



Oil Spill Liability Trust Fund Disbursements for FY 2013

Report to Congress
November 5, 2014



U. S. Coast Guard

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Foreword

I am pleased to present the following report, “Oil Spill Liability Trust Fund Disbursements for FY 2013,” which has been prepared by the U.S. Coast Guard.

Section 708 of the *Coast Guard Authorization Act of 2010* (Pub. L. 111-281) directs the Commandant to submit the list of disbursements of \$250,000 or more from the Oil Spill Liability Trust Fund (OSLTF) and a description of how such funds were used. This report contains disbursement data for FY 2013.



Pursuant to Congressional requirements, this report is being provided to the following members of Congress:

The Honorable John D. Rockefeller IV
Chairman, Senate Committee on Commerce, Science, and Transportation

The Honorable John Thune
Ranking Member, Senate Committee on Commerce, Science, and Transportation

The Honorable Bill Shuster
Chairman, House Committee on Transportation and Infrastructure

The Honorable Nick J. Rahall II
Ranking Member, House Committee on Transportation and Infrastructure.

I am happy to answer any further questions you may have, or your staff may contact my Senate Liaison Office at (202) 224-2913 or House Liaison Office at (202) 225-4775.

Sincerely,

A handwritten signature in blue ink that reads "Paul F. Zukunft". The signature is written in a cursive, flowing style.

Paul F. Zukunft
Admiral, U. S. Coast Guard
Commandant



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I. Legislative Language

This report responds to the language set forth in Section 708 the *Coast Guard Authorization Act of 2010* (Pub. L. 111-281), which requests a list of disbursements of \$250,000 or more from the OSLTF and a description of how such funds were used per the following:

SEC. 708. USE OF OIL SPILL LIABILITY TRUST FUND.

(b) AUDITS; ANNUAL REPORTS.—Section 1012 of the *Oil Pollution Act of 1990* (33 U.S.C. 2712) is amended—

...

(2) by adding at the end thereof the following:

__“(1) REPORTS.—

__“(1) IN GENERAL. —Within one year after the date of enactment of the Coast Guard Authorization Act of 2010, and annually thereafter, the President, through the Secretary of the Department in which the Coast Guard is operating, shall –

__“(A) provide a report on disbursements for the preceding fiscal year from the Fund, regardless of whether those disbursements were subject to annual appropriations, to –

__“(i) the Senate Committee on Commerce, Science, and Transportation; and

__“(ii) the House of Representatives Committee on Transportation and Infrastructure; and

__“(B) make the report available to the public on the National Pollution Funds Center Internet website.

__“(2) CONTENTS.—The report shall include—

__“(A) a list of each disbursement of \$250,000 or more from the Fund during the preceding fiscal year; and

__“(B) a description of how each such use meets the requirements of subsection (a).

__“(3) AGENCY RECORDKEEPING.—Each Federal agency that receives amounts from the Fund shall maintain records describing the purpose for which such funds were obligated or expended in such detail as the Secretary may require for purposes of the report required under paragraph (1).”.

II. Background

This report is the fourth submission of disbursements from the OSLTF. The report addresses disbursements from the OSLTF of \$250,000 or more during FY 2013 and how each use meets the requirements of Section 1012 (a) of the *Oil Pollution Act of 1990* (OPA). In addition to the pollution incident specific disbursements reported by the Coast Guard's National Pollution Funds Center (NPFC), the report includes data received from the Department of Transportation (DOT), the Department of Interior (DOI), the Environmental Protection Agency (EPA), and the Coast Guard, as each received appropriations derived from the OSLTF.

The OSLTF is the federal funding source for oil pollution prevention, response and compensation under the OPA. The OSLTF is also a source of annual appropriations to federal agencies responsible for implementing, administering and enforcing various oil pollution prevention programs under OPA and section 311 of the *Federal Water Pollution Control Act* (FWPCA).

As each reporting agency's accounting structure differs, the supporting tables in each section are not uniform, reflecting the differences. Nonetheless, each agency that provided this information affirms that it provided accurate information. The specific tables included in the following sections are as reported by the respective agencies.

