

9700	LIST OF RESPONSE RESOURCES	2
9710	<i>Relevant Statute/Regulations/Authorities List</i>	2
9710.1	Federal Water Pollution Control Act (FWPCA).....	2
9710.2	Clean Water Act (CWA).....	2
9710.3	Oil Pollution Act of 1990 (OPA 90).....	2
9710.4	Refuse Act of 1899	3
9710.5	Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).....	3
9710.6	Superfund Amendment and Reauthorization Act (SARA).....	3
9710.7	Resource Conservation and Recovery Act (RCRA).....	4
9720	<i>Relevant Instructions/Guidelines/Standard Procedures and Practices List</i>	4
9730	<i>Geographic Response Plans</i>	4
9740	<i>Technical References List</i>	4
9740.1	National Contingency Plan (NCP) Product List	4
9740.2	Catalog of Crude Oil & Oil Product Properties	4
9740.3	Chemical Hazards Response Information System (CHRIS) Manual.....	4
9740.4	Field Operations Guide (FOG).....	4
9750	<i>ICS Form Database</i>	5

9700 List of Response Resources

9710 Relevant Statute/Regulations/Authorities List

9710.1 Federal Water Pollution Control Act (FWPCA)

- 33 USC 1321
- Passed in 1972 and designed to eliminate all water pollution by 1985.
- Established the National Contingency Plan (NCP), 40 CFR 300-provided a national action plan for pollution containment, dispersal, and removal.
- Created the National Strike Force.
- Provisions which made spiller obligated to respond to a spill.
- Established Civil and Criminal Penalties.

9710.2 Clean Water Act (CWA)

- 46 CFR 31, 35, 112
- Amended FWPCA.
- Allowed USCG to clean up a spill and recover costs incurred by spiller.
- 311-K revolving pollution fund with \$35 million ceiling (33 USC 1321, sec.311, paragraph. K).
- Pollution Prevention Requirements (PPR) (33 CFR 151. 154-156).
- Created National Response Center.
- Defined “harmful quantity” and “reportable quantity” (RQ).

9710.3 Oil Pollution Act of 1990 (OPA 90)

- Amended FWPCA/CWA.
- \$1 Billion Oil Spill Liability Trust Fund (OSLTF) which combined 311-K and additional Congressional appropriations- controlled by National Pollution Fund Center (NPFC).
- Taxes on crude oil, which along with recovered penalties, maintains the OSLTF (6 cents a barrel).
- Established authority for Federal On Scene Coordinator (FOSC) to designate Responsible Parties (RP) – Although NPFC usually does.
- Established National Strike Force Coordinator Center and reestablished the Atlantic Strike Team.
- Increased RP liabilities and responsibilities.
- Increased penalties for a violation of the FWPCA (“The Act”).
- Allows states access to the Oil Spill Liability Trust Fund.

- Allows for third party claims for personal property and environmental damaged caused by an accident.

9710.4 Refuse Act of 1899

- Applies to trash: tires, refrigerators, trees, cars, etc.
- Anything that creates a “Hazard to Navigation.”
- Fines of \$500-\$2,500 and imprisonment for 30 days to a year.
- Army Corps of Engineers (ACOE) enforce.
- The main purpose of the law is to maintain clear navigation channels.

9710.5 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

- 40 CFR 302
- Requires RP to report any release of HAZ substances if meets or exceeds the RQ.
- Created \$1.6 Billion Superfund.
- Violations: Civil-\$27,500 per violation; \$27,500 per day if continuous... depending on the situation (reference: Civil Penalty Guide).
- Criminal: up to 3 years imprisonment and maximum fine of \$50,000.
- Before On Scene Coordinator (OSC) can initiate a response, 3 jurisdiction elements must be present:
 - Material must be a hazardous substance or it is a pollutant or contaminant that may present an imminent and substantial danger to the public health or welfare.
 - There has been a release, or there is a substantial threat of a release, into the environment. Release at RQ must be within 24hr period.
 - The RP is not taking proper removal actions.

9710.6 Superfund Amendment and Reauthorization Act (SARA)

- Amended CERCLA.
- Created \$8.5 Billion Superfund.
- Redefined release to include abandonment or discarding barrels, drums, enclosed container, etc.
- Reimbursement of expenses incurred by local govt. by carrying out responses (up to \$27,500 a day).
- Redefined response to include enforcement activities.
- Extended liability to foreign ships in areas under U.S. control, whether or not such vessels were otherwise subject to U.S. jurisdiction.

9710.7 Resource Conservation and Recovery Act (RCRA)

- Protects human health and environment by reducing waste and conserving energy and natural resources.
- Reduces or eliminates the generation of Hazardous Waste as expeditiously as possible.
- Covers waste from generation to disposal, "CRADLE TO GRAVE".

9720 Relevant Instructions/Guidelines/Standard Procedures and Practices List

9730 Geographic Response Plans

9740 Technical References List

9740.1 National Contingency Plan (NCP) Product List

EPA maintains a schedule of dispersants and other chemical or bioremediation products that may be authorized for use on oil discharges in accordance with procedures set forth in 33 C.F.R. Part 300.910. This schedule, called the NCP Product Schedule, may be obtained from the Emergency Response Division (5202-G), U.S. Environmental Protection Agency, 401 M Street, and SW., WASHINGTON, DC 20460. The telephone number is (202) 260-2342. It may also be found at:

<http://www.epa.gov/oilspill/pdfs/schedule.pdf>

9740.2 Catalog of Crude Oil & Oil Product Properties

There are numerous resources available to identify the properties and hazards of materials shipped through the COTP Baltimore ports. The National Response Team has assembled a list of these, accessible through their Web Page at:

[http://europa.eu.int/comm/environment/civil/marpol-cis/mpcis06_en.htm - b\)%20Crude%20oil%20properties](http://europa.eu.int/comm/environment/civil/marpol-cis/mpcis06_en.htm - b)%20Crude%20oil%20properties)

9740.3 Chemical Hazards Response Information System (CHRIS) Manual

The Chemical Hazards Response Information System (CHRIS) is a database of chemical, physical, toxicological, thermodynamic, and response information for use by responders. Further information about CHRIS and how to use the system is located at

<http://www.uscg.mil/hq/g-m/mor/Articles/CHRIS.htm>.

9740.4 Field Operations Guide (FOG)

The Field Operations Guide is intended to be a guidance document in forming a response management system for oil spills. This system is adopted from the NIMMS Incident Command System, which is the predominant public domain response management system in use nationwide, and is consistent with the NCP.

Field Operations Guide 2000 may be found at: [FOG 2000](#)

9750 ICS Form Database

The NOAA database provides up to date ICS forms for oil spills. This is an interactive database, which allows for data entry. The web site can be found at:

<http://response.restoration.noaa.gov/oilands/ICS/intro.html>