

Rhode Island and Southeastern Massachusetts Area Contingency Plan

COMMAND

2000 Command

To standardize response management, the Coast Guard has adopted the National Interagency Incident Management System (NIIMS) based Incident Command System (ICS). The ICS organization is built around five major functions that are applied on any incident, large or small. They are Incident Command, Operations, Planning, Logistics and Finance/Administration.

2100 Unified Command

The Area Committee for COTP Providence has agreed to use the Unified Command response management system. Where appropriate, the FOSC shall establish a Unified Command consisting of, but not limited to, the FOSC, the State On-Scene Coordinator, and the Responsible Party representative. The FOSC is responsible for assigning individuals from within the response community (federal, state, local or private), as necessary, to fill the designated positions in the Unified Command.

The organizational chart for the Unified Command & command staff and its subordinate units are shown in Figure 2-1. They serve as examples and are not meant to be all inclusive. The functions of the Unified Command & command staff must be accomplished during an incident; however, they can be performed by one individual or can be expanded, as needed, into additional organizational units. Each of the primary UCS/ICS Sections may be subdivided as needed. The UCS/ICS organization expands or contracts to meet the needs of the incident.

The RI - SE MA Area Committee [Watch, Quarter & Station Bill \(WQSB\)](#) describes the organizational elements, job/source titles, and initial position holders.

The planning cycle for the Unified Command & command staff and its subordinate units is shown in Figure 2-2. Chapter 3 of the Incident Management Handbook provides guidance (i.e., when, facilitator, potential attendees, general tasks, and proposed agendas) for incident meetings (e.g., initial unified command, unified command objectives, tactics, planning, etc.), briefings (e.g., incident, operations, news, etc.), and incident action plan preparation.

2110 Command Representatives

The Unified Command is responsible for the overall management of the incident. Brief summaries of command staff positions are provided below. Additional information about the roles and responsibilities of the Unified Command can be found in the [Incident Management Handbook; April 2001](#). [ICS Job Aids](#) are one of several tools that are available to support personnel filling positions in an ICS.

Each person assigned a responsibility within the response structure shall review his or her roles and responsibilities as outlined in the [Incident Management Handbook; April 2001](#) and the [ICS Job Aids](#).

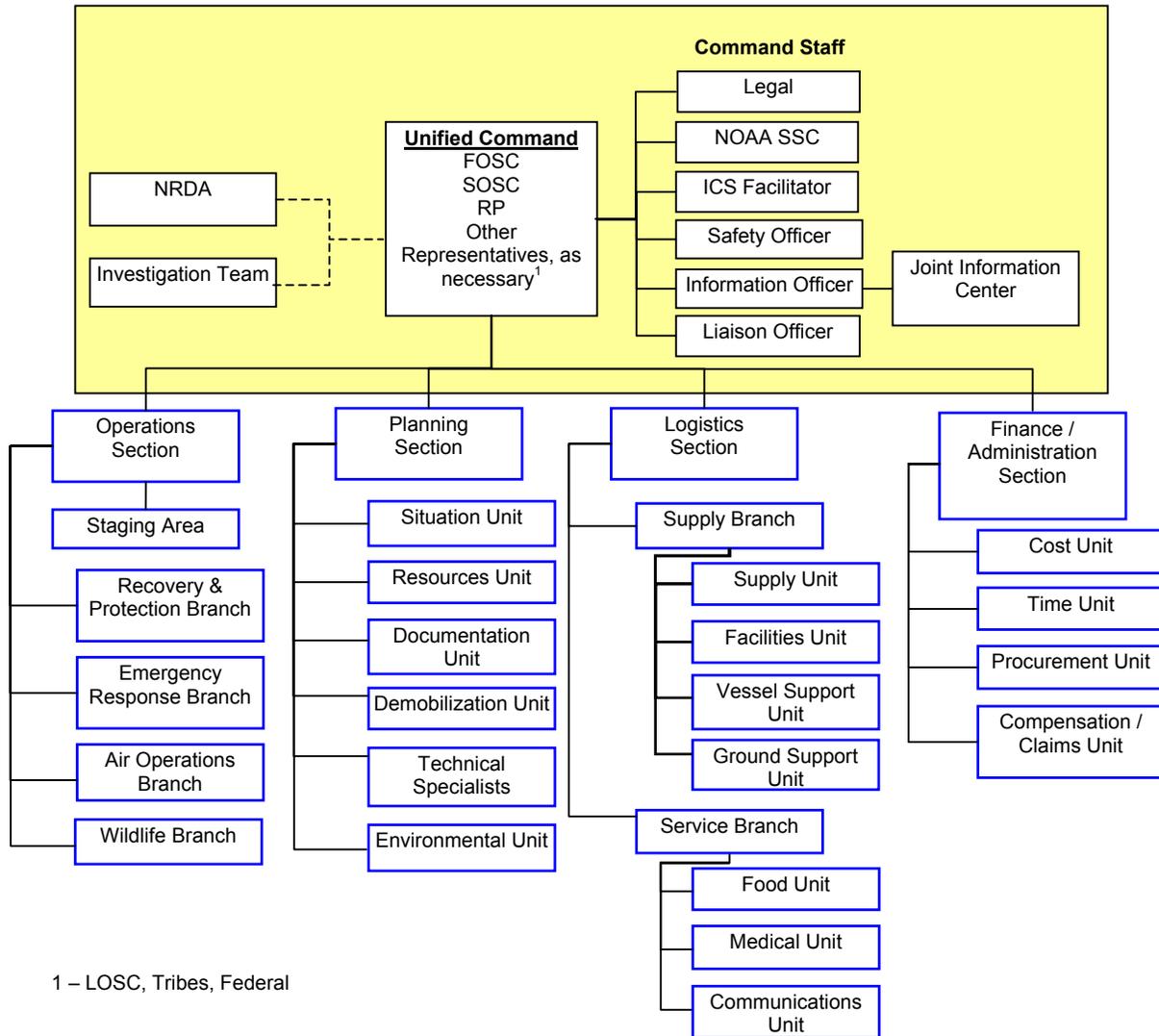
Other information on the roles and responsibilities can be located on the NRT-RRT Fact Sheet "[Federal Natural Resource Trustees and the Incident Command System/Unified Command](#)".