III. OSLTF Disbursements for Pollution Incidents

- a. Oil Removal Disbursements – OPA section 1012(a)(1) provides for use of the Fund for the payment of oil removal costs by federal authorities. OPA section 6002(b) makes up to \$50 million available annually to carry out federal oil removal under section 311(c) of the FWPCA and to initiate the assessment of natural resource damages. Amounts are available until expended and are administered by the NPFC. NPFC provides funding to EPA and Coast Guard Federal On-Scene Coordinators (FOSCs) acting under FWPCA section 311(c) authority. FOSCs coordinate agency removal actions through contracts with commercial entities and interagency agreements with federal and state response partners. The table below includes all OSLTF removal disbursements greater than or equal to \$250,000 for FY 2013. To avoid the double counting of removal disbursements, the figures reported below are not included in the data provided by the recipient agencies.

Table 1: Oil Removal Disbursements for FY 2013

Case Name - Federal Project Number	Recipient of Funds	Amount of Expenditure	Description of Funds Use
F/V MISS BRIELL - B13015	BOSTON LINE AND SERVICE COMPANY INC Total	\$355,356.92	Removal Cost - OPA 1012 (a)(1)
EXXONMOBIL PIPELINE - E11809	ACQUISITION SERVICES DIRECTORATE NA Total	\$250,600.47	Removal Cost - OPA 1012 (a)(1)
ALICE S - H12013	SOLAR ENVIRONMENTAL SERVICES INC Total	\$364,855.29	Removal Cost - OPA 1012 (a)(1)
LEADING LADY - J13007	GLOBAL DIVING AND SALVAGE INC Total	\$289,339.28	Removal Cost - OPA 1012 (a)(1)
MODU KULLUK - J13008	ARMY NATIONAL GUARD Total	\$332,841.42	Removal Cost - OPA 1012 (a)(1)
M/V JIREH - M12037	RESOLVE MARINE GROUP INCORPORATED Total	\$5,128,128.24	Removal Cost - OPA 1012 (a)(1)
DEEPWATER HORIZON - N10036	NAVAL SEA SYSTEMS COMMAND (0000) Total	\$2,331,536.44	Removal Cost - OPA 1012 (a)(1)
DEEPWATER HORIZON - N10036	DEPARTMENT OF HOMELAND SECURITY (S&T) Total	\$1,413,120.52	Removal Cost - OPA 1012 (a)(1)
DEEPWATER HORIZON - N10036	DEPARTMENT OF INTERIOR (FISH AND WILDLIFE SERVICE) Total	\$5,086,295.71	Removal Cost - OPA 1012 (a)(1)
DEEPWATER HORIZON - N10036	NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION Total	\$2,865,048.12	Removal Cost - OPA 1012 (a)(1)
DEEPWATER HORIZON - N10036	ENVIRONMENTAL PROTECTION AGENCY (REGION 6) Total	\$272,913.25	Removal Cost - OPA 1012 (a)(1)
DEEPWATER HORIZON - N10036	DEPARTMENT OF INTERIOR (NATIONAL PARKS SERVICE) Total	\$6,699,519.06	Removal Cost - OPA 1012 (a)(1)
DEEPWATER HORIZON - N10036	CENTERS FOR MEDICARE AND MEDICAID SERVICES Total	\$1,018,054.28	Removal Cost - OPA 1012 (a)(1)
HURRICANE ISAAC - N12065	UNITED STATES ENVIRONMENTAL SERVICES L L C Total	\$4,646,439.83	Removal Cost - OPA 1012 (a)(1)
HURRICANE ISAAC - N12065	OIL MOP LLC Total	\$310,275.11	Removal Cost - OPA 1012 (a)(1)
HURRICANE ISAAC - N12065	ENVIRONMENTAL SAFETY AND HEALTH CONSULTING SERVICES INC Total	\$3,578,068.11	Removal Cost - OPA 1012 (a)(1)
HURRICANE ISAAC - N12065	ENVIRONMENTAL PROTECTION AGENCY (REGION 6) Total	\$391,440.66	Removal Cost - OPA 1012 (a)(1)
E P BRADY ET AL #10 - N13016	ENVIRONMENTAL SAFETY AND HEALTH CONSULTING SERVICES INC Total	\$422,157.81	Removal Cost - OPA 1012 (a)(1)
DEEP SEA - S12020	WASHINGTON STATE DEPARTMENT OF ECOLOGY Total	\$1,560,447.19	Removal Cost - OPA 1012 (a)(1)
EPA FOSC Inland Zone Cases	EPA Reimbursement for EPA FOSC Managed Cases Total	\$21,217,856.07	Removal Cost - OPA 1012 (a)(1)
	TOTAL	\$58,534,293.78	Removal Cost - OPA 1012 (a)(1)

