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1000 Introduction

1100 Introduction/Authority

Section 4202 of the Oil Pollution Act of 1990 (OPA 90) amended Subsection (j) of Section 311 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1321 (j)) to address the development of a National Planning and Response System. As part of this system, Area Committees (ACs) are to be established for each area designated by the President of the United States. These Area Committees are to be comprised of qualified personnel from federal, state, and local agencies. Each Area Committee under the direction of the Federal On-Scene Coordinator (FOSC) for the area is responsible for developing an Area Contingency Plan (ACP) in conjunction with the National Contingency Plan (NCP). The ACP shall be adequate enough to remove a worst case discharge of oil or hazardous substance, and to mitigate or prevent a substantial threat of such a discharge from a vessel, offshore facility, or onshore facility operating in or near the geographic area. Each Area Committee is also responsible for working with state and local officials to pre-plan for joint response efforts, including appropriate procedures for mechanical recovery, dispersal, shoreline cleanup, protection of sensitive environmental areas, and protection, rescue, and rehabilitation of fisheries and wildlife. The AC is also required to work with state and local officials to expedite decisions for the use of dispersants and other mitigating substances and devices.

The functions of designating areas, appointing Area Committee members, determining the information to be included in Area Contingency Plans, and reviewing and approving Area Contingency Plans have been delegated by Executive Order 12777 of 22 October 1991, to the Commandant of the U.S. Coast Guard (through the Secretary of Transportation) for the Coastal Zone and to the Administrator of the Environmental Protection Agency (EPA) for the Inland Zone. The term "Coastal Zone" is defined in the current NCP (40 CFR 300.5) to mean all United States waters subject to the tide, United States waters of the Great Lakes, specified ports and harbors on inland rivers, and the waters of the Exclusive Economic Zone (EEZ). The U.S. Coast Guard has designated as areas, those portions of the Captain of the Port (COTP) Zones, which are within the Coastal Zone, for which Area Committees will prepare ACPs. The COTP Zones are described in U.S. Coast Guard regulations (33 CFR Part 3).

1200 Geographic Boundaries

1210 Captain of the Port (COTP) Zone

The Baltimore COTP Office and the Baltimore Marine Inspection Office are located at the Coast Guard Yard in Baltimore, Maryland. The boundary of the Baltimore COTP Zone, and of the Baltimore Marine Inspection Zone, starts at a

point 75°30' W. longitude on the Delaware-Maryland boundary and proceeds along the Delaware-Maryland boundary west and north to the Pennsylvania boundary; then west along the Pennsylvania-Maryland boundary to the West Virginia boundary; then southerly and easterly along the Maryland-West Virginia boundary to the Virginia boundary; then southeasterly along the Maryland-Virginia boundary and the District of Columbia-Virginia boundary, as those boundaries are formed along the southern bank of the Potomac River; then easterly along the Maryland-Virginia boundary, as it proceeds across the Chesapeake Bay, Tangier and Pocomoke Sounds, Pocomoke River, and Delmarva Peninsula to a point 75°30' W. longitude on the Maryland-Virginia boundary; then northerly to a point 75°30' W. longitude on the Delaware-Maryland boundary.

Those portions of Maryland east of 75°30' W. longitude, including the waters of the Atlantic Ocean are located within the Hampton Road COTP Zone as described in 33 CFR 3.25-10.

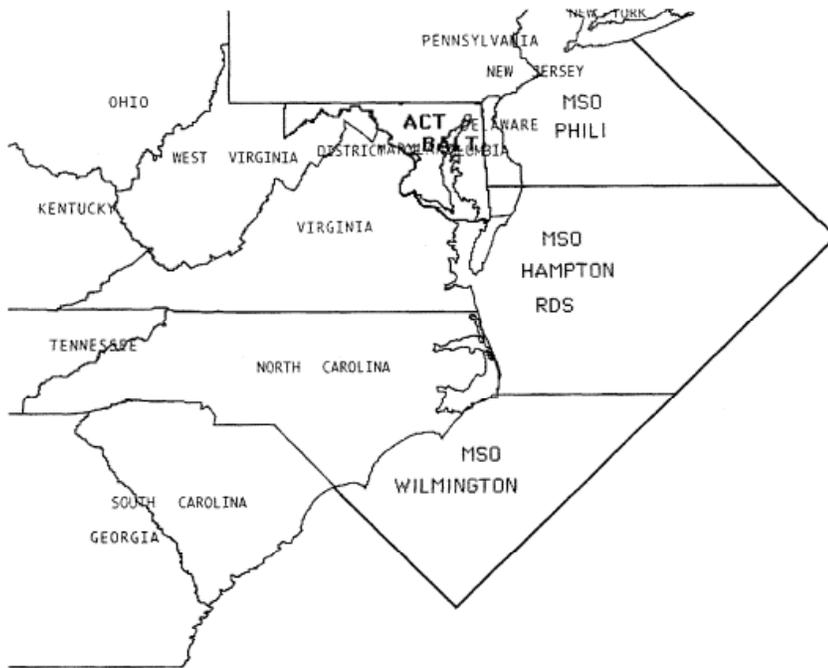


Figure 1-1-1 Captain of the Port (COTP) Boundaries

1300 Upper Chesapeake Estuary Area Committee Zone

The Upper Chesapeake Estuary Area Committee Zone is that portion of the Baltimore COTP Zone located within the Coastal Zone, as defined by agreement between the U.S. Coast Guard and the EPA. The line separating the Coastal Zone from the Inland Zone runs from the west bank of the Potomac River, where it meets U.S. Interstate 495 (American Legion Bridge); then east along U.S. Interstate 495 to the east bank of the Potomac River; then south along the east bank of the Potomac River to the Arlington Memorial Bridge; then east on the Arlington Memorial Bridge to Independence Avenue; then east on Independence Avenue to 15th Street SE; then north on 15th Street SE to Bladensburg Road; then north on Bladensburg Road to New York Avenue; then east on New York Avenue to State Highway 50 continuing east on State Highway 50 to U.S. Interstate 295; then south on U.S. Interstate 295 to the Suitland Parkway; then east along the Suitland Parkway to MD State Highway 5; then south along State Highway 5 to State Highway 231; then east along State Highway 231 to State Highway 2; then north along State Highway 2 to State Highway 178; then north along State Highway 178 to State Highway 3; then north along State Highway 3 to U.S. Interstate 695; then west along U.S. Interstate 695 around the city limits of Baltimore to U.S. Interstate 95; then east on Interstate 95 to the west bank of the Susquehanna River; then north along the west bank of the Susquehanna River to the Conowingo Dam; then east along the Conowingo Dam to the East bank of the Susquehanna River; then south along the east bank of the Susquehanna River to U.S. Interstate 95; then east along U.S. Interstate 95 to the MD/DE border; then south along the MD/DE border to the south bank of the Chesapeake & Delaware Canal; then west along the south bank of the Chesapeake & Delaware Canal to MD State Highway 213; then south along State Highway 213 to State Highway 50; then south along State Highway 50 to State Highway 13; then south along State Highway 13 to the VA/MD border; then along the VA/MD border to Smith Point, VA; then northwesterly along the Maryland-Virginia boundary and the District of Columbia-Virginia boundary, as those boundaries are formed along the western bank of the Potomac River to U.S. Interstate 495 (American Legion Bridge).