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FIGURE 2-1

Unified Command Structure

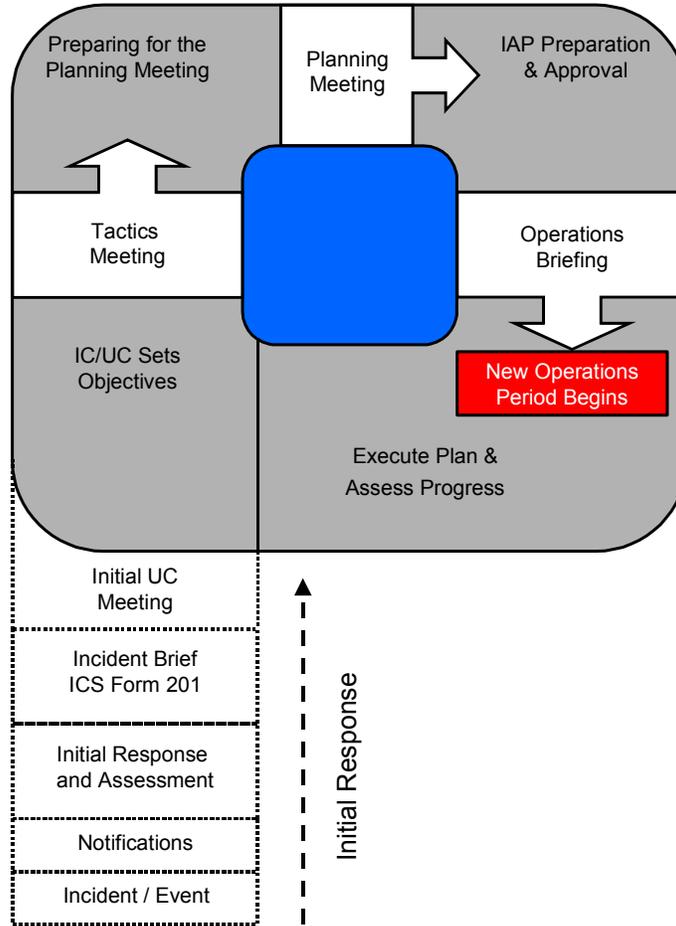


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FIGURE 2-2

Operational Period Planning Cycle



2110.1 Federal Representative

U.S. Coast Guard - The Coast Guard will respond, consistent with the policy outlined in the Rhode Island and Southeastern Massachusetts Area Contingency Plan. The Coast Guard may elect not to dispatch representatives to reported discharges where representatives of another cognizant government agency are responding. However, if federal response is indicated within the Coastal Zone, the Coast Guard will respond. If the RP is conducting proper removal, the Coast Guard On-Scene Coordinator will use best judgment in determining the need for the presence of Coast Guard personnel on scene. General Coast Guard policy for pollution response is provided in Volume VI and IX of the Coast Guard Marine Safety Manual.

