

**REGION III REGIONAL RESPONSE TEAM
GUIDANCE FOR
THE DISPOSAL OF CONTACT WATER
IN INLAND, OCEAN, AND COASTAL WATERS**

Introduction

The decision to dispose of contact water¹ within inland, ocean, and coastal waters rests with the Federal On-Scene Coordinator (FOSC) and the Unified Command (UC) in conjunction with an incident specific **Regional Response Team (RRT) action/response**. This document provides Region III ~~Regional Response Team (RRT)~~ with guidance and decision-making tools to support and assist FOSC/UC actions within the region when they are pursuing the disposal of contact water. The information contained within this document was developed strictly to identify issues and provide consistent viewpoints and procedures to assist the FOSC/UC and alleviate potential barriers that may inhibit the decision-making process. This is a planning and preparedness effort and we encourage Area Committee members to incorporate concepts and information from this document into their respective Area Contingency Plans (ACP). It is structured in three sections. Section I defines the purpose, authority, and scope of the process. Section II contains the general guidance and procedures that may be considered by the FOSC/UC when conducting disposal of contact water on applicable oil spills throughout federal Region III. Section III contains appendices and includes:

- Separate protocols for each State or Commonwealth, which establish specific conditions or procedures for conducting any disposal of contact water inside territorial waters (3 miles or less from shore), for special managed areas if applicable and the approval or final decision process for conducting such operations;
- Decision tree for supporting contact water disposal or decanting operations;
- Suggested procedures, guidance, and standards for the proper contact water disposal or decanting operations;
- Suggested monitoring protocols, and;
- Optional Information/Decision checklist for contact water disposal operations.

¹ Contact Water is defined as any water that has come in contact and/or is contaminated with "oil", as defined in the Clean Water Act (CWA) as amended by the Oil Pollution Act of 1990 (OPA 90), Title I - Oil Pollution Liability and Compensation, Sec. 1001. Definitions. (23) "oil" means oil of any kind in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredge spoil, but does not include petroleum, including crude oil or any fraction thereof, which is specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of section 101 (14) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601) and which is subject to the provisions of that Act.

Commented [GKA1]: Has this definition changed since 1990?

SECTION I

Purpose

The purpose of this guidance is solely to support and enhance the FOSC/UC's ability to ~~quickly~~ effectively and efficiently determine the best course of action when addressing the disposal of contact water into inland, ocean, and coastal waters. This guidance outlines the decision-making process, identifies issues, suggests procedures, and provides checklists to help standardize the contact water disposal options. This guidance is a planning and preparedness tool that can be taken in part or in whole and incorporated into various Area Contingency Plans.

As mentioned earlier, the disposal of contact water is a decision for an incident specific RRT Meeting in conjunction with the FOSC/UC. **An FOSC/UC decision and an incident specific RRT concurrence or consultation is necessary prior to contact water disposal.** However, the RRT recognizes that in some instances the physical containment and collection of contact water during significant oil spill incidents is unfeasible or inadequate and the effective disposal of contact water as an oil spill response technique must be considered. These guidelines were developed to allow the FOSC and their State/Commonwealth On-Scene Coordinator (SOSC) partners, within the UC, to employ concepts or tools from this guidance to help or assist in the disposal of contact waters to:

- Prevent or substantially reduce a hazard to human life;
- Minimize the environmental impact of spilled oil;
- Take full advantage of available containment/collection resources in an effort to enhance the efficiency of the overall removal operation; or
- Reduce or eliminate economic or aesthetic losses which would otherwise presumably occur without the use of this technique.

Authority

Subpart D of the National Oil and Hazardous Substances Contingency Plan (NCP) provides that the FOSC, in consultation with federal trustee representatives, may authorize the disposal of contact waters during oil spills.

The Commandant, U.S. Coast Guard (USCG), has pre-designated the USCG Captains of the Port as federal On-Scene Coordinators (FOSC) for coastal zone oil spills and has delegated to them authority and responsibility for compliance with Section 311 of the Federal Water Pollution Control Act or Clean Water Act, as amended. The EPA has delegated its authority for authorization of disposal of contact water to the EPA representative to the RRT. The RRT representatives from the Department of Commerce (DOC), the Department of Interior (DOI), and the State/Commonwealth have been delegated authority by their representative agencies or governments to represent natural resource trustee concerns and serve as consultants to the RRT or FOSC on these matters.

Scope

This guidance covers protocols that provide the FOSC/UC with procedures and processes to pursue the conditional disposal of contact water to enhance response/removal operations for oil spills within the boundaries of the Region III.

In accordance with response planning regimes required by the Clean Water Act as amended by OPA 90, the responsible party (RP) will be expected to provide sufficient containment, collection, and storage resources in accordance with accepted response plans. The process for disposal and discharge of contact water explained within this document **should be considered a last resort response** to address a lack of available storage resources or to ensure an efficient response.

Conditions for Disposal of Contact Water

The term “disposal of contact water” applies to operations whereby water containing quantities of oil, resembling criteria described in 40 CFR 110 and mostly in the form of oil sheens resulting from oil/water separation activities (e.g., skimming, vacuum removal, etc.) is returned to the inland, ocean, or coastal waters after most of the free oil is contained and separated. This guidance provides consistent and standard procedures for the disposal of contact water operations conducted within the jurisdiction of the federal Region III. The authority to authorize the disposal of contact water rests with the FOSC and may not be delegated. Decisions made in this regard shall be in accordance with procedures developed by the applicable FOSC/UC, the ACP, and consistent with the specific procedures established within Appendix I of this document.