All spills originating from the above named highways and inland of the line described above will have EPA as the pre-designated OSC. The Baltimore COTP will be the OSC for all other spills in the Baltimore COTP Zone. In addition, the Baltimore COTP will be the OSC for all spills originating from waterfront facilities within the city limits of Washington, DC, Cambridge, MD, and Salisbury, MD, and all hazardous chemical spills in the Baltimore COTP Zone, which originate from vessels.

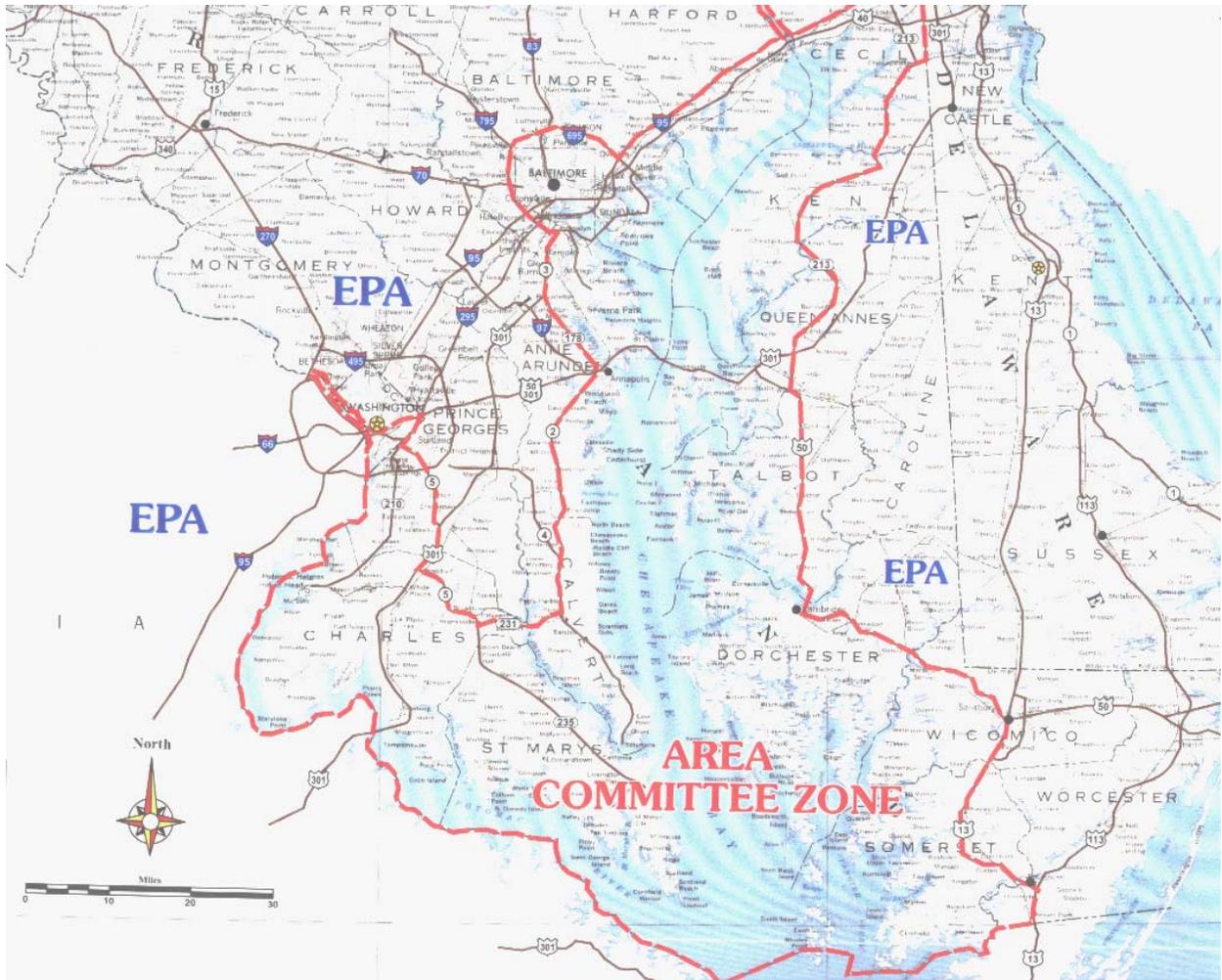


Figure 1-1-2 EPA / CG Boundaries

1400 Area Committee

1410 Purpose

The AC is comprised of federal, state and local officials, formed in accordance with Section 4202 of the Oil Pollution Act of 1990 (OPA 90), whose responsibility is to prepare and review the ACP for a response to a discharge of oil or hazardous materials. In addition to government agencies, which comprise the committee, numerous individuals from oil spill removal organizations, industry, and environmental groups, participate in the committee's planning process and play a key role in area preparedness for a significant spill response.

1420 Organization

The Area Committee is led by the Executive Steering Committee, which includes the Federal On-Scene Coordinator (FOSC), and the State On-Scene Coordinator (SOSC). Three sub-committee workgroups are co-chaired by USCG Activities Baltimore personnel and industry/state members. The three workgroups are Logistics/Finance, Operations, and Planning.