Under authority of the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969, governments party to the present

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convention may take such measures on the high seas as may be necessary to prevent, mitigate, or eliminate grave and imminent danger to their coastline or related interests from oil or hazardous substances pollution or threat of pollution. In the event of a ship collision, stranding, or other incident on board or external to a ship outside U.S. territorial waters which creates a potential threat of pollution by oil or hazardous substances, all available information shall be relayed to the Coast Guard which will determine whether or not grave and imminent danger to our coastline or related interests exists. Once that determination is made, the designated FOSC shall take measures to prevent, mitigate, or eliminate the threat.

Environmental Protection Agency (EPA) - By statute, the EPA is the FOSC for inland spills. In many instances, EPA personnel are not the first responders on-scene. EPA contractors may arrive before EPA personnel. The EPA works in cooperation with other responders but has not delegated their responsibility as FOSC. In all spill situations, it is EPA's intent to contribute to the response by working with the local, state, tribal authorities, general public, and federal agencies to ensure the information needed to maximize the effectiveness of the response effort is easily accessible. During a response to a release, the potentially responsible parties (PRP) are generally given the opportunity to adequately respond. The EPA works closely with the RPs when they are known and willing to take action to ensure that the release reaches an adequate and rapid conclusion with a minimum impact on the environment. In the event of a spill where the RP is not identified, does not respond to contain or clean up the spill, or does an inadequate job responding, federal responsibilities may include taking over the response or assuming a co-lead role in a Unified Command with state and local responders.

Other Federal Agencies - During preparedness planning or in an actual response, various federal agencies may be called upon to provide assistance in their respective areas of expertise, consistent with agency legal authorities and capabilities. A listing of the federal agencies and their areas of expertise can be located in [40 CFR 300.175](#).

In the event that a discharge or release affects land under the Department of Interior jurisdiction, the land manager may participate as the first federal official, a member of the Unified Command and/or appropriate section of the ICS.

2110.2 State Representative

Massachusetts - The owner, operator, or person-in-charge of a vessel or facility or any person causing a discharge of oil or release of a hazardous substance is liable for such a discharge/release shall immediately notify the appropriate federal and state agencies (i.e., the MADEP and the cognizant FOSC EPA-inland, USCG-coastal).

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Usually, the local fire department or harbormaster is on-scene first. The fire department or harbormaster, in working with the RP, will initiate response actions under the direction of the MADEP. MADEP will, in turn, establish lines of communication and request logistical support, as necessary and inform the appropriate federal agency. In many cases the local harbormaster will also participate as the local oil discharge/release coordinator.

If the RP does not take action or the actions are not satisfactory for cleanup, MADEP will begin response actions working with the appropriate federal agency. MADEP will maintain a close working relationship with the USCG (for coastal zone incidents) and the EPA (for inland zone incidents) for support and federal funding, as necessary, when using the Oil Spill Liability Trust Fund (OSLTF) or the Superfund for its response.

Rhode Island - The owner, operator, or person-in-charge of a vessel or facility or any person causing a discharge of oil or a release of hazardous materials is liable for such a discharge/release shall immediately notify the appropriate federal and state agencies (i.e., the RIDEM and the cognizant FOSC EPA-inland, USCG-coastal).

The RIDEM works with the RP, if known, to provide advice and on-scene clean up actions. The RIDEM establishes lines of communication and provides information and support, as needed to the appropriate division of RIDEM. Usually, the local fire department or harbormaster is on-scene first. The fire department or harbormaster, in working with the RP, will initiate response actions under the direction of the RIDEM. RIDEM will, in turn, establish lines of communication and request logistical support, as necessary and inform the appropriate federal agency. In many cases the local harbormaster will also participate as the local oil discharge/release coordinator. The fire department will, in turn, establish lines of communication with RIDEM. In Rhode Island, local industry has established CO-OPs for equipment purposes. For larger spills, these CO-OPs can be contacted for additional equipment and response resources.

