 846-4168
FTS: 437-4168

ANNEX III
1300 GEOGRAPHICAL BOUNDARIES

1301 This Annex details regional, district and zone boundaries of Federal agencies having jurisdiction and responsibilities within Federal Region III.

1301.1 The responsibility to provide OSCs for incidents or potential incidents has been placed upon the EPA, USCG, and DOD. The DOD will provide an OSC for all DOD related incidents and for all non-DOD related incidents occurring on DOD property within Federal Region III as outlined in 40 CFR 300.33(b)(8). All other real or potential incidents will be responded to by OSCs provided by either EPA or the USCG. The USCG will provide OSC within the coastal zone. The EPA will provide OSCs within the inland zone. Annex VII addresses specific exceptions to this general rule, i.e., hazardous waste management facilities and remedial cleanups.

1301.2 Inland/Coastal Boundary Agreement in Maryland and Virginia

For pollution response purposes in Maryland and Virginia, the boundary between EPA and the USCG starts at the west bank of the Dismal Swamp Canal at the VA/NC border, north along the west bank of the Dismal Swamp Canal to VA State Hwy 13; hence west along State Hwy 13 to State Hwy 10; hence west along State Hwy 10 to State Hwy 156; hence north along State Hwy 156 over Ben Harrison Bridge to State Hwy 5; hence east on State Hwy 5 to State Hwy 132; hence east on State Hwy 132 to U.S. Interstate 64; hence west on U.S. Interstate 64 to State Hwy 30; hence north on State Hwy 30 to State Hwy 33; hence east on State Hwy 33 to State Hwy 14; hence east on State Hwy 14 to State Hwy 17; hence south on State Hwy 17 to State Hwy 3; hence north on State Hwy 3 to State Hwy 33; hence west on State Hwy 33 to State Hwy 17; hence north on State Hwy 17 to State Hwy 360; hence east on State Hwy 360 to State Hwy 3; hence south on State Hwy 3 to State Hwy 200; hence north on State Hwy 200 to State Hwy 360; hence west on State Hwy 360 to State Hwy 202; hence north on State Hwy 202 to State Hwy 3; hence west on State Hwy 3 to State Hwy 205; hence north along State Hwy 205 to State Hwy 218; hence north along Hwy 218 to State Hwy 301; hence east along State Hwy 301 to the west bank of the Potomac River; hence north along the west bank of the Potomac River to U.S. Interstate 495 (Cabin John Bridge); hence east along U.S. Interstate 495 to the east bank of the Potomac River; hence south along the east bank of the Potomac River to the Arlington Memorial Bridge; hence east on Arlington Memorial Bridge to Independence Avenue; hence east on Independence Avenue to 15th Street SE; hence north on 15th Street SE to Bladensburg Road; hence north on Bladensburg Road to New York Avenue; hence east on New York Avenue to State Hwy 50 continuing east on Hwy 50 to U.S. Interstate 295; hence south on U.S. Interstate 295 to the Suitland Parkway; hence east along the Suitland Parkway to MD State Hwy 5; hence south along State Hwy 5 to State Hwy 231;

hence east along State Hwy 231 to State Hwy 2; hence north along State Hwy 2 to State Hwy 178; hence north along State Hwy 178 to State Hwy 3; hence north along State Hwy 3 to U.S. Interstate 695; hence west along U.S. Interstate 695 around the city limits of Baltimore to U.S. Interstate 95; hence east on Interstate 95 to the west bank of the Susquehanna River; hence north along the west bank of the Susquehanna River to the Conowingo Dam; hence east along the Conowingo Dam to the east bank of the Susquehanna River; hence south along the east bank of the Susquehanna River to U.S. Interstate 95; hence east along U.S. Interstate 95 to the MD/DE border; hence south along the MD/DE border to the north bank of the Chesapeake & Delaware Canal; hence east along the north bank of the Chesapeake & Delaware Canal to Reedy Pt.; hence due south from Reedy Pt. to the south bank of the Chesapeake & Delaware canal; hence west along the south bank of the Chesapeake & Delaware canal to MD State Hwy 213; hence south along State Hwy 213 to State Hwy 50; hence south along State Hwy 50 to State Hwy 13; hence south along State Hwy 13 to the VA/MD border; hence east along the VA/MD border to State Hwy 12; hence north along State Hwy 12 to State Hwy 113; hence north along State Hwy 113 to the DE border.

All spills originating from the above named Highway and inland of the line described above will have the EPA as the predesignated on-scene coordinator (OSC). All spills originating from waterfront facilities within the city limits of Richmond, Washington, DC, Cambridge, Salisbury and Seaford will have the U.S. Coast Guard as the predesignated OSC. All spills originating in the Nanticoke River from its mouth to Seaford, Delaware will have the U.S. Coast Guard as the predesignated OSC. All hazardous chemical spills which originate from vessels, regardless of their location, will have the Coast Guard as the predesignated OSC. The proposed boundary lines do not preclude mutual assistance between the two agencies.

1301.3 Inland/Coastal Boundary Agreement in Eastern Pennsylvania and Delaware

For pollution response purposes in eastern Pennsylvania and Delaware, the boundary between EPA and USCG starts at the US Highway 1 bridge between Morrisville, PA and Trenton, NJ and follows westward along US 1 to its intersection with US 13; thence southward on US 13 to the intersection with I-95 in the Croyden-Bridgewater area; thence southward along I-95 to its intersection with US 40 in Wilmington, DE; thence eastward along US 40 to its intersection with Delaware State Route 9; thence along State Route 9, southward, to its intersection with US 113; thence along US 113; southward, to the Delaware-Maryland border. The EPA will respond to spills inland of the line described above with the exception of the Schuylkill River where the USCG will respond to all spills below the dam at Fairmount Park. MSO Baltimore will provide pollution response along the C&D Canal west of the State Route 9 bridge.

1301.4 Inland/Coastal Boundary Agreement in Northwestern Pennsylvania

For pollution/incident response purposes in northwestern Pennsylvania, the U.S. Coast Guard will provide the OSC for all incidents occurring in the U.S. waters of Lake Erie from the Ohio-Pennsylvania state line to the Pennsylvania-New York state line. Within this area the Coast Guard will also provide the OSC for all incidents occurring in Lake Erie's harbors, ports and major tributaries to the extent they are navigable to large utility craft (UTL's). The EPA will provide the OSC for all incidents occurring elsewhere within northwestern Pennsylvania.

1301.5 Inland/Coastal Boundary Agreements in Western Pennsylvania, Ohio and West Virginia:

For pollution/incident responses in portions of the Monogahela, Allegheny, Ohio and Big Sandy River systems, the U.S. Coast Guard will provide the OSC for all incidents.

The U.S. Coast Guard Second District has identified the following river reaches as specified ports and harbors for the inland river system within EPA Region III and U.S. Coast Guard Second District. The zones shall encompass the area from bank to bank or levee to levee wherever a levee is present.

River System	Mile Markers	Predesignated OSC
Monongahela River	0.0 to 23.8	COMSO PITTSBURGH
Allegheny River	0.0 to 24.2	COMSO PITTSBURGH
Ohio River	0.0 to 31.7	COMSO PITTSBURGH
	303.0 to 317.2	COMSO HUNTINGTON
Big Sandy River	0.0 to 4.0	COMSO HUNTINGTON

The U.S. Coast Guard, through the appropriate Captain of the Port, shall be responsible for furnishing the predesignated On-Scene Coordinator for all discharges of oil and hazardous substances which result from a vessel casualty or vessel-transfer activity which occur in these specified ports and harbors of the inland river system. The EPA will provide the OSC for all incidents occurring elsewhere within EPA Region III and the U.S. Coast Guard Second District.

The U.S. Coast Guard (USCG) will not normally respond to those discharge incidents within their predesignated zone which occur (1) at industrial facilities, (2) from non-marine transportation casualties, (3) at bulk storage facilities, and (4) at hazardous waste sites.

Operations and resources permitting, the USCG will, at the request of EPA Region III, provide assistance and a First Federal Official on scene to those major incidents which occur in the inland zone that require immediate federal response presence to

assess the impact and extent of the oil/hazardous materials release.

The USCG will continue to respond to significant marine casualty incidents which occur upon the commercial navigable waters of the inland rivers. The USCG will respond to those vessel casualty incidents which are outside of the limits of specified ports and harbors for investigation purposes. If a discharge of oil or hazardous substance is involved, the USCG will either act in the role of First Federal Official on scene, pending the arrival of EPA Region III Predesignated OSC, or, at the request of the EPA Region III Predesignated OSC, the USCG may provide the incident-specific OSC.

STANDARD FEDERAL REGIONS

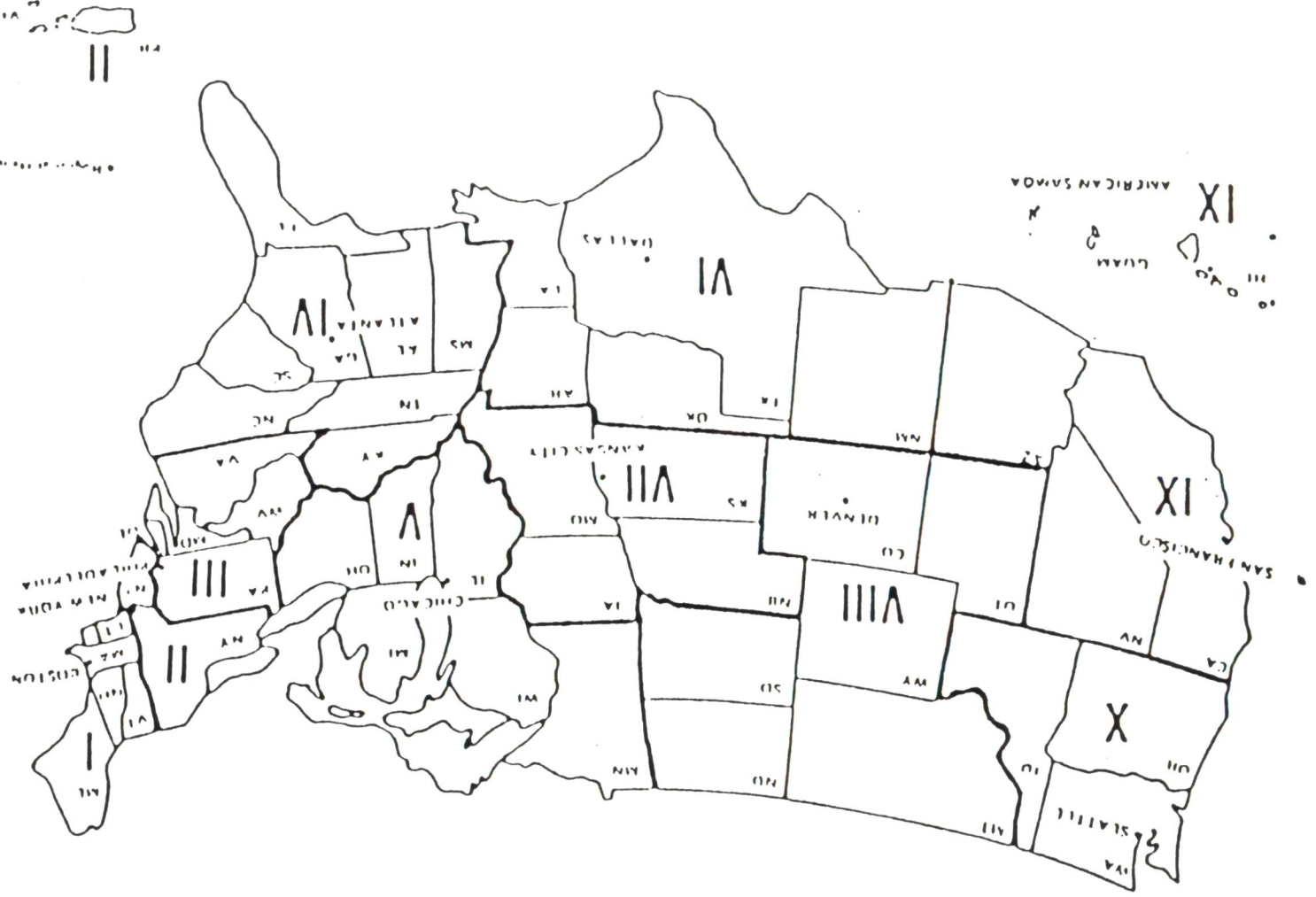
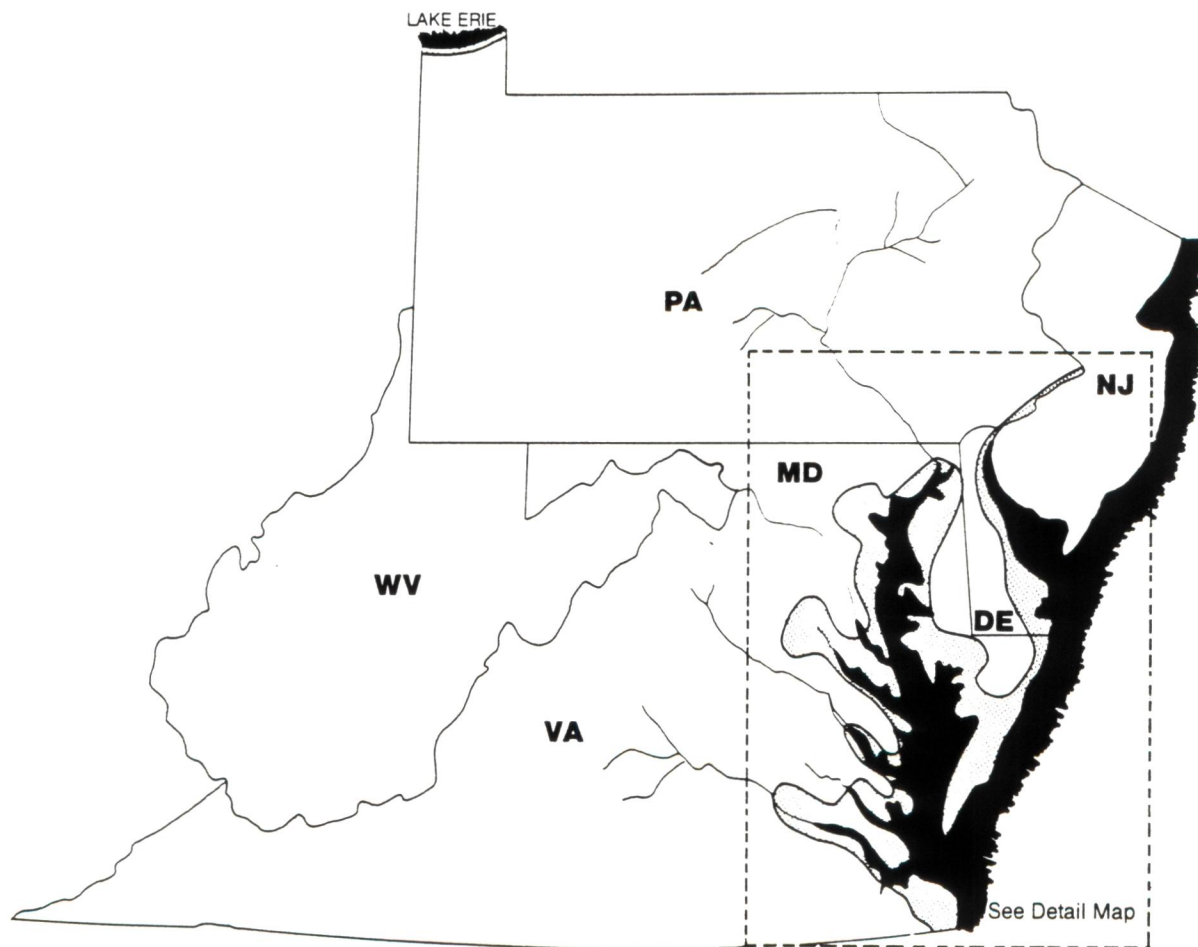


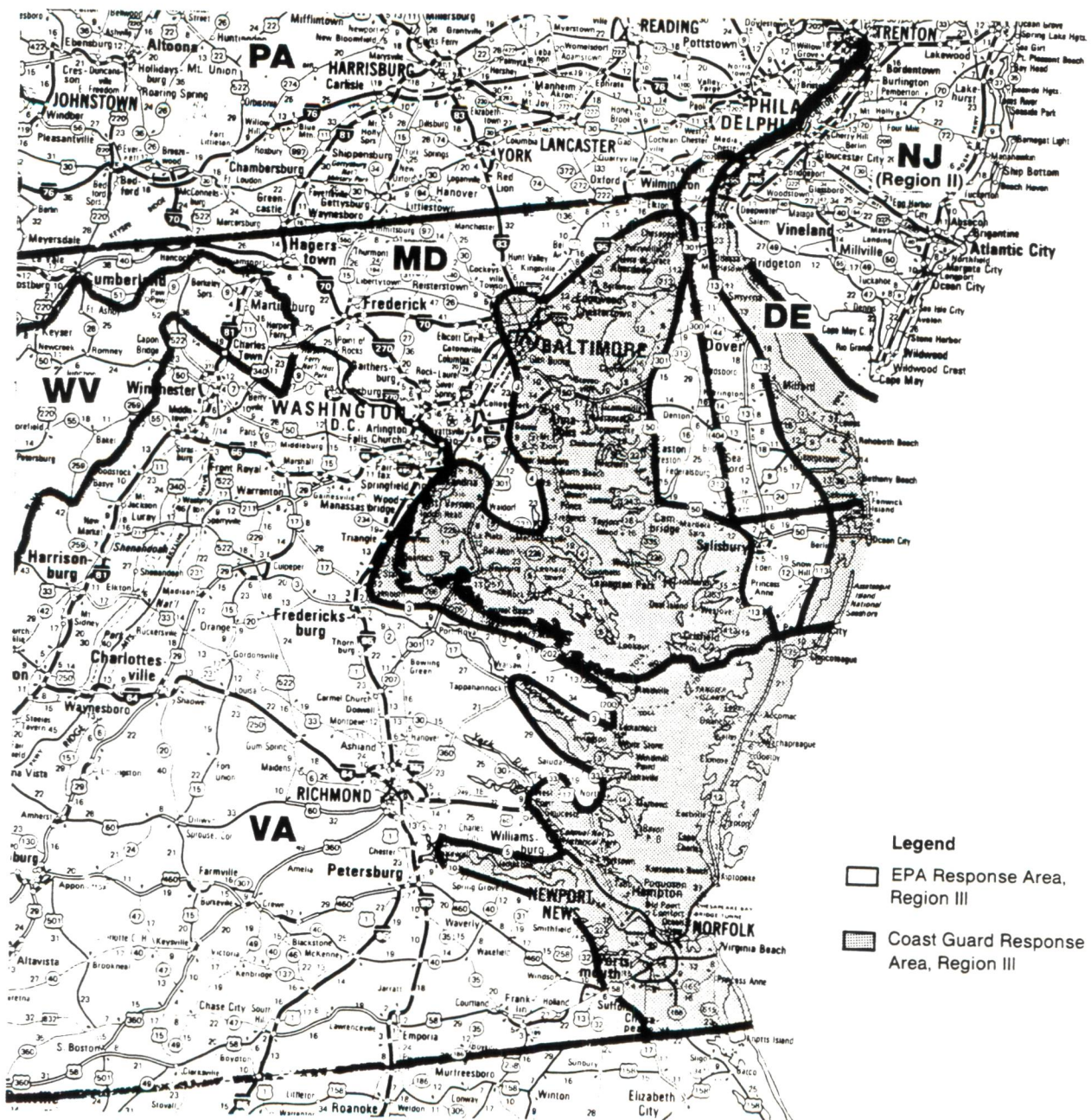
FIGURE 1 - EPA, HHS, FEMA, DOE, DOL, DOC

FIGURE 2



STANDARD FEDERAL REGION III
INLAND/COASTAL ZONE BOUNDARIES

FIGURE 3



STANDARD FEDERAL REGION III
INLAND/COASTAL ZONE BOUNDARIES - DETAILED

FIGURE 3A

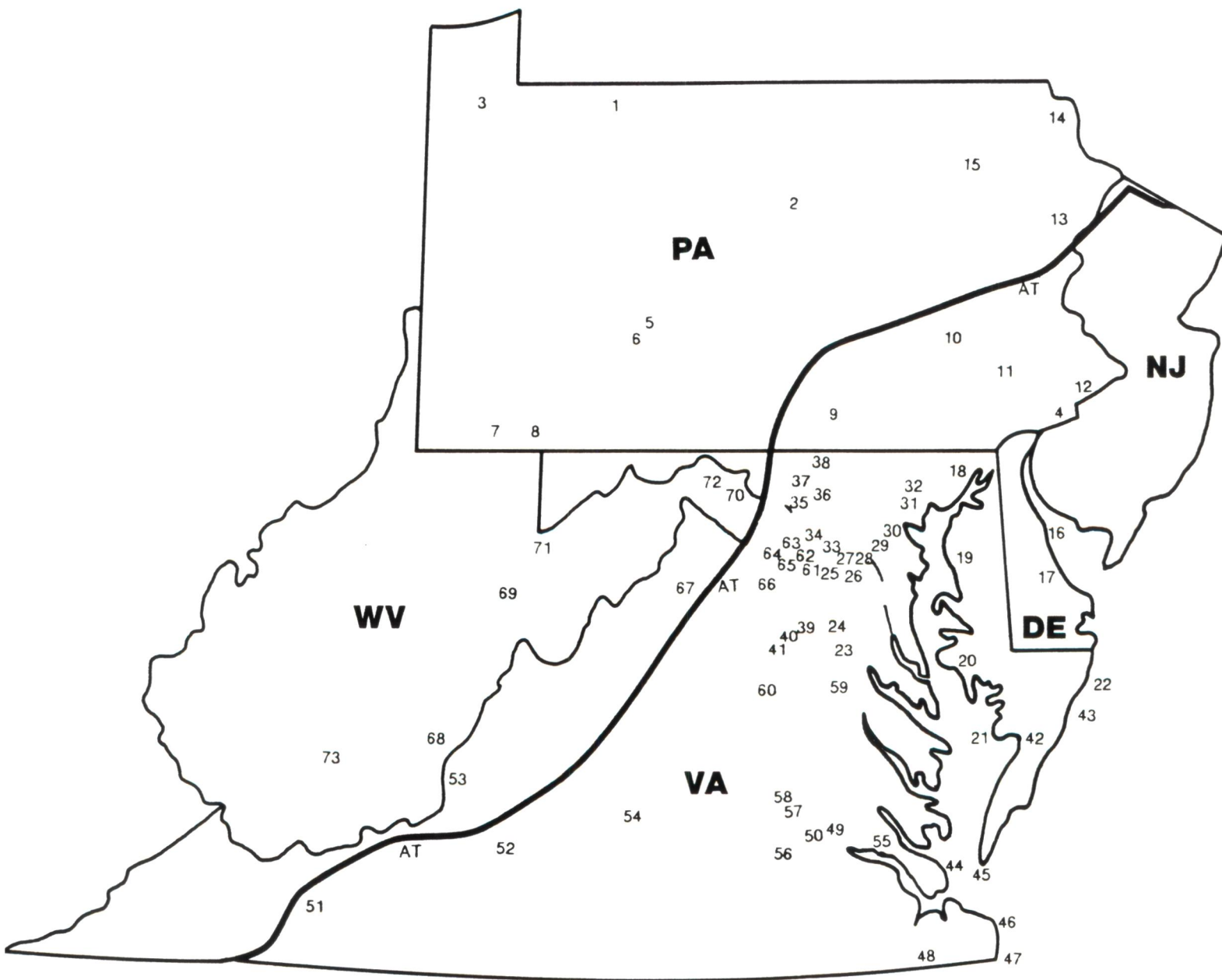


FIGURE 4
Department of the Interior Sites

FIGURE 5
MID-ATLANTIC REGION

DEPARTMENT OF THE INTERIOR SITES

PENNSYLVANIA

REFUGES/HATCHERIES

1. ALLEGHENY NATIONAL FISH HATCHERY
2. LAMAR NATIONAL WILDLIFE REFUGE
3. ERIE NATIONAL WILDLIFE REFUGE
4. TINICUM NATIONAL ENVIRONMENTAL CENTER

PARKS

5. ALLEGHENY PORTAGE RAILROAD NATIONAL HISTORIC SITE
6. JOHNSTOWN FLOOD NATIONAL MEMORIAL
7. FRIENDSHIP HILL NATIONAL HISTORIC SITE
8. FORT NECESSITY NATIONAL BATTLEFIELD
9. GETTYSBURG NATIONAL MILITARY PARK
EISENHOWER NATIONAL HISTORIC SITE
10. HOPEWELL FURNACE NATIONAL HISTORIC SITE
11. VALLEY FORGE NATIONAL HISTORICAL PARK
12. INDEPENDENCE NATIONAL HISTORICAL PARK
13. DELAWARE WATER GAP NATIONAL RECREATION AREA
14. UPPER DELAWARE SCENIC AND RECREATIONAL RIVER
15. STEAMTOWN NATIONAL HISTORIC SITE

DELAWARE

REFUGES

16. BOMBAY HOOK NATIONAL WILDLIFE REFUGE
17. PRIME HOOK NATIONAL WILDLIFE REFUGE

MARYLAND AND WASHINGTON, D.C.