1430 Charter Members

1430.1 Federal

- Army Corps of Engineers (ACOE)
- Coast Guard (USCG)
- Dept. of Agriculture (DOA)
- Dept. of the Army (DA)
- Dept. of Commerce (NOAA)
- Dept. of Energy (DOE)
- Dept. of Interior (DOI)
- National Park Service (NPS)
- U.S. Fish & Wildlife Service (USFWS)
- Dept. of Justice (DOJ)
- Dept. of Labor (OSHA)
- Environmental Protection Agency (EPA), Region III,
- Federal Bureau of Investigation (FBI), Environmental Crimes
- Federal Emergency Management Agency (FEMA)
- Federal Highway Administration (FHA)
- General Services Administration (GSA)

1430.2 State/Local

- Anne Arundel County Fire Dept.
- Baltimore City Local Emergency Planning Committee (LEPC)

- Baltimore County Fire Dept. (BCFD)
- Delaware Dept of Natural Resources and Environmental Control (DNREC)
- DC Dept. of Consumer and Regulatory Affairs (DCDCRA)
- District of Columbia Fire Dept. (DCFD)
- Maryland Department of the Environment (MDE)
- Maryland Department of Natural Response (DNR)
- Maryland Emergency Management Agency (MEMA)
- Maryland Department of Housing and Community Development. (DHCD)
- Maryland Port Administration (MPA)

1430.3 Others

These members of the Area Committee include local industry, local response organizations, and concerned citizens. Their membership and participation changes too often to keep an accurate accounting in the ACP itself.

1500 National Response System

The National Response System (NRS) was developed to coordinate all government agencies with responsibility for environmental protection, in a focused response strategy for the immediate and effective cleanup of an oil or hazardous substance discharge. The NRS is a three-tiered response and preparedness mechanism that supports the pre-designated FOSC in coordination of national, regional, local government agencies, industry, and the Responsible Party (RP) during response.

The NRS supports the responsibilities of the OSC, under the direction of the Federal Water Pollution Control Act's federal removal authority. The OSC plans and coordinates response strategy on scene, using the support of the National Response Team (NRT), Regional Response Team (RRT), Area Committees, and RPs, as necessary to supply the necessary trained personnel, equipment, and scientific support to complete an immediate and effective response to any oil or hazardous substance discharge.

The NRS is designed to support the OSC and facilitate responses to a discharge or threatened discharge of oil or hazardous substance. The NRS is used for all spills, including a Spill of National Significance (SONS). When appropriate, the NRS is designed to incorporate a Unified Command (UC) and control support mechanism consisting of the OSC, the State's On-Scene Coordinator, and the RP's Incident Manager. The UC structure allows for a coordinated response effort, which takes into account the federal, state, local and RP concerns and interests when implementing the response strategy. A UC establishes a forum for open and candid discussions of problems that must be addressed by the parties with primary responsibility for oil and hazardous substance discharge removal. A UC structure helps to ensure a coordinated effective response is carried out and that particular needs of all parties involved are taken into consideration. The OSC has the ultimate authority in a response operation and will exert this authority only if other members of the UC are not present or are unable to reach consensus within a reasonable time frame. During hazardous substance release responses, in which local agencies usually assume a leading role, the local agency may assume one of the Unified Commander roles when a UC is used. During responses to oil spills, local agencies are not usually involved as part of a UC, but provide agency representatives who interface with the command structure through the Liaison Office or State Representative. When a UC is used, an Incident Command Post and Joint Information Center shall be established. The Incident Command Post should be located near and convenient to the site of the discharge. All responders (federal, state, local and private) should be incorporated into the OSC's response organization at the appropriate level.

A Spill of National Significance (SONS) is that rare, catastrophic spill event, which captures the nation's attention due to its actual damage or significant potential for adverse environmental impact. A SONS is defined as a spill, which greatly exceeds the response capability at the local and regional levels, and which, due to its size, location, and actual or potential for adverse impact on the environment, is so complex that it requires extraordinary coordination of federal, state, local and private resources to contain and clean up. Only the Commandant of the Coast Guard or the Administrator of the EPA can declare a SONS.

The response to a SONS event must be a fully coordinated response that integrates the OSC's response organization with the SONS response organization.

1510 National Response Structure

The National Response System (NRS) was developed to coordinate all government agencies, with responsibility for environmental protection, in a focused response strategy for the immediate and effective cleanup of an oil or hazardous substance discharge. The NRS is designed to support the FOSC and facilitate responses to a discharge or threatened discharge of oil or hazardous substance. The NRS is used for all spills, including a SONS. When appropriate, the NRS is designed to incorporate a UC and control support mechanism.

1510.1 Description

The NRS is a three tiered response and preparedness mechanism that supports the pre-designated FOSC in coordinating national, regional, local government agencies, industry, and the RP during response operations. The FOSC plans and coordinates response strategies on scene, using the support of the NRT, RRT, AC participants or members, and RPs to supply trained personnel, equipment, and scientific support to complete an immediate and effective response to any oil or hazardous substance discharge.