- b. Claims Payments – Section 1012(a)(4) of OPA provides that funds shall be available from the OSLTF for the payment of claims in accordance with OPA section 1013 for uncompensated removal costs or uncompensated damages. The table below includes all OSLTF claims disbursements greater than or equal to \$250,000 for FY 2013.

Table 2: OSLTF claims disbursements greater than or equal to \$250,000 for FY 2013

Claim Name - Federal Project Number	Recipient of the Funds	Amount of Expenditure	Description of Fund Use
F/V MILKY WAY SINKING	GREAT AMERICAN INSURANCE COMPANY	\$505,084.00	Claim Payment - OPA 1012(a)(4)
ENBRIDGE ENERGY - E10527	DEPARTMENT OF INTERIOR (U.S. FISH AND WILDLIFE SERVICE)	\$636,479.00	Claim Payment - OPA 1012(a)(4)
Mystery - E11908	PLAINS ALL AMERICAN PIPELINE, L.P.	\$548,526.84	Claim Payment - OPA 1012(a)(4)
GREENE COUNTY SPILL - E12705	HYDRO-KLEAN, LLC	\$267,918.63	Claim Payment - OPA 1012(a)(4)
T/B EMC 423 - G05002	SERVICE WELDING AND SHIPBUILDING	\$1,036,474.53	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$2,099,476.94	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$2,166,024.24	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$2,677,168.01	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$5,004,635.21	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$6,120,304.42	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$6,646,573.64	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$8,230,390.17	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$9,565,222.57	Claim Payment - OPA 1012(a)(4)
M/V SELENDANG AYU - J05003	KEESAL YOUNG AND LOGAN (60621)	\$15,611,776.98	Claim Payment - OPA 1012(a)(4)
DM932 - N08057	FOWLER RODRIGUEZ VALDES FAULI FLINT GRAY MCCOY SULLIVAN AND CARROLL LLP	\$270,443.29	Claim Payment - OPA 1012(a)(4)
DM932 - N08057	PORT OF NEW ORLEANS (00174)	\$299,185.08	Claim Payment - OPA 1012(a)(4)
DEEPWATER HORIZON - N10036	NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION	\$20,074,000.00	Claim Payment - OPA 1012(a)(4)
NWF363 - N12025	ENVIRONMENTAL SAFETY & HEALTH CONSULTING SERVICES	\$477,745.88	Claim Payment - OPA 1012(a)(4)
	TOTAL	\$82,237,429.43	Claim Payment - OPA 1012(a)(4)

- c. Initiate Payments - NPFC also provides funding from these available amounts as authorized by OPA 1012(a)(2) to federal, state or tribal trustees that initiate natural resource damage assessments. There are no disbursements of \$250,000 or more, for initiation of natural resource damage assessments, to report for FY 2013.

IV. Pipeline and Hazardous Materials Safety Administration Disbursements

In FY 2013, Pipeline and Hazardous Materials Safety Administration received \$17,602,000 from the OSLTF, as authorized by section 1012(a)(5) of OPA. The table below includes all OSLTF disbursements greater than or equal to \$250,000 for FY 2013.

Table 3: PHMSA OSLTF disbursements greater than or equal to \$250,000 for FY 2013

Recipient of Funds	Amount of Expenditure	Description of Fund Use
Battelle Memorial Institute	\$668,969	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
Cycla Corporation	\$500,629	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
California State Fire Marshal	\$486,379	For reimbursement to pipeline safety state partners for carrying out inspection and enforcement activities.
Cycla Corporation	\$476,365	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
Cycla Corporation	\$470,388	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
Cycla Corporation	\$467,764	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
Cycla Corporation	\$458,813	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
Cycla Corporation	\$446,590	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
Cycla Corporation	\$406,479	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
Texas Railroad Commission	\$395,138	For reimbursement to pipeline safety state partners for carrying out inspection and enforcement activities.
Cycla Corporation	\$385,051	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
Department of Transportation, Volpe Transportation System Center	\$282,290	To support integration for inspection, strategy performance management, enforcement, operator qualifications and other statutory issues.
TOTAL	\$5,444,855	