SECTION II

Suggested General Protocol and Guidance

Specific guidance concerning disposal of contact water operations, monitoring, and decision making are contained in the Appendices to this document. The following general issues are offered for consideration concerning the disposal of contact water operations falling under the provisions of this guidance:

- Health and Safety Concerns - Assuring worker’s health and safety is the responsibility of employers and ultimately the FOSC who should comply with all Occupational Health and Safety Administration (OSHA) regulations. Prior to any disposal of contact water operations, a site safety plan should be submitted and approved by the FOSC and the UC.
- Monitors representing the FOSC, U.S. EPA, federal trustee agencies, the affected State/Commonwealth, and the RP should have the opportunity to monitor disposal of contact water operations, when feasible. Further monitoring to establish “Continue/Discontinue” data for input to the FOSC can be conducted in accordance with protocols outlined in the monitoring program contained in Appendix IV.

- Prior to any disposal of contact water operations, the FOSC may review the Decision Tree contained within Appendix II and complete the checklist contained within Appendix V. These tools are optional and have been provided to assist the FOSC/UC in consistently implementing this response technique.
- The checklist found within Appendix V can be completed for disposal of contact water and provided to interested parties (e.g., the UC, the RRT, etc.). This checklist provides a standard tool to document that all pertinent issues or concerns have been addressed or considered.
- The FOSC should continuously evaluate the decision to dispose of contact water.
- Disposal of contact water should be conducted by oil response trained professionals using recognized techniques and technologies.
- Mechanical oil recovery equipment and/or materials should be mobilized on-scene, when feasible, for backup and complimentary response capability.
- Disposal of contact water should be conducted in accordance with consultations approved by the DOI and DOC, under Section 7 of the Endangered Species Act. Prior to beginning disposal of contact water, an on-site survey should be conducted in consultation with natural resource specialists to determine if any threatened or endangered species are present in the disposal area or otherwise at risk from any disposal operations. Measures will be taken to prevent risk of injury to any wildlife, especially endangered or threatened species. Examples of potential protection measures may include moving the locations of the disposal of contact water to an area where listed species are not present and physical removal of individuals of listed species under the authority of the trustee agency.
- Documentation of disposal of contact water operations may be accomplished within any required reports. If an FOSC Report or any other report medium is not required as a result of the incident, a special report is not necessary to document the disposal of contact water operation. If RRT action is needed to support an operation, a verbal report should be made at the next RRT meeting to review the process.
- Recommendations for changes or modifications to this guidance should be presented to the RRT at any time.

SECTION III

APPENDICES:

- **Appendix I** - Separate protocols for each state or commonwealth, which establish specific conditions or procedures for conducting any disposal of contact water inside territorial waters (3 miles or less from shore), and for special managed areas if applicable as well as the final decision-making authority and procedure for a given state or commonwealth.
- **Appendix II** - Decision tree for supporting contact water disposal or decanting operations.
- **Appendix III** - Suggested procedures, guidance, and standards for the proper contact water disposal or decanting operations.
- **Appendix IV** - Suggested monitoring protocols.
- **Appendix V** - Information/Decision checklist for contact water disposal operations.

APPENDIX I

**Specific Protocols, Procedures, or Guidance for each Federal Region III State/
Commonwealth**

Separate protocols for each state or commonwealth, which establish specific conditions or procedures for conducting any disposal of contact water inside territorial waters (3 miles or less from shore), and for special managed areas if applicable as well as the final decision-making authority and procedure for a given State or Commonwealth.

- **Delaware**

No further information

Commented [GKA2]: Any change?

Formatted: Indent: First line: 0.24"

- **District of Columbia**

No further information

Formatted: Font: Not Bold

Commented [GKA3]: Any change?

Formatted

- **Maryland**

No further information

Commented [GKA4]: Any change?

- **Virginia**

Discharge of Oily Contact Water in Virginia State Waters

The discharge of oil into or upon state waters, lands or storm drain systems within the Commonwealth of Virginia is prohibited. "Oil" means oil of any kind and in any form, including, but not limited to petroleum and petroleum by-products, oil mixed with other wastes and all other liquid hydrocarbons, regardless of specific gravity. For the statutory definition of oil, see § 62.1-44.34:14 of the Code of Virginia.

Commented [GKA5]: Has this changed?

Virginia law allows for an exception to this prohibition if a discharge of oil is authorized by the federal on scene coordinator and the Executive Director of the Virginia Department of Environmental Quality or his designee in connection with activities related to the recovery of spilled oil where such activities are undertaken to minimize overall environmental damage due to an oil spill into or on state waters. However, this exception shall in no way reduce the liability of the person who initially spilled the oil that is being recovered. (see § 62.1-44.34:23. A. (viii) of the Code of Virginia.)