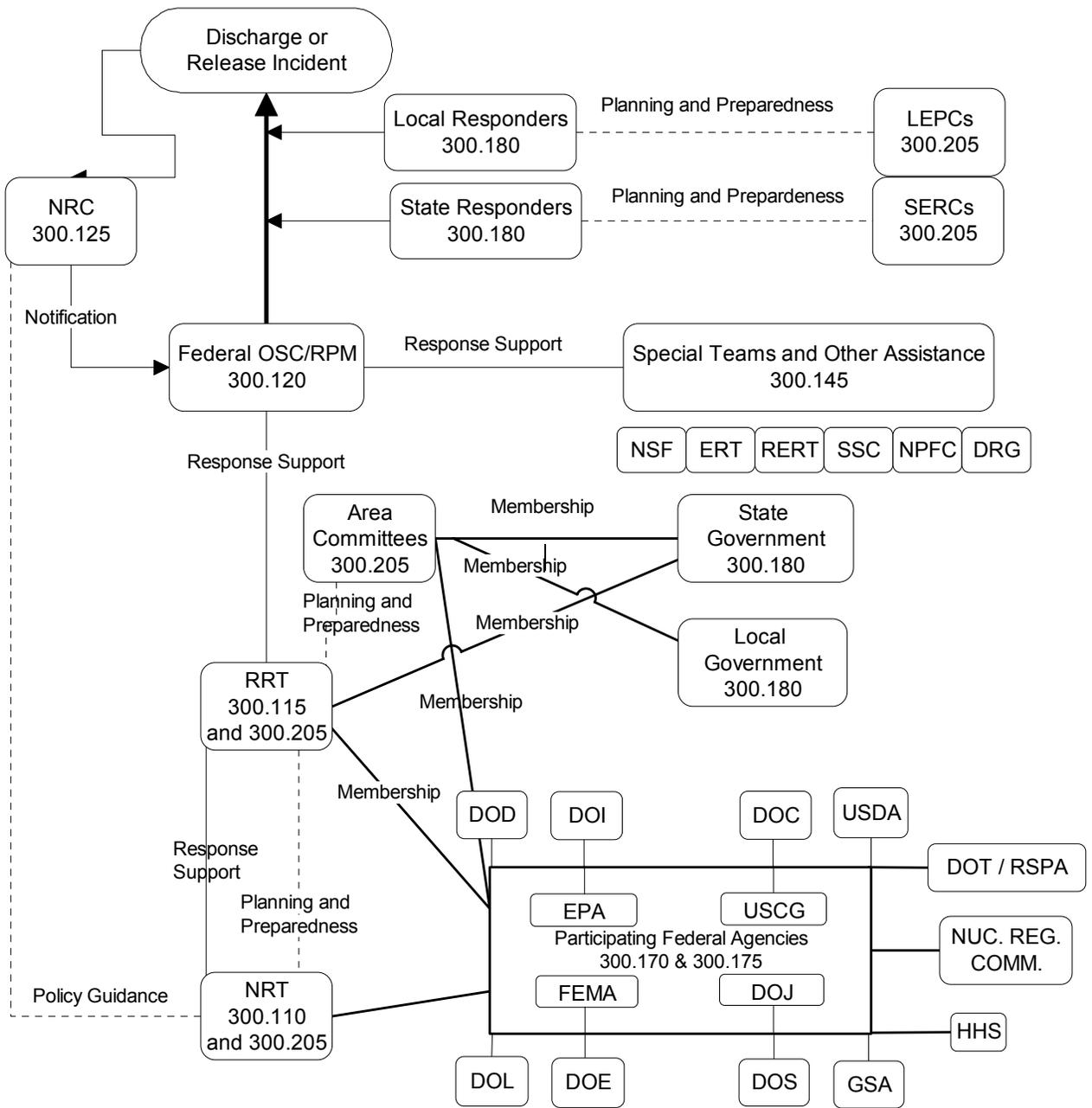


Figure 1-3 National Response System (NRS)

1510.1.1 Responsibility

Section 4201 of OPA 90 amended Subsection © of Section 311 of the FWPCA, to require the FOSC, “in accordance with the National Contingency Plan and any appropriate Area Contingency Plan, to ensure effective and immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge, of oil or hazardous substance:

1. Into or on navigable waters;
2. On the adjoining shorelines to the navigable waters;
3. Into or on the waters of the Exclusive Economic Zone (EEZ);
4. That may affect natural resources belonging to, relating to, or under the exclusive management authority of the United States.”

In carrying out these functions, the OSC may:

1. Remove or arrange for the removal of a discharge, and mitigate or prevent a substantial threat of a discharge, at any time;
2. Direct or monitor all federal, state, and private actions to remove a discharge;
3. Recommend to the Commandant that a vessel discharging or threatening to discharge be removed, and, if necessary, destroyed.

If the discharge or substantial threat of discharge of oil or hazardous substance is of such size or character, as to be a substantial threat to the public health or welfare of the United States (including but not limited to fish, shellfish, wildlife, other natural resources, and the public and private beaches and shorelines of the United States), the OSC shall direct all federal, state, and private actions to remove the discharge or to mitigate or prevent the threat of the discharge.

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 USC 9601 et seq., is a broader policy that includes all three strata of land, air, and water and an increased number of recognized hazardous substances. Congress enacted CERCLA in 1980 to prevent and mitigate the release of hazardous substances into the environment. For additional info on environmental laws:

<http://www.epa.gov/epahome/laws.htm>

1510.2 Operational Response Actions

The framework for all pollution response and investigation action is the NCP. Within the NCP, oil and hazardous substance incidents are described in terms of size and phase. Federal response policy is keyed to these criteria, with expected action defined for each phase.

1510.2.1 Incident Size Characterization

1. Within the AOR for this plan an oil spill is defined as “minor” if it is less than 10,000 gallons. A “medium” spill is 10,000 to 100,000 gallons. A “major” spill is over 100,000 gallons. These incident definitions are based on size only and are not necessarily associated with the relative significance or potential impact of each incident.

2. Hazardous substance releases are also labeled “minor”, “medium” or “major.” The criteria for classification are less clearly defined here. A release is defined as “minor” if it poses a minimal threat to public health or welfare or to the environment. A “major” release poses a substantial threat, or results in significant public concern. A “medium” release is defined as one not meeting the criteria for classification as a “minor” or “major” release.

1510.2.2 Incident Phases

The progression of response actions to an oil discharge and a hazardous substance release is divided into phases, and expected OSC actions are specified for each phase. These actions differ between oil and hazardous substance incidents. A listing of the actions taken under each phase is as follows: Oil response phases are labeled by number; hazardous substance response phases are labeled by title. Only the first three hazardous substance phases are covered in this section. The remaining phases, with the exception of “Documentation and Cost Recovery,” are remedial response actions in which the Coast Guard is not involved. Instead, FOSC responsibilities will be transferred to the Environmental Protection Agency for the long term remediation oversight. The phases of both hazardous substance and oil discharges are described by 40 CFR 300.

1. Oil Discharge Response Phases:
 - A. Phase I, Discovery and Notification.
 - B. Phase II, Preliminary Assessment and Initiation of Action.
 - C. Phase III, Containment, Countermeasures, Cleanup, and Disposal.
 - D. Phase IV, Documentation and Cost Recovery.

2. Hazardous Substance Response Phases:
 - A. Discovery and Notification.
 - B. Preliminary Assessment for Removal Actions.
 - C. Removal.
 - D. Site Evaluation and National Priorities List Determination.
 - E. Remedial Action.
 - F. Documentation and Cost Recovery.

1510.2.3 Oil Discharge Response Actions

1. Discovery and Notification

Initial reports of pollution incidents are required to be made to the National Response Center. Additionally, the USCG OSC, EPA OSC, or State OSC can be notified. If Activities Baltimore receives a report of a pollution incident, the first action taken is to complete the Oil and Hazardous Substance Incident Notification Sheet. When MDE Emergency Response Division receives a report of a pollution incident, they complete a First Report of Incident (FRI) and dispatch resources as needed. When EPA receives a report within the Coastal Zone, they contact MDE and USCG to ensure they are aware of the situation.

