U.S. Department of Transportation
United States Coast Guard

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United States Coast Guard

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COMDTINST 16465.1

15 JUL 1997

COMMANDANT INSTRUCTION 16465.1

Subj: SPILLS OF NATIONAL SIGNIFICANCE RESPONSE MANAGEMENT SYSTEM

Ref: (a) National Contingency Plan (40 CFR Part 300)
(b) COMDTNOTE 16465 The Spill of National Significance Protocol, 11 March 94
(c) COMDTINST 16471.1 Adoption of NIIMS ICS, 9 Feb 96
(d) COMDTINST 16471.2 Incident Command System Implementation Plan, 23 May 97

1. PURPOSE. This Instruction contains guidance for establishing an Incident Command System (ICS) Area Command Structure for a Spill of National Significance (SONS). Reference (a), the National Contingency Plan (NCP), assigns responsibilities for emergency preparedness and response to the fifteen federal agencies that comprise the nucleus of the National Response System (NRS). The NCP was revised as a result of the Oil Pollution Act of 1990 (OPA 90) to address the responsibilities for the U.S. Coast Guard and the Environmental Protection Agency to develop a national level organization capable of responding to a SONS. The organization outlined in enclosure (1) describes this coastal zone response organization. This response management structure is based on the National Interagency Incident Management System (NIIMS) ICS and will provide the necessary strategic management and support to execute an effective response to a SONS in the coastal zone.

2. ACTION. Commanders of Areas, Districts, Groups and Activities; Commanding Officers of Marine Safety Offices and Strike Teams; and Captains of the Port shall comply with the requirements of this Instruction and ensure that all personnel involved in response actions are familiar with, and trained in, the use of the NIIMS ICS Area Command Structure.

3. DIRECTIVES AFFECTED. This Instruction replaces reference (b) and augments the guidance in references (c) and (d).

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4. DISCUSSION.

In February 1996, with the promulgation of reference (c), the Coast Guard formally adopted NIIMS ICS as its response management system for response to oil and hazardous substance releases. The Coast Guard's ICS Implementation Plan was established and laid out in reference (d), which describes how ICS will be incorporated into Coast Guard training programs and in daily operations at Coast Guard units.

A SONS is a rare, catastrophic spill which greatly exceeds the response capabilities at the local and regional levels. When responding to an incident of this type, the Coast Guard will continue to use ICS as its response management structure, with the addition of a strategic management and support function called an ICS Incident Area Command. The ICS Incident Area Command structure described in enclosure (1) can be used in any incident of regional or national significance, or in any case where the Federal On Scene Coordinator (FOSC) or Commander Coast Guard Forces (CCGF), District Commander or Area Commander feels it would be appropriate.

The Incident Area Command structure, like the rest of the Incident Command System structure, is flexible and easily expanded. Position responsibilities are clearly established allowing for quick, efficient organization and response. The Incident Area Command structure builds on the response management system that is in place and used routinely, rather than replacing it. Although a SONS will exceed the local and regional response capabilities, (and will likely affect multiple Captain of the Port zones, Districts, and/or International borders), the Incident Area Command structure is intended to enhance the local response organization and will rely on the applicable Area Contingency Plans as the basis for strategic direction of response actions.

The Incident Area Commander's responsibilities, as described in the NCP, include communicating with affected parties and the public, and coordinating federal, state, local, and international resources at the national level. This strategic coordination will involve, as appropriate, the National Response Team (NRT), the Governor(s) of the affected state(s), and the mayor(s) or other chief executive(s) of local government(s). In addition, it is anticipated that the Incident Area Commander will coordinate with the senior corporate management of responsible parties.

