

Thank you for your willingness to participate in the upcoming CANUSLANT 2002 exercise which will be held June 25-27, 2002, at the Algonquin Hotel in St. Andrews, New Brunswick. As has been indicated in previous communications about this exercise, the format for CANUSLANT 2002 will consist of a tabletop exercise, followed by a series of facilitated breakout sessions focusing on a series of issues identified as priorities by the U.S./Canadian Joint Response Team for the Atlantic Region.

The purpose of this email is to provide you the following three items:

- 1) Your issue group assignment for the breakout portion of the exercise.
- 2) Background papers on the priority issues developed by the exercise design team members.
- 3) An updated schedule for exercise participants

For the purpose of the breakout sessions, you have been assigned to the On-Scene Commander/Coordinator issues group. The specific discussion papers for that issues group are attached to this e-mail. If you feel that you would be better assigned to another issues group, please let me know. Also, if there is an issue that you feel is of great importance and is not included in the discussion papers, please prepare an outline of this issue in the format provided and e-mail it to me. We will then try to add it to the group discussions during the exercise.

Attached are the issue papers for your assigned issues group as well as an exercise schedule for CANUSLANT 2002. Please note that the times on the agenda are in Atlantic time (one hour ahead of Eastern Time).

- [Community Outreach](#)
- [Incident Command System \(ICS\) / Response Management System \(RMS\) Interface](#)
- [Joint Command Post: Resolving potential legal and political obstacles](#)
- [Procedures if the Polluter/Responsible Party does not take responsibility](#)
- [Salvage / Jones Act](#)
- [Waste Disposal](#)
- [Revised CANUSLANT 2002 Schedule of Events](#)

If you have any questions concerning the exercise or your participation, please do not hesitate to contact me by phone at 902-426-6035 or by email at [SpicerG@mar.dfo-mpo.gc.ca](mailto:SpicerG@mar.dfo-mpo.gc.ca). You may also contact Lieutenant Commander Joseph Gleason (USCG) by phone at 617-223-8586 or by email at [jgleason@d1.uscg.mil](mailto:jgleason@d1.uscg.mil).

Thank you again for participating in CANUSLANT. We look forward to an excellent exercise.

Sincerely,

Garnet L. Spicer  
A/Regional Exercise Officer  
Rescue, Safety & Environmental Response  
Coast Guard Maritimes  
Phone: (902) 426-6035  
Cell: 499-2621  
Fax: 426-0711  
Email: [spicerg@mar.dfo-mpo.gc.ca](mailto:spicerg@mar.dfo-mpo.gc.ca)

# CANUSLANT 2002

June 25 - 27, 2002

St. Andrews, New Brunswick

## Issue Paper

### Topic

Community Outreach

1. Changes to Atlantic Operational Supplement of the Joint Plan – add a new annex (Community and Volunteers).

### Assigned Discussion Group

On-Scene Commander / Coordinator

### Issue

- What procedures are needed for community involvement in a cross-border response? How and when.
- The placement of community members in the command structure (planning, logistics, operational, media, etc.).
- Procedures for notification of communities of a cross-border spill.
- Support for community groups in pre-spill planning and training.

### Background

During the event of an oil spill situation, community has a critical role to play. Only the community truly understands the unique sensitivities associated with their long-term recovery economically, socially and environmentally. This information overlaid with scientific and academic consultation results will provide the priority area for response.

The establishment of a working relationship, such as the Community Action Partnership Program provides, with various coastal communities before an event can prove advantageous to responders seeking assistance with controlled community notification, spill access points and if necessary, volunteer management.

Pre-spill community consultation has provided responders and responsible agencies with information and resources invaluable during a spill situation. Immediate access to key community representatives, to volunteer resources, equipment and amenities such as alternative food and lodging have been proven vital during emergency situations (i.e., Swissair 111).

### Design Team Point of Contact:

**Name:** Garnet L. Spicer    **Phone:** (902) 426-6035

**Email:** spicerg@mar.dfo-mpo.gc.ca

# CANUSLANT 2002

June 25 - 27, 2002

St. Andrews, New Brunswick

## Issue Paper

### Topic

Incident Command System (ICS) / Response Management System (RMS) Interface

### Assigned Discussion Group

On Scene Commander / Coordinator

### Issue

The US Coast Guard and the oil spill response industry in general use systems based on the Incident Command System (ICS) to provide a structured response and facilitate record keeping system during spill response. The Canadian Coast Guard has drafted, and indicated it will be using, a Response Management System (RMS), customized for them. In a joint Canada /United States response, probably supported by industry, what difficulties could this present and how can they be successfully resolved?