2. Preliminary Assessment and Initiation of Action.

The agencies notified shall conduct a preliminary assessment of the situation using available information. They shall determine the following:

A. The magnitude and severity of the release. This includes:

- (1) Verifying the report (if anonymous or of questionable validity);
- (2) Making phone calls to obtain amplifying information;
- (3) Assessing danger to the environment and public health;
and
- (4) Ensuring source is secured, if possible.

B. The feasibility of removal. This includes answering the following questions:

- (1) Will cleanup cause more damage to the environment than allowing natural dissipation?

- (2) Can cleanup be initiated before pollutant disperses?
- (3) Can equipment be deployed without excessive risk to personnel?
- (4) Can the Responsible Party be identified?

1510.2.4 Containment, Countermeasures, Cleanup and Disposal

1. Defensive actions should begin as soon as possible after a pollution incident is discovered. These actions include, but are not limited to:

- A. Containment measures and monitoring the speed and direction of a pollutant, including placement of boom and barriers for protection, and the use of chemicals and other materials to control the spread of a pollutant;
- B. Measures to warn or evacuate the public; notify State and local Emergency Operation Centers;
- C. Provisions for temporary drinking water sources;
- D. Removal, cleanup, and disposal measures; includes shoreline cleanup, use of equipment on floating and sunken pollutants, and the use of disposal facilities;
- E. Providing navigational cautions while response activities are underway;

2. One of the most important initial actions under this phase is the containment of the spill. Securing the source and placement of boom or any other means to prevent the spread of oil mitigates damage and buys valuable time to find the RP, initiate cleanup actions, and conduct actions to investigate.

1510.2.5 Funding of Response and Cleanup Actions.

- 1. There are two sources of funding for response actions under this phase.
 - A. The first source is the Responsible Party. When the RP assume financial responsibility for the cleanup actions, the OSC needs only to monitor removal operations.
 - B. When the Responsible Party refuses to take proper cleanup actions or is not yet identified, the OSC declares a Federal spill and uses Federal funds detailed in [Section 6000 Finance](#) of this plan.

2. To prevent federalization of a spill, the RP must accept OSC direction of the response and cleanup activities. A representative who has the authority to make financial commitments on behalf of the owner should be directed to report to the Incident Command Post. The OSC will then issue a Notice of Federal Interest (NOFI) to the RP. The NOFI informs the RP that they may be held financially liable for the cost of the cleanup. If the RP elects not to take financial responsibility, they may then be subject to three times the federal costs of cleanup or \$27,500 per day per discharge.

1510.2.6 Directing Removal Operations.

When the RP conducts cleanup and removal operations, the OSC must ensure their actions are proper, meaning timely and adequate. Monitoring tasks include:

1. Prioritizing areas to be cleaned up and the degree of removal required;
2. Providing advice on removal methods;
3. Ensuring authorized cleanup methods are used;
4. Ensuring cleanup techniques and equipment result in the least possible environmental damage or interference with designated water uses and;
5. Recommending changes to improve cleanup operations.

1510.2.7 Partial Federalization of Response Activities

A partial federalization occurs when the RP assumes cleanup responsibility and is conducting the cleanup in a satisfactory manner, but such circumstances, as spill location, environmental concerns, or cleanup requirements, exceed the RP's capabilities. Examples are the use of Coast Guard resources or those from other federal, state, or local government agencies desiring reimbursement from the Oil Spill Liability Trust Fund (OSLTF).

1. If the RP's actions are deemed insufficient by the FOSC then the next option available is to issue an Administrative Order. This letter will reference the Notice of Federal Interest (NOFI) issued earlier, and will inform the RP that their actions are not commensurate with the level of response necessary to mitigate the particular incident. The Administrative Order will further advise the RP that they must take the specific actions listed in the attachment to the Administrative Order or, that their failure or refusal to provide all reasonable cooperation and assistance requested by the OSC will eliminate any defense or entitlement to limited liability, which otherwise might be available. Furthermore, failure or refusal to comply with an order issued by the OSC will also eliminate any defense or entitlement to limited liability. The RP is further advised that failure to comply with the Administrative Order may also subject the RP to a additional civil penalties.

2. A spill response effort can be partially federalized by the direction of the OSC, at the request of the RP, or the federal, state, or local government agency, which has jurisdiction over the spill.

1510.2.8 Federal Assumption of Response Activities

The following actions should be taken to federalize a spill:

1. The USCG FOSC will issue a Letter of Federal Assumption (LFA) to any suspected RP if response actions are not proper and a NOFI has already been issued to these parties. This may encourage the suspected RP to initiate cleanup actions. A witness shall accompany the person who presents the LFA. If the suspected RP will not sign the LFA, the witness should sign it. This will verify that an attempt to present a LFA was made.

2. To obtain funds for a federal cleanup, a Federal Project Number (FPN) must be requested by Activities Baltimore's Operations Center from the USCG Fifth District (D5). The maximum amount Activities Baltimore may ask to use to hire contractors is \$25,000 without approval from the Atlantic Area Maintenance and Logistics Command (MLC) Contracting Officer.

3. Select a commercial cleanup contractor from the Basic Ordering Agreement (BOA) approved by MLC. Selection should be based on the following factors:

- A. Contractor's ability to respond and handle the spill;
- B. Contractor's proximity to the spill in relation to need or urgency;
- C. Estimated contractor costs.

1510.2.9 Supervising Federally Funded Removal Operations

The OSC shall supervise all operations supported by Federal funds. Supervisory activities include:

1. Having a Coast Guard supervisor at each operational site;
2. Ensuring OSC's instructions and priorities are carried out and that recommended changes be forwarded to the OSC;
3. Ensuring daily completion of Pollution Incident Daily Resource Reports to record contractor activities and the use of resources;
4. Maintaining daily records of activities and cost of resources by other federal, state, or local agencies whose expenses may be reimbursed with Federal pollution funds;
5. Advising the contractor's representative of unsafe, unauthorized, or unsatisfactory operations; and
6. Submitting a daily Pollution Report (POLREP) for all Federal spills.

1510.2.10 Site Evaluation and National Priorities List Determination

The EPA will conduct site Evaluation and National Priority List determination.