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5. PROCEDURES.

a. For a SONS response at Headquarters level, HQINST M1601.2C, "Headquarters Incident Staffing Procedures" will be employed.

b. Area Commanders shall ensure operational and support contingency plan(s) are maintained to manage a SONS in their respective Areas of Responsibility (AORs).

c. Captains of the Port, with the responsibility to develop and maintain coastal zone Area Contingency Plans, shall amend Annex A, Appendix V, and Tab H of these plans to incorporate the information in this notice.

d. Maintenance and Logistics Commands, Integrated Support Commands, Activities, Groups, Air Stations, and Marine Safety Offices shall coordinate efforts to provide integrated resource capabilities and planning goals necessary to respond to a national incident.

6. TRAINING.

a. Commandant(G-MOR) will develop and conduct a biennial SONS Exercise.

b. Commandant(G-MOR) will coordinate with Area Commanders for the development and conduct of annual tabletop exercises with Incident Area Commanders and their staff.

c. Training and qualifications in Incident Area Command will be in accordance with reference (d).

J. M. Loy
Chief of Staff

Encl: (1) ICS Area Command Organization

Spill of National Significance (SONS)

Area Command Organization

1. SONS Declaration and Area Command Activation

The Commandant of the Coast Guard alone is empowered to declare a SONS in the coastal zone, 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 to the Commandant that a SONS be declared. Factors to be considered in declaring a SONS might include:

- Multiple OSC zones, districts, or international borders may be affected;
- Significant impact or threat to the public health and welfare, wildlife, population, economy and/or property over a broad geographic area;
- Protracted period of discharge and/or expected cleanup;
- Significant public concern and demand for action by parties associated with the event; and,
- The existence of, or the potential for, a high level of political and media interest.

Once the Commandant declares a SONS, the following actions will occur.

- An Incident Area Commander will be designated.
- Other Departments/Agencies will be notified.
- A unified Area Command will be established.
- All pre-designated ICS Area Command staff personnel will be placed on immediate alert.

The Incident Area Commander will have overall responsibility for the incident strategic management and will ensure the following:

- Incident Commanders (FOSCs) covered by the Area Command are notified that an Area Command is being established.

- The Incident Area Command team consists of the best-qualified personnel with respect to their functional areas. The functions of Area Command require personnel that have experience in, and are qualified to oversee, complex response situations.

- The Incident Area Command organization operates under the same basic principles as does the Incident Command System.

- The Incident Area Command organization is kept as small as possible. The Incident Area Command organization will typically consist of the Incident Area Commander and Incident Area Command Logistics Chief, Planning Chief, Resources Unit Leader, Situation Unit Leader, Information Officer and Liaison Officer (see Appendix A). Flexibility exists to add a Finance Chief and/or a Chief of Staff.

2. General Organization

Incident Area Command is an organization established to oversee the management of a very large incident that has multiple Incident Command Response Organizations assigned to it. If the incidents under the authority of the Incident Area Command are multi-jurisdictional, a Unified Incident Area Command should be established. This allows each jurisdiction to have representation in the Area Command. Representatives to the Incident Area Command would typically be at the highest executive levels within a responding organization such as a state governor or direct representative, and CEO or President of the affected commercial entity.

For the incident(s) under its authority, Incident Area Command has the responsibility to:

- Set the overall incident related strategic priorities.

- Allocate critical resources based on those priorities.

- Ensure that the incident is properly managed.

- Ensure that incident objectives are met, and do not conflict with each other or with agency policy.

When an Incident Area Command is established, Incident Commanders (FOSCs), will report to the Incident Area Commander. The Incident Area Commander is accountable to the Commandant.

Although the general concept for a nationally significant response involves an oil spill, major natural disasters such as earthquakes, floods, or hurricanes create a large number of incidents affecting multi-jurisdictional areas. Due to their size and potential impact, these incidents provide an environment for the use of Incident Area Command as deemed appropriate by the lead federal agency.