If the responsible parties do not take action or the actions are not satisfactory for cleanup, RIDEM will begin response actions working with the appropriate federal agency. **Further Information to be provided**

2110.3 Responsible Party (RP) Representative

The RP is required under OPA 90 to engage resources as necessary to respond to spills, including hazardous materials. In many cases, RP contracted Spill Management Teams (SMTs) will arrive from out-of-town which involves an inherent

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logistical delay. Additionally, it is reasonable to expect that many members of the contract team will be essentially unfamiliar with the local port and environmental conditions. Typically their local knowledge will be in large part based solely on the Area Contingency Plan (ACP). Therefore, additional time may be necessary after their on-scene arrival to familiarize themselves with local issues prior to assuming any responsibilities within the FOSC's command and control organization.

The National Contingency Plan requires that response plan holders, "prepare and submit a plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of such a discharge of oil or release of a hazardous substance. These response plans are required to be consistent with applicable Area Contingency Plans."

The requirement for facility and vessel response plans to be consistent with the Rhode Island and Southeastern Massachusetts Area Contingency Plan applies to: vessel and facility contingency plan: content, review and approval; the execution and evaluation of spill drills and exercises; and the management of spill response actions.

Failure to adequately conform to the Rhode Island and Southeastern Massachusetts ACP may result in: rejection of a spill contingency/response plan; non-credit for a drill; or federal and/or state agencies assuming direct control of a spill response action.

However, it is also the policy of the Rhode Island and Southeastern Massachusetts Area Committee that the unified command will encourage the party responsible for a spill incident to maintain the primary responsibility for managing the response action so long as they:

- Actively and cooperatively participate in the unified command structure;
- Provide an organization that is compatible with NIIMS ICS;
- Provide regular communication and documentation that assures adequate response resources are being rapidly mobilized in proportion to the size of the incident.
- Follow their approved spill contingency/response plan (if applicable) unless otherwise directed or a deviation is agreed to, by the unified command.

2120 Guidance for Setting Response Objectives

The priorities of response objectives must be carefully considered since they vary from case to case, but generally they are as follows:

- | | |
|---|--|
| <input type="checkbox"/> <i>Safety of Life and Health</i> | <input type="checkbox"/> <i>Control the source (Containment)</i> |
| <input type="checkbox"/> <i>Complete Notifications</i> | <input type="checkbox"/> <i>Protect Sensitive Areas</i> |
| <input type="checkbox"/> <i>Recover Product</i> | <input type="checkbox"/> <i>Rehabilitate Wildlife/Resources</i> |
| <input type="checkbox"/> <i>Clean Impacted Areas</i> | <input type="checkbox"/> <i>Coordinate Response Actions</i> |
| <input type="checkbox"/> <i>Document Response</i> | <input type="checkbox"/> <i>Customize Response Organization</i> |

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- Think Ahead: Anticipate Needs*
- Communication Flow (Internal and External)*

2130 General Response Priorities

The preservation of human life and health shall be the overriding priority for any response to a discharge of oil or hazardous materials. There are two elements to this principle: public safety and response personnel safety.

2200 Safety

The National Contingency Plan mandates that all response actions will comply with the provisions designated by the Occupational Safety and Health Administration (OSHA) standards regarding health and safety. The specific duties and responsibilities of the ICS Safety Officer can be located in the [Incident Management Handbook; April 2001](#).

Coast Guard employees, other government employees, volunteers, and contract personnel involved in oil spill response activities must comply with all applicable worker health and safety laws and regulations. The primary federal regulations are the OSHA standards for hazardous waste operations and emergency response found in [29 CFR 1910.120](#). This rule sets standards for worker safety and health at uncontrolled hazardous waste sites being cleaned up voluntarily or by government mandate, and "emergency response operations for releases of, or substantial threats of releases of, hazardous substances, without regard to the location of the hazard."

The definition of hazardous substance in these regulations is much broader than CERCLA, encompassing all CERCLA hazardous substances, RCRA hazardous waste, and all DOT hazardous materials listed in [49 CFR Part 172](#) (and appendices). Thus, most oils and oil spill responses are covered by these regulations.