V. Bureau of Safety and Environmental Enforcement Disbursements

In FY 2013, the Bureau of Safety and Environmental Enforcement (BSEE) received \$14,899,000 from the OSLTF, as authorized by section 1012(a)(5) of OPA. The table below includes all OSLTF disbursements greater than or equal to \$250,000 for FY 2013.

Table 4: BSEE OSLTF disbursements greater than or equal to \$250,000 for FY 2013

Recipient of Funds	Amount of Expenditure	Description of Fund Use
Operations and maintenance of Ohmsett ¹ - National Oil Spill Response Research Test Facility	\$358,569.00	The OSLTF disbursements to BSEE for FY 2013 meet the requirements authorized under section 1012(a)(5) of the Oil Pollution Act (OPA) of 1990 (33 USC 2712(a)(5)). The use of the funds under section 1012 (a)(5) are for federal administrative, operational, and personnel costs and expenses reasonably necessary for and incidental to the implementation, administration, and enforcement of OPA. BSEE's use of OSLTF includes oil pollution research, operation and maintenance of Ohmsett, regulation and enforcement of oil spill response plans, and personnel costs.
Oil Spill Response Division - All Regions & Units	\$2,232,978.00	
TOTAL	\$2,591,547.00	
Note 1 - Ohmsett, the National Oil Spill Response Research and renewable Energy Test Facility in Leonardo, NJ		

VI. Environmental Protection Agency

In FY 2013, EPA received \$18,209,000 from the OSLTF as authorized by section 1012(a)(5) of OPA. The EPA had no OSLTF disbursements greater than or equal to \$250,000 to report for FY 2013.

VII. Coast Guard Disbursements

The Coast Guard receives funding derived from the OSLTF in three different appropriations: Research, Design, Test and Evaluation (RDT&E), Acquisition Construction and Improvement (AC&I), and Operating Expenses (OE).

- a. RDT&E - \$500,000 in RDT&E funds were derived from the OSLTF to be executed in accordance with section 7001(c) of OPA. For FY 2013, there were no disbursements greater than or equal to \$250,000 from the RDT&E appropriation.
- b. AC&I – \$20,000,000 in AC&I funds were derived from the OSLTF for the costs of assets for administering and enforcing OPA and subsections (b), (c), (d), (j) and (l) of section 311 of the FWPCA with respect to prevention, removal and enforcement related to oil discharges. The OSLTF funding augments the full appropriation and was not intended to completely fund the Marine and Environmental Protection (MEP) mission. An allocation methodology was used to determine the amount of the FY2013 AC&I funds that benefitted the provisions of OPA. MEP activities are the category of Coast Guard operations that directly supports OPA. The table below includes an allocation of OSLTF disbursements greater than or equal to \$250,000 for FY 2013.

Table 5: Coast Guard AC&I Disbursements greater than or equal to \$250,000 for FY 2013