REFUGES

18. SUSQUEHANNA NATIONAL WILDLIFE REFUGE
19. EASTERN NECK NATIONAL WILDLIFE REFUGE
20. BLACKWATER NATIONAL WILDLIFE REFUGE
21. GLEN L. MARTIN NATIONAL WILDLIFE REFUGE

PARKS

22. ASSATEAGUE ISLAND NATIONAL SEASHORE
23. THOMAS STONE NATIONAL HISTORIC SITE
24. FORT WASHINGTON PARK
PISCATAWAY PARK
OXON HILL FARM
25. ARLINGTON HOUSE THE ROBERT E. LEE MEMORIAL
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

- LYNDON B. JOHNSON MEMORIAL GROVE ON THE POTOMAC
THEODORE ROOSEVELT ISLAND
26. FREDERIC DOUGLASS HOME
27. FORD'S THEATRE NATIONAL HISTORIC SITE
JEFFERSON MEMORIAL
WASHINGTON MONUMENT
THE WHITE HOUSE/PRESIDENT'S PARK
LINCOLN MEMORIAL
NATIONAL MALL
SEWALL-BELMONT HOUSE NATIONAL HISTORIC SITE
28. ANACOSTIA PARK
KENILWORTH AQUATIC GARDENS
29. GREENBELT PART
30. BALTIMORE-WASHINGTON PARKWAY
31. FORT MCHENRY NATIONAL MONUMENT AND HISTORIC SHRINE
32. HAMPTON NATIONAL HISTORIC SITE
35. CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK
36. MONOCACY NATIONAL BATTLEFIELD
37. ANTIETAM NATIONAL BATTLEFIELD
38. CATOCTIN MOUNTAIN PARK

VIRGINIA

REFUGES/HATCHERIES

39. MASON NECK NATIONAL WILDLIFE REFUGE
40. MARUMSCO NATIONAL WILDLIFE REFUGE
41. FEATHERSTONE NATIONAL WILDLIFE REFUGE
42. WALLOPS ISLAND NATIONAL WILDLIFE REFUGE
43. CHINCOTEAGUE NATIONAL WILDLIFE REFUGE
44. PLUM TREE ISLAND NATIONAL WILDLIFE REFUGE
45. EASTERN SHORE OF VIRGINIA NATIONAL WILDLIFE REFUGE
46. BACK BAY NATIONAL WILDLIFE REFUGE
48. GREAT DISMAL SWAMP NATIONAL WILDLIFE REFUGE
49. HARRISON LAKE NATIONAL FISH HATCHERY
50. PRESQUILE NATIONAL WILDLIFE REFUGE
51. WYTHEVILLE NATIONAL FISH HATCHERY
52. PAINT BANK NATIONAL FISH HATCHERY

PARKS

53. BOOKER T. WASHINGTON NATIONAL MONUMENT
54. APPOMATTOX COURT HOUSE NATIONAL HISTORICAL PARK
55. COLONIAL NATIONAL HISTORICAL PARK
56. PETERSBURG NATIONAL BATTLEFIELD
57. RICHMOND NATIONAL BATTLEFIELD PARK
58. MAGGIE L. WALKER NATIONAL HISTORIC SITE
59. GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT
60. FREDERICKSBURG AND SPOTSYLVANIA BATTLEFIELD MEMORIAL NATIONAL PARK
61. PRINCE WILLIAM FOREST PARK
62. GEORGE WASHINGTON MEMORIAL PARKWAY
63. GLEN ECHO PARK
64. GREAT FALLS PARK
65. WOLF TRAP FARM PARK
66. MANASSAS NATIONAL BATTLEFIELD PARK

67. SHENANDOAH NATIONAL PARK

WEST VIRGINIA

REFUGES/HATCHERIES

68. WHITE SULFUR SPRINGS NATIONAL FISH HATCHERY

69. BOWDEN NATIONAL FISH HATCHERY

70. LEETOWN NATIONAL FISH HATCHERY

71. CANAAN VALLEY NATIONAL WILDLIFE REFUGE

PARKS

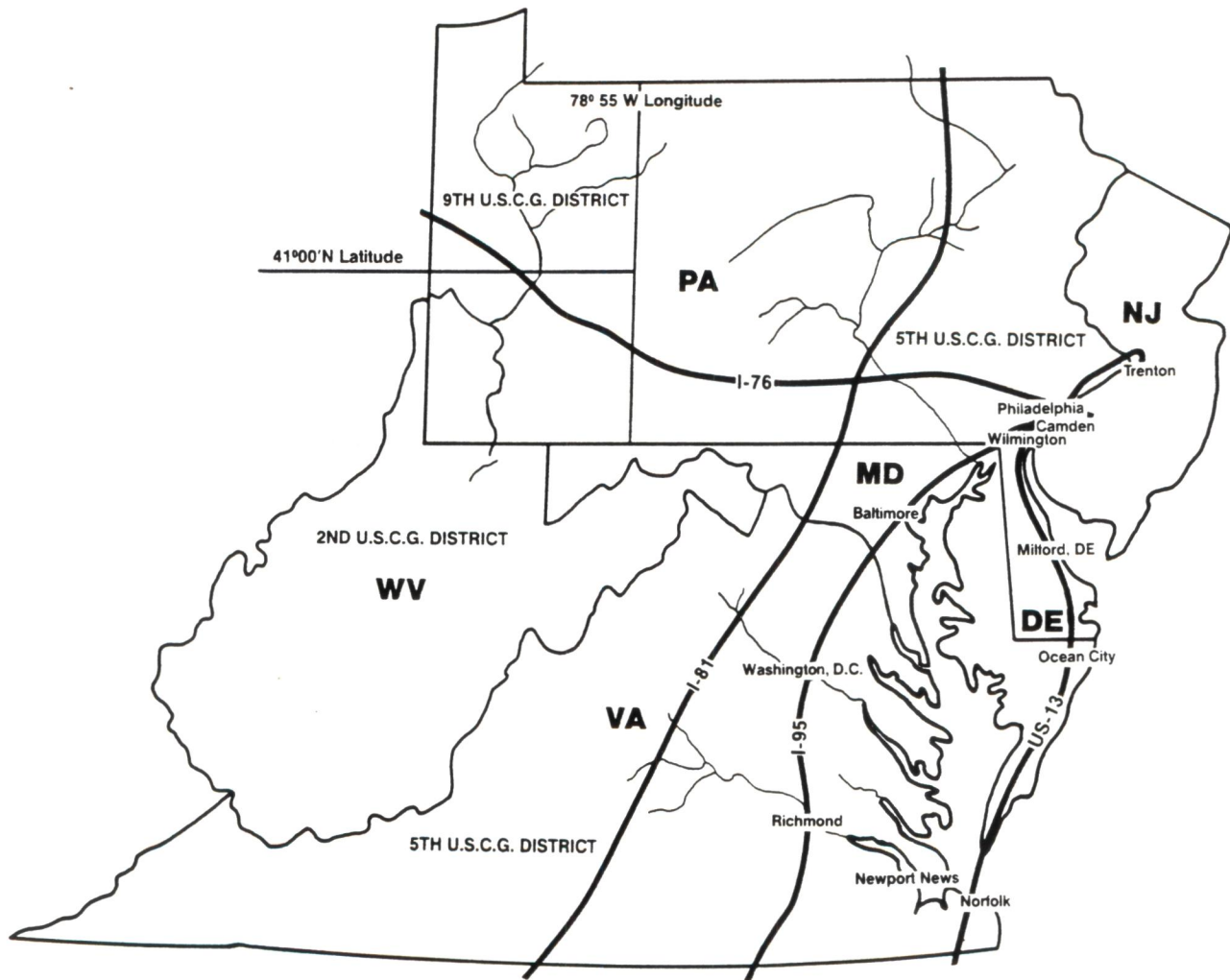
72. HARPERS FERRY NATIONAL HISTORICAL PARK

73. NEW RIVER GORGE NATIONAL RIVER

INTERSTATE

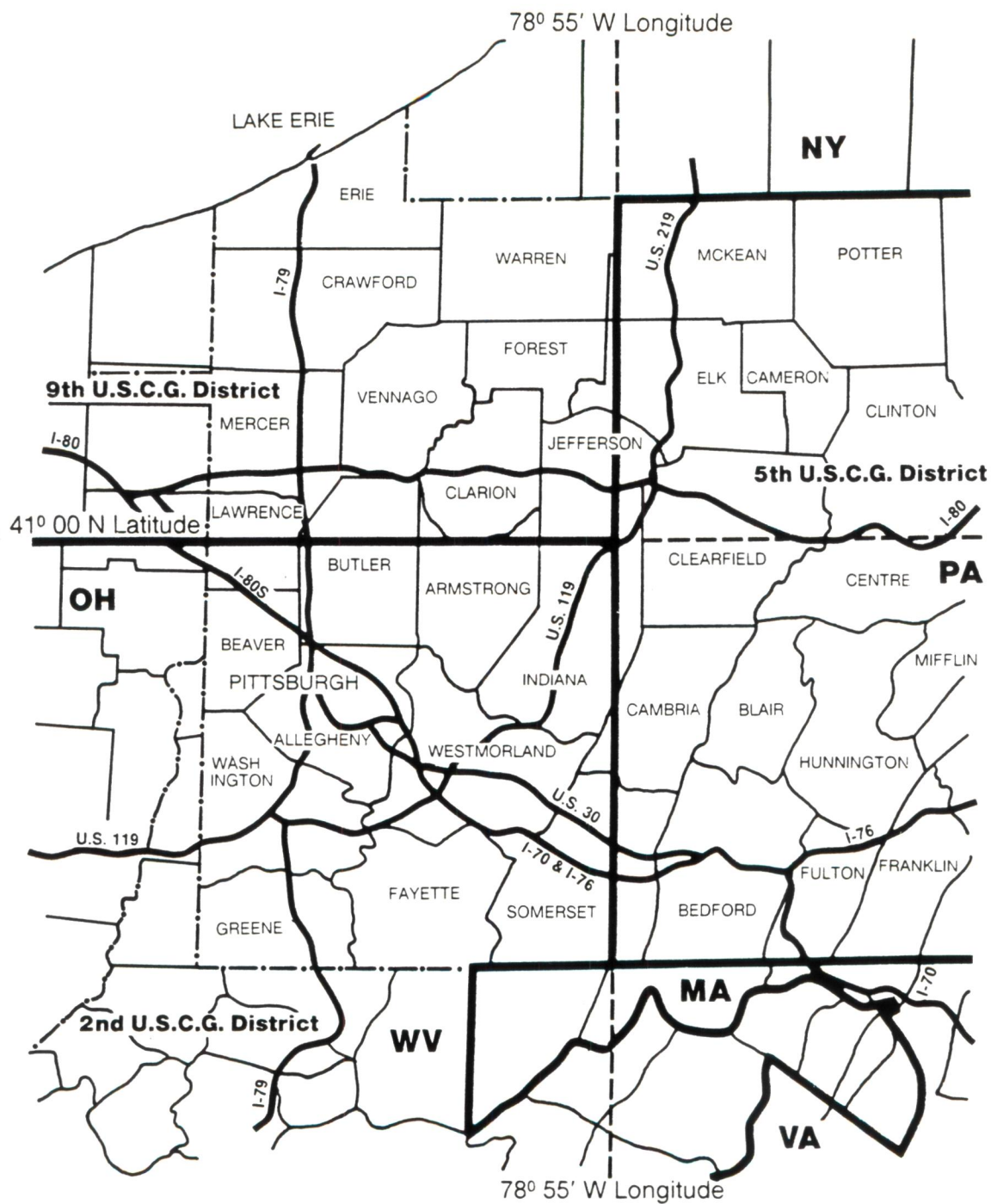
PARKS

AT. APPALACHIAN TRAIL (LIMITED DOI CONTROL)



U.S. COAST GUARD DISTRICT BOUNDARIES - REGIONAL

FIGURE 6



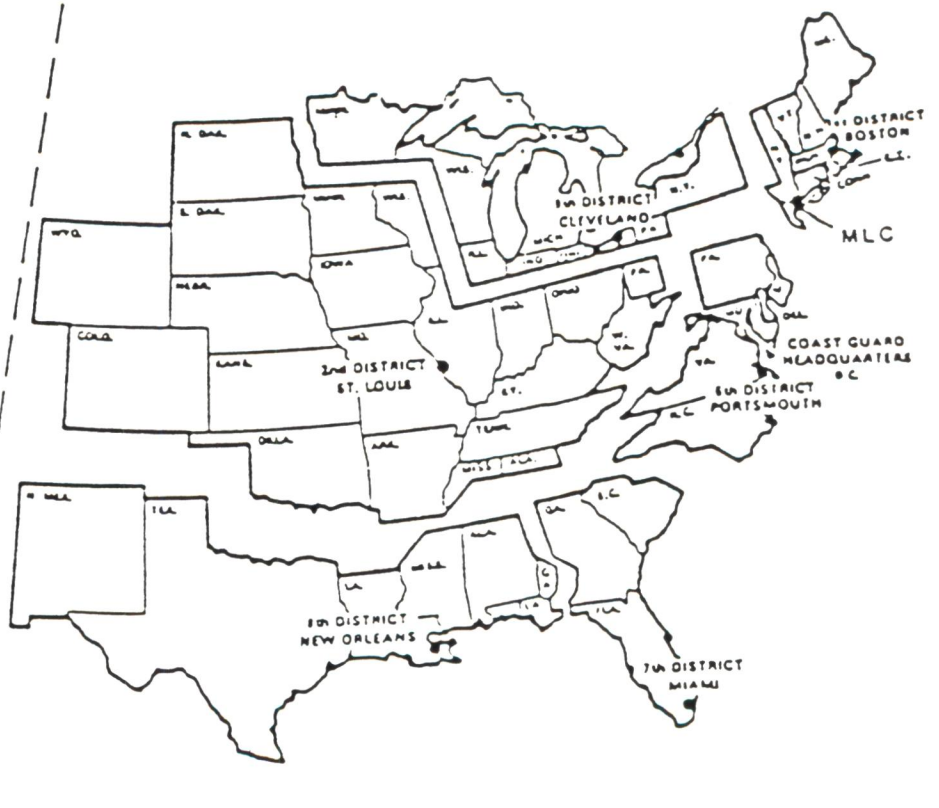
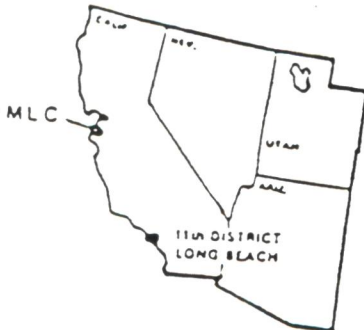
U.S. COAST GUARD DISTRICT BOUNDARIES - DETAILED

FIGURE 7



Pacific Area
COMPACAREA

Atlantic Area
COMLANTAREA



NEW DISTRICT ALIGNMENT

FIGURE 8

111.1 SECOND COAST GUARD DISTRICT AREAS OF RESPONSIBILITY

1.1 OVERALL SECOND COAST GUARD DISTRICT BOUNDARIES. 33CFR, Section 3.10-1. The Second Coast Guard District is comprised of: Arkansas, West Virginia, Kentucky, Tennessee, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, Wyoming, Colorado, Iowa, and Missouri; that part of Pennsylvania south of the 41° North latitude and west of the 79° West longitude; those parts of Ohio and Indiana south of 41° North latitude; Illinois, except that part north of 41° North latitude and east of 90° West longitude; that part of Wisconsin south of 46°20' North latitude and west of 90° West longitude; that part of Minnesota south of 46°20' North latitude; that part of Alabama north of 34° North latitude; that part of Mississippi north of the Southern boundaries of the counties of Washington, Sunflower, Leflore, Grenada, Calhoun, Chickasaw, Lee, Prentiss, and Tishomingo counties except that portion of the Tennessee Tombigbee Waterway south of Bays Springs Lock and Dam.

1.2 SPECIFIC Marine Safety Offices (MSOs) in Region III

(A) MSO Huntington, West Virginia

The Huntington Marine Inspection Zone and the Huntington Captain of the Port Zone are comprised of: All of West Virginia except for Preston, Monongalia, Marion, Marshall, Ohio, Brooke, and Hancock Counties; in Ohio: Wayne, Holmes, Know, Cushton, Licking, Muskingum, Guernsey, Noble, Fairfield, Perry, Morgan, Pickaway, Ross, Hocking, Vinton, Athens, Washington, Pike, Jackson, Gallia, Meigs, Scioto, and Lawrence Counties, those parts of Ashland and Medina Counties south of the 41° North latitude, and that part of Monroe County south and West of a line drawn from the point of intersection of Marshall and Wetzel Counties and the Ohio River to the Point of intersection of Belmont, Noble, and Monroe Counties; and in Kentucky: Letcher, Perry, Owsley, Breathitt, Knott, Pike, Floyd, Mongoffin, Wolfe, Menifee, Morgan, Johnson, Martin, Lawrence, Elliot, Boyd, Carter, and Greenup Counties, and that part of Lewis County north and east of a line drawn from the point of intersection of Scioto and Adams Counties and the Ohio River to the point of intersection of Carter, Greenup, and Lewis Counties (figure 1).

1.A(1) Marine Safety Office Huntington's river jurisdiction zone is as follows:

- (a) Ohio River - Mile 121.6 to 374.8
- (b) Kanawha River.
- (c) Big Sandy River.
- (d) Muskinghum River.

(B) MSO Pittsburgh, Pennsylvania.

The Pittsburgh Marine Inspection Zone and the Pittsburgh Captain of the Port Zone are comprised of: that part of Pennsylvania south of 41° North latitude and west of 79° West longitude; in West Virginia: Preston, Monongalia, Marion, Marshall, Ohio, Brooke, and Hancock Counties; and in Ohio: Stark, Columbiana, Tuscarawas, Carroll, Harrison, Jefferson, and Belmont Counties, those parts of Summit, Portage, and Mahoning Counties south of 41° North latitude, and that part of Monroe County north and east of a line drawn from the point of intersection of Marshall and Wetzel Counties and the Ohio River to the point of intersection of Belmont, Noble, and Monroe Counties (figure 2).

1.2B (1) Pittsburgh Marine Safety Office's river jurisdiction is as follows:

- (a) Ohio River - Mile 0.0 to 121.6
- (b) Allegheny River
- (c) Monongahela River

(C) RRT and MSO Contacts:

1) **RRT Members:**

Captain Larry Balok	Office:	(314) 425-4655
U.S. Coast Guard		(314) 425-4614
2nd Coast Guard District		(FTS) 279-4614
1430 Olive Street		(24 hrs.)
St. Louis, MO 63103-2398		

Alternate

CDR Robert Luchun
LCDR John C. Reed, CERCLA RRT Coordinator

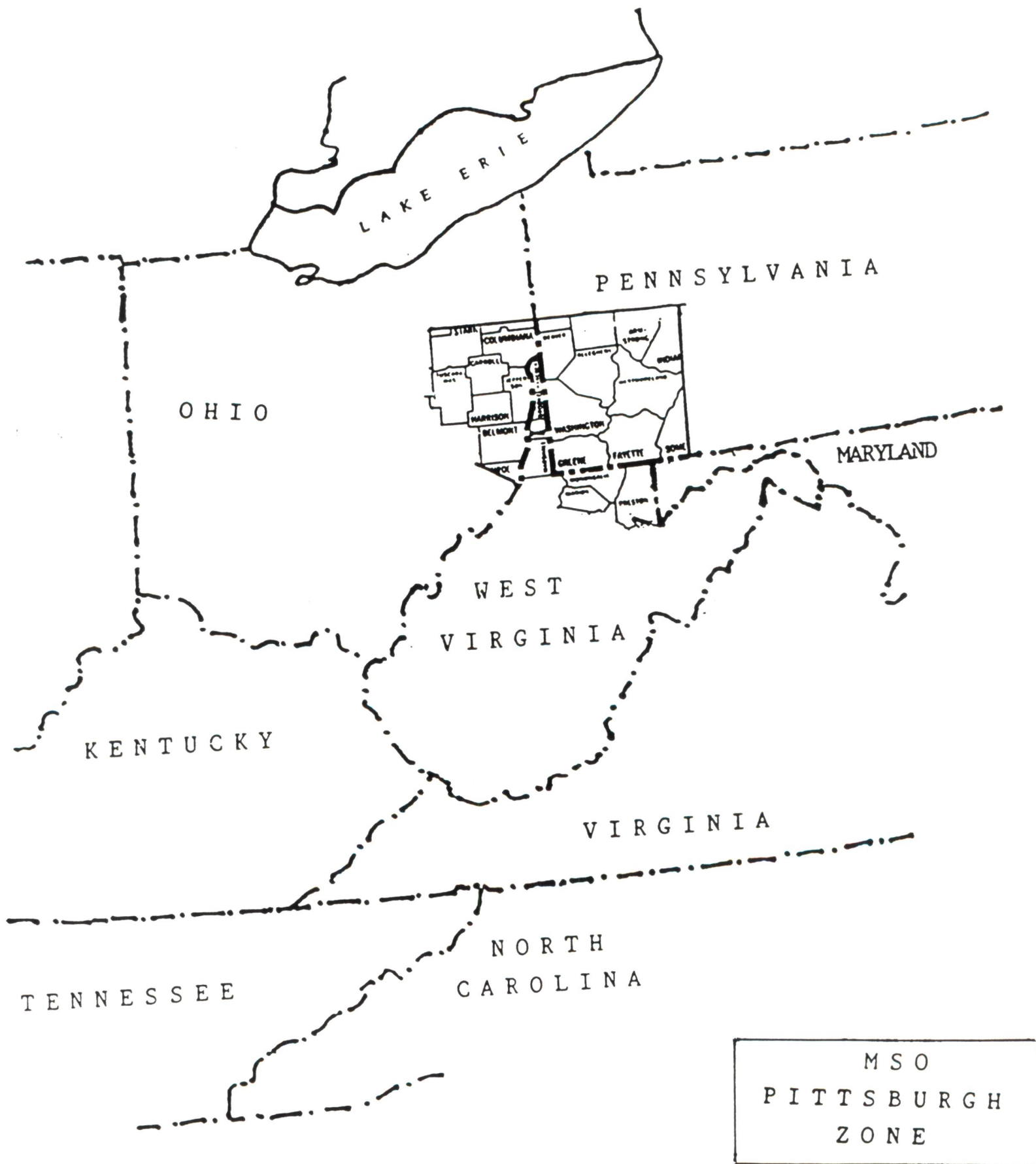


FIGURE 2

2) **MSO HUNTINGTON:**

Commanding Officer
MSO Huntington
P.O. Box 2412
Huntington, West Virginia 25725-2412

Office (FTS) 924-5524
(304) 529-5524 (Duty Hours)
(304) 522-9940 (After Hours Duty Officer)

3) **MSO PITTSBURGH:**

Commanding Officer
MSO Pittsburgh
Suite 700, Kossman Building
Forbes Avenue and Stanwix Street
Pittsburgh, Pennsylvania 15222-1371

Office: FTS 722-5807
(412) 644-5808 (Duty Hours)
(412) 281-3311 (After Hours Duty Officer)

4) **MLC CONTRACTING:**

Commander (fcp)
Coast Guard Maintenance and
Logistics Command Atlantic
Building 125, Room 320
Governors Island, NY 10004-5098

Contact: Lloyd Brown
Larry Mellor

Office: (FTS) 664-7110/7111
(212) 668-7110/7111
(FTS) 664-7055 (After Hours)
(212) 668-7055 (After Hours)

1.3 **MANNING and EQUIPMENT levels:**

Unit	Officers	Enlisted	Civilian			
MSO HUNTINGTON--	(7)	(8)	(1)			
MSO PITTSBURGH--	(6)	(7)	(1)			
			<u>Boats</u>			
		32'	17'	16'	14'	
MSO HUNTINGTON-----		-	(1)	(3)	-	
MSO PITTSBURGH-----		(1)	(1)	(1)	(1)	
			<u>Vehicles</u>			
		Passenger	Non-Passenger			
MSO HUNTINGTON		(2)	(2)			
MSO PITTSBURGH		(1)	(1)			

1.4 Specified Ports and harbors in South Western Pennsylvania and West Virginia as concerning both Oil and Hazardous Material Spills.

The following river reaches are identified as specified ports and harbors for the inland river systems within USEPA Region III and U.S. Coast Guard Second District. These zones shall encompass the area from bank to bank or levee to levee wherever a levee is present (figures 3,4,5,&6).

<u>River System</u>	<u>River Mile</u>	<u>Predesignated OSC</u>
Monongahela River System	Mile <u>0.0</u> to Mile <u>23.8</u>	COMSOPITTSBURGH
Allegheny River System	Mile <u>0.0</u> to Mile <u>24.2</u>	COMSOPITTSBURGH
Ohio River System	Mile <u>0.0</u> to Mile <u>31.7</u>	COMSOPITTSBURGH
	Mile <u>303.0</u> to Mile <u>317.2</u>	COMSOHUNTINGTON
Big Sandy River	Mile <u>0.0</u> to Mile <u>4.0</u>	COMSOHUNTINGTON

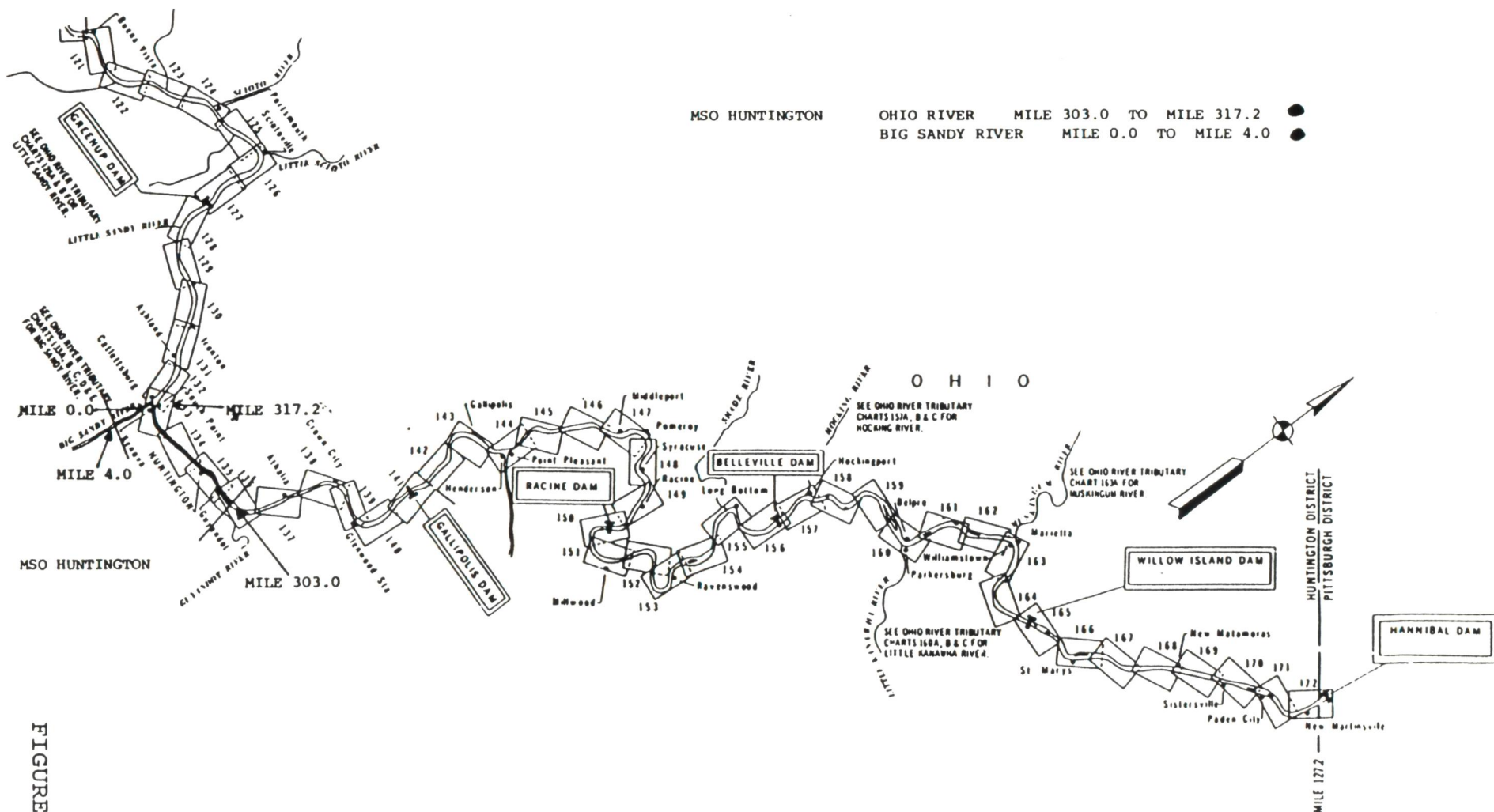
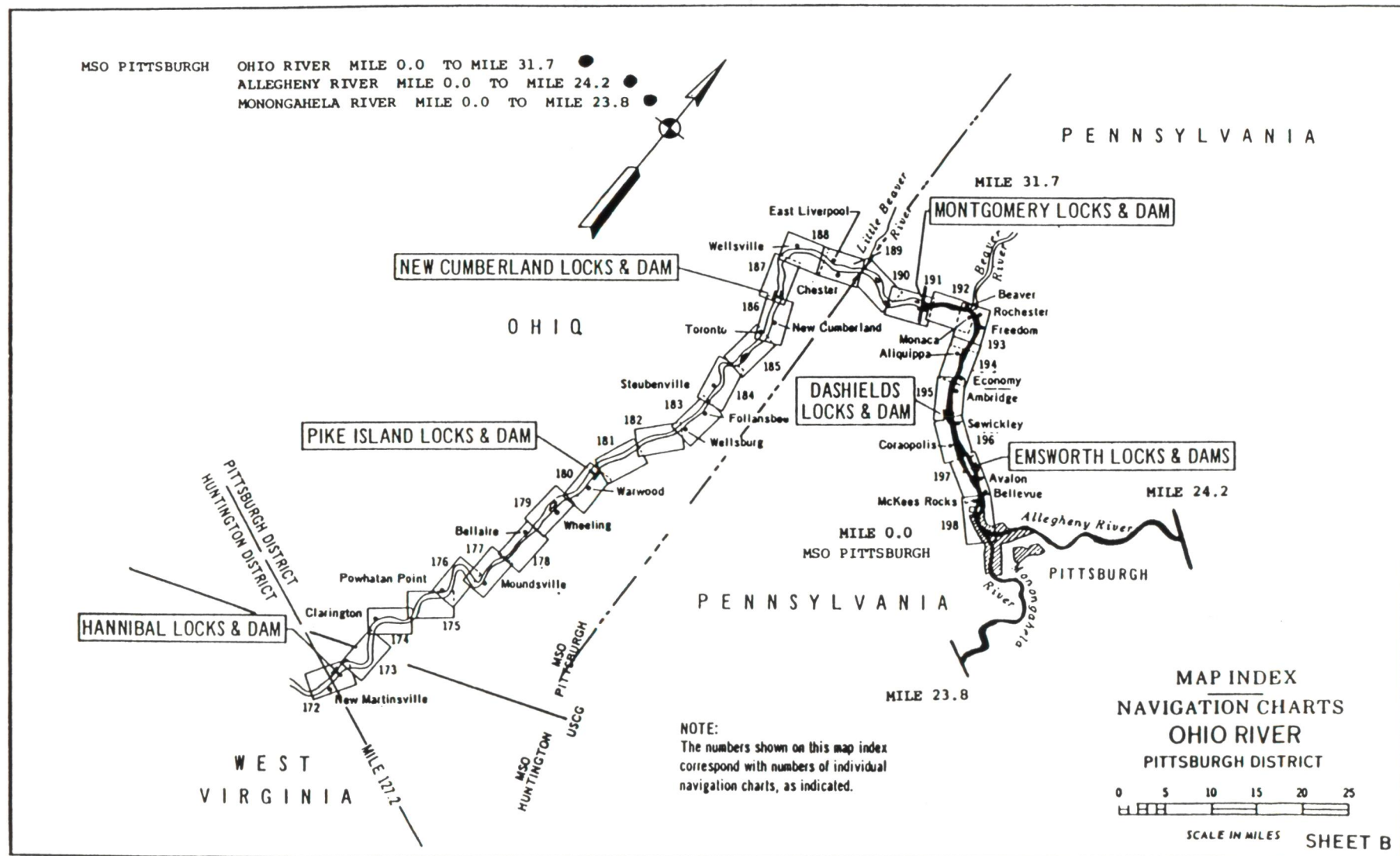