Contractors are responsible for certifying the training of their employees. OSHA has recognized the need to remove oil from the environment and has empowered the OSHA representative to the RRT to reduce the training requirements to a minimum of 4 hours for responders engaged in post-emergency response operations. The reduced training applies to all Coast Guard personnel and the private sector. This information may be found in OSHA Instruction CPL 2-2.51.

The level of training required depends on a worker's exposure to hazardous substances, health hazards, or safety hazards. The OSHA field compliance officer may be contacted to determine the worker training requirements, and develop an implementation plan to minimize exposure hazards for workers involved in cleanup operations. Training requirements may also vary from state to state. State requirements which are more restrictive will pre-empt federal requirements. The FOSC should establish contact with the state OSHA representative, where applicable, to determine the state-required training for oil discharge response workers.

The volunteer coordinator handles training requirements for volunteers. Additional information on volunteers can be found in Section 4320.

Personnel who are skilled in the operation of certain support equipment (e.g., cranes, hoist equipment), who are needed temporarily to perform immediate emergency support work that cannot otherwise reasonably be performed in a timely way, and who will or may be exposed

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to the hazards of an emergency response scene, are not required to meet Hazardous Waste Operations and Emergency Response (HAZWOPER) training requirements. However, such support personnel should be given, at a minimum, an initial safety briefing in the duties to be performed, site safety, wearing of PPE, and chemical hazard awareness in accordance with [29 CFR 1910.120](#) (q)(4).

2210 Site Characterization

It is important to understand the incident site characteristics in order to prepare the site safety plan. Information that should be collected during the initial response is included in [Figure 2-3](#).

The individual making the site characterization should provide recommendations for the protection of workers' safety and health through a Site Safety Plan. Ultimate responsibility for the health and safety of personnel supporting a pollution response mission rests with the FOSC. Site safety meetings/briefings are the first step to maintaining site safety. They should address any changes to the Site Safety Plan or new hazards to the workplace. Site safety meetings should be held on a daily basis prior to entry into the controlled work area. Conditions may warrant exit debriefing meetings to be held at the end of the day or after departure from the controlled work area.

2220 Site Safety Plan Development

Spill response and remedial activities must be conducted in accordance with a written site safety and health plan, as necessary. The role of the site safety and health supervisor (the Coast Guard District Occupational Health and Safety Coordinator could fill this position) is to assess the site, determine the safety and health hazards present, and determine if OSHA regulations apply. If an OSHA field compliance officer is on-scene, he or she should be consulted. Disputes should be referred to the Department of Labor representative on the RRT.

The [ICS Compatible Site Safety and Health Plan](#) is designed for safety and health personnel that use the Incident Command System (ICS). It is compatible with ICS and is intended to meet the requirements of the Hazardous Waste Operations and Emergency Response regulation ([Title 29, Code of Federal Regulations, Part 1910.120](#)). The plan avoids the duplication found between many other site safety plans and certain ICS forms. It is also in a format familiar to users of ICS. Although primarily designed for oil and chemical spills, the plan can be used for all hazard situations.

The following links provides ICS Compatible Site Safety and Health Plan templates to use during a response action.

[Table of Forms](#)

[Specific Hazard Attachment](#)

2300 Information

Under the ICS/UCS, an Information Officer (IO) is one of the key staff supporting the command structure. The IO represents and advises the Incident Commander/Unified

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Command on all public information matters relating to the incident response. The specific duties and responsibilities of the Information Officer can be located in the [Information Officer Job Aid](#) or the [JIC Model](#).

RRT I assembled a series of pamphlets to provide an overview of oil spill prevention, planning, and response topics. References within this website are also provided to guide the reader to additional information on oil spill prevention and response.

- [Marine Oil Spill Prevention](#)
- [Oil Spill Response Planning and Spill Response Roles](#)
- [Incident Command System in Oil Spill Response](#)
- [Mechanical Containment and Recovery of Spilled Oil](#)
- [Dispersants in Oil Spill Response](#)
- [In-Situ Burning in Oil Spill Response](#)
- [Oil Spill Shoreline Assessment and Shoreline Cleanup](#)

2310 Protocol for Access/Timing of Media Briefings

The question of media access to spill sites may arise during emergencies, usually because of one of three issues: safety, potential interference with response activities, or admission to private property. In general, it should be the Unified Command's policy to allow free access for the media where public resources are concerned, with reasonable guidelines to protect personal safety and preclude interference with response activities.