Otherwise, the discharge of any material or pollutant which alters the physical, chemical or biological properties of any state waters or renders such waters harmful, detrimental or injurious to the public health, safety or welfare, or to the health of animals, fish or aquatic life is prohibited except as authorized by a permit or certificate issued by the Virginia State Water Control Board. (See § 62.1-44.3 and § 62.1-44.5. of the Code of Virginia.) Information as to application for the appropriate permit or certificate, or the availability of permitted facilities which may be able to accept contact water can be obtained from the respective regional office of the Virginia Department of Environmental Quality. The

location, jurisdiction, and telephone numbers of VDEQ regional offices can be found at www.deq.state.va.us.

- **West Virginia**

No further information

Commented [GKA6]: Any change?

- **Pennsylvania**

The Commonwealth of Pennsylvania Guidance for the Disposal of Contact Water

The commonwealth of Pennsylvania strongly adheres to the caveat that the disposal and discharge of contact water as explained in this guidance should be considered a last resort response. If it is possible to hold the water at least briefly, the Department of Environmental Protection (DEP) State On-Scene Coordinator (SOSC), Emergency Response Program Manager or his delegate for the appropriate DEP regional office must be consulted prior to discharge. The DEP regional office may be able to offer advice on a less sensitive discharge point or even a nearby municipal or industrial facility which could accept the water.

Commented [GKA7]: Any change?

The appropriate DEP Regional Director has the decision making authority within the DEP region's jurisdiction. The SOSC has the total authority of the Regional Director in responding to the incident in question. In this capacity he directs response efforts and coordinates all other efforts at the scene of a discharge or release. When the Emergency Response Program Manager (ERPM) is on-scene, he/she will normally be the SOSC. In the absence of the ERPM, the Assistant ERPM will normally serve in this role. Other DEP employees may also be assigned this role to ensure there is always a single person in charge of the Department's operation at any one time.

Where there is no ability to hold the contact water and it must be discharged immediately to allow continued spill cleanup, the "sheen test" should be used. This standard essentially controls the discharge to the point of the definition of a "harmful quantity". A **harmful quantity** of discharged oil is one that violates water quality standards, causes a film or sheen on the surface of the water or adjoining shoreline, or causes a sludge or emulsion to be deposited beneath the surface of the water (40 CFR §110.3).