### Background

Concerned that ICS was too labor intensive for the limited resources of the Canadian Coast Guard, yet wanting to adopt a national system, they have designed a modified version of ICS called RMS. While similar in many respects to the systems of the USCG and the oil spill response industry, it has some differences in terminology and fewer forms.

Could these differences be significant enough to hinder an effective response or to create difficulties in communicating or summarizing information?

The system is still in the design stage and has yet to be utilized on the east coast. What interim arrangement could be used? Would this create more problems?

### Design Team Point of Contact

**Name:** Faye Campbell **Phone:** (902) 426-6015 **Email:** campbellf@mar.dfo-mpo.gc.ca

# CANUSLANT 2002

June 25 - 27, 2002

St. Andrews, New Brunswick

## Issue Paper

### Topic

Joint Command Post: Resolving potential legal and political obstacles

### Assigned Discussion Group

On-Scene Commander / Coordinator.

### Issue

The joint command post format that has been supported by recent CANUSLANT exercises has potential legal and political obstacles at the federal and state/provincial level.

1. Can legal impediments of OSCs and/or state/provincial representatives operating away from their home jurisdiction be resolved? What must occur to resolve legal issues, and what should be reflected in the plan?
2. How can political pressures be mitigated? What can be done in advance to reduce political pressures?

### Background

The CANUSLANT Geographic Annex prescribes different methods of organization (i.e. notification, communications schedule, liaison officers, direct assistance) based on the level of threat that exists to the country threatened by a spill in the other. The highest level of threat is actual or imminent impact to both countries; in this case three organizational options are presented. Option 1 is a unified command post to provide for strong communication and coordination. Option 2 involves two command posts with an exchange of liaison officers, and Option 3 involves two command posts with a unified financial and logistics center operated by the polluter/responsible party. The current multi-option portion of the plan stems from options suggested at the 1994 workshop. The 1994 workshop recommended Option 2 (unified), but legal issues (the report indicates that the USCG OSC is legally mandated to remain in U.S.) and political pressures were highlighted in the report. As recommended in the 1994 workshop report, CANUSLANT 1996 tested Option 1 (liaisons) and Option 2 (unified), with very strong advocacy for Option 2 (unified) for the emergency response phase of the response, but does note that it requires clear political approval before formal incorporation into the Atlantic Supplement. This clear political/legal approval is not apparent in the current CANUSLANT Geographic Annex, nor is the section strong enough to help resist domestic political pressures. CANUSLANT 1999 utilized Option 1, however this question was not a focus of the report, so the previously identified legal and political impediments may still remain, and could arise during an actual spill. Can legal impediments be solved in the Geographic Annex, and would additional documentation help garner high-level support to resist political pressure? Should other actions be taken?

### Design Team Point of Contact

**Name:** Scott Lundgren, USCG D1

**Phone:** 617-223-8434

**Email:** Slundgren@d1.uscg.mil

# CANUSLANT 2002

June 25 - 27, 2002

St. Andrews, New Brunswick

## Issue Paper

### Topic

Procedures if the Polluter/Responsible Party does not take responsibility.

### Assigned Discussion Group

On-Scene Commander / Coordinator

### Issue

While the polluter/responsible party is expected to clean up oil that they spill, they may be unknown, unwilling or unable to do so. In addition, the polluter/responsible party may initiate a response, but later walk away, possibly after they have reached their limit of liability. The latter situation would involve a response in progress. In the event of a Joint Canada-United States response, what actions would the Coast Guards take?

### Background

In previous exercises where this type of situation occurred, there was confusion over making the transition from a polluter/responsible party led response to a government led response. Concerns involve, but are not limited to:

- Who continues to respond and under what authority?
- What happens to information and plans prepared to date?
- What is the relationship between the government and other parties, particularly if one or more party is/are Response Organization(s) where agreement has not been reached on signing of contracts?

### Design Team Point of Contact:

**Name:** Faye Campbell **Phone:** (902)426-6015 **Email:** campbellf@mar.dfo-mpo.gc.ca

# CANUSLANT 2002

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## Issue Paper

### Topic

Salvage / Jones Act

### Assigned Discussion Group

Joint Response Team **AND** On-Scene Coordinator / Commander

### Issue

Laws in the U.S. and Canada limit use of foreign flag vessels in domestic service. Use of foreign flag vessels may be necessary to expedite salvage (to reduce pollution) or skimming. The current CANUSLANT geographic annex offers limited information on this topic.