The information officer must work through and seek permission from the Incident Commander before allowing media access to the emergency scene. If conditions will not accommodate crowds of reporters, "pool" reporting may be necessary on a temporary basis. In regard to private property (a spill, for instance, on the grounds of a privately owned refinery or storage facility) reporters or their companies must negotiate their own access. The information officer should obtain permission and legal counsel before releasing photos or video footage on private property, both for purposes of conserving legal evidence and potential violation of owners' rights.

The general public's opinion of response efforts is not always based upon what action has been taken, but upon what information they have received. Supplying information to the media is a critical component of spill response and is a primary function of the FOSC. Early and accurate news releases serve to minimize public apprehension and to enhance their faith in the response community. NRT's [RISK COMMUNICATION FOR OIL SPILL RESPONSE](#) fact sheet provide additional information regarding communications.

The following general guidelines are provided:

- Fast and accurate information must be provided to protect public health and obtain public cooperation, and to assist in guarding against further environmental damage.

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- ❑ Clear communication by spill response authorities is essential for the delivery of accurate information to avert misinformation or rumors sometimes engendered by an emergency.
- ❑ The FOSC must immediately establish and maintain his/her position as chief articulator of an incident. It is the Federal and State OSC's role--not the role of the spiller or others--to deliver public statements regarding the effects of a spill, including evaluations of a spill's size, extent, nature, dangers to public health or resources, details of the response plan, the FOSC's expectations for response plan implementation, degree of success or lack of success of a spill response, and the anticipated long-term effects of a spill.
- ❑ When a spill occurs the FOSC must immediately open communications with local government officials of affected communities, conveying facts needed by residents for their own response activities and protection of public health and resources. Initial phone calls to establish communication channels with local governments and appropriate organizations, such as fishermen and native groups, should be followed by regular updates through spill bulletins, press releases, and briefings.

The Daily Press Briefing: During a significant spill with a rapidly developing situation and the presence of a large number of reporters, a briefing held daily at a pre-established time (10:00 am and 3:00 pm is recommended) is one of the most useful means of delivering information. This is an opportunity for the FOSC and other spokespersons to brief the press and answer their questions, and for other key staff members to follow up with important data. For example, if applicable, natural resource managers should present information on wildlife and fisheries impacts or public health authorities may offer their findings on contamination of local subsistence foods. It is the information officer's duty to work with the FOSC to prioritize the information according to importance, point out backup factual material and other sources, provide written information for distribution, and conduct the press briefing. Early morning is the best part of the day for the information officer to coordinate the day's press activities and ensure that everyone receives written information and background facts. These press briefings may relieve the FOSC and other spokespersons of some of the pressure of interviews throughout the remainder of the day, as well as free reporters to proceed with fieldwork.

News Releases, Fact Sheets, and Background Papers: News releases should be reserved for announcements of major decisions, policy changes, or new developments ([Example Press Release](#)). They must report on items that are actually news, should summarize issues clearly, and provide quotes from decision-makers that encapsulate and clarify the Unified Command's position. Distribution should be to affected communities and all response agencies in addition to the media. Fact sheets should be prepared and updated regularly to present key data needed by the press or the public, such as amounts of oil or hazardous substance spilled or cleaned up, or wildlife mortalities. Background papers should be written to amplify and clarify complex issues and the Unified Command's related actions and policies.

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[Incident News](#). Is a website that contains information provided and approved by the Unified Command for specific spill incidents. Information is posted on the site as it becomes available. The timing of updates depends on the nature of each spill and resources available to post the material. The date of updates is noted on each page. During rapidly-evolving events, the site might be updated several times per day. In the later phases of a response, the site might be updated once per week. The site is maintained by the Hazardous Materials Response Division, [Office of Response and Restoration](#), National Ocean Service, National Oceanic and Atmospheric Administration, in support of [U.S. Coast Guard](#) incident response operations.

Mapping: Oil, chemicals, or toxic gases often present increasing dangers to resources and public health because of their tendency to move after being released into the environment. The location of the spill, and the changes in location, are thus essential pieces of information for local residents, communities and the media. The JIC should obtain maps from available resources within the Incident Command and make them available on a continuing basis. They can also be attached to the Spill Bulletin.

2320 Joint Information Center (JIC)

The [Joint Information Center \(JIC\) Model](#) describes the formation of a JIC and the process for incident information gathering, information exchange and coordination with community relation. The JIC Model provides a diverse range of organizational charts based on the size of the response.