Recipient of the Funds	Transaction Type	Amount of Expenditure	Description of Fund Use
Aircraft	Maritime Patrol Aircraft (MPA)	\$1,974,000	Maritime Pollution Enforcement and Response – In conjunction with visual surveillance, the HC-144A C4ISR suite can be employed to monitor and map oil-covered water surfaces. The suite can detect differences in backscatter between water and oil covered water.
Aircraft	H-60 Conversion Projects	\$434,000	Maritime Pollution Enforcement and Response – Visual surveillance and the C4ISR suite on the H-60 will be employed to monitor and map oil-covered water surfaces. The suite can detect differences in backscatter between water and oil-covered water.
Aircraft	H-65 Conversion and Sustainment Projects	\$2,856,000	Maritime Pollution Enforcement and Response – Visual surveillance and the C4ISR suite on the H-65 will be employed to monitor and map oil-covered water surfaces. The suite can detect differences in backscatter between water and oil-covered water.
Aircraft	HC-130 Conversion/Sustainment Projects	\$1,498,000	Maritime Pollution Enforcement and Response – Visual surveillance and the side-looking radar on the HC-130 are employed to monitor and map oil-covered water surfaces. The suite can detect differences in backscatter between water and oil-covered water due to the dampening effect of oil on small wind generated waves, while the Electro-optical/Infrared sensor can detect the small temperature variations between clear and oil-covered water.
Other	Government Program Management	\$406,000	The payment of federal administrative and personnel costs and expenses reasonably necessary for and incidental to the implementation, administration, and enforcement of the act.
Other	C4ISR	\$1,092,000	Maritime Pollution Enforcement and Response – C4ISR is the eyes, ears and cognitive recognition system allowing the Coast Guard to see, hear, comprehend and communicate what is happening in maritime regions. This is accomplished using modern electronic components, such as interoperable radio and satellite communication systems and improved optical/radar sensors, that can improve sightings in total darkness and detect maritime targets in all weather conditions.
Shore Facilities & ATON	Major/Minor Construction, ATON, and Survey & Design	\$1,218,000	Funding will provide in-house capability for planning and engineering studies, project design, master plans, appraisals, real property requirements and other architectural/engineering efforts. Completing proper planning and design helps to ensure AC&I projects are properly assessed, planned and prioritized prior to seeking project appropriations. The projects supported by this request contribute to the long range plans and directly support operational units charged with prevention of, and response to, marine pollution.
Shore Facilities & ATON	Major Acquisition Systems Infrastructure	\$2,016,000	Funding will provide in-house capability for planning and engineering studies, project design, master plans, appraisals, real property requirements and other architectural/engineering efforts. Completing proper planning and design helps to ensure AC&I projects are properly assessed, planned and prioritized prior to seeking project appropriations. The projects supported by this request contribute to the long range plans and directly support operational units charged with prevention of, and response to, marine pollution.
Military Housing	Housing	\$406,000	Funding will provide in-house capability for planning and engineering studies, project design, master plans, appraisals, real property requirements and other architectural/engineering efforts. Completing proper planning and design helps to ensure AC&I projects are properly assessed, planned and prioritized prior to seeking project appropriations. The projects supported by this request contribute to the long range plans and house active duty members at operational units charged with prevention of, and response to, marine pollution.
Personnel & Related Support	Direct Personnel	\$1,736,000	The payment of federal administrative and personnel costs and expenses reasonably necessary for and incidental to the implementation, administration, and enforcement of the act.
TOTAL		\$13,636,000	

- c. OE - The Coast Guard OE Appropriation received \$24,500,000 from the OSLTF in FY 2013. The funds were used for administrative, operational and personnel costs and expenses of administering and enforcing the OPA and subsections (b), (c), (d), (j) and (l) of section 311 of the FWPCA with respect to prevention, removal and enforcement related to oil discharges. The Coast Guard budgets by appropriation rather than individual missions and the MEP mission encompasses these activities. To estimate mission costs the Coast Guard projects resource allocations by mission using an activity-based costing system. The table below includes an allocation of OSLTF disbursements greater than or equal to \$250,000 for 2013.

Table 6: Coast Guard Operating Expense Disbursements for FY 2013

Recipient of the Funds	Amount of Expenditure	Description of Fund Use
COAST GUARD OE - Enforcement	\$2,122,702	Report activities directed at prevention of discharge of oil and activities directed at enforcement of marine environmental protection laws (excluding MARPOL agreements - non-OPA activity).
COAST GUARD OE - Preparedness	\$3,212,965	Report activities directed at readiness related to the discharge of oil and activities directed at responding to marine environmental protection laws.
COAST GUARD OE - Pollution Investigation	\$2,956,660	Report activities directed at investigating the discharge of oil and activities directed at responding to marine environmental protection laws.
COAST GUARD OE - Response	\$10,100,797	Report activities which endeavor to minimize the damage caused by oil discharged in the marine environment by providing coordinated action in response to discharge or substantial discharge of oil into U.S. waters
COAST GUARD OE - Recovery	\$6,106,876	Report activities directed at abatement of discharged oil to marine environmental protection laws by Coast Guard personnel.
TOTAL	\$24,500,000	