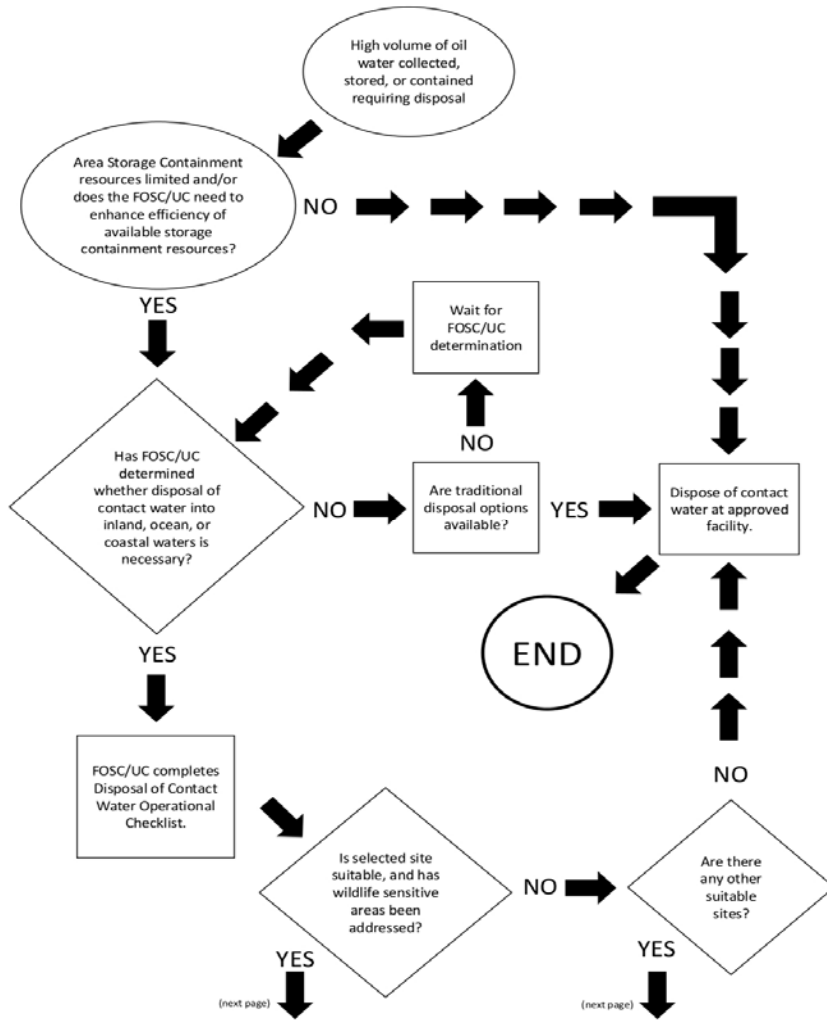
APPENDIX II

Disposal of Contact Water Decision Tree

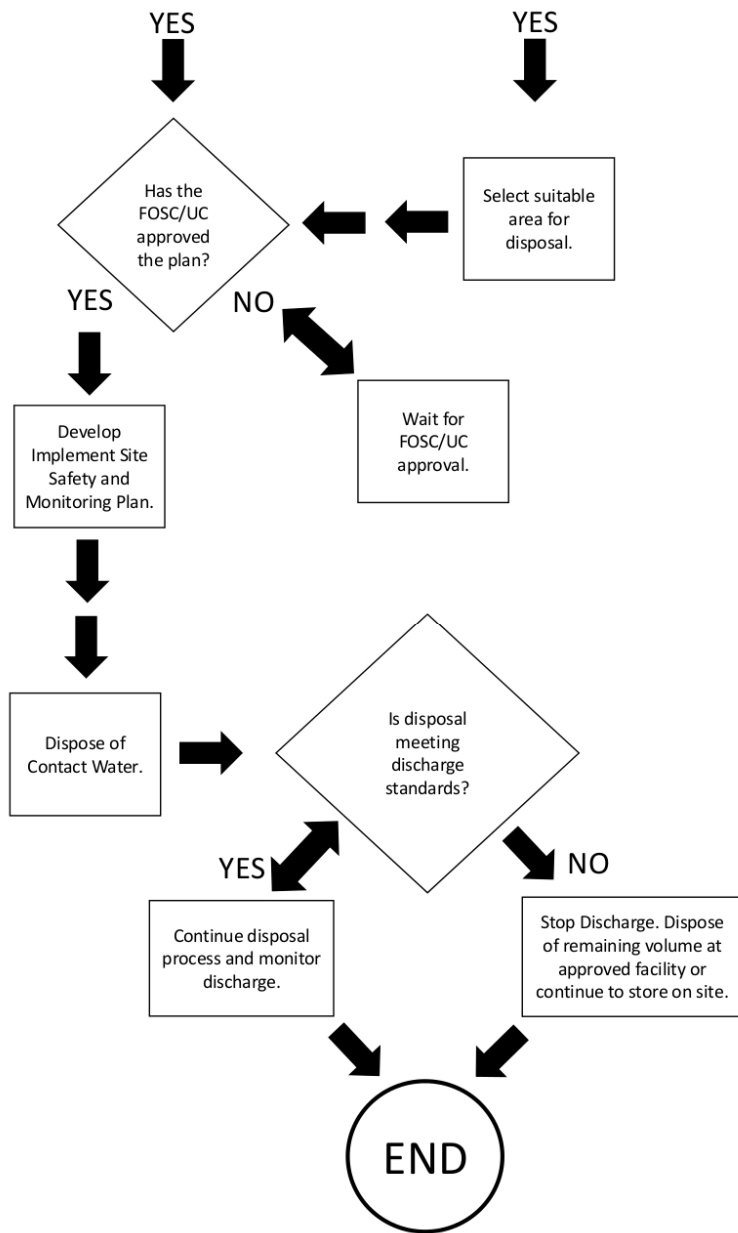
Decision tree for supporting contact water disposal or decanting operations is provided on the following two pages.

Commented [GKA8]: Any possible way to make this one page instead of two?

DISPOSAL OF CONTACT WATER DECISION TREE



DISPOSAL OF CONTACT WATER DECISION TREE (CONTINUED)



APPENDIX III

Disposal of Contact Water Operational Guidance

Procedures, guidance, and standards for the proper contact water disposal or decanting operations. Given the indicators noted above and other indicators identified during the pollution incident, the FOSC/UC must determine a standard for the disposal of contact water into U.S. navigable waters. Any of the following proposals or combinations thereof may be chosen to support the operation. Although these standards are not all inclusive, they may be used as a starting point from which to develop a standard that would best serve the conditions of the pollution incident set before the FOSC/UC.

- **Discharge to the Point of Pure Pollutant** - This standard maximizes the amount of pure pollutant remaining in the storage resource. Monitoring is conducted by visual observation at the point of discharge. Decanted oil/water mixture is discharged into an area surrounded by containment boom that can be controlled by releasing the substance into a non-sensitive area or recovering the discharged substance. Pump rates of the decanted oil/water mixture into the contained area should be monitored and controlled closely with shutdown procedures well known by the personnel conducting the operation.
- **Sheen Test** - This standard ensures the amount of pollutant remaining in the storage resource is a near oil/water mixture. This standard essentially controls the discharge to the point of the definition of a "harmful quantity" as defined in Section 311 of the Clean Water Act [Title 33, Chapter 26, Subchapter III, Section 1321, Oil and Hazardous Substance Liability], and as amended by OPA 90. A harmful quantity of discharged oil is one that violates water quality standards, causes a film or sheen on the surface of the water or adjoining shoreline, or causes a sludge or emulsion to be deposited beneath the surface of the water (40 CFR §110.3). Monitoring is conducted by visual observation at the point of discharge. Decanted oil/water mixture is discharged into an area surrounded by containment boom that can be controlled by releasing the substance into a non-sensitive area or recovering the discharged substance. Pump rates of the decanted oil/water mixture into the contained area should be monitored and controlled closely with shutdown procedures well known by the personnel conducting the operation.
- **Discharge Testing/Analysis** - This standard is the most conservative approach and controls the discharge to the desired amount of pollutant acceptable by the FOSC/UC being released into U.S. navigable waters. Monitoring is conducted by testing and laboratory analysis from samples taken at the discharge point. Decanted oil/water mixture is discharged into an area surrounded by containment boom that can be controlled by releasing the substance into a non-sensitive area or recovering the discharged substance. Pump rates of the decanted oil/ water mixture into the contained area should be monitored and controlled closely with shutdown procedures well known by the personnel conducting the operation. The limiting factor in conducting this type of monitoring is the sample analysis time and the ability to proceed with the operation uninhibited. Where possible, within planning and preparedness efforts, sampling protocols identifying acceptable discharge levels and technical teams to conduct this monitoring procedure should be developed prior to the event.