1510.2.11 Remedial Action.

The EPA will conduct site Evaluation and National Priority List determination for remedial action.

1510.2.12 Documentation and Cost Recovery

1510.2.12.1 Reference Sources

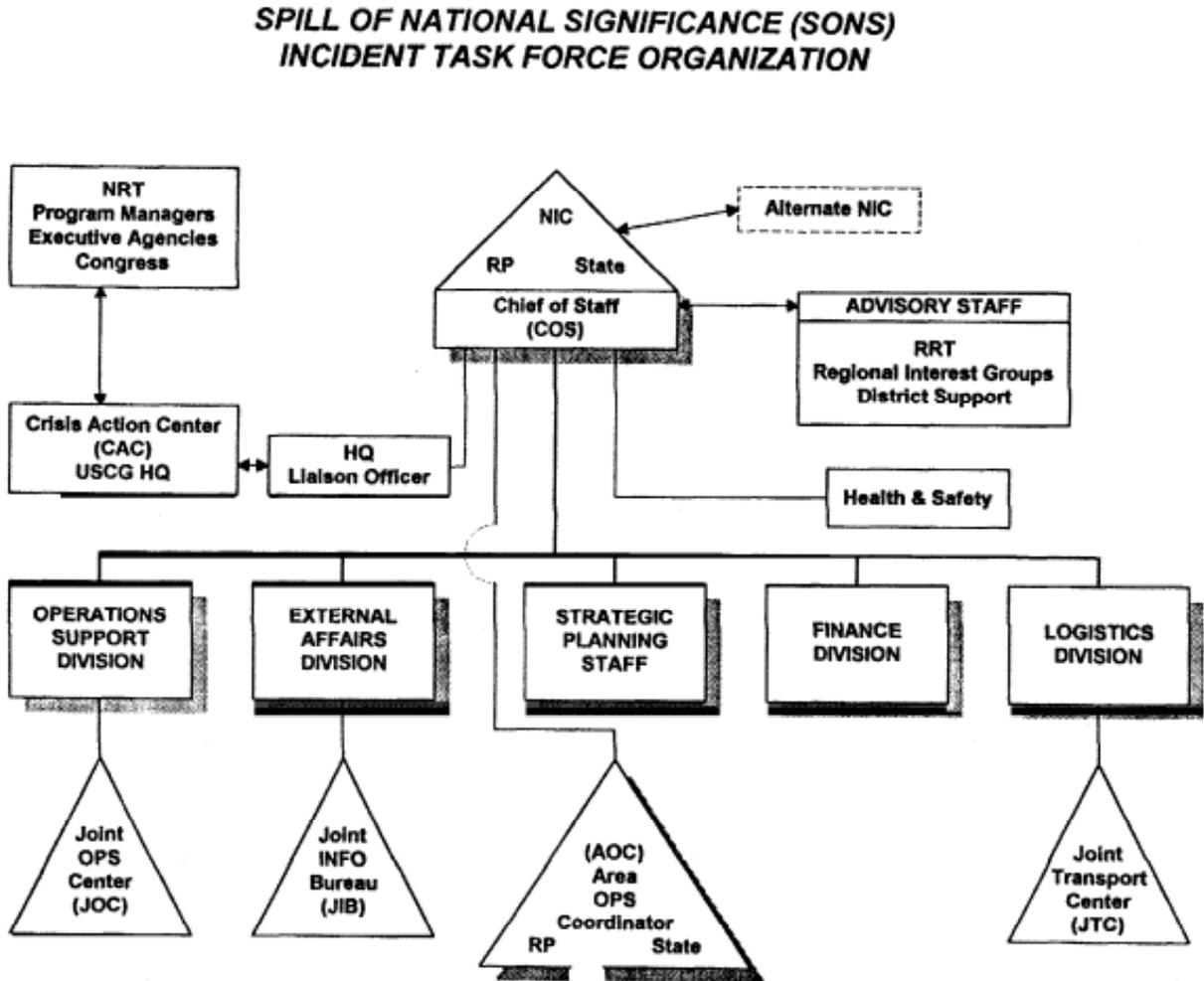
The following sources can assist in identifying a substance:

1. Shipping papers
2. Material Safety Data Sheets (MSDS)
3. Manifests
4. Placards and labels
5. Shipper or carrier
6. CHEMTREC (1-800-424-9300)

Numerous reference books, computer systems, and professional organizations can assist in further assessing the potential hazards.

1510.3 SPILL OF NATIONAL SIGNIFICANCE (SONS)

Figure 1-4 SPILL OF NATIONAL SIGNIFICANCE (SONS) RESPONSE ORGANIZATION



1510.3.1 SONS Response Structure

1510.3.1.1 SONS Declaration and National Incident Task Force (NITF) Activation

Only the Commandant of the Coast Guard or the Administrator of the EPA is empowered to declare a SONS. A SONS in the Coastal Zone would be the responsibility of the USCG, taking into account environmental risks, weather conditions, response capabilities, and the amount or potential amount of product spilled. A Coast Guard Area or District Commander may recommend the Commandant declare a SONS for the following reasons:

1. Multiple OSC zones/districts/international borders are affected

2. A significant impact on or threat to the public health and welfare, wildlife, population, economy and/or property over a broad geographic area
3. A protracted period of discharge and/or expected cleanup
4. A significant public concern and demand for action by parties associated with the event
5. The existence of or the potential for a high level of political and media interest.

The NRC will notify the Commandant of a possible SONS incident. If the Commandant declares a SONS, the following actions will occur:

1. The National Incident Commander (NIC) will be designated.
2. The NIC will deploy the National Incident Task Force (NITF) Initial Response Team.
3. Other cognizant departments and agencies will be notified.
4. All pre-designated NITF personnel will be placed on immediate alert.

1510.3.1.2 National Incident Task Force (NITF) Initial Response Team Operation

The “time-phased implementation” of the NITF will be an integral component of an effective response. The key to effectively implementing the NITF organization is the NITF Initial Response Team. During a catastrophic spill response, an emergent organization will evolve, based on the dynamics of the situation and the capabilities available. The Initial Response Team’s role is to ensure a continued and effective response by controlling the emerging organization’s growth. Additionally, the Initial Response Team will provide essential continuity between the local OSC and the incoming NITF organization during the transition.

1510.3.1.3 The National Incident Task Force (NITF) Functional Components

The role of the NITF is to develop and enact the National Response Strategy to a SONS.