In situations where multiple incidents are occurring, the use of an Incident Area Command makes the jobs of FOSCs more manageable for the following reasons:

a. Much of the inter-incident coordination normally required of each FOSC will be accomplished at the Incident Area Command level. Using an Incident Area Command organization allows the FOSCs and their response organization to focus their attention on their assigned incident.

b. Incident Area Command sets priorities between competing FOSC objectives and resource needs.

c. Incident Area Command ensures that established agency policies, priorities, constraints, and guidance are made known to the respective Incident Commanders.

It is important to remember that Incident Area Command <u>does not</u> replace the Incident Command level ICS organization or functions.

Incident Commanders under the designated Incident Area Commander, are responsible to and should be considered as part of, the overall Incident Area Command organization. They must be provided adequate and clear delegation of authority.

3. <u>Suggested Composition of an ICS Area Command</u>.

In accordance with the structure found in Appendix A, the following represents a possible staffing structure for an ICS Area Command. The Incident Area Commander, whether at the District or Area level, may add positions and personnel to their staff as the situation dictates. It is important

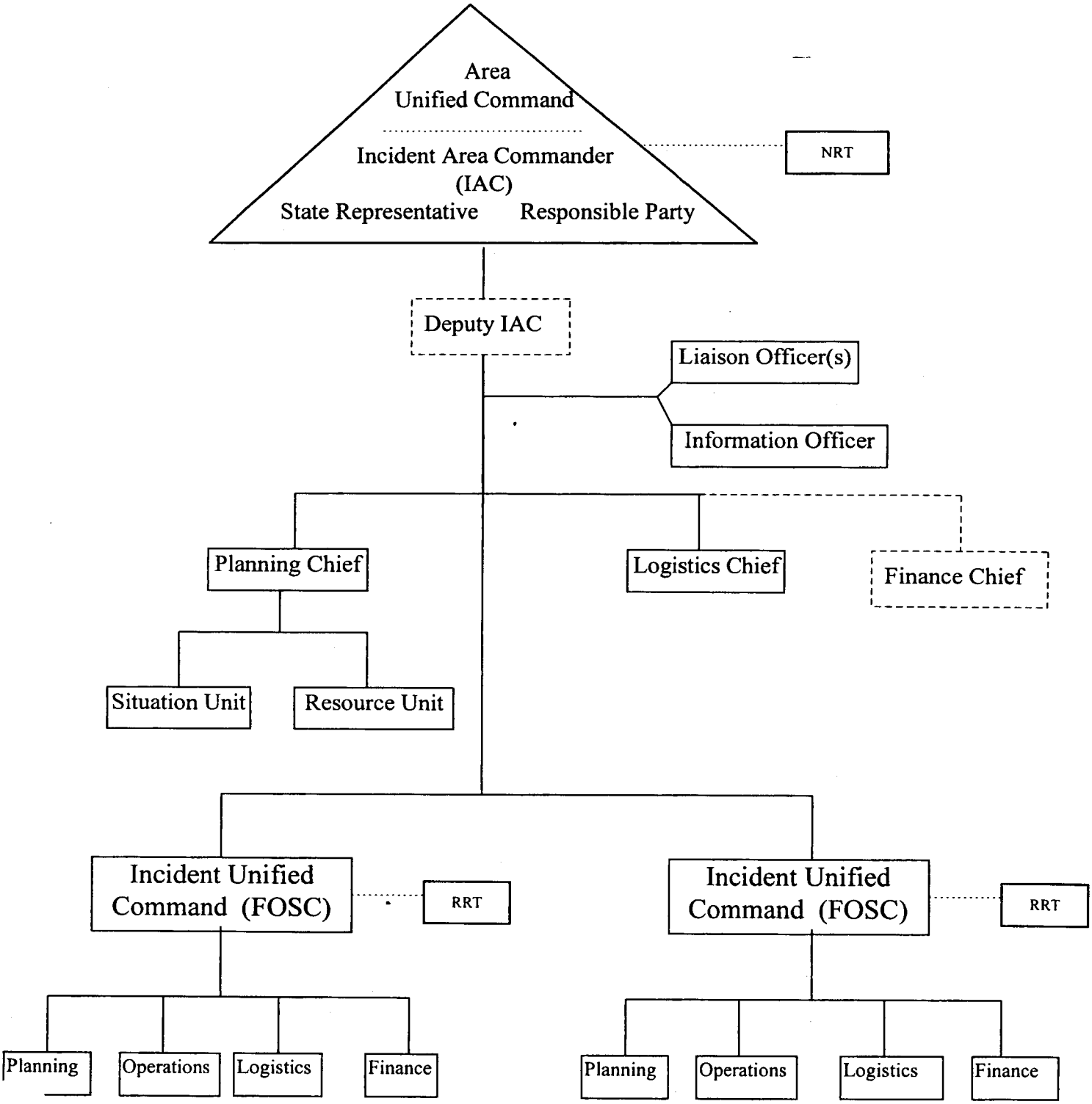
to note that some positions may be filled by personnel from other agencies such as GSA, FEMA, DOD, state government, or the responsible party. If the Incident Area Command is stood up at the District level, the Incident Area Unified Commander would be the District Commander and the corresponding staff would be from the appropriate District Response Group (DRG) as well as any other district resource.