FIGURE 3

U. S. ARMY ENGINEER DISTRICT, PITTSBURGH

MSO PITTSBURGH OHIO RIVER MILE 0.0 TO MILE 31.7
 ALLEGHENY RIVER MILE 0.0 TO MILE 24.2
 MONONGAHELA RIVER MILE 0.0 TO MILE 23.8



III-23

FIGURE 4

U. S. ARMY ENGINEER DISTRICT, PITTSBURGH

MSO PITTSBURGH MONONGAHELA RIVER MILE 0.0 TO MILE 23.8

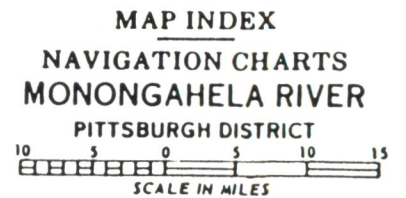
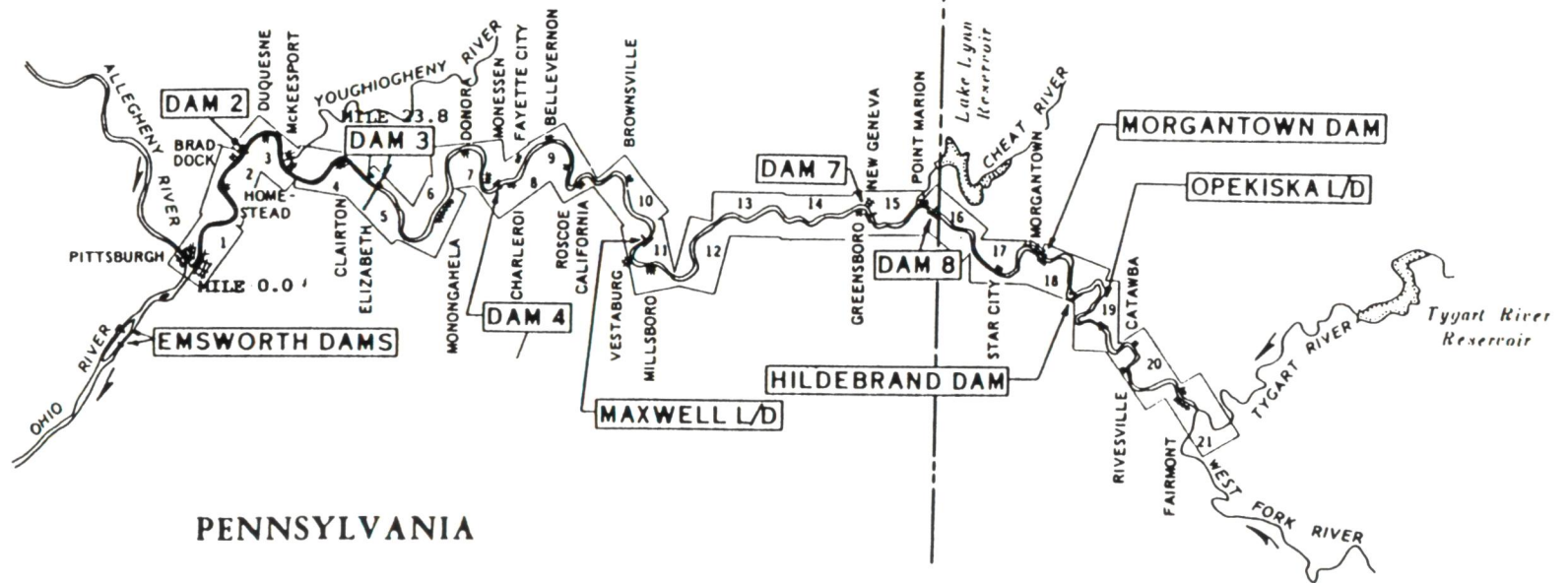
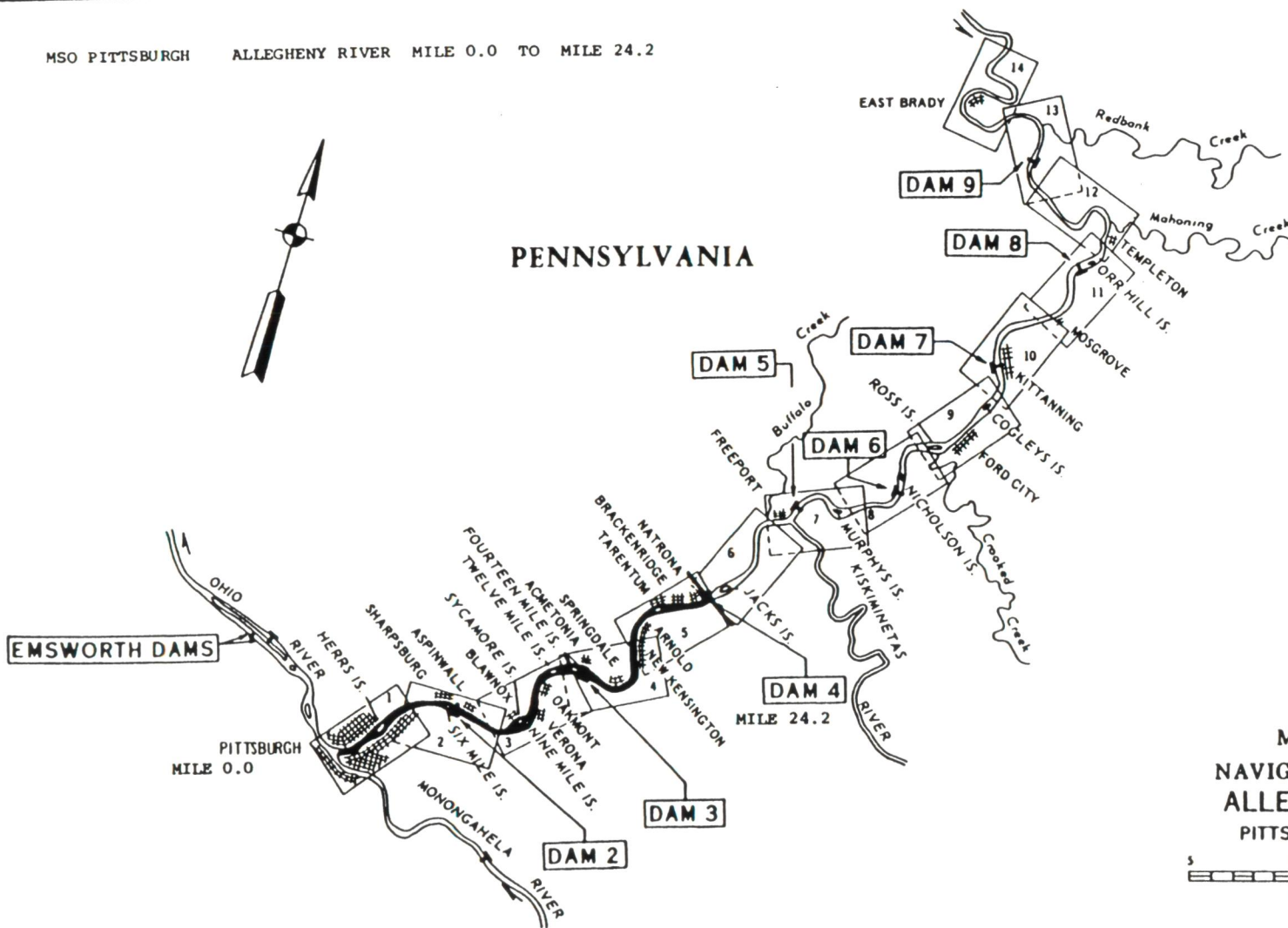


FIGURE 5

U. S. ARMY ENGINEER DISTRICT, PITTSBURGH

MSO PITTSBURGH ALLEGHENY RIVER MILE 0.0 TO MILE 24.2

PENNSYLVANIA



MAP INDEX
NAVIGATION CHARTS
ALLEGHENY RIVER
PITTSBURGH DISTRICT

5 0 5 10
SCALE IN MILES

FIGURE 6

The **U.S. Coast Guard**, through the appropriate Captain of the Port, shall be responsible for furnishing the **predesignated On-Scene Coordinator** for all discharges of oil and hazardous substances which result from a vessel casualty or vessel-transfer activity which occur **in theses specified Ports and Harbors** of the Inland River System.

The Coast Guard will not normally respond to those discharge incidents within their predesignated zone which occur (1) at industrial facilities, (2) from non-marine transportation casualties, (3) at bulk storage facilities, and (4) at hazardous substance waste sites.

Operations and resources permitting, the USCG will, at the request of USEPA Region III, provide assistance and a First Federal Official on scene to those major incidents which occur in the inland zone that require immediate federal response presence to assess the impact and extent of the oil/hazardous materials release.

The U.S. Coast Guard will continue to respond to significant marine casualty incidents which occur upon the commercial navigable waters of the inland rivers. The Coast Guard will respond to those vessel casualty incidents which are outside of the limits of specified ports and harbors for investigative purposes. If a discharge of oil or hazardous substance is involved, the USCG will either act in the role of First Federal Official on scene pending the arrival of the USEPA Region III Predesignated OSC, or, at the request of the USEPA Region III Predesignated OSC, the Coast Guard may provide the incident specific OSC.

1.5 HAZARDOUS MATERIALS RESPONSE RESTRICTIONS

To insure the highest personnel safety, Second Coast Guard District MSOs shall adhere to the following standards:

(A) All COTPs will maintain a **Level C** response capability. This Level shall be maintained to consist of the minimum below listed equipment (Chapter 2 of COMDTINST M16465.30):

- Full-face, air purifying canister respirator (MSHA/NIOSH approved)
- Replacement canisters (Acid gases, Organic Vapors, Combination, etc.)
- Chemical-resistant clothing (e.g. hooded, one or two-piece splash suit, hood and apron, disposable coveralls)
- Cotton (or flame retardant) coveralls
- Gloves (outer) chemical-resistant
- Gloves (inner) chemical-resistant
- Boots, steel toe and shank, chemical-resistant
- Boots (outer), chemical resistant, disposable
- Hard Hat
- Emergency escape breathing apparatus

(B) Within their MSO area of operation, COTPs will initiate a conservative response to reported hazardous substance releases originating from sources outlined in section 7.C.2.b of Volume VI of the MSM. This section states:

"The Coast Guard OSC shall respond to Hazardous Substances releases, or threats of releases, occurring in the coastal zone (specified in RCPs), not involving DOD vessels or facilities, that originate from:

(1) Vessels (including remedial actions);

(2) Facilities, other than hazardous waste management facilities, when the release requires immediate action to prevent risk or harm to human life, health, or the environment; or

(3) Hazardous waste management facilities or other illegal disposal areas, when Coast Guard OSC determines emergency containment or other immediate removal actions are necessary prior to the arrival of the EPA OSC. **NOTE: The EPA has agreed to respond to these incidents to relieve Coast Guard OSCs within 48 hours of notification.** However, ad hoc agreements concerning the time for relief may be made between EPA and Coast Guard OSCs. A "hazardous waste management facility includes land, structures, appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste, whether lawfully or unlawfully."

(C) COTPs will ensure active responses are made for preliminary assessment purposes only. Entry **may only be made** after it has been determined Level C will provide proper protection to the wearer.

(D) The manning and equipment levels of MSO Huntington and Pittsburgh, precludes greater or more extensive action than initial response or FFOOs. To expand response actions from this level, additional forces and equipment shall be obtained from the Atlantic Area Strike Team or local agencies properly outfitted.

ANNEX IV
1400 PUBLIC INFORMATION

1401 Public Relations

1401.1 During a major or significant pollution incident, considerable public and media interest is usually generated. The OSC has a responsibility to keep the general public apprised of such situations. This responsibility remains the same regardless of who is conducting the remedial or cleanup activities. The simplest method to fulfill this responsibility is to develop a good working relationship with the news media.

1401.2 EPA OSCs should coordinate all community and media concerns with the EPA Office of Public Affairs (OPA). The guidelines used by the OPA at emergency response sites are included in the Community Relations in Superfund: A Handbook, September 1983, Interim Version. During non-business hours the EPA Region III Office of Public Affairs transfers the press telephone line to a home line to provide timely public information response. The number is FTS 597-9825, commercial (215)597-9825. Upon notification, the office will conduct the necessary coordination to provide the OSC with on-scene assistance as quickly as possible, as well as answering press queries. Discrepancies in news releases or media coverage should be brought to the attention of the responsible party and EPA OPA.

1401.3 Coast Guard OSCs shall coordinate all community and media concerns in accordance with the appropriate district Standard Operating Procedures (SOP).

1401.4 All OSCs should, consistent with their operational requirements, make an effort to be available to the media. This is imperative if a Federal response is initiated. If the responsible party is conducting cleanup or remedial activities, OSCs should monitor the responsible party's press activity to the same degree the cleanup/remedial activities are monitored. Any erroneous coverage which may mislead the public relative to health and safety concerns should be corrected quickly. Although correction by the responsible party is preferred, delays in correcting erroneous reports relative to health and safety should not be tolerated. A formal press conference should not be held unless a significant announcement is to be made or the press has requested one. Such a conference raises expectations of major news. Care must be taken in arranging news conferences to insure that spokesmen for the various agencies assisting the OSC are available to comment on their particular portions of the operations and that each agency's contributions are accurately portrayed in news releases.

1402 Public Information Assist Team

1402.1 The Public Information Assist Team (PIAT) is available to assist any Coast Guard or EPA OSC as well as any Coast Guard Public Affairs Office.

ANNEX V
1500 NOTIFICATIONS, COMMUNICATIONS AND REPORTS

1501 Communications Procedures

1501.1 Normal communications circuits of each primary agency will be used to effectuate this Plan. The regional telephone numbers of all concerned agencies will be disseminated to RRT members semi-annually and will be maintained at each RRC.

1501.2 When an agency other than the predesignated OSC is the first Federal official on-scene, it is recognized that the results of their initial investigation and reports of the extent and circumstances of a spill are tentative and will normally be verified as the case progresses. It must be emphasized that all information as to the extent of the spill and the situation on-scene should be passed to the predesignated OSC as it is discovered. Do not wait until the investigation is well along or completed before passing on what has been learned.

1501.3 When the predesignated OSC has assumed control, he will initiate formal message traffic to the RRC in accordance with current agency directives. The formal message traffic will be supplemented with informal telephone or radio reports during the initial and subsequent phases of the spill.

1502 Inter-Agency Use of Communications Facilities

1502.1 When the RRT is activated, the communications capabilities of the member agencies will be made available to each of the other member agencies to the maximum extent practicable. Care must be taken to avoid any interference with ongoing cleanup operations.

1503 Communications Services Definitions

1503.1 Telephone (voice) services available include:

a. AUTOVON (Automated Voice Network) - general purpose switched-voice network of Defense Communications systems which serves Continental U. S., Alaska, Europe, Pacific, and Panama.

b. FTS - GSA-operated government administrative telephone system

c. SARTEL - Search and Rescue Command Coordination telephone network including leased Hotline telephone net extending from Halifax to New Orleans.

d. Phone Patch - The ability to call a telephone number from a mobile radio and vice versa. This is accomplished by calling a Coast Guard Group office which will have the connecting capability or by calling a commercial telephone operator and asking for the Marine Operator.

1503.2 Teletype Service available includes:

a. AUTODIN - A defense communications world wide high-speed user data communications system operated for and managed by the Defense Communications Agency to provide both direct user-to-user and store-and-forward message-switching service for DOD and other government agencies.

b. TELEX - Teletypewriter exchange service provided by Western Union that serves Continental U. S., industry and government offices. TELEX also permits direct connections with international communication carrier and overseas TELEX communications.

1503.3 Communications Capabilities

1503.3-1 Coast Guard Regional Response Center. All Coast Guard RRC's are manned and provide 24-hour, 7-days-a-week communications and a command control center that is equipped as follows:

TELEPHONE: Commercial, FTS, Autovon, SARTEL (Phone Numbers listed in Annex II).

TELETYPE:

AUTODIN: RUWTBRA/CCGD2 St. Louis, MO
RUEBNSA/CCGD5 Portsmouth, VA
RUCIABA/CCGD9 Cleveland, OH

TELEX: Yes. Address listed in Annex II.

TELECOPIER: Service available by calling the RRC phone number and contacting the Watch Officer.

1503.3-2 Environmental Protection Agency, Region III, Regional Response Center

TELEPHONE: The EPA Regional Office is not manned after working hours, but does maintain a person on call through a call forwarding service. A 24-hour commercial and FTS phone number is listed in Annex II. A portable telephone is available and can be reached by dialing (215) 568-0736.

TELETYPE: TWX address (710) 670-0716. The terminal prints 24-hours/day, but is monitored only during working hours or on occasion.

1503.3-3 DOI, Mid-Atlantic Region

TELEPHONE: Office and home telephone numbers for the RRT member and alternate are listed in Annex II, Section 1200, Regional Response Team.

TELETYPE: TWX address (710) 670-8880. Message traffic must be addressed as follows:

CDRUSAED PHILADELPHIA PA//DEPT INTERIOR
ROOM 502//

Transmissions are received 24-hours a day, but are monitored only during working hours.

TELECOPIER: Copies are received automatically at FTS 597-1085, but the printout is monitored only during working hours.

1503.3-4 Federal Emergency Management Agency, Region III

TELEPHONE: After working hours, an agency representative at the special facility, will answer all calls.

TELETYPE: TWX address (710) 670-6720.
Teletype transmissions are received 24-hours/day, but monitored only during working hours or on occasion.

ROUTING INDICATOR: RVE OREA

TELECOPIER: Copies will be automatically received 24-hours/day by dialing (215) 931-5513 (FTS 489-5513), but the printout is only monitored during working hours or on occasion.

1503.3-5 Department of Health, and Human Services

TELEPHONE: After working hours, an answering service will contact an agency representative and relay information.

TELETYPE: TWX Digit Address 55165.
Routing Indicator RUEVEFW.
The terminal prints 24-hours/day, but is monitored only during working hours.

1503.3-6 National Oceanic and Atmospheric Administration

TELEPHONE: As per numbers listed in Annex II.

1503.3-7 Maryland Water Resources Administration

TELEPHONE: After working hours, the Maryland Marine Police will answer at the 24-hour number indicated in Annex II. Information will be relayed to personnel on duty.

TELETYPE: TELEX Designator MD 0020500 on the National Law Enforcement Teletype System. The teletype terminal is manned 24-hours a day.

RADIO: MWRA vehicles are equipped with the following:

Police Band frequencies:

39.100 MHz Primary working frequency
39.220 MHz Backup frequency and used to coordinate with State Police Helicopters.

MWRA watercraft are equipped with the following:

Police Band frequencies:

Same as vehicle.

Marine Band frequencies:

Synthesized all channel capabilities including Radio-Telephone.

On-Scene personnel use voice activated radio headsets operating on 49.86 MHz.

1503.3-8 Virginia State Water Control Board

TELEPHONE: State VCIN teletype (GAME) (Daytime use only)

TELETYPE: No terminal.

TELECOPIER: Service is available during normal working hours by calling (804)257-0067.

RADIO: State Game Commission radios available (VHS-FM)

1503.3-8 Virginia Department of Emergency Services:

TELEPHONE: 652-5519 FTS (24 hours)
725-1620, Ext. 5519 AUTOVON (Day)
1-(800) 468-8892 (24 hours)
(804) 323-2300 (24 hours)

TELETYPE: AUTODIN: RUEOREX/State Emergency Services
Director, Richmond, VA
VCIN: VEOC/VA Department of Emergency
Services, Richmond, VA

TELECOPIER: (804) 323-2321 (Groups I, II and III)
Auto Answer (24 hours)

HOTLINE: NAWAS (Circuit GP-4285/067)

RADIO: VHF-FM (Marine): BASE STATION: 12, 16, 21A,
22A, 81A, 83A
MOBILE: All Marine Channels

VHF-AM (Aircraft): BASE STATION: 123.100, 123.050
HF/SSB: 2/30 MHz. (All Authorized
Channels)

VHF-FM (Land Mobile): All Authorized State
Channels available

UHF-FM (Land Mobile): All Authorized State
Channels available

SPECIAL: 800 MHz Mobile Cellular Telephone Services
available

1503.3-10 Pennsylvania

TELEPHONE: The 24 hour number is (717) 787-4343

TELECOPIER: Service is available during normal working
hours. Copies are received automatically
24 hours each day at (717) 783-2802, be
sure to include transmission sheet.

RADIO: All PADER vehicles are equipped with VHF
radios operating on the following
frequencies: 151.175/159.255,
151.295/159.360, 151.385/159.420, and
151.400/159.345. A large repeater network
is operational in Pennsylvania.

1503.3-11 Delaware

TELEPHONE: The number listed in Annex II
is answered 24-hours/day by the radio

dispatcher or an answering service who will page the duty representative.

TELETYPE: No commercial teletype terminal. A data phone is in service linking EPA, New Jersey, Maryland and Pennsylvania.

TELECOPIER: Service is available during working hours by dialing an operator at (302) 678-4666.

RADIO: Department of Natural Resources vehicles are equipped with transceivers crystallized to their assigned agency and State Police frequency.

The agency's three boats are equipped with VHF Marine Band frequencies. Mobile units can be contacted via the radio dispatcher at the listed agency phone number.

1503.3-12 West Virginia

TELEPHONE: The numbers listed in Annex II are answered at work or at home as indicated.

TELETYPE: No commercial Teletype Terminal.

TELECOPIER: No dedicated service is available. Contact person identified in Annex II for status as necessary.

RADIO: Crystallized transceivers available on Police frequencies.

1504 Incident Reporting Systems

1504.1 The initial reporting of a pollution incident should be by the most rapid means available to the NRC and predesignated OSC. A recommended oil pollution report check-off list is displayed as Exhibit 1.

1504.2 A Pollution Report Message (POLREP) will be submitted by the OSC to the RRC in accordance with internal agency instructions. POLREPs for incidents classified as minor by the NCP need not be sent to the NRC or any other Federal agency unless specific circumstances warrant. The appropriate state(s) should be advised by POLREP of all incidents in the Coastal Zone. The Coast Guard OSCs, the NRC and EPA should be informational addresses on all medium and major incident POLREPs occurring within the Coastal Zone.

1504.2-1 The RRC will notify the NRC and concerned RRT members of major or potential major incidents by telephone as soon as details are known. On report of a major or potential major spill, the RRC will provide daily POLREPS to the RRT and the NRT

and will send additional POLREPS as significant developments occur. Potential spills will be reported in the same manner as actual spills of equivalent size.

1504.3 Messages

1504.3-1 Messages intended for the NRT should be addressed to: COGARD National Response Center, Washington, DC and AIG 8909. This Address Indicator Group (AIG) will insure distribution to the national offices of the following agencies and any subsequent NRT member agencies:

Commandant, U. S. Coast Guard
Commander, Atlantic Area, U. S. Coast Guard
Commander, Pacific Area, U. S. Coast Guard
National Strike Force, Atlantic
National Strike Force, Pacific
Chief of Naval Operations
Department of Transportation
U. S. Army Corps of Engineers
Department of Defense
Department of Interior
Environmental Protection Agency
National Oceanic and Atmospheric Administration
Federal Emergency Management Agency

1504.3-2 Messages from Coast Guard
RRC will be addressed to member agencies as follows:

P
FM CCGD (1) //MEP//
TO COGARD NATIONAL RESPONSE CENTER WASHINGTON DC
EPA REGION THREE PHILADELPHIA PA
FEMA REGION THREE PHILADELPHIA PA
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
OCEAN ASSESSMENTS DIVISION
OLD BIOLOGY BLDG SUNY
STONY BROOK NY 11794 TEL 516 751 7002
CDRUSAED PHILADELPHIA PA//DEPT INTERIOR ROOM 502//
DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH SERVICE REGION III
PO BOX 13716
PHILADELPHIA PA 19101 TEL 215 596 6650
DOJ WASHINGTON DC
DOE BROOKHAVEN AREA OFC YAPHANK NY
US DEPARTMENT OF LABOR
OSHA TECHNICAL SUPPORT
ROOM 2100
3536 MARKET ST
PHILADELPHIA PA 19104 TEL 215 596 1201
US DEPARTMENT OF AGRICULTURE
FOREST SERVICE, USDA
370 REED RD
BROOMALL PA 19008 TEL 215 461 3146
add appropriate non-Federal RRT members

INFO CCGDFIVE PORTSMOUTH VA//MEP// (2)

COGARD MSO (3)

ACCT CG-W2GERC

BT

UNCLAS//N16465//

REGION III INCIDENT SPECIFIC RRT POLREP Number, size,
type of pollution, specific substance, source, location, MSO case
no

(3)

1. SITUATION (CCGDO (4) REGION III RRT ACTIVATION
no. and year calendar year (eg, 01-85)

- (1) TWO ST LOUIS, MO; FIVE PORTSMOUTH, VA; OR NINE
CLEVELAND, OH AS APPROPRIATE
- (2) CCGDFIVE PORTSMOUTH VA//MEP// to be added as (INFORMATION
ADDRESSEE) by all other originators in order to simplify
the preparation of the semi-annual RRT report to the NRT.
- (3) MSO acting as OSC should be inserted in these locations.
Any OSC/MSO that may be impacted by an incident should also
be included as INFO ADDEE(s).
- (4) TWO, FIVE, or NINE as appropriate.

1504.4 Pollution Reports.

Within 60 days after the conclusion of Federal removal action
resulting from a major pollution discharge, the OSC shall submit a
complete report of the response operation and the action taken.
Copies will be furnished to the NRT via the RRT together with any
other pertinent information available. The RRT shall then evaluate
each report and will make appropriate recommendations. The report
shall include the requirements of the NCP as well as the following:

a. Summary of Events:

1. Description of the cause and initial
situation
2. Organization of response action and
resources committed

b. Effectiveness of response and removal actions by:

1. The discharger
2. State and local forces
3. Federal agencies and special forces

c. Unique problems encountered

d. Recommendations:

1. Means to prevent recurrence
2. Improvement of response actions
3. Changes in National or Regional Contingency Plans to improve them

e. Enclosures:

1. Map, chart, aerial photograph or diagram of the affected area
2. Signed copy of the Notice of Assumption of cleanup
3. For major pollution incidents, all OSC daily briefing sheets
4. Chronological photographic documentation of cleanup
5. All POLREPS and related messages
6. Copies of radio and telephone logs
7. A summary of all removal costs

1504.5 Memorandum of Understanding

A Memorandum of Understanding concerning interagency pollution incident notifications exist between the Fifth Coast Guard District and the States of Maryland and Virginia. (See Annex VII).

1505 RRT Semi-Annual Report.

A semi-annual letter report will be submitted to NRT by the Standing RRT co-chairmen in accordance with Section 300.32(b)(6)(vii) of the NCP. Any desired input by RRT members should be forwarded to either co-chairman no later than 1 January and 1 July each year for inclusion into the report. A copy of the report will be forwarded to each RRT member.

1506 NOAA Electronic Mail

1506.1 NOAA hosts an electronic mail network using its computers in Seattle. This network is accessible through the GTE Telenet. The system permits the use of 300 or 1200 baud rates for communications. Users with dialup modems may access the system toll free from almost anywhere in the country. Administrative use of the system is managed by the NOAA and the NOAA SSC. Operational use of the system may be requested by an RRC for incident specific activations of the RRT.

1506.2 Electronic Mail Access Procedures using the Standard C3 Terminal

USER NAME (type in your user name)
PASSWORD (type in assigned password)

Command line - type asy

carriage return

change baud to 1200

hit GO

Turn On MODEM

Type in capitals - ATDT9,(local number for access)

carriage return twice

Telenet 206 18A (appears on screen)

Terminal (will appear on screen)

carriage return

@ (when @ appears on screen, type C 20665)

carriage return

Priment 19.3.1 (appears on screen)

type LOGIN CGD5

carriage return

PASSWORD? (will appear on screen) type in your assigned password

OK? (will appear on screen) type SEND TO (and appropriate password(s) for whomever the information is intended)

carriage return

type in text of message

after completing text carriage return twice

To logout hit the finish key and the command line will appear. Type LOGOUT and hit the GO key.