The following organizational structures have been adopted.

- [Initial Response](#)
- [Small Response](#)
- [Medium Response](#)
- [Large Response](#)
- [Extra Large Response](#)

The following checklists, sample worksheets, and forms will be utilized.

Information Officer Support Kit	JIC Query Record	JIC Rumor Query
IO Daily Brief Checklist	JIC Media Analysis Worksheet	JIC Filed Escort Equipment and Communications Checklist
Speaker Preparation Worksheet	JIC Spokesperson Request Worksheet	JIC News Conference/Town Meeting Worksheet
ICS Form 214 – Unit Log	UC News Release	Sample Advisory
Sample Press Release and Briefing		

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2330 Media Contacts

The MSO Providence Public Affairs Officer (PAO) maintains a comprehensive list of [newspaper, TV and radio contacts](#) throughout the zone, as well as key periodical contacts.

2400 Liaison

The specific duties and responsibilities of the ICS Liaison Officer can be located in the [Liaison Officer Job Aid](#). Additional information regarding the responsibilities and duties of the liaison officer are found in the [NSF Liaison Officer Manual](#).

2410 Investigators

Investigators from federal, state, and local agencies will not normally be a part of the Incident Command System. While investigation personnel may report to individuals who are part of the Unified Command, the investigators should be separate so as not to introduce polarizing forces into the Incident Command System. The initial point of contact may be the Liaison Officer.

2420 Federal/State/Local Trustees

Please contact MSO Providence for a current listing of Federal/State/Local Trustees.

2430 Agency Representatives

The liaison officer may choose to implement the Multi-Agency Coordination System (MACS), which is a combination of facilities, equipment, personnel, procedures, and communications integrated into a common system with responsibility for coordination of assisting agency resources and support to agency emergency operations. Each MAC Group will be facilitated by a MAC Group Coordinator, who serves as a facilitator in organizing and accomplishing the mission, goals and direction of the MAC Group. The MAC Group consists of agency representatives that are assigned to represent their agency and would act with full authority on behalf of their agency. The MACS will:

<input type="checkbox"/> Evaluate new incidents.	<input type="checkbox"/> Prioritize incidents
	<ul style="list-style-type: none">○ Health and Human Safety○ Environmental Areas Threatened○ Real Property Threatened○ High Damage Potential○ Incident Complexity

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<input type="checkbox"/> Ensure agency resource situation is current.	<input type="checkbox"/> Determine specific agency resource requirements.
<input type="checkbox"/> Determine need and designate regional mobilization.	<input type="checkbox"/> Determine agency resources availability (available for out-of-jurisdiction assignment at this time).
<input type="checkbox"/> Anticipate future agency/regional resource needs.	<input type="checkbox"/> Allocate resources to incidents based on priorities.
<input type="checkbox"/> Review policies/agreements for regional resource allocations.	<input type="checkbox"/> Communicate MACS "decisions" back to agencies/incidents.
<input type="checkbox"/> Provide necessary liaison with out-of-region facilities and agencies as appropriate.	<input type="checkbox"/> Review need for other agencies involvement in MACS.

2440 Stakeholders- TBD

2440.1 Environmental- TBD

2440.2 Economic- TBD

2440.3 Political

Please contact MSO Providence for a current listing of political contacts.

2500 Natural Resource Damage Assessment (NRDA)

The [Natural Resource Damage Assessment \(NRDA\)](#) representatives are responsible for coordinating the NRDA needs and activities of the trustee team. NRDA activities generally do not occur within the structure, processes, and control of the Incident Command System. However, particularly in the early phases of a spill response, many NRDA activities overlap with environmental assessment performed for the sake of spill response. Because NRDA is carried out by natural resource trustee agencies and/or their contractors, personnel limitations may require staff to perform both NRDA and response activities simultaneously. Therefore, NRDA representatives should remain coordinated with the spill response organization through the Liaison Officer, and may need to work directly with the Unified Command, Environmental Unit, Wildlife Branch or the NOAA Scientific Support Coordinator to resolve any problems or address areas of overlap. While NRDA resource requirements and costs may fall outside the responsibility of the Logistics and Finance/Admin sections, coordination is important. For more information on the specific duties and responsibilities see the [Incident Management Handbook](#).

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2600 Reserved

2700 Reserved

2800 Reserved

2900 Reserved for Area/District

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