1. Does the current CANUSLANT geographic annex adequately detail procedures for use of salvage/ship rescue purposes? For oil spill response vessels? [JRT]
2. Will the expedited waiver procedures under development qualify as "reciprocal privileges"? [JRT]
3. How should current U.S. work on salvage and oil spill response vessel exemption procedures be captured in the geographic annex? [JRT]
4. How great are the non-domestic vessel needs for oil removal? For salvage? How much should be captured in the operational annex (versus in domestic plans)? [OSC]
5. Are the needs for rapid response, large-scale response (third tier) or both? What is the planning priority for further Annex work? [OSC]

### Background

The current CANUSLANT Geographic Annex contains citations and brief descriptions of authorities on operation of oil spill response vessels of U.S. or Canadian flag in the other country, as well as for salvage of vessels in distress in Canada by U.S. vessels, provided reciprocal privilege exists in the U.S. However, details on specific salvage privileges or waivers in the U.S. are not documented in the CANUSLANT Geographic Annex. Laws specific to Canadian vessels rendering assistance exist for specific areas of the Great Lakes in the U.S., and waivers exist in cases related to national defense. Agreements are currently in process between the U.S. Coast Guard, U.S. Maritime Administration, and U.S. Customs Service to expedite Jones Act exemptions for use of foreign oil spill response vessels or salvage vessels using the appropriate oil spill response vessel provision (Snowe amendment, Section 117 of Public Law 104-324) and salvage waivers provided for in U.S. law (46 U.S.C. 316(d); 19 CFR 4.97). The results of this agreement, as well as any detailed procedures available for Canada should be included in the CANUSLANT Geographic Annex to expedite the processes allowed by the currently documented laws or regulations to ensure rapid response when needed.

### Design Team Point of Contact

**Name:** Scott Lundgren, USCG D1 **Phone:** 617-223-8434 **Email:** Slundgren@d1.uscg.mil

# CANUSLANT 2002

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## Issue Paper

**Topic**

Waste Disposal

**Assigned Discussion Group**

On-Scene Commander / Coordinator

**Issue**

Development and acceptance of a Plan for the Disposal of Oiled Waste, which would then be incorporated into the Annex of the Atlantic Operational Supplement.

There are 5 potential scenarios that require contingency plans as follows:

1. Waste generated in Canadian Waters and disposed of in New Brunswick
2. Waste generated in Canadian Waters and disposed of in Maine
3. Waste generated in US waters and disposed of in Maine
4. Waste generated in US waters and disposed of in New Brunswick
5. Waste generated in international waters and disposed of in either Canada or US

**Questions**

1. What criteria would be used to decide where oily debris should go?
2. How much oily debris can go to each country?
3. How would oily debris be stored temporarily in each country?

## **Background**

The State of Maine has a comprehensive “Marine Oil Spill Contingency Plan”, last updated in 2000. Part of the plan is the Equipment and Support Services Directory; this directory is updated annually. The plan contains information on oily waste disposal as follows:

### **DISPOSAL**

A list of disposal facilities is contained in the Equipment and Support Services Directory.

#### **Oily Debris**

Oily debris includes sorbents, seaweed, carcasses, and other materials contaminated with oil as a result of an oil spill. Oily debris recovered during response activities must be disposed of in accordance with state and federal law. State regulations (DEP Chapter 405.9) state that oily debris can be landfilled, or incinerated and the resultant ash landfilled. The DEP has a contract with the Mid-Maine Waste Action Committee in Auburn for disposal of combustible oily debris.

#### **Waste Oil**

Waste oil is typically disposed of by burning in a waste oil burner. Waste oil is any petroleum-based oil, which, through use or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. Waste oil includes any oil spilled to land or water, but does not include oily waste debris generated from the cleanup of oil spills or water generated from oil/water separation processes at waste oil facilities. The requirements of Chapter 860 of DEP regulations must be met for storage and transportation of waste oil.

### **TEMPORARY STORAGE**

In the event of a major spill, the volume of oily debris will most likely be greater than the capacity of available disposal facilities. Therefore, temporary storage (less than 45 days) must be used as an interim measure. The DEP has no permitting requirements for the temporary storage of oily debris. Options include storing oily debris in covered dumpsters or covered "roll-off" containers, or in temporary engineered containment structures with oil-resistant liners. Information on liners is contained in the Equipment and Support Services Directory.