Incident Area Command Position	Suggested/Recommended Billet
ICS Area Unified Commander	USCG Area Commander
Deputy ICS Area Commander	Lant/PacArea(m)(O-6), G-MO,(O-6) or CO NSFCC,(O-6)
Liaison Officer	District(m)/RRT Co-Chair (O-6)
Information Officer	G-CP (O-6)
Protocol Officer	G-CC (O-5)
Public Affairs Officer	LANT/PAC AREA (ACP/PCP) (O-4)
Planning Section Chief	NSFCC CO/XO (O-6/5)
Situation Unit Leader	NSFCC PREP Team Leader,(O-4)
Resource Unit Leader	NSFCC OPS,(O-4)
Logistics Section Chief	MLC Lant/PAC, (O-6)

4. Establishment of Area Command

The establishment of an ICS Area Command can occur with the District Commander filling the role of Incident Area Commander. This organization would be particularly useful for incidents which are challenging to the local commanders but do not demand national attention. At this level most billets would be drawn from district level resources, District Response Groups, and aimed at reducing the overhead to be managed by the Incident Commander. Further, Incident Management Teams can be called upon to augment the Incident Commander's staff. This ability to project a flexible response facilitates an expanding or contracting response effort, drawing upon one of the strengths of ICS.

Suggested Incident Command System Area Command Organization



MANDATES ASSOCIATED WITH SONS

Legislative Mandate: CWA, Sec. 311(d) requires removal of oil spills to be in accordance with the NCP.

> *"The removal of oil and hazardous substances and actions to minimize damage from oil and hazardous substance discharges shall, to the greatest extent possible, be in accordance with the National Contingency Plan."*

Legslative Mandate: OPA 90, Sec. 4201 requires the NCP to be amended to include criteria for Federal identification and removal of significant threats to the public health and welfare from oil spills.

> *"Subsection (d) of section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321 (d)) is amended to reas as follows: National Contingency Plan. -- ...Establishement of criteria and procedures to ensure immediate and effective Federal identification of, and response to, a discharge, or threat of a discharge, that results in a substantial threat to the public health or welfare of the United States, as required under subsection (c) 2."*

Regulatory Requirement: NCP, 40 CFR 300.323 introduces the SONS protocol as one of the criteria for Federal identification [COMDT may declare a SONS] and removal [COMDT may name a NIC] of significant threats to the public health and welfare from oil spills of national significance.

> *"A discharge may be classified as a spill on national significance (SONS) by the...Commandant of the USCG for discharges occurring in the coastal zone."*

> *"For a SONS in the coastal zone, the USCG Commandant may name a National Incident Commander (NIC) who will assume the role of the OSC..."*