1506.3 These procedures work with the Standard Coast Guard terminal. Different terminals and modems may vary. The NOAA SSC will upon request provide a User's guide, which when combined with your terminal and modem instruction, should allow nearly all computers to interface with NOAA's E-Mail System.

1506.4 Accounts

Passwords and local access phone numbers are controlled by the system manager. Contact the NOAA SSC or the appropriate RRC for difficulties or updates in phone numbers or passwords. The following RRT members have active electronic mail accounts:

TITLE	ACCOUNT
Region III, Environmental Protection Agency	R3EPA
Region III, NOAA Scientific Support Coordinator	SEA
Virginia State Water Control Board	R3VWCB
Coast Guard Headquarters (CDR LaVache/G-WER)	CGHQ
Marine Safety Office, Baltimore	MSOBWI
Marine Safety Office, Hampton Roads	MSOORF
Marine Safety Office, Wilmington	MSOILM
Coast Guard Yorktown	CGYORK
Fifth Coast Guard District	CGD5
Region III, Department of Interior	R3DOI
Maryland Water Resources Administration	R3MWRA
Pennsylvania Department of Environmental Resources	R3PA
Region III, U.S. Fish and Wildlife	R3FWS
Region III, National Oceanic and Atmospheric Administration	R3NOAA
Virginia Department of Emergency Services	R3VDES
Maryland Department of Health and Mental Hygiene	R3MDH
Captain of the Port, Philadelphia	COTPPH

1507 Coast Guard RRC Notification Checklists

1507.1 Exhibits 1 and 2 to Annex V will be used by Coast Guard RRCs in providing notification to the RRT membership. Members routinely needing additional information not contained on the checklist should advise either Standing RRT Co-chairman in order to have the list expanded.

EXHIBIT 1 TO ANNEX V

OIL SPILL CHECKLIST FOR COAST GUARD RRC NOTIFICATION OF RRT MEMBERS

1. SPILL PARTICULARS

____ a. Vessel/Facility Particulars

Name: _____
Type: _____
Size: _____
Nationality (vessels only): _____
Pollutant: _____
Estimated amount: _____
Time of incident: _____
Potential Spillage Amount: _____
Weather/Sea Conditions: _____
Tides/Currents: _____
Locations: _____
Chart No: _____

- ____ b. Spill Size Classification: major - medium - minor
____ c. Spill is in the coastal/inland zone
____ d. Who is the pre-designated OSC?
____ e. Is responsible party taking appropriate action?

EXHIBIT 2 TO ANNEX V

HAZARDOUS SUBSTANCE CHECKLIST FOR COAST GUARD RRC NOTIFICATION OF
RRT MEMBERS

1. SPILL PARTICULARS (DOC Controller)

___ a. Vessel/Facility Particulars

Name: _____

Type: _____

Size: _____

Nationality (Vessels only): _____

Pollutant: _____

Estimated Amount: _____

Potential Spillage Amount: _____

Weather/Sea Conditions: _____

Tides/Currents: _____

Location: _____

Chart No.: _____

___ b. Size of Spill: major - medium - minor

___ c. Is the spill in the coastal/inland zone.

___ d. Does spill require immediate action to mitigate danger to
public health or the environment.

___ e. Who is the predesignated OSC?

___ f. Is the responsible party taking appropriate action?

___ g. Is the spilled substance a defined hazardous substance
under CERCLA?

(See Section 300.64-1)

ANNEX VI
1600 LEGAL AUTHORITIES

1601 Federal Water Pollution Control Act

a. The objective of the Federal Water Pollution Control Act (FWPCA) is the restoration of the quality of the Nation's waters. The primary goal is the elimination of the discharge of pollutants into the navigable waters of the United States by 1985.

b. The Act prohibits the discharge of oil, oil products, or hazardous polluting substances into the waters of the United States (including the contiguous zone) by any vessel (U. S. or foreign), or onshore or offshore facility. The FWPCA also requires that the spiller immediately notify the Environmental Protection Agency or the Coast Guard of all spills of oil or hazardous substance in excess of established reportable quantities.

1601.1 Legal Provisions of the FWPCA

a. Oil Discharges, Section 311(b)(6)(A)

1. There is a civil penalty of up to \$5,000 for any discharge of oil into the navigable waters of the U. S.

2. Vessels are required to obtain a certificate of financial responsibility issued by the United States Coast Guard guaranteeing payment (to the legal limit of liability of the vessel) for oil spill cleanup costs which may be assessed against the vessel.

b. Failure to Notify, Section 311(b)(5): An owner, operator or person in charge of a vessel or facility that, knowing that his vessel or facility has spilled a reportable quantity of oil or hazardous substance into the navigable waters of the U. S., fails to report the spill is liable to criminal penalty of \$10,000 and/or one (1) year imprisonment.

c. Pollution Prevention Regulations, Section 311(J)(2): Each instance of failure to comply with the Pollution Prevention Regulations is considered a separate violation and subjects the violator to a civil penalty of up to \$5,000. Pollution Prevention Regulations published pursuant to this act are contained in Title 33, Code of Federal Regulations, Subchapter O.

d. National Pollution Discharge Elimination System (NPDES) permits, Section 402:

1. This section of the act provides a permit for the discharging of pollutants not to exceed given amounts noted in the permit into the navigable waters. These permits are issued by the state under the authority of the EPA. The state may administer the

permit program after approval by EPA pursuant to Section 402(b)(1) of the Act.

2. These permits do not exempt the facility from Section 311 of the Act. If they should discharge substances or oil in amounts that constitute a quantity that may be harmful, they may be subject to the civil penalty noted above. If the discharge involves oil, a harmful quantity is determined by observing a sheen, emulsion, or sludge on or under the water.

1602 Comprehensive Environmental Response, Compensation and Liability Act

a. The objective of CERCLA is to give the Federal government the capability and authority to respond to releases and threatened releases of hazardous substances, and to make those responsible liable for such releases.

1602.1 Legal Provisions of CERCLA

a. Failure to notify, Section 103(b). Any person in charge of a facility or vessel from which a hazardous substance is released who fails to notify immediately the appropriate agency of the United States Government as soon as he has knowledge of such release is liable to criminal penalties of \$10,000 or one (1) year imprisonment.

b. Response Authority, Section 104(a). Whenever a hazardous material is released or there is a substantial threat of such a release into the environment the President is authorized to act to remove or arrange for the removal of and provide for remedial action relating to such hazardous material or take any other response measure consistent with the National Contingency Plan, necessary to protect the public health, welfare or the environment.

c. Responsible Party Liability, Section 107(a): Any owner or operator of a facility or vessel from which there is a release or a threatened release which causes the incurrence of response costs, past owner or operator at time of disposal of hazardous substances at such a facility, any generator who arranges for transportation for disposal or treatment of hazardous substances at such a facility, or transporter to or disposer of hazardous substances at such a facility shall be liable for:

1. All costs of removal or remedial action incurred by the United States government or state not inconsistent with the National Contingency Plan (NCP)

2. Any other necessary costs of response incurred by any other person consistent with the NCP

3. Damages for injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such

injury, destruction, or loss resulting from such a release.

1603 Related Laws/Treaties

a. The U. S. is party to both the International Convention relating to Intervention on the High Seas in cases of oil pollution casualties and the protocol relating to intervention on the High Seas in cases of Marine pollution by substances other than oil 1973, which are implemented by the Intervention on the High Seas Act (IHSA).

b. The basic authorities to take actions under the convention/law are at the Secretarial/CGHQ level.

c. The basic authorities/actions allowable for Intervention on U. S. Inland Waters, Territorial Sea and the High Seas are:

1. Whenever an incident involving a ship, whether its flag state is or is not a signature nation, results in a grave and imminent danger to the U. S. waters or coastline or related interests of the U. S. from pollution or the threat of pollution which may result in major harmful consequences, the Commandant may, without liability for any damage to interested parties (some exceptions), take measures on the high seas, i.e.:

(a) Coordinate and direct all public and private efforts toward the removal or elimination of the danger.

(b) Directly or indirectly undertake the whole or any part of any salvage action

(c) Remove and, if necessary, destroy the ship and cargo which is the source of danger

(d) Other measures as appropriate

2. The RRT shall be immediately activated whenever intervention action is considered. The OSC/RRT shall be prepared to evaluate the extent and nature of the threat to Region III's Coastline and advise the District Commander of a recommended course of action.

3. Measures taken under the convention/law should be reasonable and proportionate to the danger. Consideration should be given to:

(a) the extent and probability of imminent damage if the measures are not taken,

(b) the likelihood of effectiveness of the measures, and

(c) the extent of possible damage caused by the measures.

4. No action can be taken against any foreign warship or public vessel of a foreign nation not engaged in commerce.

5. There is a criminal fine of not more than \$10,000 and/or up to one year imprisonment for willful violation of any provision of the law, willful refusal to comply with a lawful order issued, and willful obstruction of a person acting under the purview of the law.

6. The CERCLA Trust Fund is available for actions taken pursuant to the IHSA.

7. The Revolving Pollution Fund under 33 USC 1321(k) is also available for actions and activities under this law. The only "oils" covered under the provisions of this law are crude oil, diesel oil, or lube oil.

8. For further detailed policy guidance for Coast Guard intervention actions refer to COMDTINST 16451.5 dtd 29 December 1983.

ANNEX VII
1700 INTERAGENCY SUPPORT ARRANGEMENTS/AGREEMENTS

1701 Various memorandums of understanding (MOUs) and interagency agreements (IAAs) between RRT member agencies are listed in this Appendix. RRT members should be familiar with these agreements and submit any other applicable MOU or IAAs for inclusion with this plan.

Exhibits

1. IAA, USCG-USN; Cooperation in oil spill cleanup operations and salvage operations, September 15, 1980.
2. IAA, USCG-USF&W; Participation in pollution incidents, July 24, 1979.
3. MOU, USCG-EPA; Mitigating damage to public health or welfare caused by a discharge of a hazardous substance under Section 311 of the Clean Water Act, October 3, 1979.
4. MOU, USCG-NIOSH-OSHA-EPA; Guidance for worker protection during hazardous waste site investigations and cleanup and hazardous substance emergencies, December 18, 1980.
5. MOU, USCG-EPA; A mechanism for funding vendor costs incurred by the U. S. Coast Guard emergency response to releases or threats of releases of hazardous substances, January 4, 1982.
6. IAA, DOT-EPA; Redelelegation of certain pollution response functions under CERCLA or SUPERFUND, October 9, 1981.
7. MOU, DOI-DOT; Respective responsibilities under the National Oil and Hazardous Substances Pollution Contingency Plan, August 16, 1971.
8. MOU, DOI-DOT; Regulation of activities on the Outer Continental Shelf, December 18, 1980.
9. MOU, USCG-OSHA; Occupational health and safety on the Outer Continental Shelf, February 11, 1980.
10. IAA, USCG-COFE; Ocean Dumping, September 7, 1976.
11. MOU, USCG-EPA; Assessment of civil penalties, August 17, 1979.
12. Instrument of Redelelegation, EPA-DOT; CERCLA functions and responsibilities, October 9, 1981.
13. IAA, USCG - Maryland; 311(K) Fund Reimbursement, November, 3, 1978.
14. MOU, USCG-MWRA; Rapid response notification, July 6, 1978.

15. MOU, USCG-VA State Water Control Board; rapid response notification, July 15, 1978.

16. MOU, USCG Second District - EPA Region III Concerning Specified Ports and Harbors within the Second Coast Guard District, June, 12, 1987.

EXHIBIT 1 TO ANNEX VII, SECTION 1700

IAA, USCC-USN: COOPERATION IN OIL SPILL CLEAN-UP OPERATIONS
AND SALVAGE OPERATIONS

1. The U. S. Navy and U. S. Coast Guard each have facilities and expertise not common to the other. Through this IAA the U. S. Navy will provide oil spill clean-up and/or salvage equipment and services to support the Coast Guard in non-Navy oil spills and the Coast Guard will provide equipment and services to support the U. S. Navy in salvage operations and in response to oil spills from U. S. Navy facilities or vessels.

2. On-Scene Coordinators shall become thoroughly knowledgeable with this IAA and shall request U. S. Navy assistance in accordance with its provisions. Likewise, U.S.C.G. OSCs shall stand ready to assist the Navy as specified by the IAA.

3. REPRINT OF IAA, USCG-USN. The following is a reprint of this IAA

QUOTE

INTERAGENCY AGREEMENT (IAA) BETWEEN THE UNITED STATES NAVY
AND THE UNITED STATES COAST GUARD FOR COOPERATION IN OIL
SPILL CLEAN-UP OPERATIONS AND SALVAGE OPERATIONS

I. PURPOSE: To specify for U. S. Coast Guard and U. S. Navy application:

A. Conditions and procedures under which the U. S. Coast Guard can request and the U. S. Navy will provide oil spill clean-up and/or salvage equipment and services to support the U.S. Coast Guard in non-Navy oil spills and other operations requiring salvage expertise.

B. Conditions and procedures under which the U. S. Navy can request and the U. S. Coast Guard will provide equipment and services to support the U. S. Navy in salvage operations and in response to oil spills which are caused by facilities or vessels under Navy jurisdiction.

C. Reimbursement procedures and policies.

II. BACKGROUND: The National Oil and Hazardous Substances Pollution Contingency Plan, promulgated under the authority of the Federal Water Pollution Control Act, (FWPCA) (33 USC 1251, et. seq.) confers on the Coast Guard (or the Environmental Protection Agency in designated areas) responsibility for designating Federal On-Scene Coordinators (OSCs) to coordinate Federal agency resources in cleaning up any oil or hazardous substance discharged in U. S. navigable waters, the contiguous zone or waters beyond the contiguous zone up to approximately

200 miles. In addition to having the responsibility and expertise to respond promptly in cases of discharges from Navy operated or supervised ships and facilities, the Navy is also the governmental agency possessing expertise in ship salvage and salvage-related operations. The OSC may access this expertise for the cleanup and control of any oil spill. The Coast Guard may also access the Navy's salvage expertise to assist during other operations conducted by the Coast Guard. Alternatively, the Navy may access the Coast Guard's expertise in oil spill control and other assets for salvage operations.

III. RESOURCES: Under the terms of this Agreement, the following resources may be provided:

A. When requested by the U. S. Coast Guard pursuant to Section V herein, the U. S. Navy will furnish to the U.S. Coast Guard the following resources consistent with availability and operational commitments as determined by the Navy:

- (1) Salvage Equipment and specialized oil spill control and clean-up equipment.
- (2) Salvage, diving and oil spill control consultation, evaluation, planning and operational services.
- (3) Naval Craft, vessels and aircraft.

B. When requested by the U. S. Navy pursuant to Section VI herein the U. S. Coast Guard will furnish to the U. S. Navy the following resources consistent with availability and operational commitments as determined by the Coast Guard.

- (1) Oil spill consultation, evaluations, planning and operational services.
- (2) Specialized oil spill control and clean-up equipment.
- (3) Coast Guard craft, vessels and aircraft.

IV. FEDERAL ORGANIZATION AND RESPONSIBILITIES: U. S. Navy response to the U. S. Coast Guard Federal On-Scene Coordinator (OSC) request for services and equipment in non-Navy oil spills will be provided in accordance with the National Contingency Plan (Part 1510, Chapter V, Title 40 CFR) and the terms of the IAA.

The Coast Guard OSC will coordinate and direct Federal oil spill control and cleanup efforts in the event of an incident in his area of responsibility. In the event that commercial resources and/or expertise are not available to carry out the required cleanup, the OSC will arrange for the use of Federal and/or State resources. Unless prearrangements have been made, the OSC will seek the assistance of the Regional Response Team in accessing the needed advice and/or resources.

U. S. Navy Salvage operations, conducted in support of other Coast Guard activities, will be coordinated by the Coast Guard On-Scene Commander or Coast Guard Officer-in-Charge of the operation, subject to the operational and technical control of the Navy Salvage Officer.

V. COAST GUARD REQUESTS FOR NAVY ASSISTANCE:

A. When local or regional interagency contingency plans contain adequate provision for identification, deployment of, and reimbursement for locally available Navy pollution control assets, OSC requests for such assets will be made through the Navy or DOD member of the RRT. The Navy (or DOD) member will have prearranged with the Navy Area Coordinator and the cognizant Navy supplier activity commander for authority to commit these resources to the OSC with the utmost expediency. It shall be the responsibility of the OSC to follow up such a request with a confirming message to the supplier activity and Navy Area Coordinator referencing the request and citing pertinent operational and funding information. Requests forwarded by OSCs shall include the following information:

(1) Circumstances of the spill, e.g., location, quantity and

(2) Extent of assistance required.

B. When adequate local activity assets are not available, or difficulties arise in arranging for their deployment and cannot be resolved on the RRT level, the matter shall be referred to the National Response Team (NRT) for resolution. Requests forwarded by RRTs shall include the information called for in V.A. above.

(1) The Coast Guard NRT representative or National Response Center (NRC) Duty Officer will relay all requests for assistance from the OSC/RRT to the Chief of Naval Operations Navy Department Duty Captain (OP-641/642) for action. (24 hour telephone: 202-695-0231). Such referrals will specify the above mentioned information relating to the conditions and circumstances of the oil spill.

(2) All Coast Guard telephonic requests for assistance referred to in paragraph (1) will be followed promptly by a documenting message from the Coast Guard. This message will reference and detail the initial OSC request and must include accounting data identification for reimbursement to the Navy of the costs identified in Section VIII of this Agreement. The message shall be addressed to CNO, Washington DC., Attn: OP-64/45/23/37, to CHNAVMAT, Washington, DC. Attn: MAT-044; to COMNAVSEASYS COM, Washington, DC., Attn: NAVSEA-OOC; to COMNAVFAECENG COM Alexandria, VA; to CINCLANTFLT, Norfolk, VA., or CINCPACFLT, Pearl Harbor, HI., (as appropriate); and to

Commandant, U. S. Coast Guard and the NRC (as appropriate). The Navy will properly document increases in the projected cost of its assistance and will so inform the OSC by message referencing the Coast Guard's message.

C. If NAVSEASYSKOM assistance is anticipated, OSCs may prior to formal tasking, directly communicate with NAVSEASYSKOM at 202-697-7403 (normal workday), other times 202-692-7527 for technical matters.

D. In oil spill related cases where it becomes necessary to assist the Coast Guard by mobilizing Navy forces other than Navy pollution control assets, the Coast Guard representative to the NRT or the Coast Guard NRC Duty Officer will relay requests received from the Coast Guard OSC via the RRT to the Navy Department Duty Captain (OP-641-642) outlining the specific circumstances of the request. Each request for such assistance will contain the information set forth in paragraph V.A. of this Agreement.

E. For purposes of this Agreement items are to be considered under the administrative control of the OSC from the time they are delivered for his use, whether such delivery is made at the scene of the incident or to a representative of the OSC at a location other than at the scene, through the time the item is redelivered to the Navy or its representative.

F. All Coast Guard requests for salvage assistance in other Coast Guard operations will be relayed by the appropriate Coast Guard Headquarters authority to the Navy Department Duty Captain. The requests shall include information similar to that called for in V.A. of this Agreement.

VI. NAVY REQUESTS FOR COAST GUARD ASSISTANCE:

A. Coast Guard resources will be provided, subject to their availability, to assist Naval Activities in responding to pollution discharges caused by facilities or vessels under Navy jurisdiction. Requests for such assistance shall be relayed by the Navy representative to the NRT or to the National Response Center. Reimbursement will be made in accordance with the guidelines established in Section VIII of this Agreement.

B. Coast Guard resources will be provided, subject to their availability, to assist the Navy during salvage operations. Requests for such assistance shall be relayed by the cognizant Navy Commander to the Coast Guard Commander Atlantic Area (Aom) for resources located on the Atlantic and Gulf Coasts, and to Commander Pacific Area (Pom) for resources located on the Pacific Coast. Reimbursement will be made in accordance with the guidelines established in Section VIII of this agreement.

C. For purposes of this Agreement items are to be considered under the administrative control of the Navy from the time they are delivered to the location and/or representative specified by the Navy, through the time the item is redelivered to the Coast Guard or its representative.

VII. LOCAL ARRANGEMENTS FOR ASSISTANCE:

Coast Guard OSCs and local Naval commands, having oil spill cleanup capabilities, are encouraged to enter into agreements for the utilization of those capabilities to respond immediately to discharges of oil occurring within, or in threatening proximity of, the waters of a U.S. Naval base or facility regardless of whether the Navy is responsible for the discharge. Whenever such agreements are reached, the Coast Guard will reimburse the Navy for Navy costs incurred in undertaking such actions as per Section VIII of this Agreement, unless it is subsequently determined that the Navy was responsible for discharge.

VIII. REIMBURSEMENT PROCEDURES AND POLICIES:

A. The Federal On-Scene Coordinator is responsible for insuring that proper cost documentation records are maintained.

B. Navy and Coast Guard activities providing advice and assistance are responsible for providing OSCs with supporting documentation for cost accounting.

C. Navy and Coast Guard activities providing assistance in support of the cleanup operation as requested by an OSC are entitled to reimbursement for the following items:

(1) Travel, per diem, and overtime costs for personnel.

(2) Rental costs, as approved by the parent agency, for nonexpendable equipment provided.

(3) Replacement costs for expendable materials provided and utilized.

(4) Replacement or repair costs for nonexpendable equipment which is damaged while under the administrative control of the OSC.

(5) Transportation costs incurred in delivering items to and from the scene.

(6) Incremental operating and contract costs incurred as a result of providing assistance to OSCs.

D. Normal salary costs of government employees in positions that are not normally intended to provide services in support of response operations are reimbursable. Salaries of reserve personnel called on active duty specifically to assist in a Federal response activity are reimbursable.

EXHIBIT 2 TO ANNEX VII, SECTION 1700

IAA, USCG-US F&W S; PARTICIPATION IN POLLUTION INCIDENTS

1. REPRINT OF IAA, USCG-USF&W. The following is a reprint of this IAA.

QUOTE

INTERAGENCY AGREEMENT BETWEEN THE U. S. FISH AND WILDLIFE SERVICE AND THE U. S. COAST GUARD FOR PARTICIPATION IN POLLUTION INCIDENTS

I. PURPOSE. The purpose of this Interagency Agreement (IAA) is to specify the conditions and procedures under which the U. S. Fish and Wildlife Service will provide U. S. Coast Guard Federal On-Scene Coordinators with appropriate technical expertise as well as services in support of the Federal Government's efforts to control and clean up oil and hazardous chemical discharges. This IAA is implemented to enhance cooperation, efficiency and effectiveness of response activities.

II. SERVICES TO BE PROVIDED: Under the terms of this agreement:

A. The Fish and Wildlife Service will provide or furnish Coast Guard with technical expertise with respect to populations and habitats of fish and wildlife, including migratory birds, marine mammals and endangered and threatened plants and animals; specialized bird-hazing and cleanup equipment; and personnel to coordinate efforts to mitigate the threat to and rehabilitate birds affected by discharges of oil and hazardous chemicals, as a force integrated into the predesignated On-Scene Coordinator's (OSC's) local response team.

B. The Fish and Wildlife Service also will provide storage at its facilities for Coast Guard spill response equipment under the predesignated OSC's jurisdiction to the extent practicable to allow for prestaging of response equipment near vulnerable environmentally sensitive areas.

C. The Coast Guard will provide storage at their facilities for Fish and Wildlife Service response equipment to the extent practicable to allow for prestaging of Fish and Wildlife Service response equipment.

D. Responsibility for maintaining equipment prestaged at the other party's facility rests solely with the agency owning the equipment. Host agencies will, however, assist in making arrangements to transport equipment stored at their facilities when requested by the other agency. The cost of transporting equipment will be borne by the owner agency, unless agreed to otherwise.

E. The fiscal agent for the U. S. Coast Guard will be the Comptroller of the Cognizant Coast Guard District.

F. The fiscal agent for the U. S. Navy under Section V. A. of this Agreement will be the local activity Commanding Officer, and under V.B. will be the Commander, Naval Sea Systems Command (NAVSEA-01), Washington, D.C. 20362.

G. Subject to the Coast Guard's ultimate collection responsibility for services and operations provided by the Navy under this agreement, NAVSEA-01 or the local activity, depending on the applicability of V. A. or V. B., shall be responsible for making collections from the Coast Guard and shall make appropriate disbursements for transfer of funds within the respective Navy organizations.

H. Paragraphs A through G above apply only to the reimbursement of costs to the Navy in connection with FWPCA response actions. Paragraphs E and F apply to all reimbursements covered by this Agreement. Normal accounting procedures (interagency transfers) apply (1) to reimbursements not related to FWPCA response actions, and (2) to reimbursements to the Coast Guard for the use of their equipment and services in a FWPCA response action conducted by the Navy.

IX. NOTIFICATION: The terms of this Agreement, amplified as necessary to provide detailed guidance and procedure for reimbursement, will be promulgated to components of the Coast Guard and the Navy.

UNQUOTE

III. SOURCES OF AND PROCEDURES FOR OBTAINING U. S. FISH AND WILDLIFE SERVICE SUPPORT

A. Fish and Wildlife Service personnel and equipment will be furnished as indicated in appropriate OSC local response plans and regional contingency plans. These plans shall specify the Fish and Wildlife Service personnel who are available to function on each OSC's local response team.

B. Procedures for obtaining Fish and Wildlife Service support shall be specified in appropriate predesignated OSC's local response and regional contingency plans.

IV. U. S. COAST GUARD RESPONSIBILITIES

A. The Coast Guard will advise all of its District Commanders, predesignated OSCs, and Regional Response Team (RRT) members of the terms of this Agreement.

B. The Coast Guard is designated as administrator of the pollution revolving fund established by the Federal Water Pollution Control Act of 1972 (P.L. 92-500), as amended. As such, the Coast Guard is responsible for reimbursing Federal agencies that provide support to Federal OSCs.

C. In the event that Fish and Wildlife Service involvement is desired by the Coast Guard during an incident not covered by the Federal Water Pollution Control Act, or Outer Continental Shelf Lands Act, the Coast Guard shall advise the Fish and Wildlife Service of the extent to which reimbursement can be expected when the request for assistance is made.

D. Commandant (G-WER) shall coordinate agreements for prestaging equipment at National Strike Force locations.

E. Coast Guard RRT representatives shall coordinate agreements for prestaging equipment at Coast Guard and Fish and Wildlife Service facilities within the RRT's geographical area of responsibility.

V. U. S. FISH AND WILDLIFE SERVICE RESPONSIBILITIES

A. It is understood that subsequent to formalizing this IAA, the Fish and Wildlife Service will advise its Regional Offices and Pollution Response Coordinators of the terms of this Agreement, their respective duties and responsibilities, methods of accounting, and reimbursement or payment for Fish and Wildlife Service efforts during pollution incidents covered by this Agreement.

B. The Fish and Wildlife Service National Pollution Response Coordinator shall coordinate agreements for prestaging response equipment at National Strike Force locations.

C. The Fish and Wildlife Service RRT representative shall coordinate agreements for prestaging response equipment at facilities within the RRT's geographical area of responsibility.

VI. REIMBURSEMENT PROCEDURES AND POLICIES

A. The Federal OSC is responsible for insuring that proper cost documentation records are maintained.

B. Federal agencies providing advice and assistance are responsible for providing OSCs with supporting documentation for cost accounting.

C. Agencies providing assistance in support of a Federal cleanup operation as requested by an OSC are entitled to reimbursement for the following items:

1. Travel, per diem, and overtime costs for personnel.
2. Rental costs, as approved by the parent agency, for nonexpendable equipment provided.
3. Replacement costs for expendable materials provided and utilized.
4. Replacement or repair costs for nonexpendable equipment which is damaged while under the administrative control of the OSC. For purposes of this Agreement items are under the OSC's administrative control from the time they are delivered for his/her use, whether the delivery is made at the scene of the incident or to an agent of the OSC at another location, until the time when the item is returned to the custody of the agency providing the equipment or his/her duly appointed agent.
5. Transportation costs incurred in delivering items to and from the scene.
6. Incremental operating and contract costs incurred in providing assistance to OSCs.

D. Normal salary costs of Government employees in positions that are not normally intended to provide services in support of response operations are reimbursable.

E. The fiscal agent of the Coast Guard will be the Comptroller of the cognizant Coast Guard District.

UNQUOTE

EXHIBIT 3 TO ANNEX VII, SECTION 1700

MOU, USCG-EPA; MITIGATING DAMAGE TO PUBLIC HEALTH OR
WELFARE CAUSED BY A DISCHARGE OF A HAZARDOUS SUBSTANCE

1. REPRINT OF MOU, USCG-EPA. The following is a reprint of this MOU.

QUOTE

Memorandum of understanding between the Environmental Protection Agency and the United States Coast Guard Concerning the Mitigating of Damage to the Public Health or Welfare Caused by a Discharge of a Hazardous Substance under Section 311 of the Clean Water Act. (33 USC 1321)

The U. S. Coast Guard (USCG) and the Environmental Protection Agency (EPA) agree that the responsibility for the mitigation of damage to the public health and welfare caused by the discharge of hazardous substances shall be shared by the USCG and EPA. This Memorandum establishes policy concerning the responsibilities of the EPA and USCG regarding mitigation actions.