**New Brunswick** does not have a current Marine Oil Spill Contingency Plan. Environmental Legislation applicable to Waste Handling and Disposal are as follows:

- Clean Environment Act: Water Quality Regulation, Used Oil Regulation, Petroleum Storage and Handling Regulation

### **DISPOSAL**

Approved Disposal facilities are as follows:

- Soil Thermal Dissorption Unit - Regional Petroleum Products Recycling – Saint John N.B.
- Soil Bioremediation Site - Galbraith Construction – Saint John N.B.
- Soil Bioremediation Site – Envirem – Fredericton NB

#### **Oily Debris**

Oily debris is considered a “contaminant” and must be disposed of at an “approved facility”. Municipal Sanitary landfills are generally not approved for the disposal of such waste. There are currently no approved facilities for the incineration of oiled waste.

## **Waste Oil**

The Used Oil Regulation comes into effect on April 30, 2002. This regulation specifies the conditions under which the burning of waste oil, as a fuel, would be approved. The Transportation of Dangerous Goods Regulation, administered by the Province, must be met for the transportation of waste oil. Storage of waste oil in quantities greater than 2000L are regulated under the Petroleum Storage and Handling Regulation.

### **Temporary Storage**

The Province of New Brunswick has no specific permitting requirements for the temporary storage (less than 45 day) of oily debris. However, it is recognized that guidelines for such storage are imperative to ensure such storage does not result in a discharge of a contaminant, in contravention of the Clean Environment Act, Water Quality Regulation.

Temporary storage (less than 45 days) is an issue that should be examined from two points of view:

- The design and siting guidelines for the facility.
- The concern that the storage, for at least some of the wastes, may extend considerably longer than 45 days unless it can be verified that there are facilities around that would be approved and able to accept the waste.

## **STATE OF MAINE DISPOSAL FACILITIES FOR OIL CONTAMINATED SOIL**

Aggregate Recycling Corp., Eliot, John Doherty (207) 439-5584, Michael McKeen (800) 639- 7303  
**3,000 ton/ week (more if pre-arranged)**

Brunswick Public Works Dept., Brunswick, Michael Claus (207) 725- 6654  
**500 Maximum cubic yards yearly**

Commercial Recycling, Scarborough, Doug Gleason (207) 883- 3325  
**1,000 ton/ day (more in an emergency)**

Dragon Products, Inc., Thomaston, Ann Thayer (207) 594- 5555  
**250 ton/ day**

Environmental Soil Management, Inc., Concord, NH, Mickael Phelps (603) 783- 0104

Hatch Hill Landfill, Augusta, Lesley Jones (207) 626- 2435, Keith Furrow (207) 626- 2440  
**500 Max. cu. yd./ yr (from certain Augusta area towns only)**

Lane Construction, Hancock, W. J. Reynolds (207) 667- 9671  
**Unlimited amount**

Lane Construction, Hermon, W. J. Kemm (207) 945- 0850  
**Unlimited amount**

Lane Construction, Medway, J. L. Rollins (207) 866- 2194  
**Unlimited amount**

Lane Construction, Presque Isle, J. J. Manter (207) 764- 4137  
**Unlimited amount**

Marriners, Inc., Washington, Michael Marriner (207) 236- 4317

**Unlimited amount**

Sawyer Environmental, Hampden, Don Meagher (207) 862- 4200 X 230, Marty Drew (207) 862- 4200 X 224

**Unlimited amount**

Thomas DiCenzo, Inc., Alexander, Nick DelMonaco, Jr. (207) 454- 7538, Robert Bailey (207) 454- 7538

**500 Maximum cubic yards yearly**

Waste Management Disposal Services, Norridgewock, Bryan Gordon (207) 634- 2714, Jeff McGown (207) 634- 2714

**Unlimited amount**

***STATE OF MAINE DISPOSAL FACILITIES FOR OIL AND OIL SOAKED DEBRIS***

Maine Energy Recovery Co., Biddeford, Matt Hughes (207) 282- 4127, Ray Coffey (207) 282- 4127

Mid- Maine Waste Action Corp., Auburn, Wayne York (207) 783- 8805 (207) 846- 4444 home

**Capacity is 200/ ton/ day**

Regional Waste System, Portland, Mark Arienti (207) 773- 1738

Accept only non- recoverable oily debris

Sawyer Environmental, Hampden, Don Meagher (207) 862- 4200 X 230, Marty Drew (207) 862- 4200 X 224

Waste Management Disposal Services, Norridgewock, Bryan Gordon (207) 634- 2714, Jeff McGown (207) 634- 2714

**Design Team Point of Contact**

**Name:** Susan Atkinson/Barbara Parker **Email:** [Barbara.T.Parker@state.me.us](mailto:Barbara.T.Parker@state.me.us) [susan.Atkinson@gnb.ca](mailto:susan.Atkinson@gnb.ca)