Commented [GKA9]: Has this definition changed?

APPENDIX IV

Disposal of Contact Water Monitoring Protocol

During disposal of contact water operations, there is a need to monitor the operation to ensure that agreed upon standards and provisions are met and maintained during the activity. The objective of monitoring the disposal of contact water is to validate and ensure that the arrangement or setup of the operation is according to an agreed upon design and that the discharge standard developed for the operation is continually enforced.

Elements of a Good Monitoring Program

Elements of a good monitoring program should include:

- **Clear Objectives** - Define the question(s) to be answered from the monitoring program. They must be able to support decisions on further use of the technique.
- **Meaningful Discharge Standard** - Any tests or standards developed to determine the extent of the acceptable discharge during the disposal of contact water should be operationally feasible to the extent practical. The ability to measure or determine whether the standard has been met should not be so laborious a protocol as to prohibit the possibility of conducting the operation. The discharge standard should be viewed as a "trade-off" where our goal is to do no further harm by weighing the amount of product "decanted" or returned back to the environment versus the ability to remove, store, and contain greater amounts of pure pollutant on scene more efficiently.
- **Monitor Protocol Design** - At a minimum, the testing/monitoring regime during disposal of contact water should involve replicate observations at both discharge and non-discharge (control) areas before and after the operation. Controls should be similar to the discharge site in all ways except the actual conduct of the disposal of contact water. In some cases, it may be appropriate to use a site (before discharge) as its own control for comparing the effects after the discharge of contact water.
- **Trained Team for Preparation and Observation** - Proper monitoring during the disposal of contact water relies heavily on visual observations and an understanding of the disposal operation's mechanism of action, environmental concerns, and expected or desired results. Thus, it is critical that the monitoring/operation team members be both skilled in the design and implementation of the operation and trained in how to observe and monitor. Untrained team members without a background or knowledge in the ultimate objectives and goals of this type of operation will not be able to provide the UC with appropriate protocols and meaningful evaluations of the operations' success, efficiency, effectiveness, and results. FOSCs are strongly encouraged to use teams that are pre-identified through their respective planning doctrine.

Testing and Monitoring Procedure

It is suggested that the testing and monitoring protocol follow five (5) levels outlined below. The questions and concerns that need to be answered during the operation will dictate which discharge measure you will use during Level 1 (**this is also addressed in the checklist**

provided within Appendix V and should already be complete and known before addressing desired monitoring standards). The decision on which protocol you will use may involve the following indicators:

- General environment where the operation is being conducted (e.g., inland, near shore, offshore, etc.);
- The location or proximity of the operation to environmental or economically sensitive resources;
- The availability of appropriate containment and storage for recovered oil, and;
- The efficiency of offloading full storage receptacles (e.g., tank barge, dracone, inflatable barge, temporary shore-side tanks, etc.).

Level 1: Choosing a Discharge Standard

Given the indicators noted above and other indicators identified during the pollution incident, the FOSC/UC must determine a standard for the disposal of contact water into U.S. navigable waters. Any of the following proposals or combinations thereof may be chosen to support the operation. Although these standards are not all inclusive, they may be used as a starting point from which to develop a standard that would best serve the conditions of the pollution incident set before the FOSC/UC.

- **Discharge to the Point of Pure Pollutant** - This standard maximizes the amount of pure pollutant remaining in the storage resource. Monitoring is conducted by visual observation at the point of discharge. Decanted oil/water mixture is discharged into an area surrounded by containment boom that can be controlled by releasing the substance into a non-sensitive area or recovering the discharged substance. Pump rates of the decanted oil/water mixture into the contained area should be monitored and controlled closely with shutdown procedures well known by the personnel conducting the operation.
- **Sheen Test** - This standard ensures the amount of pollutant remaining in the storage resource is a near oil/water mixture. This standard essentially controls the discharge to the point of the definition of a "harmful quantity" as defined in Section 311 of the Clean Water Act [Title 33, Chapter 26, Subchapter III, Section 1321, Oil and Hazardous Substance Liability], and as amended by OPA 90. A **harmful quantity** of discharged oil is one that violates water quality standards, causes a film or sheen on the surface of the water or adjoining shoreline, or causes a sludge or emulsion to be deposited beneath the surface of the water (40 CFR §110.3). Monitoring is conducted by visual observation at the point of discharge. Decanted oil/water mixture is discharged into an area surrounded by containment boom that can be controlled by releasing the substance into a non-sensitive area or recovering the discharged substance. Pump rates of the decanted oil/water mixture into the contained area should be monitored and controlled closely with shutdown procedures well known by the personnel conducting the operation.