SECTION I

GENERAL

Section 311 (b)(6)(c) of the Clean Water Act, as amended, authorizes the Administrator of EPA to act to mitigate the damage caused by the discharge of hazardous substances. The cost of mitigation shall be deemed a removal cost incurred under Section 311(c) of the Clean Water Act.

Through Executive Order 11735 (or as amended), the authority of the President pursuant to Section 311(j)(1)(A), relating to the establishment of methods and procedures for the removal of discharged oil and hazardous substances, is delegated to both EPA and USCG.

The waters and areas for which each agency has responsibility are defined in the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 1510, Section 1510.36(b)).

According to the National Contingency Plan, EPA is responsible for inland waters and the USCG is responsible for coastal waters and the waters, ports and harbors of the Great Lakes. These geographical areas are further defined in applicable Regional Contingency Plans.

SECTION-II

COORDINATION

In accordance with the predesignated geographical areas of responsibility, EPA and the USCG agree to undertake appropriate mitigation actions of discharges of hazardous substances within each agency's defined area of responsibility.

The cost of such mitigation actions shall be considered a cost of removal incurred under subsection (c) of the Clean Water Act and shall be reimbursable through the 311(k) revolving fund.

Mitigation efforts include, but are not limited to: activities such as containment measures; measures required to warn and protect the public of acute danger; activities necessary to provide and monitor the quality of temporary drinking water sources; monitoring for spread of the pollutant; biomonitoring to determine the extent of the contamination; physical measures to identify and contain substances contaminated by the discharge; providing navigational cautions while response to the problem is underway; efforts to raise sunken vessels which are the source of the discharge; implementation of emergency treatment facilities; and any efforts necessary to locate the source of the discharge and identify properties of the pollutants discharged. The long term solution to many spills may be the construction of major capital structures, including advanced treatment systems or extension dikes. While such major construction may well mitigate the danger to public health or welfare, they are not appropriate mitigation actions under Section 311(b)(6)(c).

UNQUOTE

EXHIBIT 4 TO ANNEX VII, SECTION 1700

MOU, USCG-NIOSH-OSHA-EPA; GUIDANCE FOR WORKER PROTECTION

1. REPRINT OF MOU, USCG-NIOSH-OSHA-EPA. The following is a reprint of this MOU.

QUOTE

Memorandum of Understanding Among the National Institute for Occupational Safety and Health, the Occupational Safety and Health Administration, the United States Coast Guard and the United States Environmental Protection Agency

Guidance for Worker Protection During Hazardous Waste Site Investigations and Clean up and Hazardous Substance Emergencies

1. Purpose:

The purpose of this Memorandum of Understanding (MOU), is to provide guidance for the protection of workers who investigate and clean up hazardous waste sites and respond to hazardous substance emergencies.

2. Authority:

The National Institute for Occupational Safety and Health (NIOSH) and the Occupational Safety and Health Administration (OSHA) are entering into this understanding pursuant to the Occupational Safety and Health Act of 1970, sections 20 (a) and 7 (c) (1) (29 USC 651, et. seq.) respectively, including Executive Order #12196; the United States Coast Guard (USCG) is entering into this understanding pursuant to the authority of the Clean Water Act (33 USC 1251 et. seq.) the United States Environmental Protection Agency (USEPA) is entering into this understanding pursuant to the authority of the Clean Water Act (33 USC 1251 et. seq.) and the Resource Conservation and Recovery Act Amendments of 1980 (42 USC 7001). In addition, NIOSH, OSHA, USCG, and the USEPA are entering into this understanding in order to carry out their joint responsibilities under the "Comprehensive Environmental Response, Compensation, and Liability Act of 1980" (P.L. 96-510).

3. Interagency Coordination:

The following representatives will be responsible for the coordination and implementation of activities for their respective agencies:

- The Director of the Division of Criteria Documentation and Standards Development (NIOSH):

- The Director of the Directorate of Technical Support (OSHA);
- The Chief, Environmental Response Division (USCG Headquarters);
- The Director of the Office of Occupational Health and Safety (USEPA);

NIOSH is assigned the lead agency role.

4. Objectives:

The interagency objectives are: a) to develop and write a comprehensive guidance manual that will establish procedures to protect workers involved in hazardous waste site investigations and clean up and during response to emergencies involving hazardous substances; b) to identify and establish mechanisms for transmitting occupational health and safety information to workers and those responsible for their protection; c) to identify and establish mechanisms for transmitting relevant field experience concerning occupational health and safety practices to Federal agencies.

NIOSH will accomplish the objectives of this effort with the support, cooperation, and assistance of OSHA, USCG, and USEPA under a procedure to be incorporated in the work plan.

5. Implementation:

This understanding establishes an Interagency Work Group consisting of at least one representative from each office identified in section 3. The work group will develop a work plan to implement the objectives listed above; individual tasks and any necessary resource requirements will be described in subagreements under this MOU. The final product(s) of designated tasks will be subject to the review of NIOSH, OSHA, USCG, and USEPA.

6. Period of Agreement:

This Memorandum shall continue in effect until the completion of the stated objectives, unless modified or amended by the assent of all parties or terminated by any party upon a 30-day advance written notice to the other parties.

Nothing in this agreement is intended to diminish or otherwise effect the statutory authority of the agencies involved.

UNQUOTE

EXHIBIT 5 TO ANNEX VII, SECTION 1700

MOU, USCG-EPA; MECHANISM FOR FUNDING VENDOR COSTS
INCURRED BY THE COAST GUARD

1. REPRINT OF MOU. The following is a reprint of this MOU.

QUOTE

MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES COAST
GUARD AND THE ENVIRONMENTAL PROTECTION AGENCY

A Mechanism for Funding Vendor Costs Incurred by the U. S.
Coast Guard During Emergency Response to Releases or Threats
of Releases of Hazardous Substances.

PURPOSE:

The U. S. Coast Guard (USCG) and the Environmental Protection Agency (EPA) agree that a mechanism is required to fund USCG costs incurred during emergency response to releases, or the threats of releases of hazardous substances of pollutants or contaminants. This Memorandum of Understanding establishes the accounting, contracting, fund management control policies and procedures for USCG response.

AUTHORITY:

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (94 Stat. 2796; 42 USC 9615) authorizes the President to respond to releases or threats of releases into the environment of hazardous substances, pollutants, or contaminants which may present an imminent and substantial danger to the public health or welfare. The Executive Order 12316 delegates certain authority and responsibility for response to the Administrator of the EPA and to the Secretary of Transportation. The USCG and the EPA are entering into this agreement in order to carry out their joint responsibilities under CERCLA and the Executive Order.

SCOPE:

The USCG and the EPA agree that vendor costs are costs incurred by the USCG in response to a specific incident of a release, or threat of a release, of hazardous substances.

The vendor costs are only those costs which qualify as allowable uses of the Hazardous Substances Response Trust Fund when the USCG undertakes response activities pursuant to CERCLA, Executive Order 12316, and the National Oil and Hazardous Substances Contingency Plan. Examples of vendor cost include, but are not limited to the following:

- contractor and consulting costs;

- lease or rental of equipment; and
- supplies, materials, and equipment (including transportation costs) procured for the specific response activity and expended during a response.

Vendor costs do not include USCG out-of-pocket expenses which are:

- travel and per diem for military and civilian personnel, and overtime costs for civilian personnel;
- Fuel for vessels, aircraft, or vehicles used in support of a response activity; and
- replacement or repair costs for non-expendable equipment.

Funding for out-of-pocket expenses and other non-vendor costs will be the subject of a separate agreement between the EPA and the USCG.

The Coast Guard will advise all of its District Commanders, predesignated On-Scene Coordinators (OSCs), and Regional Response Team members of the terms of this Memorandum. The USCG will provide to EPA a current listing of District personnel who will serve as appropriate contacts for EPA on matters relating to contracting and accounting for response activity.

CONTRACTING AND ACCOUNTING

The USCG and the EPA agree that the EPA will perform all accounting for vendor costs.

The USCG and the EPA agree that the contracting system used by the USCG for responses to oil and hazardous substance discharges under the authority of Section 311 of the Clean Water Act, shall be used for USCG responses to all releases or threats of releases of hazardous substances, pollutants, or contaminants as defined in CERCLA/SARA.

Any contracts of immediate removal actions in response to releases, threats of releases of hazardous substances, or pollutants or contaminants entered into by the Coast Guard where the USCG OSC is acting in the capacity of first responding Federal official, pursuant to the National Contingency Plan, shall remain in effect only during the period that the USCG is the OSC.

Any contract for immediate removal actions in response to releases, or threats of releases, of hazardous substances or pollutants or contaminants, entered into by the Coast Guard pursuant to the authority delegated under Executive Order 12316, and retained by the USCG in Section (c) of the Instrument of

Redelegation, executed 2 October 1981 by the Secretary of Transportation and consented to on 9 October 1981 by the Administrator of the Environmental Protection Agency, shall remain in effect only during the period that the USCG is acting under this authority

The USCG and the EPA agree on the following procedures for coordinating the EPA accounting system and the USCG contracting system.

1. Obtain account number

For each incident where CERCLA funds are obligated, the USCG OSC must obtain a ten-digit account number from EPA Headquarters which identifies a specific site/spill incident. The number is obtained by calling:

Chief, Response Operations Branch
Emergency Response Division
Office of Emergency and Remedial Response
Environmental Protection Agency
401 M Street, S.W.
Washington, DC 20460
(209)245-3057

The USCG OSC will provide an estimate of the response costs concomitant with the request for an account number.

The ten-digit account number will not be issued unless CERCLA funds are available for the response action.

2. Accounting codes

Specific accounting information is required by the EPA Financial Management System in order to process response contracts. There are five categories of accounting and control numbers which must be entered on each contract and financial document. They are:

- Appropriation Number: This number is permanently assigned to the trust fund.

68-20X8145

- Account Number: The ten-digit account number obtained for each incident from EPA Headquarters (see #1). The R and SS portions will vary to identify each separate release incident.

FTFA72RESS

Where: R = EPA Region where the release occurred
SS= Site/spill identification number

- Document Control Number: The OSC will develop a set of document control number for a specific release incident in the following format:

RSSXXX

Where: R = EPA Region where the release occurred
SS = Site/spill identification number
XXX = Contract document number

Each contract entered into relative to each release must have a unique document control number issued in ascending numerical sequence beginning with XXX = 001 for the first contract issued for that release. The R and SS portions are obtained from the Account Number.

For Example: RSS001 for 1st contract and its modifications
RSS002 for 2nd contract and its modifications

- Object of Class: This number is permanently assigned

2535

- Amount of Contract in Dollars

\$ _____

3. Transmit Contract to EPA

In order for EPA to process payments for response contracts, a legible certified true copy of the contract and modifications to the contract must be submitted by certified mail within 72 hours of award by a USCG District Contracting Officer to the EPA paying office:

Financial Management Officer
Accounting Operation Office (MD-32)
Environmental Protection Agency
Research Triangle Park
Durham, NC 27711

The USCG will assure that the USCG contract number and the EPA accounting codes (appropriation number, account number, document control number, object class, and dollar amount) are clearly and legibly presented on the contract document. The USCG will assure that the EPA accounting codes and USCG contract number are made known to the contractor. The original contract will be retained by the USCG.

4. Process Contractor Invoices

4.1 Contractor Responsibilities:

The contractor will:

- Send the original invoice to the EPA paying office. The address for the paying office is:

Financial Management Officer
Accounting Operations Office (MD-32)
Environmental Protection Agency
Research Triangle Park
Durham, NC 27711

- Submit a duplicate copy of the invoice to the USCG OSC.
- Assure that the USCG contract number and the EPA accounting codes (appropriation number, object class, and dollar amount) are clearly and legibly presented on the invoice and its copy. Contractors submitting invoices for work performed under a contract are to number each invoice sequentially beginning with one (1) and make a notation on the last invoice under the contract with the phrase "FINAL INVOICE".

4.2 USCG OSC Responsibilities:

- The USCG OSC must certify each correct and proper invoice. A correct and proper invoice is one in which the services performed are acceptable and are consistent with the services billed and the accounting data properly transcribed.

The certification statement to be used by OSCs of both agencies for all CERCLA cases.

"I, _____(OSC NAME)_____, certify to the best of my knowledge and belief that the services have been performed and are accepted, and that applicable Pollution Incident Reporting System (PIRS) and EPA Spill Prevention Control and Countermeasure (SPCC) information has been correctly and completely submitted."

(OSC's Signature)

(date)

- The OSC will forward by certified mail the accepted and certified invoice, within 72 hours of receipt of the invoice from the contractor, to the EPA paying office (address shown above).
- The USCG OSC shall not certify invoices which include discrepancies between service performed and services billed. In the event that there are discrepancies in the invoices, the USCG representative shall immediately, upon receipt of the invoice, take appropriate action to notify the contractor and to resolve the discrepancies.
- Within 72 hours of receipt of an invoice containing unresolved discrepancies, the OSC shall forward the invoice by certified mail to the EPA paying office (address shown above). The invoice will be endorsed with the following statement:

"This invoice contains unresolved discrepancies. DO NOT PAY THIS INVOICE UNTIL YOU RECEIVE WRITTEN NOTIFICATION THAT THE DISCREPANCIES HAVE BEEN RESOLVED AND THE INVOICE IS REISSUED."

(OSC signature)

(date)

4.3 EPA Responsibilities:

- The EPA has the responsibility to process contract invoices and to make contract payments in a timely manner. Contract payments are normally made within 30 days after invoice receipt.
- Payment will be contingent on the EPA paying office receipt of the original invoice from the contractor and the USCG OSC's certified copy of the invoice.
- The paying office will withhold payment for contractor services if the OSC has not certified the invoice. Payments will be made when the discrepancies are resolved and the invoice is reissued and received at the paying office.

- The paying office will not pay any response costs in excess of the dollar amount of the contract. In the event that a contractor's service exceeds the dollar amount of the contract, the EPA paying office will inform the USCG District Representative who will take appropriate action.

FINANCIAL MANAGEMENT:

The USCG and EPA agree that the USCG may obligate up to \$50,000 per release without prior approval from EPA. Approval to obligate amounts in excess of the \$50,000 ceiling must be obtained from:

Chief, Response Operations Branch
Emergency Response Division
Office of Emergency and Remedial Response
Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460
(202) 245-3057

The USCG will modify, as necessary, any existing contracts to reflect each ceiling increase. Certified copies of the contract modification must be submitted to the EPA paying office.

The USCG and EPA recognize that CERCLA/SARA requires that response actions cease when \$2 million is obligated or 12 months have elapsed from the date of initial response, except as authorized under Section 104(e)(1) of SARA, thereof.

REPORTING REQUIREMENTS: POLREPS

The USCG and the EPA agree that the EPA, acting in the capacity as manager of the Hazardous Substance Response Trust Fund, requires up-to-date information on CERCLA response actions and the related obligations of CERCLA funds for these actions. Pollution Reports (POLREPS) are submitted by USCG OSCs to USCG District Commanders. POLREPS provide factual operational data relating to a release and a current accounting of project costs. The USCG OSC will submit a duplicate copy of all POLREPs to the Director, Emergency Response Division, EPA, (TWX # 710-8229269) for the purpose of communicating CERCLA response and fund obligation data to EPA. The initial POLREP will be sent within 24 hours of initiating a response action, if information is available. Once the initial report is completed, progress POLREPS should be sent on a routine basis.

PERIOD OF AGREEMENT:

This Memorandum shall continue in effect until modified or amended by the assent of both parties or terminated by either party upon a thirty (30) days advance written notice to the other party.

Nothing in this agreement is intended to diminish or otherwise affect the statutory authority of the agencies involved.

UNQUOTE

EXHIBIT 6 TO ANNEX VII, SECTION 1700

IAA, DOT-EPA; REDELEGATION OF CERTAIN POLLUTION
RESPONSE FUNCTIONS UNDER CERCLA

1. REPRINT OF IAA. The following is a reprint of this IAA.

QUOTE

In accordance with Section 8(F) of Executive Order 12316 of August 14, 1981, the Secretary of the Department in which the Coast Guard is operating hereby redelegates to the Administrator, Environmental Protection Agency, subject to the Administrator's consent, all functions specified in Section 2(D), 2(F), 2(G), 3(A), and 4(B) of that Executive Order with the exception of the following:

A. Functions related to responses to releases or threats of releases from vessels;

B. Functions related to immediate removal action concerning releases or threats of releases at facilities other than active or inactive "Hazardous Waste Management Facilities " (as defined in 40 CFR 122.3); and

C. Functions related to immediate removal action concerning releases or threats of releases at active or inactive "Hazardous Waste Management Facilities" when the Coast Guard On-Scene Coordinator determines that such action must be taken pending the arrival on-scene of an Environmental Protection Agency On-Scene Coordinator. Unless otherwise agreed upon by EPA and Coast Guard, this authority will not be exercised unless the EPA OSC is scheduled to arrive on-scene within 48 hours of notification of the release or threat.

For purposes of this instrument: the term "immediate removal action" includes any removal action which, in view of the Coast Guard On-Scene Coordinator, must be taken immediately to prevent or mitigate immediate and significant harm to human life or health, to the environment, or to real or personal off-site property. Situations in which such action may be taken include, but are not limited to, fire, explosions, and other sudden releases, human, animal, or food chain exposure to acutely toxic substances; and the contamination of a drinking water supply.

All functions described in this instrument, whether redelegated or retained, include the authority to contract for, obligate monies for, and otherwise arrange for and coordinate the responses included within such functions.

UNQUOTE

EXHIBIT 7 TO ANNEX VII, SECTION 1700

MOU, DOT-DOI; RESPECTIVE RESPONSIBILITIES UNDER THE
NATIONAL OIL AND HAZARDOUS SUBSTANCES CONTINGENCY PLAN

1. REPRINT OF MOU. The following is a reprint of this MOU which was dated August 16, 1971

QUOTE

In order to assure the most efficient use of resources under the National Oil and Hazardous Substances Pollution Contingency Plan, the Secretaries of the Departments of the Interior and Transportation agree that the following provisions shall be observed by the agencies of the two Departments in the exercise of their authority and the discharge of their responsibilities under the Contingency Plan.

1. The U. S. Geological Survey has the expertise and capability for coordination and direction in respect to measures to abate the source of pollution when the source is an oil, gas, or sulfur well.

2. The U. S. Coast Guard has the expertise and capability for coordination and direction in respect to measures to contain and remove pollutants.

3. With respect to spills originating from operations conducted under the Outer Continental Shelf Lands Act of 1953, the U. S. Coast Guard shall furnish or provide for the On-Scene Coordinator (OSC) with authority and responsibilities as provided by the National Contingency Plan subject to the following qualifications:

a. The authorized representative of the U. S. Geological Survey on the scene shall have the exclusive authority with respect to coordination and direction of measures to abate the source of pollution.

b. The authorized representative of the U. S. Geological Survey on the scene shall make the determination, which shall be binding upon the On-Scene Coordinator, that pollution control activities within a 500 meter radius of the source of pollution should be suspended to facilitate measures to abate the source of pollution.

c. The authorized representative of the U. S. Geological Survey on the Scene shall make the determinations necessary under Section 250.43 of Title 30 of the Code of Federal Regulations, which shall be binding upon the On-Scene Coordinator.

d. In regard to those matters arising under Section 1334 et seq. of Title 43 of the U. S. Code and the regulations and Outer Continental Shelf Orders issued thereunder, the On-Scene

Coordinator shall communicate with the lessee through the authorized representative of the U. S. Geological Survey on scene.

e. The On-Scene Coordinator and the authorized representative of the U. S. Geological Survey on scene shall maintain close liaison in all matters.

4. With respect to spills originating from operations conducted under the Submerged Lands Act of 1953 or in internal waters of the United States, the U. S. Geological Survey, upon request of the U. S. Coast Guard, will furnish expertise, guidance, and such other assistance as may be appropriate in respect to measures to abate the source of pollution when the source is an oil, gas, or sulfur well.

5. This Memorandum of Understanding shall be reviewed annually and shall continue in force until it shall be amended or terminated by mutual agreement.

UNQUOTE

EXHIBIT 8 TO ANNEX VII, SECTION 1700

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
MINERALS MANAGEMENT SERVICE
OF THE DEPARTMENT OF THE INTERIOR
AND THE
UNITED STATES COAST GUARD
OF THE
DEPARTMENT OF TRANSPORTATION
CONCERNING REGULATION OF ACTIVITIES
AND FACILITIES ON
THE OUTER CONTINENTAL SHELF OF THE UNITED STATES

I. Purpose:

The purpose of this Memorandum of Understanding (MOU) is to promote the safety of personnel, activities, and facilities on the Outer Continental Shelf (OCS) of the United States associated with the exploration, development, production, and processing of mineral resources, to promote conservation of those resources and protection of the environment, to minimize duplication of effort, and to promote consistent, coordinated and less burdensome regulation of these facilities. This MOU does not apply to deepwater ports as licensed by the Secretary of Transportation under the Deepwater Port Act of 1974.

II. Definitions:

For purposes of this MOU, the following definitions apply:

Act - The Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1331 et seq.), as amended by the Outer Continental Shelf Lands Act Amendments of 1978 (Pub. L. 95-372).

Deepwater Port - A facility licensed by the Secretary of Transportation under the Deepwater Port Act of 1974.

Vessel - Every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the water. This term does not include atmospheric or pressure vessels used for the containment of liquids or gases.

OCS - The submerged lands which are subject to the Act.

OCS Activity - Any offshore activity associated with exploration for, development of, production of, or processing of mineral resources of the OCS.

OCS Facility - Any artificial island, platform, installation, vessel, or other device used for any OCS activity. This term does not include vessels transiting the OCS, but does include U.S. and foreign flag marine rigs, vessels, and other structures. The following are types of OCS facilities:

1. OCS Production Facility - Any facility designated by the lessee of an OCS Block (hereafter called lessee) for the purpose of producing or supporting the production of the mineral resources on that block. This definition also includes gravel and ice islands and caisson retained islands engaged in OCS activities even though they may be used for purposes other than production.

2. OCS Drilling Facility - Any facility designated by the owner or charterer to be used exclusively for exploration or development drilling of OCS mineral resources. This definition does not include gravel and ice islands and caisson retained islands engaged in OCS activities even though they may be used only for drilling of OCS mineral resources.

3. OCS Terminal - Any OCS facility which is intended for use as a port or terminal for transferring produced oil or gas or other OCS mineral resources to or from a vessel.

III. Agency Authorities on the OCS:

A. General:

1. The Minerals Management Service (MMS) within the Department of the Interior, is responsible for management of mineral leasing on the OCS and the regulation of all mineral exploration, drilling, completion, workover, and production activities on leased or leasable land.

2. The United States Coast Guard (USCG) within the Department of Transportation regulates to promote the safety of life and property on OCS facilities and vessels engaged in OCS activities, and the safety of navigation.

B. Statutory authorities of the MMS include the following:

1. Providing for the prevention of waste and the conservation of the natural resources of the OCS, and the protection of correlative rights.

2. Requiring suspension or temporary prohibition of any operation or activity on a lease if there is a threat of serious or irreparable harm or damage to life, property, mineral deposits or to the marine, coastal, or human environment.

3. Reviewing alleged or observed violations of safety regulations issued under the Act.

4. Reviewing and approving exploration plans, development and production plans, and applications for permits to drill as necessary for prompt and efficient exploration, development, and production of a lease area.

5. Reviewing and approving applications for remedial work on completed wells.

6. Approving pipeline rights-of-way and rights-of-use and easements.

7. Providing for the inspection of drilling and production operations to ensure compliance with applicable requirements.

8. Ensuring compliance with the national ambient air quality standards pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.), to the extent that activities authorized under the Act significantly affect the air quality of any State.

9. Administering applicable pollution laws contained in Title 43 of the U.S.C. as implemented by Title 30 of the Code of Federal Regulations (CFR) Part 250.

10. Exercising the Secretary of the Interior's responsibilities for the assessment, compromise, and collection of civil penalties under section 24(b) of the Act.

C. Statutory authorities of the USCG on the OCS include the following:

1. Promoting the safety of life and property on OCS facilities and adjacent waters.

2. Administering applicable vessel safety and inspection laws contained in Titles 46 and 43 of the U.S.C.

3. Administering applicable pollution laws contained in Titles 33 and 43 of the U.S.C as implemented by 33 CFR Parts 135, 136, 151-156.

4. Determining which OCS facilities and vessels require a USCG Certificate of Inspection (COI) or USCG Letter of Compliance (LOC) and administering applicable regulations to ensure compliance with the conditions of the COI or LOC.

5. Providing for inspection of OCS facilities and vessels engaged in OCS activities to ensure compliance with applicable USCG requirements.

6. Promulgating regulations addressing hazardous working conditions related to activities on the OCS.

7. Reviewing alleged or observed violations of occupational safety and health regulations under the Act.

8. Administering applicable navigation safety laws contained in Titles 33 and 43 of the U.S.C., including those applicable to aids to navigation and designation of shipping safety fairways and traffic separation schemes.

D. Similar statutory authorities involving both Agencies include the following:

1. Establishing minimum requirements or standards of design, construction, alteration, and repair for OCS facilities.

2. Enforcing regulations promulgated pursuant to the Act, including authority to utilize by agreement the services of personnel or facilities of other Federal Agencies.

3. Investigating and making public reports on deaths, serious injuries, fires, and oil spillage occurring as a result of OCS operations.

4. Requiring the use of the best available and safest technologies on OCS drilling and production operations as set forth in section 21(b) of the Act.

IV. Responsibilities

To accomplish the purposes of this MOU, both Agencies agree to observe the following guidelines with respect to overseeing OCS facility design and construction, systems and equipment, and operations.

A. Facility design and construction requirements, including plan approval:

1. The MMS exercises technical review and approval responsibility for design, fabrication, and installation of all OCS production facilities, as described in 30 CFR 250.132, 250.133, and 250.140. The USCG issuance of a COI or LOC does not preclude additional requirements being imposed by the MMS. However, the MMS will coordinate the review and approval as necessary with the USCG so that MMS requirements do not compromise USCG certification or compliance requirements.

The MMS verifies the following for all OCS facilities:

a. Site-specific considerations, such as oceanographic, meteorological, geological, geotectonic, and geophysical conditions including bottom conditions and the capability of the seabed and the mooring system to support or hold the position of the facility to be installed and operated.

The MMS establishes requirements and verifies the following for OCS production facilities:

b. Structural integrity involving design, fabrication, and installation;

c. Location of drilling, production, well control, and safety systems and equipment; and

d. Modification and repair related to structural integrity.

2. The USCG exercises technical review and approval responsibility for design and construction of OCS drilling facilities, vessels engaged in OCS activities, and other facilities which are required to possess a USCG COI or LOC. The USCG also has review and approval responsibility for OCS drilling facilities while in transit, where applicable. The USCG will coordinate the review and approval as necessary with the MMS so that USCG requirements for certification or compliance do not compromise MMS requirements.

The USCG establishes requirements for the following on all OCS drilling facilities (excluding gravel and ice islands and caisson retained islands), vessels engaged in OCS activities, and those other facilities that are required to receive a USCG COI or LOC:

a. Structural integrity involving design, fabrication, and installation;

b. Stability and buoyancy in both transit and operational mode, where applicable;

c. Modification and repair requirements related to structural integrity; and

d. General arrangement.

The USCG establishes requirements for the following on all OCS facilities:

e. Structural fire protection including specifying fire endurance capabilities of bulkheads, decks and escape routes, testing and classification of materials, and requirements for ventilation systems;

f. Workplace safety;

g. Evacuation procedures and related escape routes; and

h. Lifesaving equipment.

B. Systems and Equipment:

Systems approved by one Agency which are interconnected to systems approved by the other Agency must be applicable to both Agencies.

1. The MMS establishes requirements and verifies compliance with those requirements for systems and equipment for drilling, completion, production, well control, and workover, on all OCS facilities. Additionally, the MMS establishes requirements to ensure that site-specific conditions (including seafloor, oceanographic, and other environmental conditions) are considered in the design and testing of mooring and positioning systems and in establishment of well shut-in and drilling suspension procedures for all OCS facilities.