National Incident Commander (NIC):

The NIC will be appointed by the Commandant of the Coast Guard, and will be a Coast Guard Vice Admiral. The NIC will exercise operational and administrative control over the NITF organization, and assumes the role of OSC. The OSC has the authority to coordinate all federal, state, local and private actions related to containment and cleanup of a discharge

Specific responsibilities of the NIC include:

1. Develop the response strategy to integrate federal, state and local agencies, the RP and special interest groups into a coordinated and effective spill response team in accordance with the NCP.
2. Effectively apply personnel and equipment resources to meet emergent or contingent strategic situations.
3. Coordinate external affairs during the response operation.

1510.3.1.4 Alternate National Incident Commander (ANIC)

The ANIC will normally be the Coast Guard District Commander in whose area of responsibility the spill occurs. The ANIC will provide the NIC with valuable local knowledge and insight into regional response issues. After the initial “ramp up” of the SONS organization, the ANIC will resume normal duties as District Commander, except when called upon to relieve the NIC for short periods of time.

1510.3.1.5 Chief of Staff (COS)

This position will be filled by the Commanding Officer of the National Strike Force Coordination Center (NSFCC). The COS, utilizing cleanup management expertise, familiarity with response techniques, and relationships with other agencies and response organizations, will act as the principal advisor to the NIC on spill response strategy.

1510.3.1.6 Environmental Coordination Division

The Environmental Coordination Division will assess the spill and the extent of environmental impact, provide technical and scientific coordination and support, and develop strategic plans for the NITF. Once the strategies and priorities have been established, they will be promulgated as action plans and the Area Operations Coordinators (AOCs) will be responsible for the tactical implementation of these plans ([See Section 1510.31.11 Area Operations Coordinators \(AOCs\)](#))

1510.3.1.7 Operations Division

The Operations Division will serve as the primary conduit for information to and from the field through a Joint Operations Center (JOC). The Operations Division will allocate and dispatch resources, and develop mission assignments, duty lists and other operational assignments to meet strategic goals and support tactical operations conducted by the AOCs. It will maintain the Communications Center (COMMCEN), and will be responsible for manning the center with watch sections 24 hours a day. The lead Coast Guard representative in the Operations Division will be the Coast Guard District (O) officer from an unaffected district. The division will report directly to the NIC via the COS and coordinate with, as necessary, other divisions, and the AOCs. It will have the following primary functions: cleanup and protection, staging, air operations, wildlife recovery & rehabilitation, and communications.

1510.3.1.8 Finance Division

The Finance Division will be responsible for financial and cost analysis aspects of the response. The lead Coast Guard representative will be from the Coast Guard's Finance Center. The Finance Division will be primarily responsible for coordinating access and/or use of the Oil Spill Liability Trust Fund (OSLTF), accounting for costs incurred to the fund, and assuring prompt payment of approved invoices from contractors. The Finance Division will also handle federal and state access to the OSLTF. The Finance Department will report directly to the NIC via the COS and coordinate with, as necessary, other divisions, and the AOCs. The Finance Division has three primary functions: cost documentation, claims, and payment.

1510.3.1.9 Logistics Division

The lead Coast Guard representative will be from the respective USCG Maintenance Logistics Command (MLC). The Logistics Division is responsible for ensuring the prompt delivery of resources and supplies for operational support. The staff will work with other NITF Divisions to manage and support requests for additional response resources. The Logistics Division has four primary functions: support, service, contracting, and personnel. It will also maintain the Joint Transportation Center (JTC). The Logistics Division will report directly to the NIC via the COS and coordinate with, as necessary, other divisions and the AOCs.

1510.3.1.10 External Affairs Division

The External Affairs Division will provide accurate and timely information to the public and will coordinate protocol issues for VIPs. The division will be responsible for public affairs releases, setting up itineraries, scheduling public meetings, developing video and slide presentations, speeches and short factual documents, and providing other general information about the spill. The division will report directly to the NIC via the COS and coordinate with, as necessary, other divisions, the lead administrative trustee for Natural Resource Damage Assessment (NRDA) and the AOCs.

1510.3.1.11 Area Operations Coordinators (AOCs)

To effectively utilize the talents, relationships, and coordination skills developed by the OSCs through Area Committees, each pre-designated OSC, whose area of responsibility is affected by the spill, will assume the role of AOC. The AOCs will directly oversee tactical response operations, identifying response priorities that are consistent with the NITF strategy, and deploying and operating response resources. The NITF will provide strategic direction and support to the AOCs, and will coordinate the efforts of AOCs to ensure strategies are effectively and consistently carried out. During a SONS, the AOC, who is primarily affected by the spill, will assume subsequent responsibility for strategic issues upon deactivation of the NITF organization.

1520 Regional Response Team (RRT) Structure

Regional Response Team (RRT) Region III is that cognizant federal component of the National Response System for the states of West Virginia, Maryland, Delaware, the District of Columbia, and the commonwealths of Pennsylvania and Virginia. RRT III is made up of representatives from sixteen Federal departments and agencies and each of the states/commonwealths. It is co-chaired by the Chief of the Removal Branch from the EPA's regional office in Philadelphia, PA and the Chief, Marine Safety Division, of the U.S. Coast Guard's Atlantic Area/Fifth District Office located in Portsmouth, VA. It usually meets three times per year at various locations throughout the region.

RRT III is a planning, policy, and coordinating body, which does not respond directly to the scene of a spill or release. It provides assistance and advice as requested by the OSC during an incident. A thorough description of both the National Response System and the responsibilities of RRTs can be found online at <http://www.uscg.mil/lantarea/rrt/index.htm>.

In addition to the Executive Committee and the Inland Area Committee, RRT III currently has many active work groups. They are: Spill Countermeasures Workgroup, Natural Resources Damage Assessment (NRDA) Workgroup, Communications Workgroup, RRT Outreach Workgroup, Regional Contingency Plan (RCP) Rewrite Workgroup, and Wildlife Response Workgroup. These workgroups are concentrating on specific areas of the RRT III goals.

1530 Area Response Structure

1530.1 Federal/State Role in Incident Response

Both the State On Scene Coordinator and Federal On Scene Coordinator will be members of the Unified Command.