- **Discharge Testing/Analysis** - This standard is the most conservative approach and controls the discharge to the desired amount of pollutant acceptable by the FOSC/UC being released into U.S. navigable waters. Monitoring is conducted by testing and laboratory analysis from samples taken at the discharge point. Decanted oil/water mixture is discharged into an area surrounded by containment boom that can be controlled by releasing the substance into a non-sensitive area or recovering the discharged substance. Pump rates of the decanted oil/water mixture into the contained area should be monitored and controlled closely with shutdown procedures well known by the personnel conducting the operation. The limiting factor in conducting this type of monitoring is the sample analysis time and the ability to proceed with the operation uninhibited. Where possible, within planning and preparedness efforts, sampling protocols identifying acceptable discharge levels and technical teams to conduct this monitoring procedure should be developed prior to the event.

Level 2: Effectiveness of Protocol Standard - The objective is to determine if the protocol standard is working under the existing field conditions. The protocol standard should be reviewed and approved by agency representatives and operations staff. The response operations should suggest changes to the protocol to make them feasible in the field while meeting stated goals and objectives. They will also identify the equipment and resources necessary to support the protocol. Measures of effectiveness can be visual, as long as they are objective and well defined (e.g., sea state, sheen test, level of oil decanted and discharge, etc.) or based on sampling and chemical analysis. Be sure to evaluate:

- Equipment used to support the operation (e.g., pumps, shutdowns, containment boom effectiveness, etc.);
- What logistics are required and thus potential problems for full-scale operations;
- Physical impacts during the operation (e.g., sea state, allowing oil/water separation, ability to safety pump oil from receptacle and control the rate of discharge, etc.), and;
- Recovery of decanted/discharged oil from containment area if the goal or objective is to recapture the bulk of the intended discharge.

Level 3: Effects of the Operation - The objective is to determine if the operation or use of the disposal of contact water protocol of choice results in impacts to natural resources that are likely to cause more harm than the tradeoff of not being as efficient in recovery and containment operations. This monitoring scheme in most cases can be conducted by observing the area of the discharge/containment portion of the operation. The end results of the decanted and discharged pollutant needs to be within the standard identified in the developed protocol. The main question to be answered is: "Is the tradeoff of efficiency versus potential impact acceptable, given the noticeable increase in the ability to collect and store recovered oil on-scene?" Points to consider include:

- Whether the efficiency of the recovery and collection process increased;
- Whether the containment site for the decanted/discharged oil in the best feasible area to do the least harm to natural resources; and

Commented [DS10]: From Ben Anderson (DNREC): Since there has been substantial technological advances in the field of water quality monitoring since this document's 2002 edition, maybe a comment or two about advances in in-situ monitoring capabilities. Fluorometric sensor capability and sensitivity have improved over the last 15 years. Back in the early 1990s at a Rehoboth RRT meeting I proposed the original SMART sampling methodologies and process utilizing the Turner Designs 10AU flow through field fluorometer which was the only device on the market at the time to detect and measure crude and refined petroleum products. The USCG Strike Teams have used the 10AU until Turner came out with the In-situ modular submersible sensor about 7 years ago. Since then many users have begun using it including the USCG SMART Teams. There may be other similar real time analyzers and detectors available now and into the future that should be noted for crude detection and analysis in addition to just the lab analysis mentioned in this guidance.

Turner Design's website has some of their products and capabilities listed as well as a USCG video highlighting fluorometric use on the Deep Water spill. <http://www.turnerdesigns.com/applications/oil-spill-response-fluorometer-applications> In the video they use both the standard 10AU flow thru and the newer C3 modular sensor package, both of which provide real-time data to the SMART Team.

I'm sure there may be other competitor's products out there that I'm not aware of. One of the advantages of the fluorometric approach is that one can test both up-stream as well as down-stream of the decant discharge point for real time verification as well as info needed to halt discharge if preset limits are exceeded.

- Whether descriptive near-shore surveys at the discharge site have been conducted to allow a comparison of the operation before and after the initiation of the protocol.

Level 4: Operational First-Use Monitoring - The objective is to determine if full-scale operational use of the selected disposal of contact water protocol is effective and does not have unacceptable impacts. Again, it is necessary to have a detailed monitoring plan for approval by involved agencies. Operations will need to know that monitoring will be conducted, so plans can be made to give the monitoring staff site access and notification as needed.

Level 5: Continued Monitoring - The objective is to routinely monitor the progress of the disposal of contact water operation to assess the need for modifying the protocol used. Field monitors should ensure that the approved methods are being properly implemented. Weather, sea-state, or other physical processes may render approved methods ineffective, requiring either termination of the operation or the adjustment to other methods.

APPENDIX V

Disposal of Contact Water Operational Checklist

The RRT has developed this “Disposal of Contact Water Operational Checklist” to support and assist the FOSC and UC member agencies in their respective decision-making for various contact water disposal operations. This checklist could be used as a guide to ensure all issues and operational standards are addressed.