Systems and equipment for which the MMS establishes requirements, as necessary, on all OCS facilities include the following:

a. Blowout preventer and other well-control equipment;

b. Drilling and production safety systems;

c. Emergency Shutdown System (ESD) to initiate facility shutdown, activated manually or by gas sensors, fire detectors (heat, smoke, or flame), or fire loop in wellhead, production, and living quarters areas;

d. Subsurface and surface well-control equipment;

e. Wellhead, flowline, pipeline, and well test equipment including safety valves and pressure sensors;

f. Dehydration equipment and gas compressor units used in production operations;

g. Hydrogen sulfide control equipment, gas detection systems, and personnel protection;

h. Production and production-associated piping systems including incoming and departing pipelines;

i. Pumps used to transfer liquids within the production process systems and into pipelines;

j. Odorant treatment of gas piped into buildings, portable and permanent living quarters, and other enclosures;

k. Subsea completions;

l. Wellhead fire protection systems, including deluge and sprinkler systems in enclosed well bay areas;

m. Gas-detection systems for drilling, production or gas-transmission systems or equipment;

n. Oil and gas sale and metering equipment for production from OCS leases;

o. Containment systems for overflow from equipment associated with drilling and production;

p. Pressure, atmospheric, and fired vessels and piping used for conducting drilling and production operations; and

q. Those systems installed in compliance with the applicable pollution prevention and control regulations contained in 30 CFR Part 250, Subpart C.

Other systems and equipment for which the MMS is responsible on all OCS production facilities, other than those determined to require a USCG COI or LOC, include the following:

r. Electrical system design and equipment including designation of classified locations;

s. Engine exhaust insulation and spark arrestors;

t. Helicopter deck installations including helicopter refueling facilities; and

u. Cranes, booms or other material handling equipment.

2. The USCG establishes systems and equipment requirements, as appropriate, for lifesaving equipment on all OCS facilities. The USCG establishes requirements for systems and equipment related to the issuance of COI's and LOC's where required by USCG regulations. The USCG also establishes requirements for personnel safety systems and equipment to mitigate occupational safety or health hazards. The USCG will not, however, establish requirements for drilling, production, or workover equipment that would conflict with MMS requirements.

Systems and equipment for which the USCG establishes requirements, as necessary, on all OCS facilities include the following:

- a. Lifesaving systems and equipment;
- b. General alarms;
- c. Personnel protection equipment, excluding equipment for protection from hydrogen sulfide;
- d. Fire detection, control and extinguishing systems and equipment, including structural fire protection, not already addressed by paragraph IV. B. 1. c. and m.;
- e. Living quarters;
- f. Communications;
- g. Navigation lights, obstruction lights, and sound signals; and
- h. Systems and equipment associated with commercial diving operations covered by 46 CFR Subchapter V.

Other systems and equipment for which the USCG establishes requirements, as necessary, on OCS Drilling facilities, vessels engaged in OCS activities, those other facilities that are required to receive a USCG COI or LOC, and OCS terminals include the following:

- i. Cranes, booms, or other material handling equipment;
- j. Electrical system design and equipment including designation of classified areas;
- k. Boilers, pressure vessels, piping and machinery not covered under IV.B.1 of this MOU;
- l. Mooring systems including design, rating, and facility compatibility, but not site-specific requirements;
- m. Helicopter deck installations including refueling facilities; and
- n. Those systems installed in compliance with the applicable provisions of the pollution prevention regulations contained in 33 CFR Parts 151-156.

C. Operations

1. The MMS administers procedures including training, drills, inspections, and emergency procedures on all OCS facilities with respect to the following:

- a. Drilling, workover, completion, and production operations including well control;

b. Pollution prevention except for transfers to or from a vessel (as vessel is defined in section II. of this MOU);

c. Safe welding, burning on nonstructural members, and hot tapping procedures;

d. Control of hydrogen sulfide;

e. Pipeline operations associated with an OCS facility; and

f. Well-head and platform removal.

Other procedures which the MMS administers on OCS production facilities include the following:

g. Structural inspection and repair;

h. Safe welding and burning procedures on structural members;

i. Helicopter operations;

j. Firefighting, as specified in IV.B.1.m.; and

k. Transfer of materials and personnel on or off the facility by crane or other means.

2. The USCG administers requirements including those for training, drills, inspections, and emergency procedures on all OCS facilities for the following:

a. Emergency egress from a facility including use of lifesaving and other general emergency equipment;

b. Handling, transfer, and stowage of explosives, radioactive, flammable (other than produced hydrocarbons), and other hazardous materials;

c. Transfer of petroleum and other products from or to a vessel (as vessel is defined in section II. of this MOU);

d. Vehicle and vessel operations;

e. Occupational safety and health of personnel;

f. Diving operations; and

g. Pollution response and compensation.

Other requirements which the USCG administers on OCS drilling facilities, vessels engaged in OCS activities, and on those other facilities that are required to receive a USCG COI or LOC include the following:

- h. Firefighting, as specified in IV.B.2.d.;
- i. Helicopter operations;
- j. Structural inspection and repair;
- k. Safe welding and burning procedures on structural members;
- l. Stability and buoyancy considerations; and
- m. Transfer of materials and personnel on or off the facility by crane or other means.

V. Inspections:

A. Each Agency will provide for the conduct of scheduled and unannounced inspections, as necessary, to ensure compliance with its own requirements. If, in the course of a routine inspection, deficiencies falling within the responsibility of the other Agency are apparent, the deficiencies will be reported to the other Agency for action. This is not intended, however, to prevent any inspector from either Agency taking such action as is considered necessary to prevent serious or irreparable harm to persons, property, or the environment on the OCS. Such action, however, will be subsequently reported to the other Agency.

B. The MMS administers procedures for requiring shutdown of drilling and production operations and may initiate such procedures upon request by the USCG.

C. The USCG issues COI's and LOC's to those OCS facilities and vessels requiring them.

VI. Investigations:

A. Responsibilities:

Investigation and public report by the MMS or the USCG are required for fires, oil pollution, deaths, and injuries associated with OCS activities. In addition, the Agencies investigate certain incidents relating to other regulatory responsibilities, e.g. loss of well control, sinking, capsizing, or major damage to a vessel or facility. To avoid duplication of effort and to simplify administration, the primary Agency regulating a particular facility, system or operation will be responsible for leading the investigation and reporting on incidents involving that facility, system, or operation.

Where only one Agency has an investigative interest in an incident, that Agency will investigate and report. Where both Agencies have investigative interest in an incident, one Agency will assume lead responsibility with supporting participation by the other Agency. Where investigations involve both Agencies, assumption of lead Agency responsibility will be determined by the circumstances of the particular incident, using the following ranking order for types of incidents:

1. Collisions - The USCG will normally be the lead Agency.

2. Blow Outs, Fires, and Explosions - The MMS will normally be the lead Agency for incidents of fires or explosion involving drilling or production operations. The USCG participation will be requested in all investigations of fires or explosions that involve death or injuries or that occur on OCS drilling facilities, vessels, equipment, or operations for which the USCG is responsible under paragraphs IV.B.2. or C.2. of this MOU.

3. Deaths and Injuries - The USCG will normally be the lead Agency for all incidents involving death or injuries. The MMS participation will be requested in investigations of all deaths and injuries associated with oil or gas drilling or production operations or equipment, including hydrogen sulfide exposure.

4. Pollution - The MMS will normally be the lead Agency for incidents involving pollution from all OCS facilities. The USCG participation will be requested in all investigations of pollution.

5. Facilities, Material, and Equipment

a. The USCG will normally be the lead Agency for incidents involving damage to OCS drilling facilities and vessels engaged in OCS activities, or damage to propulsion, auxiliary, or emergency systems and equipment covered under IV.B.2. of this MOU.

b. The MMS will normally be the lead Agency for incidents involving damage to OCS production facilities. The USCG participation will be requested in incidents involving those OCS production facilities which require a USCG COI or LOC.

B. Conduct of Investigations:

1. Where the lead Agency identified by the ranking order in VI.A.1. through 5. determines not to investigate, that Agency shall notify the other agency of its intent.

2. In all cases, the lead Agency or the Agency conducting an investigation is responsible for preparing, reviewing, approving, and releasing the investigation report in accordance with the normal procedures of that Agency.

3. The specific procedures for participation in a joint Agency investigation shall be determined on a case-by-case basis by mutual agreement, with designation of the lead Agency determined using the procedures identified in paragraphs VI.A.1. through 5. Prior to public release of a joint Agency report of investigation, the lead Agency will forward a copy of the report to the supporting Agency for comment. The lead Agency will file any supporting Agency comments with the final report. When the supporting Agency's conclusions or recommendations differ from those of the lead Agency, each Agency's conclusions or recommendations will be included with the report in a mutually acceptable manner determined on a case-by-case basis.

4. Following completion of an Agency's investigation, the final report will be forwarded to the other Agency upon specific request, but need not be routinely forwarded.

VII. Oil Spill Contingency Plans:

Exploration Plans or Development and Production Plans are submitted to the MMS for review and approval. The USCG will provide a technical review of that portion of the Plan which addresses the adequacy of the oil spill contingency plan. The criteria by which to judge the adequacy of a plan may be developed by a Regional Technical Review Board and will be mutually agreed upon by the MMS and the USCG. The assistance of the Regional Technical Review Board may be requested by either the USCG or the MMS. Membership on the Regional Technical Review Board shall include both headquarters and regional representatives of both the MMS and the USCG and any other Government technical experts requested by either Agency.

VIII. Exchange of Services and Personnel:

—To the extent its own operations and resources permit, each Agency will provide the other Agency with such assistance, technical advice and support, including transportation, as may be requested. Such exchange of services and use of personnel shall be on a nonreimbursable basis and may be extended to areas beyond the OCS where one Agency's expertise will benefit the other Agency in application and enforcement of its safety regulations.

IX. Cooperation in Standards and Regulation Development:

A. Both Agencies will exchange data and study results, participate in research and development projects of mutual interest, and exchange early drafts of rulemaking notices to avoid duplicative or conflicting requirements.

B. Both Agencies will review current standards, regulations, and directives, and will propose revisions to them as necessary in keeping with the provisions of this MOU.

C. Both Agencies will review reporting and data collection requirements imposed on operators of OCS facilities and, wherever feasible, eliminate or minimize duplicate reporting and data collection requirements.

X. Implementation:

A. Each Agency will review its internal procedures and, where appropriate, will revise them to accommodate the provisions of this MOU. Each Agency will also designate one senior official who will be responsible for continuing coordination and implementation of the provisions of this MOU.

B. On the effective date of the agreement, the USCG/U.S. Geological Survey MOU concerning regulation of activities and facilities on the OCS of the United States, dated December 18, 1980, is cancelled.

XI. Savings Provision:

Nothing in this MOU shall be deemed to alter, amend, or affect in any way the statutory authority of the MMS or the USCG.

XII. Effective Date:

This MOU is effective upon signature. It may be amended at any time by mutual agreement of both Agencies and may be terminated by either Agency upon a 30-day written notice.

Signed at Washington, D.C. this 29th day of August 1989.



P. A. Yost
Commandant, U.S. Coast Guard
Department of Transportation



Barry A. Williamson
Director
Minerals Management Service

EXHIBIT 8 TO ANNEX VII, SECTION 1700

MOU, DOI-DOT; REGULATION OF ACTIVITIES ON THE OUTER
CONTINENTAL SHELF

1. REPRINT OF MOU. The following is a reprint of this MOU which was dated 18 December 1980.

QUOTE

1. Purpose

The purpose of this Memorandum of understanding is to promote the safety of activities and facilities on the Outer Continental Shelf of the United States (OCS) associated with the exploration, development, and production of mineral resources, to avoid duplication of effort, and to promote consistent, coordinated, and less burdensome regulation of these facilities.

2. Definitions

For purposes of this Memorandum of Understanding, the following definitions apply:

Act - The Outer Continental Shelf Lands Act Amendments of 1953 (43 USC 1331 et. seq.), as amended by the Outer Continental Shelf Lands Act Amendments of 1978 (Pub. L. 95-372).

Deepwater Port - A facility licensed by the Secretary of Transportation under the Deepwater Port Act of 1974.

Vessel - Every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the water. This term does not include atmospheric or pressure vessels used for containment of fluids or gases.

Outer Continental Shelf - The submerged lands which are subject to the Act.

OCS Activity - Any offshore activity associated with exploration for, development of, or production of mineral resources of the OCS.

OCS Facility - Any artificial island, platform, installation, or other device, permanently or temporarily attached to the seabed or subsoil of the OCS, and used for any OCS activity. This term does not include a deepwater port or vessel engaged in transportation, but does include a:

1. Fixed OCS Facility - Any fixed, bottom-founded facility permanently attached to the seabed or subsoil of the OCS, including platforms, guyed towers, articulated columns, gravity platforms and other structures;

2. Floating OCS Facility - Any buoyant facility securely and substantially moored to the seabed or subsoil of the OCS, including tension leg platforms, permanently moored semi-submersibles, ship/barge shape hulls, or other buoyant

structures. This term does not include mobile offshore drilling units;

3. Mobile Offshore Drilling Unit (MODU) - Any vessel capable of engaging in drilling operations for the exploration or exploitation of mineral resources of the OCS. This term includes mobile offshore drilling units engaged in OCS activities that are U.S., foreign, or not documented under the laws of any nation;

4. OCS Terminal - Any fixed or floating facility which is used or intended for use primarily as a port or terminal for transferring produced oil, gas, or other OCS mineral resources to or from a vessel.

5. Mobile Well Servicing Unit (MWSU) - Any vessel other than a MODU which engages in well servicing operations on the OCS.

III. Agency Authorities on the OCS.:

A. General:

1. The Department of the Interior is responsible for management of mineral leasing on the OCS of the United States, including coordinating Federal activities related to this program. Within the Department of the Interior, the U. S. Geological Survey regulates all mineral exploration, drilling and production activities on leased or leasable land.

2. The United States Coast Guard of the Department of Transportation regulates to promote the safety of life and property on OCS facilities and vessels engaged in OCS activities, and the safety of navigation.

B Statutory authorities of the Geological Survey on the OCS include:

1. Providing for the prevention of waste and the conservation of the natural resources of the OCS, and the protection of correlative rights.

2. Requiring suspension or temporary prohibition of any operation or activity on a lease if there is threat of serious or irreparable harm or damage to life, to property, to mineral deposits or to the marine, coastal, or human environment.

3. Reviewing allegations of violations of safety regulations issued under the Act.

4. Reviewing and approving exploration, development, and production plans, and applications for permits to drill necessary for prompt and efficient exploration, development, and production of a lease area.

5. Reviewing and approving applications for remedial work on completed wells.

6. Approving rights of use and easement.

7. Inspecting drilling and production operations to ensure compliance with applicable lease terms and Geological Survey regulations and orders.

8. Ensuring compliance with the national ambient air quality standards pursuant to the Clean Air Act (42 USC 7401 et. seq.), to the extent that activities authorized under the Act significantly affect the air quality of any State.

9. Exercising the Secretary of the Interior's responsibilities for the assessment, compromise, and collection of civil penalties under Section 24 (b) of the Act.

C. Statutory authorities of the Coast Guard on the OCS include:

1. Promoting the safety of life and property on OCS facilities and adjacent waters.

2. Requiring hazardous working conditions related to activities on the OCS to be minimized.

3. Reviewing allegations of violations of occupational safety and health regulations under the Act.

4. Administering applicable vessel navigation, safety, and inspection laws contained in Titles 46 and 33 of the United States Code.

5. Inspecting OCS facilities and vessels engaged in OCS activities to ensure compliance with applicable Coast Guard requirements.

D. Similar statutory authorities involving both agencies include:

1. Establishing minimum requirements or standards of design, construction, alteration, and repair for vessels, rigs platforms, or other vehicles or structures engaged in OCS activities.

2. Performing scheduled and unannounced inspections of OCS facilities to assure compliance with regulations promulgated pursuant to the Act.

3. Enforcing regulations promulgated pursuant to the Act, including authority to utilize by agreement the services of personnel or facilities of other Federal agencies.

4. Investigating and making public reports on deaths, serious injuries, fires, and oil spillage occurring as a result of OCS operations.

5. Requiring the use of the best available and safest technologies on OCS drilling and production operations as set forth in section 21(b) of the Act.

IV. Responsibilities:

To accomplish the purposes of this memorandum both agencies agree to observe the following guidelines with respect to overseeing OCS facility design and construction, systems and equipment, and operations.

A. Facility design and construction requirements, including plan approval:

1. The Geological Survey exercises technical review and approval responsibility for design, fabrication, and installation of all fixed OCS facilities. Additionally, after technical review and approval of the design and fabrication of all floating OCS facilities by the Coast Guard, the Geological Survey will have final approval responsibility for the installation of such facilities. The Geological Survey will coordinate technical and plan review as necessary with the Coast Guard to ensure that any applicable Coast Guard requirements affecting design or construction are complied with.

The Geological Survey verifies the following for all OCS facilities:

a. Site-specific considerations, such as oceanographic, meteorological, geological and geophysical conditions including bottom conditions and the capability of the seabed to support or hold the position of the facility to be installed and operated.

The Geological Survey establishes requirements and verifies the following for fixed OCS facilities:

b. Structural integrity involving design, fabrication, and installation;

c. General arrangement of drilling, production, and well control systems and equipment;

d. Modification and repair related to structural integrity.

2. The Coast Guard exercises technical review and approval responsibility for design and construction of all floating OCS facilities, and all vessels engaged in OCS activities, including MODUs and MWSUs. The Coast Guard will coordinate technical and plan review as necessary with the Geological Survey to ensure that any applicable Geological Survey requirements affecting design or construction are complied with.

a. Structural fire protection, including specifying fire endurance capabilities of bulkheads, decks, and escape routes, testing and classification of materials, and requirements for ventilation systems;

- b. Access, landings and emergency escape routes.

The Coast Guard establishes requirements for the following on floating OCS facilities and vessels engaged in OCS activities:

- c. Design, loading, fabrication and construction requirements;
- d. Stability and buoyancy;
- e. Modification and repair requirements related to structural integrity;
- f. General arrangement.

B. Systems and Equipment:

Systems approved by one agency which are interconnected to systems approved by the other agency must be acceptable to both agencies.

1. The Geological Survey establishes requirements and verifies compliance with those requirements for systems and equipment for drilling, production, well control, and workover, on all OCS facilities.

Systems and equipment for which the Geological Survey establishes requirements, as necessary, on all OCS facilities include:

- a. Blowout preventer and other well control equipment;
- b. Surface production safety systems;
- c. Emergency Shutdown System (ESD), including associated gas and fire detection systems;
- d. Subsurface well-control equipment, including safety valves;
- e. Atmospheric, pressure, and fired vessels used for the processing of production;
- f. Wellhead and flow-line equipment, including valves and sensors for wellheads, flow lines, and pipelines;
- g. Dehydration equipment and gas compressor units used in production operations;
- h. Hydrogen sulfide control equipment, including the hydrogen sulfide gas detection system;
- i. Production and production-associated piping systems, including incoming and departing pipelines;

j. Pumps used to transfer liquids within the production process systems and into pipelines;

k. Fire Loop System which is used for detection and to initiate platform shutdown;

l. Subsea completions;

m. Wellhead fire-prevention;

n. Gas detection systems for drilling, production or gas transmission systems or equipment;

o. Oil and gas sale and metering equipment for production from OCS leases;

p. Containment systems for overflow from equipment associated with drilling and production;

Other systems and equipment for which the Geological Survey is responsible on fixed facilities include:

q. Electrical system design and equipment, including designation of classified locations;

r. Pressure vessels and piping associated with drilling operations;

s. Engine exhaust insulation and spark arrestors.

2. The Coast Guard establishes systems and equipment requirement, as appropriate for propulsion machinery, auxiliary machinery and personnel safety equipment on all OCS facilities. The Coast Guard also establishes requirements for equipment on all OCS facilities to mitigate occupational safety or health hazards, or ensure the seaworthiness of a MODU, MWSU, floating OCS facility, or vessel. However, the Coast Guard will not establish requirements for drilling, production, or workover equipment that would duplicate or conflict with Geological Survey requirements. Nor will the Coast Guard establish requirements for safety factors, shutdown or relief valves for pressure vessels or piping in systems for which Geological Survey has design approval.

Systems and equipment for which the Coast Guard establishes requirements, as necessary, on all OCS facilities include:

a. Lifesaving systems and equipment;

b. Fire detection, control, and extinguishing systems and equipment not covered under IV. B. 1.(c) and (k) of this Memorandum;

c. General alarms;

d. Cranes, booms, or other material handling equipment, including industrial trucks;

e. Personnel protection equipment, excluding equipment for protection from hydrogen sulfide;

f. Communications;

g. Helicopter fueling facilities;

h. Helicopter deck installations;

i. Navigation lights, obstruction lights, and sound signals;

j. Boilers, pressure vessels, and piping not covered under IV. B. 1. of this Memorandum;

k. Underwater working chambers designed for human occupancy and their support systems;

l. Hotel services including fresh water, flushing water, heating systems, etc.;

m. Permanent and portable quarters.

Other systems and equipment for which the Coast Guard establishes requirements, as necessary, on floating OCS facilities, MODUs, MWSUs, and vessels include:

n. Electrical system design and equipment, including designation of classified areas;

o. Mooring systems;

Other systems and equipment for which the Coast Guard establishes requirements, as necessary, on OCS terminals include:

p. Oil transfer, gas inerting and vapor recovery systems.

C. Operations:

1. The Geological Survey administers procedures, including training, drills, inspections and emergency procedures on all OCS facilities with respect to:

a. Drilling, workover, and production operations, including well control;

b. Pollution prevention, except for transfers to or from a vessel (as vessel is defined in section II of this Memorandum);

c. Safe welding, burning, and hot tapping procedures;

- d. Control of hydrogen sulfide;
- e. Pipeline operations associated with an OCS facility;
- f. Well-head and platform removal.

Other procedures which the Geological Survey administers on OCS fixed facilities include:

- g. Underwater and above water structural inspection and repair.

2. The Coast Guard administers requirements, including those for training, drills, inspections and emergency procedures, on all OCS facilities for:

- a. Firefighting;
- b. Emergency egress from a facility, including use of lifesaving and other general emergency equipment;
- c. Handling, transfer and stowage of explosives, radioactive, flammable (other than produced hydrocarbons), and other hazardous materials;
- d. Transfer of petroleum and other products from or to a vessel (as vessel is defined in section II of this Memorandum);
- e. Transfer of materials and personnel on or off the facility by crane or other means;
- f. Vehicle and vessel operations;
- g. Helicopter operations on OCS facilities;
- h. Occupational safety and health of personnel;
- i. Diving operations.

Other requirements which the Coast Guard administers on OCS floating facilities and vessels include;

- j. Underwater and above water structural inspection and repair;
- k. Stability considerations.

V. Inspections:

A. Each agency will conduct scheduled and unannounced inspections, as necessary, to ensure compliance with its own requirements. Both agencies will coordinate inspections to minimize disruption of operations. If, in the course of a routine inspection, deficiencies falling within the

responsibility of the other agency are apparent, the deficiencies will be reported to the other agency for action. This is not intended, however, to prevent any inspector from either agency from taking such action as is considered necessary to prevent serious or irreparable harm to persons, property, or to the environment on the OCS. Such action, however, will be subsequently reported to the other agency.

B. The Geological Survey administers procedures for requiring shut-down of drilling and production operations and may initiate such procedures upon request by the Coast Guard.

C. The Coast Guard issues certificates indicating compliance with Coast Guard requirements for all floating OCS facilities and vessels engaged in activities, including MODUs and MWSUs.

VI. Investigation:

A. Responsibility:

Investigation and public report by the Geological Survey or the Coast Guard are required for fires, oil pollution, deaths and injuries associated with OCS activities. In addition, the agencies investigate certain other incidents relating to other regulatory responsibilities, e. g. loss of well control, sinking, capsizing, or major damage to a vessel or facility. To avoid duplicative efforts and simplify administration, the primary agency regulating a particular facility, system or operation will be responsible for leading the investigation and reporting on incidents involving that facility, system or operation. Where only one agency has an investigative interest in an incident, that agency will investigate and report. Where both agencies have investigative interest in an incident, one agency will assume lead responsibility with supporting participation by other agency. Assumption of lead agency responsibility, the extent of supporting participation, and procedures for coordination will be determined by the circumstances of the particular incident. Normally, all investigations which involve both agencies will be coordinated by applying the following guidelines in numerical order so as to determine the lead agency.

B. Guidelines:

1. Collisions - The Coast Guard will normally be the lead agency.

2. Fires and Explosions - The Geological Survey will normally be the lead agency for incidents of fires or explosion involving drilling or production operations. Coast Guard participation will be requested in all investigations of fires or explosions that involve death, injuries, vessels, equipment, or operations for which the Coast Guard is responsible under paragraphs IV. B.2. or C.2. of this Memorandum.

3. Deaths and Injuries - The Coast Guard will normally be the lead agency for all incidents involving death or injuries. Geological Survey participation will be requested in investigations of all deaths and injuries associated with oil or gas drilling, production operations, or equipment, including hydrogen sulfide exposure.

4. Pollution - The Geological Survey will normally be the lead agency for incidents involving pollution from all OCS facilities. Coast Guard participation will be requested in all investigations of pollution.

5. Facilities, Material and Equipment.

a. The Coast Guard will normally be the lead agency for incidents involving damage to MODUs, MWSUs, or other vessels, or floating facilities, and failure of or damage to propulsion, auxiliary or emergency systems and equipment covered under IV. B.2. of this Memorandum.

b. The Geological Survey will normally be the lead agency for all other incidents involving failure of or damage to fixed OCS facilities.

C. Conduct of Investigations:

1. The lead agency responsible for an investigation under these guidelines will conduct, review, approve and release the investigation report in accordance with the normal procedures of that agency. Comments by the supporting agency will be included in the investigation report.

2. If both agencies participate in an investigation, the lead agency will forward an information copy of the final report to the supporting agency.

3. Reports prepared by a single agency need not be routinely forwarded to the other agency, but will be available upon request.

VII. Oil Spill Contingency Plans:

Exploration Plans or Development and Production Plans are submitted to the Geological Survey for review and approval. The Coast Guard will provide a technical review of that portion of the Plan which addresses the adequacy of the oil spill contingency plan, including the adequacy of oil spill response, clean up equipment, and procedures. The criteria by which to judge the adequacy of a plan will be jointly agreed upon by the Geological Survey and the Coast Guard.

VIII. Exchange of Services and Personnel:

To the extent its own operations permit, each agency will provide the other agency with such assistance, technical advice

and support, including transportation, as may be requested. Such exchange of services and use of personnel shall be on a non-reimbursable basis.

IX. Cooperation in Standards and Regulations Development:

A. Both agencies will exchange data and study results, participate in research and development projects of mutual interest, and exchange early drafts or rulemaking notices.

B. Both agencies will review current standards, regulations and orders and will propose revisions to them as necessary in keeping with the provisions of this Memorandum of Understanding.

C. Both agencies will review reporting and data collection requirements imposed on operators of OCS facilities and, wherever feasible, will eliminate or minimize duplicate reporting and data collection.

X. Implementation:

A. Each agency will review its internal procedures and where appropriate, will revise them to accommodate the provisions of this Memorandum of Understanding. Each agency will also designate one senior official who will be responsible for continuing coordination and implementation of the provisions of this Memorandum of Understanding.

B. On the effective date of this agreement, the Coast Guard/Geological Survey Memorandum of Understanding for mobile offshore drilling units, dated April 11, 1977, is canceled.

XI. Savings Provision:

Nothing in this Memorandum of Understanding shall be deemed to alter, amend, or affect in any way the statutory authority of the Geological Survey or the Coast Guard.

XII. Effective Date:

This Memorandum of Understanding is effective upon signature. It may be amended at any time by mutual written agreement of both agencies and may be terminated by either agency upon 30 day written notice.

Signed at Washington, DC this 18th day of December 1980.

/s/ J. B. HAYES
COMDT. US COAST GUARD
DEPT OF TRANSPORTATION

/S/ H. WILLIAM MENARD
DIR., U. S. GEOL. SURVEY
DEPT OF THE INTERIOR

EXHIBIT 9 TO ANNEX VII, SECTION 1700

MOU, USCG-OSHA; OCCUPATIONAL HEALTH AND SAFETY ON THE OUTER CONTINENTAL SHELF

1. REPRINT OF MOU, USCG-OSHA. The following is a reprint of this MOU, which was published in the Federal Register, Vol. 45, No. 29 on 11 February 1980.

QUOTE

Memorandum of Understanding Concerning Occupational Safety and Health on Artificial Islands, Installations and Other Devices on the Outer Continental Shelf of the United States.