1540 Incident Command System

1540.1 Command Structure - Unified Command (UC)

The Unified Command for an oil or chemical discharge in the marine environment includes:

1. FOSC - the pre-designated Federal On- Scene Coordinator: Commanding Officer, U.S. Coast Guard Activities Baltimore
2. The pre-designated State On-Scene Coordinator (SOSC) representing state and local response agencies: Maryland Department of the Environment (MDE)
3. The Qualified Individual, representing the Responsible Party.

1550 Area Exercise Mechanism

Every three years, Activities Baltimore will conduct a Preparedness for Response Exercise Program (PREP) exercise to test the Area Contingency Plan. The majority of this exercise will be federally funded, with involvement from local stakeholders and area committee members.

1560 Federal Response Plan

The Federal Response Plan (FRP) establishes a process and structure for the systematic, coordinated, and effective delivery of federal assistance to address the consequences of any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121, et seq.).

<http://www.fema.gov/rrr/frp/>

1600 State/Local Response System

1610.1 Maryland Response System Description

All oil and hazardous materials waste enforcement and response activities are under the direction of Maryland Department of the Environment (MDE). Their position is to intermesh with emergency services wherever required during an emergency incident involving hazardous substances. MDE recognizes the senior fire line officer or his or her designee as the Incident Commander (IC) at a hazardous substance or oil discharge incident. The MDE Response Division acts as an additional resource for the IC.

Maryland Toxic Substances Pollution and Oil Pollution, Title 26, Subtitles 8 and 10 states that: A person may not cause oil, toxic substances, or any other pollution to enter the water. Pollution is defined as “every contamination or alteration of the physical, chemical, or biological properties of any waters of the State, including change in temperature, taste, color, turbidity, odor, or the discharge or deposit of any organic matter, harmful organism, liquid, gas, solid, radioactive, or other substance into the waters as will render the waters harmful, detrimental, or injurious to public health, safety or welfare, domestic, commercial, industrial, agricultural, recreational, other legitimate beneficial uses, or livestock, wild animals, birds, fish, or other aquatic life.” The MDE, headquartered in Dundalk, Maryland carries out enforcement of the state’s pollution laws.

The Maryland Emergency Management Agency (MEMA) provides support, resources, etc.

1610.2 District of Columbia Response System Description

The Department of Consumer and Regulatory Affairs, Environmental Regulation Administration carries out the enforcement of the District’s pollution laws. The Washington, D.C. Fire Department is fully equipped to handle a hazardous substance release within the District of Columbia. The fire department also has minimal resources for handling discharges of oil onto the water.

The District of Columbia Law 5-188, the Water Pollution Control Act of 1984 prohibits the discharge of any substance, which may alter or interfere with the restoration or maintenance of the chemical, physical, radiological, and biological integrity of the waters or the district, or any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemicals, chemical wastes, hazardous wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, oil, gasoline, and related petroleum products, and industrial, municipal, and agricultural wastes.

1610.3 Virginia Response System Description

The Virginia State Department of Environmental Quality (VADEQ), formerly the State Water Control Board, is the enforcement agency of the water pollution laws in the commonwealth of Virginia and coordinates state response to spills. Agency personnel are available 24 hours a day for investigation of pollution incidents and assessment of environmental damage. The VADEQ can provide laboratory services and water quality survey assistance. Requests for disposal sites and incinerators for wastes should be cleared through this agency.

The State Officer of Emergency Services coordinates disaster response actions of state and federal agencies and provides guidance and assistance to affected local governments. If a threat to human safety exists in pollution cases, the office obtains and coordinates requested assistance from local governments. Direction and control of emergency response to an oil or hazardous substance incident is delegated to the local level of government. The VADEQ, headquartered in Richmond, Virginia carries out enforcement of the state's pollution laws.

The commonwealth of Virginia State Water Control Board (VSWCB) Statute of 1989, Title 62.1-44.5 states: "It is hereby declared to be against public policy for any owner who does not have a certificate issued by the (VSWCB) to (1) discharge into the state waters inadequately treated sewage, industrial wastes, other wastes, or any noxious or deleterious substances, or (2) otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses."

1610.4 Delaware Response System Description

The Department of Natural Resources and Environmental Control, Division of Environmental Control, maintains listings of commercially available resources in Delaware. The department will provide response assistance on oil and hazardous materials incidents, public health exposures, and information and advice concerning local habitat, wildlife and fisheries. The department is also responsible for enforcement of the state's pollution laws. The Delaware Department of Natural Resources & Environmental Control, headquartered in Dover, Delaware carries out enforcement of the state's pollution laws.

The Delaware Pollution Control Act of 1949, Title 7, Delaware Code, Chapters 60-64 states: general water quality criteria are as follows: "The waters shall not contain substances attributable to municipal, industrial, agricultural, or other discharges in concentrations or amounts sufficient to be adverse of harmful to water uses to be protected, or to a human, animal, aquatic and wildlife. The waters shall be free from unsightly and malodorous nuisances due to floating solids or sludge deposits, debris, oil and scum."

1610.5 Local Emergency Planning Committees (LEPCs)

As required by the Superfund Amendment and Reauthorization Act (SARA), each of the 26 Local Emergency Planning Committees (LEPCs) within this AOR have created contingency plans for responding to hazardous substance incidents. The fire department is often the lead agency for these incidents, and the person directing countermeasures is known as the Incident Commander. The plans detail response actions and resources for each particular area.

1610.6 Local Government Involvement

In many cases, local government agencies have interest and can provide valuable expertise in ongoing pollution incidents. Local government involvement should be coordinated through the LEPC, the state RRT, and on-scene representatives. Additional capabilities include, but are not limited to, media/public relations, socio-economic issues, logistics, access, control and evacuation, fire fighting, law enforcement, and emergency medical assistance.

1700 National Policy and Doctrine

1710 Public vs Private Resource Utilization

1720 Best Response Concept

1730 Cleanup Assessment Protocol (How Clean is Clean)

1740 Dispersant Pre-Approval/Monitoring/Decision Protocol

1750 In-situ Burn Approval/Monitoring/Decision Protocol

1760 Bioremediation Approval/Monitoring/Decision Protocol

1770 Fish and Wildlife Acts Compliance (Migratory Bird Act, Marine Mammal Act, Endangered Species Act, etc)

1780 Protection of Historic Properties (National Historic Preservation Act)

1790 Alternative Response Technology Evaluation System (ARTES)

17100 Specialized Monitoring of Applied Response Technology (SMART)

1800 Reserved

1900 Reserved for Coast Guard Area/District