The checklist separates the operational information into the following “Steps”. The completion or the need to address these “Steps” will result in a methodical protocol for decision-making or operational implementation of disposal of contact water procedures. This checklist can also be used as an operational plan for the event. The “Steps” are as follows:

- **Step 1**: Spill, Pollutant, and Environment Background Information
- **Step 2**: Evaluating the Need to Dispose of Contact Water
- **Step 3**: Operational Feasibility Checklist
- **Step 4**: Operational Acceptability
- **Step 5**: Controls, Conditions, and Monitoring

Disposal of Contact Water Operational Checklist

Step 1: Spill, Pollutant, and Environment Background Information

General Information:

A. Name of Incident:		
B. Responsible Party (if known):		
C. Date and Time of the Incident:		
D. Type of Incident: (check)	<input type="checkbox"/> Vessel Casualty <input type="checkbox"/> Facility Incident <input type="checkbox"/> Tank Truck Incident <input type="checkbox"/> Transfer Operation (Vessel, Facility, Truck, or Pipeline) <input type="checkbox"/> Explosion <input type="checkbox"/> Vehicle Accident <input type="checkbox"/> Blowout <input type="checkbox"/> Pipeline <input type="checkbox"/> Mystery <input type="checkbox"/> Other:	
E. Spill Location:		
GPS or other coordinates if available		
F. Distance and Direction to nearest human use areas (e.g., schools, hospitals, recreation areas, surface water intakes, public wells, etc.):		
Area	Distance	Direction

Commented [GKA11]: Could we add GPS or other coordinates?

Pollutant/Oil Information:

G. Product(s) Released: (check)	<input type="checkbox"/> Heavy Crude <input type="checkbox"/> Bunker C / #6 Fuel Oil <input type="checkbox"/> Medium Crude <input type="checkbox"/> Diesel / #2 Fuel Oil <input type="checkbox"/> Jet Fuels <input type="checkbox"/> Gasoline <input type="checkbox"/> Other (please specify):										
	H. Product Details:	<table border="1"> <tr> <td>Product Name:</td> <td></td> </tr> <tr> <td>Viscosity:</td> <td></td> </tr> <tr> <td>API Gravity</td> <td></td> </tr> <tr> <td>Pour Point</td> <td></td> </tr> <tr> <td>Percent Evaporation in:</td> <td> 24 Hours: 48 Hours: </td> </tr> </table>	Product Name:		Viscosity:		API Gravity		Pour Point		Percent Evaporation in:
Product Name:											
Viscosity:											
API Gravity											
Pour Point											
Percent Evaporation in:	24 Hours: 48 Hours:										
I. Estimated Volume of Oil Released:	Gallons:										
	Bbls:										
J. Estimated Volume of Oil Potentially Released:	Gallons:										
	Bbls:										
K. Release Status: (check)	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent										
One Time Only, Now Stopped?	<input type="checkbox"/> Yes <input type="checkbox"/> No										
If Continuous or Intermittent, Specify Rate of release:	(gals / bbls per hour)										
Estimated Surface Area Covered:	(acres / sqft)										

Environment Information:

L. Current Weather: (<i>check</i>)	<input type="checkbox"/> Clear <input type="checkbox"/> Partly Cloudy <input type="checkbox"/> Overcast <input type="checkbox"/> Rain / Snow / Fog <input type="checkbox"/> Inversion	
Temperature:	<input type="checkbox"/>	
24-hour Projection:		
48-Hour Projection:		
Wind Speed:		
	Surface	Forecasted
Current Wind Speed (mph):		
Direction (from):		
24-Hour Projection (mph):		
Direction (from):		
48-Hour Projection (mph):		
Direction (from):		
NOTE: Any information from visual overflights of the slick, including estimations of slick thickness, should be included here. All additional available information pertaining to physical characterization of spilled oil should be included here.		

Commented [GKA12]: Should we add outside temperature to this list?

Step 2: Evaluating the Need to Dispose Of Contact Water

General Information:

- A. Are there adequate on-scene storage and containment receptacles to facilitate the recovery of the oil within the area of the proposed operation?
- Yes
 No
- B. Considering the spill size, forecasted weather and trajectories, *and the* amount of available equipment, is there time to deploy additional storage and containment receptacles if needed?
- Yes
 No
- C. Considering the spill size, forecasted weather and trajectories, amount of available equipment, is there time to deploy equipment and resources that are needed to support a disposal of contact water operation?
- Yes
 No
- D. At first look and given available resources is there a need to maximize the amount of recovered oil contained in available storage tanks, vessels, bladders, etc. before having to send those resources off scene to be emptied at proper reception facilities?
- Yes
 No
- E. Briefly, are the tradeoffs acceptable in conducting a disposal of contact water operation at the spill site given the natural resources and environment or economic sensitivity of the area?
- Yes
 No

Please explain:

Step 3: Operational Feasibility Checklist

Weather and Oil Conditions:

A. Are weather conditions (e.g., sea-state, current, winds, etc.) acceptable to conduct disposal of contact water operations?

- Yes
- No

B. Are environmental conditions considering safety, type and condition of the oil, the ability of the oil and water to separate, and other factors suitable to conduct disposal of contact water operations?

- Yes
- No

Habitats Impacted and Resources at Risk:

A. Site Owner/Manager (federal/tribal/state/private) notified and consulted?

- Yes
- No

Name:	
Address:	
Phone:	

B. State Natural Resource Agency notified and consulted?

- Yes
- No

Name/Agency:	
Address:	
Phone:	

C. Applicable Federal Natural Resource Trustees notified and consulted?

- Yes
- No

- Department of Interior/U.S. Fish and Wildlife Service/National Parks Service
- Department of Commerce/National Oceanic and Atmospheric Administration
- Tennessee Valley Authority
- U.S. Forest Service
- Department of Energy
- Department of Defense
- National Aeronautic and Space Administration

Other:

D. Native American interests present?

- Yes
- No
- Unknown

Bureau of Indian Affairs contact:

Name:	
Address:	
Phone:	

Tribal Contact:

Name:	
Address:	
Phone:	

E. Surface water intakes and/or public wells:

- Yes
- No

F. Habitat Type(s) Threatened:

- Mangroves
- Seagrass
- Coral Reef
- Wetlands:

- Estuarine
- Riverine
- Lacustrine
- Palustrine

G. Seasonal Concerns:

- Yes
- No
- Comments:.....