I. Purpose

The purpose of this Memorandum of Understanding is to establish procedures to increase consultation and coordination between the United States Coast Guard (USCG) and Occupational Safety and Health Administration (OSHA) with respect to matters affecting the occupational safety and health of personnel working on the Outer Continental Shelf of the United States.

II. Definition

For purposes of the Memorandum, the following definition applies:

Working Conditions on the Outer Continental Shelf of the United States.

Working conditions related to activities, including diving, taking place on or from, on the waters adjacent to, or otherwise associated with artificial islands, installations, or other devices permanently or temporarily attached to the seabed and exploring for, developing or producing resources from the Outer Continental Shelf of the United States, or any device (other than ship or vessel) used for the purpose of transporting such resources (43 U.S.C. 1333(a)(1)).

III. Agency Responsibilities

A. U.S. Coast Guard.

The USCG has authority to promulgate and enforce Safety and Health Regulations for working conditions on the OCS of the United States. In carrying out this responsibility on the OCS the Coast Guard will cooperate with the Occupational Safety and Health Administration to maximize the safety and health

protection of employees, avoid duplication of effort, and avoid undue burdens on the maritime industry. The USCG, consistent with its statutory authority;

1. Promulgates regulations and may modify any regulation, interim or final, applying to hazardous working conditions related to activities on the Outer Continental Shelf, and promulgates such other regulations as may be necessary to promote the safety of life and property on the OCS;

2. Promulgates regulations to provide for scheduled onsite inspections, at least once a year, of each facility on the Outer Continental Shelf which is subject to any environmental, safety or health regulation promulgated by the Coast Guard pursuant to the OCS Act, and also provides for periodic onsite inspection without advance notice to the operator of such facility to assure compliance with such environmental, health or safety regulations;

3. Reviews any allegation from any person of the existence of a violation of a safety or health regulation or other unsafe working condition.

4. Investigates and makes a public report on any death or serious injury occurring as a result of operations conducted pursuant to the OCS Act, and may investigate and report on other injuries, casualties or accidents.

5. Initiates appropriate civil and criminal procedures and other actions to enforce any provision of the OCS Act or any regulation issued under the Act.

B. Occupational Safety and Health Administration

The Occupational Safety and Health Act (OSH Act) applies with respect to working conditions on Outer Continental Shelf Lands (29 USC 653(a)), but does not apply to working conditions with respect to which the Coast Guard or other Federal agencies exercise statutory authority to prescribe or enforce standards affecting occupational safety and health (29 USC 653(b)(1), Sec. 21(d) of the OCS Act). The Occupational Safety and Health Administration will cooperate with the Coast Guard to maximize the safety and health protection of employees, avoid duplication of effort, and avoid undue burdens on the maritime industry.

Consistent with its statutory authority under the Occupational Safety and health Act, OSHA:

1. Prescribe occupational safety and health rules and regulations as necessary to carry out its responsibility under the OSH Act;

2. Inspects and investigates places of employment to insure compliance with any applicable OSHA requirements;

3. Responds to allegations of violations of applicable OSHA requirements and makes investigations where there are reasonable grounds to believe that a violation exists.

4. Issues citations and initiates appropriate civil and criminal procedures against employers for violations of applicable OSHA requirements.

IV. Procedures

The two agencies agree, consistent with their statutory obligations, to observe the following procedures in carrying out their responsibilities to promote safe working conditions on the OCS:

A. Development and Promulgation of Standards

The Coast Guard will develop and promulgate necessary regulations to assure safe and healthful working conditions on the OCS, OSHA will continue to promulgate general standards, which may apply to working conditions on the OCS not being regulated by the Coast Guard. In developing regulations and standards, the two agencies will cooperate to the maximum extent possible. Such cooperations will include, but will not be limited to the following:

1. Information and data availability. For the purposes of identifying work hazards, determining accident or illness causes, developing corrective measures, and assessing the impacts of new or revised regulations or standards, the two agencies will exchange data and study results to the extent permitted by law.

2. Standards research and development projects. The two agencies will jointly participate in standards research and development projects of mutual interest and benefit.

3. Review of existing regulations and standards. The two agencies will jointly review existing USCG and OSHA regulations and standards to help identify hazards that require priority attention in Coast Guard regulations development projects;

4. Exchange of technical expertise. Each agency will provide the other with technical support, where feasible, to assist in the review of particular hazards or the development of regulations.

5. Early notice of rulemaking activities. The Coast Guard will provide for OSHA's review and consultation copies of drafts of advance notices of proposed rulemaking, notices of proposed rulemaking, and final rules, which relate to working conditions on the OCS. Likewise, OSHA will provide for the Coast Guard's review and consultation copies of drafts of advance notices of proposed rulemaking, notices of proposed rulemaking, and final rules, which have application to any working condition

on the OCS. Publication of any rule, however, is not contingent upon receipt of comments.

B. Enforcement of Regulations and Standards.

While OSHA has statutory responsibilities with respect to workplaces on the OCS, the following provisions have been drafted to emphasize the Coast Guard's increasing role for safety and health on the OCS, as provided under the OCS Lands Act Amendments of 1978 (Pub. L.95-372). Through this Act, Congress expressed the expectation that the Coast Guard would be the principal Federal agency in matters of occupational safety and health on the OCS.

1. Routine enforcement activities:

a. The Coast Guard will continue to enforce existing regulations issued under its authority which affect working conditions on the OCS.

b. The Coast Guard will also enforce any new occupational safety and health regulations promulgated under its authority affecting working conditions on the OCS.

c. OSHA remains responsible for enforcing requirements adopted under the OSHA Act which apply to working conditions on the OCS for which the Coast Guard or other Federal agencies have not exercised their statutory authority to prescribe or enforce standards affecting occupational safety and health. To minimize any duplication which may result from exercising this responsibility, OSHA will consult with the Coast Guard and seek to minimize the need for OSHA's routine inspection activity.

2. Investigation of accidents: In accordance with regulations issued under its authority, the Coast Guard will investigate deaths, injuries and other casualties or accidents occurring as a result of operations conducted pursuant to the OCS Act. In the course of all such investigations, formal and informal, the Coast Guard will cooperate with OSHA with respect to identifying violations of applicable OSHA regulations related to the casualty or accident. Such cooperations will include: promptly making investigation information available to OSHA; inviting OSHA attendance at Coast Guard formal hearings; and developing lines of inquiry suggested by OSHA. Where a Coast Guard investigation identifies an apparent violation of an applicable OSHA regulation the Coast Guard will promptly notify OSHA and subsequently will cooperate with OSHA with respect to any enforcement action OSHA may undertake. This cooperation may include, but is not limited to, providing transportation, as available; provided, however, OSHA remains responsible for obtaining its own legal right of access to any facility.

3. Investigation of allegations: The Coast Guard will review any allegation from any person of the existence of a violation of an occupational safety or health regulation or other unsafe working condition on the OCS and take appropriate action under the circumstances. Copies of complaints of occupational safety or health violations on the OCS received by OSHA will be referred to the appropriate Coast Guard district commander for action. The Coast Guard will notify OSHA as promptly as possible of the disposition of allegations forwarded by OSHA.

V. Joint Training Program

The two agencies will review the training needs of agency personnel with responsibilities for matters pertaining to safety and health on the OCS, and will develop programs responsive to these needs.

VI. Implementation

The Coast Guard and OSHA shall each designate a representative who shall be responsible for coordinating implementation of the provisions of this Memorandum.

VII. Effective Date

This Memorandum is effective upon signature by the parties. it may be amended at anytime by mutual written agreement of the agencies and may be terminated by either agency upon thirty days written notice.

VIII. Savings Provision

Nothing in this Memorandum shall be deemed to alter, amend, or affect in any way the statutory authority of the Coast Guard or OSHA.

UNQUOTE

EXHIBIT 10 TO ANNEX VII, SECTION 1700

IAA, USCG-COFE, OCEAN DUMPING

1. REPRINT OF IAA. The following is a reprint of this IAA, which is found in the Marine Safety Manual, COMDTINST M16000.3 (old CG-495), Chapter 84.

QUOTE

INTERAGENCY AGREEMENT BETWEEN THE U.S. ARMY CORPS OF
ENGINEERS AND THE U.S. COAST GUARD

ARTICLE I- GENERAL INFORMATION

The U.S. Army Corps of Engineers (COE) and the U.S. Coast Guard (USCG) share surveillance and enforcement responsibilities over federally contracted activities which are associated with Federal Navigation Projects and which entail dredged material disposal operations in ocean waters. Section 107(c) of the Marine Protection, Research, and Sanctuaries Act of 1972 directs the USCG to conduct surveillance and other appropriate enforcement activity to prevent unlawful transportation of material for dumping or unlawful dumping. The COE has a responsibility to insure that its funded activities associated with Federal Navigation Projects are conducted in accordance with contractual specifications. Title 33 CFR 209.146(j) directs district engineers to insure that disposal activity is conducted in conformance with the project plans and procedures expressed in the Statement of Findings.

ARTICLE II - PURPOSE

The parties have entered into this Agreement to promote the effective utilization of their respective resources while engaged in surveillance and enforcement of federally contracted ocean dumping activities associated with Federal Navigation Projects.

ARTICLE III - CAPABILITIES

The USCG has multi-mission resources deployed throughout the coastal region which engage in ocean dumping surveillance and other marine-related activities and which have been directed to report all suspicious ocean dumping activities. Operations permitting, these resources are available to investigate specific activities as directed.

The COE as the agency responsible for Federal Navigation Projects, engages in surveillance efforts to insure that contract dumping is conducted in conformance with the project plans and procedures expressed in the Statement of Findings. The COE has specific knowledge as to the location, extent, and types of activities which involve ocean dumping of dredged material, and as to past performance records of contractors engaged in these

activities. Thus, the COE is best able to direct a multi-agency ocean dumping surveillance and enforcement effort over these activities.

ARTICLE IV - RESPONSIBILITIES

The COE and the USCG will work in close cooperation with respect to surveillance and enforcement activities over contractors engaged in the disposal of dredged material in ocean waters associated with Federal Navigation Projects; however, the COE recognizes that it has the primary surveillance and enforcement responsibility over these activities.

The COE will direct the surveillance effort over COE contract dumpers engaged in ocean disposal activities.

The COE will conduct surveillance over COE contract dumpers engaged in ocean disposal activities and may augment this effort with available USCG resources.

The USCG will continue its surveillance efforts over COE contract barges engaged in ocean dumping in New York and San Francisco areas.

To facilitate optimum scheduling, the COE will notify the USCG in a timely manner of the COE's desires for specific surveillance missions. Requests will identify the geographical area, time of surveillance, and other specifics as may be needed to conduct an effective surveillance operation.

The USCG will, operations permitting, respond to requests from the COE for surveillance missions to oversee specific COE contract dumping activity.

The USCG will notify the COE of the results of any specifically requested surveillance missions.

While engaged in its various mission activities, the USCG will continue to be on the alert for suspicious ocean dumping operations.

ARTICLE V - BUDGETARY RESPONSIBILITIES

Each agency will fund all costs it incurs under this Agreement. Additionally, agreements that involve fund reimbursement in connection with specific activities may be entered into before the activity is undertaken.

ARTICLE VI - AMENDMENTS

The Agreement may be amended from time to time as may be mutually agreeable to the parties thereto.

ARTICLE VII - TERMINATION

The agreement may be terminated by either party upon 60 days advance written notice thereof to the other party.

UNQUOTE

EXHIBIT 11 TO ANNEX VII, SECTION 1700

This memorandum establishes policies, procedures, and guidelines concerning the responsibilities of the EPA and the USCG in carrying out the foregoing agreement.

The respective responsibilities of each agency specified in this memorandum may be delegated to their respective subordinates consistent with established procedures.

The EPA and the USCG will review the implementation of this memorandum at least one year from the effective date of 40 CFR Part 117 or sooner if agreed to by both agencies, and will make any changes to the policy, procedures, and guidelines set forth herein which are agreed to by both agencies.

Section 1 - General

The amendment of 2 November 1978 to section 311 CWA (Pub.L.95-576) excluded certain discharges of hazardous substances from the application of section 311(b)(6) CWA. The discharges so excluded are: (a) discharges in compliance with a section 402 CWA permit, (b) discharges resulting from circumstances identified and reviewed and made a part of the public record with respect to a permit issued or modified under section 402 CWA, an subject to a condition in such permit, and (c) continuous or anticipated intermittent discharges from a point source, identified in a permit or permit application under section 402 CWA, which are caused by events occurring within the scope of relevant operating or treatment systems.

In addition, this amendment created two methods for penalizing discharges of hazardous substances. The first, which already existed as section 311(b)(6) CWA prior to the amendment, authorizes the USCG to assess a civil penalty not to exceed \$5,000 for the discharge of oil or a designated hazardous substance (section 311(b)(6)(A)). The second method, created by the new amendment, provides that the EPA, through the Department of Justice, may initiate a civil action in Federal district court for penalties not to exceed \$50,000 per spill of hazardous substance, unless such discharge is the result of willful negligence or willful misconduct, in which case the penalty shall not exceed \$250,000 (section 311(b)(6)(B)).

The legislative history accompanying the amendment makes clear that Congress intended to create a dual option system for penalizing discharges of hazardous substances under section 311(b)(6) CWA. A discharger of a designated hazardous substance can be penalized under paragraph (A) or paragraph (B), but not both. The EPA and the USCG agree that paragraph (B) does not apply to oil discharges. The USCG will continue to assess oil discharge penalties administratively under paragraph (A).

Section II - Coordination

When a spill of a designated hazardous substance occurs, the On Scene Coordinator (OSC) will prepare a factual report of the incident. At the minimum, the report will address those criteria set forth in section III. of this memorandum.

The OSC will submit this report within 60 days of the spill incident. The OSC will submit the report to the District Commander when he is a USCG OSC, and to the Regional Administrator, when he is an EPA OSC.

When the District Commander reviews the USCG OSC's report and determines that one or more of the criteria set forth in section III. below is applicable to that case, the entire record of that case will be referred to the EPA Regional Administrator for review. In addition the District Commander will refer the entire record of:

a. Any other case involving a discharge of a designated hazardous substance from a point source subject to a section 402 permit application, which prior to or after the commencement of penalty action, the USCG determines is excluded from the application of section 311(b)(6) CWA; and

b. Any other case which, the District Commander considers appropriate for possible application of section 311(b)(6)(B) CWA.

When the Regional Administrator receives a case, either from an EPA OSC or upon referral from the District Commander, he will determine:

a. Whether the case is excluded from the application of section 311(b)(6)CWA, and, if not,

b. Whether a civil penalty action under section 311(b)(6)(B) CWA will be initiated.

The Regional Administrator will make these determinations within 90 days of his receipt of referral documents and will notify the District Commander promptly of the determinations in cases which have been referred. If the Regional Administrator determines that an action under section 311(b)(6)(B) CWA will be initiated, the case will be prepared in the EPA Regional Office and forwarded to the Department of Justice (DOJ) in accordance with established EPA case referral procedures.

If the Regional Administrator determines that the discharge is not excluded from the application of section 311(b)(6) CWA and that paragraph (B) action is inappropriate, or if EPA Headquarters declines to refer a Regional case, EPA will return the case to the USCG for appropriate action under paragraph (A).

Upon request, each Agency will make available to the other any or all cases, files, and records, including OSC reports and official determinations, regarding decisions concerning exclusions or the imposition of section 311(b)(6)(A) or (B) penalties. Where there is a disagreement as to the disposition of a particular case, the District Commander and the Regional Administrator will consult to resolve the matter. If necessary, the matter will be submitted to the respective Agency Headquarters for final resolution.

Section III - Criteria

The USCG and the EPA agree that if one or more of the following criteria exists, the District Commander will refer the case to the Regional Administrator in accordance with section II of this memorandum:

a. Any indication of misconduct or lack of reasonable care on the part of the owner, operator, or person in charge with respect to the discharge or with respect to the failure on the part of the owner, operator, or person in charge to adhere to the guidance of the OSC regarding clean-up or any policies, procedures, guidelines, or regulations applicable to clean-up;

b. Any discharge incident other than a threat for which payments are made or to be made from the section 311(k) fund pursuant to 33 CFR 153.407, except where no discharge has been identified;

c. Any indication of prior violations by the discharge of any provision of the CWA, or violations of provisions of the CWA other than section 311(b)(6) CWA occurring at the time of the discharge, such as violations of a section 402 permit;

d. Any discharge incident (other than a threat) as defined in 40 CFR 1510.5 (1) which requires activation (by full or limited assembly, or by telephone) of the Regional Response Team as required by 40 CFR 1510.34(d), as amended; and

e. Any discharge involving human injury or evacuation, damage to plant or animal life, or contamination of water supply or underground aquifers.

Other referrals to the EPA may be made on a discretionary basis.

UNQUOTE

EXHIBIT 12 TO ANNEX VII, SECTION 1700

INSTRUMENT OF REDELEGATION

In accordance with Section 8(f) of Executive Order 12316 of August 14, 1981, the Secretary of the Department in which the Coast Guard is operating hereby redelegates to the Administrator, Environmental Protection Agency, subject to the Administrator's consent, all functions specified in Sections 2(d), 2(f), 2(g), 3(a), and 4(b) of that Executive Order with the exception of the following:

- a. Functions related to responses to releases or threats of releases from vessels;
- b. Functions related to immediate removal action concerning releases or threats of releases at facilities other than active or inactive "hazardous waste management facilities" (as defined in 40 CFR 122.3); and
- c. Functions related to immediate removal action concerning releases or threats of releases at active or inactive "hazardous waste management facilities" when the Coast Guard On-Scene Coordinator determines that such action must be taken pending the arrival on scene of an Environmental Protection Agency On-Scene Coordinator. Unless otherwise agreed upon by EPA and Coast Guard, this authority will not be exercised unless the EPA OSC is scheduled to arrive on

scene within 48 hours of notification of the release or threat.

For purposes of this instrument: the term "immediate removal action" includes any removal action which, in the view of the Coast Guard On-Scene Coordinator, must be taken immediately to prevent or mitigate immediate and significant harm to human life or health, to the environment, or to real or personal off site property. Situations in which such action may be taken include, but are not limited to, fire, explosions, and other sudden releases; human, animal, or food chain exposure to acutely toxic substances; and the contamination of a drinking water supply.

All functions described in this instrument, whether redelegated or retained, include the authority to contract for, obligate monies for, and otherwise arrange for and coordinate the responses included within such functions.

Andrew L. Lewis, Jr. Date

Secretary of Transportation

I hereby consent to the redelegation
as set forth in this instrument

Anne M. Gorsuch Date

Administrator

EXHIBIT 13 TO ANNEX VII - SECTION 1700

November 3, 1978

Commander (mep)
Fifth Coast Guard District
Federal Building
431 Crawford Street
Portsmouth, Virginia

Dear Sir:

Enclosed is the signed agreement between the United States Coast Guard and the State of Maryland concerning reimbursement from the Federal Pollution Fund for labor, equipment and materials used on the control, containment and cleanup of oil spills.

Sincerely yours,

Edwin C. Weber, Chief
Oil Permits Division

cc: Capt. John W. Kime

Enclosure:

ECW:rlf

AGREEMENT BETWEEN THE UNITED STATES AND THE
STATE OF MARYLAND CONCERNING REIMBURSEMENT
FROM THE FEDERAL POLLUTION FUND

WHEREAS, the State of Maryland, through its Department of Natural Resources Water Resources Administration and the U. S. Coast Guard through its Fifth Coast Guard District have a mutual interest in protecting the environment from the damaging effects of pollution discharged into the navigable waters of the United States and the adjoining shorelines within their mutual jurisdictions; and

WHEREAS, the U. S. Coast Guard is authorized by the Federal Water Pollution Control Act as amended in 1972 (L.L. 92-500), hereinafter called the "Act" and the National Oil and Hazardous Substances Pollution Contingency Plan (40 C.F.R. 1510), hereinafter called the "National Contingency Plan", to reimburse state agencies from the Federal Pollution Fund under certain circumstances in which the appropriate Federal On-Scene-Coordinator determines that such action is necessary; and

WHEREAS, the State of Maryland, through its Department of Natural Resources Water Resources Administration and other political subdivisions and state instrumentalities, is authorized by state statute and local ordinances to pursue vigorous action to abate, contain, and recover pollutants discharged into its waters; and

WHEREAS, The Department of Natural Resources Water Resources Administration is the agency of the State of Maryland authorized pursuant to 40 C.F.R. 1510.23 (a) to supervise the cleanup of pollution by state and local agencies and to be the sole agency to submit requests for reimbursement for all state agencies, political subdivisions and instrumentalities; and

WHEREAS, the Department of Natural Resources Water Resources Administration and the Fifth Coast Guard District desire to establish uniform procedures for the authorization, documentation, certification and reimbursement from the Federal Pollution Fund of Phase III (Containment) and Phase IV (Cleanup, Removal and Disposal) expenses incurred by the Department of Natural Resources Administration or other state agencies, instrumentalities, and political subdivisions under its supervision and control, and which are authorized to be paid by the Act, the National Contingency Plan and appropriate implementing regulations;

NOW THEREFORE, the Department of Natural Resources Water Resources Administration (hereinafter referred to as "Water Resources Administration"), Fifth Coast Guard District (hereinafter referred to as "Coast Guard") agree as follows:

(1) The Federal On-Scene-Coordinator, designated in accordance with the National Contingency Plan (hereinafter called the "OSC") is the person solely responsible for coordinating

federal pollution control efforts and the only person who may authorize activities which are reimbursable from the Pollution Fund.

(2) This agreement is not intended to limit to those situations in which reimbursement from the Pollution Fund is permissible, the activities of the Department of Natural Resources Water Resources Administration, other state agencies, instrumentalities, and political subdivisions in carrying out the mandate of the statutorily approved programs. It is anticipated that exercise of state authority may be appropriate in circumstances in which federal action is not deemed necessary by the OSC. Activities of Department of Natural Resources Water Resources Administration and state agencies, instrumentalities, and political subdivisions may include expenditure of funds which under other circumstances would be reimbursed, or it may include such expenditures as restoration expenses which are beyond the purview of the Act.

(3) The OSC may request of the designated representatives of Water Resources Administration what, if any, equipment, personnel or materials of Water Resources Administration, other state agencies, instrumentalities, or political subdivisions is available for use hereunder. The designated representative of Water Resources Administration shall inform the OSC what items, if any are available, and to what extent, if any, Water Resources Administration desires to assume a portion of the responsibility for Phase III or IV action in a particular spill, and the estimated cost of such action.

(4) Upon determination by the OSC that the following conditions are met, he may authorize Water Resources Administration to proceed with certain work to contain, cleanup, and remove oil or hazardous substances deposited upon the navigable waters of the United States or on adjacent shorelines or beaches:

(a) That the party causing the discharge is unknown, or

(b) That the party responsible for the discharge has been notified, if possible, of the liability for the costs of federal removal in accordance with existing federal and state statutes and regulations, including the National Contingency Plan; the name and status of the OSC; and

(c) That despite these efforts by the OSC or other officials, the discharger does not act promptly to remove the discharge; and

(d) That state action is required to minimize or mitigate significant damage to the public health or welfare which federal action cannot mitigate or minimize, or

(e) Removal or partial removal can be affected by the state at a cost which is not significantly greater than the cost

which would be incurred if the cleanup were conducted by the Federal departments or agencies.

(5) If the OSC determines that the conditions of paragraph (4) have been met and that State action is necessary, he may then authorize the designated representative of Water Resources Administration to proceed with the performance of appropriate services. This notice to proceed may be limited in any fashion and may be terminated at any time by the OSC, in whole or in part by notice to the designated representative.

(6) All labor and equipment offered by the designated representative of Water Resources Administration and authorized by the OSC shall be performed using the employees and equipment of Water Resources Administration, other state agencies, instrumentalities and political subdivisions. Except as specifically authorized in accordance with paragraph (8), no work is authorized to be performed hereunder by private contractors. All authorized work shall be supervised by the designated representative of Water Resources Administration. Work authorized hereunder, whether rendered by Water Resource Administration, other state agencies, instrumentalities, or political subdivisions, shall be paid for by state or local appropriations and shall be considered, for the purpose of this agreement, as work rendered by Water Resources Administration. If the service of private contractors is deemed necessary by the designated representative of Water Resources Administration, he may notify the OSC of the need. It is expected that the OSC, if he concurs, normally will independently obtain the service of concerns under contract to the United States, or obtain necessary contracts through his Contracting Officer.

(7) Water Resources Administration shall be reimbursed for the following costs incurred hereunder and paid for by state or local appropriations upon the submission of a report, supported by accounting data, itemizing the actual costs incurred via the OSC to Commander, Fifth Coast Guard District:

(a) Cost found to be reasonable by the Coast Guard incurred by government industrial type facilities, including charges for overhead in accordance with the agency's industrial accounting system.

(b) Actual costs for which an agency is required or authorized by law to obtain full reimbursement.

(c) Costs found to be reasonable by Coast Guard incurred as a result of removal activity that are not ordinarily funded by an agency's regular appropriations and that are not incurred during normal operations. These costs include, but are not limited to, the following:

(i) Travel (transportation and per diem) specifically requested of the agency by the On-Scene-Coordinator.

(ii) Overtime for civilian personnel specifically requested of the agency by the On-Scene-Coordinator.

(iii) Incremental operating costs for vessels, aircraft, vehicles, and equipment incurred in connection with the removal activity.

(iv) Supplies, materials, and equipment procured for the specific removal activity and fully expended during removal activity.

(v) Lease or rental of equipment for the specific removal activity.

(vi) Contract costs for the specific removal activity authorized in accordance with paragraph (8).

(vii) Salaries of state employees shall not normally be reimbursed.

(8) SUBCONTRACTS

(a) No subcontract shall be made by Water Resources Administration for the furnishing of any work herein contracted for without the prior approval of the OSC. For the purpose of this clause, purchase of raw material or commercial stock items shall not be considered work.

(b) No subcontract placed under this agreement by Water Resources Administration shall provide for payment on a cost-plus-percentage-of-cost basis.

(9) All individual requests for services hereunder shall be by order of the OSC. Oral orders will be confirmed in writing. Water Resources Administration shall issue daily work orders to its labor force. Water Resources Administration shall prepare daily, in a form acceptable to the Commander, Fifth Coast Guard District (f), a complete listing of personnel, equipment and material provided hereunder, the inclusive times of their employment, together with the cost, if known, or an accurate estimate thereof if actual cost is not yet determinable. The listing shall be sufficiently itemized to permit the OSC to maintain an accurate estimate of each type of costs as it accrues, and to identify each item of work for which actual cost require less frequent reports at intervals not less than three days. Each daily report should also include an estimate of the percent of the work completed, an estimate of expense necessary to complete the requested operation and remarks concerning any unusual problems encountered or expected.

(10) Hourly charges under paragraph (7) shall commence with the time personnel and equipment depart for the location of the spill. Charges will terminate at the conclusion of necessary cleanup and necessary transportation of the personnel and equipment to their respective bases of operation, or in the case

of a notice of the time which would have been required for necessary cleanup and return had the work been terminated at the time of the notice.

(11) If it is deemed in the best public interest, the United States reserves the right to request cleanup services simultaneously from competitive firms and will expect harmonious cooperation between one or more contractors on the same or adjacent areas. The apportionment of services will be solely within the discretion of the OSC and no guarantee of volume of services requested during the period of this agreement is intended or implied.

(12) Services provided hereunder by Water Resources Administration will be in accordance with the following General Provisions.

(a) OFFICIALS NOT TO BENEFIT

No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

(b) COVENANT AGAINST CONTINGENT FEES

Water Resources Administration warrants that no person or selling agency has been employed or retained to solicit or secure this agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bonafide employees or bonafide established commercial or selling agencies maintained by Water Resources Administration for the purpose of securing business. For breach of violation of this warranty the Government shall have the right to annul this agreement with liability or in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

(c) RELATIONSHIP OF PARTIES

The parties of this contract act in an independent capacity in the performance of their respective functions under this contract and neither party is to be considered the officer, agent or employee of the other.

(13) This agreement shall go into force immediately after signing by both parties to the agreement.

(14) The agreement will remain in effect until specifically canceled by one or both of the parties or until superseded by statutory or regulatory changes.

United States of America
Department of Transportation
Fifth Coast Guard District

Date:

By T. N. Miller
Title: Property Officer

State of Maryland
Water Resources Administration

Date:

By
Title:

Approved as to legal form and sufficiency
this 3rd day of November, 1978.

Assistant Attorney General

EXHIBIT 14 TO ANNEX VII - SECTION 1700

MEMORANDUM OF UNDERSTANDING

This agreement is undertaken in the interest of providing rapid response to spills of oil and hazardous polluting substances in the coastal waters of the State of Maryland, and to enable the co-signing agencies to carry out their statutory responsibilities.

The agency receiving a report of such a discharge will promptly notify the other agency and attempt to coordinate response efforts. Interagency notification will not be necessary if it is apparent that the cooperating agency has not been notified by the spiller.

The notification point of the contact for the Coast Guard will be the Marine Safety Office, Baltimore, Maryland. The notification point of contact for the State of Maryland will be the Maryland Water Resources Administration, Annapolis, Maryland.

The routine notifications by the Coast Guard will be telephonic from the Marine Safety Office in Baltimore. They will include the Water Resources Administration as an information addressee on all official messages.

Regional Response notifications will be telephonic from the Regional Response Center in Portsmouth, Virginia. The Water Resources Administration will be an information addressee on all Regional Polreps.

J. A. HOWELL
Captain, U. S. Coast Guard
Chairman, Coastal Region III RRT

H. M. SACHS
Director, Maryland Water
Resources Administration

(Date)

(Date)

EXHIBIT 15 TO ANNEX VII - SECTION 1700

MEMORANDUM OF UNDERSTANDING

This agreement is undertaken in the interest of providing rapid response to spill of oils and hazardous polluting substances in the coastal waters of the Commonwealth of Virginia, and to enable the co-signing agencies to carry out their statutory responsibilities.

The agency receiving a report of such a discharge will promptly notify the other agency and attempt to coordinate response efforts. Interagency notification will not be necessary if it is apparent that the cooperating agency has been notified by the spiller.

The notification point of contact for the Coast Guard will be the Marine Safety Office, Hampton Roads, Virginia, except for the Potomac water shed. The Coast Guard notification point for the Potomac water shed will be the Marine Safety Office, Baltimore, Maryland. The notification point of contact for the Commonwealth of Virginia will be the State Water Control Board, Richmond, Virginia, at the Pollution Response Program (PRRP) Office.

The routine notifications by the Coast Guard will be telephonic from the Marine Safety Office in Hampton Roads or Baltimore. They will include the Water Control Board as an information addressee on all official messages.

Regional Response notification will be telephonic from the Regional Response Center, Portsmouth, Virginia. The Water Control Board will be an information addressee on all Regional Polreps.

J. A. HOWELL
Captain, U.S. Coast Guard
Chairman, Coastal Region III RRT

R. V. DAVIS
Executive Secretary
Virginia State Water Control Board

(Date)

(Date)

ANNEX VIII
1800 DISPERSANTS USE CHECKLIST

1801 Preplanning for Dispersant Use/Non-Use

a. The purpose of preplanning for dispersant use/non-use is to develop a local data base of specific sensitive resources to eliminate opportunities for delay in the decision process. In this way, decision making at the time of a spill and response to the spill will be most rapid and is likely to be more effective than if there had been no preplanning. For maximum effectiveness, a decision to use dispersants should be made as soon as possible after an incident occurs.

b. Following an oil spill occurrence, response should be designed to minimize overall environmental damage to the extent which is realistically practical, subject to considerations of safety. Several response options are usually possible. These options include mechanical recovery, use of dispersants, allowing for natural removal of oil from the environment, and cleanup of the shoreline or other area which may be impacted by the spill. None of the available methods of response provide a panacea for combating spills, but the intelligent use of each of them, including dispersants, will usually result in minimizing environmental damage. In practice, more than one option may be used simultaneously, in different parts of the spill.

c. The choice of which option to use will depend on the circumstances of the spill:

- 1) how much oil has been spilled
- 2) what kind of oil
- 3) where was it spilled
- 4) how far has it spread
- 5) where is the oil being transported by winds and currents
- 6) what are the weather and sea conditions
- 7) is the visibility good or bad
- 8) are there any sensitive resources which might be affected by the spill
- 9) are equipment and supplies available to clean up the spill if that is the correct response option to choose; and is the equipment adequately designed and in good working order, etc.
- 10) how long before recovery action can begin

d. If winds and currents would cause untreated oil to impact a sensitive shoreline, especially if there is insufficient time for mechanical recovery of the oil then dispersant use will generally be preferred over the options. If use of dispersants will aid in preventing environmental damage that could occur if they were not used, and if the relative toxicity of the dispersant is reasonable, dispersant of the spilled oil should be strongly considered. Also, if dispersion of oil can reduce or eliminate hazardous conditions, use of dispersants is recommended.

e. Note that dispersants should usually be applied to floating oil, not to oil which has stranded. However, there are occasions when it may be appropriate to apply dispersants in limited amounts to oil on bulkheads, shorelines, and the like, to aid in washing for removal. Dispersants should usually not be applied directly to beaches or tidal flats, although limited dispersant use may sometimes be acceptable to aid cleanup of beaches. It should be emphasized that it is always preferable to apply dispersants remote from an environmentally sensitive habitat, in order to protect the habitat by keeping oil from entering it, rather than applying dispersants directly to the habitat.

f. Decisions regarding dispersant use usually involve at least the following questions:

- 1) Is dispersant use allowed by current government regulations?
- 2) Is dispersant use acceptable under the conditions of the particular spill?
- 3) What rate of dispersant application should be allowed?
- 4) Are there any locations where the rate of dispersant application should be limited?

Of these questions, the first should be answered well in advance of any spill. The answer to the second questions will depend on the circumstances surrounding the actual spill event; the actual decision to permit dispersant usage can only be made after a spill occurs. The third and fourth questions can usually be answered in advance of a spill. If the conditions for dispersant use and the limitations are preplanned, the decision to use or not use dispersants at the time of a spill will be expedited.

1802 Checklist Use

a. The checklist is intended to aid the OSC in reaching a decision on whether the use of dispersants is the best course of action for a potential or actual oil spill mitigation. It also provides a familiar listing of data to all RRT members

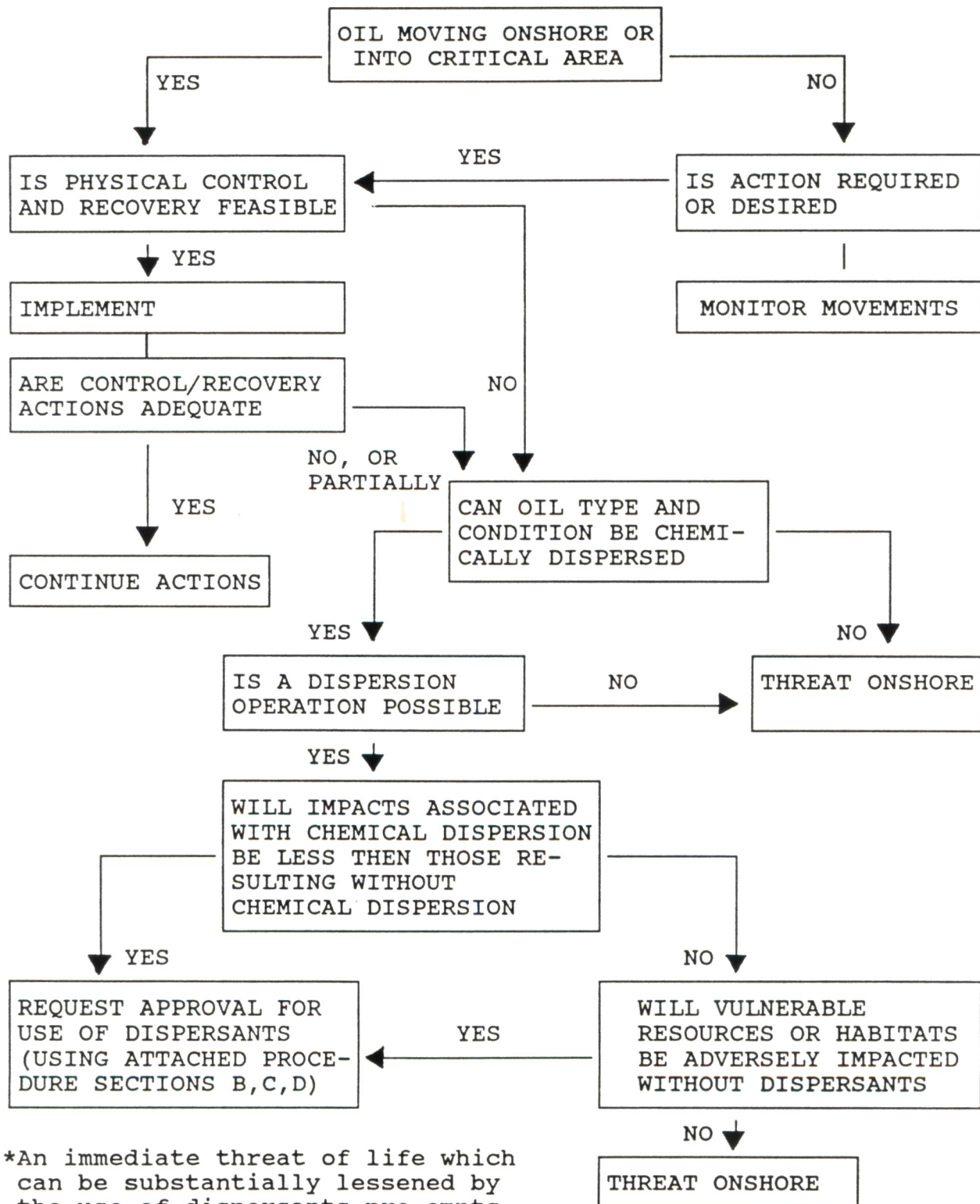
involved with the decision to allow the use of dispersants. The following sequence of events should normally be followed for an oil spill in which the OSC wishes to use dispersants:

1) The decision to use dispersants must be made as soon as possible after a spill occurs before substantial weathering takes place or the oil has spread. Therefore, early in the spill response the OSC should evaluate the potential use of dispersants. (See Exhibit 1) If the OSC feels the potential for dispersant use exists he should have his staff gather the information necessary to complete the dispersant checklist. He also should request RRT activation to prepare the RRT to review the checklist for the possible use of dispersants.

2) If upon completion of the dispersant checklist the OSC decides the use of dispersants is the best course of action the checklist information should be passed to the RRT for a final decision on their use. The steps in Exhibit 2 should be utilized in deciding if the use of dispersants will be required.

EXHIBIT 1
TO ANNEX VIII, SECTION 1800

DISPERSANT USE DECISION PROCESS*



*An immediate threat of life which can be substantially lessened by the use of dispersants pre-empts the use of matrix by the OSC.

ANNEX VIII, SECTION 1800
STREAMLINED DISPERSANTS CHECKLIST

OSC

- a. Circumstances (fire, grounding, collision, etc.)
- b. Time/Date of incident:
- c. Location of spill:
- d. Type of oil product:
- e. Volume of product released:
- f. Total potential of release:
- g. Type of release (instantaneous, continuous, intermittent, etc.):

OSC

- a. Specific gravity:
- b. Viscosity:

SSC

- a. Air temperature, wind speed, direction:
- b. Tide and current information:
- c. Sea conditions:
- d. Water temperature and salinity:
- e. Water depth and depth of the mixed layer:

SSC NRC

- a. 48-hour surface oil trajectory forecast:
 - 1) surface area of slick
 - 2) expected areas of landfall
- b. 48-hour dispersed oil trajectory forecast:
 - 1) oil movement in water column

- 2) surface oil movement and expected land fall
- 3) concentration of the dispersant/oil mixture in the water column

5. Characteristics of available dispersants and application equipment OSC

a. Characteristics of the dispersants:

	<u>Product one</u>	<u>Product two</u>	<u>Product three</u>
1) name			
2) manufacturer			
3) when available			
4) location(s)			
5) amount available			
6) type of containers			
7) characteristics			
toxicity			
effectiveness			
reactions			
applicability to spilled oil			
other			
8) application methods			
9) misc.			

b. Type of transportation and dispersing equipment:

	<u>Company One</u>	<u>Company Two</u>	<u>Company Three</u>
1) name			
2) location			
3) equipment available			

6. Information about available dispersant and dispersing equipment

USCG EPA

- a. Name of the proposed dispersant on EPA acceptance lists:
- b. Location of the area to be treated:
- c. Estimated time interval between dispersant application and contact with sensitive environment/resources.
- d. Estimated distance between application of dispersants and sensitive environment/resources.

* 7. Comparison of the effectiveness of conventional cleanup methods vs. the use of dispersants OSC

- a. Containment at the source:
- b. Shoreline protection strategies:
- c. Shoreline cleanup strategies:
- d. Time necessary to execute response:

* 8. Habitats and resources at risk dispersant treated spill untreated spill SSC

- a. Shoreline Habitat type and area of impact:
- b. Resources:
 - 1) endangered/threatened species (state and Federally designated)
 - 2) critical habitats for the above species
 - 3) marine animals (pupping, migration)
 - 4) waterfowl use (nesting, migration)
 - 5) shellfish (spawning, harvesting)
* (_____) indicates seasonal considerations
 - 6) finfish (spawning, release migration, harvest)
 - 7) commercial use (aquaculture, water intakes, etc.)
 - 8) public use areas (parks, marinas, etc.)
 - 9) other resources of specific significance

B. Recommendation to the RRT

1. Possible options:

- a. Do not use dispersants.
- b. Use dispersants on a trial basis, but not as a control or cleanup technique.
(To evaluate for future use on this or other spills)
- c. Disperse in limited or selected areas.
- d. Disperse to the maximum extent possible with accepted methods and available equipment.

2. Other recommendations/rationale:

C. RRT Evaluation of the consequences of a dispersant application decision.

1. Will application of dispersant remove a significant amount of the slick from surface water?

2. Can the extent of location of shoreline impacts be altered in a positive manner?

3. Can the damage to endangered or threatened species, marine mammals, and waterfowl be lessened?

4. Will the damage to habitats and resources resulting from chemical dispersion be less than those resulting without chemical dispersion?

5. If recreational, economic and aesthetic considerations are a higher priority than natural resource considerations, what is the most effective means of their protection?

CRITERIA FOR MONITORING DISPERSANT USE

Dispersant applications in Region III will be monitored as a general practice. The OSC is responsible for designating monitors. The Atlantic Strike Team will serve as monitors as available. There are two levels of criteria suggested: required, desirable. The proposed criteria follow.

REQUIRED

Records

1. Dispersant brand
2. Equipment and methods used in application
3. Dilution of dispersant prior to application, if any
4. Rate of application (gallons per acre, dispersant to oil ratio)
5. Times and area of application
6. Tracks of vessels or aircraft during application
7. Wind and wave conditions during application

Effectiveness

Visual and photographic documentation by qualified observers of:

1. Oil before and after dispersant application
2. Resurfacing of dispersed oil

Environmental Impacts

Visual and photographic surveys of:

1. The extent of shoreline impact by dispersed and undispersed oil
2. Mortality or abnormal behavior by fish, birds or mammals

DESIRABLE

Effectiveness

Sampling of the water beneath the oil slick and the oil and dispersant combination to determine the level of petroleum hydrocarbons in the water. This sampling could include "in-situ" measurements or sample collection for later analysis.

Environmental Impacts

1. Comparison of shoreline areas impacted by oil and oil and dispersant mixtures

2. Analysis of oil concentrations in sediments under dispersed oil
3. Investigation of water column organisms for signs of adverse impact due to dispersed oil
4. Collection and analysis of birds affected by dispersants or dispersant and oil mixtures

ANNEX IX
1900 ASTM DISPERSANTS USE GUIDELINES

1901 The ASTM guidelines are currently being developed to help the response community in the decision to use or not to use dispersants in a particular environmental resource habitat. Recommendations to improve these guidelines are welcome. Any input may be directed to either CCGD5(mep) or the drafter of the particular habitat section.

Draft No. 3 of these guidelines have been distributed to RRT members.

1902 The EPA Product Schedule has been included as an Exhibit to this annex. All OSCs and RRCs should have copies of the schedule. When using the Product Schedule all OSCs and RRCs shall check with the Chemical Countermeasures Section, Office of Emergency and Remedial Response, EPA, Washington, DC, for the current additions or deletions to the schedule. Point of contact is Mr. L. M. Flaherty at 202-382-2196.

The EPA Region III contact is Vincent E. Zenone, OSC, at (215) 597-3038

National Contingency Plan Product Schedule Update

Annex IX includes the revised Product Schedule Notebook, July 1987. In accordance with 40 CFR 300.83, all products included in the Product Schedule have been review by the U.S. Environmental Protection Agency (EPA) Emergency Response Section. Products included in this list may be authorized for use on oil discharges in accordance with the procedures set forth in 40 CFR 300.84. The Product Schedule Notebook includes dispersants, surface collectors, biological additives, and miscellaneous oil control agents.

The Product Schedule is updated on a regular basis. The next update is projected for late spring of 1988 and will include a new format of the entire Product Schedule.

EXHIBIT I TO ANNEX IX

ENVIRONMENTAL PROTECTION AGENCY
NATIONAL CONTINGENCY PLAN
PRODUCT SCHEDULE

JULY 1987

DISPERSANTS

BULLETIN NUMBER	PRODUCT NAME	MANUFACTURER	PREVIOUS ACCEPTANCE DATE
1	BP-1100X (Hydrocarbon Solvent Based)	BP Detergents, Ltd. Pumpherston Works Livingston, West Lothian EH5301Q, Scotland Tel: 0506 31111 Telex: 72278 (Mr. John R. Nicol)	10/20/77
2	COLD CLEAN 500 (Water Based)	Essex Fire & Safety Company P.O. Box 87709 Houston, TX 77287 (713) 641-3616 (Mrs. Virginia A. Watters)	10/07/77
3	CONCO DISPERSANT K (Concentrate)	Continental Chemical Company 70 Clifton Blvd. Clinton, NJ 07011-3686 (201) 472-5000 (Mr. P.D. Turits)	04/25/78
4	COREXIT 7664 (Water Based)	Exxon Chemical Company 8230 Stedman St. Houston, TX 77029 (713) 670-1702 (Mr. Don Jacques)	11/01/78
5	COREXIT 8667 (Hydrocarbon Solvent Based)	Exxon Chemical Compnay 8230 Stedman St. Houston, TX 77029 (713) 670-1702 (Mr. Don Jacques)	11/01/78
6	COREXIT 9527 (Concentrate)	Exxon Chemical Company 8230 Stedman St. Houston, TX 77029 (713) 670-1702 (Mr. Don Jacques)	03/10/78
7	EC.O ATLAN'TOL AT7 (Water Based)	ASPRA, Inc. 4401 - 23rd Ave. West Seattle, WA 98199 (206) 284-9838 (Mr. A.I. Janofsky)	11/13/70

DISPERSANTS (continued)

8	FINASOL OSR-7 (Water Based Concentrate)	American Petrofina, Inc. P.O. Box 2159 Dallas, TX 75221 (214) 750-2640 (Mr. Jerry W. Johnson)	05/21/80
9	GOLD CREW DISPERSANT (Water Based Concentrate)	Ara Chem, Inc. P.O. Box 5031 San Diego, CA 92105-0001 (619) 286-4131 (Mrs. Rita Jimenez McNeely)	08/31/77
10	MAGNOTOX (Water Based Concentrate)	Magnus Maritec Int'l., Inc. 150 Roosevelt Place P.O. Box 150 Palisades Park, NJ 07650 (201) 592-0700 (Mr. Andreas C. Ladjias)	07/01/81
11	OFC TM D-609 (Concentrate)	Chem Link Petroleum, Inc. P.O. Box 370 Sand Springs, OK 74063 (918) 245-2224 (Mr. Glenn D. Fielder)	08/20/79
12	OIL SPILL ELIMINATOR N/T NO. 4 (Hydrocarbon Solvent Based)	Petrocon Marine and Chemical Corporation 243 - 44th St. Brooklyn, NY 11232 (212) 499-3111 (Mr. Frank B. Sidoti)	5/21/80
13	OSD/LT TM OIL SPILL DISPERSANT (Concentrate)	Drew Chemical Corporation One Drew Chemical Plaza P.O. Box 157 Boonton, NJ 07005 (201) 263-7817 (Mrs. Rochelle Galiber Asbell)	05/11/79
14	PETRO-GREEN ADP-7 (Water Based Concentrate)	Petro-Green, Inc. P.O. Box 814665 Dallas, TX 75381 (214) 484-7336 (Mr. Arnold Paddock)	09/30/88

DISPERSANTS (continued)

15	PETROMEND, MP-900-W (Water Based Concentrate)	Petromend, Inc. P.O. Box 47532 8300 Sovereign Row Dallas, TX 75247 (214) 630-1330 (Mr. Alan Cohn)	09/30/84
16	PROFORM-POLLUTION CONTROL AGENT (Water Based Concentrate)	Proform Products Corp. 220 California Ave. Suite 100 Palo Alto, CA 94306 (415) 321-5207 (Mr. Rudolf Kruska)	05/09/79
18	SLIK-A-WAY (Water Based)	MI-DEE Products Corp. 5253 Springdale Ave. Pleasanton, CA 94566 (415) 846-8166 (Mr. Paul Spellman)	10/05/78
19	DISPERSANT 11 (Concentrate)	Dubois Chemicals 1100 DuBois Tower Cincinnati, OH 45202 (513) 762-6894 (Mr. W.N. Grawe)	10/16/84
20	TOPSALL #30 (Oil and Petroleum Cleaning Agent)	Stutton North Corporation P.O. Box 724 Mandeville, LA 70448 (504) 626-3900 (Mr. Sid Studin)	01/07/85
21	COREXIT 9550 (Hydrocarbon Solvent Based)	Exxon Chemical Company 8230 Stedman St. Houston, TX 77029 (713) 670-1702 (Mr. Don Jacques)	05/22/85
22	JANSOLV-60 DISPERSANT (Principally Water Based with some Solvent)	Sunshine Technology Corp. 2475 Albany Avenue West Hartford, CT 06117 (203) 232-9227 (Mr. Stephan Kaufmann)	07/09/85

Dispersant #17, SEA MASTER NS-555 is no longer being manufactured and has been removed from the Product Schedule.

DISPERSANTS (continued)

23	RUFFNEK (Oil and Petroleum Cleaning Agent)	Malter International Corp. 80 First Street Gretna, LA 70053 (504) 362-3232 (Laboratory)	07/16/85
24	NEOS AS 3000 (Hydrocarbon Solvent Based)	NEOS Company Limited 8th Floor, Kanden Bldg. 2-1, Kano-cho 6-chome Chuo-ku, Kobe 650, Japan (078) 331-9381 (Mr. S. Miyoshi)	04/22/85
25	CRUDEX (Organic Surfactant Based)	Environmental Security, Inc. 352 Abbeyville Road Lancaster, PA 17603 (717) 392-1251 (Mr. Jay Greene)	06/04/86
26	BIO SOLVE (Water Based)	Metra Chem Corporation 792 Hartford Pike Shrewsbury, MA 01545 (617) 845-1193 (Mario J. Genduso)	12/22/86
27	NK-3 (Water Based)	GFC Chemical Company P.O. Box 80537 Lafayette, LA 70598-0537 (318) 234-8262 (Mr. Joe Winkler)	02/19/87
28	ENERSPERSE 700 (Solvent Based)	BP Detergents Limited Drumshoreland Road Pumpherston Livingston West Lothian, Scotland EH53 OLQ (011-44-506) 31111 (Mr. David Kerr)	07/27/87

SURFACE COLLECTING AGENTS

<u>BULLETIN NUMBER</u>	<u>PRODUCT NAME</u>	<u>MANUFACTURER</u>	<u>PREVIOUS ACCEPTANCE DATE</u>
1	COREXIT OC-5	Exxon Chemical Company 8230 Stedman St. Houston, TX 77029 (713) 670-1702 (Mr. Don Jacques)	11/01/78
2	OILCOMPRESS/ OILBINDER (NALCO #3WP-086) (ADAIR CORRALIT)	Listex Chemicals P.O. Box 1010 1204 Cherokee Trace White Oak, TX 75693 (214) 297-3244 (Mr. J. Mark Wright)	09/30/84
3	OIL HERDER	ASI, Inc. 1326 W. 12th Street Long Beach, CA 90813 (213) 436-02211 (Ajit Shah)	09/16/76

Surface Collecting Agent #4, OIL SPILL REMOVER, is no longer being manufactured and has been removed from the Product Schedule.

BIOLOGICAL ADDITIVES

BULLETIN NUMBER	PRODUCT NAME	MANUFACTURER	PREVIOUS ACCEPTANCE DATE
1	HYDROBAC [®]	Polybac Corporation 954 Marcon Blvd. Allentown, PA 18103 (215) 264-8740 (Mr. Thomas G. Zitrides)	12/03/80
2	NO-SCUM	Natural Hydrocarbon Elimination Company 206 Paul Revere Street Houston, TX 77024 (713) 465-0199 (Mr. Ben Calderoni)	09/16/76
3	PETROBAC [®]	Polybac Corporation 954 Marcon Blvd. Allentown, PA 18103 (215) 264-8740 (Mr. Thomas G. Zitrides)	08/04/79
4	PHENOBAC [®]	Polybac Corporation 954 Marcon Blvd. Allentown, PA 18103 (215) 264-8740 (Mr. Thomas G. Zitrides)	08/04/79
5	PETRODEG TM -100	Biotechnika Inter- national, Inc. 7835 Greeley Blvd. Springfield, VA 22152 (703) 451-8511 (Mr. Byron A. Moe)	12/15/78
6	PETRODEG TM -200	Biotechnika Inter- national, Inc. 7835 Greeley Blvd. Springfield, VA 22152 (703) 451-8511 (Mr. Byron A. Moe)	12/15/78
7	TYPE L, DBC PLUS	Flow Laboratories, Inc. Enviroflow 7655 Old Springhouse Rd. McLean, VA 22102 (703) 893-5925	06/10/82

BIOLOGICAL ADDITIVES (continued)

8	TYPE R-5, DBC PLUS	Flow Laboratories, Inc. Enviroflow 7655 Old Springhouse Rd. McLean, VA 22102 (703) 893-5925 (Dr. Manja Blazer)	06/10/82
9	ROLFZYME	International Enzymes, Inc. 1706 Industrial Road Las Vegas, NV 89102 (702) 382-4176	10/25//84
10	INIPOL [®] EAP 22	CECA, S.A. 11, Avenue Morane Saulnier 78141 Velizy-Villacoublay France Tel: (3) 946.96.35 Telex: 697 584 F (Mr. B. Tramier) U.S. Contact: (202) 429-6560 (Mr. Jacques A. Bodelle)	07/09/85

MISCELLANEOUS OIL CONTROL AGENTS

<u>BULLETIN NUMBER</u>	<u>PRODUCT NAME</u>	<u>MANUFACTURER</u>	<u>PREVIOUS ACCEPTANCE DATE</u>
1	SEE-JELL (formerly JELLY ROCK) (Gelatinization Agent)	Ajinomoto Company, Inc. 5-8, 1 Chome, Kyobashi, Chou-Ku Tokyo, 104 Japan Tel: 272-111 Sigma Enviro Enterprises, Inc. (Primary Distributor) 140 Spring Road Orinda, CA 94563 (415) 254-0509 (Mr. Leonard O. Walde)	10/30/85
2	OIL BOND-100 (Plasticization Agent)	C d F Chimie S.A., Tour Aurore Place Des Reflets CEDEX 5 92080 Paris Defense 2, France Telephone: (1) 778 51 51 Liquid Waste Technologies, Inc. (Primary Distributor) 990 N. Main Las Cruces, NM 88001 (505) 523-3132 (800) 451-5161 (Mr. Frank Hoff)	06/04/86
3	LIQUID OIL BOND-200 (Gelatinization Agent)	Toho Titanium Co., Limited 17th Mori Building 1-26-S Toranomom, Minato-Ku, Tokyo, Japan Telephone: Tokyo 504-3165 Liquid Waste Technologies, Inc. (Primary Distributor) 990 N. Main Las Cruces, NM 88001 (505) 523-3132 (800) 451-5161 (Mr. Frank Hoff)	06/04/86

MISCELLANEOUS OIL CONTROL AGENTS (continued)

4	ELASTOL (Oil Viscoelastic Enhancing Agent)	General Technology Applicaitons, Inc. 7720 Mason King Court Manassas, Virginia 22110 (703) 631-4217 (Mr. Edward T. Tedeschi)	06/23/86
5	OIL SPILL ELASTOL	GTA Additives, Inc. 7720 Mason King Court Manassas, VA 22110 (703) 631-4217 (Mr. Edward T. Tedeschi)	07/17/87
6	CON-LEI	Legacy Environmenta- lists, Inc. P.O. Box 24831 Tempe, AZ 85282 (602) 437-0641 (Mr. Wally Bindig)	07/17/87

ANNEX X
2000 NATIONAL CONTINGENCY PLAN

2001 As a result of the Deficit Reduction Act of 1984 and its associated cutback in printing costs, the NCP has not been reproduced as an Annex to this plan.