Commented [GKA13]: Delete Box

H. Biological Resources Present: (describe significant issues such as large concentrations, breeding activities, rookeries, designated critical habitat, etc.)

- T&E Species, including plants (list):
 - Mammals
 - Waterfowl
 - Wading Birds
 - Diving Birds
 - Shore Birds
 - Raptors
 - Fish
 - Reptiles
 - Amphibians
- Other:

Comments/Attachments (i.e., ESI Maps, etc.):

I. Natural Areas (list)

- National Park:
- National Wildlife Refuge:
- National Forest:
- State Park:
- State Wildlife Area:
- Other Natural Areas:

Comments:

--

J. Historic, Cultural, and Archeological Resources

- Unknown
- Not Present
- Present, if so, contact FOSC Historic Property Specialist and/or the State Historic Preservation Office (SHPO) pursuant to the Programmatic Agreement on Protection of Historic Properties During Emergency Response.

Name:	
Address:	
Phone:	

Equipment and Personnel:

A. Has proposed disposal of contact water site been isolated?

- Yes
- No

B. Is there a Site Safety Plan in place?

- Yes
- No

C. Are the appropriate pump, containment, and other associated equipment on-scene?

- Yes
- No

D. Are the appropriate personnel on-scene?

- Yes
- No

E. Personnel trained, equipped with safety gear, and covered by the Site Safety Plan?

- Yes
- No

F. Communications system to communicate with onsite personnel and vital operational functions (e.g., shutdown, monitor staff, etc.) available and working?

- Yes
- No

Proposed Disposal of Contact Water Operations Plan:

A. Proposed Discharge Standard (check the appropriate protocol)

- Discharge to the Point of Pure Pollutant
- Sheen Test
- Discharge Testing/Analysis

B. Estimated amount of oil involved in operation:

Surface Area (sq. ft.):	
Volume (gal/bbl):	

C. Estimated amount of oil/water mixture to be discharged:

Volume (gal/bbl):	
------------------------------	--

D. Estimated duration of the operation:min/hr

E. Method for terminating the operation:

F. Ability to collect discharged substance:

- Yes
- No

G. Monitoring protocols in place?

- Yes
- No

If yes, attach additional monitoring plans/needs and specify the oversight agency.

.....
.....
.....

Step 4: Operational Acceptability

Evaluation of Anticipated Operation:

A. Using an appropriate chart, plot and calculate the following locations and distances:

- Location of proposed operation in relation to the source.
- Location of proposed operation in reference to the nearest sensitive environmental or economic resource.
- Location of proposed operation in reference to nearby human habitation/use areas, (e.g. towns, recreational use areas, airports/strips, roads, etc.)

B. Populations of special concern:

- Schools
- Hospitals
- Nursing Homes
- Communities
- Other: _____

Commented [GKA14]: Do we need to add Nursing Homes or such to the list?

C. Is there a risk of accidental discharge from storage containers on site?

- Yes
- No

D. Are there additional pollutants present in the oil being recovered?

- Yes
- No

E. Will discharged oil during disposal of contact water operations be contain or properly released into an acceptable area?

- Yes
- No

Determination of Acceptability:

A. Will the discharged oil/water mixture from the disposal of contact water operation impact a natural resource, sensitive area, or inhabited community?

- Yes
- No

If No, Operation is Acceptable, Proceed to Step 5.

If Yes, Continue with B.

B. Can the impact be acceptably managed or are the tradeoffs acceptable?

- Yes

No

If Yes, implement any protection measures and authorize the operation. Proceed to Step 5

If No, do not authorize the operation.

Step 5: Controls, Conditions, and Monitoring

Operational Controls, Required for All Operations:

A. Forecasted weather, winds, and sea conditions proper for intended operation?

- Yes
- No

B. Has operation been approved by the FOOSC/UC?

- Yes
- No

C. Have discharge standards been identified and are they acceptable?

- Yes
- No

D. Is discharge area controlled by establishing a containment plan or the identification of an acceptable discharge area?

- Yes
- No

E. Are proper shutdown procedures in place?

- Yes
- No

Public Notifications:

A. Public notification implemented or addressed (e.g., radio broadcast, safety zone broadcast to mariners, road closure, etc.)?

- Yes
- No

B. Press Releases communicated or addressed?

- Yes
- No

Commented [GKA15]: Should we add some type of social media here?

List of requested changes:

1. Kevin Gurckek (Allegheny County Airport Authority / Three river) comments are embedded in the document.
2. Ben Anderson's comments are embedded in the document as comments
3. LCDR Brett Major (Sector HR) - *I have reviewed the documents and don't really have any comments to add. The document hit all my concerns, and I thought the flow chart worked well. Please let me know if you need anything else.*

Not updated information from states/commonwealths provided to date.